



**DETROIT LAKES PUBLIC SCHOOLS**  
**AGENDA**  
**REGULAR SCHOOL BOARD MEETING**  
**Monday, September 26, 2022 - 5:30 PM**  
**M State Room C101 , 900 Hwy 34 E, Detroit Lakes, MN 56501**

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*The mission of the Detroit Lakes Public schools is to fill our sails with Laker PRIDE.*

District Office ~ 702 Lake Avenue, Detroit Lakes, MN 56501 ~ 218.847.9271 ~ Website: [www.dlschools.net](http://www.dlschools.net)  
Superintendent: Mark Jenson    Director of Finance & Operations: Jason Kuehn    Education Director: Renee Kerzman

**BOARD MEMBERS:**

**Amy Erickson, Vice-Chair**  
1380 East Shore Drive  
Detroit Lakes, MN 56501  
218.841.2944

**Ethan Walz**  
21762 244<sup>th</sup> Ave  
Detroit Lakes, MN 56501  
218.371.7619

**Michelle Okeson**  
24842 County Rd 113  
Detroit Lakes, MN 56501  
218.841.6065

**Mary Rotter- Treasurer**  
23625 Pebble Beach LN  
Detroit Lakes, MN 56501  
651.335.0396

**John Steffl, Chair**  
22370 Steffl Road  
Callaway, MN 56521  
218.850.5060

**April Thomas, Clerk**  
25592 Almquist Road  
Detroit Lakes, MN 56501  
651.271.1818

**Student Representatives: Quinn Rogstad- [24rogstquin@detlakes.k12.mn.us](mailto:24rogstquin@detlakes.k12.mn.us), Nick Buboltz- [25bubolnich@detlakes.k12.mn.us](mailto:25bubolnich@detlakes.k12.mn.us)**

**I. CALL TO ORDER**

Presenter: Steffl, Board Chair

A. Laker Pride

**II. ROLL CALL**

Presenter: Steffl, Board Chair

**III. PLEDGE OF ALLEGIANCE**

Presenter: Steffl, Board Chair

**IV. APPROVAL OF AGENDA**

Presenter: Steffl, Board Chair

**V. RECOGNITIONS**

Presenter: Steffl, Board Chair

A. Renee Kerzman- New Teacher and Back to School Organizational efforts.

**VI. COMMENTS AND REQUESTS FROM VISITORS**

Presenter: Steffl, Board Chair

A fifteen-minute time limit will be allowed for audience comment. Those requesting audiences will inform either the Board Chairman or the Superintendent prior to the meeting that you wish to address the Board.

**VII. PROGRAM PRESENTATIONS**

Presenter: Josh Omang

A. DLHS

**VIII. CONSENT ITEMS**

Presenter: Steffl, Board Chair

Action is requested on the following items of the consent agenda. Consent agenda items are typically adopted without discussion of the individual items because they are routine or ordinary in action. Any consent agenda item may be removed for further discussion and deliberation by any member of the board.

A. Approve the Minutes of the August 22, 2022 Regular School Board Meeting.

- B. Approve District Bills
- C. Student Handbooks: E-Laker Online High School
- D. Approve District Hand Payable Bills
- E. Approve Personnel Agenda Items
- F. Approve the Application for a High School Student fulfilling the requirements for Early Graduation as per School Board Policy 613 at the end of the first semester, January 20, 2023.
- G. Acknowledge Fall Coaches for the 2022-2023 school year.
- H. **Approve Second Reading of Policies:**
  - 1. 407- Hazardous Substances
  - 2. 413- Harassment and Violence
  - 3. 414- Mandatory Reporting
  - 4. 415- Mandatory Reporting
  - 5. 416- Drug and Alcohol Testing
  - 6. 417- Chemical use and Abuse
  - 7. 419- Tobacco-Free Environment
  - 8. 420- Communicable Diseases and Infectious Conditions
  - 9. 506- Student Discipline
  - 10. 514- Bullying Prohibition
  - 11. 525- Violence Prevention
  - 12. 529- Violent Students
  - 13. 532- Removing Students with IEP's
  - 14. 709- Student Transportation Safety
  - 15. 806- Crisis Management
- I. **Donations**
  - 1. School Supplies for elementary students from Detroit Lakes Breakfast Rotary Club.
  - 2. \$73.10 for unpaid lunch accounts from Mike Stearns.
  - 3. \$40 worth of Playdough supplies for Lincoln from the Brunken family

**IX. DISCUSSION ITEMS**

Discussion items receive individual attention because of the nature of the issues and need for introductory or other discussion in order to review the information prior to taking action. This is also the agenda location for items which simply need school board review, but no formal action on the items is required. Discussion items will typically return to the agenda at a future point for more specific action.

- A. **First Reading of Policies:**  
Presenter: Steffl, Board Chair
  - 1. 518- DNR/DNI
  - 2. 519- Interviews of Students by Outside Agencies
  - 3. 520- Student Surveys
  - 4. 522- Title IX
  - 5. 523- Policies Incorporated by Reference
  - 6. 524- Internet Acceptable Use and Safety Policy
- B. **Building Goals- ALC, DLHS, DLMS, Roosevelt, Rossman**  
Presenter: Mark Jenson
- C. **Pre-Sale Report for Bond Sale**  
Presenter: Mathew Hammer, Ehlers

**X. ACTION ITEMS**

Action items receive individual attention because of the nature of the issues, the need to discuss or review the information prior to taking action, or the specific kind of action required for the item.

- A. **Out of State Travel- National Council of Teachers of Mathematics Annual Conference**  
Presenter: Lisa Conzemius
- B. **Out of State Travel- FFA National Equity and Diversity Initiative**  
Presenter: Janelle Hueners
- C. **Approve the Purchase of Service Agreement Between Mental Health Therapy Services, ISD#22, and Stellher Human Services, Inc.**  
Presenter: Mark Jenson

D. **Construction Change Orders-** Approve the Construction Change Orders for the High School

Presenter: Steffl, Board Chair

E. **Approve the Certification of the 2022 Payable 2023 Proposed Property Tax Levy for the 2023-2024 school year.**

Presenter: Jason Kuehn

XI. **ADMINISTRATIVE AND BOARD REPORTS**

A. **Superintendent Report**

Presenter: Mark Jensen, Superintendent

1. Monthly Enrollment Report

2. Champions Board

B. **Board Committee and Representative Reports**

1. Student Report

Presenter: Houglum, Student Board Representative

2. Sports Arena Commission

Presenter: Steffl, Board Chair

3. Finance Committee

Presenter: Pedersen, Board Treasurer

4. Facilities Committee Meeting

Presenter: Erickson, Vice Chair

XII. **UPCOMING EVENTS AND ACTIVITIES**

Presenter: Steffl, Board Chair

A. Facilities Committee- 10/11/22 DLHS Conference Room 8:00am

B. Finance Committee- 10/13/22 District Office 12:00pm

C. Regular Board Meeting- 10/24/2022 MState C101 5:30

D. Special Board Meeting- 10/27/22- MState C101 5:30pm

XIII. **MEETING ADJOURNED**

Presenter: Steffl, Board Chair

# Laker PRIDE

	<p><b>Purpose</b> our intention, what drives us</p>	<p>Deliver educational excellence.</p>
	<p><b>Relationships</b> the ways we connect and behave toward each other</p>	<p>Care and communicate positively and respectfully within and across our schools and community.</p> <ul style="list-style-type: none"> <li>• District ↔ parents and community members</li> <li>• District ↔ building</li> <li>• Building ↔ teacher</li> <li>• Building ↔ parents</li> <li>• Teacher ↔ parent</li> <li>• Teacher ↔ students</li> </ul>
	<p><b>Innovation</b> the creation, development and implementation of a new idea or concept to enhance educational opportunities</p>	<p>Embrace creativity and critical thinking.</p> <ul style="list-style-type: none"> <li>• Renew and bring up to date all systems and practices</li> <li>• Utilize growth mindset to hone existing intentions/objectives and explore new ideas</li> <li>• Support diverse ways of thinking and doing</li> <li>• Embed equity continually in every facet of our work</li> </ul>
	<p><b>Development</b> a process that creates growth, progress, positive change or the addition of physical, economic, environmental, social and demographic components</p>	<p>Foster the academic, social, emotional, and cultural needs of all learners.</p> <ul style="list-style-type: none"> <li>• Implement and sustain PBIS at all levels</li> <li>• Hone our support for social/emotional health</li> <li>• Further learning and implementation of equitable feedback, assessment, grading and reporting</li> <li>• Provide professional development that supports PRIDE</li> </ul>
	<p><b>Equity</b> the quality of being fair (not equal) and impartial</p>	<p>Ensure that our values, policies, and practices are equitable for our students, staff, and community.</p> <ul style="list-style-type: none"> <li>• Clarify and support understanding of equity vs. equality for all</li> <li>• Actively promote equity (institutional, personal, and instructional)</li> <li>• Remove systemic barriers</li> <li>• Accommodate different learning styles</li> <li>• Give students a voice</li> </ul>

I pledge allegiance to the flag  
of the United States of America,  
and to the Republic  
for which it stands,  
one Nation under God,  
indivisible,  
with Liberty and Justice  
for all.





*Welcome to Detroit Lakes  
High School*

DETROIT LAKES PUBLIC SCHOOLS

*Caring. Collaboration. Creativity.*

# Rebranding of our "Why?"



**COLLEGE READY**



**CAREER READY**



## TEN COMMANDMENTS for CAREER SUCCESS

- I. Be Positive (Attitude is everything)*
- II. Show Up (On time, every day, reliably)*
- III. Work Hard (Earn your keep, get something done)*
- IV. Get Along (Play together nice in the sandbox)*
- V. Be a Team Player (Share your knowledge and skills)*
- VI. Be Flexible (Willingly take on different tasks)*
- VII. Figure It Out (Be a problem solver, not a problem asker)*
- VIII. Join the Club (Be proud to be a part of your organization)*
- IX. No Whining (Communicate positively and, well, don't be high maintenance)*
- X. Keep Learning (If you don't keep up, you will become obsolete)*

**LIFE READY**

## DLHS Core Values Statement...



*Detroit Lakes High School is a community of learners who believe relationships encourage growth and success through caring, collaboration, and creativity. Lakers are champions in life.*



*Extending our core values...*

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*How do we make this statement a reality?*



## THEORY

*(Binder on the Shelf)*



*Detroit Lakes High School is a community of learners who believe relationships encourage growth and success through caring, collaboration, and creativity. Lakers are champions in life.*

## PRACTICE

*(Something we actually use to make decisions in meetings)*

1. Do I belong here?
2. Is this meaningful?
3. Can I do this?



# Our Staff Deserves A Great Culture...

- Support from “Teams”
- Support from Administrators
  - Being Present Regularly
  - I-Time Lesson With Staff

*“When a Principal becomes aware that his or her school culture isn’t as supportive of learning as it could be, whatever he or she does to change things will be taken by some as a threat to their belief systems and to the school’s very identity!”*  
~(School Culture Rewired)



Together we can build something extraordinary!

#BARR22

# How do “I” fit into the larger context of this building?



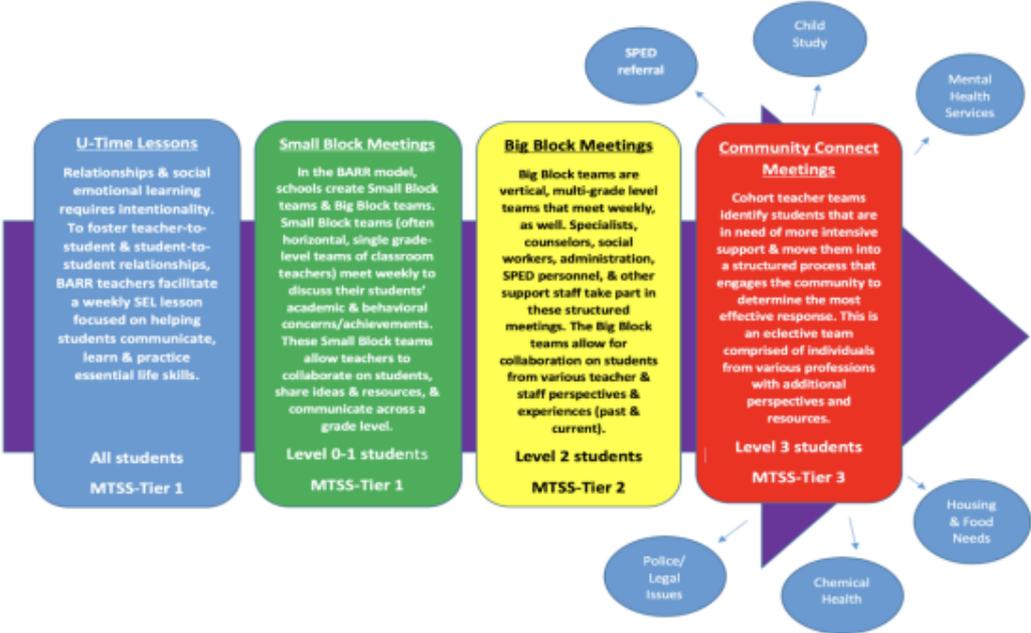
## 5 F's for Team Success

1. Fight-for each other.
2. Faith-keep believing.
3. Fun-enjoy it.
4. Focus-tune out distractions.
5. Finish-strong.

# Strategy Team 1-BARR

## BARR (All teachers)

BARR DLHS



# Strategy Team 2-Academy Leadership Team

## Academy Leadership Team

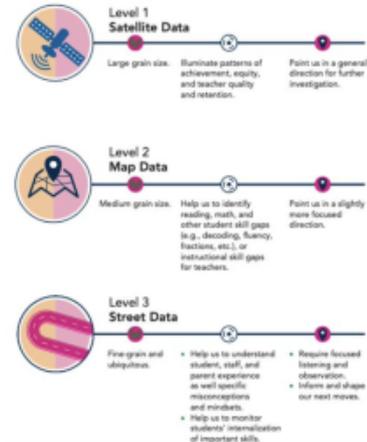
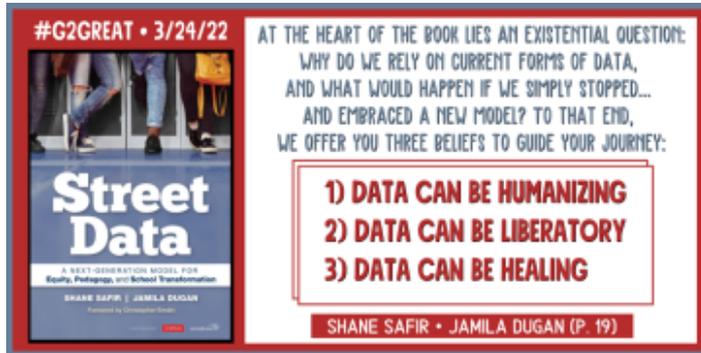
- The primary purpose of the Academy Leadership Team is as follows:
  - *Mission Statement: The Detroit Lakes High School Academy Leadership Team's role is to help guide the success of the students and staff through assisting in the implementation of building goals, the academy model, guiding teacher professional growth and development, and positively impacting the school climate and culture.*
  - Implementation of academy principles into our HS experience.
  - A bias towards action and an expectation of innovation around providing exposure to students in high wage, high demand, and high skill careers.
  - Creating connections between core content and real life opportunities.
  - Members:



# Strategy Team 3-Instructional Excellence Team

## Instructional Excellence Team

- The primary purpose of the Instructional Excellence Team is as follows:
  - Distributive leadership throughout the building
  - A bias towards action and an expectation of innovation around improvements in instructional practice, culture, and systems to reach identified school goals.
  - Monitoring progress, reviewing data, sharing learning from PLCs.
  - Implement PDSA (Plan, Do, Study, Act) cycles and align actions and processes with those of the PLC's and other teams in the building.
  - Members



# Strategy Team 4-Student Leadership Team

## **Student Leadership Team**

- The primary purpose of the Student Leadership Team is as follows:
  - Get a student voice about the effectiveness of programs that we are offering
  - Authentic inclusion of multiple perspectives of the students that we serve (All groups, not just the 4.0 students)
  - Students are natural innovators, we need to enlist their ideas to meet the demands of today's world!



# Strategy Team 5-Sunshine Funshine! (Culture)

## Sunshine Funshine

- The primary purpose of the Culture Team is as follows:
  - Creating lasting and meaningful connections for students and staff at DLHS
  - Telling our story using the mantra:
    - Simple
    - Unique
    - Repeatable
  - Creating a culture of connection and belonging.
  - Planning staff activities throughout the year.
  - Members



# *Using Data: The Levels of Data*

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*Based on work by Shane Safir (The Listening Leader and Street Data)*

# The “Lego Data Story”

How do we view “Data?”

→ *Dudley Field Malone once stated, “One good analogy is worth three hours of discussion.”*

DATA



SORTED



ARRANGED



PRESENTED VISUALLY



EXPLAINED WITH A STORY



ACTIONABLE (USEFUL)



Reference: <https://www.effectivedatastorytelling.com/post/a-deeper-dive-into-lego-bricks-and-data-stories>



### Level 1 Satellite Data

Large grain size.

Illuminate patterns of achievement, equity, and teacher quality and retention.

Point us in a general direction for further investigation.



### Level 2 Map Data

Medium grain size.

Help us to identify reading, math, and other student skill gaps (e.g., decoding, fluency, fractions, etc.), or instructional skill gaps for teachers.

Point us in a slightly more focused direction.



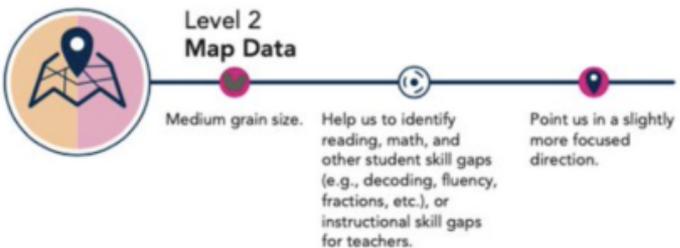
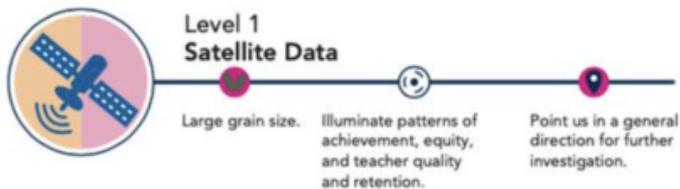
### Level 3 Street Data

Fine-grain and ubiquitous.

- Help us to understand student, staff, and parent experience as well specific misconceptions and mindsets.
- Help us to monitor students' internalization of important skills.
- Require focused listening and observation.
- Inform and shape our next moves.

Reference:

<https://www.edweek.org/leadership/opinion-street-data-a-new-grammar-for-educational-equity/2019/03>



- ACT SCORE
- MCA SCORE
- GRADUATION RATE

- ★ Tends to be lagging, falling into educators' hands long after it has lost its utility to inform instructional decisions.
- ★ gives policymakers and system leaders unwarranted credibility to make sweeping decisions without being close to the actual locus of learning—the classroom.

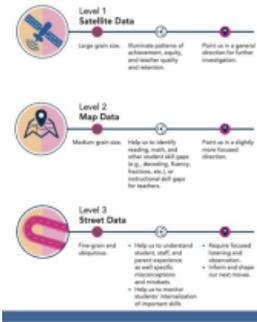
- Attendance
- Behavior Data
- STAR (Growth)
- Course Failures/Course Pass Rate (C or higher)
- Specific Strands of ACT/MCA/AP Scores
- Schoolwide Student Surveys (MN Student Survey)

- ★ Hovers closer to the ground, providing a GPS of learning trends and gaps in a school community.
- ★ Paints a slightly richer picture, it still lacks the texture required to inform and shape equitable change.

- Student Strengths BARR
- Connections to School (BARR)
- Mental Health/Chemical Health
- Student Leadership Team
- BARR Parent Group
- More focused surveys based on specific issues we are seeing

- ★ Takes us down to the ground to listen to the voices and experiences of our students, staff, and families.

# Standards of Excellence (Expectations) Collaboration



## → Staff Survey (Street Data)

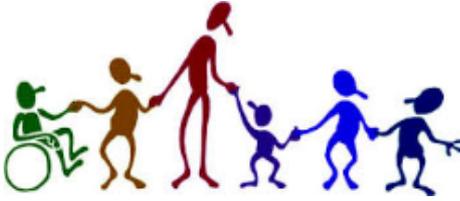
- ◆ “We need to stop blaming and complaining and fix the problems.”
- ◆ “We should stop making excuses for students and staff. Expectations are necessary for success. Students should be here to learn and teachers should have their grades entered and up to date.”
- ◆ We should stop continuing to let negative and disrespectful people dictate meetings; there needs to be repercussions to not buying into our culture at DLHS. (This has been significantly better this year but there are still some people unwilling to change their attitudes.)
- ◆ Thinking the old way is the best just because.
- ◆ I would like to get really good at what we started doing this year instead of just being mediocre and implementing more stuff on top of it (BARR, strengthening Academy Model, etc.)
- ◆ Some teachers need to start to be better with getting their grades in regularly AND on time. I know that you have requested this, but there are several who have not done that.
- ◆ Create a list of commonly agreed upon items of importance. The no-nonsense list of things that everyone does to increase the feeling of consistency. This list needs to include: attendance, letting kids out of class before the bell, grading, etc.

# We Want Accountability...

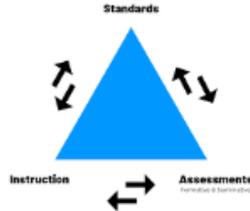
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*"Nobody will be accountable to us until we are accountable to each other"*

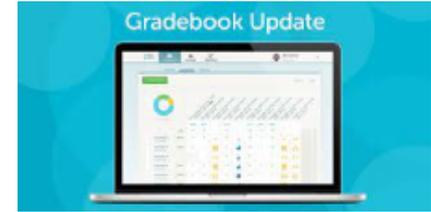
# DLHS "HOUSE RULES"



**Build Meaningful Relationships**  
**Be Positive/Understanding/On Board**



**Align Curriculum to Standards**  
**Use Learning Targets**  
**Checks for Understanding**



**Regularly Update Grades**  
**Minimum=15th/30th**



**Update Sheets-Involve Students-**  
**Communicate with**  
**Staff/Parents/Students**

# AIT

**Sign Kids Up For AIT**  
**Help Supervise-Be Consistent**



**Have Sub Plans**  
**Communicate/Lead by Example**  
**Greatest Impact on Learning=Good Teacher**

**Take Accurate/Consistent Attendance**  
**Use Our Process**



**EVERY STAFF-EVERY STUDENT-EVERY DAY!**



How do "I" fit into the larger context of this building?



- 5 F's for Team Success
1. Fight-for each other.
  2. Faith-keep believing.
  3. Fun-enjoy it.
  4. Focus-tune out distractions.
  5. Finish-strong.



*INNOVATE-HAVE THE RIGHT MINDSET-KNOW THE ANTECEDENTS OF EXCELLENCE-TELL THE STORY*

Leadership and Learning Matrix		
Effects/Results	<b>Lucky</b> High results, low understanding of antecedents Replication of success unlikely	<b>Leading</b> High results, high understanding of antecedents Replication of success likely
	<b>Losing Ground</b> Low results, low understanding of antecedents Replication of failure likely	<b>Learning</b> Low results, high understanding of antecedents Replication of mistakes unlikely
Antecedents/Cause Data (Adult Actions)		

**Josh Omang**  
@DLHS\_Principal

We had to modify our Senior Sunset a little due to the rain but ice cream, root beer floats, bean bags and just dance definitely didn't disappoint! Great group of kids to celebrate on Sunday! #LAKERPR1DE 🍦🍷🎮👯

10:11 PM - May 19, 2022 - Twitter for iPhone



Josh Omang  
@DLHS\_Principal

...

We had an awesome breakfast for our seniors yesterday as we celebrated “decision day.” Fun to see all the college gear, military, and even some workforce gear represented! 🚤 #LAKERPRIDE



7:01 AM · May 7, 2022 · Twitter for iPhone



Josh Omang  
@DLHS\_Principal

...

In Ms. Ito’s Chemistry class today learning about phase changes by making ice cream! Blown away by the level of student engagement. Our staff at DLHS is so innovative and creative! My favorite quote “You can eat your science!” 🚤 #LAKEPRIDE @DLPublicSchools



11:23 AM · Mar 25, 2022 · Twitter for iPhone

**THINK BIG**



START SMALL



*GO FAST!*





**BARR**

**EVERY KID**  
**EVERY DAY**

# BARR

What does it stand for?

Building Assets and  
Reducing Risks

# What are the two fundamental pillars of BARR?

1. Creating positive, intentional relationships
1. Using Real-time data in collaborative problem-solving settings to guide instructional action

## Building Intentional Relationships

In order to create the most thriving learning environment, BARR believes it is essential for educators to focus on strengthening three types of foundational relationships: staff-to-staff, staff-to-student, and student-to-student, as well as family engagement.



STAFF TO STAFF



STAFF TO STUDENT



STUDENT TO STUDENT

# I-Times

CLASSROOM CURRICULUM VOLUME 1

UPDATED AND EXPANDED

**BARR** BUILDING ASSETS  
REDUCING RISKS

Angela Jerabek, M.S.

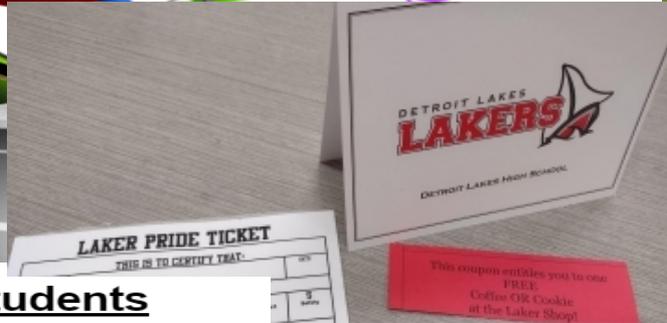
A School Improvement Model  
for Grades 6-12

Week Assigned	Core Subject Assigned to Facilitate	Vol	Section	Section Topic	I-Time #	I-Time Title	Virtual I-Time Available <small>(Please email your lead coach for virtual adaptation information)</small>	Time <small>(Include recess)</small>	Risk/Protective Factors
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="border: 1px solid gray; padding: 5px;"> <b>Section 1:</b> Building a Connected Community         </div> <div style="text-align: right;">Classroom Cur</div> </div> <hr/> <h2 style="text-align: center;">Session 4: Shields</h2> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p><b>TIME NEEDED</b></p> <ul style="list-style-type: none"> <li>• 1 hour</li> </ul> <p><b>ASSET CATEGORIES</b></p> <ul style="list-style-type: none"> <li>• Support</li> <li>• Positive Identity</li> <li>• Commitment to Learning</li> </ul> <p><b>RISK/PROTECTIVE FACTORS</b></p> <ul style="list-style-type: none"> <li>• Bonding and attachment to school</li> <li>• Opportunities for pro-social involvement</li> </ul> <p><b>MATERIALS NEEDED</b></p> <ul style="list-style-type: none"> <li>• Paper or poster board, one piece per participant</li> <li>• Markers, enough for the class to share</li> </ul> <p><b>PREPARATION NEEDED</b></p> <ul style="list-style-type: none"> <li>• Select four to six</li> </ul> </div> <div style="width: 65%;"> <p><b>Purpose</b></p> <p>To help participants become more acquainted with another and introduce each other to the entire class.</p> <p><b>Instructions</b></p> <ol style="list-style-type: none"> <li>1. Prior to class, select four to six interview questions for participants to use from the Shield Interview list (see page 27). They will use these questions to draw the outline of a shield about someone else in the class.</li> <li>2. Give each participant a sheet of paper or poster board. Instruct participants to draw the outline of a shield on their paper, dividing the shield into sections (four to six sections based on the number of questions the facilitator provides).</li> </ol> <div style="text-align: center; margin-top: 20px;"> </div> </div> </div>									
9-18	MATH	2	1	Building a Connected Community	3	Putting the Pieces Together	No	50	<ul style="list-style-type: none"> <li>• Opportunities for pro-social involvement</li> <li>• Bonding and attachment to school</li> </ul>
9-28	ENGLISH	2	1	Building a Connected Community	4	Kindness Counts	Yes*please email coach	30	<ul style="list-style-type: none"> <li>• Opportunities for pro-social involvement</li> <li>• Bonding and attachment to school</li> </ul>
10-1	SOCIAL	2	1	Building a Connected Community	5	Freeze and Thaw	No	30	<ul style="list-style-type: none"> <li>• Opportunities for pro-social involvement</li> <li>• Bonding and attachment to school</li> </ul>

# HAPPY HOUR - Celebrate Students

## Let's Celebrate Students:

Write a letter or do a Laker Pride ticket for one or two of your deserving students.



## Electronic LAKER PRIDE Award

Thank you for representing the L.A.K.E.R.S positively!

[kkalina@detlakes.k12.mn.us](mailto:kkalina@detlakes.k12.mn.us) [Switch account](#)

Your email will be recorded when you submit this form

\* Required

Student Name \*

Your answer

Student Email Address \*

Your answer

Parent Email Address

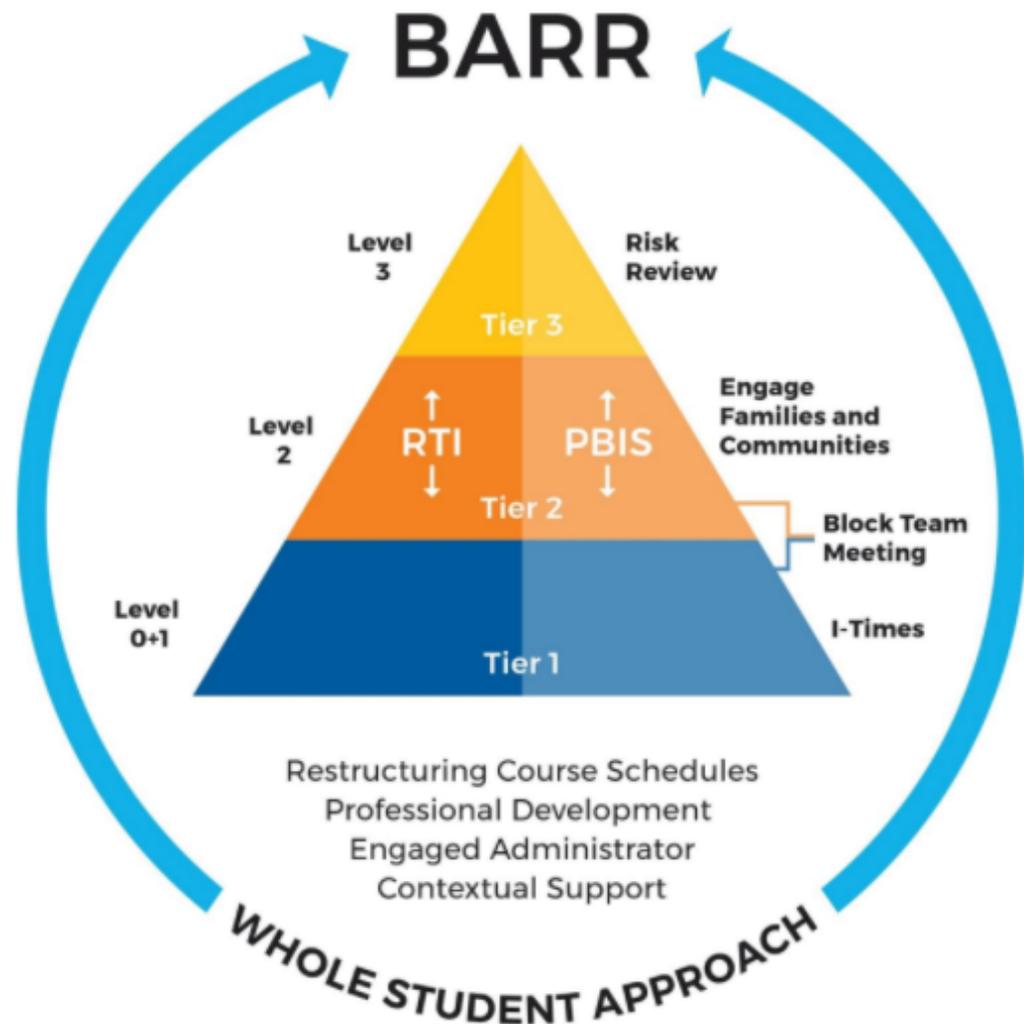
Your answer

## Ideas for Celebrating Students

- Write a letter and send it in the mail
- Make a phone call home
- Laker Pride Tickets
- Donut Day
- Hallway Conversations
- Pizza Day
- Game Day
- Social Media "Call Out" (Student of the week/month)
- Preferred Parking
- Share Laker Pride Students on Monitors (pick a few to announcements each day)
- Open Lunch for 10th graders
- Rewards for attendance
- Christmas Cards
- AIT Fun Places to go
- Student of the month/week
- Advertise Laker Pride students
- Comments put on assignments/assessments
- **How** do you greet people (using names)
- ABC Club
- Positive Emails/Cards
- MCA Celebration-DJ or Band (Surprise)
- Awards to strive for and celebrate them
- Breakfast Friday

# Multi-Tiered System of Support

For schools that are implementing RTI, PBIS, or other multi-tiered systems, BARR provides an effective framework for continuing this work and integrating these approaches in one system addressing academic, behavioral and social-emotional education.



# BARR & Pathway Teaming

## 9th Grade Teams

Link	Sailors	3	254
Maas	Sailors	3	152
Heidi Evans	Sailors	3	256
Johnson, R	Sailors	3	154
Vagle	Sailors	3	265
Marcus	Sailors	3	165
Harrier	Waves	2	156
Lenzen	Waves	2	252
Oistad	Waves	2	150
Moser	Waves	2	250
J. Blasczyk	Waves	2	251
Joan Clark	Waves	2	266

## 10-12th Grade Teams

Carlson	Health Sci	4	106
Hefta	Health Sci	4	525
Ratz	Health Sci	4	110
Lakin, A	Health Sci	4	209
Voller	Health Sci	4	104
Meyer	Health Sci	4	525
Siewert	Health Sci	4	538
Conzemius	Health Sci	4	108
Ford	Health Sci	4	128
Sara Williams	Human Serv	7	453
Casey Berntson	Human Serv	7	231
Burnside	Human Serv	7	221
Surface	Human Serv	7	525
Haus	Human Serv	7	223
Benson	Human Serv	7	211
VanValkenburg	Human Serv	7	450
Eischens, L	Human Serv	7	229

Bettcher	Business	1	220
Hogie	Business	1	107
Knopf	Business	1	109
Ulyyott	Business	1	126
Kvebak, M	Business	1	120
Danner	Business	1	452
Moore	Business	1	240
Thelen	Business	1	540
Nunn	Business	1	124
Ito	Production	8	219
Malchow	Production	8	204
Swenson	Production	8	203
Blasczyk	Production	8	206
Snetsinger	Production	8	405
Jorgenson	Production	8	408
Kvebak, B	Production	8	212
Hueners	Production	8	412
Trout	Production	8	210

# Block Meeting Example

 <b>BARR</b> <small>Board of Alternative and Restorative Practices</small>							[2021-2022] Team Wave 9th Grade BLOCK									
Continuous Student Information							Date Specific									
Student First Name	Student Last Name	Student ID <small>(hide when not in use)</small>	Advisory/ Team <small>(hide when not in use)</small>	Advisory/ Team Teacher <small>(hide when not in use)</small>	Student Strength/s	Student's Connection to School	Date	<u>LEVEL OF CONCERN</u>	SOCIAL STUDIES	ENGLISH	SCIENCE	MATH	ELECTIVE <small>(enter elective option)</small>	ELECTIVE <small>(enter elective option)</small>	ELECTIVE <small>(enter elective option)</small>	ELECTIVE <small>(enter elective option)</small>
Gary	Brown		WAVE	Kalina	Friendly, likes sports, respectful	Plays football, basketball, and runs track	2/7	Level 1	C	B+	C-	D	D-	F		
							AREAS OF CONCERN	<u>STUDENT SMART GOAL</u>	STAFF INTERVENTION	INTERVENTION EFFECTIVENESS	GENERAL NOTES					
							Failing Spanish and slipping in other classes	Passing Spanish and gets all assignments made up in math and woods by the end of next week	Spanish teachers signed him up for AIT and called home. Math teacher did a one on one and tried some incentives to improve effort and behavior in class.	It got better for a few days and has now gotten worse than before.	After talking to Gary and Mom, we found out that his Grandpa passed away suddenly in December. They were close and it has affected him quite a bit.					

**IS IT WORKING?**

# BARR Data (Year 1)-9th grade

Year	1-2 F's	3+ F's (In danger of not graduating)	Total
2019	45	31	76
2022	17	27	44

**\*42.2% Reduction of students failing from 2019**



# BARR Data (Year 1)-10-12th Grades

Year	1-2 F's	3+ F's (In danger of not graduating)	Total
2019	70	32	102
2022	44	31	75

**\*27% Reduction of students failing from 2019**



# Behavior Data

## MDE DIRS Trends Report

**17% reduction in Out of School Suspension from 2020-21**

**33% reduction in OSS from 2019-2020 School Year**

### DIRS Number of Disciplinary Actions - Trend Report 2021-22

District: 0022-01 DETROIT LAKES PUBLIC SCHOOL DIST.  
School: 003 DETROIT LAKES SENIOR HIGH

Disciplinary Actions		2019-20	2020-21	2021-22
003 DETROIT LAKES SENIOR HIGH	Administrative Transfer			
	Alternative response to physical assault of a district employee			
	Exclusion			
	Expulsion			1
	In-school Suspension	39	35	37
	No school response			
	Offender requested to transfer to another district			
	Offender requested to transfer within district			
	Offender withdrew from school			
	Other	3		
	Out-of-school Suspension	58	44	28
	Removal by Hearing Officer (sp ed students only)			
	Unilateral Removal (sp ed students only)			
<b>Total</b>	<b>100</b>	<b>79</b>	<b>66</b>	

Law Enforcement Referrals and School-Related Arrests	2019-20	2020-21	2021-22
Referral to Law Enforcement	42	37	46
School-Related Arrest	2	0	1

# Celebrations of Last Year!

9-12 BARR Implementation

Targeted Parent - Teacher Conferences

AIT Effectiveness

I-Time Lessons

Teaming 9-12

Decreasing the number of students with Fs

Survived Construction Obstacles

Connected more with students/staff



# Growth Targets for the BARR Program...

- ★ Improve team meetings (Small Block, Big Block, Risk Review). **TRAINING**
- ★ Improve teams ability to address trauma through the BARR process. **TRAINING**
- ★ Utilize Street Data from I-Time Lessons
- ★ Improve Communication with Students/Parents/Families
- ★ Effectiveness addressing our at-risk students (Next Slide)

## BARR Data (Year 1)-10-12th Grades

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\*42.2% Reduction of students failing from 2019



# BARR<sup>®</sup>

Same Students. Same Teachers.  
**Better Results.**

# Purpose for Each Team

“The environment doesn’t change us, we change the environment!”

# WORD OF THE YEAR

THRIVE



**Thank you for the  
opportunity to share  
our BARR story!**

# 21st Century Skills: Ambassador Program

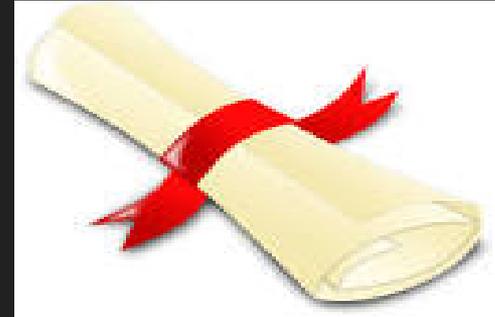


[Detroit Lakes  
Ambassador Program](#)

# 21st Century Skills: E-Portfolio and Certifications

[2021-2022 Example](#)

- General Financial Literacy
- 21st Century Skills
- College and Career Readiness



# 21st Century Skills: Capstone Project



**21<sup>st</sup> CENTURY SKILLS**

**Critical thinking**  
Critical thinking is generating questions, evaluating information and arguments, making connections, identifying patterns, reasoning, constructing knowledge and applying it to solve problems in the real world.



**Citizenship**  
Citizenship is respectfully and positively impacting others and being actively involved in addressing community, national and/or global issues.



**Growth mindset**  
Growth mindset is working through challenges showing tenacity, perseverance, resilience, self-regulation and self-advocacy.



**Communication**  
Communication is appropriately interacting with others to convey meaning and gain understanding for multiple purposes, settings, and audiences including the digital environment.



**Creativity**  
Creativity is generating ideas and approaches to design innovations, construct solutions, build understanding, and express perspectives.



**Collaboration**  
Collaboration is working interdependently, learning from and contributing to the learning of others for a shared purpose in a wide range of environments.



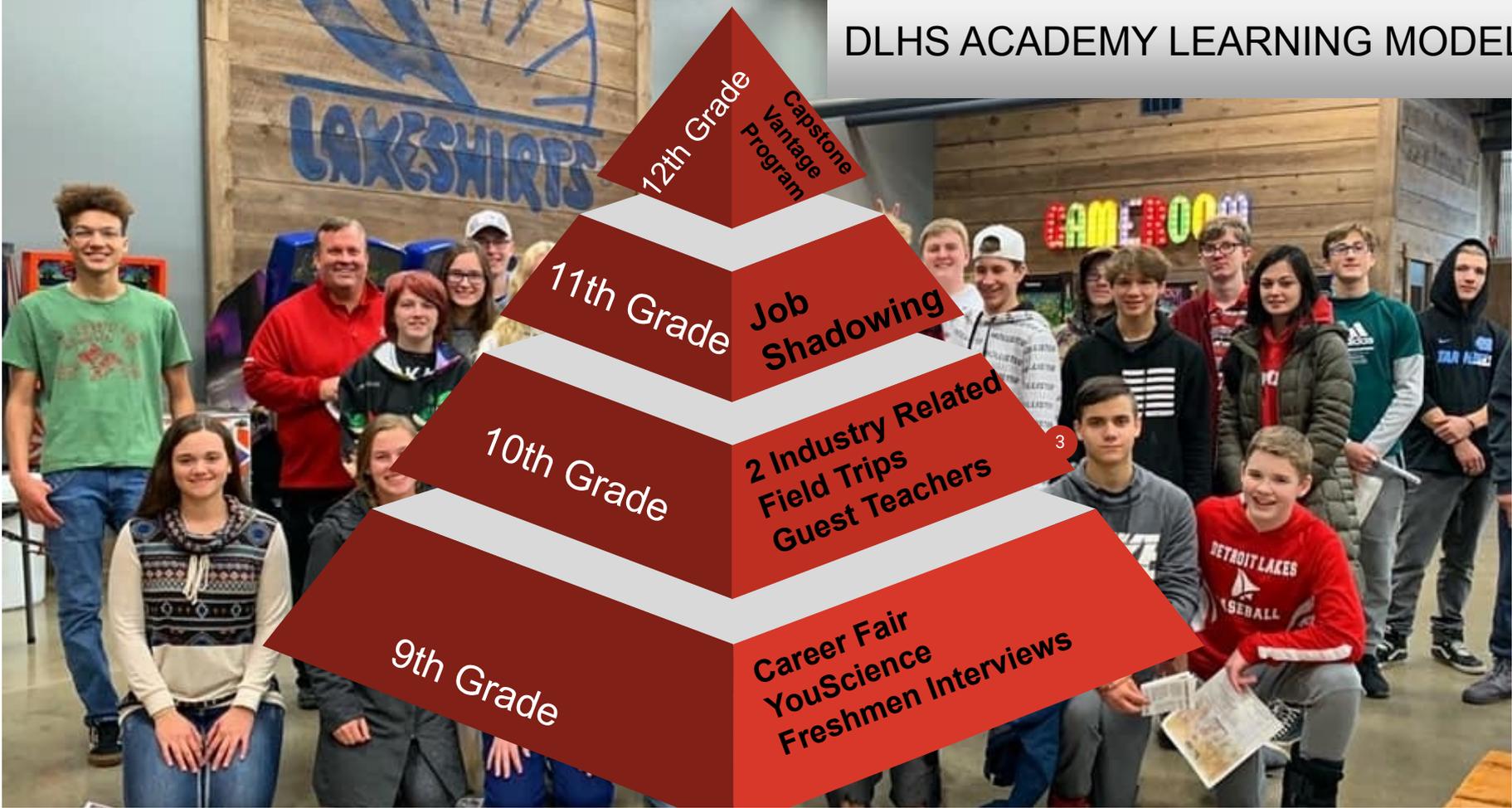
## Capstone Project Components

1. Driving Question or Identify a Problem
2. Develop a SMART GOAL
3. Create an Action Plan
4. Implement Plan
5. Record Data
6. Reflection
7. Public Presentation

# Why did we need 21st Century Skills?

- Helping students transition from HS to College or Career
- Things we have put into this course have been identified as deficiencies by employers or former students and are best practices in Career Academies.
  - ◆ Job application materials
  - ◆ Updated resume
  - ◆ Employability skills/Communication skills
  - ◆ Capstone projects
- Work Based Learning Prior to the Academy Model:
  - ◆ (Vern) Elective course-maybe 90-100 kids per year did an internship
  - ◆ Wasn't well thought out or planned
  - ◆ Not tied to any specific pathway or course of study.

# DLHS ACADEMY LEARNING MODEL



We now have an experience for EVERY KID-EVERY YEAR!

# COLLEGE READY-CAREER READY-LIFE READY



Commitment to Graduate



DLHS ACADEMIES v4.0



21st Century Skills

Career Expo



*How Are We Preparing Students For Success In Today's World?*



Senior Capstone



*Where the Magic Happens*



**Comfort Zone**

**OFFICIAL PROCEEDINGS**  
**SCHOOL BOARD OF INDEPENDENT SCHOOL DISTRICT NO. 22**  
**BECKER AND OTTERTAIL COUNTIES, DETROIT LAKES, MINNESOTA 56501**

**Regular School Board Meeting**  
**Monday, August 22, 2022, 5:30 PM**  
**City Council Chambers ~ 1025 Roosevelt Avenue, Detroit Lakes, MN, 56501**

**Present:** Amy Erickson, Courtney Henderson, Jennifer Pedersen, John Steffl, April Thomas

**Absent:** Dr. Thomas Seaworth

The meeting was called to order at 5:30 PM by Board Chair Steffl.

The Pledge of Allegiance was recited.

A motion was made by Erickson, seconded by Henderson, to approve the agenda. Motion carried unanimously.

A motion was made by Thomas, seconded by Pederson, to approve the following consent agenda items. Motion carried unanimously.

- A. Approve the Minutes of the July 25, 2022 Regular School Board Meeting.
- B. Approve K-12 Computer Checks #700205-700288 and #700304-700422 in the amount of \$696,659.16. Hand Payable Checks #700076-700079, #700191-700200, #700289-#700295, and Wire Transfers #1200-1206, #1297, and #1305-1311 in the amount of \$761,407.55 for a total of \$1,458,066.71. Senior High Activity Account and Middle School Activity Account had no disbursements in the month of July.(EXHIBIT)
- C. Approve Personnel Agenda Items. (EXHIBIT)
- D. Approve Construction Change Orders.
- E. Approve the 22-23 Return to School Plan.
- F. Approve Second Reading of Policies
  - a. 428-Substitute Teach Py
  - b. 503- Student Attendance

The following items were up for discussion

- A. First reading of Policies:
  1. 407- Hazardous Substances
  2. 413-Harassment and Violence
  3. 414-Mandatory Reporting
  4. 415- Mandatory Reporting
  5. 416- Drug and Alcohol Testing
  6. 417-Chemical use and Abuse
  7. 419-Tobacco-Free Environment
  8. 420-Communicable Disease and Infectious Conditions
  9. 506-Student Discipline
  10. 514-Bullying Prohibition
  11. 525-Violence Prevention
  12. 529-Violent Students
  13. 532-Removing Students with IEPs
  14. 709-Student Transportation Safety
  15. 806-Crisis Management

A motion by Erickson, seconded by Henderson to approve the Renewal of the Superintendent's Contract. Motion carried unanimously. (EXHIBIT)

A motion by Erickson, seconded by Pederson to approve the ALC, High School, Activities, Coaches, Middle School, Roosevelt Elementary, Rossman Elementary, and Lincoln Education center handbooks, Motion carried unanimously. (EXHIBIT)

A motion by Pederson. seconded by Erickson to approve the bond resolution, Motion carried unanimously. (EXHIBIT)

A motion by Erickson, seconded by Henderson to approve out of state travel for FFA, Motion carried unanimously.

A motion by Pederson, seconded by Henderson to approve the Dissolution of the Cooperative Sponsorship for Girls Swimming, Motion carried unanimously. (EXHIBIT)

A motion by Thomas, seconded by Erickson to approve the Cooperative sponsorship for Girls swimming between Frazee High School, Hawley High School, and Detroit Lakes High School. Motion carried unanimously. (EXHIBIT)

Superintendent Jenson reported on happenings in the School District

Board Treasurer Pedersen gave an update on the Finance Committee Meeting. (EXHIBIT)

Board Vice Chair Erickson gave an update on the Facilities Committee Meeting. (EXHIBIT)

Board Chair Steffl announced upcoming meetings and events .

A motion by Erickson, to adjourn the meeting at 6:11 PM, seconded by Thomas. Motion carried unanimously.

Respectfully submitted,

April Thomas, Clerk

## PERSONNEL AGENDA

### August 22, 2022

#### 1) **Resignations:**

Dona Rosell– Roosevelt Media Center Specialist, effective July 28, 2022.

Matt Huberty– Middle School Boys Soccer, effective July 25, 2022.

Zach Biggar– Assistant Girls Tennis Coach, effective July 25, 2022.

Sandra Hedstrom– High School Paraprofessional, effective July 26, 2022.

Marcia Singh– ECFE Assistant, effective September 1, 2022.

Holly Moes– Middle School Food Service Server, effective July 22, 2022.

Angel Weidenbach– Full Time ECFE Para Lincoln, effective July 26, 2022.

Tara Amundson– Rossman part-time Special Ed Para, effective July 25, 2022.

Brigitte Kellenberger– Roosevelt Special Education Teacher, effective July 27, 2022.

Gena Johnson– Full Time Special Education Paraprofessional, effective July 29, 2022.

Jennifer Mitchell– Lincoln ECFE Assistant, effective July 27, 2022.

Shauna Moran– Roosevelt Special Education Paraprofessional, effective August 3, 2022.

Sam Bergren– Middle School Soccer Coach, effective August 15, 2021.  
Shea Maisonneuve– Middle School 6th Grade, effective August 12, 2022.  
Kimberly Kiono– Middle School Food Service Worker, effective August 15, 2022.  
Chris Hohnadel– Middle School Custodian, effective August 17, 2022.  
Courtney Skarie– Middle School Swim Coach, effective August 18, 2022.

**2) Retirements:**

Burl Buhr– Driver Education, effective August, 31, 2022.

**3) Appointments:**

Ashley Baker– Rossman Full-time Special Education Paraprofessional, at the rate of \$16.30 per hour, effective August 29, 2022.  
Mitchell Benson– 9th Grade Football Coach, at the rate of 7% of step 2, or a contract amount of \$2,965.90, effective August 15, 2022.  
Jessica Blasczyk– 9th grade Science Teacher (.8), at the rate of BA Step 5, or a contract amount of \$35,944.40, effective August 24, 2022.  
Joseph E. Bower– Ojibwe/Native Studies Teacher, at the rate of BA +10 Step 2, or a contract amount of \$44,258 per year, effective August 24, 2022.  
Jennifer Burnside– Knowledge Bowl Coach, at the rate of 5% of step 1, or a contract amount of \$2,081.5 per season, effective October 24, 2022.  
Courtney Chezik– Full-time Special Education Paraprofessional, at the rate of \$15.60 per hour, effective August 29, 2022.  
Krystie Crawford– Lincoln Special Ed Para, at the rate of \$15.95 per hour, working up to 37.5 hours per week, effective August, 23, 2022.  
Chelsea Christianson– Rossman ADSIS/Noon Duty, at the rate of \$15.25 per hour, effective August 29, 2022.  
Brandi Davidson– Roosevelt Title 1 Assistant/Noon Duty Supervisor, at the rate of \$15.25 per hour, working up to 5 hours per day, effective August 29, 2022.  
Carissa A. Dahlen– Rossman ADSIS Para and Noon Duty, at the rate of \$15.25 per hour working 21.25 hours per week, effective August 29, 2022.  
Stacie Fulmer– Full Time Special Education Paraprofessional Roosevelt, at the rate of \$16.80 per hour, working up to 37.5 hours per week, effective August 29, 2022.  
Jessica Gibson– Lincoln ECFE Para, at the rate of \$15.60 per hour, working up to 37.5 hours per week, effective August 24, 2022.  
Samanth Goodwin– Middle School Administrative Assistant, at the rate of \$17.26 per hour, working up to 1560 hours per year, effective August 5, 2022.  
Shaylee Hanson– Rossman Special Education Paraprofessional, at the rate of \$15.25 per hour, working up to 29.75 hours per week, effective August 17, 2022.  
Megan Hovinen– Assistant Director: Musical, at the rate of 9% of step 1, or a contract amount of \$3,746.70, effective September 12, 2022.  
Ashley Hoehne– Assistant High School Girls Tennis Coach, at the rate of 7% of Step 3, or a contract amount of \$3,027.43, effective August 15, 2022.  
Garrett Jensen– 6th Grade Science/Social Teacher, at the rate of MA Step 9, or a contract amount of \$58,819 per year, effective August 24, 2022.  
Christine Karlgaard– Middle School Girls Swim Coach, at the rate of \$2,914.10 per season, effective August 18, 2022.  
Jon Klapotz– Laker Transitions Type III Driver, at the rate of \$18.33 per hour, working 37.5 hours per week, effective August 30, 2022.  
Cassie W. Kippen– Rossman ADSIS Ed Assistant/ Noon Duty, at the rate of \$15.25 per hour, effective August 29, 2022.  
Taelor Kuhn– Rossman Latchkey Aide, at the rate of \$15.00 per hour, working up to 12 hours per week, effective August 29, 2022.

Dennis P. Lachowitz—Food Service Courier, at the rate of \$18.33 per hour, working up to 17.5 hours per week, effective August 29, 2022.

Diane Lanoue—Roosevelt Title 1 Assistant/Noon Duty Supervisor, at the rate of \$15.25, working up to 5 hours per day, effective August 29, 2022.

Michael Larson—Assistant High School Varsity Boys Soccer Coach, at the rate of 7% of step 3, or a contract amount of \$3,027.43, effective August 15, 2022.

Mary Lee—Food Service Worker, at the rate of \$16.40 per hour, working up to 20 hours per week, effective September 1, 2022.

Andrew Lesch—Community Education Director, at the rate of \$75,000 per year, effective August 29, 2022.

Kelly Malstrom—Roosevelt Title 1 Assistant/noon duty, Latchkey Assistant, at the rate of \$16.30 per hour, working up to 37.5 per week, effective August 29, 2022.

Ashley Moe—Roosevelt Special Education Para, at the rate of \$15.60 per hour, working up to 29.75 hours per week, effective August 29, 2022.

Nicole Nelson—Roosevelt Special Education Teacher, at the rate of MA +20 Step 10, or a contract amount of \$64,003 per year, effective August 29, 2022.

Courtney Skarie—Middle School Swim and Dive Coach, at the rate of 7% of Step 3, or a contract amount of \$3,027.43 per season, effective August 15, 2022.

Connor Yamane—Middle School Boys assistant Soccer Coach, at the rate of 7% of step 2, or a contract amount of \$2,965.90, effective August 15, 2022.

Mark Quamme—High School Musical Choreographer, at the rate of \$800, effective September 1, 2022.

Mark Quamme—Assistant Music Director: Musical, at the rate of 4.5% of step 1, or a contract amount of \$1,873.35, effective September 1, 2022.

Macaylee Qual—Middle School Special Education Para, at the rate of \$16.30 per hour, working up to 37.5 hours per week, effective August 28, 2022.

Mason Sampson—Roosevelt Latchkey Supervisor, at the rate of \$21.00 per hour, working up to 12.5 hours per week, effective August 11, 2022.

Sandra Westrum—Food Service Worker, at the rate of \$17.09 per hour, working up to 17.5 hours per week, effective September, 1, 2022.

Mark Whiting—9th Grade Football Coach, at the rate of 7% of Step 7, or a contract amount of \$3,343.55, effective August 15, 2022.

3) **Amended Assignment:**

Briana Bahr—Rossman 4th Grade Teacher amending her assignment from 4th Grade Teacher to STEAM teacher, effective August 29, 2022.

Kristi Downey—Rossman 1st grade teacher amending her assignment from 1st grade to 2nd grade teacher.

Tracy Gunderson—Middle School Paraprofessional amending her assignment from 29.75 hours to 37.5 hours.

Christi Lokken—Middle School DCD amending her assignment to 100% EBD.

Fletcher Nelson—Rossman 3rd grade teacher amending his assignment from 3rd grade teacher to 4th grade teacher.

Kristi Paulson—Rossman 1st grade teacher amending her assignment from 1st grade teacher to Kindergarten teacher.

Benjamin Pedersen—Rossman STEAM teacher amending his assignment from STEAM to 4th Grade teacher, effective August 29, 2022.

Jenna Pipek—Middle School 6th grade Science/Social amending her assignment to 6th grade Language Arts.

Kacey Wood—Rossman 4th grade teacher amending her assignment from 4th grade teacher to 3rd grade teacher.

Tiffany Stevens—Middle School Para amending her assignment from middle school to Lincoln Education Center, effective beginning of 22-23 school year.

4) **Leave of Absence:**

Sueann Lee–Part time Custodian, Requests leave of Absence beginning July 19, 2022 and ending August 30, 2022.

5) **Terminations:**

6) **Sixth Period Pay:**

Claire Danner– High School Art Teacher, assigned a sixth class for the fall 2022 semester.

Lisa Ito– High School Science teacher, assigned a sixth class for the fall 2022 semester.

Dan Jorgenson– High School Industrial Tech Teacher, assigned a sixth class for the fall 2022 semester.

Gene Snetsinger– High School Industrial Tech Teacher, assigned a sixth class for the fall 2022 semester.

Karen Trout– High School Math Teacher, assigned a sixth class for the fall 2022 semester.

Sara Williams– High School FACS, assigned a sixth class for the fall 2022 semester.

# SMART Finance

## Check Register by Bank and Check

Batch Co	Bank	Pymt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Print	Recon	Void	Currency	Pmt/Void Date	Amount
0022	MW	1495	700444	Check	1	1011	ACADEMIC PLANNERS PLUS	Yes	No	No	USD	09/12/2022	410.00
		1494	700445	Check	1	1005	ADVANCED BUSINESS METHODS	Yes	No	No	USD	09/12/2022	84,370.81
		1496	700446	Check	1	1035	ALLIANCE PEST PROTECTION	Yes	No	No	USD	09/12/2022	60.00
		1497	700447	Check	1	1039	AMAZON	Yes	No	No	USD	09/12/2022	15,684.17
		1498	700448	Check	1	1056	APPLE COMPUTER, INC.	Yes	No	No	USD	09/12/2022	31,975.00
		1499	700449	Check	1	1064	ARROW ELECTRIC SUPPLY COMPAN	Yes	No	No	USD	09/12/2022	79.30
		1500	700450	Check	1	1067	ARVIG	Yes	No	No	USD	09/12/2022	345.00
		1501	700451	Check	1	1076	AUTO VALUE DETROIT LAKES	Yes	No	No	USD	09/12/2022	178.45
		1502	700452	Check	1	1077	B.E. PUBLISHING INC	Yes	No	No	USD	09/12/2022	483.85
		1568	700453	Check	1	2373	BAHR, BRIANA	Yes	No	No	USD	09/12/2022	185.99
		1503	700454	Check	1	1107	BEUG'S ACE HARDWARE	Yes	No	No	USD	09/12/2022	431.12
		1504	700455	Check	1	1116	BLICKART MATERIALS	Yes	No	No	USD	09/12/2022	652.60
		1505	700456	Check	1	1121	BLUE 84 SPIRIT	Yes	No	No	USD	09/12/2022	2,188.55
		1506	700457	Check	1	1151	BRUSHMARKS SIGN	Yes	No	No	USD	09/12/2022	65,489.12
		1507	700458	Check	1	1168	CAPITAL ONE TRADE CREDIT	Yes	No	No	USD	09/12/2022	102.20
		1508	700459	Check	1	1200	CIHAK, LYNN	Yes	No	No	USD	09/12/2022	61.99
		1509	700460	Check	1	1214	CONNECT INTERIORS	Yes	No	No	USD	09/12/2022	269.68
		1569	700461	Check	1	2374	COOPER, KORY	Yes	No	No	USD	09/12/2022	112.05
		1510	700462	Check	1	1250	DAN SCHLAUDERAFF SERVICES LLC	Yes	No	No	USD	09/12/2022	545.00
		1511	700463	Check	1	1269	DETROIT LAKES CHIROPRACTIC	Yes	No	No	USD	09/12/2022	95.00
		1512	700464	Check	1	1307	EASTMAN FENCE AND SONS LLC	Yes	No	No	USD	09/12/2022	910.00
		1566	700465	Check	1	2317	EDUCATORS BENEFIT CONSULTANT	Yes	No	No	USD	09/12/2022	213.10
		1513	700466	Check	1	1334	ERICKSON, SARA	Yes	No	No	USD	09/12/2022	100.00
		1514	700467	Check	1	1383	FOLLETT CONTENT SOLUTIONS, LL	Yes	No	No	USD	09/12/2022	376.32
		1515	700468	Check	1	1389	FREEMAN, BELINDA	Yes	No	No	USD	09/12/2022	103.00
		1516	700469	Check	1	1403	GARRETT METAL DETECTORS	Yes	No	No	USD	09/12/2022	5.19
		1517	700470	Check	1	1421	GOPHER SPORT	Yes	No	No	USD	09/12/2022	891.80
		1518	700471	Check	1	1426	GRAINGER, INC.	Yes	No	No	USD	09/12/2022	546.30
		1570	700472	Check	1	2375	GRAPHENTEN, JEFF	Yes	No	No	USD	09/12/2022	34.60
		1519	700473	Check	1	1458	HAZELDEN PUBLISHING	Yes	No	No	USD	09/12/2022	52,666.67
		1520	700474	Check	1	1459	HDQ LANDSCAPING & MORE, INC	Yes	No	No	USD	09/12/2022	3,762.50
		1521	700475	Check	1	1467	HEINEMANN	Yes	No	No	USD	09/12/2022	5,775.91
		1522	700476	Check	1	1481	HERZOG ROOFING, INC.	Yes	No	No	USD	09/12/2022	289,508.92
		1523	700477	Check	1	1487	HILLYARD / HUTCHINSON	Yes	No	No	USD	09/12/2022	2,739.65
		1524	700478	Check	1	1531	IDEAL SERVICES, INC.	Yes	No	No	USD	09/12/2022	555.00
		1571	700479	Check	1	2376	IFIT HEALTH & FITNESS, INC	Yes	No	No	USD	09/12/2022	2,895.00
		1525	700480	Check	1	1557	INNOVATIVE OFFICE SOLUTIONS, LL	Yes	No	No	USD	09/12/2022	29.16
		1573	700481	Check	1	2378	JAEGER, JILL	Yes	No	No	USD	09/12/2022	173.75
		1526	700482	Check	1	1602	JOHNSON'S LOCK & KEY	Yes	No	No	USD	09/12/2022	386.90
		1575	700483	Check	1	2380	KROMER COMPANY	Yes	No	No	USD	09/12/2022	1,879.27
		1574	700484	Check	1	2379	KRUEGER, MARGARET	Yes	No	No	USD	09/12/2022	173.75

## SMART Finance Check Register by Bank and Check

Batch Co	Bank	Pymt No	Check No	Pay Type	Grp	Code	Rcd	Vendor	Print	Recon	Void	Currency	Pmt/Void Date	Amount
0022	MW	1527	700485	Check	1	1638	REMIT	L&M FLEET SUPPLY, INC.	Yes	No	No	USD	09/12/2022	415.03
		1528	700486	Check	1	1649		LAKES COUNTRY SERVICE CO-OP.	Yes	No	No	USD	09/12/2022	6,814.11
		1529	700487	Check	1	1658		LAKESHORE LEARNING MATERIALS	Yes	No	No	USD	09/12/2022	14,512.06
		1576	700488	Check	1	2381		LENDE, KATRENA	Yes	No	No	USD	09/12/2022	21.95
		1572	700489	Check	1	2377		LENZEN, CARLY	Yes	No	No	USD	09/12/2022	63.22
		1547	700490	Check	1	1916	REMIT	LIMINEX, INC	Yes	No	No	USD	09/12/2022	2,569.38
		1567	700491	Check	1	2345	REMIT	LITERACY RESOURCES, LLC	Yes	No	No	USD	09/12/2022	158.76
		1530	700492	Check	1	1695		MACKIN EDUCATION RESOURCES	Yes	No	No	USD	09/12/2022	2,898.21
		1541	700493	Check	1	1809	REMIT	MACMILLAN HOLDINGS LLC	Yes	No	No	USD	09/12/2022	14,719.25
		1531	700494	Check	1	1707		MARK'S ELECTRIC INC.	Yes	No	No	USD	09/12/2022	1,633.33
		1532	700495	Check	1	1715		MASSP	Yes	No	No	USD	09/12/2022	865.00
		1533	700496	Check	1	1716		MASTER TEACHER	Yes	No	No	USD	09/12/2022	142.40
		1534	700497	Check	1	1734		MEEKER & WRIGHT SPECIAL ED. CO	Yes	No	No	USD	09/12/2022	549.90
		1535	700498	Check	1	1736		MENARDS - DETROIT LAKES	Yes	No	No	USD	09/12/2022	699.84
		1536	700499	Check	1	1739		METROPOLITAN MECHANICAL CONT	Yes	No	No	USD	09/12/2022	925.16
		1537	700500	Check	1	1745		MIDWEST BUS PARTS	Yes	No	No	USD	09/12/2022	44.95
		1538	700501	Check	1	1764		MINNKOTA RECYCLING	Yes	No	No	USD	09/12/2022	90.00
		1539	700502	Check	1	1787		MN STATE COMMUNITY & TECHNICA	Yes	No	No	USD	09/12/2022	141.38
		1540	700503	Check	1	1806		MORRIS PAINTING & DECORATING I	Yes	No	No	USD	09/12/2022	10,268.70
		1542	700504	Check	1	1826		MVP LOGISTICS LLC	Yes	No	No	USD	09/12/2022	484.99
		1543	700505	Check	1	1833	REMIT	NASCO EDUCATION	Yes	No	No	USD	09/12/2022	431.32
		1544	700506	Check	1	1874		NORTHWEST CABINETS, INC.	Yes	No	No	USD	09/12/2022	2,357.29
		1545	700507	Check	1	1883		ODP BUSINESS SOLUTIONS	Yes	No	No	USD	09/12/2022	369.02
		1546	700508	Check	1	1901		OTIS ELEVATOR COMPANY	Yes	No	No	USD	09/12/2022	150.00
		1549	700509	Check	1	1930		PIONEER VALLEY BOOKS	Yes	No	No	USD	09/12/2022	162.53
		1550	700510	Check	1	1951		PRECISION PRINTING	Yes	No	No	USD	09/12/2022	804.00
		1551	700511	Check	1	1954		PREMIUM WATERS, INC.	Yes	No	No	USD	09/12/2022	36.89
		1552	700512	Check	1	1980		RDO EQUIPMENT CO.	Yes	No	No	USD	09/12/2022	304.50
		1553	700513	Check	1	1981		REALLY GOOD STUFF	Yes	No	No	USD	09/12/2022	43.11
		1554	700514	Check	1	2002		RIEKES EQUIPMENT CO.	Yes	No	No	USD	09/12/2022	1,781.99
		1555	700515	Check	1	2053		SCHOOL MATE	Yes	No	No	USD	09/12/2022	560.00
		1556	700516	Check	1	2056		SCHOOL SPECIALTY LLC	Yes	No	No	USD	09/12/2022	1,686.85
		1557	700517	Check	1	2074		SEPTIC VAC	Yes	No	No	USD	09/12/2022	350.00
		1548	700518	Check	1	1926	REMIT	SONOVA USA INC	Yes	No	No	USD	09/12/2022	1,492.50
		1558	700519	Check	1	2129		STENERSON BROS. LUMBER CO.	Yes	No	No	USD	09/12/2022	131.80
		1559	700520	Check	1	2139		SUMMIT FIRE PROTECTION	Yes	No	No	USD	09/12/2022	5,465.69
		1560	700521	Check	1	2161		TAYLOR MUSIC	Yes	No	No	USD	09/12/2022	2,615.00
		1561	700522	Check	1	2169		TECH CHECK, LLC	Yes	No	No	USD	09/12/2022	336.00
		1577	700523	Check	1	2382		TJ'S TILE LLC	Yes	No	No	USD	09/12/2022	96.70
		1562	700524	Check	1	2207		TWEETON REFRIGERATION, INC.	Yes	No	No	USD	09/12/2022	5,450.05
		1563	700525	Check	1	2220		UNITED ART & EDUCATION	Yes	No	No	USD	09/12/2022	25.58

# SMART Finance

## Check Register by Bank and Check

Batch Co	Bank	Pymt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Print	Recon	Void	Currency	Pmt/Void Date	Amount
0022	MW	1564	700526	Check	1	2258	WEST MUSIC COMPANY	Yes	No	No	USD	09/12/2022	1,164.61
		1565	700527	Check	1	2277	YOUSCIENCE PRECISION EXAMS	Yes	No	No	USD	09/12/2022	6,950.00
Bank Total: MW													
Report Total:													
\$658,229.72													
\$658,229.72													

## SMART Finance Check Register by Bank and Check

Batch Co	Bank	Pymt No	Check No	Pay Type	Grp	Code	Rcd	Vendor	Print	Recon	Void	Currency	Pmt/Void Date	Amount
0022	MW	1655	700570	Check	1	1087		BDT MECHANICAL, LLC	Yes	No	No	USD	09/26/2022	43,471.54
		1656	700571	Check	1	1102		BERGSTROM ELECTRIC, INC.	Yes	No	No	USD	09/26/2022	171,869.25
		1657	700572	Check	1	1299		DOW ACOUSTICS, INC.	Yes	No	No	USD	09/26/2022	26,714.95
		1658	700573	Check	1	1350		FAR-MOOR ACOUSTICS & FLOORS, I	Yes	No	No	USD	09/26/2022	169,586.40
		1659	700574	Check	1	1406		GEHRTZ CONSTRUCTION SERVICES	Yes	No	No	USD	09/26/2022	9,197.62
		1660	700575	Check	1	1669		LEDGESTONE, INC.	Yes	No	No	USD	09/26/2022	22,482.50
		1661	700576	Check	1	1738		MERIT PAINTING INC.	Yes	No	No	USD	09/26/2022	14,250.00
		1662	700577	Check	1	1752		MILLER & SONS DRYWALL, INC.	Yes	No	No	USD	09/26/2022	25,555.00
		1663	700578	Check	1	1956		PRO LANDSCAPERS LLC	Yes	No	No	USD	09/26/2022	16,115.00
		1664	700579	Check	1	2282		ZERR BERG	Yes	No	No	USD	09/26/2022	3,518.00
		1667	700580	Check	1	1027		ALIEE TREE SERVICE, INC.	Yes	No	No	USD	09/26/2022	150.00
		1668	700581	Check	1	1033		ALL FLAGS, LLC	Yes	No	No	USD	09/26/2022	163.15
		1669	700582	Check	1	1035		ALLIANCE PEST PROTECTION	Yes	No	No	USD	09/26/2022	100.00
		1670	700583	Check	1	1039		AMAZON	Yes	No	No	USD	09/26/2022	10,740.77
		1671	700584	Check	1	1043	REMIT	AMPLIFIED IT	Yes	No	No	USD	09/26/2022	2,450.00
		1672	700585	Check	1	1049		ANDERSON COACH OF FRAZEE, INC	Yes	No	No	USD	09/26/2022	5,591.90
		1666	700586	Check	1	1003		A-OX WELDING SUPPLY CO. INC.	Yes	No	No	USD	09/26/2022	11.38
		1673	700587	Check	1	1057		APPLIED EDUCATIONAL SYSTEMS	Yes	No	No	USD	09/26/2022	1,199.00
		1674	700588	Check	1	1087		BDT MECHANICAL, LLC	Yes	No	No	USD	09/26/2022	944.00
		1675	700589	Check	1	1091		BECKER COUNTY ENVIRONMENTAL	Yes	No	No	USD	09/26/2022	315.50
		1775	700590	Check	1	2344		BENCHMARK EDUCATION	Yes	No	No	USD	09/26/2022	160.00
		1676	700591	Check	1	1107		BEUG'S ACE HARDWARE	Yes	No	No	USD	09/26/2022	82.50
		1677	700592	Check	1	1110		BHH PARTNERS/ARCHITECTS	Yes	No	No	USD	09/26/2022	1,193.06
		1678	700593	Check	1	1114		BIX PRODUCE	Yes	No	No	USD	09/26/2022	8,690.65
		1679	700594	Check	1	1116		BLICK ART MATERIALS	Yes	No	No	USD	09/26/2022	498.20
		1680	700595	Check	1	1121		BLUE 84 SPIRIT	Yes	No	No	USD	09/26/2022	4,105.00
		1774	700596	Check	1	2336		BLUUM OF MINNESOTA, LLC	Yes	No	No	USD	09/26/2022	21,359.00
		1681	700597	Check	1	1126		BMSI	Yes	No	No	USD	09/26/2022	1,535.49
		1682	700598	Check	1	1143		BRENCO CORP.	Yes	No	No	USD	09/26/2022	708.78
		1683	700599	Check	1	1168	REMIT	CAPITAL ONE TRADE CREDIT	Yes	No	No	USD	09/26/2022	192.64
		1684	700600	Check	1	1187	REMIT	CENGAGE LEARNING	Yes	No	No	USD	09/26/2022	1,500.00
		1685	700601	Check	1	1192		CENTRAL MARKET	Yes	No	No	USD	09/26/2022	285.96
		1782	700602	Check	1	2397		CHILDREN'S HOSPITAL MEDICAL CEI	Yes	No	No	USD	09/26/2022	16,000.00
		1686	700603	Check	1	1201		CITI CARGO & STORAGE	Yes	No	No	USD	09/26/2022	318.33
		1783	700604	Check	1	2398		CLEAR ADVANTAGE	Yes	No	No	USD	09/26/2022	810.00
		1784	700605	Check	1	2399		COLEY, JASON	Yes	No	No	USD	09/26/2022	35.95
		1720	700606	Check	1	1649		COOPERATIVE PURCHASING CONNE	Yes	No	No	USD	09/26/2022	4,784.90
		1688	700607	Check	1	1231		CULINEX	Yes	No	No	USD	09/26/2022	2,019.30
		1689	700608	Check	1	1238		D & D APPLIANCE	Yes	No	No	USD	09/26/2022	7,222.10
		1690	700609	Check	1	1244		DACOTAH PAPER COMPANY	Yes	No	No	USD	09/26/2022	835.75
		1691	700610	Check	1	1269		DETROIT LAKES CHIROPRACTIC	Yes	No	No	USD	09/26/2022	95.00

# SMART Finance

## Check Register by Bank and Check

Batch Co	Bank	Pymt No	Check No	Pay Type	Grp	Code	Rcd	Vendor	Print	Recon	Void	Currency	Pmt/Void Date	Amount
0022	MW	1692	700611	Check	1	1280		DIGITAL SIGNUP	Yes	No	No	USD	09/26/2022	500.00
		1693	700612	Check	1	1305		EAST SIDE JERSEY DAIRY ESJD	Yes	No	No	USD	09/26/2022	6,451.35
		1795	700613	Check	1	2438		ECKHOFF, CAMI	Yes	No	No	USD	09/26/2022	165.43
		1694	700614	Check	1	1314		ED CLUB, INC.	Yes	No	No	USD	09/26/2022	585.00
		1771	700615	Check	1	2317		EDUCATORS BENEFIT CONSULTANT	Yes	No	No	USD	09/26/2022	577.66
		1695	700616	Check	1	1328		EMC INSURANCE COMPANIES	Yes	No	No	USD	09/26/2022	14,439.45
		1697	700617	Check	1	1336		ESSENTIA HEALTH	Yes	No	No	USD	09/26/2022	1,005.00
		1696	700618	Check	1	1329		ESX TECHNOLOGY SOLUTIONS, LLC	Yes	No	No	USD	09/26/2022	588.00
		1698	700619	Check	1	1357		FELBER PIANO TUNING	Yes	No	No	USD	09/26/2022	1,300.00
		1699	700620	Check	1	1364		FINGALSON, ANNA	Yes	No	No	USD	09/26/2022	162.62
		1700	700621	Check	1	1367		FIRST CHOICE FOOD & BEVERAGE S	Yes	No	No	USD	09/26/2022	1,250.23
		1701	700622	Check	1	1383	REMIT	FOLLETT CONTENT SOLUTIONS, LL	Yes	No	No	USD	09/26/2022	74.44
		1702	700623	Check	1	1386		FORUM COMMUNICATIONS COMPAN	Yes	No	No	USD	09/26/2022	772.00
		1785	700624	Check	1	2408		FUTURE PRO, INC	Yes	No	No	USD	09/26/2022	5,226.00
		1703	700625	Check	1	1409		GERRELL'S SPORT CENTER	Yes	No	No	USD	09/26/2022	7,255.55
		1704	700626	Check	1	1416		GIVEN, RIKKI	Yes	No	No	USD	09/26/2022	87.36
		1705	700627	Check	1	1421		GOPHER SPORT	Yes	No	No	USD	09/26/2022	69.01
		1706	700628	Check	1	1426		GRAINGER, INC.	Yes	No	No	USD	09/26/2022	199.39
		1707	700629	Check	1	1451		HANNESON, MARGARET	Yes	No	No	USD	09/26/2022	97.00
		1708	700630	Check	1	1467		HEINEMANN	Yes	No	No	USD	09/26/2022	115.50
		1786	700631	Check	1	2413		HEUER, CASSIE	Yes	No	No	USD	09/26/2022	243.93
		1709	700632	Check	1	1487		HILLYARD / HUTCHINSON	Yes	No	No	USD	09/26/2022	1,920.00
		1710	700633	Check	1	1492		HOFF, CAROLYN	Yes	No	No	USD	09/26/2022	130.00
		1711	700634	Check	1	1514		HOWIES HOCKEY, INC.	Yes	No	No	USD	09/26/2022	864.88
		1712	700635	Check	1	1540		ISD #181	Yes	No	No	USD	09/26/2022	1,109.22
		1713	700636	Check	1	1548		ISD #742	Yes	No	No	USD	09/26/2022	1,606.34
		1714	700637	Check	1	1567		IXL LEARNING	Yes	No	No	USD	09/26/2022	3,450.00
		1715	700638	Check	1	1593		JOHN KOOPMANN PIANO TUNING	Yes	No	No	USD	09/26/2022	440.00
		1716	700639	Check	1	1608		JOSTENS	Yes	No	No	USD	09/26/2022	1,422.29
		1717	700640	Check	1	1609		JUDISCH, JACKSON	Yes	No	No	USD	09/26/2022	50.97
		1718	700641	Check	1	1610		JUNIOR LIBRARY GUILD	Yes	No	No	USD	09/26/2022	825.86
		1787	700642	Check	1	2415		KALINA, KELLY	Yes	No	No	USD	09/26/2022	25.56
		1719	700643	Check	1	1638		L&M FLEET SUPPLY, INC.	Yes	No	No	USD	09/26/2022	640.11
		1721	700644	Check	1	1653		LAKES GLASS, INC.	Yes	No	No	USD	09/26/2022	257.07
		1722	700645	Check	1	1658		LAKESHORE LEARNING MATERIALS	Yes	No	No	USD	09/26/2022	141.50
		1789	700646	Check	1	2417		LILL, ARYN	Yes	No	No	USD	09/26/2022	420.00
		1790	700647	Check	1	2418		MALONE, HEATHER	Yes	No	No	USD	09/26/2022	129.45
		1776	700648	Check	1	2364		MARCO PRODUCTS, INC	Yes	No	No	USD	09/26/2022	293.76
		1723	700649	Check	1	1707		MARK'S ELECTRIC INC.	Yes	No	No	USD	09/26/2022	2,504.46
		1724	700650	Check	1	1715		MASSP	Yes	No	No	USD	09/26/2022	320.00
		1725	700651	Check	1	1717		MATBOSS, LLC	Yes	No	No	USD	09/26/2022	599.00

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0022	MW	1687	700652	Check	1	1229		MBCA CLINIC	Yes	No	No	USD	09/26/2022	595.00
		1726	700653	Check	1	1732		MEDCO SUPPLY CO.	Yes	No	No	USD	09/26/2022	646.82
		1727	700654	Check	1	1736		MENARDS - DETROIT LAKES	Yes	No	No	USD	09/26/2022	669.94
		1781	700655	Check	1	2386		MESPA	Yes	No	No	USD	09/26/2022	150.00
		1728	700656	Check	1	1745		MIDWEST BUS PARTS	Yes	No	No	USD	09/26/2022	77.40
		1729	700657	Check	1	1753		MILLER YARD CARE AND CONSTRUCT	Yes	No	No	USD	09/26/2022	472.00
		1730	700658	Check	1	1764		MINNKOTA RECYCLING	Yes	No	No	USD	09/26/2022	215.00
		1731	700659	Check	1	1767		MITCHELL, KAREN	Yes	No	No	USD	09/26/2022	81.31
		1732	700660	Check	1	1788		MN STATE COMMUNITY & TECH COL	Yes	No	No	USD	09/26/2022	56.49
		1733	700661	Check	1	1790		MN STATE HIGH SCHOOL LEAGUE	Yes	No	No	USD	09/26/2022	7,236.25
		1734	700662	Check	1	1800		MOLLBERG, KENT	Yes	No	No	USD	09/26/2022	400.00
		1791	700663	Check	1	2419		MOORE, NICOLE	Yes	No	No	USD	09/26/2022	95.00
		1792	700664	Check	1	2420		MRI SOFTWARE LLC	Yes	No	No	USD	09/26/2022	4.00
		1738	700665	Check	1	1917	REMIT	NCS PEARSON INC	Yes	No	No	USD	09/26/2022	424.00
		1735	700666	Check	1	1858		NIELSEN, ALYSSA	Yes	No	No	USD	09/26/2022	59.38
		1773	700667	Check	1	2333		NINJA ANYWHERE, LLC	Yes	No	No	USD	09/26/2022	930.00
		1736	700668	Check	1	1875		NUDELL, KAREN	Yes	No	No	USD	09/26/2022	174.59
		1772	700669	Check	1	2324		OESTREICH, MATT	Yes	No	No	USD	09/26/2022	204.25
		1737	700670	Check	1	1907		PAN-O-GOLD BAKING CO.	Yes	No	No	USD	09/26/2022	657.36
		1779	700671	Check	1	2383		PARCHMENT LLC	Yes	No	No	USD	09/26/2022	2,900.00
		1739	700672	Check	1	1920		PEPSI	Yes	No	No	USD	09/26/2022	3,841.69
		1740	700673	Check	1	1922		PERFORMANCE FOODSERVICE	Yes	No	No	USD	09/26/2022	10,722.02
		1741	700674	Check	1	1927		PICKLE EVENTS, LLC	Yes	No	No	USD	09/26/2022	1,523.75
		1742	700675	Check	1	1929		PIPKORN, GREGORY	Yes	No	No	USD	09/26/2022	1,213.84
		1794	700676	Check	1	2430		PISCHEL, MCKENSIE	Yes	No	No	USD	09/26/2022	59.38
		1743	700677	Check	1	1943		POPPLERS MUSIC STORE	Yes	No	No	USD	09/26/2022	1,829.01
		1780	700678	Check	1	2385		PRECISION ELECTRONICS	Yes	No	No	USD	09/26/2022	659.16
		1744	700679	Check	1	1951		PRECISION PRINTING	Yes	No	No	USD	09/26/2022	661.50
		1745	700680	Check	1	1960		PRO-ED, INC.	Yes	No	No	USD	09/26/2022	694.50
		1746	700681	Check	1	1969		QUADIENT FINANCE USA, INC.	Yes	No	No	USD	09/26/2022	2,000.00
		1748	700682	Check	1	1978		RAMSEY FLOORING, INC.	Yes	No	No	USD	09/26/2022	10,900.00
		1747	700683	Check	1	1976		RAMSEY, BRITTON	Yes	No	No	USD	09/26/2022	35.00
		1749	700684	Check	1	1987		REGENTS OF THE UNIV. OF MN REGION 1	Yes	No	No	USD	09/26/2022	750.00
		1770	700685	Check	1	2306		REGION 1	Yes	No	No	USD	09/26/2022	272.20
		1750	700686	Check	1	2006		ROCHESTER 100 INC.	Yes	No	No	USD	09/26/2022	580.00
		1777	700687	Check	1	2365		ROCKFORD SILK SCREEN	Yes	No	No	USD	09/26/2022	4,315.00
		1751	700688	Check	1	2036		SCAN AIR FILTER, INC.	Yes	No	No	USD	09/26/2022	5,514.90
		1752	700689	Check	1	2047		SCHOENBERGER, JENNA	Yes	No	No	USD	09/26/2022	325.24
		1753	700690	Check	1	2056		SCHOOL SPECIALTY LLC	Yes	No	No	USD	09/26/2022	1,933.37
		1754	700691	Check	1	2063		SCHULTZ BUS COMPANY	Yes	No	No	USD	09/26/2022	3,309.75
		1788	700692	Check	1	2416		SHEEHAN, DR. JAMES D	Yes	No	No	USD	09/26/2022	375.00

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0022	MW	1755	700693	Check	1	2101		SOCIAL THINKING	Yes	No	No	USD	09/26/2022	212.75	
		1756	700694	Check	1	2128		STELLHER HUMAN SERVICES, INC.	Yes	No	No	USD	09/26/2022	26,800.00	
		1757	700695	Check	1	2139		SUMMIT FIRE PROTECTION	Yes	No	No	USD	09/26/2022	1,574.29	
		1778	700696	Check	1	2367		SUPER DUPEP PUBLICATIONS	Yes	No	No	USD	09/26/2022	209.58	
		1758	700697	Check	1	2149		SWANSON'S REPAIR	Yes	No	No	USD	09/26/2022	63.51	
		1759	700698	Check	1	2168		TEAM LAB	Yes	No	No	USD	09/26/2022	498.00	
		1760	700699	Check	1	2169		TECH CHECK, LLC	Yes	No	No	USD	09/26/2022	330.00	
		1761	700700	Check	1	2186		TOBII DYNAVOX LLC	Yes	No	No	USD	09/26/2022	1,791.00	
		1762	700701	Check	1	2200		TRICORNE AUDIO INC.	Yes	No	No	USD	09/26/2022	35,259.60	
		1763	700702	Check	1	2203		TROPHY HOUSE	Yes	No	No	USD	09/26/2022	290.00	
		1764	700703	Check	1	2224		UNIVERSITY OF OREGON	Yes	No	No	USD	09/26/2022	350.00	
		1765	700704	Check	1	2226		UPPER LAKES FOODS, INC.	Yes	No	No	USD	09/26/2022	26,637.94	
		1793	700705	Check	1	2429		WAHL, ANDY	Yes	No	No	USD	09/26/2022	330.73	
		1766	700706	Check	1	2253		WEEKLEY, BEN	Yes	No	No	USD	09/26/2022	330.00	
		1767	700707	Check	1	2262		WESTRUM, SANDRA	Yes	No	No	USD	09/26/2022	135.38	
		1768	700708	Check	1	2273		WORLDWIDE TICKETCRAFT	Yes	No	No	USD	09/26/2022	519.73	
		1769	700709	Check	1	2281		ZANER BLOSER	Yes	No	No	USD	09/26/2022	270.32	
Bank Total: MW															
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# E-Laker Online High School

**STUDENT & PARENT  
HANDBOOK 2022-23**

# E-Laker Online

## ATTENDANCE

A student's academic success is directly related to regular, daily attendance. Students who attend school every day receive opportunities for important contact with their teachers, and establish a record of responsibility and dependability for themselves.

Minnesota state law (MN 120A.22; 120A.34) states the parents of every child between the ages of seven and 17 are responsible for assuring their child receives instruction with the primary purpose of that instruction being that the child acquires the knowledge and skills essential for effective citizenship.

Student or parent are to contact the school prior to, or the day of, all planned absences and provide a reason for the student's absence. Absences which are not reported to the school with the required documentation when the student returns to school will be considered Unexcused. Refer to [DLHS Student Handbook](#) for attendance details. Please contact E-Laker Online at 218-844-4761, email a specific teacher if it is a class missed, or email ELakerOnline.org to communicate absences.

**E-Laker Online High School attendance procedures are guided by a number of values. Flexibility paired with accountability are what makes E-Laker Online unique. In some instances, these values may compete with each other. E-Laker Online attendance procedures attempt to balance these values in the best interests of our students.**

### **Flexibility**

Communication is fundamental to any online school. Attendance will be taken daily. Attendance means:

- Communication with each teacher, each day, at any time of day. This is the **flexibility** allowed by online programming
- Daily attendance will be determined by this student driven responsibility

### **Accountability**

The flexibility of online education **MUST** be paired with **accountability**. Accountability will be measured by *progress in coursework*. Accountability means:

- Weekly progress identified by each teacher **MUST** be achieved as measured by APEX data.
  - Week One lack of progress - Principal contact with student and guardian
  - Week Two lack of progress - Meeting with Principal in person or Google Meet
    - Lack of progress is based on scheduled learning milestones established in classroom syllabi
  - Week Three lack of progress - Meeting to discuss dropping/changing class or appropriateness of online programming and alternative options to support academic progress

## **STUDENT TECHNOLOGY ACCEPTABLE USE POLICY**

**Any cell phone or other recording device used to record any illegal activity will be confiscated by the SRO as evidence.**

The Detroit Lakes Public School District has established School Board Policy 524 "Access to and Use of the District Technology System (Networked Information Resources)" to detail district expectations and guidelines regarding the use of these resources. The information below is a summary of Policy 524. The full policy is available on the DLPS website at [www.dlschools.net](http://www.dlschools.net).

The school district is providing students with access to the school district computer system, which includes Internet access. The purpose of the system is more specific than providing students with general access to the Internet. The school district system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the school district and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network.

Electronic mail as well as telephone communication, voicemail, and data stored, received or sent via DLPS phone equipment, computers and related computer equipment are the sole property of the school district. Users of these systems should assume no privacy with respect to these systems.

The use of the school district system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the school district system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school district policies, including suspension, expulsion, or exclusion; or civil or criminal liability under other applicable laws.

## **UNACCEPTABLE USES**

The following uses {not limited to those listed} of the school district system and Internet resources or accounts pertain to student users and are considered unacceptable:

1. Users will not use the school district system to access, review, upload, download, store, print, post, receive, transmit or distribute:
  - a. pornographic, obscene or sexually explicit material or other visual depictions;
  - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
  - c. materials that use language or images that are inappropriate in the education or professional setting, or disruptive to the educational process;
  - d. information or materials that could cause damage or danger of disruption to the educational process;
  - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
2. Users will not use the district system to knowingly or recklessly post, transmit or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
3. Users will not use the school district system to engage in any illegal act or violate any local, state or federal statute or law.
4. Users will not use the school district system to vandalize, damage or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software or system performance by spreading computer viruses or by any other means, will not tamper with, modify or change the school district system software, hardware or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information or files without the implied or direct permission of that person.
6. Unless directed and for official school district use, users will not use the school district system to post private information about another person's personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.
  - a. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited to, social networks such as "Instagram", "Twitter" and "Facebook."
7. Users must keep all account information and passwords for software (which is not housed or managed on the district network) on file and/or communicate the location of this information to the employee's building administrator or supervisor. It is not necessary to keep account information and passwords on file for Skyward or the district network login information. Users may not share account information or passwords with others users. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person's account, or use computer accounts, access codes or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities.
8. Users will not use the school district system to violate copyright laws or usage licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.
9. Users will not use the school district system for conducting business, for unauthorized commercial purposes or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement.

A student engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations are, but are not limited to, situations where the school district system is compromised or if a school district employee or student is negatively

impacted. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, or exclusion.

If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the superintendent.

## **FILTER**

With respect to any of its computers with Internet access, the School District will monitor the online activities of minors and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are 1) obscene; 2) child pornography; or 3) harmful to minors. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

An administrator, supervisor or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes. Violations of the above activities will result in disciplinary action, based upon current the discipline policy.

### Violation Guidelines

- 1st offense: Up to 30 days loss of computer privileges district wide and/or disciplinary action.
- 2nd offense: 60 days loss of computer privileges district wide, plus disciplinary action.
- 3rd offense: One calendar year loss of computer privileges district wide, plus disciplinary action.
- Depending upon the severity of the violation, additional actions may result.

The School District will educate students about appropriate online behavior including interacting with other individuals on Social Networking Websites and in chat rooms and cyber bullying awareness and response.

## **CONSISTENCY WITH OTHER SCHOOL POLICIES**

Use of the school district computer system and use of the Internet shall be consistent with school district policies and the mission of the school district.

## **LIMITED EXPECTATION OF PRIVACY**

- a) By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect no privacy in the contents of personal files, including email, on the school district system.
- b) Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.
- c) An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.
- d) Parents have the right at any time to investigate or review the contents of their child's files and e-mail files. Parents have the right to request the termination of their child's individual account at any time.
- e) The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

## **LIMITATION ON SCHOOL DISTRICT LIABILITY**

Use of the school district system is at the user's own risk. The system is provided on an "as is, as available" basis. The school district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage or unavailability of data stored on school district diskettes, tapes, hard drives or servers, or for delays or changes in or interruptions of service or mis-deliveries or non-deliveries of information or materials, regardless of the cause. The school district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school district system. The school district will not be responsible for financial obligations arising through unauthorized use of the school district system or the Internet.

Detroit Lakes Public Schools cannot realistically censor access to all inappropriate materials. Use of the internet is at the user's own risk. The district will make every effort to monitor or control information accessible thru the internet, but the district does not accept responsibility for any content found on the internet.

## **PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE**

Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies and other possibly offensive media. Parents are responsible for monitoring their student's use of the school district system and of the Internet if the student is accessing the school district system from home or a remote location.

As with other curricular issues, parents have the option to request alternative educational activities not requiring Internet access. If a parent desires this option, request should be made to the classroom teacher, a school counselor, or a school administrator.

By enrolling in Detroit Lakes Public Schools, parents and students agree to follow the policies and procedures implemented by the School Board and each school, including the policies regarding technology.

## **FREQUENTLY ASKED QUESTIONS**

### **HOW DO I REPORT MY CHILD'S ABSENCE?**

- Call 218-844-4761 and let the Principal know the reason for the absence.

### **HOW CAN I EASILY VIEW MY CHILD'S ATTENDANCE DATA?**

- Students and parents may view all attendance data using their Skyward account.
- Parents are encouraged to set up Skyward's automatic messaging system so they are sent reports of their child's attendance and grades on a regular basis.

### **WHAT IF I WILL BE ABSENT DURING THE SCHOOL DAY?**

- Inform your teachers prior to absence.

### **YOUR STUDENT INFORMATION CHANGES?**

- Report this information to the Principal.

### **YOU ARE WITHDRAWING FROM SCHOOL?**

- Check with the Counseling Center

### **YOU WANT TO PARTICIPATE IN A SPORT?**

- Pick up paperwork necessary at Detroit Lakes High School, complete forms with your parents, and return paperwork and user fee to the activities secretary.

## **ACADEMIC INTEGRITY (CHEATING / PLAGIARISM)**

### **Having academic integrity means:**

- Being intellectually honest
- Possessing personal truthfulness
- Learning for its own sake
- Valuing the creations and opinions of others

### **You are *acting* with academic integrity when you:**

- Take full credit for your own work, and give full credit to others who have helped you or influenced you, or whose work you have incorporated into your own.
- Represent your own work honestly and accurately.
- Collaborate with other students only as specifically directed and authorized.
- Report breaches of academic integrity to a teacher, counselor or administrator

**What is cheating?** Cheating is defined as seeking to obtain (or aiding another to obtain) credit or improved scores through the use of any unauthorized or deceptive means.

### **What does cheating look like?**

- Presenting someone else's information/work as your own (with or without their permission) or allowing someone else to use your work as his or her own.
- Taking shortcuts (such as unauthorized use of study aids) to bypass steps of an assignment.
- Using forbidden material, such as cheat sheets, graphing calculators, or cell phones, during an exam.
- Asking about or sharing questions and/or answers to quizzes and exams.
- Submitting the same work for more than one assignment without express permission from your teacher(s).
- Altering corrections or scores with the intent of changing your grade.
- Being dishonest with your teacher such as saying you've turned in an assignment when you did not, or that you've worked hours longer than you actually did to complete an assignment.
- Fabricating information to try to earn more time, more credit, or grading leniency on an assignment, project,

or exam, ie. “My dog ate my homework”!

- Missing class in order to avoid turning in an assignment or taking a test.
- Doing more or less than your share of a group project without permission from your teacher.

### **What are your responsibilities?**

- Read and know the *E-Laker Online Academic Integrity Policy* AND observe all rules and consequences established by your teachers.
- Report to the teacher if cheating is taking place and how it is being done.
- Do not copy homework or let someone else copy your homework. Do not use study aids (ie. Sparknotes).
- Only work with others when the teacher has specifically given permission.
- Seek only appropriate help from parents, tutors, or other students; make sure it is pre-approved by the teacher.
- If working with other students is not approved, the assignment must be completed on your own.
- Take responsibility for doing your fair share on a collaborative assignment.
- On papers, do not summarize, paraphrase or quote without proper documentation.

### **What are the consequences?**

*All parties concerned—students, parents, and administrators—are to understand that the teacher’s professional judgment will determine whether a violation of the Academic Integrity Policy has occurred.*

<b>Subsequent Violations:</b>
<ul style="list-style-type: none"><li>● Proof of learning</li><li>● Reassessment</li><li>● Parent contact and/or conference</li><li>● Ethics Paper and/or other assignment</li><li>● Discuss appropriateness of Online schooling</li></ul>

<b>First Violation:</b>
<ul style="list-style-type: none"><li>● Proof of learning</li><li>● Reassessment</li><li>● Parent contact and/or conference</li><li>● Ethics Paper and/or other assignment</li><li>● Detention</li><li>● Code of Conduct (suspension from activities/athletics participation)</li></ul>

To ensure that activities are uniform and known to all students, the Board of Education of I.S.D. #22 has adopted the Minnesota State High School League (MSHSL) participation rules and regulations for all activities offered to Detroit Lakes students, regardless of whether they are league activities or school sponsored activities.

A student must attend at least one-half of the school day (4 consecutive periods) in order to be allowed to participate in or attend after-school activities that day. If a student misses all day because of an Exempt absence, they may be allowed to participate upon the determination of an administrator.

A student must be in good standing academically, behaviorally, and in attendance to participate in activities. In addition to meeting the MSHSL eligibility requirements, for participation, the administration reserves the right to limit participation by students deemed not to be making adequate progress toward graduation. The administration also reserves the right to limit participation by students with excessive behavioral detention hours.

A student who has been determined to have been truant from school will be ineligible to participate in the next competition, regardless of the date and/or time of the contest.

Instances of excessive absence from school and chronic tardiness will be handled on a case-by-case by school administration and consequences will be determined based on the merit of each case.

**It is vital that students and parents communicate absences immediately to the school to ensure accurate attendance and avoid Loss of Privileges.**

**If there are any circumstances or issues interfering with your ability to attend class, visit with your Principal ASAP.**

### **CHILD ABUSE/NEGLECT POLICY/PROCEDURES**

1. It is the policy of Independent School District #22 to protect children whose health or welfare may be jeopardized through physical, emotional or sexual abuse and conditions of neglect.
2. It is the policy of Independent School District #22 to comply with the law requiring the reporting of suspected physical, emotional or sexual abuse and conditions of neglect involving children.
3. The reporting of maltreatment of minors shall be strictly in accordance with provisions of Minnesota Statute, Chapter 625.556.

For further interpretation or assistance contact the District Social Worker.

A complete copy of Policy 414 is available at any school, the district administration center, or the school website located at [www.dlschools.net](http://www.dlschools.net).

### **DIRECTORY INFORMATION**

Public information shall include names and pictures of students participating in or attending extra-curricular activities, school events, and High School League activities and events.

### **DRESS CODE**

At E-Laker Online we believe students' standard of dress and appearance should be a positive reflection of themselves and compatible with an effective learning environment. We expect Lakers to be recognized for their academic excellence and personal qualities such as character, leadership, and respect. Dress and appearance should promote respect, responsibility, and safety. As a general rule, when on camera, students should dress at least as professionally as employees at most respectable businesses. Students should take note of what employees in the healthcare, food service, financial, or manufacturing industries are expected to wear.

The purpose of the E-Laker Online dress code (especially during synchronous activities) is:

1. To further the school's mission by promoting a positive learning environment,
2. To ensure that clothing/personal items do not distract others from achieving their academic goals,
3. To discourage the endorsement of alcohol, tobacco, drugs, and disruptive behavior, and

4. To respect the personal beliefs and religious rights and freedoms of students and staff.

Unacceptable clothing:

1. Creates disorder/distraction in the learning environment
2. Causes others to be intimidated by fear or violence
3. Promotes an illegal activity
4. Is offensive or discriminatory in nature

Parents/guardians and students are requested to take the proper steps to ensure that their student's attire meets all of the standards of the school's dress code.

The following guidelines apply not only to the school day, as well as to all regular school activities (games, dances, etc.) regardless of the location of the activity.

Specific Clothing Guidelines:

1. Clothing must cover all undergarments at all times.
2. No sunglasses allowed.
3. No immodest clothing allowed.
4. Clothing shall not:
  - a. Promote products or activities that are illegal for minors.
  - b. Evidence gang membership or affiliation
  - c. Bear a message that is lewd, vulgar, or obscene.
  - d. Contain objectionable symbols, signs, words, objects, or pictures.
  - e. Communicate a message that is racist, sexist, or otherwise derogatory.
  - f. Approve, advance or provoke any form of harassment and/or violence against any individual or group of people.

School administration reserves the right to make determinations relating to appropriate dress and attire in the event that questions arise relating to the details above. Minimally, students who are in violation of the dress code will be asked to remove offending items. Students whose clothing is particularly offensive or who continue to violate this policy or who willingly fail to comply with directives to remove offending items will face disciplinary action for insubordination.

**DROP/ADD OF COURSE PROCEDURES**

Students will receive a term schedule. The only changes allowed after a term begins will be to replace an inappropriate class if a teacher finds the student is in a course that does not match ability level. All course adds and drops are handled by the school counselor.

**ELIGIBILITY AND SCHOOL ACTIVITIES POLICY**

The Detroit Lakes Public Schools adopts, and follows the Minnesota State High School League (MSHSL) rules for all extracurricular activities. In addition to the MSHSL rules, the district has established policies that pertain to student eligibility in activities. These rules and procedures will be shared with coaches/advisors, athletes and parents prior to the start of an activity. The entire policy is available upon request from any school office, the district administration office, or on the school website located at [www.dlsschools.net](http://www.dlsschools.net).

**GRADING OF COURSES**

E-Laker Online Uniform Grading Scale: Unless the course has been granted an exception or is under specified grading parameters because it is a concurrent enrollment course, final grades are determined by at least 85% of the final grade coming from Summative Assessments and at most 15% coming from Formative Assessments for all courses.

All teachers at E-Laker Online will use the following grading scale to determine final grades for all of their courses.

- A 90%-100%
- B 80%-89%
- C 70%-79%
- D 60%-69%
- F Below 60%

Letter-Grade Descriptions:

<u>Grade</u>	<u>Grade Pts</u>	<u>Description</u>
A	4	Superior or excellent achievement. Student performance demonstrates thorough knowledge of the course materials and exceeds course expectations by completing all requirements in a superior manner.
B	3	Above Average or very good work. Student performance demonstrates above-average comprehension of the course materials and meets or exceeds course expectations on all tasks as defined in the course syllabus.
C	2	Average work or competent. Student performance demonstrates incomplete understanding of course materials, but still meets basic course expectations.
D	1	Below average or unsatisfactory work. Student performance demonstrates incomplete and inadequate understanding of course materials.
F	0	Failure. Student performance is significantly below teacher expectations and quality of work is of very poor quality and/or completeness.

## **GRADUATION CEREMONY PARTICIPATION**

Participation in the Graduation Ceremony is a **privilege** extended to students who have met all state and school district graduation requirements and are in good standing with the school.

Examples of not being in good standing include, but are not limited to

- not accumulating enough credits, or
- being under suspension or expulsion, or
- owing detention time.

All required coursework must be completed and turned in to the classroom teacher before 4:00 on the last day of school for students. Students at risk of not participating in the ceremony and their parents are informed of their status on a regular basis throughout the school year. See the Attendance section of this handbook for more information pertaining to detention time.

## **GRADUATION - EARLY**

Students may be considered for early graduation, as provided for within Minn. Stat. '120.80, upon meeting the following conditions:

1. All course, credit and academic standard requirements must be met.
2. The principal or designee shall conduct an interview with the student and parent or guardian, familiarize the parties with opportunities available in post-secondary education.
3. The principal's decision shall be in writing and may be subject to review by the superintendent and school board.

Early graduation is a privilege, and requires the written approval of a student's parent/guardian, a school counselor, and the principal. It also requires advanced planning so that the student meets all requirements established by the State Department of Education and the Board of Education of ISD #22. Students contemplating early graduation should contact the Counseling Center for additional information. Students who are early graduates, but who return to take additional classes, are subject to the same regulations and rules as all other students. In order for early grads to be eligible for spring activities:

1. You cannot accept your diploma until spring graduation exercises.
2. You must be properly enrolled and attending school regularly.
3. You must be carrying a minimum of six credits spring semester.
4. When you graduate and are a member of a team with a season in progress, you may complete the season providing three or fewer weeks remain of the regularly scheduled contests, excluding tournament play.

## **GRADUATION REQUIREMENTS**

In order for students to earn a diploma from the Detroit Lakes Public Schools the following general conditions must be met:

1. The equivalent of 48 semester credits must be satisfactorily completed.
2. All required Minnesota state assessments must be passed.
3. All Minnesota Academic Standards requirements must be satisfactorily completed.

A complete copy of Policy 613 is available at any school, the district administration center, or the school website located at [www.dlschools.net](http://www.dlschools.net).

## **HONOR GRADUATE STATUS**

Honor Graduate status is based on the achievement of a 3.50 cumulative grade point average as of the end of the first semester of the senior year at the High School.

## **MATERIALS ISSUED TO STUDENTS**

Students are responsible for all materials and texts issued to them as part of a class. Materials and textbooks will be collected at the end of each term. Materials and textbooks not turned in at this time will result in the cost of the item being assessed to the student.

## **MILITARY RECRUITERS**

In accordance with the "No Child Left Behind Act of 2001", school districts are required to provide the name, address, and telephone listing of secondary students to military recruiters upon request unless the parent or eligible student has requested the information not be released to military recruiters without prior consent. In such case, the school district will seek to obtain the parent's or eligible student's written consent before releasing the data and, if there is refusal to

give such consent, not provide the data.

### **NEXUS TO SCHOOL/OFF CAMPUS BEHAVIOR**

Schools are authorized to discipline students for off campus behavior as long as there is some connection (a “nexus”) between the behavior and the school and the behavior materially disrupts the school in some manner. Consequences for actions that occur off campus, but materially disrupt the school include, but are not limited to: out-of-school- suspension (OSS), loss of extra-curricular eligibility as defined by Minnesota State High School League bylaws, and social suspensions (revoking of privilege to attend extra-curricular or other school-sponsored activities).

“Off Campus” is defined as locations not part of the school district. Parking lots on school property and property belonging to facilities used for school-sponsored activities are considered to be on campus.

### **PROGRESS REPORTS AND REPORT CARDS**

Daily progress reports are available to students and parents through APEX and teachers. End of semester dates are included in the district calendar.

### **RECORDS**

The school has student grades, attendance, and standardized test scores on file. If a student has attended several different schools, these records are now on file in Detroit Lakes.

A student or their parents may:

- review the contents of these records by making an appointment to do so with the Principal or a school counselor.
- have copies made of anything in the school records, but you are not permitted to take the original record out of the Counseling Center.
- place any statement or items in your record that you wish to, if it pertains to your schoolwork
- request that items be removed from your file. In the event that you or your parent or guardian makes such a request, the person in charge of the record may or may not grant the request. In the event the request is denied, you may appeal the decision to the next highest school official, and ultimately to the School Board.

Your records, or any part thereof, cannot be transferred in writing or orally to any other place without the written consent of you and your parent or guardian, with the exception of another public school in the state in which you have already enrolled after transferring from this school.

This means that your school will not, and cannot by law, without first receiving written consent from you and your parent or guardian:

- send a transcript of your school record to a college.
- send a transcript to a vocational school or university.
- give information from your record to a prospective employer.

Students who are 18 years of age or older need not seek consent of their parents or guardian to exercise their rights of access or control of transfer of their records.

All students’ records will be treated in accordance with the provisions of Public Laws 93-380, passed by Congress in 1974, and Chapter 479 of the 1974 Session Laws of the State of Minnesota. These laws and the resulting procedures described on these pages also apply to the records of all graduates of this school.

### **RELEASE OF DIRECTORY INFORMATION**

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. Directory information includes, but is not limited to: the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended. It is also includes the name, address and telephone number of the student’s parent(s). Directory information does not include personally identifiable data that references religion, race, color, social position or nationality.

A parent or eligible student who does not wish to have any or all of the directory information disclosed must provide written notice to the responsible administrator that 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 with the parent's or eligible student's prior written consent, which shall only be applicable for that school year.

A complete copy of Policy 515 is available at any school, the district administration center, or the school website located at [\\_www.dlschools.net](http://www.dlschools.net).

### **SCHOOL-TO-WORK (STW)**

The E-Laker Online School-to-Work program connects the community and the classroom by providing meaningful and relevant learning experiences for all learners regardless of age. The three main goals of School-To-Work are:

1. Career Exploration
2. Application of Knowledge and Skills
3. A seamless transition from K-12 into post-secondary education or the workplace.

School-To-Work is a partnership between our schools, community organizations, employers, and post-secondary institutions. They work together to provide learning experiences that develop broad transferable skills which help students learn how school and careers fit together. Students learn academic knowledge, technical proficiency, task management skills, critical

thinking skills, communication skills, team work, and problem solving skills

School-To-Work has three components. They are as follows:

- School-Based Learning: Students learn math, science, English/Language Arts, social studies, technology and other knowledge, skills and standards in the context of the world of work.
- Work-Based Learning: Students gain practical experience and training through learning activities provided by community businesses and agencies. Examples are field trips, guest speakers, job shadowing, internships, mentorships, and youth apprenticeships.
- Connecting Activities: Links between employers, schools, teachers, and students are formed to match young people with employers, mentors, and other learning experiences.

### **TITLE IX POLICY**

It is the policy of the Board of Education of School District #22 not to discriminate on the basis of sex in its educational program, activities or employment policies as required by Title IX of the 1972 Education Amendments. Inquiries regarding compliance with Title IX may be directed to Title IX Coordinator at 702 Lake Avenue, Detroit Lakes (847-9271) or to the Director of the Office for Civil Rights, Department of Health and Welfare, Washington, D.C.

### **TOBACCO**

Effective July 1, 1987, use of all tobacco products shall be prohibited on K-12 school district property and at school sponsored activities off school property within district boundaries. This shall include school buildings, grounds and school owned vehicles. Use of tobacco products by K-12 students on camera during school shall be prohibited.

## **SCHOOL BOARD POLICIES**

### **POLICY 413: HARASSMENT AND VIOLENCE POLICY**

Everyone in the Detroit Lakes Public School has a right to feel respected and safe. Consequently, it is important for everyone to know about the district policy to prohibit sexual, racial, or religious harassment or violence.

A harasser may be a student or an adult. Harassment may include, but is not limited to any of the following when related to race, religion, sex or gender:

- a. Name calling, jokes or rumors;
- b. Pulling on clothes;
- c. Graffiti;
- d. Notes or cartoons;
- e. Unwelcome touching of a person or clothing;
- f. Offensive or graphic posters, 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, social worker, principal, assistant principal or the District Human Rights Officer.

You may also make a written report using your own paper or the district report form available in the principal's office, School District office, or the office of the Human Rights Officer. It should be given to the teacher, counselor, social worker, principal, assistant principal, or the District Human Rights Officer. Your right to privacy will be respected as much as possible.

We will take seriously all reports of sexual, racial, or religious harassment or violence and will take timely and appropriate action 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 made a report.

A complete copy of Policy 413 is available at any school, the district administration center, or the school website located at [www.dlschools.net](http://www.dlschools.net).

### **POLICY 417: CHEMICAL USE/ABUSE POLICY/PROCEDURES**

Statement of Philosophy: The Board of Education of Independent School District #22 endorses a chemical policy and set of procedures predicated upon the following beliefs:

1. A positive relationship exists between successful school experiences and sound physical, mental, social and emotional health.
2. It is the responsibility of the staff and administration of School District #22 to maintain an atmosphere that will promote quality learning and to provide an effective response system to conditions which threaten that atmosphere.
3. The misuse of any mood-altering chemical constitutes a hazard to the learning environment and the positive development of all students.
4. Chemical dependency is a treatable illness; early identification and intervention is conducive to successful treatment.
5. The harmfully involved and chemically dependent cannot always help themselves by themselves. Opportunity for assistance shall be provided to students and their families in obtaining appropriate services.
6. If treatment becomes necessary outside the school setting, every effort must be exerted to effect a successful continuation in/or re-entry into the school system.

A complete copy of Policy 413 is available at any school, the district administration center, or the school website located at [www.dlschools.net](http://www.dlschools.net).

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

Students and employees of the school district have the right to distribute, at reasonable times and places as set

forth in Policy 505, and in a reasonable manner, nonschool-sponsored material. Requests for distribution of nonschool-sponsored material will be reviewed by the administration on a case-by-case basis. However, distribution of the materials listed below is always prohibited. Material is prohibited that:

1. is obscene to minors;
2. is libelous or slanderous;
3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended.
4. advertises or promotes any product or service not permitted to minors by law; advocates violence or other illegal conduct;
5. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religious or ethnic origin);
6. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.

Any student or employee wishing to distribute non-school sponsored material must first submit (as defined in Policy 505) for approval a copy of the material to the principal at least 24 hours in advance of desired distribution time, together with the following information:

1. Name and phone number of the person submitting the request and, if a student, the room number of his or her first-period class.
2. Date(s) and time(s) of day intended for distribution.
3. Location where material will be distributed;
4. If intended for students, the grade(s) of students to whom the display or distribution is intended.

A complete copy of Policy 413 is available at any school, the district administration center, or the school website located at [www.dlschools.net](http://www.dlschools.net).

**POLICY 506: K-12 DISCIPLINE AND VIOLENCE PREVENTION POLICY**

**PURPOSE:**

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

**STUDENT RIGHTS**

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

**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. A complete copy of Policy 413 is available at any school, the district administration center, or the school website located at [www.dlschools.net](http://www.dlschools.net).
- 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

- The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.
- Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
- The use of profanity or obscene language, or the possession of obscene materials;
- Gambling, including, but not limited to, playing a game of chance for stakes;
- Violation of the school district's Hazing Prohibition Policy;
- Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
- Opposition to authority using physical force or violence;
- Using, possessing, or distributing tobacco or tobacco paraphernalia;
- Using, possessing, distributing, or being under the influence of alcohol or other intoxicating substances or look-alike substances;
- Using, possessing, distributing, or being under the influence of narcotics, drugs, or other controlled substances, or look-alike substances, except as prescribed by a physician, including one student sharing prescription medication with another student;
- Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
- Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
- Violation of the school district Weapons Policy;
- Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
- Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
- Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
- Using an ignition device, including a butane or disposable lighter or matches, inside an educational building

and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;

- Violation of any local, state or federal law as appropriate;
- Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
- Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;
- Violation of school bus or transportation rules or the school bus safety policy;
- Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
- Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
- Possession or distribution of slanderous, libelous or pornographic materials;
  
- Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
- Criminal activity;
- Falsification of any records, documents, notes or signatures;
- Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
- Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
- Impertinent or disrespectful language toward teachers or other school district personnel;
- Sexual and/or racial abuse and/or harassment;
- Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;
- Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
- Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
- Verbal assaults, or verbally abusive behavior, including, but not limited to, use of language that is discriminatory, abusive, obscene, threatening, intimidating or that degrades other people;
- Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
- Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin or sexual orientation;
- Violation of school rules, regulations, policies, or procedures;
- Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or employees.

#### DISCIPLINARY ACTION OPTIONS

It is the general policy of the school district to utilize progressive discipline to the extent reasonable and appropriate based upon the specific facts and circumstances of student misconduct. The specific form of discipline chosen in a particular case is solely within the discretion of the school district. At a minimum, violation of school district rules, regulations, policies or procedures will result in discussion of the violation and a verbal warning. The school district shall, however, impose more severe disciplinary sanctions for any violation,

including exclusion or expulsion, if warranted by the student's misconduct, as determined by the school district.

### REMOVAL OF STUDENTS FROM CLASS OR ACTIVITY PERIODS

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

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

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

### REASONABLE FORCE STANDARD

A teacher, school principal, school bus driver, or other agent of the district, in exercising the person's 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. (Minn. Stat. § 121A.582 Student discipline; reasonable force)

### OPEN ENROLLED STUDENTS

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minn. Stat. § 124D.03) or Enrollment in Nonresident District (Minn. Stat. § 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minn. Stat. Ch. 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of sixteen (16) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

A complete copy of Policy 413 is available at any school, the district administration center, or the school website located at [www.dlschools.net](http://www.dlschools.net).

### POLICY 514: BULLYING PROHIBITION POLICY

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

#### **I. PURPOSE**

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

## II. GENERAL STATEMENT OF POLICY

- A. An act of bullying, by either an individual student or a group of students, is expressly prohibited on school premises, on school district property, at school functions or activities, or on school transportation. This policy 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, 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 cyber-bullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.
- C. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- E. False accusations or reports of bullying against another student are prohibited.
- F. A student who engages in an act of bullying, reprisal, retaliation, or knowingly making a false report of bullying shall be subject to discipline or other remedial responses for that act in accordance with school district's policies

and procedures, including the school district's discipline policy (See Policy 506). A teacher, administrator, volunteer, contractor, or other employee of the school district who permits, condones, or tolerates bullying or

engages in an act of reprisal, retaliation, or knowingly making a false reporting of bullying shall be subject to disciplinary action. 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 acts of bullying or other prohibited conduct 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 knowingly make a false report of bullying may result in disciplinary action up to and including termination or discharge.

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

## III. DEFINITIONS

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

A. "Bullying" means intimidating, threatening, abusive, or harming conduct that is 514-3 objectively offensive and:

1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or
2. materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

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

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

premises to the extent that it substantially and materially disrupts student learning or the school environment.

C. "Immediately" means as soon as possible but in no event longer than 24 hours.

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

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

E. "On school premises, on school district property, at school functions or activities, or on school transportation" means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. While prohibiting bullying at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.

F. "Prohibited conduct" means bullying or cyberbullying as defined in this policy or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying.

G. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.

H. "Student" means a student enrolled in a public school or a charter school.

#### **IV. REPORTING PROCEDURE**

A. Any student who believes he or she has been the target or victim of bullying or should report the alleged acts

as soon as possible but in no event longer than one school day to an appropriate school district official designated by this policy. Any teacher, administrator, volunteer, contractor, or other employee of the school district with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available in the school district office, but oral reports shall be considered complaints as well.

C. The building principal, the principal's designee, or the building supervisor (hereinafter "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

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

D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or

prohibited conduct and shall inform the building report taker as soon as possible but in no event longer than one school day. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.

E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.

F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, or work assignments, or educational or work environment.

G. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

## **V. SCHOOL DISTRICT ACTION**

A. Within three school days 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 third party designated by the school district.

B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of bullying or other prohibited conduct, consistent with applicable law.

C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

D. Upon completion of the investigation that determines that bullying or other prohibited conduct has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II. F of this policy. School district action taken for violation

of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy (See MSBA/MASA Model Policy 506) and other applicable school district policies; and applicable regulations.

E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students involved in a bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law.

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

## **VI. RETALIATION OR REPRISAL**

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged bullying or prohibited conduct, who provides information about bullying or prohibited conduct, who testifies, assists, or participates in an investigation of alleged bullying or prohibited conduct, or who testifies, assists, or participates in a proceeding or hearing relating to such bullying or prohibited conduct. Retaliation includes, but is not limited to, any form of

intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engage in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II. F of this policy.

## VII. TRAINING AND EDUCATION

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

B. The school district shall require ongoing professional development, consistent with Minn. Stat. § 122.60, 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 as soon as possible but in no event longer than one school day and effectively intervene to stop prohibited conduct.
2. The complex dynamics affecting a perpetrator, target, and witness to prohibited conduct;
3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the
4. target or victim of bullying or other prohibited conduct in school;
5. The incidence and nature of cyberbullying; and
6. Internet safety and cyberbullying.

C. The school district annually will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.

D. The administration of the school district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.

E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.

The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.

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

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

1. Engage all students in creating a safe and supportive school environment;
2. Partner with parents and other community members to develop and implement prevention and intervention programs;
3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the school's primary contact person;
5. Teach students to advocate for themselves and others;

6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and

7. Foster student collaborations that, in turn, foster a safe and supportive school climate.

F. The school district may implement violence prevention and character development education programs to prevent or reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.

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

#### **VIII. NOTICE**

A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.

B. This policy or a summary thereof must be conspicuously posted in the administrative offices of the school district and the office of each school.

C. This policy must be given to each school employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.

D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy (See MSBA/MASA Model Policy 506) distributed to parents at the beginning of each school year.

E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the school district's or a school's website.

F. The school district shall provide an electronic copy of its most recently amended policy to the Commissioner of Education.

#### **IX. POLICY REVIEW**

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

#### **POLICY 520: STUDENT SURVEYS**

##### **PURPOSE**

Occasionally the school district utilizes surveys to obtain student opinions and information about students. The purpose of this policy is to establish the parameters of information that may be sought in student surveys. Student surveys may be conducted as determined necessary by the school district.

##### **STUDENT SURVEYS IN GENERAL**

A. Student surveys will be conducted anonymously and in an indiscernible fashion. No mechanism will be used for identifying the participating student in any way. No attempt will be made in any way to identify a student survey participant. There will be no requirement that the student return the survey, and no record of the student returning a survey will be maintained.

B. Surveys containing questions pertaining to the student's or the student's parent(s) or guardian(s) personal beliefs or practices in sex, family life, morality and religion will not be administered to any student unless the parent or guardian of the student is notified in writing that such survey is to be administered and the parent or guardian of the student gives written permission for the student to participate in such survey. Any and all documents containing the written permission of a parent for a student to participate in a survey will be maintained by the school district in a file separate from the survey responses.

A complete copy of Policy 413 is available at any school, the district administration center, or the school website located at [www.dlschools.net](http://www.dlschools.net).

## **POLICY 526: HAZING POLICY**

At Detroit Lakes High School, hazing means committing an act against a person or coercing a person into committing an act that creates a risk of physical or emotional harm to a person (with or without the person's consent) in order for the person to be initiated into an organization or for any other purpose. Hazing activities of any type, including displays of clothing or other articles that promote hazing activities, are inconsistent with the educational goals of the school district and are prohibited at all times. The district's hazing policy applies to behavior that occurs on or off school property and during and after school hours and applies to any student organization even if the group is not an official school organization.

A complete copy of Policy 413 is available at any school, the district administration center, or the school website located at [www.dlschools.net](http://www.dlschools.net).

## **POLICY 527: STUDENT USE AND PARKING OF MOTOR VEHICLES; PATROLS, INSPECTIONS AND SEARCHES**

### **PURPOSE:**

The purpose of this policy is to provide guidelines for use and parking of motor vehicles by students in school district locations, to maintain order and discipline in the schools, and to protect the health, safety and welfare of students and school personnel.

### **GENERAL STATEMENT OF POLICY:**

It is the policy of this school district to allow the limited use and parking of motor vehicles by students in school district locations. It is the position of the school district that a fair and equitable district-wide student motor vehicle policy will contribute to the quality of the student's educational experience, will maintain order and discipline in the schools, and will protect the health, safety and welfare of students and school personnel. This policy applies to all students in the school district.

### **DEFINITIONS:**

- A. "Contraband" means any unauthorized item possession of which is prohibited by school district policy and/or law. It includes but is not limited to weapons and "look-alikes," alcoholic beverages, controlled substances and "look-alikes," overdue books and other materials belonging to the school district, and stolen property.
- B. "Reasonable suspicion" means that a school official has grounds to believe that the search will result in evidence of a violation of school district policy, rules, and/or law. Reasonable suspicion may be based on a school official's personal observation, a report from a student, parent or staff member, a student's suspicious behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.
- C. "Reasonable scope" means that the scope and/or intrusiveness of the search is reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g. to prevent violence, serious and immediate risk of harm or destruction of evidence), and the age of the student.
- D. "School district location" means property that is owned, rented, leased, or borrowed by the school district for school purposes, as well as property immediately adjacent to such property that may be used for parking or gaining access to such property. A school district location also shall include 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.

### **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 during the student's designated lunch period or if there is an emergency and permission has been granted to the student by the building principal or assistant principal to use a motor vehicle during the school day.

### **STUDENT PARKING OF MOTOR VEHICLES IN SCHOOL DISTRICT LOCATIONS:**

Students are permitted to park in a school district location as a matter of privilege, not of 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. Vehicles must display a valid parking permit. Students will not park vehicles in driveways, on private property, or in other designated areas, [e.g. parking lots designated for use only by staff or by the general public].

### **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.

#### **B. Patrols and Inspections**

School officials may conduct routine patrols of student parking lots and other school district locations and routine inspections of the exteriors of the motor vehicles of students. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

#### **C. Search of Interior of Student Motor Vehicle**

The interiors of motor vehicles of students in school district locations, including glove or trunk compartments, 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. The search will be reasonable in its scope and intrusiveness. Such searches may be conducted without notice, without consent, and without a search warrant. A student will be subject to withdrawal of parking privileges and to discipline if the student refuses to open a locked motor vehicle under the student's control or its compartments upon the request of a school official.

#### **D. Prohibition of Contraband and Interference with Patrols, Inspections, Searches and/or Seizures** It shall be a violation of this policy for students to store or carry contraband in motor vehicles in a school district location or to interfere with patrols, inspections, searches and/or seizures as provided by this policy.

#### **E. Seizure of Contraband**

If a search yields contraband, school officials will seize the item and may turn it over to legal officials for ultimate disposition when appropriate.

#### **F. Dissemination of Policy**

A copy of this policy will be printed in the student handbook or disseminated in any other way which school officials deem appropriate.

### **DIRECTIVES AND GUIDELINES:**

The superintendent is granted authority to develop and present for school board review and approval reasonable directives and guidelines which address specific needs of the school district related to student use and parking of motor vehicles in school district locations, such as a permit system and parking regulations. Approved directives and guidelines shall be attached as an addendum to this policy.

### **VIOLATIONS:**

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.

## **POLICY 621: GRADING AND REPORTING OF PUPIL ACHIEVEMENT**

### **I. PURPOSE**

The purpose of this policy is to establish grading and reporting practices that reflect a student's academic achievement of the course standards.

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

It is the Detroit Lakes Public School District's responsibility to ensure grades represent an accurate measure of each student's level of achievement pertaining to established local, state or national standards and the essential learning outcomes related to those standards.

For this reason, the District shall establish a clear and accurate system of grading student achievement and shall provide students, parents, teachers, and the community with reports that accurately reflect this information.

The Detroit Lakes Public Schools supports a system of guiding principles for clear and accurate grading and

reporting policies and procedures. To achieve these goals, the grading and reporting system must reflect academic achievement; contain meaningful feedback; be honest, fair, transparent, credible, useful and user friendly; be criterion referenced; align with school board approved Detroit Lakes Public Schools curriculum; reflect consistency within and among courses, grade levels, departments, and/or schools; communicate in a clear and timely manner information to parties; reflect high expectations of all students across all courses and programs; and be developmentally appropriate for all students.

### III. GRADING PARAMETERS

- A. The primary purpose of grading is to determine the level of achievement of students related to essential learning expectations. Additional purposes for grading include:
1. providing information to the students, their families, employers, and post-secondary institutions.
  2. providing information that students can use for self-evaluation.
  3. providing information that teachers can use to modify planning and instruction.
  4. evaluating the effectiveness of instructional programs.

A complete copy of Policy 413 is available at any school, the district administration center, or the school website located at [www.dlschools.net](http://www.dlschools.net).

### **REHABILITATION ACT OF 1973 (ANNUAL NOTICE AND INFORMATION REGARDING SECTION 504 ACT)**

Section 504 is an Act which prohibits discrimination against persons with disability in any program or activity that receives or benefits from Federal Financial assistance. The Act defines a person with a disability as anyone who:

1. has a physical or mental impairment which substantially limits one or more major life activities including activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working; or
2. has a record of such an impairment; or
3. is regarded as having such an impairment. (34 Code of Federal Regulations Part 104.3). In order to fulfill its obligations under Section 504, the Detroit Lakes School District #22 recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel and learners. No discrimination against any person with a disability will be permitted in any of the programs and practices in the school system.

The school district has specific responsibilities under the Act, which include the responsibility to identify, evaluate and if the child is determined to be eligible under Section 504, provide access to appropriate education services.

If the parent or guardian disagrees with the determination made by the professional staff of the school district, he/she has a right to a hearing with an impartial hearing officer.

The Family Educational Rights and Privacy Act (FERPA) also specifies rights related to educational records. The Act gives the parent or guardian the right to:

1. inspect and review his/her child's educational records;
2. make copies of these records;
3. receive a list of all individuals having access to those records;
4. ask for an explanation of any item in the records;
5. ask for amendment to any report on the grounds that it is inaccurate, misleading, or violates the child's rights; and
6. a hearing on the issue if the school refuses to make the

amendment. Please contact your child's counselor at 847-4491 if you

have questions.











**AUGUST 2022 HAND PAYABLES**

Bank	Pmt No	Check No	Pay Type	Vendor	Date	Amount
HACT	1458	500000	Check	Character Challenge Course	8/22/2022	1,500.00
HACT	1460	500001	Check	Doll, Margaret	8/22/2022	289.59
HACT	1454	500002	Check	ISD #22	8/22/2022	956.00
HACT	1455	500003	Check	PAPA MURPHY'S	8/22/2022	275.50
HACT	1459	500004	Check	Prussia, Sydney	8/22/2022	976.00
HACT	1456	500005	Check	SCHNATHORST, VERNON	8/22/2022	4,055.00
HACT	1457	500006	Check	TROPHY HOUSE	8/22/2022	199.60
HACT	1466	500007	Check	BRAATEN, ELISSA	8/26/2022	250.00
HACT	1469	500008	Check	LUNDMARK, KATIE	8/26/2022	4,268.00
HACT	1467	500009	Check	MARTIN, DUSTIN	8/26/2022	779.43
HACT	1468	500010	Check	VOLLER, DAVID	8/26/2022	25.44
<b>DLHS SAA Total</b>						<b>13,574.56</b>

Bank	Pmt No	Check No	Pay Type	Vendor	Date	Amount
MW	1354		Wire	FURTHER	8/15/2022	1,794.33
MW	1355		Wire	INTERNAL REVENUE SERVICE	8/15/2022	53,662.46
MW	1356		Wire	MINNESOTA REVENUE	8/15/2022	8,893.20
MW	1357		Wire	PUBLIC EMPLOYEES RETIREMENT ASSOC	8/15/2022	16,109.67
MW	1358		Wire	MN TEACHERS RETIREMENT ASSOC.	8/15/2022	21,362.37
MW	1359		Wire	MINNESOTA STATE RETIREMENT SYS	8/15/2022	14,168.75
MW	1360		Wire	AVIBEN	8/15/2022	9,628.51
MW	1361		Wire	INTERNAL REVENUE SERVICE	8/16/2022	635.32
MW	1362		Wire	MINNESOTA REVENUE	8/16/2022	95.00
MW	1365		Wire	INTERNAL REVENUE SERVICE	8/16/2022	487.45
MW	1366		Wire	MINNESOTA REVENUE	8/16/2022	105.37
MW	1367		Wire	PUBLIC EMPLOYEES RETIREMENT ASSOC	8/16/2022	339.62
MW	1368		Wire	MINNESOTA STATE RETIREMENT SYS	8/16/2022	27.50
MW	1369		Wire	AVIBEN	8/16/2022	72.50
MW	1473		Wire	CORPORATE PAYMENT SYSTEMS	8/31/2022	47,132.93
MW	1483		Wire	FURTHER	8/30/2022	1,774.33
MW	1484		Wire	INTERNAL REVENUE SERVICE	8/30/2022	55,790.72
MW	1485		Wire	MINNESOTA REVENUE	8/30/2022	8,946.85
MW	1486		Wire	PUBLIC EMPLOYEES RETIREMENT ASSOC	8/30/2022	17,571.21
MW	1487		Wire	MN TEACHERS RETIREMENT ASSOC.	8/30/2022	19,731.34
MW	1488		Wire	MINNESOTA STATE RETIREMENT SYS	8/30/2022	14,182.50
MW	1489		Wire	AVIBEN	8/30/2022	10,742.69
MW	1589		Wire	MIDWEST BANK	8/31/2022	1,152.00
MW	1590		Wire	AUTHORIZE.NET GATEWAY BILLING	8/31/2022	10.00
MW	1591		Wire	BANKCARD	8/31/2022	127.89
MW	1592		Wire	VANTIV BILLING / WORLDPAY	8/31/2022	171.25
MW	1593		Wire	REVTRAK	8/31/2022	29.95
MW	1594		Wire	TRANSFIRST AFFINETY	8/31/2022	57.00
MW	1595		Wire	MSDLAF	8/31/2022	60.00
MW	1596		Wire	MERCHANT BANKCARD	8/31/2022	9.97
MW	1597		Wire	ND STATE TAX COMMISSIONER	8/31/2022	294.00

MW	1158	700143	Check	PURE HOCKEY	8/1/2022	(1,023.93)
MW	1209	700201	Check	CONSTELLATION NEW ENERGY GAS D	8/1/2022	2,711.25
MW	1210	700202	Check	DETROIT LAKES ACTIVITY FUND	8/1/2022	1,023.93
MW	1212	700203	Check	FURTHER	8/1/2022	411.70
MW	1211	700204	Check	MADISON NATIONAL LIFE INSURANCE	8/1/2022	2,154.05
MW	1312	700296	Check	ARVIG COMMUNICATION SYSTEMS	8/10/2022	2,795.07
MW	1313	700297	Check	CITY OF DETROIT LAKES	8/10/2022	23,377.85
MW	1314	700298	Check	COMMUNITY CO-OP OF LAKE PARK	8/10/2022	2,090.03
MW	1315	700299	Check	CONTINGENT FUND	8/10/2022	430.22
MW	1319	700300	Check	MINNESOTA MUSIC EDUCATORS ASSOCIATION	8/10/2022	3,000.00
MW	1316	700301	Check	SCHULTZ BUS COMPANY	8/10/2022	24,320.60
MW	1317	700302	Check	SKYWARD	8/10/2022	41,660.00
MW	1318	700303	Check	VERIZON WIRELESS	8/10/2022	1,276.90
MW	1329	700313	Check	CASH-WA DISTRIBUTING CO.	8/16/2022	746.44
MW	1333	700314	Check	MADISON NATIONAL LIFE INSURANCE	8/16/2022	2,449.95
MW	1331	700315	Check	MINNESOTA RURAL EDUCATION ASSOCIATION	8/16/2022	2,500.00
MW	1330	700316	Check	MINNESOTA ENERGY RESOURCES	8/16/2022	3,371.10
MW	1332	700317	Check	ODYSSEY THEATRES	8/16/2022	600.00
MW	1347	700329	Check	AFSCME COUNCIL 65	8/15/2022	368.15
MW	1345	700330	Check	AMERICAN FAMILY LIFE ASSURANCE CO	8/15/2022	187.51
MW	1349	700331	Check	D. L. ATHLETIC FOUNDATION	8/15/2022	45.00
MW	1350	700332	Check	D.L. PUBLIC EDUC FOUNDATION	8/15/2022	5.00
MW	1351	700333	Check	IND. SCHOOL DISTRICT #22 - Flex Acct	8/15/2022	588.78
MW	1353	700334	Check	LAKE AGASSIZ REGIONAL DEVELOPMENT	8/15/2022	100.00
MW	1346	700335	Check	MINNESOTA CHILD SUPPORT	8/15/2022	691.00
MW	1352	700336	Check	SUPPORT PAYMENT CLEARINGHOUSE	8/15/2022	671.82
MW	1348	700337	Check	UNITED WAY OF BECKER COUNTY	8/15/2022	103.00
MW	1363	700338	Check	AMERICAN FAMILY LIFE ASSURANCE CO	8/16/2022	55.67
MW	1364	700339	Check	IND. SCHOOL DISTRICT #22 - Flex Acct	8/16/2022	45.46
MW	1453	700423	Check	CASH-WA DISTRIBUTING CO.	8/18/2022	657.44
MW	1461	700424	Check	CASH-WA DISTRIBUTING CO.	8/23/2022	1,453.87
MW	1462	700425	Check	CITY OF DETROIT LAKES	8/23/2022	832.71
MW	1465	700426	Check	FURTHER	8/23/2022	434.20
MW	1463	700427	Check	MN PEIP	8/23/2022	331,279.83
MW	1464	700428	Check	QUADIENT FINANCE USA, INC.	8/23/2022	1,108.65
MW	1470	700429	Check	CASH-WA DISTRIBUTING CO.	8/30/2022	1,673.51
MW	1471	700430	Check	CONSTELLATION NEW ENERGY GAS D	8/30/2022	1,613.95
MW	1472	700431	Check	MADISON NATIONAL LIFE INSURANCE	8/30/2022	2,037.14
MW	1475	700432	Check	AFSCME COUNCIL 65	8/30/2022	368.15
MW	1474	700433	Check	AMERICAN FAMILY LIFE ASSURANCE CO	8/30/2022	243.18
MW	1477	700434	Check	D. L. ATHLETIC FOUNDATION	8/30/2022	45.00
MW	1481	700435	Check	D.L. EDUCATION MINNESOTA (PARA)	8/30/2022	0.00
MW	1478	700436	Check	D.L. PUBLIC EDUC FOUNDATION	8/30/2022	5.00
MW	1479	700437	Check	IND. SCHOOL DISTRICT #22 - Flex Acct	8/30/2022	752.99
MW	1482	700438	Check	LAKE AGASSIZ REGIONAL DEVELOPMENT	8/30/2022	100.00
MW	1480	700439	Check	MINNESOTA CHILD SUPPORT	8/30/2022	618.00
MW	1476	700440	Check	UNITED WAY OF BECKER COUNTY	8/30/2022	103.00
<b>DISTRICT TOTAL</b>						<b>765,249.85</b>

# **BANK RECONCILIATION**

**8/31/22**

<b>BREMER BANK STATEMENT BALANCE</b>	246,763.69
<b>ADD: RECEIPTS DEPOSITED BUT NOT ON BANK STATEMENT</b>	0.00
<b>LESS: OPEN CHECKS NOT CLEARED</b>	(16,563.37)
<b>BANK ENDING STATEMENT BALANCE</b>	<u>230,200.32</u>
<b>BOOK BALANCE - PRIOR MONTH ENDING</b>	238,475.95
<b>ADD: RECEIPTS (FROM RECEIPTS REPORT)</b>	5,298.93
<b>LESS: PAYMENTS (CHECKS REPORT)</b>	13,574.56
<b>MISC FEES: Acct Analysis Fee</b>	0.00
<b>BOOK ENDING BALANCE</b>	<u>230,200.32</u>

DIFFERENCE

## Cash Flow - Earliest To Date

7/1/1998 through 9/13/2022

9/13/2022

Page 1

Category	7/1/1998- 9/13/2022
<b>INFLOWS</b>	
Uncategorized	0.00
005 I-ATH	323.99
006-JSA-SGA	0.00
007 INTERACT	2,535.05
010 I-BPA	1,254.01
015 I-BAND	3,375.84
016 I	0.00
016-HOSA	0.00
020 I-BANDCHOIR	0.00
025 I-BSB	411.92
030 I-BBB	8,648.88
040 I-GBB	11,973.92
045 I-Cheer	239.66
050 I-CHOIR	12,837.48
051I All City Choir	0.00
053 I-CC	5,700.20
055 I-SKI	1,920.59
060 I-DANCE	8,650.37
065 I	0.00
070 I-FFA	19,228.43
075 I	0.00
080 I-FB	16,139.84
082 I-BGOLF	5,998.77
083 I-GGOLF	7,353.01
085 I-GYM	1,860.67
090 I	0.00
095 I-BHOC	12,785.48
096I-GHOC	4,902.34
097 I	0.00
100 I	0.00
102 I	0.00
103 I	0.00
105 I-NHS	1,091.07
110 I	0.00
115 I-NACLUB	5,948.06
116 I	0.00
117 I-Robotics	5,166.31
118 I	0.00
119	0.00
120 I-PROM	26,360.63
125- Trap	0.00
126 I-Trap Shooting	135.87
128 I-BSOC	159.40
129 I-GSOC	1,173.33
130 I	0.00
132 I-SB	13,743.63
133 I-SPAN	0.00
134 I	0.00
135 I-SPEECH	3,556.43

# Cash Flow - Earliest To Date

7/1/1998 through 9/13/2022

9/13/2022

Page 2

Category	7/1/1998- 9/13/2022
140 I-STUD. CO.	9,235.81
141I-Link Crew	404.40
142 I-WEBCAST	0.00
142- SPEEDSTRENGTH	9,248.08
143 Sidekicks	15.00
144 I-BSWIM	1,502.47
145 I-GSWIM	3,047.20
147 I-TARGET	629.32
149I-ALC	6,289.17
150 I-GTEN	460.60
151 I-BTEN	167.75
155 I-TRACK	8,101.97
157 I	0.00
160 I-VB	7,620.23
163 I	0.00
165 I-WREST	100.88
170 I-INT.	0.00
171I-Service Fee's	-97.74
180 I	0.00
<b>TOTAL INFLOWS</b>	<b>230,200.32</b>
<b>OUTFLOWS</b>	
175 I	0.00
<b>TOTAL OUTFLOWS</b>	<b>0.00</b>
<b>OVERALL TOTAL</b>	<b>230,200.32</b>

# SMART Finance Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
HACT		1458	500000	Check	1 2360		Character Challenge Course		Yes	No	No	08/22/2022	1,500.00
HACT		1460	500001	Check	1 2362		Doll, Margaret		Yes	No	No	08/22/2022	289.59
HACT		1454	500002	Check	1 1543		ISD #22		Yes	No	No	08/22/2022	956.00
HACT		1455	500003	Check	1 1908		PAPA MURPHY'S		Yes	No	No	08/22/2022	275.50
HACT		1459	500004	Check	1 2361		Prussia, Sydney		Yes	No	No	08/22/2022	976.00
HACT		1456	500005	Check	1 2045		SCHNATHORST, VERNON		Yes	No	No	08/22/2022	4,055.00
HACT		1457	500006	Check	1 2203		TROPHY HOUSE		Yes	No	No	08/22/2022	199.60
HACT		1466	500007	Check	1 1140		BRAATEN, ELISSA		Yes	No	No	08/26/2022	250.00
HACT		1469	500008	Check	1 2366		LUNDMARK, KATIE		Yes	No	No	08/26/2022	4,268.00
HACT		1467	500009	Check	1 1710		MARTIN, DUSTIN		Yes	No	No	08/26/2022	779.43
HACT		1468	500010	Check	1 2237		VOLLER, DAVID		Yes	No	No	08/26/2022	25.44

Bank Total: \$13,574.56

Report Total: \$13,574.56

Transaction - Aug 2022

8/1/2022 through 8/31/2022

Date	Account	Num	Description	Memo	Category	Clr	Amount
8/1/2022	98-99	TXFR	**VOID**TRANSF ... to student council from spani...		140 I-STUD. CO.	c	0.00
8/5/2022	98-99	13005	Football	fb youth camp	080 I-FB	R	120.00
8/5/2022	98-99	13008	Track	youth track meet	155 I-TRACK	R	580.00
8/5/2022	98-99	13006	Volleyball	vb camp	160 I-VB	R	2,575.00
8/12/2022	98-99	13009	BOY'S HOCKEY	poster sponsor real estate co...	095 I-BHOC	R	1,000.00
8/12/2022	98-99	13010	Boys Hockey	reimb for team hockey gloves	095 I-BHOC	R	1,023.93
<b>8/1/2022 - 8/31/2022</b>							
<b>TOTAL INFLOWS</b>							<b>5,298.93</b>
<b>TOTAL OUTFLOWS</b>							<b>0.00</b>
<b>NET TOTAL</b>							<b>5,298.93</b>

Uncleared Transaction Detail up to 8/31/2022

Date	Num	Payee	Memo	Category	Clr	Amount
<b>Uncleared Checks and Payments</b>						
1/17/2018	26697	Make A Wish Foundation	Freshman Donation	141-Link Crew		-125.00
1/17/2018	26698	AMERICAN CANCER SOCIETY	Freshman Donation	141-Link Crew		-125.00
1/23/2018	26708	Mary's Place	Stuff A Stocking Donation	105 I-NHS		-300.00
2/26/2018	26783	Cherish Johnson	reimburse for hotel room	060 I-DANCE		-20.00
2/26/2018	26786	Elle Seaberg	reimburse for hotel room	060 I-DANCE		-20.00
3/7/2018	26803	MN FFA	4 students APEX conference	070 I-FFA		-380.00
3/15/2018	26810	MN FFA	H2O Conference	070 I-FFA		-175.00
11/8/2018	27161	Cole Bryant	reimburse for red ribbon week supplies	147 I-TARGET		-11.90
2/11/2019	27297	Nate Ochsner	reimburse for donute for group meeting	007 INTERACT		-27.45
3/6/2019	27341	Todd Dwyer	reimburse for team meal	095 I-BHOC		-197.72
3/19/2019	27362	Nathan Ochsner	interact snacks	007 INTERACT		-32.00
5/21/2019	27514	Hurman Society Of The Lakes	NHS Donation	105 I-NHS		-264.00
6/27/2019	27550	TROPHY HOUSE	invoice 253073 FFA Awards	070 I-FFA		-42.00
10/1/2019	400044	JEM Kensinger Inc./ Dairy Queen	cc dilly bars	053 I-CC		-57.60
10/1/2019	400050	Region 1 FFA	rlc 1	070 I-FFA		-35.00
11/14/2019	400080	Cole Bryant	reimb for lunch	147 I-TARGET		-25.01
11/25/2019	400103	Ronnie Hutchinson	reimb for wheels	050 I-CHOIR		-9.68
1/24/2020	400181	Region 1 FFA	wrlc & rally	070 I-FFA		-75.00
1/30/2020	400188	ELSMORE AQUATIC	swim caps	145 I-GSWIM		-132.75
3/25/2020	400253	HARRIS MARKETING	IM Dodgeball shirts invoice 8002	147 I-TARGET		-72.00
1/21/2021	400444	MN BPA	masks	010 I-BPA		-22.50
3/24/2021	400487	Saf Enterprises, LLC	sr gifts	030 I-BBB		-214.68
4/15/2021	400499	Zachiea Properties	wres catering	165 I-WREST		-93.57
2/1/2022	400716	Jimmy John's	team meal	030 I-BBB		-298.10
2/8/2022	400731	LAKER LOCKER	shirts	060 I-DANCE		-425.00
2/17/2022	400743	Jimmy John's	team meal	030 I-BBB		-325.70
3/4/2022	400764	LEN BUSCH ROSES	poinsettia fundraiser	050 I-CHOIR		-146.15
4/4/2022	400798	ROB ULLYOTT	sect dues	165 I-WREST		-100.00
4/5/2022	400810	ROB ULLYOTT	sect dues	165 I-WREST		-100.00
5/26/2022	400896	The Ice Cream Truck	ALC ice cream for grads	149-ALC		-112.00
8/22/2022	500000	Character Challenge Course	team building activity	160 I-VB		-1,500.00
8/22/2022	500001	MAGGY DOLL	track reimb	155 I-TRACK		-289.59
8/22/2022	500002	ISD # 22	fb scrimmage bus to egf	080 I-FB		-956.00
8/22/2022	500003	PAPA MURPHY'S PIZZA	vb summer tourney pizza	160 I-VB		-275.50
8/22/2022	500005	VERN SCHNATHORST	reimb for golf clothing	082 I-BGOLF		-4,055.00
8/22/2022	500006	TROPHY HOUSE	AWARDS inv258985	082 I-BGOLF		-160.80
8/22/2022	500006	TROPHY HOUSE	AWARDS inv259071	150 I-GTEN		-38.80
8/26/2022	500007	Elissa Braaten	refund for vb camp	160 I-VB		-250.00
8/26/2022	500008	Katie Lundmark	reimb for soccer warm ups	129 I-GSOC		-4,268.00
8/26/2022	500009	Dustin Martin	reimb for hotel rooms for team	083 I-GGOLF		-779.43
8/26/2022	500010	David Voller	reimb for gswim gear	145 I-GSWIM		-25.44

Uncleared Transaction Detail up to 8/31/2022

Date	Num	Payee	Memo	Category	Clr	Amount
<b>Total Uncleared Checks and Payments</b>						
			41 Items			-16,563.37
<b>Uncleared Deposits and Other Credits</b>						
<b>Total Uncleared Deposits and Other Credits</b>						
			0 Items			0.00
<b>Total Uncleared Transactions</b>						
			41 Items			-16,563.37

# BREMER BANK

PO Box 1000  
Lake Elmo, MN 55042-1000

Last statement: July 31, 2022  
This statement: August 31, 2022  
Total days in statement period: 31

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XXXXXX5879  
(7)

INDEPENDENT SCHOOL DISTRICT 22  
SCHOOL ORGANIZATIONS  
DETROIT LAKES ACTIVITY FUND  
1301 ROOSEVELT AVE  
DETROIT LAKES MN 56501

Direct inquiries to:  
Your Local Branch or, 800-908-Bank  
(2265)

Bremer Bank National Association  
372 St Peter St  
St Paul MN 55102

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## Commercial Business Banking

Account number	XXXXXX5879	Beginning balance	\$242,627.19
Enclosures	7	Total additions	5,298.93
Low balance	\$242,627.19	Total subtractions	1,162.43
Average balance	\$246,705.78	Ending balance	\$246,763.69
Avg collected balance	\$246,233		

## CHECKS

<u>Number</u>	<u>Date</u>	<u>Amount</u>	<u>Number</u>	<u>Date</u>	<u>Amount</u>
400891	08-24	186.43	* Skip in check sequence		
500004 *	08-31	976.00			

## CREDITS

<u>Date</u>	<u>Description</u>	<u>Additions</u>
08-05	Deposit	120.00
08-05	Deposit	580.00
08-05	Deposit	2,575.00
08-12	Deposit	1,000.00
08-12	Deposit	1,023.93

## DAILY BALANCES

<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>
07-31	242,627.19	08-12	247,926.12	08-31	246,763.69
08-05	245,902.19	08-24	247,739.69		

**OVERDRAFT/RETURN ITEM FEES**

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00



## **BANK RECONCILIATION**

**8/31/22**

<b>BREMER BANK STATEMENT BALANCE</b>	8,646.44
<b>ADD: RECEIPTS DEPOSITED BUT NOT ON BANK STATEMENT</b>	0.00
<b>LESS: OPEN CHECKS NOT CLEARED</b>	(217.69)
<b>BANK ENDING STATEMENT BALANCE</b>	<u>8,428.75</u>
<b>BOOK BALANCE - PRIOR MONTH ENDING</b>	8,428.21
<b>ADD: RECEIPTS (FROM RECEIPTS REPORT)</b>	0.54
<b>LESS: PAYMENTS (CHECKS REPORT)</b>	0.00
<b>NSF CHECKS:</b>	0.00
<b>BOOK ENDING BALANCE</b>	<u>8,428.75</u>
<b>DIFFERENCE</b>	0.00

# BREMER BANK

PO Box 1000  
Lake Elmo, MN 55042-1000

Last statement: July 31, 2022  
This statement: August 31, 2022  
Total days in statement period: 31

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XXXXXX2547  
( 0)

INDEPENDENT SCHOOL DISTRICT 22  
MIDDLE SCHOOL ACTIVITY FUND  
500 11TH AVE  
DETROIT LAKES MN 56501

Direct inquiries to:  
Your Local Branch or, 800-908-Bank  
(2265)

Bremer Bank National Association  
372 St Peter St  
St Paul MN 55102

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## Community Business W/Interest

Account number	XXXXXX2547	Beginning balance	\$8,645.90
Low balance	\$8,645.90	Total additions	.54
Average balance	\$8,645.90	Total subtractions	0.00
Avg collected balance	\$8,645	Ending balance	\$8,646.44
Interest paid year to date	\$1.10		

## CREDITS

<u>Date</u>	<u>Description</u>	<u>Additions</u>
08-31	Interest Credit	0.54

## DAILY BALANCES

<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>
07-31	8,645.90	08-31	8,646.44		

## OVERDRAFT/RETURN ITEM FEES

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

*Thank you for banking with Bremer Bank National Association*



# PERSONNEL AGENDA

## September 26, 2022

### 1) **Resignations:**

Joseph Bower-Ojibwe Teacher, effective September 1, 2022.

Olivia Ullrey-Roosevelt Title 1 Para, Playground Supervisor, and Breakfast Para, effective August 23, 2022.

Jessica Gibson- ECFE Para, effective August 23, 2022.

Tiffany Stevens- Lincoln ECSE Para, effective October 4, 2022.

Tanika Essary – Roosevelt Special Education Para, effective May 26, 2022.

Connie Skersick-Roosevelt Special Education Para, effective August 26, 2022.

Paulette Beeson-Rossman ADSIS/Breakfast/Noon Duty Para, effective October 19, 2022.

Ally Nielsen- Assistant Girls Hockey Coach, effective September 26, 2022.

### 2) **Retirements:**

Bruce Buschette-High School Custodian, effective October 28, 2022.

Sue Sonnenberg- Rossman Paraprofessional, effective September 12, 2022.

Jacob Darren Wolf – High School Principal, effective November 7, 2022.

### 3) **Appointments:**

Melissa Ostlie- Middle School Math Interventionist Teacher, at the rate of BA Step 7, or a contract amount of \$47,765 per year, effective September 6, 2022 and ending May 26, 2023.

Abigail Voz- ECFE Educational Assistant, at the rate of \$15.95 per hour, working up to 38.5 hours per week, effective August 29, 2022.

Isabella Wilson- ECFE/ SR Extended Care, at the rate of \$15.25 per hour, working up to 10 hours per week, effective September 7, 2022.

Tiffani Rosing- ECSE Assistant, at the rate of \$15.25 per hour, working up to 36.25 hours per week, effective September 7, 2022.

Zachary McKay- Rossman Special Education Para, at the rate of \$15.25 per hour, working up to 29.75 hours per week, effective August 31, 2022.

Kylie Swiers- Rossman Special Education Para, at the rate of \$15.25 per hour, working up to 29.75 hours per week, effective August 29, 2022.

Elisabeth Haugrud- ECFE Assistant/SR Instructional Assistant, at the rate of \$15.25 per hour, working up to 37.75 hours per week, effective August 29, 2022.

Cassandra Willson- Middle School Special Education Para, at the rate of \$15.25 per hour, working 27.5 hours per week, effective August 29, 2022.

Jacob Fowler- High School Special Education Para, at the rate of \$15.60 per hour, working 37.5 hours per week, effective August 24, 2022.

Charlene Dunn- Rossman Special Education Para, at the rate of \$15.25 per hour, working 29.75 hours per week, effective September 2, 2022.

Lindsey Johnson- Rossman ADSIS Assistant, Brk Super/Noon Duty, at the rate of \$15.25 per hour, working 29.75 per week, effective October, 18, 2022.

Josie Retz- Rossman Latchkey Aide, ate the rate of \$14.00 per hour, working 10 hours per week plus inservice and no school days, effective September 8, 2022.

Mike Swan– High School Native Studies/Ojibwe Teacher, at the rate of .5 BA Step 10, or a contract amount of \$26,430 per year.

Mallie Anderson– Middle School Special Education Paraprofessional, at the rate of \$15.25 per hour, working up to 37.5 hours per week, effective August 29, 2022.

Pauline Tunheim– High School Special Education Paraprofessional, at the rate of \$16.80 per hour, working up to 37.5 hours per week, effective September 6, 2022.

Deb Haverkamp– Roosevelt Paraprofessional, at the rate of \$17.80 per hour, working up to 15 hours per week, effective August 29, 2022.

Alice Zawadi Bayoma– Food Service Worker, at the rate of \$16.40 per hour, working 25 hours per week, effective September 1, 2022.

Greyson Steenwyk– Middle school Custodian, at the rate of \$18.33 per hour, working 40 hours per week, effective September 1, 2022.

Andrea Sieling– Lincoln ECFE/SR educational assistant, at the rate of \$15.95 per hour, Working up to 38.5 hours per week, effective August 29, 2022.

Clare Woytassek– Roosevelt latchkey aid, at the rate of \$15 per hour, working up to 2 hours per day, effective August 29, 2022.

Sara Waller– Rossman Special Ed Paraprofessional, at the rate of \$15.25 per hour, Working up to 27 hours per week, effective September 26, 2022.

Dana Sabers– Roosevelt Title 1 Assistant/Noon Duty, at the rate of \$15.60 per hour, Working 3.75 hours per day, effective September 19, 2022.

**4) Amended Assignment:**

Kylie Swiers- Rossman Special Education Para is amending her assignment from 29.75 hours per week to 37.5 hours per week, effective September, 12, 2022

Shaylee Hanson- Rossman Special Education Para is amending her assignment from 29.75 hours per week to 37.5 hours per week, effective September 6, 2022.

Terry Eiter– Middle School/Roosevelt Groundskeeper amending his assignment from \$16.75 per hour to \$18.33 per hour, working 24 hours per week, effective September 6, 2022 through October 19, 2022.

Krystie Crawford– Lincoln ECFE amending her assignment from full time to part time 29.75 hours per week, effective August 29, 2022.

Sara Boeckol– Roosevelt Media Center Specialist amending her assignment from part time to full time 37 hours per week, effective August 29, 2022.

Abigail Voz- Lincoln Education Center Para amending her assignment from Paraprofessional to Long term teacher sub, effective tentatively September 15, 2022 through January 3, 2023.

**5) Leave of Absence:**

Lori Hagen– Food Service, requesting leave of absence beginning September 26, 2022 approximately through November 7, 2022.

Terri Jernberg– Middle School FT Teacher, requesting to extend her leave of absence through approximately December 31, 2022.

**6) Terminations:**

**7) Sixth Period Pay:**

# Fall Sports 2022 Coaching Staff

## Football

- Reed Hefta– Head Varsity
- Vern Schnathorst – Assistant Varsity
- Dave Meyer – Assistant Varsity
- Roger Oliphant- Volunteer
- Ben Pedersen – JV/Assistant Varsity
- Kelly Kalina – JV/Assistant Varsity ½ Time
- Steve Zamzo – JV / Assistant Varsity ½ Time
- Mark Whiting – 9<sup>th</sup> Grade/Assistant Varsity
- Mitch Benson – 9<sup>th</sup> Grade/Assistant Varsity
- Matt Jenson – Volunteer Assistant Varsity
- Austin Dodd– 7<sup>th</sup> Grade
- Brett Maass – 7<sup>th</sup> Grade
- Keith Eckhoff – 7<sup>th</sup> Grade
- Mike Fiedler– 8<sup>th</sup> Grade
- DeAngelist Strozier – 8<sup>th</sup> Grade
- Zach Paustian – 8<sup>th</sup> Grade

## Volleyball

- Lynnsey Machakaire – Head Varsity
- Rachel Solum – Assistant Varsity
- Heidi Evans – Junior Varsity
- Lisa Ito – 9<sup>th</sup> Grade
- Beth Leighton – 7/8<sup>th</sup> Grade
- Sarah Seuntjens– 7/8<sup>th</sup> Grade
- Natalie Neal – 7<sup>h</sup> Grade
- McKenzie Oistad– 8<sup>th</sup> Grade
- Brianna Byer 8<sup>th</sup> Grade

## Boys Soccer

- Justin Wegleitner – Head Varsity
- Michael Larson – Assistant Varsity
- Connor Yamane -7/8<sup>th</sup> Grade

## Girls Soccer

- Ben Aastuen – Head Varsity
- Jessica Pudwill – Assistant Varsity
- Justin Johnson – 7/8<sup>th</sup> Grade
- Maddy Webber – 7/8<sup>th</sup> Grade

## Girls Swimming

- David Voller – Head Varsity
- Bobbi Koons – Assistant Varsity
- Christine Karlgaard- 7/8<sup>th</sup> Grade

## Girls Tennis

- Greg Unruh – Head Varsity
- Ashley Hoehne – Assistant Varsity
- Anita Henderson– 7/8<sup>th</sup> Grade
- Ben Unruh - Volunteer

## Girls Cross Country

- Ryan Zunich – Head Varsity
- Sara Pender – Assistant Varsity
- Rachel Moen – Assistant Varsity/Middle School

## Boys Cross Country

- Bill Kvebak – Head Varsity
- Jon Freeman – Assistant Varsity

## Cheer

- Carli-Rae Manjorin – Head Varsity
- Hailey Brower - Volunteer



Date Adopted: 12/10/84	File Number: Detroit Lakes Policy - 407
Date Revised: 08/11/03; 10/18/21, <u>09/26/22</u>	

**407 - EMPLOYEE RIGHT TO KNOW -  
EXPOSURE TO HAZARDOUS SUBSTANCES**

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

**I. PURPOSE**

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

**II. GENERAL STATEMENT OF POLICY**

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

**III. DEFINITIONS**

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

harm to an employee. This definition includes but is not limited to radiation, whether ionizing or nonionizing.

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

#### **IV. TARGET JOB CATEGORIES**

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

#### **V. TRAINING SCHEDULE**

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

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

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

**Cross References:** MSBA/MASA Model Policy 420 (Students and Employees with Sexually Transmitted Infections and Diseases and Certain Other Communicable Diseases and Infectious Conditions).  
MSBA/MASA Model Policy 807 (Health and Safety Policy)

Date Adopted: 08/31/87	File Number: Detroit Lakes Policy - 413
Date Revised: 02/09/04; 07/12/04;05/11/09, 04/14/11, 07/10/13; 12/21/20; 11/15/21	

## 413 - HARASSMENT AND VIOLENCE

***[Note: State law (Minnesota Statutes, § 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, section 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.
- 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:
    - a. their parent or parents or the minor's legal guardian; or
    - b. the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment or discrimination on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
  3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment or discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
  4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
  5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
  6. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment or having or being perceived as having a self-image or identity not traditionally

associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.

7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental 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 a 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 the Human Resources Manager 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.
- 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, or work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent 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 violation 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.
- E. 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)

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**414 - MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE**

***[Note: This policy reflects the mandatory law regarding reporting of maltreatment of minors and is not discretionary in nature.]***

**I. PURPOSE**

The purpose of this policy is to make clear the statutory requirements of school personnel to report suspected child neglect or physical or sexual abuse.

**II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is to fully comply with ~~Minnesota- Statute- Chapter 260E§ 626.556~~ requiring school personnel to report suspected child neglect or physical or sexual abuse.
- B. A violation of this policy occurs when any school personnel fails to immediately report instances of child neglect, or physical or sexual abuse when the school personnel knows or has reason to believe a child is being neglected or physically or sexually abused or has been neglected or physically or sexually abused within the preceding three years.

**III. DEFINITIONS**

- A. "Accidental" means a sudden, not reasonably foreseeable, and unexpected occurrence or event ~~that~~which:
  - 1. is not likely to occur and could not have been prevented by exercise of due care; and
  - 2. if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the facility are in compliance with the laws and rules relevant to the occurrence of event.
- B. "Child" means one under age 18 and, for purposes of ~~Minnesota- Statute- Chapter- 260C (Juvenile Safety and PlacementChild Protection)~~ and ~~Minnesota- Statute- Chapter- 260D (Child in Voluntary Foster Care for Treatment)~~, includes an individual under age 21 who is in foster care pursuant to ~~Minnesota- Statute- section§ 260C.451 (Foster Care Benefits Past Age 18)~~.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- ~~D.~~ "Mandated Reporters" means any school personnel who knows or has reason to believe a child is being ~~maltreatedneglected or physically or sexually abused~~, or has been ~~maltreatedneglected or physically or sexually abused~~ within the preceding three years.
- ~~D-E.~~ "Mental Injury" means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child's ability to function within a normal range or performance and behavior with due regard to the child's culture.

E.F. "Neglect" means the commission or omission of any of the acts specified below, other than by accidental means:

1. failure by a person responsible for a child's care to supply a child with necessary food, clothing, shelter, health care, medical ~~care~~, or other care required for the child's physical or mental health when reasonably able to do so, ~~including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;~~
2. failure to protect a child from conditions or actions that seriously endanger the child's physical or mental health when reasonably able to do so, ~~including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;~~
3. failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors as the child's age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for ~~the child's~~ own basic needs or safety or the basic needs or safety of another child in his or her care;
4. failure to ensure that a child is educated in accordance with state law, which does not include a parent's refusal to provide his or her child with sympathomimetic medications;
5. prenatal exposure to a controlled substance as defined by state law used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child's birth, ~~or~~ medical effects or developmental delays during the child's first year of life that medically indicate prenatal exposure to a controlled substance or the presence of a fetal alcohol spectrum disorder;
6. medical neglect as defined by Minnesota- Statute- ~~section~~§ 260C.007, Subdvision-4 6, Clause (5);
7. chronic and severe use of alcohol or a controlled substance by a parent or person responsible for the care of the child that adversely affects the child's basic needs and safety; or
8. emotional harm from a pattern of behavior which contributes to impaired emotional functioning of the child which may be demonstrated by a substantial and observable effect in the child's behavior, emotional response, or cognition that is not within the normal range for the child's age and stage of development, with due regard to the child's culture.

Neglect ~~does not occur solely because the child's parent, guardian, or other person responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child in lieu of medical care. does not include spiritual means or prayer for treatment or care of disease where the person responsible for the child's care in good faith has selected and depended on those means for treatment or care of disease, except where the lack of medical care may cause serious danger to the child's health.~~

GF. "Nonmaltreatment mistake" occurs whenmeans: (1) at the time of the incident, the individual was performing duties identified in the center's child care program plan required under Minnesota- Rules Part 9503.0045; (2) the individual has not

been determined responsible for a similar incident that resulted in a finding of maltreatment for at least seven years; (3) the individual has not been determined to have committed a similar nonmaltreatment mistake under this paragraph for at least four years; (4) any injury to a child resulting from the incident, if treated, is treated only with remedies that are available over the counter, whether ordered by a medical professional or not; and (5) except for the period when the incident occurred, the facility and the individual providing services were both in compliance with all licensing requirements relevant to the incident. This definition only applies to child care centers licensed under Minn~~esota-~~ Rules Ch~~apter-~~ 9503.

H. "Person responsible for the child's care" means (1) an individual functioning within the family unit and hving responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, other school employee or agent, or other lawful custodian of a child having either full-time or short-term care responsibility including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.

IG "Physical Abuse" means any physical injury, mental injury (under subdivision 13), or threatened injury (under subdivision 23), inflicted by a person responsible for the child's care on a child other than by accidental means; or any physical or mental injury that cannot reasonably be explained by the child's history of injuries, or any aversive or deprivation procedures, or regulated interventions, that have not been authorized by Minn~~esota-~~ Statute- section§ 125A.0942 or section§ 245.825.

Abuse does not include reasonable and moderate physical discipline of a child administered by a parent or legal guardian ~~thatwhich~~ does not result in an injury. Abuse does not include the use of reasonable force by a teacher, principal, or school employee as allowed by Minn~~esota-~~ Statute- section§ 121A.582.

Actions ~~thatwhich~~ are not reasonable and moderate include, but are not limited to, any of the following: (1) throwing, kicking, burning, biting, or cutting a child; (2) striking a child with a closed fist; (3) shaking a child under age three; (4) striking or other actions which result in any nonaccidental injury to a child under 18 months of age; (5) unreasonable interference with a child's breathing; (6) threatening a child with a weapon, as defined in Minn. Stat. § 609.02, Subd. 6; (7) striking a child under age one on the face or head; (8) striking a child who is at least age one but under age four on the face or head, ~~thatwhich~~ results in an injury; (9) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled substances ~~thatwhich~~ were not prescribed for the child by a practitioner, in order to control or punish the child, or ~~giving the child~~ other substances that substantially affect the child's behavior, motor coordination, or judgment or that result in sickness or internal injury, or that subject the child to medical procedures that would be unnecessary if the child were not exposed to the substances; (10) unreasonable physical confinement or restraint not permitted under Minn~~esota-~~ Statute- section§ 609.379 including, but not limited to, tying, caging, or chaining; or (11) in a school facility or school zone, an act by a person responsible for the child's care that is a violation under Minn~~esota-~~ Statute- § 121A.58.

H. "Report" means any communication received by the local welfare agency, police department, county sheriff, or agency responsible for child protection pursuant to this section that describes ~~maltreatmentneglect or physical or sexual abuse~~ of a child and contains sufficient content to identify the child and any person believed to be responsible for the ~~maltreatmentneglect or abuse~~, if known.

I. "School Personnel" means professional employee or professional's delegate of the school district who provides health, educational, social, psychological, law enforcement or child care services.

L. "Sexual Abuse" means the subjection of a child by a person responsible for the child's care, by a person who has a significant relationship to the child (as defined in Minnesota Statute, section § 609.341, Subdivision 15), or by a person in a current or recent position of authority (as defined in Minn. Stat. § 609.341, Subdivision 10) to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual penetration sexual contact, solicitation of children to engage in sexual conduct, and communication of sexually explicit materials to children. Sexual abuse also includes any act involving a minor that which constitutes a violation of Minnesota statutes prohibiting prostitution, or use of a minor in a sexual performance. Sexual abuse includes all reports of known or suspected child sex trafficking involving a child who is identified as a victim of sex trafficking. Sexual abuse includes threatened sexual abuse which includes the status of a parent or household member who has committed a violation which requires registration under Minnesota Statute, section § 243.166, Subdivision 1b(a) or (b) (Registration of Predatory Offenders).

M. "Threatened injury" means a statement, over act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes, but is not limited to, exposing a child to a person responsible for the child's care who has (1) subjected the child to, or failed to protect a child from, an overt act or condition that constitutes egregious harm; (2) been found to be palpably unfit; (3) committed an act that resulted in an involuntary termination of parental rights; (4), or committed an act that resulted in the involuntary transfer of permanent legal and physical custody of a child to a relative.

J.

~~K. "Mental Injury" means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child's ability to function within a normal range of performance and behavior with due regard to the child's culture.~~

~~L. "Person responsible for the child's care" means (1) an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, other school employees or agents, or other lawful custodians of a child having either full-time or short-term care responsibilities including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.~~

~~M. "Threatened injury," means a statement, overt act, condition or status that represents a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes, but is not limited to, exposing a child to a person responsible for a child's care who has subjected the child to, or failed to protect a child from, egregious harm, or a person whose parental rights were involuntarily terminated, been found palpably unfit, or one from whom legal and physical custody of a child has been involuntarily transferred to another.~~

#### IV. REPORTING PROCEDURES

A. A mandated reporter ~~as defined herein~~ shall immediately report the ~~information neglect or physical or sexual abuse, which he or she knows or has~~

~~reason to believe is happening or has happened within the preceding three years~~ to the local welfare agency, agency responsible for assessing or investigating the report, police department, ~~or~~ county sheriff, ~~or~~ tribal police department, or tribal social services agency. The reporter will include his or her name and address in the report.

- B. ~~An oral report shall be made immediately~~If the immediate report has been made orally, by telephone or otherwise, ~~the oral report shall be followed by a written report within 72 hours (exclusive of weekends and holidays) to the appropriate police department, the county sheriff, local welfare agency, or agency responsible for assessing~~assisting or investigating the report~~maltreatment~~. ~~Any~~The written report shall be of sufficient content to identify the child, any person believed to be responsible for the ~~maltreatment~~abuse or neglect of the child if the person is known, the nature and extent of the ~~maltreatment~~abuse or neglect and the name and address of the reporter.
- C. Regardless of whether a report is made, 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 has occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.
- D. A mandated reporter who knows or has reason to know of the deprivation of custodial or parental rights or the kidnapping of a child shall report the information to the local police department or the county sheriff.
- E. With the exception of a health care professional or a social service professional who is providing the woman with prenatal care or other health care services, a mandated reporter shall immediately report to the local welfare agency if the person knows or has reason to believe that a woman is pregnant and has used a controlled substance for a nonmedical purpose during the pregnancy, including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive.
- F. A person mandated by Minnesota law and this policy to report who fails to report may be subject to criminal penalties and/or discipline, up to and including termination of employment.
- G. ~~An employer of a mandated reporter shall not retaliate against the person for reporting in good faith maltreatment against a child with respect to whom a report is made, because of the report. Submission of a good faith report under Minnesota law and this policy will not adversely affect the reporter's employment, or the child's access to school.~~
- H. Any person who knowingly or recklessly makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, plus costs and reasonable attorney fees. ~~Knowingly and the~~ recklessly making ~~of~~ a false report also may result in discipline. ~~The court may also award attorney's fees.~~

***[Note: The Minnesota Department of Education (MDE) is responsible for assessing or investigating allegations of child maltreatment in schools. Although a report may be made to any of the agencies listed in Section IV.A., above, and there is no requirement to file more than one report, if the initial report is made to MDE, it would be helpful to MDE if schools also report to MDE.]***

## V. INVESTIGATION

- A. The responsibility for assessing or investigating reports of suspected ~~maltreatment-neglect or physical or sexual abuse~~ rests with the appropriate ~~state,~~ county, ~~state,~~ or local agency or agencies. The agency responsible for assessing or investigating reports of ~~child-~~maltreatment has the authority to interview the child, the person or persons responsible for the child's care, the alleged ~~offenderperpetrator,~~ and any other person with knowledge of the ~~maltreatmentabuse or neglect~~ for the purpose of gathering ~~the~~ facts, assessing safety and risk to the child, and formulating a plan. The investigating agency may interview the child at school. The interview may take place outside the presence of the alleged offender or parent, legal guardian, or a school official. The investigating agency, not the school, is responsible for either notifying or withholding notification of the interview to the parent, guardian or person responsible for the child's care. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded.
- B. When the investigating agency determines that an interview should take place on school property, written notification of intent to interview the child on school property ~~mustwill~~ be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school property.
- C. Except where the alleged ~~offenderperpetrator~~ is believed to be a school official or employee, the time and place, and manner of the interview on school premises shall be within the discretion of school officials, but the local welfare or law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place, and manner of the interview set by the school officials shall be reasonable and the interview shall be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school officials and the local welfare or law enforcement agency. Every effort must be made to reduce the disruption of the educational program of the child, other students, or school employees when an interview is conducted on school premises.
- D. Where the alleged ~~offenderperpetrator~~ is believed to be a school official or employee, the school district shall conduct its own investigation independent of MDE and, if involved, the local welfare or law enforcement agency.
- E. Upon request by MDE, the school district shall provide all requested data that are relevant to a report of maltreatment and are in the possession of a school facility, pursuant to an assessment or investigation of a maltreatment report of a student in school. The school district shall provide the requested data in accordance with the requirements of the Minnesota Government Data Practices Act, Minn~~esota-~~ Statute- Chapter- 13 and the Family Educational Rights and Privacy Act, 20 ~~United States Code~~U.S.C. section§ 1232g.

**VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE**

- A. When a local welfare or local law enforcement agency determines that a potentially abused or abused child should be interviewed on school property, written notification of the agency's intent to interview on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct the interview. The

notification shall be private data. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notice or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation has been concluded.

- B. All records regarding a report of maltreatment, including any notification of intent to interview which was received by the school as described above in Paragraph A., shall be destroyed by the school only when ordered by the agency conducting the investigation or by a court of competent jurisdiction.

**VII. PHYSICAL OR SEXUAL ABUSE AS SEXUAL HARASSMENT OR VIOLENCE**

Under certain circumstances, alleged physical or sexual abuse may also be sexual harassment or violence under Minnesota law. If so, the duties relating to the reporting and investigation of such harassment or violence may be applicable.

**VIII. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall appear in school personnel handbooks.
- B. The school district will develop a method of discussing this policy with school personnel.
- C. This policy shall be reviewed at least annually for compliance with state law.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 121A.58 (Corporal Punishment)  
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)  
  
Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)  
Minn. Stat. § 243.166, Subd. 1b(a)(b) (Registration of Predatory Offenders)  
Minn. Stat. § 245.825 (Use of Aversive or Deprivation Procedures)  
Minn. Stat. § 260C.007, Subd. 4 6, Clause (5) (Child in Need of Protection)  
Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18)  
Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment)  
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)  
Minn. Stat. § 609.02, Subd. 6 (Definitions – Dangerous Weapons)  
Minn. Stat. § 609.341, Subd. 10 Definitions – Position of Authority)  
Minn. Stat. § 609.341. Subd. 15 (Definitions – Significant Relationship)  
Minn. Stat. § 609.379 (Reasonable Force)  
~~Minn. Stat. § 626.556 et. seq. (Reporting of Maltreatment of Minors)~~  
~~Minn. Stat. § 626.5561 (Reporting of Prenatal Exposure to Controlled Substances)~~  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

**Cross References:** MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adult)

Date Adopted: 10/13/97	File Number: Detroit Lakes Policy - 415
Date Revised: 2/9/04, 01/11/10, 04/09/12; 11/12/20; 12/20/21, <u>09/26/22</u>	

**415 - MANDATED REPORTING OF MALTREATMENT OF VULNERABLE ADULTS**

***[Note: This policy reflects the mandatory law regarding reporting maltreatment of vulnerable adults and is not discretionary in nature.]***

**I. PURPOSE**

The purpose of this policy is to make clear the statutory requirements of school personnel to report suspected maltreatment of vulnerable adults.

**II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is to ~~fully~~ comply fully with Minn~~esota~~. Statutes ~~section~~§ 626.557 requiring school personnel to report suspected maltreatment of vulnerable adults.
- B. A violation of this policy occurs when any school personnel fails to report suspected maltreatment of vulnerable adults when the school personnel has reason to believe that a vulnerable adult is being or has been maltreated, or has knowledge that a vulnerable adult has sustained a physical injury which is not reasonably explained.

**III. DEFINITIONS**

A. "Abuse" means:

- 1. An act against a vulnerable adult that constitutes a violation of, an attempt to violate, or aiding and abetting a violation of: (1) assault in the first through fifth degrees as defined in Minnesota Statutes sections 609.221 to 609.224; (2) the use of drugs to injure or facilitate crime as defined in Minnesota Statutes section 609.235; (3) the solicitation, inducement, and promotion of prostitution as defined in Minnesota Statutes section 609.322; and (4) criminal sexual conduct in the first through fifth degrees as defined in Minnesota Statutes sections 609.342 to 609.3451. A violation includes any action that meets the elements of the crime, regardless of whether there is a criminal proceeding or conviction.
- 2. Conduct which is not an accident or therapeutic conduct as defined in Minnesota Statutes section 626.5572 which produces or could reasonably be expected to produce physical pain or injury or emotional distress including, but not limited to, the following: (1) hitting, slapping, kicking, pinching, biting, or corporal punishment of a vulnerable adult; (2) use of repeated or malicious oral, written, or gestured language toward a vulnerable adult or the treatment of a vulnerable adult which would be considered by a reasonable person to be disparaging, derogatory, humiliating, harassing, or threatening; (3) use of any aversive or deprivation procedure, unreasonable confinement, or involuntary seclusion, including the forced separation of the vulnerable adult from other persons against the will of the vulnerable adult or the legal representative of the vulnerable adult; and (4) use of any aversive or deprivation procedures for persons with developmental disabilities or related conditions not authorized under Minnesota Statutes section 245.825.
- 3. Any sexual contact or penetration as defined in Minn. Stat. § 609.341 between a facility staff person or a person providing services in the facility and a resident, patient, or client of that facility.

4. The act of forcing, compelling, coercing, or enticing a vulnerable adult against the vulnerable adult's will to perform services for the advantage of another.

Abuse does not include actions specifically excluded by Minnesota Statutes section 626.5572, Subd. 2.

B. "Caregiver" means an individual or facility who has responsibility for the care of a vulnerable adult as a result of a family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, by contract, or by agreement.

C. "Common entry point" means the entity responsible for receiving reports of alleged or suspected maltreatment of a vulnerable adult and designated by the Commissioner of the Minnesota Department of Human Services as the MN Adult Abuse Reporting Center (MAARC).

D. "Financial Exploitation" means a breach of a fiduciary duty by an actor's unauthorized expenditure of funds entrusted to the actor for the benefit of the vulnerable adult or by an actor's failure to provide food, clothing, shelter, health care, therapeutic conduct or supervision, the failure of which results or is likely to result in detriment to the vulnerable adult. Financial exploitation also includes: the willful use, withholding or disposal of funds or property of a vulnerable adult; the obtaining of services for wrongful profit or advantage which results in detriment to the vulnerable adult; the acquisition of a vulnerable adult's funds or property through undue influence, harassment, duress, deception or fraud; and the use of force, coercion, or enticement to cause a vulnerable adult to perform services against the vulnerable adult's will for the profit or advantage of another.

E. "Immediately" means as soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received.

FA. "Mandated Reporters" means a professional's delegate while engaged in education. ~~any school personnel who has reason to believe that a vulnerable adult is being or has been maltreated.~~

GB. "Maltreatment" means the neglect, abuse, or financial exploitation of a vulnerable adult.

HC. "Neglect" means the failure or omission by a caregiver to supply a vulnerable adult with care of services, including but not limited to, food, clothing, shelter, health care, or supervision which is: (1) reasonable and necessary to obtain or maintain the vulnerable adult's physical or mental health or safety, considering the physical and mental capacity or dysfunction of the vulnerable adult; and (2) which is not the result of an accident or therapeutic conduct.

I -Neglect also ~~means~~includes the absence or likelihood of absence of care or services, including but not limited to, food, clothing, shelter, health care, or supervision necessary to maintain the physical and mental health of the vulnerable adult which a reasonable person would deem essential to obtain or maintain the vulnerable adult's health, safety, or comfort considering the physical or mental capacity or dysfunction of the vulnerable adult. Neglect does not include actions specifically excluded by Minnesota- Statute-sections 626.5572, Subd. 17.

~~D. "Abuse" means: (a) An act against a vulnerable adult that constitutes a violation of, an attempt to violate, or aiding and abetting a violation of: (1) assault in the first through fifth degrees as defined in sections 609.221 to 609.224; (2) the use of drugs to injure or facilitate crime as defined in section 609.235; (3) the solicitation, inducement, and promotion of prostitution as defined in section 609.322; and (4) criminal sexual conduct in the first through fifth degrees as defined in sections 609.342 to 609.3451. A violation includes any action that meets the elements of the crime, regardless of whether there is a criminal proceeding or conviction. (b) Conduct which is not an accident or therapeutic conduct as defined in this section, which produces or could reasonably be expected to produce physical pain or injury or emotional distress including, but not limited to, the following: (1) hitting, slapping, kicking, pinching, biting, or corporal punishment of a vulnerable adult; (2) use of repeated or malicious oral, written, or gestured language toward a vulnerable adult or the treatment of a vulnerable adult which would be considered by a reasonable person to be disparaging, derogatory, humiliating, harassing, or threatening; (3) use of any aversive or deprivation procedure, unreasonable confinement, or involuntary seclusion, including the forced separation of the vulnerable adult from other persons against the will of the vulnerable adult or the legal representative of the vulnerable adult; and (4) use of any aversive or deprivation procedures for persons with developmental disabilities or related conditions not authorized under section 245.825. (c) Any sexual contact or penetration as defined in section 609.341, between a facility staff person or a person providing services in the facility and a resident, patient, or client of that facility. (d) The act of forcing, compelling, coercing, or enticing a vulnerable adult against the vulnerable adult's will to perform services for the advantage of another. Abuse does not include actions specifically excluded by Minn. Stat. §626.5572, Subd. 2.~~

~~E. "Financial Exploitation" means a breach of a fiduciary duty by an actor's unauthorized expenditure of funds entrusted to the actor for the benefit of the vulnerable adult or by an actor's failure to provide food, clothing, shelter, health care, therapeutic conduct or supervision, the failure of which results or is likely to result in detriment to the vulnerable adult. Financial exploitation also includes: the willful use, withholding or disposal of funds or property of a vulnerable adult; the obtaining of services for wrongful profit or advantage which results in detriment to the vulnerable adult; the acquisition of a vulnerable adult's funds or property through undue influence, harassment, duress, deception or fraud; and the use of force, coercion, or enticement to cause a vulnerable adult to perform services against the vulnerable adult's will for the profit or advantage of another.~~

~~J.F. "Vulnerable Adult" means any person 18 years of age or older who: (1) is a resident or inpatient of a facility; (2) receives services required to be licensed under Minnesota. Statute. Chapter 245A, except as excluded under Minnesota. Statute. section § 626.5572, Subdision. 21(a)(2); (3) receives services from a licensed home care provider or person or organization that offers, provides, or arranges for personal care assistance services under the medical assistance program; or (4) regardless of residence or whether any type of service is received possesses a physical or mental infirmity or other physical, mental, or emotional condition that impairs the individual's ability to adequately provide adequately for the individual's own care without assistance or supervision and, because of the condition or infirmity and need for care or services, has an impaired ability to protect the individual's self from maltreatment.~~

~~G. "Caregiver" means an individual or facility who has responsibility for the care of a vulnerable adult as a result of a family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, by contract, or by agreement.~~

~~K.H. "School Personnel" means professional employees or their delegates of the school district engaged in providing health, educational, social, psychological, law enforcement or other caretaking services of vulnerable adults.~~

~~I. "Immediately" means as soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received.~~

#### IV. REPORTING PROCEDURES

- A. A mandated reporter as defined herein shall immediately report the suspected maltreatment to the common entry point responsible for receiving reports.
- B. Whenever a mandated reporter, as defined herein, knows or has reason to believe that an individual made an error in the provision of therapeutic conduct to a vulnerable adult which results in injury or harm, which reasonably requires the care of a physician, such information shall be reported immediately to the designated county agency. The mandated reporter also may report a belief that the error did not constitute neglect and why the error does not constitute neglect.
- C. The reporter shall to the extent possible identify the vulnerable adult, the caregiver, the nature and extent of the suspected maltreatment, any evidence of previous maltreatment, the name and address of the reporter, the time, date, and location of the incident and any other information that the reporter believes might be helpful in investigating the suspected abuse or neglect. A mandated reporter may disclose not public data as defined under Minnesota Statutes, section § 13.02 to the extent necessary to comply with the above reporting requirements.
- D. A person mandated to report suspected maltreatment of a vulnerable adult who negligently or intentionally fails to report is liable for damages caused by the failure. A negligent or intentional failure to report may result in discipline. A mandatory reporter who intentionally fails to make a report, who knowingly provides false or misleading information in reporting, or who intentionally fails to provide all the material circumstances surrounding the reported incident may be guilty of a misdemeanor.
- E. Retaliation against a person who makes a good faith report under Minnesota law and this policy, or against vulnerable adult who is named in a report is prohibited.
- F. Any person who intentionally makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury. The intentional making of a false report may result in discipline.

#### V. INVESTIGATION

The responsibility for investigating reports of suspected maltreatment of a vulnerable adult rest with the entity designated by the county for receiving reports.

#### VI. DISSEMINATION OF POLICY AND TRAINING

- A. This policy ~~should~~ appear in school personnel handbooks ~~as~~ appropriate.
- B. The school district will develop a method of discussing this policy with employees ~~as~~ appropriate.
- C. This policy ~~should~~ be reviewed at least annually for compliance with state law.

**Legal References:** Minn. Stat. § 13.02 (~~Government Data Practices; Collection, Security, and Dissemination of Records;~~ Definitions)  
Minn. Stat. Ch. 245A (Human Services Licensing)  
Minn. Stat. § 245.825 (Aversive and Deprivation Procedures; Licensed Facilities and Services)  
Minn. Stat. §§ 609.221-609.224 (Assault)  
Minn. Stat. § 609.23~~2~~4 (Crimes Against ~~Vulnerable Adults; Definitions—the Person~~)  
Minn. Stat. § 609.235 (Use of Drugs to Injure or Facilitate Crime)  
Minn. Stat. § 609.322 (Solicitation, Inducement, and Promotion of Prostitution; Sex Trafficking)  
Minn. Stat. § 609.341 (Definitions)

Minn. Stat. §§ 609.342-609.3451 (Criminal Sexual Conduct)  
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)  
Minn. Stat. § 626.5572 (Definitions)  
*In re Kleven*, 736 N.W.2d 707 (Minn. App. 2007)

**Cross References:** MSBA/MASA Model Policy 103 (Complaints-Students, Employees, Parents, Other Persons)  
MSBA/MASA Model Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee or Student)  
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 515 \(Protection and Privacy of Pupil Records\)](#)

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<b>Date Revised: 08/11/2003; 05/15/2006; 11/10/2008; 12/20/21, <u>09/26/22</u></b>	

## 416 DRUG AND ALCOHOL TESTING

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

### I. PURPOSE

- A. The school board recognizes the significant problems created by drug and alcohol use in society in general, and the public schools in particular. The school board further recognizes the important contribution that the public schools have in shaping the youth of today into the adults of tomorrow.
- B. The school board believes that a work environment free of drug and alcohol use will not only be safer, healthier, and more productive, but will also be more conducive to effective learning. ~~Therefore, to~~ provide such an environment, the purpose of this policy is to provide authority so that the school board may require all employees and/or job applicants to submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in federal law and Minn~~esota~~- Stat~~utes~~-~~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 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~~esota~~- Stat~~utes~~ ~~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 in accordance with the provisions of this policy and as provided in Minn~~esota~~- State- ~~sections~~§§ 181.950-181.957.
- C. The use, possession, sale, purchase, transfer, or dispensing of any drugs not medically prescribed, including medical cannabis, regardless of whether it has been prescribed for the employee, is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of drugs which are not medically prescribed, including medical cannabis, regardless of whether it has been prescribed for the employee, is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property.

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

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

#### A. General Statement of Policy

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

#### B. Definitions

1. "Actual Knowledge" means actual knowledge by the school district that a driver has used alcohol or controlled substances based on: (a) direct observation of the employee's use (not observation of behavior sufficient to warrant reasonable suspicion testing); (b) information provided by a previous employer; (c) a traffic citation; or (d) an employee's admission, except when made in connection with a qualified employee self-admission program.
2. "Alcohol Screening Device" (ASD) means a breath or saliva device, other than an Evidential Breath Testing Device (EBT), that is approved by the National Highway Traffic Safety Administration and placed on its Conforming Products List for such devices.
3. "Breath Alcohol Technician" (BAT) means an individual who instructs and assists individuals in the alcohol testing process and who operates the (EBT).
4. "Commercial Motor Vehicle" (CMV) includes a vehicle ~~which-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 designated school district representative authorized 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.~~7 and to~~ 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 substance use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing.
87. “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.
98. “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.
119. “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.
120. “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); or (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; (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.
131. “Safety-~~S~~sensitive ~~F~~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.

142. "Screening Test Technician" (STT) means anyone who instructs and assists individuals in the alcohol testing process and operates an ASD.
153. "Stand Down" means ~~the practice of~~ temporarily removing an employee from performing safety-sensitive functions ~~after~~ based only upon a laboratory reports to the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test ~~result but~~ before the MRO completes the verification process.
164. "Substance Abuse Professional" (SAP) means a qualified person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

C. Policy and Educational Materials

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

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

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

D. Alcohol and Controlled Substances Testing Program Manager

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

1. The program manager will coordinate the implementation, direction, and administration of the alcohol and controlled substances testing policy for bus drivers. The program manager is the principal contact for the collection site, the testing laboratory, the MRO, the BAT, the SAP, and the person submitting to the test. Employee questions concerning this policy shall be directed to the program manager.
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 section C.F.R. §§ 382.201-382.215.]***

1. Alcohol Concentration. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. Drivers who test greater than 0.04 will be taken out of service and will be subject to evaluation by a professional and retesting at the driver's expense.
2. Alcohol Possession. No driver shall be on duty or operate a CMV while the driver possesses alcohol.
3. On-Duty Use. No driver shall use alcohol while performing safety-sensitive functions.
4. Pre-Duty Use. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.
5. Use Following an Accident. No driver required to take a post-accident test shall use alcohol for eight (8) hours following the accident, or until ~~the driver~~he or she undergoes a post-accident alcohol test, whichever occurs first.
6. Refusal to Submit to a Required Test. No driver shall refuse to submit to an alcohol or controlled substances test required by post-accident, random, reasonable suspicion, return-to-duty, or follow-up testing requirements. A verified adulterated or substituted drug test shall be considered a refusal to test.
7. Use of Controlled Substances. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to instructions (which have been presented to the school district) from a licensed medical practitioner~~physician~~ 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~~which prohibit ~~the~~ possession, transfer, sale, exchange, reporting to work under the influence of drugs or alcohol, and consumption of drugs or alcohol while at work or while on school district premises or operating any school district vehicle, machinery, or equipment.

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 C.F.R.-§ 382.505.]***

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

G. Prescription Drugs/Cannabinoid Products

A driver shall inform ~~the driver's~~his or her supervisor if at any time the driver is using a controlled substance pursuant to a physician's prescription. The physician's instructions shall be presented to the school district upon request. Use of a prescription drug shall be allowed if the physician has advised the driver that the prescribed drug will not adversely affect the driver's ability to safely operate a CMV. Use of medical cannabis is prohibited notwithstanding the driver's enrollment in the patient registry. Use of nonintoxicating cannabinoids or edible cannabinoid products is not a legitimate medical explanation for a confirmed positive test result for marijuana. 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 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 C.F.R.-§ 382.301 details the requirements for pre-employment testing.]***

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

performs safety-sensitive functions for the school district.

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

- b. Tests shall be conducted only after the applicant has received a conditional offer of employment.
- c. ~~In order to~~ 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: ~~The~~ Federal regulations require school districts to inquire about, obtain, and review alcohol and controlled substances information from prior employers pursuant to a driver's written authorization, prior to the time a driver performs safety-sensitive functions, if feasible. 49 Code of Federal Regulations section C.F.R. § 382.413 and 49 Code of Federal Regulations section C.F.R. § 40.25. If not feasible, school districts must not permit the employee to perform safety-sensitive functions for more than thirty (30) days from the date a safety-sensitive function was performed unless the school districts make good faith efforts to obtain the information and to make a record of those efforts to be retained in the driver's qualification file.]***

- d. The applicant also must be asked whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee, during the last two (2) years, applied for, but did not obtain, safety-sensitive transportation work covered by DOT testing rules.
- 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 substance 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; (4) that an employer has reported actual knowledge that the driver used alcohol on duty, before duty, or following an accident 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. The school district shall retain the consent for three (3) years from the date of the query.

32. Post-Accident Testing

***[Note: ~~49~~ Code of Federal Regulations section ~~C.F.R. §~~ 382.303 governs post-accident testing of drivers.]***

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

43. Random Testing

***[Note: ~~49~~ Code of Federal Regulations section ~~C.F.R. §~~ 382.305 governs random testing of drivers.]***

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

***[Note: The Federal Highway Administration (FHWA) ~~lowered set~~ the random alcohol selection and testing rate ~~from at 1025%~~ of the average number of driver positions to ~~10% in 1998~~ and evaluates this minimum percentage each year. School districts can elect to stay at ~~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.

**54. Reasonable Suspicion Testing**

***[Note: ~~49 Code of Federal Regulations section C.F.R. § 382.307 governs reasonable suspicion testing of drivers.]~~***

- a. The school district shall require a driver to submit to an alcohol test and/or controlled substances, including medical cannabis, test when a supervisor or school district official, who has been trained in accordance with the regulations, has reasonable suspicion to believe that the driver has used alcohol and/or controlled substances, including medical cannabis, on duty ~~or~~ within four (4) hours before coming on duty ~~or~~ 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 section C.F.R. §§ 382.309, 40.23(d), and 40.305 govern return-to-duty testing.]***

65. Return-To-Duty Testing. A driver found to have violated this policy shall not return to work until a 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 section C.F.R. §§ 382.311, 40.307, and 40.309 govern follow-up testing.]***

76. Follow-Up Testing. When a 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.

87. 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 section C.F.R. §§ 40.191, 40.261, and 382.211. They are more specifically addressed in 49 Code of Federal Regulations section C.F.R. §§ 382.501-382.507 and in 49 United States Code section U.S.C. § 521(b).]***

- a. A driver or driver applicant may refuse to submit to drug and alcohol testing.
- b. Refusal to submit to a required drug or alcohol test subjects the driver or driver applicant to the consequences specified in federal regulations as well as the civil and/or criminal penalty provisions of 49 United States Code section U.S.C. § 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 a SAP and must submit to a return-to-duty test prior to being considered for

reassignment to safety-sensitive functions.

- e. Drivers or driver applicants who refuse to submit to required testing will be required to sign Attachment C to this policy.

I. Testing Procedures

1. Drug Testing

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

- a. Drug testing is conducted by analyzing a donor's urine specimen. Split urine samples will be collected in accordance with federal regulations. The donor will provide a urine sample at a designated collection site. The collection site personnel will then pour the sample into two sample bottles, labeled "primary" and "split," seal the specimen bottles, complete the chain of custody form, and prepare the specimen bottles for shipment to the testing laboratory for analysis. The specimen preparation shall be conducted in sight of the donor.
- b. If the donor is unable to provide the appropriate quantity of urine, the collection site person shall instruct the individual to drink up to forty (40) ounces of fluid distributed reasonably through a period of up to three (3) hours to attempt to provide a sample. If the individual is still unable to provide a complete sample, the test shall be discontinued and the school district notified. The DER shall refer the donor for a medical evaluation to determine if the donor's inability to provide a specimen is genuine or constitutes a refusal to test. For pre-employment testing, the school district may elect to not have a referral made, and revoke the employment offer.
- c. Drug test results are reported directly to the MRO by the testing laboratory. The MRO reports the results to the DER. If the results are negative, the school district is informed and no further action is necessary. If the test result is confirmed positive, adulterated, substituted, or invalid, the MRO shall give the donor an opportunity to discuss the test result. The MRO will contact the donor directly, on a confidential basis, to determine whether the donor wishes to discuss the test result. The MRO shall notify each donor that the donor has 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 seventh-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 with 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~~C.F.R.~~ § 40.225]***

- a. The federal alcohol testing regulations require testing to be administered by a BAT using an EBT or an SST 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 [**Medtox, St. Cloud, Minnesota, 800-508-9675/320-251-9675**], 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 section 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
<u>Alcohol and controlled substance collection procedures records</u>	2 years
Negative and cancelled <u>controlled substance</u> 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 ~~C.F.R. §~~ 40.289.]***

b. If the school district offers a driver an opportunity to return to a DOT safety-sensitive duty following a violation, the driver must be evaluated by an SAP and the driver is required to successfully comply with the SAP's evaluation recommendations (education, treatment, follow-up evaluation(s), and/or ongoing services). The school district is not required to provide a 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 drug and alcohol testing other than that required by federal law. For example, drivers may be requested or required to undergo drug and alcohol testing on an annual basis as part of a routine physical examination. Such additional testing of drivers will be conducted only in accordance with the provisions of this policy and as provided in ~~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 or 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 (24) hours or must not allow the driver to continue to perform any safety-sensitive function until the employee conducts a full query and the results confirm the driver's Clearinghouse record contains no prohibitions showing the driver has a verifies 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 Cod of Federal Regulations section 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.

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#### **IV. DRUG AND ALCOHOL TESTING FOR OTHER EMPLOYEES**

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

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

1. General Limitations

- a. The school district will not request or require an employee or job

applicant whose position does not require a commercial driver's license to undergo drug or alcohol testing, unless the testing is done pursuant to this drug and alcohol testing policy; and is conducted by a testing laboratory ~~that meets one of the criteria which participates in one of the programs~~ listed in ~~Minnesota Statutes section § 181.953, Subdivision 1.~~

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

2. Job Applicant Testing

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

3. Random Testing

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

4. Reasonable Suspicion Testing

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

- a. is under the influence of drugs or alcohol;
- b. has violated the school district's written work rules prohibiting the use, possession, sale, or transfer of drugs or alcohol while the employee is working or while the employee is on the school district's premises or operating the school district's vehicles, machinery, or equipment;
- c. has sustained a personal injury, as that term is defined in ~~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.

5. Treatment Program Testing

The school district may request or require any employee to undergo drug and

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

6. Routine Physical Examination Testing

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

B. No Legal Duty to Test

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

C. Definitions

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

III.).

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

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

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

Any employee or job applicant whose position does not require a commercial driver's license has the right to refuse drug and alcohol testing subject to the provisions contained in Paragraphs 2. and 3. of ~~this~~ Section 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, the school district shall provide the employee or job applicant with a Pretest Notice in the form of Attachment D to this policy on which to acknowledge that the

employee or job applicant has received the school district's drug and alcohol testing policy.

2. Notice of Test Results

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

3. Notice of and Right to Test Result Report

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

4. Notice of and Right to Explain Positive Test Result

a. If an employee or job applicant has a positive test result on a confirmatory test, the school district shall provide ~~the individual him or her~~ with notice of the test results and, at the same time, written notice of the right to explain the results and to submit additional information.

b. The school district may request that the employee or job applicant indicate any over-the-counter or prescription medication that the individual is currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result.

c. The employee may present verification of enrollment in the medical cannabis patient registry as part of the employee's explanation.

~~d. Use of nonintoxicating cannabinoids or edible cannabinoid products is not a legitimate medical explanation for a confirmed positive test result for marijuana. MROs will verify a drug test confirmed as a positive, even if an employee claims to have only used nonintoxicating cannabinoids or edible cannabinoid product.~~

~~ed.~~ 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 him or her~~ with notice of the test results and, at the same time, written notice of the right to request a confirmatory retest of the original sample at his or her expense.

b. An employee or job applicant may request a confirmatory retest of the

original sample at his or her own expense after notice of a positive test result on a confirmatory test. Within five (5) working days after notice of the confirmatory test result, the employee or job applicant shall notify the school district in writing of his or her intention to obtain a confirmatory retest. Within three (3) working days after receipt of the notice, the school district shall notify the original testing laboratory that the employee or job applicant has requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under ~~Minnesota- Statute 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 or alcohol threshold detection levels as used in the original confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against the employee or job applicant.

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

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

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

1. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.
2. In the case of a positive test result on a confirmatory test, the employee shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge, pursuant to the provisions of this policy.
3. The school district may not discharge an employee for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test requested by the school district, unless the following conditions have been met:
  - a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with a certified chemical abuse counselor or a physician trained in the diagnosis and treatment of chemical dependency; and
  - b. The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after

completion of the program.

4. Notwithstanding Paragraph 1., the school district may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the school district believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.
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~~ his or her personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

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

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

H. Chain-of-Custody Procedures

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

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

4. Individuals relinquishing or accepting possession of the sample must record the time the possession of the sample was transferred and must sign and date the chain-of-custody record at the time of transfer.

I. Privacy, Confidentiality and Privilege Safeguards

1. Privacy Limitations

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

2. Confidentiality Limitations

With respect to employees and job applicants, test result reports and other information acquired in the drug or alcohol testing process are private data on individuals as that phrase is defined in Minn~~esota-~~ Stat~~utes-~~ 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 Minn~~esota-~~ Stat~~utes-~~ 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 and alcohol testing policy to all affected employees upon adoption of the policy, to a previously non-affected employee upon transfer to an affected position under the policy, and to a job applicant upon hire and before any testing of the applicant if the job offer is made contingent on the applicant's passing drug and alcohol testing. Affected employees and applicants will acknowledge receipt of this written notice in the form of Attachment G to this policy.

**V. POSTING**

The school district shall post notice in an appropriate and conspicuous location on its premises that it has adopted a drug and alcohol testing policy and that copies of the policy are available

for inspection during regular business hours by its employees or job applicants in its personnel office or other suitable locations.

- Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. Ch. 43A (State Personnel Management)  
[Minn. Stat. § 151.75 \(Sale of Certain Cannabinoid Products\)](#)  
[Minn. Stat. § 152.01 \(Definitions\)](#)  
Minn. Stat. § 152.22 (~~Definitions~~; Medical Cannabis; ~~Definitions~~)  
Minn. Stat. § 152.23 (~~Limitations~~; Medical Cannabis; ~~Limitations~~)  
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 and 382 (Department of Transportation Rules Implementing Omnibus Transportation Employee Testing Act of 1991)
- 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)

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## 417 - CHEMICAL USE/ABUSE

***[Note: This policy reflects mandatory provisions of state and federal law and is not discretionary.]***

### I. PURPOSE

The school board recognizes that chemical use and abuse constitutes a grave threat to the physical and mental well-being of students and employees and significantly impedes the learning process. Chemical use and abuse also creates significant problems for society in general. The school board believes that the public school has a role in education, intervention, and prevention of chemical use and abuse. The purpose of this policy is to assist the school district in its goal to prevent chemical use and abuse by providing procedures for education and intervention.

### II. GENERAL STATEMENT OF POLICY

- A. Use or possession of controlled substances, toxic substances, medical cannabis, ~~toxic substances~~, and alcohol before, during, or after school hours, at school or in any other school location, is prohibited in ~~the school setting in~~ accordance with school district policies with respect to Drug-Free Workplace/Drug-Free School.
- B. The ~~policy of this~~ school district shall develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievement. ~~is to provide an instructional program in every elementary and secondary school in chemical abuse and the prevention of chemical dependency.~~
- C. ~~Every~~The school ~~district that participates in a school district chemical abuse program~~ shall establish ~~and maintain in every school~~ a chemical abuse preassessment team. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
- ~~D. The superintendent, with the advice of the school board, shall be responsible for establishing a school and community advisory team to address chemical abuse problems in the district.~~
- E. ~~D~~The school district shall establish ~~and maintain a drug-free awareness program for to educate and assist employees, students and others in understanding this policy and the goals of achieving drug-free schools and workplaces.~~

***[Note: School districts are required to establish a drug-free awareness program for school district employees pursuant to the Drug-Free Workplace Act. In addition, state law requires that the written districtwide school discipline policy must include procedures for detecting and addressing chemical abuse problems of a student while on the school premises. Further, school districts are required to develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievement if receiving funding under the federal Student Support and Academic Enrichment Grants law. Comprehensive drug prevention programs are required to be adopted***

~~and carried out by school districts pursuant to the Safe and Drug-Free Schools and Communities Act. In addition, school districts are required by the Drug-Free Workplace Act to establish drug-free awareness programs for school district employees. Further, state law authorizes school districts to provide instructional programs in chemical abuse and the prevention of chemical dependency.]~~

### III. DEFINITIONS

- A. ~~"Chemical abuse," as applied to students~~ means use of any psychoactive or mood-altering chemical substance, without compelling medical reason, in a manner that induces mental, emotional, or physical impairment and causes socially dysfunctional or socially disordering behavior, to the extent that the ~~minor's student's~~ normal function in academic, school, or social activities is chronically impaired.
- B. ~~"Controlled substances," as applied to the chemical abuse assessment of students, means a drug, substance, or immediate precursor in Schedules I through V of Minnesota Statutes sections 152.02 and "marijuana" as defined in Minnesota Statutes sections 152.01, subdivision 9. But not distilled spirits, wine, malt beverages, intoxicating liquors or tobacco. As otherwise defined in this policy, "controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of Controlled Substances Act 21 United States Code section 812, including analogues and look alike drugs. "Chemicals" includes, but is not limited to alcohol, toxic substances, medical cannabis, and controlled substances as defined in the school district's Drug-Free Workplace/Drug-Free School policy.~~
- C. ~~"Drug prevention" means prevention, early intervention, rehabilitation referral, recovery support services, or education related to the illegal use of drugs, such as raising awareness about the consequences of drug use that are evidence based. "Use" includes to sell, buy, manufacture, distribute, dispense, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration.~~
- D. ~~"Teacher" means all persons employed in a public school or education district or by a service cooperative as members of the instructional, supervisory, and support staff including superintendents, principals, supervisors, secondary vocational and other classroom teachers, librarians, counselors, school psychologists, school nurses, school social workers, audio-visual directors and coordinators, recreation personnel, media generalists, media supervisors, and speech therapists. "School location" includes any school building or on any school premises; on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off-school property at any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.~~

### IV. STUDENTS

- A. Districtwide School Discipline Policy
  - Procedures for detecting and addressing chemical abuse problems of a student while on school premises are included in the districtwide school student discipline policy.
- BA. Programs and Activities Instruction

1. ~~Every~~The school district shall ~~provide an instructional~~ develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievements. The programs and activities may include, among other programs and activities, drug prevention activities and programs that may be evidence based, including programs to educate students against the use of alcohol tobacco, marijuana, smokeless tobacco products, and electronic cigarettes. ~~in~~ chemical abuse and the prevention of chemical dependency. The school district may involve parents, students, health care professionals, state department staff, and members of the community in developing the curriculum.

~~**[Note: The Safe and Drug-Free Schools and Communities Act requires school districts to adopt and carry out a comprehensive drug and violence prevention program with funds received. Since a comprehensive drug prevention program is required and a school district is specifically authorized by state law to provide instructional programs in chemical abuse and the prevention of chemical dependency, this should be a component of each school district's mandatory program. In addition, the Safe and Drug-Free Schools and Communities Act specifies additional items which may be included as part of the mandatory comprehensive drug prevention program. Some of the suggested items relating to instruction or training are detailed in Paragraphs 2. through 6. below and a school district may wish to adopt one or all of the listed components as part of its mandatory program.]**~~

2. As part of its drug-free programs, the school district may implement the drug abuse resistance education program (DARE) that enables peace officers to undergo the training to teach a curriculum on drug abuse resistance in schools. Each school shall have age appropriate, and developmentally based activities that:

- a. ~~address the consequences of violence and the illegal use of drugs, as appropriate;~~
- b. ~~promote a sense of individual responsibility;~~
- c. ~~teach students that most people do not illegally use drugs;~~
- d. ~~teach students to recognize social and peer pressure to use drugs illegally and the skills for resisting illegal drug use;~~
- e. ~~teach students about the dangers of emerging drugs;~~
- f. ~~engage students in the learning process; and~~
- g. ~~incorporate activities in secondary schools that reinforce prevention activities implemented in elementary schools.~~

3. Each school shall have activities that involve families, community sectors (which may include appropriately trained seniors), and a variety of drug and violence prevention providers in setting clear expectations against violence and illegal use of drugs and appropriate consequences for violence and illegal use of drugs.

- ~~4. Each school shall disseminate drug and violence prevention information within the school and to the community.~~
- ~~5. Each school shall have professional development and training for, and involvement of, school personnel, student services personnel, parents, and interested community members in prevention, education, early identification and intervention, mentoring, or rehabilitation referral, as related to drug and violence prevention.~~
- ~~6. Each school shall have drug and violence prevention activities that may include the following:
  - ~~a. Community wide planning and organizing activities to reduce violence and illegal drug use, which may include gang activity prevention.~~
  - ~~b. The hiring and mandatory training, based on scientific research, of school security personnel who interact with students in support of youth drug and violence prevention activities under this policy that are implemented in the school.~~
  - ~~c. Conflict resolution programs, including peer mediation programs that educate and train peer mediators and a designated faculty supervisor, and youth anti-crime and anti-drug councils and activities.~~
  - ~~d. Counseling, mentoring, referral services, and other student assistance practices and programs, including assistance provided by qualified school-based mental health services providers and the training of teachers by school-based mental health services providers in appropriate identification and intervention techniques for students at risk of violent behavior and illegal use of drugs.~~
  - ~~e. Programs that encourage students to seek advice from, and to confide in, a trusted adult regarding concerns about violence and illegal drug use.~~~~

~~B.C Reports of Use, Possession, or Transfer of Alcohol or a Controlled Substance. Chemical Use/Abuse.~~

- ~~1. In the event that a school district employee knows that a student is abusing, possessing, transferring, distributing or selling chemicals in a school location:
  - ~~a. The employee shall immediately either take the student to an administrator or notify an appropriate administrator of the observation and continue to observe the student until the administrator arrives.~~
  - ~~b. The administrator will notify the student's parents. If there is a medical emergency, the administrator will notify the school nurse and/or outside medical personnel as appropriate.~~
  - ~~c. The administrator will notify law enforcement officials, the student's counselor, and the chemical preassessment team.~~
  - ~~d. The administrator and/or law enforcement officials will confiscate the chemicals and/or conduct a search of the student's~~~~

~~person, effects, locker, vehicle, or areas within the student's control. Searches by school district officials shall be in accordance with school board policies regarding search and seizure.~~

~~e. The school district will take appropriate disciplinary action in compliance with the student discipline code. Such discipline may include immediate suspension, initiation of expulsion proceedings, and/or referral to a detoxification center or medical center.~~

~~2. If a school district employee has reason to believe that a student is abusing, possessing, transferring, distributing or selling chemicals:~~

~~a. The employee shall notify the building administrator or a member of the preassessment team and shall describe the basis for the suspicion. The building administrator and/or team will determine what action should be taken. Action may include conducting an investigation, gathering data, scheduling a conference with the student or parents, or providing a meeting between a single member of the team and the student to discuss the behaviors that have been reported and attempting to ascertain facts regarding chemical abuse.~~

~~b. The team may determine there is no chemical abuse. If the team determines there is chemical abuse, the team will select an appropriate course of action, which may include referral to a school counselor; referral to a treatment program; referral for screening, assessment, and treatment planning; participation in support groups; or other appropriate measures.~~

~~32. Students involved in the abuse, possession, transfer, distribution or sale of chemicals shall may be suspended and proposed for expulsion in compliance with the student discipline policy and the Pupil Fair Dismissal Act, Minnesota Statutes section- §121A.40-121A.56, and proposed for expulsion.~~

~~43. Searches by school district officials in connection with the abuse, possession, or transfer, distribution or sale of alcohol or a controlled substance chemicals will be conducted in accordance with school board policies related to search and seizure.~~

~~4. Nothing in paragraph IV.B.1 prevents a teacher or any other school employee from reporting to a law enforcement agency any violation of law occurring on school premises or at school sponsored events.~~

DE. Preassessment Team.

1. Every school that participates in a school district chemical abuse program shall establish have a chemical abuse preassessment team designated by the superintendent or designee. The team must will be composed of classroom teachers, administrators, and to the extent they exist in the school, school nurse, school counselor or psychologist, social worker, chemical abuse specialist, and other appropriate professional staff, to the extent they exist in each school, such as the school nurse, school counselor or psychologist, social worker, chemical abuse specialist, or others. For schools that do not have a chemical abuse program and team, the superintendent or designee will assign these duties to a designated school district employee.

2. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
3. Within forty-five (45) days after receiving an individual reported case, the team shall make a determination whether to provide the student and, in the case of a minor, the student's parents with information about school and community services in connection with chemical abuse.

~~ED.~~ Data Practices.

1. Student data may be disclosed without consent in health and safety emergencies pursuant to ~~Minnesota Statutes section~~ § 13.32 and applicable federal law and regulations.
2. Destruction of Records.
  - a. If the preassessment team decides not to provide a student and, in the case of a minor, the student's parents with information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the determination is made.
  - b. If the team decides to provide the student and, in the case of a minor or a dependent student, the student's parents with ~~such~~ information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the student is no longer enrolled in the district.
  - c. ~~This section shall govern d~~Destruction of records identifying individual students shall be governed by paragraph IV.E. 2. notwithstanding provisions of the Records Management Act, Minnesota Statutes, § 138.163. (Preservation and Disposal of Public Records).

~~FE.~~ Consent

Any minor may give effective consent for medical, mental and other health services to determine the presence of or to treat conditions associated with alcohol and other drug abuse, and the consent of no other person is required.

**[NOTE: State law permits schools to provide these services to minor students without the consent of a parent. If, however, a school district provides these or other services pursuant to a grant received under the Student Support and Academic Enrichment Grant law, this funding could be jeopardized if the requirements of federal law, to obtain prior written, informed consent from the parent of each child who is under 18 years of age is not obtained.]**

~~F.~~ School and Community Advisory Team

1. ~~The superintendent, with the advice of the school, board shall establish a school and community advisory team to address chemical abuse problems. The advisory team will be composed of representatives from the school preassessment teams to the extent possible, law~~

enforcement agencies, county attorney's office, social service agencies, chemical abuse treatment programs, parents, and the business community.

2. ~~The advisory team shall:~~

~~a. build awareness of the problem within the community, identify available treatment and counseling programs for students and develop good working relationships and enhance communication between the schools and other community agencies; and~~

~~b. develop a written procedure clarifying the notification process to be used by the chemical abuse preassessment team when a student is believed to be in possession of or under the influence of alcohol or a controlled substance. The procedure must include contact with the student and the student's parents or guardian in the case of a minor student.~~

## V. EMPLOYEES

A. The ~~school district shall~~ superintendent or designee shall undertake and maintain a drug-free awareness and prevention program to inform employees, ~~students and others about:~~

1. The dangers ~~of drug and health risks of chemical~~ abuse in the workplace/~~school~~.
2. The school district's ~~drug free workplace/drug free school~~ policy of maintaining a drug-free workplace.
3. ~~Any available drug or alcohol~~ counseling, ~~treatment,~~ rehabilitation, ~~re-entry~~ and/~~or~~ employee assistance programs ~~available to employees and/or students~~.
4. The penalties that may be imposed on employees for drug abuse violations.

B. The ~~school district superintendent or designee~~ shall notify ~~any~~ federal granting agency required to be notified under the Drug-Free Workplace Act within ten (10) days after receiving notice from the employee or otherwise receiving actual notice of any criminal drug statute conviction ~~of an employee for a criminal drug statute violation~~ occurring in the workplace. ~~To facilitate the giving of such notice, any employee aware of such a conviction shall report the same to the superintendent.~~

**~~[Note: Notification to the federal granting agency within ten (10) days is required by the Drug-Free Workplace Act. 41 U.S.C. § 8103.]~~**

**Legal References:** Minn. Stat. § 13.32 (Educational Data)  
Minn. Stat. 121A.25-121A.29 (Chemical Abuse)  
Minn. Stat. 121A.40-121A.56 (Pupil Fair Dismissal Act)  
~~Minn. Stat. 121A.61 (discipline and Removal of Students from Class)~~  
~~Minn. Stat. 124D.695 (Approved Recovery Program Funding)~~  
~~Minn. Stat. 126.C44 (Safe Schools Levy)~~  
Minn. Stat. § 138.163 (Preservation and Disposal of Public ~~Records~~Records Management Act)  
Minn. Stat. §144.343 (Pregnancy, Venereal Disease, Alcohol or Drug Abuse, Abortion)  
~~Minn Stat. 152.01 (Definitions)~~

Minn. Stat. 152.02 (Schedules of Controlled Substances; Administration of Chapter)  
Minn. Stat. § 152.22 (~~Medical Cannabis~~; Definitions; ~~Medical Cannabis~~)  
Minn. Stat. § 152.23 (~~Medical Cannabis~~; Limitations; ~~Medical Cannabis~~)  
Minn. Stat. 299A.33 (DARE Program)  
Minn. Stat. 466.07, subd. 1 (Indemnification Required)  
Minn. Stat. 609.101, subd. 3€ (Controlled Substance Offenses; Minimum Fines)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
20 U.S.C. §§ 7101-712265 (~~Student Support and Academic Enrichment Grants~~~~Safe and Drug-Free Schools and Communities Act~~)  
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)  
34 C.F.R. Part 84 (Government-~~W~~wide Requirements for Drug-Free Workplace)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Policy 416 (Drug and Alcohol Testing)  
MSBA/MASA Policy 418 (Drug-Free Workplace/Drug Free School)  
MSBA/MASA Model Policy 419 (tobacco-Free Environment; Possession And Use of Tobacco, Tobacco-Related Devices; Vaping Awareness and Prevention Instruction)  
MSBA/MASA Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)  
MSBA/MASA Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)

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Date Revised: 06/08/98, 04/13/09, 5/10/10, 07/10/13; 8/13/18; 12/20/21, <u>09/26/22</u>	

**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 Statute, 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 Statute 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 to possess 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, 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 through inhalation of aerosol or vapor from the product. Electronic delivery device 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 aerosol or vapor of tobacco or tobacco-related 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 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 Indian is a person who is a member of an Indian tribe as defined under Minnesota law.
- B. A violation of this policy does not occur when an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off-campus events sponsored by the school district.

**V. VAPING PREVENTION INSTRUCTION**

- 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. §§ 144.411-144.417 (Minnesota Clean Indoor Air Act)  
Minn. Stat. § 609.685 (Sale of Tobacco to Persons Under Age 21 Children)  
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)  
~~MSBA Service Manual, Chapter 2, Students Rights, Responsibilities and Behavior.~~

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**420 - STUDENTS AND EMPLOYEES WITH SEXUALLY TRANSMITTED INFECTIONS AND DISEASES AND CERTAIN OTHER COMMUNICABLE DISEASES AND INFECTIOUS CONDITIONS**

***[Note: School districts are not required by statute to have a policy addressing these issues. However, Minnesota Statute, section§ 121A.23 provides that school districts must have a program that incorporates the provisions contained in this policy.]***

**I. PURPOSE**

Public concern that students and staff of the school district be able to attend the schools of the district without becoming infected with serious communicable or infectious diseases, including but not limited to, Human Immunodeficiency Virus (HIV), Acquired Immunodeficiency Syndrome (AIDS), Hepatitis B, and Tuberculosis, requires that the school board adopt measures effectively responding to health concerns while respecting the rights of all students, employees, and contractors, including those who are so infected. The purpose of this policy is to adopt such measures.

**II. GENERAL STATEMENT OF POLICY**

A. Students

The policy of the school board is that students with communicable diseases not be excluded from attending school in their usual daily attendance setting so long as their health permits and their attendance does not create a significant risk of the transmission of illness to students or employees of the school district. A procedure for minimizing interruptions to learning resulting from communicable diseases will be established by the school district in its IEP and Section 504 team process, if applicable, and in consultation with community health and private health care providers. Procedures for the inclusion of students with communicable diseases will include any applicable educational team planning processes, including the review of the educational implications for the student and others with whom the student comes into contact.

B. Employees

The policy of the school board is that employees with communicable diseases not be excluded from attending to their customary employment so long as they are physically, mentally and emotionally able to safely perform tasks assigned to them and so long as their employment does not create a significant risk of the transmission of illness to students, employees, or others in the school district. If a reasonable accommodation will eliminate the significant risk of transmission, such accommodation will be undertaken unless it poses an undue hardship to the school district.

C. Circumstances and Conditions

1. Determinations of whether a contagious individual's school attendance or job performance creates a significant risk of the transmission of the illness to students or employees of the school district will be made on a case by case basis. Such decisions will be based upon the nature of the risk (how it is transmitted), the duration of the risk (how long the carrier is infectious), the severity of the risk (what is the potential harm to third parties), and the probabilities the disease will be transmitted and will cause varying degrees of harm. When a student is disabled, such a determination will be made in consultation with the educational planning team.
2. The school board recognizes that some students and some employees, because of special circumstances and conditions, may pose greater risks for the transmission of infectious conditions than other persons infected with the same illness. Examples include students who display biting behavior, students or employees who are unable to control their bodily fluids, who have oozing skin lesions, or who have severe disorders which result in spontaneous external bleeding. These conditions need to be taken into account and considered in assessing the risk of transmission of the disease and the resulting effect upon the educational program of the student or employment of the employee by consulting with the Commissioner of Health, the physician of the student or employee, and the parent(s)/guardian(s) of the student.

D. Students with Special Circumstances and Conditions

1. Detroit Lakes Schools, along with the infected individual's physician, the infected individual or parent(s)/guardian(s), and others, if appropriate, will weigh risks and benefits to the student and to others, consider the least restrictive appropriate educational placement, and arrange for periodic reevaluation as deemed necessary by the state epidemiologist. The risks to the student shall be determined by the student's physician.

E. Extracurricular Student Participation

Student participation in nonacademic, extracurricular and non-educational programs of the school district are subject to a requirement of equal access and comparable services.

F. Precautions

The school district will develop routine procedures for infection control at school and for educating employees about these procedures. The procedures shall be developed through cooperation with health professionals taking into consideration any guidelines of the Minnesota Department of Education and the Minnesota Department of Health. (These precautionary procedures shall be consistent with the school district's procedures regarding blood-borne pathogens developed pursuant to the school district's employee right to know policy.)

G. Information Sharing

1. Employee and student health information shall be shared within the school district only with those whose jobs require such information and with those who have a legitimate educational interest (including health and safety) in such information and shall be shared only to the extent required to accomplish legitimate educational goals and to comply with employees' right to know requirements.
2. Employee and student health data shall be shared outside the school district only in accordance with state and federal law and with the school district's policies on employee and student records and data.

H. Reporting

If a medical condition of student or staff threatens public health, it must be reported to the Minnesota Commissioner of Health.

I. Prevention

The school district shall, with the assistance of the Minnesota Commissioners of Health and Education, implement a program to prevent and reduce the risk of sexually transmitted diseases in accordance with Minnesota- Statute-section§ 121A.23 ~~that~~which includes:

1. planning materials, guidelines, and other technically accurate and updated information;
2. a comprehensive, developmentally appropriate, technically accurate, and updated curriculum that includes helping students to abstain from sexual activity until marriage;
3. cooperation and coordination among school districts and Service Cooperatives;
4. a targeting of adolescents, especially those who may be at high risk of contracting, sexually transmitted diseases and infections for prevention efforts;
5. involvement of parents and other community members;
6. in-service training for district staff and school board members;
7. collaboration with state agencies and organizations having a sexually transmitted infection and disease prevention or sexually transmitted infection and disease risk reduction program;
8. collaboration with local community health services, agencies and organizations having a sexually transmitted infection and disease risk reduction program; and
9. participation by state and local student organizations.
10. The program must be consistent with the health and wellness curriculum.
11. The school district may accept funds for sexually transmitted infection and disease prevention programs developed and implemented under this section from public and private sources, including public health funds and foundations, department professional development funds, federal block grants, or other federal or state grants.

J. Vaccination and Screening

The school district will develop procedures regarding the administration of Hepatitis B vaccinations and Tuberculosis screenings in keeping with current state and federal law. The procedures shall provide that the Hepatitis B vaccination series be offered to all who have occupational exposure at no cost to the employee.

**Legal References:** Minn. Stat. § 121A.23 (~~Programs to Prevent and Reduce the Risk of Sexually Transmitted Infections and Diseases~~Health-Related Programs)  
Minn. Stat. § 144.441-~~442~~ (Tuberculosis Screening in Schools)  
Minn. Stat. § 142 (Testing in School Clinics  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act ~~of 2004~~)  
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973 § 504)  
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)  
29 C.F.R. 1910.1030 (~~Occupational Exposure to Bloodborne Pathogens~~)  
*Kohl by Kohl v. Woodhaven Learning Center*, 865 F.2d 930 (8th Cir.), *cert. denied*, 493 U.S. 892, ~~110 S.Ct. 239~~ (1989)  
*School Board of Nassau County, Fla. v. Arline*, 480 U.S. 273, ~~107 S.Ct. 1123~~ (1987)  
16 EHLR 712, OCR Staff Memo, April 5, 1990

**Cross References:** MSBA/MASA Model Policy 402 (Disability Nondiscrimination)  
MSBA/MASA Model Policy 407 (Employee Right to Know – Exposure to Hazardous Substances)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

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## 506 - K-12 DISCIPLINE AND VIOLENCE PREVENTION POLICY

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

### I. PURPOSE

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

### II. GENERAL STATEMENT OF POLICY

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

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

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

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

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

### III. AREAS OF RESPONSIBILITY

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

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

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

#### **IV. STUDENT RIGHTS**

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

#### **V. STUDENT RESPONSIBILITIES**

All students have the responsibility:

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

## **VI. CODE OF STUDENT CONDUCT**

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

employees.

1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
2. The use of profanity or obscene language, or the possession of obscene materials;
3. Gambling, including, but not limited to, playing a game of chance for stakes;
4. Violation of the school district's Hazing Prohibition Policy;
5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
6. Violation of the school district's Student Attendance Policy;
7. Opposition to authority using physical force or violence;
8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices Policy;
9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;

17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
19. Violation of any local, state or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous or pornographic materials;
29. Violation of the school districts' Bullying Prohibition Policy;
30. Student attire which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
31. Criminal activity;
32. Falsification of any records, documents, notes or signatures;
33. Tampering with, changing, or altering records or documents of the school district

by any method including, but not limited to, computer access or other electronic means;

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

## **VII. DISCIPLINARY ACTION OPTIONS**

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

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

V. Restorative practices.

**VIII. REMOVAL OF STUDENTS FROM CLASS**

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

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

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

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

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

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

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

**C. Procedures for Removal of a Student from a Class.**

1. When circumstances permit, students shall be removed from class upon agreement of the appropriate teacher and principal after an informal conference with the pupil;
2. The removal from class may be imposed without an informal conference where it appears that the student will create an immediate substantial danger to

himself/herself or to persons or property. If a student is removed from class due to immediate and substantial danger to himself/herself and an escort is needed the teacher will notify the office immediately;

3. The length of time of the removal from class shall be at the discretion of the principal after consultation with the teacher, subject to the provisions of Minn. Stat. 127.41, Subd. 3(e) and the Pupil Fair Dismissal Act.
4. A written disciplinary report shall be submitted by the teacher or district employee within 24 hours of the removal of any student from his/her class.

**D. Responsibility for and Custody of a Student Removed from Class.**

The student must report directly to the office and at that time the building administrator or his/her designee will determine the appropriate consequences. The building administrator or his/her designee will have responsibility for and custody of the student once removed from the classroom and has reported to the office.

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

The building administrator will determine the appropriate classroom re-entry plan.

**F. Procedures for Notification.**

Parents are to be notified whenever a child is referred to the office for disciplinary reasons. Notification may be in written or verbal form. Administrators will determine who will notify the parents and if follow up conferences are necessary.

**G. Students with Disabilities; Special Provisions.**

All Special Education rules and regulations are to be followed in cases where students have IEP's.

**H. Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.** According to Policy 417 – Chemical Use/Abuse: Section IV:C

1. Every school shall have a chemical abuse pre-assessment team designated by the superintendent or designee. The team will be composed of classroom teachers, administrators, and other appropriate professional staff to the extent they exist in each school, such as school nurse, school counselor or psychologist, social worker, chemical abuse specialist, or others. (In many cases, this will be the buildings Student Assistance Team)
2. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
3. Within 45 days after receiving an individual reported case, the team shall make a determination whether to provide the student and, in the case of a minor, the student's parents with information about school and community services in connection with chemical abuse.

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

The building administrator will determine the appropriate interventions tied to a violation of the Code of Student Conduct.

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

The building administrator will assist in determining appropriate procedures for encouraging early involvement of parents/guardians in attempts to improve student's behavior which may include, but is not limited to referral to the buildings Student Assistant Team.

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

The building administrator will assist in determining appropriate procedures for encouraging early detection of behavioral problems which may include, but is not limited to referral to the buildings Student Assistance Team.

**L. Reasonable Force Standard**

A teacher or school principal, in exercising the person's 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. (Minn. Stat. 121A.582 Student Discipline; Reasonable Force)

A school employee, school bus driver, or other agent of a district, in exercising the person's 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. (Minn. Stat. 121A.582 Student Discipline; Reasonable Force)

**IX. DISMISSAL**

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

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

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

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

1. Willful violation of any reasonable school board regulation, including those found in this policy;
2. Willful conduct that significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or

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

C. Suspension Procedures

1. "Suspension" means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during the dismissal period.
2. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the student's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.
4. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than 10 (10) days after the sixth (6<sup>th</sup>) consecutive day of suspension or the tenth (10<sup>th</sup>) cumulative day of suspension has elapsed.

5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn~~esota-~~ Statute- ~~section~~§ 123A.05 selected to allow the student to progress toward meeting graduation standards under Minn~~esota-~~ Statute- ~~section~~§ 120B.02, although in a different setting.
6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
7. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minn~~esota-~~ Statute- ~~sections~~§§ 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference. (See attached sample Notice of Suspension.)
8. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
9. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
10. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.

D. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.

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

dismissal action may be based.

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

**X. ADMISSION OR READMISSION PLAN**

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

#### **XI. NOTIFICATION OF POLICY VIOLATIONS**

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

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

#### **XII. STUDENT DISCIPLINE RECORDS**

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

#### **XIII. STUDENTS WITH DISABILITIES**

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

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

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

related services during the period of expulsion or exclusion.

#### **XIV. OPEN ENROLLED STUDENTS**

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

#### **XV. DISTRIBUTION OF POLICY**

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

#### **XVI. REVIEW OF POLICY**

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

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

of 2004)

29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)

34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

**Cross References:**

MSBA/MASA Model Policy 413 (Harassment and Violence)

MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices)

MSBA/MASA Model Policy 501 (School Weapons)

MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)

MSBA/MASA Model Policy 503 (Student Attendance)

MSBA/MASA Model Policy 505 (Distribution of Non-school Sponsored Materials on School Premises by Students and Employees)

MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)

MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)

MSBA/MASA Model Policy 525 (Violence Prevention)

MSBA/MASA Model Policy 526 (Hazing Prohibition)

MSBA/MASA Model Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)

MSBA/MASA Model Policy 610 (Field Trips)

MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)

MSBA/MASA Model Policy 711 (Video Recording on School Buses)

MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

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## 514 BULLYING PROHIBITION POLICY

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

### **I. PURPOSE**

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

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

A. An act of bullying, by either an individual student or a group of students, is expressly prohibited on school premises, on school district property, at school functions or activities, or on school transportation. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources.

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

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

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

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

F. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with 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, restore to practice, or positive behavioral interventions up to and including suspension and/or expulsion. The school district shall employ research-based developmentally appropriate best practices that include preventative and remedial measures and effective discipline for deterring violations of this policy, apply throughout the school district, and foster student, parent, and community participation.

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

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

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

### **III. DEFINITIONS**

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

A. "Bullying" means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:

1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or
2. materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

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

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

C. "Immediately" means as soon as possible but in no event longer than 24 hours.

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

1. Causes physical harm to a student or a student's property or causes a student to be in

reasonable fear of harm to person or property;

2. Under Minnesota common law, violates a student's reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or

3. Is directed at any student or students, including those based on a person's actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.

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

F. "Prohibited conduct" means bullying or cyberbullying as defined in this policy or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying.

G. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.

H. "Student" means a student enrolled in a public school or a charter school.

#### **IV. REPORTING PROCEDURE**

A. Any student who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available in the school district office, but oral reports shall be considered complaints as well.

C. The building principal, the principal's designee, or the building supervisor (hereinafter "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

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

and other affected individuals as appropriate.

D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.

E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.

F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, work assignments, or educational or work environment.

G. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

#### **V. SCHOOL DISTRICT ACTION**

A. Within three school days 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 third party designated by the school district.

B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of bullying or other prohibited conduct, consistent with applicable law.

C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

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

E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law.

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

## **VI. RETALIATION OR REPRISAL**

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

## **VII. TRAINING AND EDUCATION**

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

B. The school district shall require ongoing professional development, consistent with Minnesota Statutes section 122.60, 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 immediately and effectively intervene to stop prohibited conduct;
2. The complex dynamics affecting a perpetrator, target, and witness to prohibited conduct;
3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
4. The incidence and nature of cyberbullying; and
5. Internet safety and cyberbullying.

C. The school district annually will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.

D. The administration of the school district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.

E. The administration is encouraged to provide developmentally appropriate instruction and is

directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.

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

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

1. Engage all students in creating a safe and supportive school environment;
2. Partner with parents and other community members to develop and implement prevention and intervention programs;
3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
5. Teach students to advocate for themselves and others;
6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and
7. Foster student collaborations that, in turn, foster a safe and supportive school climate.

F. The school district may implement violence prevention and character development education programs to prevent or reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.

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

### **VIII. NOTICE**

A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.

B. This policy or a summary thereof must be conspicuously posted in the administrative offices of the school district and the office of each school.

C. This policy must be given to each school employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.

D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy (See MSBA/MASA Model Policy 506) distributed to parents at the beginning of each school year.

E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the school district's or a school's website.

F. The school district shall provide an electronic copy of its most recently amended policy to the Commissioner of Education.

## **IX. POLICY REVIEW**

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

### **Legal References:**

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)

Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definitions of ~~Public School~~)

Minn. Stat. § 120B.232 (Character Development Education)

Minn. Stat. § 121A.03 (~~Model Policy Sexual, Religious and Racial Harassment and Violence~~)

Minn. Stat. § 121A.031 (School Student Bullying Policy)

Minn. Stat. § 121A.0311 (Notice of ~~the~~ Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)

Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)

Minn. Stat. § 121A.69 (Hazing Policy)

Minn. Stat. Ch. 124E (Charter Schools)

Minn. Stat. Ch. 363A (Minnesota Human Rights Act)

20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)

34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)

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

MSBA/MASA Model Policy 413 (Harassment and Violence)

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

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

MSBA/MASA Model Policy 423 (Employee-Student Relationships)

MSBA/MASA Model Policy 501 (School Weapons Policy)

MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 507 (Corporal Punishment)

MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

MSBA/MASA Model Policy 522 (~~Title IX Student~~ Sex Nondiscrimination ~~Policy~~)

MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)

MSBA/MASA Model Policy 525 (Violence Prevention)

MSBA/MASA Model Policy 526 (Hazing Prohibition)

MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior by Students)

MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)

MSBA/MASA Model Policy 711 (Video ~~taping~~ ~~Recording~~ on School Buses)

MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

Date Adopted:	File Number:
Date Revised: 2/12/18; 2/11/19, <u>09/26/22</u>	Detroit Lakes Policy - 525

## **525 VIOLENCE PREVENTION [APPLICABLE TO STUDENTS AND STAFF]**

### **I. PURPOSE**

The purpose of this policy is to recognize that violence has increased and to identify measures that the school district will take in an attempt to maintain a learning and working environment that is free from violent and disruptive behavior.

The school board is committed to promoting healthy human relationships and learning environments that are physically and psychologically safe for all members of the school community. It further believes that students are the first priority and they should be protected from physical or emotional harm during school activities, and on school grounds, buses or field trips while under school district supervision.

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

- A. The policy of the school district is to strictly enforce its weapons policy (Policy 501).
- B. The policy of the school district is to act promptly in investigating all acts, or formal or informal complaints, of violence and take appropriate disciplinary action against any student or staff member who is found to have violated this policy or any related policy.
- C. The administration will periodically review discipline policies and procedures, prepare revisions if necessary, and submit them to the school board for review and adoption.
- D. The school district will implement approved violence prevention strategies to promote safe and secure learning environments, to diminish violence in our schools, and to aid in the protection of children whose health or welfare may be jeopardized through acts of violence.

### **III. IMPLEMENTATION OF POLICY**

- A. The school board will review and approve policies to prevent and address violence in our schools. The superintendent or designee will develop procedures to effectively implement the school weapons and violence prevention policies. It shall be incumbent on all students and staff to observe all policies and report violations to the school administration.

- B. The school board and administration will inform staff and students annually of policies and procedures related to violence prevention and weapons.
- C. The school district will act promptly to investigate all acts and formal and informal complaints of violence and take appropriate disciplinary action against any student or staff member who is found to have violated this policy or any related policy.
- D. The consequences set forth in the school weapons policy (Policy 501) will be imposed upon any student or non-student, who possesses, uses or distributes a weapon when in a school location.
- E. The consequences set forth in the school hazing policy (Policy 526) will be imposed upon any student or staff member who commits an act against a student or staff member; or coerces a student or staff member into committing an act, that creates a substantial risk of harm to a person in order for the student or staff member to be initiated into or affiliated with an organization, or for any other purpose.
- F. Students who engage in assault or violent behavior will be removed from the classroom immediately and for a period of time deemed appropriate by the principal, in consultation with the teacher, pursuant to the student discipline policy (Policy 506).
- G. Students with disabilities may be expelled for behavior unrelated to their disabilities, subject to the procedural safeguards required by the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and the Pupil Fair Dismissal Act.
- H. Procedures will be developed for the referral of any person in violation of this policy or the weapons policy to the local law enforcement agency in accordance with ~~Minnesota Statutes~~ [section](#) § 121A.05.
- I. Students who wear objectionable emblems, signs, words, objects, or pictures on clothing communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership or that approves, advances, or provokes any form of religious, racial or sexual harassment or violence against other individuals as defined in the harassment and violence policy (Policy 413) will be subject to the procedures set forth in the student dress and appearance policy (Policy 504). “Gang” as used 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. A “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.

- J. This policy is not intended 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, denote gang affiliation, advocate harassment or violence against others, are likely to disrupt the education process, or cause others to react in a violent or illegal manner (Policy 504).

#### **IV. PREVENTION STRATEGIES**

The school district has adopted and will implement the following prevention strategies to promote safe and secure learning environments, to diminish violence in our schools, and to aid in the protection of children whose health or welfare may be jeopardized through acts of violence.

*[Note: The school board can adopt any of the prevention strategies that it intends to implement in its schools, including some or all of the following sample strategies.]*

- A. Adopt a district crisis management policy to address potential violent crisis situations in the district.
- B. Provide training in recognition, prevention, and safe responses to violence, and development of a positive school climate.
- C. Coordinate a local school security review committee or task force comprised of school officials, law enforcement, parents, students and other youth service providers to advise on policy implementation.
- D. In-service training for personnel in aspects of reporting, visibility and supervision as deterrents to violence.
- E. In-service training for personnel and school board members by experts familiar with sexual abuse, domestic violence, and personal safety issues on the following: helping students identify violence in the family and the community so that students may learn to resolve conflicts in effective, nonviolent ways; responding to a disclosure of child sexual abuse in a supportive, appropriate manner; and/or complying with mandatory reporting requirements under the Maltreatment of Minors Reporting Act.
- F. Promote student safety responsibility by encouraging the reporting of suspicious individuals and unusual activities on school grounds.
- G. Establish a curriculum committee that explores ways of teaching students violence prevention strategies, law-related education, and character/values education (universal values, e.g. honesty, personal responsibility, self-discipline, cooperation and respect for others.)
- H. Establish clear school rules that prevent and deter violence.

- I. Develop cross-cultural awareness programs to unify students of all cultures and backgrounds, to develop mutual respect and understanding of shared experiences and values among students, and to promote the message of inclusion.
- J. Establish conflict resolution training, conflict management, or peer mediation programs for staff and students to teach conservative approaches to settling disputes.
- K. Develop curriculum that teaches social skills such as maintaining self-control, building communications skills, forming friendships, resisting peer pressure, being appropriately assertive, forming positive relationships with adults, and resolving conflict in nonviolent ways.
- L. Develop curriculum that teaches critical viewing and listening skills in analyzing mass media to recognize stereotypes, distinguish fact from fantasy and identify differences in behavior and values that conflict with their own.
- M. Develop student safety forums that both inform and elicit students' ideas about particular safety problems in the building.
- N. Develop a student photo or name identification system for quick identification of the student in case of emergency.
- O. Develop a staff photo or name identification system using identification badges for quick identification of unauthorized people on campus.
- P. Require all visitors to check-in the main office upon their arrival and state their business at the school. A visitor badge may be issued for easy identification that the visitor is authorized to be present in the school building.
- Q. Develop curriculum on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.
- R. Develop curriculum on child sexual abuse prevention for students, including age-appropriate instruction on recognizing sexual abuse and assault, boundary violations, and ways offenders groom or desensitize victims, as well as strategies to promote disclosure, reduce self-blame, and mobilize bystanders. The curriculum may be created in consultation with federal, state, and local agencies and community-based organizations, including the Child Information Gateway website maintained by the United States Department of Health and Human Services, to identify research-based tools, curricula, and programs to prevent child sexual abuse.
- S. Provide training to all school personnel on recognizing and preventing sexual abuse and sexual violence which may include training on mandatory reporting requirements provided on the Department of Education's website and reviewing the Code of Ethics for Minnesota Teachers.

## V. STUDENT SUPPORT

- A. Students will have access to school-based student service professionals, when available, including counselors, nurses, social workers, and psychologists who are knowledgeable in methods to assist students with violence prevention and intervention.
- B. Students will be apprised of school board policies designed to protect their personal safety.
- C. Students will be provided with information as to school district and building rules regarding weapons and violence.
- D. Students will be informed of resources for violence prevention and proper reporting.

## VI. PERSONNEL

- A. School district personnel shall comply with the school weapons policy (Policy 501) and the school hazing policy (Policy 526).
- B. School district personnel shall be knowledgeable of violence prevention policies and report any violation to school administration immediately. School district personnel will be informed annually as to school district and building rules regarding weapons and violence prevention.
- C. School district personnel or agents of the school district shall not engage in emotionally abusive acts including malicious shouting, ridicule, and/or threats or other forms of corporal punishment (Policy 507).

**Legal References:** Minn. Stat. § 13.43, Subd. 16 (~~Personnel Data School District or Charter School Disclosure of Violence or Inappropriate Sexual Contact~~)  
Minn. Stat. § 120B.22 (Violence Prevention Education)  
Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)  
Minn. Stat. § 121A.035 (Crisis Management Policy)  
Minn. Stat. § 121A.05 (Policy to Refer Firearms Possessor)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)  
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)  
Minn. Stat. § 121A.64 (Notification)  
Minn. Stat. § 121A.69 (Hazing Policy)  
Minn. Stat. § 181.967, Subd. 5 (School District Disclosure of Violence or Inappropriate Sexual Contact)  
18 U.S.C. § 921 (Definition of Firearm)  
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education

**Improvement Act of 2004)**

29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)

*Tinker v. Des Moines Indep. Sch. Dist.*, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 31 (1969)

*Stephenson v. Davenport Cmty. Sch. Dist.*, 110 F.3d 1303 (8th Cir. 1997)

*McIntire v. Bethel School*, 804 F.Supp. 1415, 78 Educ. L.Rep. 828 (W.D. Okla. 1992)

*Olesen v. Board of Educ. of Sch. Dist. No. 228*, 676 F.Supp. 820, 44 Educ. L.Rep. 205 (N.D. Ill. 1987)

***Cross References:***

MSBA/MASA Model Policy 413 (Harassment and Violence)

MSBA/MASA Model Policy 501 (School Weapons Policy)

MSBA/MASA Model Policy 504 (Student Dress and Appearance)

MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 507 (Corporal Punishment)

MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)

MSBA/MASA Model Policy 526 (Hazing Prohibition)

MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior by Students)

Date Adopted: 05/13/02	File Number: Detroit Lakes Policy - 529
Date Revised: 3/16/2020, <u>09/26/22</u>	

## 529 STAFF NOTIFICATION OF VIOLENT BEHAVIOR BY STUDENTS

*[Note: School districts are not required to adopt a policy regarding staff notifications of violent behavior by students. State law does, however, require school districts to provide classroom teachers with notice of the placement of students with a history of violent behavior in their classrooms. Thus, school districts may decide the manner in which they provide such notice. In 2003, the Minnesota Legislature required a committee, including a representative from the Minnesota School Board Association (MSBA), to develop a model policy for schools to notify staff about violent behavior by students. That model policy is available on the Minnesota Department of Administration's website. MSBA has modified the committee-developed policy for consistency with its other model policies and to reflect management perspectives. MSBA recommends this policy.]*

### I. PURPOSE

In an effort to provide a safe school environment, the assigned classroom teacher and certain staff members should know whether a student to be placed in the classroom has a history of violent behavior. Additionally, decisions should be made regarding how to manage such a student.

The purpose of this policy is to address the circumstances in which data should be provided to classroom teachers and other school staff members about students with a history of violent behavior and to establish a procedure for notifying staff regarding the placement of students with a history of violent behavior.

### II. GENERAL STATEMENT OF POLICY

- A. Any staff member or other employee of the school district who obtains or possesses information concerning a student in the building with a history of violent behavior shall immediately report said information to the principal of the building in which the student attends school.
- B. The administration will meet with the assigned classroom teacher and other appropriate staff members for the purpose of notifying and determining how staff will manage such student.
- C. Only staff members who have a legitimate educational interest in the information will receive notification.

### III. DEFINITIONS

For purposes of this policy, the following terms have the meaning given them.

A. Administration

“Administration” means the superintendent, building principal, or other designee.

B. Classroom Teacher

“Classroom Teacher” means the instructional personnel responsible for the course or room to which a student is assigned at any given time, including a substitute hired in place of the classroom teacher.

C. History of Violent Behavior

1. A student will be considered to have a history of violent behavior if incident(s) of violence, including any documented physical assault of a school district employee by the student, have occurred during the current or previous school year.
2. If a student has an incident of violence during the current or previous school year, that incident and all other past related or similar incidents of violence will be reported.

D. Incident(s) of Violence

“Incident(s) of violence” means willful conduct in which a student endangers or caused physical injury to the student, other students, a school district employee, or surrounding person(s) or endangers or causes significant damage to school district property, regardless of whether related to a disability or whether discipline was imposed.

E. Legitimate Educational Interest

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

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

F. School Staff Member

“School Staff Member” includes:

1. A person duly elected to the school board;
2. A person employed by the school board in an administrative, supervisory, instructional, or other professional position;
3. 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
4. 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 other school staff members such as paraprofessionals, bus drivers, occupational therapists, or police liaison officers in the definition of a “school staff member.” However, the definition of a “school staff member” in this policy should be identical to the school district’s definition of a “school official” in Policy 515, Protection and Privacy of Pupil Records.]*

IV.. **PROCEDURE FOR STAFF NOTIFICATION OF STUDENTS WITH VIOLENT BEHAVIOR**

A. Reports of Violent Behavior

Any staff member or other employee of the school district who becomes aware of any information regarding the violent behavior of an enrolling student or any student enrolled in the school district shall immediately report the information to the building principal where the student is enrolled or seeks to enroll.

B. Recipients of Notice

Each classroom teacher of a student with a history of violent behavior (see Section III.C., above), will receive written notification from the administration prior to placement of the student in the teacher’s classroom. In addition, written notice will be given by the administration to other school staff members who have a legitimate educational interest, as defined in this policy, when a student with a history of violent behavior is placed in a teacher’s classroom. The administration will provide notice to anyone substituting for the classroom teacher or school staff member, who has received notice under this policy, that the substitute will be overseeing a student with a history of violent behavior.

The administration may provide other school district employees or individuals outside of the school district with information regarding a student, including information regarding a student's history of violent behavior, in accordance with Policy 515, Protection and Privacy of Pupil Records.

C. Determination of Who Receives Notice

The determination of which classroom teachers and school staff members have a legitimate educational interest in information regarding a student with a history of violent behavior will be made by either: (1) the school district's Responsible Authority appointed by the school board under the Minnesota Government Data Practices Act or (2) the administration. In the event the administration makes this determination, the Responsible Authority will provide guidance to the administration as to what data will be shared.

D. Form of Written Notice

The notice given to classroom teachers and school staff members will be in writing and will include the following:

1. Name of the student;
2. Date of notice;
3. Notification that the student has been identified as a student with a history of violent behavior as defined in Section III. of this policy; and
4. Reminder of the private nature of the data provided.

E. Record of Notice

1. The administration will retain a copy of the notice or other documentation to provide to classroom teachers and school staff members notified under this section.
2. Retention of the written notice or other documentation provided to classroom teachers and school staff members is governed by the approved Records Retention Schedule.

F. Meetings Regarding Students with a History of Violent Behavior

1. If the administration determines, in his or her discretion, that the classroom teacher and/or school staff members with a legitimate education interest in such data reasonably require access to the details regarding a student's history of violent behavior for purposes of school safety and/or intervention services for the student, the administration also may convene a meeting to share and discuss such data.

2. The persons present at the meeting may have access to the data described in Section IV.D., above.

G. Law Enforcement Reports

Staff members will be provided with notice of disposition orders or law enforcement reports received by the school district in accordance with Policy 515, Protection and Privacy of Pupil Records. Where appropriate, information obtained from disposition orders or law enforcement reports also may be included in a Notification of Violent Behavior.

V. **MAINTENANCE AND TRANSFER OF RECORDS**

A report, notice, or documentation pertaining to a student with a history of violent behavior are educational records of a student and will be retained, maintained, and transferred to a school or school district in which a student seeks to enroll in accordance with Policy 515, Protection and Privacy of Pupil Records.

VI. **PARENTAL NOTICE**

- A. The administration will notify parents annually that the school district gives classroom teachers and other school staff members notice about students' history of violent behavior.
- B. Prior to providing the written notice of a student's violent behavior to classroom teachers and/or school staff members, the administration will inform the student's parent or guardian that such notice will be provided.
- C. Parents will be given notice that they have the right to review and challenge records or data, including the data documenting the history of violent behavior, in accordance with Policy 515, Protection and Privacy of Pupil Records.

VII. **TRAINING NEEDS**

Representatives of the school board and representatives of the teachers will discuss the needs of students and staff. The parties may discuss necessary training which may include training on conflict resolution and positive behavior interventions and may discuss necessary intervention services such as student behavioral assessments.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 120A.22, Subd. 7 (~~Compulsory Instruction~~~~School Attendance—Education Records~~)  
Minn. Stat. § 121A.45 (Grounds for Dismissal)  
Minn. Stat. § 121A.64 (Notification; ~~Teachers' Legitimate Educational Interest of Students with Violent Behavior~~)  
Minn. Stat. § 121A.75 (~~Receipt of Records; Sharing~~~~Law Enforcement Notice to Schools~~)  
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)

20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
34 C.F.R. §§ 99.1-99.67 (Rules Implementing FERPA)  
Minn. Laws 2003, 1<sup>st</sup> Sp., Ch. 9, Art. 2, § 53

Cross References: MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

## NOTICE

### STAFF NOTIFICATION OF VIOLENT BEHAVIOR BY STUDENTS

To: (Staff Name)

From: (Administrative Official)

Date of Notice:

This notice is sent to inform you that the following student has a history of violent behavior. The notice is sent to assist you in helping this student to be successful and ensuring the safety of students and staff.

You can use what you have learned about the student's history of violent behavior only to the extent allowed by school district policy. The data on this form are private data under state and federal law, and the student's privacy rights must be protected.

Student's name:

Incident(s) of violence:

If staff have a legitimate educational interest, provide the following information.

Description/Explanation of incident(s) if known (Specifically include any mitigating factors, e.g. self-defense, defense of others, medication issues):

The types of situations that might trigger violent behavior by this student, if known (e.g. triggers for frustration or anger):

Strategies or interventions that are successful with this student, if known:

The following documents may be available for you to review regarding this student:

- IEP
- §504 Plan
- Functional Behavioral Assessment
- Reports or statements by school staff
- Information provided by the parent or guardian

Additional information may be available to you based on your legitimate educational interest.

Date Adopted: 03/08/04	File Number: Detroit Lakes Policy - 532
Date Revised: 01/10/05, 09/14/2009, <u>09/26/22</u>	

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

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

[Note: Minnesota Laws 2009, Chapter 96, made a number of changes to the laws and rules governing the use of “conditional procedures” with respect to special education students. Specifically, Chapter 96 repealed, EFFECTIVE AUGUST 1, 2011, Minnesota Rules 3525.0210, Statutes Sections 121A.66, 121A.67, Subd. 1, as well as Minnesota Rules 3525.0210, Subparts 5, 6, 9, 13, 17, 29, 30, 46, 47, and 3525.2900, Subp. 5. These laws and rules were replaced, effective August 1, 2011, with a restrictive procedures law which generally addresses law contains a significant staff training component, found at Minnesota Statutes section 125A.0942, Subds. 1,2, and 5. Staff who intend to use restrictive procedures must be trained in the areas specified in Subd. 5 to use these procedures.]

**I. PURPOSE**

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

**II. GENERAL STATEMENT OF POLICY**

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

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

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

### **III. DEFINITIONS**

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

- A. “Student with an IEP” or “the student” means a student who is eligible to receive special education and related services pursuant to the terms of an IEP or an individual interagency intervention plan (IIIP).
- B. “Peace officer” means an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the Board of Peace Officer Standards and Training, charged with the prevention and detection of crime and the enforcement of general criminal laws of the state and who has the full power of arrest. The term “peace officer” includes a person who serves as a sheriff, a deputy sheriff, a police officer, or a state patrol trooper.
- C. “Police liaison officer” is a peace officer who, pursuant to an agreement between the school district and a political subdivision or law enforcement agency, is assigned to a school building for all or a portion of the school day to provide law enforcement assistance and support to the building administration and to promote school safety, security, and positive relationships with students.
- D. “Crisis team” means a group of persons, which may include teachers and non-teaching school personnel, selected by the building administrator in each school building who have received crisis intervention training and are responsible for becoming actively involved with resolving crises. The building administrator or designee shall serve as the leader of the crisis team.
- E. The phrase “remove the student from school grounds” is the act of securing the person of a student with an IEP and escorting that student from the school building or school activity at which the student with an IEP is located.
- F. “Emergency” means a situation in which immediate intervention is necessary to protect a student or other individual from physical injury, emotional abuse due to verbal and nonverbal gestures, or to prevent severe property damage.
- G. All other terms and phrases used in this policy shall be defined in accordance with applicable state and federal law or ordinary and customary usage.

### **IV. REMOVAL OF STUDENTS WITH IEPs FROM SCHOOL GROUNDS**

#### **A. Removal By Crisis Team**

If the behavior of a student with an IEP escalates to the point where the student’s behavior endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the school building’s crisis team may be summoned. The crisis team may attempt to de-escalate the student’s

behavior by means including, but not limited to, those described in the student's IEP and/or behavior intervention plan. When such measures fail, or when the crisis team determines that the student's behavior continues to endanger or may endanger the health, safety, or property of the student, other students, staff members, or school property, the crisis team may remove the student from school grounds.

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

B. Removal By Police Liaison Officer or Peace Officer

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

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

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

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

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

C. Reasonable Force Permitted

In removing a student with an IEP from school grounds, building administrator, other crisis team members, or the police liaison officer or other agents of the school district, whether or not members of a crisis team, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

In removing a student with an IEP from school grounds, police liaison officers and school district personnel are further prohibited from engaging in the following conduct:

1. Requiring the student to assume and maintain a specified physical position, activity, or posture that induces physical pain as an aversive procedure;
2. Presenting intense sounds, lights, or other sensory stimuli as an aversive stimulus;
3. Using noxious smell, taste, substance, or spray as an aversive stimulus;
4. Denying or restricting the student's access to equipment and devices such as hearing aids and communication boards that facilitate the student's functioning except temporarily when the student is perceived to be destroying or damaging equipment or devices;
5. Using faradic skin shock;
6. Restricting, totally or partially, the student's auditory or visual sense, except that study carrels may be used as an academic intervention;
7. Withholding regularly scheduled meals or water; and/or
8. Denying the student access to toilet facilities.

D. Parental Notification

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

E. Continued Removals; Review of IEP

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

F. Effect of Policy in an Emergency; Use of Conditional 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, IIP, or behavior intervention plan authorizes the use of one or more conditional procedures, the crisis team may employ those conditional procedures, in addition to any reasonable force that may be necessary, to facilitate the student's removal from school grounds. If the crisis team initiates use of conditional procedures in an emergency, the student's IEP team shall meet as soon as possible, but no later than five (5) school days after emergency procedures have commenced.

**Legal References:** Minn. Stat. § 13.01, *et seq.* (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 Aversive and Deprivation Procedures~~)  
Minn. Stat. § 609.06 (Authorized Use of Force)  
Minn. Stat. § 609.379 (Permitted Actions)  
20 U.S.C. 1232g *et seq.* (Family Educational Rights and Privacy (FERPA))  
20 U.S.C. § 1415(k)(9) (Individuals with Disabilities Education Act (IDEA))  
34 C.F.R. § 300.529 (~~Referral to and Action by Law Enforcement and Judicial Authorities IDEA Regulation Regarding Involvement of Law Enforcement~~)  
Minn. Rule 3525.0200, Subp. 2c (Definition of "Emergency")  
Minn. Rule 3525.2900, Subp. 5 (The IEP and Regulated Interventions)

**Cross References:** MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 507 (Corporal Punishment)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
MSBA/MASA Model Policy 806 (Crisis Management Policy)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

Date Adopted: 2/11/91	<b>Detroit Lakes Public Schools Policy # 709</b>
Date Revised: 08/13/01; 05/13/02; 12/8/03; 9/11/06; 3/12/07; 5/12/08; 10/13/08, 10/04/17, <u>09/26/22</u>	

## **709 - STUDENT TRANSPORTATION SAFETY POLICY**

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

### **I. PURPOSE**

The purpose of this policy is to provide safe transportation for students and to educate students on safety issues and the responsibilities of school bus ridership.

### **II. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING**

#### **A. School Bus Safety Week**

The school district may designate a school bus safety week. The National School Bus Safety Week is the third week in October.

#### **B. Student Training**

1. The school district shall provide students enrolled in grades kindergarten (K) through 10 with age-appropriate school bus safety training of the following concepts:

- a. transportation by school bus is a privilege, not a right;
- b. school district policies for student conduct and school bus safety;
- c. appropriate conduct while on the bus;
- d. the danger zones surrounding a school bus;
- e. procedures for safely boarding and leaving a school bus;
- f. procedures for safe vehicle lane crossing; and
- g. school bus evacuation and other emergency procedures.

2. All students in grades K through 6 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training by the end of the third week of school. All students in grades 7 through 10 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training or receive bus safety instructional materials by the end of the sixth week of school, if they have not previously received school bus training. Students in grades K through 10 who enroll in a school after the second week of school, are transported by school bus, and have not received training in their previous school districts shall undergo school bus safety training or receive bus safety instructional materials within 4 weeks of their first day of attendance.

3. The school district and a nonpublic school with students transported by school bus at public expense must provide students enrolled in grades K through 3 school bus safety training twice during the school year.
4. Students taking driver's training instructional classes must receive training in the laws and proper procedures for operating a motor vehicle in the vicinity of a school bus as required by Minnesota Statutes-~~§~~-169.446, Subdivision- 2.
5. The school district and a nonpublic school with students transported by school bus at public expense must conduct a school bus evacuation drill at least once during the school year.
6. The school district will make reasonable accommodations in training for students known to speak English as a second language and students with disabilities.
7. The school district may provide kindergarten students with school bus safety training before the first day of school.
8. The school district may provide student safety education for bicycling and pedestrian safety for students in grades K through 5.
9. The school district shall adopt and make available for public review a curriculum for transportation safety education.
10. Nonpublic school students transported by the school district will receive school bus safety training by their nonpublic school. The nonpublic schools may use the school district's school transportation safety education curriculum. Upon request by the school district superintendent, the nonpublic school must certify to the school district's school transportation safety director that all students enrolled in grades K through 10 have received the appropriate training

### **III. CONDUCT ON SCHOOL BUSES AND CONSEQUENCES FOR MISBEHAVIOR**

A. Riding the school bus is a privilege, not a right. The school district's general student behavior rules are in effect for students on school buses, including nonpublic and charter school students.

B. Consequences for school bus/bus stop misconduct will be imposed by the school district

C. under adopted administrative discipline procedures. In addition, 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.

D.

1. **School Bus and Bus Stop Rules.**

The School District school bus safety rules are to be posted on every bus. If these rules are broken, the school district's discipline procedures are to be followed. In most circumstances, consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the school district's Transportation Office/School Office.

2. **Rules at the Bus Stop**

a. Get to your bus stop 5 minutes before your scheduled pick up time. The school bus driver will not wait for late students.

b. Respect the property of others while waiting at your bus stop.

c. Keep your arms, legs, and belongings to yourself.

- d. Use appropriate language.
- e. Stay away from the street, road, or highway when waiting for the bus.
- f. Wait until the bus stops before approaching the bus.
- g. After getting off the bus, move away from the bus.
- h. 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.
- i. No fighting, harassment, intimidation, or horseplay.
- j. No use of alcohol, tobacco or drugs.

**3. Rules on the Bus**

- a. Immediately follow the directions of the driver.
- b. Sit in your seat facing forward.
- c. Talk quietly and use appropriate language.
- d. Keep all parts of your body inside the bus.
- e. Keep your arms, legs and belongings to yourself.
- f. No fighting, harassment, intimidation or horseplay.
- g. Do not throw any object.
- h. No eating, drinking, or use of alcohol, tobacco or drugs.
- i. Do not bring any weapon or dangerous objects on the school bus.
- j. Do not damage the school bus.

**4. Consequences**

a. 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 cocurricular 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.

(1) Elementary (K-5)

1<sup>st</sup> Offense -warning  
 2<sup>nd</sup> Offense -3 school-day suspension from riding the bus

3<sup>rd</sup> Offense -5 school-day suspension from riding the bus  
4<sup>th</sup> Offense -10 school-day suspension from riding the bus/meeting with parent  
Further offenses – individually considered. Students may be suspended for longer periods of time, including the remainder of the school year.

(2) Secondary (6-12)

1<sup>st</sup> Offense -warning  
2<sup>nd</sup> Offense -5 school-day suspension from riding the bus  
3<sup>rd</sup> Offense -10 school-day suspension from riding the bus  
4<sup>th</sup> Offense -20 school-day suspension from riding the bus/meeting with parent  
5<sup>th</sup> Offense -suspended from riding the bus for the remainder of the school year

Note: When any student goes 60 transportation days without a report, the student’s consequences may start over at the first offense.

(3) Other Discipline

Based on the severity of a student’s conduct, more serious consequences may be imposed at any time. Depending on the nature of the offense, consequences such as suspension or expulsion from school also may result from school bus/bus stop misconduct.

(4) Records

Records of school bus/bus stop misconduct will be forwarded to the individual school building and will be retained in the same manner as other student discipline records. Reports of serious misbehavior on a school bus or in a bus-loading or unloading area that are reasonably believed to cause an immediate and substantial danger to the student surrounding persons or property shall be provided by the school district to local law enforcement and the Department of Public Safety in accordance with state and federal law.

(5) Vandalism/Bus Damage

Students damaging school buses will be responsible for the damages. Failure to pay such damages (or make arrangements to pay) within two weeks may result in the loss of bus privileges until damages are paid.

(6) Notice

School bus and bus stop rules and consequences for violations of these rules will be reviewed with students annually and copies of these rules will be made available to students. School bus rules are to be posted on each school bus.

(7) Criminal Conduct

In cases involving criminal conduct (for example, assault, weapons, drug possession, or vandalism), appropriate school district personnel and local law enforcement officials will be informed.

**IV. PARENT AND GUARDIAN INVOLVEMENT**

A. Parent and Guardian Notification

The school district school bus and bus stop rules will be provided to each family. Parents and guardians are asked to review the rules with their children.

B. Parents/Guardians Responsibilities for Transportation Safety

Parents/Guardians are responsible to:

1. Become familiar with school district rules, policies, regulations, and the principles of school bus safety, and thoroughly review them with their children;
2. Support safe riding and walking practices, and recognize that students are responsible for their actions;
3. Communicate safety concerns to their school administrators;
4. Monitor bus stops, if possible;
5. Have their children to the bus stop five minutes before the bus arrives;
6. Have their children properly dressed for the weather; and
7. Have a plan in case the bus is late.

**V. SCHOOL BUS DRIVER DUTIES AND RESPONSIBILITIES**

A. School bus drivers shall have a valid Class A, B, or C Minnesota's driver's license with a school bus endorsement. A person possessing a valid driver's license, without a school bus endorsement, may drive a type III vehicle set forth in Section VII.B. and VII.C., below. Drivers with a valid Class D driver's license, without a school bus endorsement, may operate a "type A-I" school bus as set forth in Section VII.D., below.

B. The school district shall conduct mandatory drug and alcohol testing of all school district bus drivers and bus driver applicants in accordance with state and federal law and school district policy.

C.

D. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of a criminal offense, a serious traffic violation, or of violating any other state or local law relating to motor vehicle traffic control, other than a parking violation, in any type of motor vehicle in a state or jurisdiction other than Minnesota, shall notify the Minnesota Division of Driver and Vehicle Services (Division) of the conviction within 30 days of the conviction. For purposes of this paragraph, a "serious traffic violation" means a conviction of any of the following offenses:

E.

1. excessive speeding, involving any single offense for any speed of 15 miles per hour or more above the posted speed limit;
2. reckless driving;
3. improper or erratic traffic lane changes;

4. following the vehicle ahead too closely;
5. a violation of state or local law, relating to motor vehicle traffic control, arising in connection with a fatal accident;
6. driving a commercial vehicle without obtaining a commercial driver's license or without having a commercial driver's license in the driver's possession.
7. driving a commercial vehicle without the proper class of commercial driver's license and/or endorsements for the specific vehicle group being operated or for the passengers or type of cargo being transported;
8. a violation of a state or local law prohibiting texting while driving a commercial vehicle; and
9. a violation of a state or local law prohibiting the use of a hand-held mobile telephone while driving a commercial vehicle.

F. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of violating, in any type of motor vehicle, a Minnesota state or local law relating to motor vehicle traffic control, other than a parking violation, shall notify the person's employer of the conviction within 30 days of conviction. The notification shall be in writing and shall contain all the information set forth in Attachment A accompanying this policy.

G. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a Minnesota commercial driver's license suspended, revoked or cancelled by the state of Minnesota or any other state or jurisdiction and who loses the right to operate a commercial vehicle for any period or who is disqualified from operating a commercial motor vehicle for any period shall notify the person's employer of the suspension, revocation, cancellation, lost privilege, or disqualification. Such notification shall be made before the end of the business day following the day the employee received notice of the suspension, revocation, cancellation, lost privilege, or disqualification. The notification shall be in writing and shall contain all the information set forth in Attachment B accompanying this policy.

H.

I. A person who operates a type III vehicle and who sustains a conviction as described in Section VII.C.1.g. (i.e., driving while impaired offenses), VII.C.1.h. (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of a minor in a sexual performance, or possession of child pornography or display of pornography to a minor), or VII.C.1.i. (multiple moving violations) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the person's employer within 10 days of the date of conviction. The notification shall be in writing and shall contain all the information set forth in Attachment C accompanying this policy.

## **VI. SCHOOL BUS DRIVER TRAINING**

### **A. Training**

1. All new school bus drivers shall be provided with pre-service training, including in-vehicle (actual driving) instruction, before transporting students and shall meet the competency testing specified in the Minnesota Department of Public Safety Model School Bus Driving Training Manual. All school bus drivers shall receive in-service training annually. For purposes of this section, “annually” means at least once every 380 days from the initial or previous evaluation and at least once every 380 days from the initial or previous license verification. The school district shall retain on file an annual individual school bus driver “evaluation certification” form for each school district driver as contained in the Model School Bus Driver Training Manual.

***[NOTE: The Model School Bus Driver Training Manual is available online through the Minnesota Department of Public Safety State Patrol web page.]***

2. All bus drivers operating a type III vehicle will be provided with annual training and certification as set forth in Section VII.C.1.b., below, by either the school district or the entity from whom such services are contracted by the school district.

B. Evaluation

School bus drivers with a Class D license will be evaluated annually and all other bus drivers will be assessed periodically for the following competencies:

1. Safely operating the type of school bus the driver will be driving;
2. Understand student behavior, including issues relating to students with disabilities;
3. Ensure orderly conduct of students on the bus and handling incidents of misconduct appropriately;
4. Know and understand relevant laws, rules of the road, and local school bus safety policies;
5. Handle emergency situations; and
6. Safely load and unload students.

The evaluation must include completion of an individual “school bus driver evaluation form” (road test evaluation) as contained in the Model School Bus Driver Training Manual.

***[Note: The school district may use alternative assessments rather than those set forth in the Model School Bus Driver Training Manual for bus driver training competencies with the approval of the Commissioner of Public Safety. A driver also may receive at least 8 hours of school bus in-service training in any year as an alternative to being assessed for bus driver competencies after the initial year of being assessed for bus driver competencies.]***

## **VII. OPERATING RULES AND PROCEDURES**

A. General Operating Rules

1. School buses shall be operated in accordance with state traffic and school bus safety laws and the procedures contained in the Minnesota Department of Public Safety Model School Bus Driver Training Manual.

***[Note: The Model School Bus Driver Training Manual is available online through the Minnesota Department of Public Safety State Patrol web page.]***

Only students assigned to the school bus by the school district shall be transported. The number of students or other authorized passengers transported in a school bus shall not be more than the legal capacity for the bus. No person shall be allowed to stand when the bus is in motion.

3. The parent/guardian may designate, pursuant to school district policy, a day care facility, respite care facility, the residence of a relative, or the residence of a person chosen by the parent or guardian as the address of the student for transportation purposes. The address must be in the attendance area of the assigned school and meet all other eligible requirements.

4. Bus drivers must minimize, to the extent practical, the idling of school bus engines and exposure of children to diesel exhaust fumes.

5. To the extent practical, the school district will designate school bus loading/unloading zones at a sufficient distance from school air-intake systems to avoid diesel fumes from being drawn into the systems.

***[Note: A school district is not required to comply with Section VII.A.5. if the school board determines that alternative locations block traffic, impair student safety, or are not cost effective.]***

6. A bus driver may not operate a school bus while communicating over, or otherwise operating, a cellular phone for personal reasons, whether handheld or hands free, when the vehicle is in motion or a part of traffic. For purposes of this paragraph, “school bus” has the meaning given in [Minnesota Statutes section](#), § 169.011, [Subdivision](#), 71. In addition, “school bus” also includes type III vehicles when driven by employees or agents of the school district. “Cellular phone” means a cellular, analog, wireless, or digital telephone capable of sending or receiving telephone or text messages without an access line for service.

#### B. Type III Vehicles

1. Type III vehicles are restricted to passenger cars, station wagons, vans, and buses having a maximum manufacturer’s rated seating capacity of 10 or fewer people including the driver and a gross vehicle weight rating of 10,000 pounds or less. A van or bus converted to a seating capacity of 10 or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.

2. Type III vehicles must be painted a color other than national school bus yellow.

3. Type III vehicles shall be state inspected in accordance with legal requirements.

4. A type III vehicle cannot be older than 12 years old unless excepted by state and federal law.

5. If a type III vehicle is school district owned, the school district name will be clearly marked on the side of the vehicle. The type III vehicle must not have the words “school bus” in any location on the exterior of the vehicle or in any interior location visible to a motorist.

6. A “type III vehicle” must not be outwardly equipped and identified as a type A, B, C, or D bus.
7. Eight-lamp warning systems and stop arms must not be installed or used on type III vehicles.
8. Type III vehicles must be equipped with mirrors as required by law.
9. Any type III vehicle may not stop traffic and may not load or unload before making a complete stop and disengaging gears by shifting into neutral or park. Any type III vehicle used to transport students must not load or unload so that a student has to cross the road, except where not possible or impractical, then the driver or assistant must escort a student across the road. If the driver escorts the student across the road, then the motor must be stopped, the ignition key removed, the brakes set, and the vehicle otherwise rendered immobile.
10. Any type III vehicle used to transport students must carry emergency equipment including:
  - a. Fire extinguisher. A minimum of one 10BC rated dry chemical type fire extinguisher is required. The extinguisher must be mounted in a bracket, and must be located in the driver’s compartment and be readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.
  - b. First aid kit and body fluids cleanup kit. A minimum of a 10-unit first aid kit and a body fluids cleanup kit is required. They must be contained in removable, moisture- and dust-proof containers mounted in an accessible place within the driver’s compartment and must be marked to indicate their identity and location.
  - c.
  - d. Passenger cars and station wagons may carry a fire extinguisher, a first aid kit, and warning triangles in the trunk or trunk area of the vehicle if a label in the driver and front passenger area clearly indicates the location of these items.
11. Students will not be regularly transported in private vehicles that are not state inspected as type III vehicles. Only emergency, unscheduled transportation may be conducted in vehicles with a seating capacity of 10 or fewer without meeting the requirements for a type III vehicle. Also, parents may use a private vehicle to transport their own children under a contract with the district. The school district has no system of inspection for private vehicles.
12. All drivers of Type III vehicles will be legally licensed drivers and will be familiar with the use of required emergency equipment. The school district will not knowingly allow a person to operate a type III vehicle if the person has been convicted of an offense that disqualifies the person from operating a school bus.
13. Type III vehicles will be equipped with child passenger restraints, and child passenger restraints will be utilized to the extent required by law.

C. Type III Vehicle Driven by Employees with a Driver’s License Without a School Bus Endorsement

1. The holder of a Class A, B, C, or D driver’s license, without a school bus endorsement, may operate a type III vehicle, described above, under the following conditions:

a. The operator is an employee of the entity that owns, leases, or contracts for the school bus, which may include the school district.

b. The operator's employer, which may include the school district, has adopted and implemented a policy that provides for annual training and certification of the operator in:

- (1) safe operation of a type III vehicle;
- (2) understanding student behavior, including issues relating to students with disabilities;
- (3) encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately;
- (4) knowing and understanding relevant laws, rules of the road, and local school bus safety policies;
- (5) handling emergency situations;
- (6) proper use of seat belts and child safety restraints;
- (7) performance of pretrip vehicle inspections;
- (8) safe loading and unloading of students, including, but not limited to:
  - (a) utilizing a safe location for loading and unloading students at the curb, on the nontraffic side of the roadway, or at off-street loading areas, driveways, yards, and other areas to enable the student to avoid hazardous conditions;
  - (b) refraining from loading and unloading students in a vehicular traffic lane, on the shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane;
  - (c) avoiding a loading or unloading location that would require a student to cross a road, or ensuring that the driver or an aide personally escort the student across the road if it is not reasonably feasible to avoid such a location;
  - (d) placing the type III vehicle in "park" during loading and unloading;
  - (e) escorting a student across the road under clause (c) only after the motor is stopped, the ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile; and
- (9) compliance with paragraph V.F. concerning reporting convictions to the employer within 10 days of the date of conviction.

c. A background check or background investigation of the operator has been conducted that meets the requirements under ~~Minnesota Statutes, § 122A.18, Subdivision. 8, or Minnesota Statutes, § 123B.03~~ for school district employees; ~~Minnesota Statutes, section § 144.057~~ or ~~Minnesota Statutes, Chapter Ch. 245C~~ for day care employees; or ~~Minnesota Statutes, section § 171.321, Subdivision. 3,~~ for all other persons operating a type III vehicle under this section.

d. Operators shall submit to a physical examination as required by ~~Minnesota Statutes section § 171.321, Subdivision. 2.~~

e. The operator's employer requires preemployment drug testing of applicants for operator positions. Current operators must comply with the employer's policy under ~~Minnesota Statutes section- § 181.951, Subdivision.2, 4, and 5.~~ Notwithstanding any law to the contrary, the operator's employer may use a breathalyzer or similar device to fulfill random alcohol testing requirements.

f. The operator's driver's license is verified annually by the entity that owns, leases, or contracts for the type III vehicle as required by ~~Minnesota Statutes section- § 171.321, Subdivision. 5.~~

g. A person who sustains a conviction, as defined under ~~Minnesota Statutes- § 609.02,~~ of violating ~~Minnesota Statutes section - § 169A.25, § 169A.26, § 169A.27~~ (driving while impaired offenses), or ~~§ 169A.31~~(alcohol-related school bus driver offenses), or whose driver's license is revoked under ~~Minnesota Statutes- sections§§ 169A.50 to 169A.53~~ of the implied consent law, or who is convicted of violating or whose driver's license is revoked under a similar statute or ordinance of another state, is precluded from operating a type III vehicle for 5 years from the date of conviction.

h. A person who has ever been convicted of a disqualifying offense as defined in ~~Minnesota Statutes- section§ 171.3215, Subdivision -1(c),~~ (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor) may not operate a type III vehicle.

i. A person who sustains a conviction, as defined under ~~Minnesota Statutes- section§ 609.02,~~ of a moving offense in violation of ~~Minnesota Statutes- Chapter- 169~~ within 3 years of the first of 3 other moving offenses is precluded from operating a type III vehicle for 1 year from the date of the last conviction.

j. Students riding the type III vehicle must have training required under ~~Minnesota Statutes- § 123B.90, Subdivision- 2~~ (See Section II.B., above).

k. Documentation of meeting the requirements listed in this section must be maintained under separate file at the business location for each type III vehicle operator. The school district or any other entity that owns, leases, or contracts for the type III vehicle operating under this section is responsible for maintaining these files for inspection.

2. The type III vehicle must bear a current certificate of inspection issued under ~~Minnesota Statutes- section§ 169.451.~~

3. An employee of the school district who is not employed for the sole purpose of operating a type III vehicle may, in the discretion of the school district, be exempt from paragraphs VII.C.1.d. (physical examination) and VII.C.1.e. (drug testing), above.

D. Type A-I "Activity" Buses Driven by Employees with a Driver's License Without a School Bus Endorsement

1. The holder of a Class D driver's license, without a school bus endorsement, may operate a type A-I school bus or a Multifunction School Activity Bus (MFSAB) under the following conditions:

a. The operator is an employee of the school district or an independent contractor with whom the school district contracts for the school bus and is not solely hired to provide transportation services under this paragraph.

b. The operator drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.

c. The operator is prohibited from using the 8-light system if the vehicle is so equipped.

d. The operator has submitted to a background check and physical examination as required by Minnesota- Statutes-section § 171.321, Subdivision- 2.

e. The operator has a valid driver's license and has not sustained a conviction of a disqualifying offense as set forth in Minnesota- Statutes- § 171.02, Subdivision 2a(h) – 2a(j).

f. The operator has been trained in the proper use of child safety restraints as set forth in the National Highway Traffic Safety Administration's "Guideline for the Safe Transportation of Preschool Age Children in School Buses," if child safety restraints are used by passengers, in addition to the training required in Section VI., above.

g. The bus has a gross vehicle weight rating of 14,500 pounds or less and is designed to transport 15 or fewer passengers, including the driver.

2. The school district shall maintain annual certification of the requirements listed in this section for each Class D license operator.

3. A school bus operated under this section must bear a current certificate of inspection.

4. The word "School" on the front and rear of the bus must be covered by a sign that reads "Activities" when the bus is being operated under authority of this section.

## VIII. SCHOOL DISTRICT EMERGENCY PROCEDURES

A. If possible, school bus drivers or their supervisors shall call "911" or the local emergency phone number in the event of a serious emergency.

B. School bus drivers shall meet the emergency training requirements contained in Unit III "Crash & Emergency Preparedness" of the Minnesota Department of Public Safety Model School Bus Driver Training Manual. This includes procedures in the event of a crash (accident).

*[Note: The Model School Bus Driver Training Manual is available online through the Minnesota Department of Public Safety State Patrol web page.]*

C. School bus drivers and bus assistants for special education students requiring special transportation service because of their handicapping condition shall be trained in basic first aid procedures, shall within 1 month after the effective date of assignment participate in a program of in-service training on the proper methods for dealing with the specific needs and problems of students with disabilities, assist students with disabilities on and off the bus when necessary for their safe ingress and egress from the bus; and ensure that protective safety devices are in use and fastened properly.

D. Emergency Health Information shall be maintained on the school bus for students requiring special transportation service because of their handicapping condition. The information shall state:

1. the student's name and address;
2. the nature of the student's disabilities;
3. emergency health care information; and
4. the names and telephone numbers of the student's physician, parents, guardians, or custodians, and some person other than the student's parents or custodians who can be contacted in case of an emergency.

## **IX. SCHOOL DISTRICT VEHICLE MAINTENANCE STANDARDS**

- A. All school vehicles shall be maintained in safe operating conditions through a systematic preventative maintenance and inspection program adopted or approved by the school district.
- B. All school vehicles shall be state inspected in accordance with legal requirements.
- C. A copy of the current daily pre-trip inspection report must be carried in the bus. Daily pre-trip inspections shall be maintained on file in accordance with the school district's record retention schedule. Prompt reports of defects to be immediately corrected will be submitted.
- D. Daily post-trip inspections shall be performed to check for any children or lost items remaining on the bus and for vandalism.

## **X. SCHOOL TRANSPORTATION SAFETY DIRECTOR**

The school board has designated an individual to serve as the school district's school transportation safety director. The school transportation safety director shall have day-to-day responsibility for student transportation safety, including transportation of non-public school children when provided by the school district. The school transportation safety director will assure that this policy is periodically reviewed to ensure that it conforms to law. The school transportation safety director shall certify annually to the school board that each school bus driver meets the school bus driver training competencies required ~~by Minnesota Statutes~~ section § 171.321, Subdivision. 4. The transportation safety director also shall annually verify or ensure that the private contractor utilized by the school has verified the validity of the driver's license of each employee who regularly transports students for the school district in type A, B, C, or D school bus, type III vehicle, or MFSAB with the National Driver Register or the Department of Public Safety. Upon request of the school district superintendent or the superintendent of the school district where nonpublic students are transported, the school transportation safety director also shall certify to the superintendent that students have received school bus safety training in accordance with state law. The name, address and telephone number of the school transportation safety director are on file in the school district office. Any questions regarding student transportation or this policy may be addressed to the school transportation safety director.

## **XI. STUDENT TRANSPORTATION SAFETY COMMITTEE**

The school board may establish a student transportation safety committee. The chair of the student transportation safety committee is the school district's school transportation safety director. The school

board shall appoint the other members of the student transportation safety committee. Membership may include parents, school bus drivers, representatives of school bus companies, local law enforcement officials, other school district staff, and representatives from other units of local government.

*Legal References:*

- Minn. Stat. § 122A.18, Subd. 8 (Board to Issue Licenses)
- Minn. Stat. § 123B.03 (Background Check)
- Minn. Stat. § 123B.42 (Textbooks; Individual Instruction ~~or~~ or Cooperative Learning Material; Standard Tests)
- Minn. Stat. § 123B.88 (Independent School Districts; Transportation)
- Minn. Stat. § 123B.885 (Diesel School Buses; Operation of Engine; Parking)
- Minn. Stat. § 123B.90 (School Bus Safety Training)
  - Minn. Stat. § 123B.91 (School District Safety Responsibilities)
  - Minn. Stat. § 144.057 (Background Studies on Licenses and Other Personnel)
  - Minn. Stat. Ch. 169 (Traffic Regulations)
  - Minn. Stat. § 169.011, Subds. 15, 16, and 71 (Definitions)
  - Minn. Stat. § 169.02 (Scope)
  - Minn. Stat. § 169.443 (Safety of School Children; Bus Driver's Duties)
  - Minn. Stat. § 169.446, Subd. 2 (~~Safety School Children; Training and Education Rules~~ Driver
- Training Programs)
  - Minn. Stat. § 169.451 (Inspecting School and Head Start Buses; Rules; Misdemeanor)
  - Minn. Stat. § 169.454 (Type III Vehicle Standards)
  - Minn. Stat. § 169.4582 (Reportable Offense on School Buses)
  - Minn. Stat. §§ 169A.25-169A.27 (Driving While Impaired)
  - Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Driving)
  - Minn. Stat. §§ 169A.50-169A.53 (Implied Consent Law)
  - Minn. Stat. § 171.02, Subd. 2, 2a, and 2b (Licenses; Types, Endorsements, Restrictions)
  - Minn. Stat. § 171.168 (~~Notification of Conviction for Violation by a Commercial Driver~~ Notice of violation by Commercial Driver
- Minn. Stat. § 171.169 (~~Notice of Commercial License Suspension~~ Notification of Suspension of License of Commercial Driver)
  - Minn. Stat. § 171.321 (Qualifications of a School Bus and Typ III Vehicle Drivers)
  - Minn. Stat. § 171.3215, Subd. 1(c) (Canceling Bus Endorsement for Certain Offenses)
  - Minn. Stat. § 181.951 (Authorized Drug and Alcohol Testing)
  - Minn. Stat. Ch. 245C (Human Services Background Studies)
  - Minn. Stat. § 609.02 (Definitions)
  - Minn. Rules Parts 7470.1000-7470.1700 (School Bus Inspection)
  - 49 C.F.R. Part 383 (Commercial Driver's License Standards; Requirements and Penalties)
  - 49 C.F.R. § 383.31 (Notification of Convictions for Driver Violations)
  - 49 C.F.R. § 383.33 (Notiication of Driver's License Suspensions)
  - 49 C.F.R. § 383.5 (Transportation Definitions)
  - 49 C.F.R. §. 383.51 (Disqualification of Drivers)

*Cross References:*

- MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)
- MSBA/MASA Model Policy 506 (Student Discipline)
- MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
- MSBA/MASA Model Policy 707 (Transportation of Public Students)
- MSBA/MASA Model Policy 708 (Transportation of Non-public Students)
- MSBA/MASA Model Policy 710 (Extracurricular Transportation)

Addendum A

Detroit Lakes Public Schools Type III Bus Driver  
Training/License Verification Form

In Minnesota the school vans that are driven are considered Type III school buses. As a driver you are subject to certain Minnesota state laws and district policies. Drivers must annually receive training and validation of their license.

- The driver shall never drive at a speed that is faster than the posted limit or unsafe due to existing road or weather conditions. Headlights are to be always used.
- Drivers must report any disqualifying convictions to the Transportation Director within 10 days of the occurrence.
- Drivers may not have more than 3 moving violations within any 3 year period.
- Drivers are not to use cell phones while the vehicle is in motion.
- Student passengers must be supervised taking into consideration that they are not fully adult and their safety must be your first consideration. Patience and understanding must accompany your conduct dealing with students, especially those with disabilities.
- Disorderly conduct of students is to be reported to the building Principal. It is their responsibility to determine disciplinary actions.
- All occupants must be secured individually with seat belts or child restraints. The vehicle rating capacity shall never be exceeded. Drivers can never have more than 9 passengers.
- Pre-trip inspections must be conducted and recorded on the form provided.
- Safe loading and unloading procedures of students are summarized in the following:
  1. Utilize a safe location at the curb, the nontraffic side of the road, or at safe locations off from the roadway such as driveways and parking areas.
  2. Refrain from loading or unloading in a vehicle traffic lane, on the shoulder, in a designated turn lane or adjacent to a designated turn lane.
  3. Avoid loading or unloading at locations that requires students to cross the roadway. If this is necessary students must be escorted across the road by the driver or an adult supervisor.
  4. During loading and unloading the vehicle drive system must be in the “park” position.

All Type III vehicles contain the following safety equipment. Be sure to familiarize yourself with their location and become familiar with their proper use.

- A fire extinguisher.
- A first aid kit.
- A body fluid clean-up kit.
- A set of three warning triangles.
- Seat belt cutting knife.

I have read the above and am in compliance with the information. Below is my driver’s license information:

Full Name as on License (PRINT): \_\_\_\_\_

License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_ Exp. Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Date Adopted: 04/10/00	File Number: Detroit Lakes Policy 806
Date Revised: 03/14/05; 1/11/2021, <u>09/26/22</u>	

## **806 - CRISIS MANAGEMENT POLICY**

*[NOTE: The Minnesota Commissioner of Education is required to maintain and make available to school boards and charter schools a Model Crisis Management Policy. See Minnesota- Statutes- section§121A.035. School boards and charter schools must adopt a Crisis Management Policy to address potential crisis situations in their school districts or charter schools. Id. This Model Crisis Management Policy was originally the result of a collaborative effort amongbetween the Minnesota Department of Education, Division of Compliance and Assistance; the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management; and the Minnesota School Boards Association.]*

### **I. PURPOSE**

The purpose of this Model Crisis Management Policy is to act as a guide for school district and building administrators, school employees, students, school board members, and community members to address a wide range of potential crisis situations in the school district. For purposes of this Policy, the term, “school districts,” shall include charter schools. The step-by-step procedures suggested by this Policy will provide guidance to each school building in drafting crisis management plans to coordinate protective actions prior to, during, and after any type of emergency or potential crisis situation. Each school district should develop tailored building-specific crisis management plans for each school building in the school district, and sections or procedures may be added or deleted in those crisis management plans based on building needs.

The school district will, to the extent possible, engage in ongoing emergency planning within the school district and with emergency responders and other relevant community organizations. The school district will ensure that relevant emergency responders in the community have access to their building-specific crisis management plans and will provide training to school district staff to enable them to act appropriately in the event of a crisis.

### **II. GENERAL INFORMATION**

#### **A. The Policy and Plans**

The school district’s Crisis Management Policy has been created in consultation with local community response agencies and other appropriate individuals and groups that would likely be involved in the event of a school emergency. It is designed so that each building administrator can tailor a building-specific crisis management plan to meet that building’s specific situation and needs

The school district's administration and/or the administration of each building shall present tailored building-specific crisis management plans to the school board for review and approval. The building-specific crisis management plans will include general crisis procedures and crisis-specific procedures. Upon approval by the school board, such crisis management plans shall be an addendum to this Crisis Management Policy. This Policy and the plans will be maintained and updated on an annual basis.

## B. Elements of the District Crisis Management Policy

1. General Crisis Procedures. The Crisis Management Policy includes general crisis procedures for securing buildings, classroom evacuation, building evacuation, campus evacuation, and sheltering. The Policy designates the individual(s) who will determine when these actions will be taken. These district-wide procedures may be modified by building administrators when creating their building-specific crisis management plans. A communication system will be in place to enable the designated individual to be contacted at all times in the event of a potential crisis, setting forth the method to contact the designated individual, provision of at least two designees when the contact person is unavailable, and the method to convey contact information to the appropriate staff persons. The alternative designees may include members of the emergency first responder response team. A secondary method of communication should be included in the plan for use when the primary method of communication is inoperable. Each building in the school district will have access to a copy of the Comprehensive School Safety Guide (2011 Edition) to assist in development of the building-specific crisis management plans.

All general crisis procedures will address specific procedures for the safe evacuation of children and employees with special needs such as physical, sensory, motor, developmental, and mental health challenges.

***[NOTE: More specific information on planning for children with special needs can be found in the Comprehensive School Safety Guide (2011 Edition) and United States Department of Education's document entitled, "Practical Information on Crisis Planning, a Guide for Schools and Communities." A website link is provided in the resource section of this Policy.]***

- a. Lock-Down Procedures. Lock-down procedures will be used in situations where harm may result to persons inside the school building, such as a shooting, hostage incident, intruder, trespassing, disturbance, or when determined to be necessary by the building administrator or designee. The building administrator or designee will

announce the lock-down over the public address system or other designated system. Code words will not be used. Provisions for emergency evacuation will be maintained even in the event of a lock-down. Each building administrator will submit lock-down procedures for their building as part of the building-specific crisis management plan.

*[Note: State law requires a minimum of five school lock-down drills each school year. See Minnesota Statutes section 121A.035.]*

- b. Evacuation Procedures. Evacuations of classrooms and buildings shall be implemented at the discretion of the building administrator or his or her designee. Each building's crisis management plan will include procedures for transporting students and staff a safe distance from harm to a designated safe area until released by the building administrator or designee. Safe areas may change based upon the specific emergency situation. The evacuation procedures should include specific procedures for children with special needs, including children with limited mobility (wheelchairs, braces, crutches, etc.), visual impairments, hearing impairments, and other sensory, developmental, or mental health needs. The evacuation procedures should also address transporting necessary medications for students that take medications during the school day.

*[Note: State law requires a minimum of five school fire drills, consistent with Minnesota Statutes section 299F.30, and one school tornado drill each school year. See Minnesota Statutes section 121A.035.]*

- c. Sheltering Procedures. Sheltering provides refuge for students, staff, and visitors within the school building during an emergency. Shelters are safe areas that maximize the safety of inhabitants. Safe areas may change based upon the specific emergency. The building administrator or his or her designee will announce the need for sheltering over the public address system or other designated system. Each building administrator will submit sheltering procedures for his or her building as part of the building-specific crisis management plan.

*[Note: The Comprehensive School Safety Guide (2011 Edition) has sample lock-down procedures, evacuation procedures, and sheltering procedures.]*

2. Crisis-Specific Procedures. The Crisis Management Policy includes crisis-specific procedures for crisis situations that may occur during the school day or at school-sponsored events and functions. These district-wide procedures are designed to enable building administrators to tailor response procedures when creating building-specific crisis management plans.

*[Note: The Comprehensive School Safety Guide (2011 Edition) includes crisis-specific procedures.]*

3. School Emergency Response Teams

- a. Composition. The building administrator in each school building will select a school emergency response team that will be trained to respond in emergency situations. All school emergency response team members will receive on-going training to carry out the building's crisis management plans and will have knowledge of procedures, evacuation routes, and safe areas. For purposes of student safety and accountability, to the extent possible, school emergency response team members will not have direct responsibility for the supervision of students. Team members must be willing to be actively involved in the resolution of crises and be available to assist in any crisis situation as deemed necessary by the building administrator. Each building will maintain a current list of school emergency response team members which will be updated annually. The building administrator, and his or her alternative designee, will know the location of that list in the event of a school emergency. A copy of the list will be kept on file in the school district office, or in a secondary location in single building school districts.

*[Note: The Comprehensive School Safety Guide (2011 Edition) has a sample School Emergency Response Team list.]*

- b. Leaders. The building administrator or his or her designee will serve as the leader of the school emergency response team and will be the primary contact for emergency response officials. In the event the primary designee is unavailable, the designee list should include more than one alternative designee and may include members of the emergency response team. When emergency response officials are present, they may elect to take command and control of the crisis. It is critical in this situation that school officials assume a resource role and be available as necessary to emergency response officials.

### **III. PREPARATION BEFORE AN EMERGENCY**

A. Communication

1. District Employees. Teachers generally have the most direct contact with students on a day-to-day basis. As a result, they must be aware of their role in responding to crisis situations. This also applies to non-teaching school personnel who have direct contact with students. All staff should be aware of the school district's Crisis Management Policy and their own building's crisis management plan. Each school's building-specific crisis management plan shall include the method and dates of dissemination of the plan to its staff. Employees will receive a copy of the relevant building-specific crisis management plans and shall receive periodic training on plan implementation.
2. Students and Parents. Students and parents shall be made aware of the school district's Crisis Management Policy and relevant tailored crisis management plans for each school building. Each school district's building-specific crisis management plan shall set forth how students and parents are made aware of the district and school-specific plans. Students shall receive specific instruction on plan implementation and shall participate in a required number of drills and practice sessions throughout the school year.

B. Planning and Preparing for Fire

1. Designate a safe area at least 50 feet away from the building to enable students and staff to evacuate. The safe area should not interfere with emergency responders or responding vehicles and should not be in an area where evacuated persons are exposed to any products of combustion. (Depending on the wind direction, where the building on fire is located, the direction from which the fire is arriving, and the location of fire equipment, the distance may need to be extended.)

***[Note: Evacuation areas at least 50 feet from school buildings are recommended but not mandated by statute or rule. Evacuation areas should be selected based on safety and the individual school site's proximity to streets, traffic patterns, and other hazards.]***

2. Each building's facility diagram and site plan shall be available in appropriate areas of the building and shall identify the most direct evacuation routes to the designated safe areas both inside and outside of the building. The facility diagram and site plan must identify the location of the fire alarm control panel, fire alarms, fire extinguishers, hoses, water spigots, and utility shut offs.

3. Teachers and staff will receive training on the location of the primary emergency evacuation routes and alternate routes from various points in the building. During fire drills, students and staff will practice evacuations using primary evacuation routes and alternate routes.
4. Certain employees, such as those who work in hazardous areas in the building, will receive training on the locations and proper use of fire extinguishers and protective clothing and equipment.
5. Fire drills will be conducted periodically without warning at various times of the day and under different circumstances, e.g., lunchtime, recess, and during assemblies. State law requires a minimum of five fire drills each school year, consistent with Minn. Stat. § 299F.30. See [Minnesota Statutes, section § 121A.035](#).

***[Note: The State Fire Marshall advises schools to defer fire drills during the winter months.]***

6. A record of fire drills conducted at the building will be maintained in the building administrator's office.

***[Note: The Comprehensive School Safety Guide (2011 Edition), under the Preparedness/Planning section, has a sample fire drills schedule and log.]***

7. The school district will have prearranged sites for emergency sheltering and transportation as needed.
8. The school district will determine which staff will remain in the building to perform essential functions if safe to do so (e.g., switchboard, building engineer, etc.). The school district also will designate an administrator or his or her designee to meet local fire or law enforcement agents upon their arrival.

***[Note: The Comprehensive School Safety Guide (2011 Edition), under the Response section, has a sample fire procedure form, evacuation/relocation and student reunification/release procedures, and planning for student reunification.]***

C. Facility Diagrams and Site Plans

All school buildings will have a facility diagram and site plan that includes the location of primary and secondary evacuation routes, exits, designated safe areas inside and outside of the building, and the location of the fire alarm control panel,

fire alarms, fire extinguishers, hoses, water spigots, and utility shut offs. All facility diagrams and site plans will be updated regularly and whenever a major change is made to a building. Facility diagrams and site plans will be maintained by the building administrator and will be easily accessible and on file in the school district office. Facility diagrams and site plans will be provided to first responders, such as fire and law enforcement personnel.

*[Note: For single building school districts, such as charter schools, a secondary location for the diagrams and site plans will be included in the district's Crisis Management Policy and may include filing documents with a charger school sponsor, or compiling facility diagrams and site plans on a CD-Rom and distributing copies to first responders or sharing the documents with first responders during the crisis planning process.]*

*[Note: To the extent data contained in facility diagrams and site plans constitute security information pursuant to Minnesota Statutes, section § 13.37, school districts are advised to consult with appropriate officials and/or legal counsel prior to dissemination of the facility diagrams or site plans to anyone other than first responders.]*

D. Emergency Telephone Numbers

Each building will maintain a current list of emergency telephone numbers and the names and addresses of local, county, and state personnel who may be involved in a crisis situation. The list will include telephone numbers for local police, fire, ambulance, hospital, the Poison Control Center, county and state emergency management agencies, local public works departments, local utility companies, the public health nurse, mental health/suicide hotlines, and the county welfare agency. A copy of this list will be kept on file in the school district office, or at a secondary location for single building school districts, and will be updated annually.

School district employees will receive training on how to make emergency contacts, including 911 calls, when the school district's main telephone number and location is electronically conveyed to emergency personnel instead of the specific building in need of emergency services.

School district plans will set forth a process to internally communicate an emergency, using telephones in classrooms, intercom systems, or two-way radios, as well as the procedure to enable the staff to rapidly convey emergency information to a building designee. Each plan will identify a primary and secondary method of communication for both internal and secondary use. It is recommended that the plan include several methods of communication because computers, intercoms, telephones, and cell phones may not be operational or may be dangerous to use during an emergency.

***[Note: The Comprehensive School Safety Guide (2011 Edition), under the Preparedness/Planning section, has a sample Emergency Phone Numbers list.]***

E. Warning and Notification System

The school district shall maintain a warning system designed to inform students, staff, and visitors of a crisis or emergency. This system shall be maintained on a regular basis under the maintenance plan for all school buildings. The school district should consider an alternate notification system to address the needs of staff and students with special needs, such as vision or hearing.

The building administrator shall be responsible for informing students and employees of the warning system and the means by which the system is used to identify a specific crisis or emergency situation. Each school's building-specific crisis management plan will include the method and frequency of dissemination of the warning system information to students and employees.

F. Early School Closure Procedures

The superintendent will make decision about closing school or buildings as early in the day as possible. The early school closure procedures will set forth the criteria for early school closure (e.g., weather-related, utility failure, or a crisis situation), will specify how closure decisions will be communicated to staff, students, families, and the school community (designated broadcast media, local authorities, e-mail, or district or school building web sites), and will discuss the factors to be considered in closing and reopening a school or building.

Early school closure procedures also will include a reminder to parents and guardians to listen to designated local radio and TV stations for school closing announcements, where possible.

***[Note: The Comprehensive School Safety Guide (2011 Edition), under the Response section, provides universal procedures for severe weather shelter.]***

G. Media Procedures

The superintendent has the authority and discretion to notify parents or guardians and the school community in the event of a crisis or early school closure. The superintendent will designate a spokesperson who will notify the media in the event of a crisis or early school closure. The spokesperson shall receive training to ensure that the district is in strict compliance with federal and state law relative to the release of private data when conveying information to the media.

***[Note: The Comprehensive School Safety Guide (2011 Edition), under the***

*Response section, has a sample Media Procedures form.]*

H. Behavioral Health Crisis Intervention Procedures

Short-term behavioral health crisis intervention procedures will set forth the procedure for initiating behavioral health crisis intervention plans. The procedures will utilize available resources including the school psychologist, counselor, community behavioral health crisis intervention, or others in the community. Counseling procedures will be used whenever the superintendent or the building administrator determines it to be necessary, such as after an assault, a hostage situation, shooting, or suicide. The behavioral health crisis intervention procedures shall include the following steps:

1. Administrator will meet with relevant persons, including school psychologists and counselors, to determine the level of intervention needed for students and staff.
2. Designate specific rooms as private counseling areas.
3. Escort siblings and close friends of any victims as well as others in need of emotional support to the counseling areas.
4. Prohibit media from interviewing or questioning students or staff.
5. Provide follow-up services to students and staff who receive counseling.
6. Resume normal school routines as soon as possible.

I. Long-Term Recovery Intervention Procedures

Long-term recovery intervention procedures may involve both short-term and long-term recovery planning:

1. Physical/structural recovery.
2. Fiscal recovery.
3. Academic recovery.
4. Social/emotional recovery.

*[Note: The Comprehensive School Safety Guide (2011 Edition), under the Recovery section, addresses the recovery components in more detail.]*

#### **IV. SAMPLE PROCEDURES INCLUDED IN THIS POLICY**

Sample procedures for the various hazards/emergencies listed below are attached to this Policy for use when drafting specific crisis management plans. Additional sample procedures may be found in the Response section of the Comprehensive School Safety Guide (2011 Edition). After approval by the school board, an adopted procedure will become an addendum to the Crisis Management Policy.

- A. Fire
- B. Hazardous Materials
- C. Severe Weather: Tornado/Severe Thunderstorm/Flooding
- D. Medical Emergency
- E. Fight/Disturbance
- F. Assault
- G. Intruder
- H. Weapons
- I. Shooting
- J. Hostage
- K. Bomb Threat
- L. Chemical or Biological Threat
- M. Checklist for Telephone Threats
- N. Demonstration
- O. Suicide
- P. Lock-down Procedures
- Q. Shelter-In-Place Procedures
- R. Evacuation/Relocation

- S. Media Procedures
- T. Post-Crisis Procedures
- U. School Emergency Response Team
- V. Emergency Phone Numbers
- W. Highly Contagious Serious Illness or Pandemic Flu

## V. MISCELLANEOUS PROCEDURES

### A. Chemical Accidents

Procedures for reporting chemical accidents shall be posted at key locations such as chemistry labs, art rooms, swimming pool areas, and janitorial closets.

*[Note: School buildings must maintain Material Safety Data Sheets (M.S.D.S.) for all chemicals on campus. State law, federal law, and OSHA require that pertinent staff have access to M.S.D.S. in the event of a chemical accident.]*

### B. Visitor

The school district shall implement procedures mandating visitor sign in and visitors in school buildings. See MSBA/MASA Policy 903 (Visitors to School District Buildings and Sites).

The school district shall implement procedures to minimize outside entry into school buildings except at designated check-in points and assure that all doors are locked prior to and after regular building hours.

### C. Student Victims of Criminal Offenses at or on School Property

The school district shall establish procedures allowing student victims of criminal offenses on school property the opportunity to transfer to another school within the school district.

*[Note: The Every Student Succeeds Act, 20 United States Code section U.S.C. § 6301, et seq.; Title IX, 20 United States Code section U.S.C. § 1681, et seq.; and the Unsafe School Choice Option, 20 United States Code section U.S.C. § 7912, require school districts to establish such transfer procedures.]*

D. Radiological Emergencies at Nuclear Generating Plants [OPTIONAL]

School districts within a 10-mile radius of the Monticello or Prairie Island nuclear power plants will implement crisis plans in the event of an accident or incident at the power plant.

Questions relative to the creation or implementation of such plans will be directed to the Minnesota Department of Public Safety.

**Legal References:** Minn. Stat. Ch. 12 (Emergency Management)  
Minn. Stat. Ch. 12A (Natural Disaster; State Assistance)  
Minn. Stat. § 121A.035 (Crisis Management Policy)  
Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)  
Minn. Stat. § 299F.30 (Fire Drill in School; Doors and Exits)  
Minn. Stat. §326B.002, Subd. 6 (Powers)  
Minn. Stat. § 326B.106 (General Powers of Commissioner of Labor and Industry)  
Minn. Stat. § 609.605, Subd. 4 (Trespasses on School Property)  
Minn. Rules Ch. 7511 (Fire CodeSafety)  
20 U.S.C. § 1681, *et seq.* (Title IX)  
20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)  
20 U.S.C. § 7912 (Unsafe School Choice Option)  
42 U.S.C. § 5121 *et seq.* (Disaster Relief and Emergency Assistance)

**Cross References:** MSBA/MASA Model Policy 407 (Employee Right to Know - Exposure to Hazardous Substances)  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 501 (School Weapons Policy)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 532 (Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds)  
MSBA/MASA Model Policy 903 (Visitors to the School District Buildings and Sites)  
[Comprehensive School Safety Guide](https://dps.mn.gov/divisions/hsem/mn-school-safety-center/Documents/Comprehensive%20School%20Safety%20Guide.pdf)  
<https://dps.mn.gov/divisions/sfm/documents/2011comprehensiveschoolsafetyguide.pdf>

Date Adopted: 01/10/94	File Number: Detroit Lakes Policy - 518
Date Revised: 8/11/03	

## **518 - DO NOT RESUSCITATE/DO NOT INTUBATE (DNR/DNI) ORDERS**

### **I. PURPOSE**

The school district recognizes that it is serving students with complex health needs. The school district also recognizes that school district staff may be confronted with requests to withhold emergency care of a student in the event of a life threatening situation at school or school activities or be presented with Do Not Resuscitate/Do Not Intubate (DNR-DNI) orders. The purpose of this policy is to provide guidance to school district staff and parents or guardians in these situations.

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

- A. The primary mission of the school district is education. DNR-DNI Orders are medical documents. School district staff will not accept or honor requests to withhold emergency care or DNR-DNI orders. The school district will not convey such orders to emergency medical personnel.
- B. School district staff will provide reasonable emergency care and assistance when a student is undergoing a medical emergency during school or school activities.
- C. School district staff will activate emergency medical services (911) as soon as possible when a student is undergoing a medical emergency during school or school activities.
- D. The parent/guardian will be notified of the emergency as soon as possible.
- E. Notwithstanding this school district policy, IEP and Section 504 teams must develop individualized medical emergency care plans for students when appropriate in accordance with state and federal law.
- F. Parents/guardians who request that emergency care be withheld for their child or who present DNR-DNI Orders, shall be advised of and shall be given a copy of this policy.

**Legal References:** 29 U.S.C. § 794 *et seq.* (§ 504 Rehabilitation Act of 1973)  
42 USCA §§ 12101-12213 (Americans with Disabilities Act)

**Cross References:**

Date Adopted: 01/12/98	File Number:
Date Revised: 8/11/03 <u>10/24/22</u>	Detroit Lakes Policy - 519

## **519 - INTERVIEWS OF STUDENTS BY OUTSIDE AGENCIES**

### **I. PURPOSE**

There are occasions in which persons other than school district officials and employees find it necessary to speak with a student during the school day. Student safety and disruption of the educational program is of concern to the school district. The purpose of this policy is to establish the procedures for access to students by authorized individuals during the school day.

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

- A. Generally, students may not be interviewed during the school day by persons other than a student's parents, school district officials, employees and/or agents, except as otherwise provided by law and/or this policy.
- B. Requests from law enforcement officers and those other than a student's parents, school district officials, employees and/or agents to interview students shall be made through the principal's office. Upon receiving a request, it shall be the responsibility of the principal to determine whether the request will be granted. Prior to granting a request, the principal shall attempt to contact the student's parents to inform them of the request, except where otherwise prohibited by law.

### **III. INTERVIEWS CONDUCTED UNDER THE MALTREATMENT OF MINORS ACT**

- A. In the case of an investigation pursuant to the Reporting of Maltreatment of Minors Act, Minnesota Statutes Chapter 260E, § 626.556, Subd. 10, a local welfare agency, the agency responsible for investigating the report and a local law enforcement agency may interview, without parental consent, an alleged victim and any minors who currently reside with or who have resided with the alleged perpetrator. The interview may take place at school and during school hours. School district officials will work with the local welfare agency, the agency responsible for investigating the report or law enforcement agency to select a place appropriate for the interview. The interview may take place outside the presence of the perpetrator or parent, legal custodian, guardian, or school district official.
- B. If the interview took place or is to take place on school district property, an order of the juvenile court pursuant to Minnesota Statutes Chapter 260E, § 626.556, Subd. 10 ~~(e)~~ may specify that school district officials may not disclose to the parent, legal

custodian, or guardian the contents of the notification of intent to interview the child on school district property and/or any other related information regarding the interview that may be a part of the child's record. The school district official must receive a copy of the order from the local welfare or law enforcement agency.

- C. When the local welfare agency, local law enforcement agency, or agency responsible for investigating a report of maltreatment determines that an interview should take place on school district property, school district officials must receive written notification of intent to interview the child on school district property prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school district property. Where the interviews are conducted by the local welfare agency, the notification must be signed by the chair of the local social services agency or the chair's designee. The notification is private educational data on the student. School district officials may not disclose to the parent, legal custodian or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded, unless a school employee or agent is alleged to have maltreated the child. Until school district officials receive said notification, all inquiries regarding the nature of the investigation or assessment should be directed to the local welfare or law enforcement agency or the agency responsible for assessing or investigating a report of maltreatment shall be solely responsible for any disclosures regarding the nature of the assessment or investigation.
- D. School district officials shall have discretion to reasonably schedule the time, place, and manner of an interview by a local welfare or local law enforcement agency on school district premises. However, where the alleged perpetrator is believed to be a school district official or employee, the local welfare or local law enforcement agency will have discretion to determine where the interview will be held. The interview must be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school district officials and the local welfare or law enforcement agency. However, school district officials must yield to the discretion of the local welfare or law enforcement agency concerning other persons in attendance at the interview. School district officials will make every effort to reduce the disruption to the educational program of the child, other students, or school staff when an interview is conducted on school district premises.
- E. Students shall not be taken from school district property without the consent of the principal and without proper warrant.

**Legal References:** Minn. Stat. § 13.32 (Educational Data)  
Minn. Stat. ~~§ 626.556, Subd. 10(e) and (d) (Duties of Local Welfare Agency and Local Law enforcement agency upon receipt of a report)~~ Ch. 260E (Reporting of Maltreatment of Minors)

**Cross References:** MSBA/MASA Model Policy 103 (Complaints - Students, Employees, Parents, Other Persons)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

Date Adopted: 01/12/98	File Number:
Date Revised: 4/13/04, 09/14/2009, <u>10.24.22</u>	Detroit Lakes Policy - 520

## **520 - STUDENT SURVEYS**

### **I. PURPOSE**

Occasionally the school district utilizes surveys to obtain student opinions and information about students. The purpose of this policy is to establish the parameters of information that may be sought in student surveys.

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

Student surveys may be conducted as determined necessary by the school district. Surveys, analyses and evaluations conducted as part of any program funded through the U.S. Department of Education must comply with 20 United States Code section U.S.C. § 1232h.

### **III. STUDENT SURVEYS IN GENERAL**

- A. Student surveys will be conducted anonymously and in an indiscernible fashion. No mechanism will be used for identifying the participating student in any way. No attempt will be made in any way to identify a student survey participant. There will be no requirement that the student return the survey, and no record of the student returning a survey will be maintained.
- B. The superintendent may choose not to approve any survey that seeks probing personal and/or sensitive information that could result in identifying the survey participant, or is discriminatory in nature based on age, race, color, sex, disability, religion or national origin.
- C. Surveys containing questions pertaining to the student's or the student's parent(s) or guardian(s) personal beliefs or practices in sex, family life, morality and religion will not be administered to any student unless the parent or guardian of the student is notified in writing that such survey is to be administered and the parent or guardian of the student gives written permission for the student to participate or the opportunity to opt out of the survey depending upon how the survey is funded. Any and all documents containing the written permission of a parent for a student to participate in a survey will be maintained by the school district in a file separate from the survey responses.

- D. Although the survey is conducted anonymously, potential exists for personally identifiable information to be provided in response thereto. To the extent that personally identifiable information of a student is contained in his or her responses to a survey, the school district will take appropriate steps to ensure the data is protected in accordance with ~~Minnesota Statutes Chapter~~ 13 (Minnesota Government Data Practices Act), 20 ~~United States Code Section U.S.C. §~~ 1232g (Family Educational Rights and Privacy Act) and 34 ~~Code of Federal Regulations C.F.R.~~ Part 99.

#### **IV. STUDENT SURVEYS CONDUCTED AS PART OF DEPARTMENT OF EDUCATION PROGRAM**

- A. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be available for inspection by the parents or guardians of the students.
- B. No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent, to submit to a survey that reveals information concerning:
1. political affiliations or beliefs of the student or the student's parent;
  2. mental and psychological problems of the student or the student's family;
  3. sex behavior or attitudes;
  4. illegal, antisocial, self-incriminating 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;
  7. religious practices, affiliations, or beliefs of the student or the student's parent; or
  8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
- C. A school district that receives funds under any program funded by the U.S. Department of Education shall develop local policies consistent with Sections IV.A. and IV.B., above,

concerning student privacy, parental access to information, and administration of certain physical examinations to minors.

1. The following policies are to be adopted in consultation with parents:

- a. The right of a parent to inspect, on request, a survey, including an evaluation, created by a third party before the survey is administered or distributed by a school to a student, including procedures for granting a parent's request for reasonable access to such survey within a reasonable period of time after the request is received.

"Parent" means a legal guardian or other person acting *in loco parentis* (in place of a parent), such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child.

- b. Arrangements to protect student privacy in the event of the administration or distribution of a survey, including an evaluation, to a student which contains one or more of the items listed in Section IV.B., above, including the right of a parent of a student to inspect, on request, any such survey.
- c. The right of a parent of a student to inspect, on request, any instructional material used as part of the educational curriculum for the student and procedures for granting a request by a parent for such access within a reasonable period of time after the request is received.

"Instructional material" means instructional content that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (i.e., materials accessible through the Internet). The term does not include academic tests or academic assessments.

- d. The administration of physical examinations or screenings that the school district may administer to a student. This provision does not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (20 [United States Code section U.S.C. § 1400 et. seq.](#)).

- e. The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing the information to others for that purpose), including arrangements to protect student privacy that are provided by the school district in the event of such collection, disclosure, or use.

(1) "Personal information" means individually identifiable information including a student's or parent's first and last name; a home or other physical address (including street name and the name of the city or town); a telephone number; or a Social Security identification number.

(2) This provision does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose

of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as:

- (a) college or other postsecondary education recruitment or military;
  - (b) book clubs, magazines, and programs providing access to low cost literary products;
  - (c) curriculum and instructional materials used by elementary and secondary schools;
  - (d) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students, or to generate other statistically useful data for the purpose of securing such tests and assessments and the subsequent analysis and public release of the aggregate data from such tests and assessments;
  - (e) the sale by students of products or services to raise funds for school-related or education-related activities; and
  - (f) student recognition programs.
- (3) The right of a parent to inspect, on request, any instrument used in the collection of information, as described in Section IV.C.1., Subparagraph e., above, before the instrument is administered or distributed to a student and procedures for granting a request by a parent for reasonable access to such an instrument within a reasonable period of time after the request is received.
2. The policies adopted under Section IV.C., Subparagraph 1., above, shall provide for reasonable notice of the adoption or continued use of such policies directly to parents of students enrolled in or served by the school district.
- a. The notice will be provided at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in a policy.
  - b. The notice will provide parents with an opportunity to opt out of participation in the following activities:
    - (1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.
    - (2) The administration of any third-party survey (non-Department of Education funded) containing one or more of the items contained in Section IV.B., above.

- (3) Any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school and scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or other students.

“Invasive physical examination” means any medical examination that involves the exposure of private body parts, or act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

- c. The notice will advise students of the specific or approximate dates during the school year when the activities in Section IV.C.2., Subparagraph b., above, are scheduled, or expected to be scheduled.
- d. The notice provisions shall not be construed to preempt applicable provisions of state law that require parental notification and do not apply to any physical examination or screening that is permitted or required by applicable state law, including physical examinations or screenings that are permitted without parental notification.

D. The school district shall give parents and students notice of their rights under this section.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
20 U.S.C. 1232g (Family Educational Rights and Privacy Act)  
20 U.S.C. 1232h (Protection of Pupil Rights)  
34 C.F.R. Part 99 (Family Educational Rights and Privacy Act Regulations)  
Gonzaga University v. Doe, 536 U.S. 273, ~~122 S.Ct. 2268, 153 L. Ed. 2d 309~~ (2002)

**Cross References:** MSBA/MASA Model Policy 515 (Protection and Privacy of Student Records)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 ([Title IX Sex Nondiscrimination, Grievance Procedure and Process](#)~~Student Sex Nondiscrimination~~)

Date Adopted: 01/12/98	File Number: Detroit Lakes Policy - 522
Date Revised: 02/09/04; 03/10/2014; 10/19/2020, <u>10/24/22</u>	

## 522 – TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

*[Note: On May 6, 2020, the U.S. Department of Education, Office for Civil Rights (OCR), released the long-awaited final rule amending Title IX regulations at 34 ~~Code of Federal Regulations~~ Part 106. These regulations, which ~~went~~ into effect on August 14, 2020, are the first Title IX regulations applicable to sexual harassment and are applicable to complaints by both school district students and employees. The extensive regulations will require districts to revise their policies and procedures with respect to sexual harassment and ensure that administration and staff are trained on the new requirements.*

*The final rule requires school districts to provide notice of its nondiscrimination policy and grievance procedures, including how to file or report sexual harassment and how the school district will respond to the following groups: applicants for admission and employment; students; parents or legal guardians; and unions or professional organizations holding agreements with the school district. 34 ~~Code of Federal Regulations~~ section 106.8(b). The provisions of this policy generally conform to the requirements of the new regulations.]*

### I. GENERAL STATEMENT OF POLICY

- A. The school district does not discriminate on the basis of sex, sexual orientation, and gender identity in its education programs or activities, and it is required by Title IX of Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The school district is committed to maintaining an education and work environment that is free from discrimination based on sex sexual orientation, and gender identity, including sexual harassment.
- B. The school district prohibits sexual harassment that occurs within its education programs and activities. When the school district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.
- C. This policy applies to sexual harassment that occurs within the school district's education programs and activities and that is committed by a school district employee, student, or other members of the school community. This policy does

not apply to sexual harassment that occurs off school grounds, in a private setting, and outside the scope of the school district's education programs and activities. This policy does not apply to sexual harassment that occurs outside the geographic boundaries of the United States, even if the sexual harassment occurs in the school district's education programs or activities.

- D. Any student, parent or guardian having questions regarding the application of Title IX and its regulations and /or this policy and grievance process should discuss them with the Title IX coordinator. The school district's Title IX Coordinator is ~~Kylie Johnson~~~~Nancy Olson~~, Human Resources Director, 218-847-9271, 702 Lake Avenue, Detroit Lakes, MN 56501, ~~kyliejohnsonnelson~~@detlakes.k12.mn.us

Questions relating solely to Title IX and its regulations may be referred to Title IX Coordinator(s), the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

- E. The effective date of this policy is August 14, 2020, and applies to alleged violations of this policy occurring on or after August 14, 2020.

## II. DEFINITIONS

- A. "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to the school district's Title IX Coordinator or to any employee of the school district. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the school district with actual knowledge is the respondent.
- B. "Complainant" means a person who is alleged to be the victim of conduct that could constitute sexual harassment under Title IX. A Title IX Coordinator who signs a formal complaint is not a complainant unless the Title IX Coordinator is alleged to be the victim of the conduct described in the formal complaint.
- C. "Days" or "days" means, unless expressly stated otherwise, business days (i.e. day(s) that the school district office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).
- D. "Deliberately indifferent" means clearly unreasonable in light of the known circumstances. The school district is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.
- E. "Education program or activity" means locations, events, or circumstances for which the school district exercises substantial control over both the respondent and the context in which the sexual harassment occurs and includes school district education programs or activities that occur on or off of school district property.

- F. “Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school district investigate the allegation of sexual harassment.
1. A formal complaint filed by a complainant must be a physical document or an electronic submission. The formal complaint must contain the complainant’s physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint, and must be submitted to the Title IX Coordinator in person, by mail, or by email.
  2. A formal complaint shall state that, at the time of filing the formal complaint, the complainant was participating in, or attempting to participate in, an education program or activity of the school district with which the formal complaint is filed.
- G. “Informal resolution” means options for resolving a formal complaint that do not involve a full investigation and adjudication. Informal resolution may encompass a broad range of conflict resolution strategies, including mediation or restorative justice.
- H. “Relevant questions” and “relevant evidence” are questions, documents, statements, or information that are related to the allegations raised in a formal complaint. Relevant evidence includes evidence that is both inculpatory and exculpatory. Questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.
- I. “Remedies” means actions designed to restore or preserve the complainant’s equal access to education after a respondent is found responsible. Remedies may include the same individualized services that constitute supportive measures, but need not be non-punitive or non-disciplinary, nor must they avoid burdening the respondent.
- J. “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment under Title IX.
- K. “Sexual harassment” means any of three types of misconduct on the basis of sex, sexual orientation, and gender identity—that occurs in a school district education program or activity and is committed against a person in the United States.

1. *Quid pro quo* harassment by a school district employee (conditioning the provision of an aid, benefit, or service of the school district on an individual's participation in unwelcome sexual conduct);
2. Unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; or
3. Any instance of sexual assault (as defined in the Clery Act, 20 [United States Code sections U.S.C. §-1092\(f\)\(6\)A\(v\)](#)), dating violence, domestic violence, or stalking (as defined in the Violence Against Women Act, 34 [U.S.C. §United States Code section 12291](#)).

L. "Supportive measures" means individualized services provided to the complainant or respondent without fee or charge that are reasonably available, non-punitive, non-disciplinary, not unreasonably burdensome to the other party, and designed to ensure equal educational access, protect safety, and deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, alternative educational services as defined under ~~Minnesota Statutes~~ [section § 121A.41](#), as amended, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the school district buildings or property, and other similar measures.

M. "Title IX Personnel" means any person who addresses, works on, or assists with the school district's response to a report of sexual harassment or formal complaint, and includes persons who facilitate information resolutions. The following are considered Title IX Personnel:

1. "Title IX Coordinator" means an employee of the school district that coordinates the school district's efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator is responsible for acting as the primary contact for the parties and ensuring that the parties are provided with all notices, evidence, reports, and written determinations to which they are entitled under this policy and grievance process. The Title IX Coordinator is also responsible for effective implementation of any supportive measures or remedies. The Title IX Coordinator must be free from conflicts of interest and bias when administrating the grievance process.
2. "Investigator" means a person who investigates a formal complaint. The investigator of a formal complaint may not be the same person as the Decision-maker or the Appellate Decision-maker. The Investigator may be a school district employee, school district official, or a third party designated by the school district.
3. "Decision-maker" means a person who makes a determination regarding responsibility after the investigation has concluded. The Decision-maker

cannot be the same person as the Title IX Coordinator, the Investigator, or the Appellate Decision-maker.

4. “Appellate Decision-maker” means a person who considers and decides appeals of determinations regarding responsibility and dismissals of formal complaints. The Appellate Decision-maker cannot be the same person as the Title IX Coordinator, Investigator, or Decision-maker. The Appellate Decision-maker may be a school district employee, or a third party designated by the school district.
5. The superintendent of the school district may delegate functions assigned to a specific school district employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes, to any suitably qualified individual and such delegation may be rescinded by the superintendent at any time. The school district may also, in its discretion, appoint suitably qualified persons who are not school district employees to fulfill any function under this policy, including, but not limited to, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes.

*[Note: It is recommended that school districts designate a primary Title IX Coordinator and at least one alternate Title IX Coordinator so that the alternate can undertake Title IX Coordinator responsibilities in the event the primary Title IX Coordinator is a party to a complaint, or is otherwise not qualified under this policy to serve in that role in a particular case.]*

## II. BASIC REQUIREMENTS FOR GRIEVANCE PROCESS

### A. Equitable Treatment

1. The school district shall treat complainants and respondents equitably. However, equality or parity with respect to supportive measures provided to complainants and respondents is not required.
2. The school district will not impose any disciplinary sanctions or take any other actions against a respondent that do not constitute supportive measures until it has completed this grievance process and the respondent has been found responsible.
3. The school district will provide appropriate remedies to the complainant any time a respondent is found responsible.

### B. Objective and Unbiased Evaluation of Complaints

1. Title IX Personnel, including the Title IX Coordinator, Investigator, Decision-maker, and Appellate Decision-maker, shall be free from conflicts of interest or bias for or against complainants or respondents generally or a specific complainant or respondent.
  2. Throughout the grievance process, Title IX Personnel will objectively evaluate all relevant evidence, inculpatory and exculpatory, and shall avoid credibility determinations based solely on a person's status as a complainant, respondent, or witness.
- C. Title IX Personnel will presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
- D. Confidentiality

The school district will keep confidential the identity of any individual who has made a report or complaint of sex, sexual orientation, and gender identity discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex, sexual orientation, and gender identity discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § United States Code section 1232g, ~~or~~ FERPA's regulations, 34 Code of Federal Regulations part 99 Minnesota and State law under Minnesota Statutes ~~section~~ § 13.32, 34 C.F.R. Part 99, or as required by law, or to carry out the purposes of 34 Code of Federal Regulations C.F.R. pPart 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the school district's obligation to maintain confidentiality shall not impair or otherwise affect the complainants and respondents receipt of the information to which they are entitled with respect to the investigative record and determination of responsibility).

- E. Right to an Advisor; Right to a Support Person

Complaints and respondents have the right, at their own expense, to be assisted by an advisor of their choice during all stages of any grievance proceeding, including all meetings and investigative interviews. The advisor may be, but is not required to be, an attorney. In general, an advisor is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate directly in any other manner during any phase of the grievance process.

A complainant or respondent with a disability may be assisted by a support person throughout the grievance process, including all meetings and investigative interviews, if such accommodation is necessary. A support person may be a

friend, family member, or any individual who is not otherwise a potential witness. The support person is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.

F. Notice

The school district will send written notice of any investigative interviews or meetings to any party whose participation is invited or expected. The written notice will include the date, time, location, participants, and purpose of the meeting or interview, and will be provided to allow sufficient time for the party to prepare to participate.

G. Consolidation

The school district may, in its discretion, consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

H. Evidence

1. During the grievance process, the school district will not require, allow, rely upon, or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
2. The school district shall not access, consider, disclose, or otherwise use a party's medical, psychological, and similar treatment records unless the school district obtains the party's voluntary, written consent.

I. Burden of Proof

1. The burden of gathering evidence and the burden of proof shall remain upon the school district and not upon the parties.
2. The grievance process shall use a preponderance of the evidence standard (i.e. whether it is more likely than not that the respondent engaged in sexual harassment) for all formal complaints of sexual harassment, including when school district employees are respondents.

J. Timelines

*[Note: The Title IX regulations require reasonably prompt timeframes for conclusion of the grievance process, but do not specify any particular timeframes. The time periods below are suggested. School districts may establish their own district-specific timeline, although it is recommended that legal counsel be consulted before adjusting time periods.]*

1. Any informal resolution process must be completed within thirty (30) calendar days following the parties' agreement to participate in such informal process.
2. An appeal of a determination of responsibility or of a decision dismissing a formal complaint must be received by the school district within five (5) days of the date the determination of responsibility or dismissal was provided to the parties.
3. Any appeal of a determination of responsibility or of a dismissal will be decided within thirty (30) calendar days of the day the appeal was received by the School District.
4. The school district will seek to conclude the grievance process, including any appeal, within 120 calendar days of the date the formal complaint was received by the School District.
5. Although the school district strives to adhere to the timelines described above, in each case, the school district may extend the time frames for good cause. Good cause may include, without limitation: the complexity of the allegations; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other evidence (e.g., forensic evidence) involved; the availability of the parties, advisors, witnesses, and evidence (e.g., forensic evidence); concurrent law enforcement activity; intervening school district holidays, breaks, or other closures; the need for language assistance or accommodation of disabilities; and/or other unforeseen circumstances.

K. Potential Remedies and Disciplinary Sanctions

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

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

#### **IV. REPORTING PROHIBITED CONDUCT**

- A. Any student who believes they have been the victim of unlawful sex, sexual orientation, and gender identity discrimination or sexual harassment, or any person (including the parent of a student) with actual knowledge of conduct which may constitute unlawful sex, sexual orientation, and gender discrimination ~~discrimination~~ identity discrimination or sexual harassment toward a student should report the alleged act as soon as possible to the Title IX Coordinator.
- B. Any employee of the school district who has experienced, has actual knowledge of, or has witnessed unlawful sex, sexual orientation, and gender identity discrimination, including sexual harassment, or who otherwise becomes aware of unlawful sex, sexual orientation, and gender identity discrimination, including sexual harassment, must promptly report the allegations to the Title IX Coordinator without screening or investigating the report or allegations.
- C. A report of unlawful sex, sexual orientation, and gender identity discrimination or sexual harassment may be made at any time, including during non-business hours, and may be made in person, by mail, by telephone, or by e-mail using the Title IX Coordinator’s contact information. A report may also be made by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report.
- D. Sexual harassment may constitute both a violation of this policy and criminal law. To the extent the alleged conduct may constitute a crime, the School District may report the alleged conduct to law enforcement authorities. The school district encourages complainants to report criminal behavior to the police immediately.

#### **V. INITIAL RESPONSE AND ASSESSMENT BY THE TITLE IX COORDINATOR**

- A. When the Title IX Coordinator receives a report, the Title IX Coordinator shall promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant’s wishes with respect to

supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

- B. The school district will offer supportive measures to the complainant whether or not the complainant decides to make a formal complaint. The school district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the school district's ability to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.
- C. If the complainant does not wish to file a formal complaint, the allegations will not be investigated by the school district unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the complainant's wishes is not clearly unreasonable in light of the known circumstances.
- D. Upon receipt of a formal complaint, the school district must provide written notice of the formal complaint to the known parties with sufficient time to prepare a response before any initial interview. This written notice must contain:
  - 1. The allegations of sexual harassment, including sufficient details known at the time, the identities of the parties involved in the incident (if known), the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known;
  - 2. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
  - 3. A statement explaining that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
  - 4. A statement that the parties may inspect and review evidence gathered pursuant to this policy;
  - 5. A statement informing the parties of any code of conduct provision that prohibits knowingly making false statements or knowingly submitting false information; and
  - 6. A copy of this policy.

## **VI. STATUS OF RESPONDENT DURING PENDENCY OF FORMAL COMPLAINT**

- A. Emergency Removal of a Student

1. The school district may remove a student-respondent from an education program or activity of the school district on an emergency basis before a determination regarding responsibility is made if:
  - a. The school district undertakes an individualized safety and risk analysis;
  - b. The school district determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal of the student-respondent; and
  - c. The school district determines the student-respondent poses such a threat, it will so notify the student-respondent and the student-respondent will have an opportunity to challenge the decision immediately following the removal. In determining whether to impose emergency removal measures, the Title IX Coordinator shall consult related school district policies, including MSBA Model Policy 506 – Student Discipline. The school district must take into consideration applicable requirements of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973, prior to removing a special education student or Section 504 student on an emergency basis.

***[NOTE: The interrelationship between the Title IX regulations authorizing the emergency removal of student and the Minnesota Pupil Fair Dismissal Act (MPFDA) is unclear at this time. School districts should consult with legal counsel regarding the emergency removal of a student. At a minimum, it is recommended that school districts provide alternative educational services, as defined in the MPFDA, to any student so removed under the Title IX regulations.]***

B. Employee Administrative Leave

The school district may place a non-student employee on administrative leave during the pendency of the grievance process of a formal complaint. Such leave will typically be paid leave unless circumstances justify unpaid leave in compliance with legal requirements. The school district must take into consideration applicable requirements of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prior to removing an individual with a qualifying disability.

## VII. INFORMAL RESOLUTION OF A FORMAL COMPLAINT

- A. At any time prior to reaching a determination of responsibility, informal resolution may be offered and facilitated by the school district at the school district's discretion, but only after a formal complaint has been received by the school district.
- B. The school district may not require as a condition of enrollment or continued enrollment, or of employment or continued employment, or enjoyment of any other right, waiver of the right to a formal investigation and adjudication of formal complaints of sexual harassment.
- C. The informal resolution process may not be used to resolve allegations that a school district employee sexually harassed a student.
- D. The school district will not facilitate an informal resolution process without both parties' agreement, and will obtain their voluntary, written consent. The school district will provide to the parties a written notice disclosing all allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, the parties' right to withdraw from the informal resolution process, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
- E. At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

#### **VIII. DISSEMINATION OF A FORMAL COMPLAINT**

- A. Under federal law, the school district must dismiss a Title IX complaint, or a portion thereof, if the conduct alleged in a formal complaint or a portion thereof:
  - 1. Would not meet the definition of sexual harassment, even if proven;
  - 2. Did not occur in the school district's education program or activity; or
  - 3. Did not occur against a person in the United States.
- B. The school district may, in its discretion, dismiss a formal complaint or allegations therein if:
  - 1. The complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations therein;
  - 2. The respondent is no longer enrolled or employed by the school district; or

3. Specific circumstances prevent the school district from gathering sufficient evidence to reach a determination.
- C. The school district shall provide written notice to both parties of a dismissal. The notice must include the reasons for the dismissal.
- D. Dismissal of a formal complaint or a portion thereof does not preclude the school district from addressing the underlying conduct in any manner that the school district deems appropriate.

***[NOTE: For example, school districts are reminded of the obligation under Minnesota Statutes, section § 122A.20, subdivision 2, to make a mandatory report to PELSB concerning any teacher who resigns during the course of an investigation of misconduct.]***

## **IX. INVESTIGATION OF A FORMAL COMPLAINT**

- A. If a formal complaint is received by the school district, the school district will assign or designate an Investigator to investigate the allegations set forth in the formal complaint.
- B. If during the course of the investigation the school district decides to investigate any allegations about the complainant or respondent that were not included in the written notice of a formal complaint provided to the parties, the school district must provide notice of the additional allegations to the known parties.
- C. When a party's participation is invited or expected in an investigative interview, the Investigator will coordinate with the Title IX Coordinator to provide written notice to the party of the date, time, location, participants, and purposes of the investigative interview with sufficient time for the party to prepare.
- D. During the investigation, the Investigator must provide the parties with an equal opportunity to present witnesses for interviews, including fact witnesses and expert witnesses, and other inculpatory and exculpatory evidence.
- E. Prior to the completion of the investigative report, the Investigator, through the Title IX Coordinator, will provide the parties and their advisors (if any) with an equal opportunity to inspect and review any evidence directly related to the allegations. The evidence shall be provided in electronic format or hard copy and shall include all relevant evidence, evidence upon which the school district does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or another source. The parties will have ten (10) days to submit a written response, which the Investigator will consider prior to completion of the investigative report.

- F. The Investigator will prepare a written investigative report that fairly summarizes the relevant evidence. The investigative report may include credibility determinations that are not based on a person's status as a complainant, respondent or witness. The school district will send the parties and their advisors (if any) a copy of the report in electronic format or hard copy, for their review and written response at least ten (10) days prior to a determination of responsibility.

**X. DETERMINATION REGARDING RESPONSIBILITY**

*[NOTE: The Title IX regulations do not require school districts to conduct live hearings as part of the decision-making phase of the grievance process. Accordingly, this Policy does not include procedures for a live hearing. If a school district desires to create such procedures, legal counsel should be consulted.]*

- A. After the school district has sent the investigative report to both parties and before the school district has reached a determination regarding responsibility, the Decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness.
- B. The Decision-maker must provide the relevant questions submitted by the parties to the other parties or witnesses to whom the questions are offered, and then provide each party with the answers, and allow for additional, limited follow-up questions from each party.
- C. The Decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant.
- D. When the exchange of questions and answers has concluded, the Decision-maker must issue a written determination regarding responsibility that applies the preponderance of the evidence standard to the facts and circumstances of the formal complaint. The written determination of responsibility must include the following:
  - 1. Identification of the allegations potentially constituting sexual harassment;
  - 2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence.
  - 3. Findings of fact supporting the determination;
  - 4. Conclusions regarding the application of the school district's code of conduct to the facts;

5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the school district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the school district to the complainant; and
  6. The school district's procedures and permissible bases for the complainant and respondent to appeal and the date by which an appeal must be made.
- E. In determining appropriate disciplinary sanctions, the Decision-maker should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incident occurred.
  - F. The written determination of responsibility must be provided to the parties simultaneously.
  - G. The Title IX Coordinator is responsible for the effective implementation of any remedies.
  - H. The determination regarding responsibility becomes final either on the date that the school district provides the parties with the written determination of the results of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

## **XI. APPEALS**

- A. The school district shall offer the parties an opportunity to appeal a determination regarding responsibility or the school district's dismissal of a formal complaint or any allegations therein, on the following bases:
  1. A procedural irregularity that affected the outcome of the matter (e.g., a material deviation from established procedures);
  2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcomes of the matter; and
  3. The Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- B. If notice of an appeal is timely received by the school district, the school district will notify the parties in writing of the receipt of the appeal, assign or designate the Appellate Decision-maker, and give the parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

- C. After reviewing the parties' written statements, the Appellate Decision-maker must issue a written decision describing the result of the appeal and the rationale for the result.
- D. The written decision describing the result of the appeal must be provided simultaneously to the parties.
- E. The decision of the Appellate Decision-maker is final. No further review beyond the appeal is permitted.

## **XII. RETALIATION PROHIBITED**

- A. Neither the school district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex, sexual orientation, and gender identity discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex, sexual orientation, and gender identity discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitutes retaliation. Retaliation against a person for making a report of sexual harassment, filing a formal complaint, or participating in an investigation, constitutes a violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.
- B. Any person may submit a report or formal complaint alleging retaliation in the manner described in this policy and it will be addressed in the same manner as other complaints of sexual harassment or sex, sexual orientation, and gender identity discrimination.
- C. Charging an individual with violation of school district policies for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

## **XIII. TRAINING**

- A. The school district shall ensure that Title IX Personnel receive appropriate training. The training shall include instruction on:

1. The Title IX definition of sexual harassment;
  2. The scope of the school district's education program or activity;
  3. How to conduct an investigation and grievance process, appeals, and informal resolution processes, as applicable;
  4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
  5. For Decision-makers, training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's prior sexual behavior are not relevant; and
  6. For Investigators, training on issues of relevance, including the creation of an investigative report that fairly summarizes relevant evidence.
- B. The training materials will not rely on sex, sexual orientation, and gender identity stereotypes and must promote impartial investigations and adjudications of formal complaints.
- C. Materials used to train Title IX Personnel must be posted on the school district's website. If the school district does not have a website, it must make the training materials available for public inspection upon request.

#### **XIV. DISSEMINATION OF POLICY**

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

2. Notice that the school district does not discriminate on the basis of sex, sexual orientation, and gender identity in the education program or activity that it operates, and that it is required by Title IX not to discriminate in such a manner;
3. A statement that the requirement not to discriminate in the education program or activity extends to admission and employment, and that inquires about the application of Title IX may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the United States Department of Education, or both; and
4. Notice of the school district's grievance procedures and grievance process contained in this policy, including how to report or file a complaint of sex, sexual orientation, and gender identity discrimination, how to report or file a formal complaint of sexual harassment, and how the school district will respond.

## **XV. RECORDKEEPING**

*[NOTE: School districts should consider amending their respective retention schedules to reflect the recordkeeping requirements discussed below].*

- A. The school district must create, and maintain for a period of seven calendar years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the school district must document:
  1. The basis for the school district's conclusion that its response to the report of formal complaint was not deliberately indifferent;
  2. The measures the school district has taken that are designed to restore or preserve equal access to the school district's education program or activity; and
  3. If the school district does not provide a complainant with supportive measures, then it must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. Such a record must be maintained for a period of seven years.
  4. The documentation of certain bases or measures does not limit the recipient in the future from providing additional explanations or detailing additional measures taken.
- B. The school district must also maintain for a period of seven calendar years records of:

1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the recipient's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom; and
4. All materials used to train Title IX Personnel.

**Legal References:** Minn. Stat. §121A.04 (Athletic Programs; Sex Discrimination)  
Minn. Stat. §121A.40 – 121A.575 (Minnesota Pupil Fair Dismissal Act)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments ~~of 1972~~)  
34 C.F.R. Part 106 (Implementing Regulations of Title IX)  
20 U.S.C. § 1400, *et seq.* (Individuals with Disabilities Education ~~Improvement~~ Act ~~of 2004~~)  
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act ~~of 1973~~)  
42 U.S.C. § 12101, *et seq.* (Americans with Disabilities Act ~~of 1990, as amended~~)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act of 1974)  
20 U.S.C. § 1092 *et seq.* (Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (“Clery Act”))

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

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## 523 - POLICIES INCORPORATED BY REFERENCE

### PURPOSE

Certain policies as contained in this policy reference manual are applicable to students as well as to employees. ~~In order to~~To avoid undue duplication, the school district provides notice by this section of the application and incorporation by reference of the following policies which also apply to students:

- ~~Model Policy 102 — Equal Educational Opportunity~~
- ~~Model Policy 103 — Complaints Students, Employees, Parents, Other Persons~~
- ~~Model Policy 206 — Public Participation in School Board Meetings; Complaints About Persons at School Board Meetings and Data Privacy Considerations~~
- ~~Model Policy 211 — Criminal or Civil Action Against School District, School Board Member, Employee, or Student~~
- ~~Model Policy 305 — Policy Implementation~~
- Model Policy 413 Harassment and Violence
- Model Policy 417 Chemical Use/Abuse
- Model Policy 418 Drug-Free Workplace/Drug-Free School
- Model Policy 419 Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices)
- Model Policy 420 Students and Employees with Sexually Transmitted Infections and Diseases and Certain Other Communicable Diseases and Infectious Conditions
- Model Policy 511 Student Fundraising
- Model Policy 524 Internet Use Policy Development
- Model Policy 525 Violence Prevention
- ~~Model Policy 610 — Field Trips~~
- ~~Model Policy 613 — Graduation Requirements~~
- ~~Model Policy 614 — School District Testing Plan and Procedure~~
- ~~Model Policy 615 — Basic Standards Testing, Accommodations, Modifications, and Exemptions for IEP, Section 504 Accommodation and LEP Students~~
- ~~Model Policy 616 — School District System Accountability~~
- ~~Model Policy 707 — Transportation of Public School Students~~
- ~~Model Policy 708 — Transportation of Nonpublic School Students~~
- ~~Model Policy 709 — Transportation Safety Policy~~
- ~~Model Policy 710 — Extracurricular Transportation~~
- ~~Model Policy 711 — Videotaping on School Buses~~
- ~~Model Policy 801 — Equal Access to Facilities of Secondary Schools~~

Students are charged with notice that the above cited policies are also applicable to students; however, students are also on notice that the provisions of the various policies speak for themselves and may be applicable although not specifically listed above.

| *Legal References:*    None

| *Cross References:*    None

Date Adopted: 11/13/1995	File Number: Policy #524
Date Revised: 5/10/2004, 2/09/2009, 12/14/2009, 6/11/2012; 12/21/2020, <u>10/24/22</u>	

## **524 INTERNET ACCEPTABLE USE AND SAFETY POLICY**

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

### **I. PURPOSE**

The purpose of this policy is to set forth policies and guidelines for access to the school district computer system and acceptable and safe use of the Internet, including electronic communications.

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

In making decisions regarding student and employee access to the school district computer system and the Internet, including electronic communications, the school district considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the school district computer system and to the Internet enables students and employees to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The school district expects that faculty will blend thoughtful use of the school district computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

### **III. LIMITED EDUCATIONAL PURPOSE**

The school district is providing students and employees with access to the school district computer system, which includes Internet access. The purpose of the system is more specific than providing students and employees with general access to the Internet. The school district system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the school district and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network.

### **IV. USE OF SYSTEM IS A PRIVILEGE**

The use of the school district system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the school district system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school district policies, including suspension, expulsion, exclusion or termination of employment; or civil or criminal liability under other applicable laws.

### **V. UNACCEPTABLE USES**

A. The following uses of the school district system and Internet resources or accounts are considered unacceptable:

1. Users will not use the school district system to access, review, upload, download, store,

print, post, receive, transmit or distribute:

- a. pornographic, obscene or sexually explicit material or other visual depictions that are harmful to minors;
  - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
  - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
  - d. information or materials that could cause damage or danger of disruption to the educational process;
  - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
2. Users will not use the school district system to knowingly or recklessly post, transmit or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
  3. Users will not use the school district system to engage in any illegal act or violate any local, state or federal statute or law.
  4. Users will not use the school district system to vandalize, damage or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
  5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information or files without the implied or direct permission of that person.
  6. Users will not use the school district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.

***[Note: School districts should consider the impact of this paragraph on present practices and procedures, including, but not limited to, practices pertaining to employee communications, school or classroom websites, and student/employee use of social networking websites. Depending upon school district policies and practices, school districts may wish to add one or more of the following clarifying paragraphs.]***

- a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
- b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
  - (1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or
  - (2) such information is not classified by the school district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

In addition, prior to posting any personal contact or personally identifiable information on a school-related webpage, employees shall obtain written approval of the content of the postings from the building administrator.

- c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited to, social networks such as “Facebook,” “Twitter,” “Instagram,” “Snapchat,” and “Reddit,” and similar websites or applications.
- 7. Users must keep all account information and passwords on file with the designated school district official. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person’s account, or use computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities.
  - 8. Users will not use the school district system to violate copyright laws or usage licensing agreements, or otherwise to use another person’s property without the person’s prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.
  - 9. Users will not use the school district system for conducting business, for unauthorized commercial purposes or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district official.

10. Users will not use the school district system to engage in bullying or cyberbullying in violation of the school district's Bullying Prohibition Policy (MSBA/MASA Model Policy 514). This prohibition includes using any technology or other electronic communication off school premises to the extent that student learning or the school environment is substantially and materially disrupted.
- B. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations include, but are not limited to, situations where the school district system is compromised or if a school district employee or student is negatively impacted. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.
  - C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.

## VI. FILTER

*Note: Pursuant to state law, school districts are required to restrict access to inappropriate materials on school computers with Internet access. School districts which seek technology revenue pursuant to Minn. Stat. § 125B.26 or certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children's Internet Protection Act, effective in 2001. Those districts are required to comply with additional standards in restricting possible access to inappropriate materials, Therefore, school districts should select one of the following alternative sections depending upon whether the school district is seeking such funding and the type of funding sought.]*

### ALTERNATIVE NO. 2

*Technology revenue is available to school districts that meet the additional condition of also restricting adult access to inappropriate materials. School districts that seek such state technology revenue may adopt or retain the following language. However, the school district is not required to do so.*

- A. All school district computers with Internet access and available for student use will be equipped to restrict, by use of available software filtering technology or other effective methods, all student access to materials that are reasonably believed to be obscene, child pornography or harmful to minors under state or federal law.
- B. All school district computers with Internet access, not just those accessible and available to students, will be equipped to restrict, by use of available software filtering technology

or other effective methods, adult access to materials that are reasonably believed to be obscene or child pornography under state or federal law.

- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

*[Note: Although school districts are not required to adopt the more restrictive provisions contained in either Alternative No. 2 or No. 3 if they do not seek state or federal funding, they may choose to adopt the more restrictive provisions as a matter of school policy.]*

## **VII. CONSISTENCY WITH OTHER SCHOOL POLICIES**

Use of the school district computer system and use of the Internet shall be consistent with school district policies and the mission of the school district.

## **VIII. LIMITED EXPECTATION OF PRIVACY**

- A. By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school district system.
- B. Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.
- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.
- D. Parents have the right at any time to investigate or review the contents of their child's files and e-mail files. Parents have the right to request the termination of their child's individual account at any time.
- E. School district employees should be aware that the school district retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, school district employees should be aware that data and other materials in files maintained on the school district system may be subject to review, disclosure or discovery under Minn. Stat. Ch. 13 (the Minnesota Government Data Practices Act).
- F. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

## **IX. INTERNET USE AGREEMENT**

- A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents and employees of the school district.
- B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.
- C. The Internet Use Agreement form for students must be read and signed by the user and the parent or guardian. The Internet Use Agreement form for employees must be signed by the employee.

The form must then be filed at the school office.

## **X. LIMITATION ON SCHOOL DISTRICT LIABILITY**

Use of the school district system is at the user's own risk. The system is provided on an "as is, as available" basis. The school district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage or unavailability of data stored on school district diskettes, tapes, hard drives, or servers, or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. The school district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school district system. The school district will not be responsible for financial obligations arising through unauthorized use of the school district system or the Internet.

## **XI. USER NOTIFICATION**

- A. All users shall be notified of the school district policies relating to Internet use.
- B. This notification shall include the following:
  - 1. Notification that Internet use is subject to compliance with school district policies.
  - 2. Disclaimers limiting the school district's liability relative to:
    - a. Information stored on school district diskettes, hard drives, or servers.
    - b. Information retrieved through school district computers, networks, or online resources.
    - c. Personal property used to access school district computers, networks, or online resources.
    - d. Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.
  - 3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.
  - 4. Notification that, even though the school district may use technical means to limit student Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
  - 5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student or employee through the Internet is the sole responsibility of the student and/or the student's parents or employee.
  - 6. Notification that the collection, creation, reception, maintenance and dissemination of data via the Internet, including electronic communications, is governed by Policy 406, Public and Private Personnel Data, and Policy 515, Protection and Privacy of Pupil Records.
  - 7. Notification that, should the user violate the school district's acceptable use policy, the

user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.

8. Notification that all provisions of the acceptable use policy are subordinate to local, state and federal laws.

## **XII. PARENTS' AND/OR GUARDIANS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE**

- A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies and other possibly offensive media. Parents are responsible for monitoring their student's use of the school district system and of the Internet if the student is accessing the school district system from home or a remote location.
- B. Parents will be notified that their students will be using school district resources/accounts to access the Internet and that the school district will provide parents the option to request alternative activities not requiring Internet access. This notification should include:
  1. A copy of the user notification form provided to the student user.
  2. A description of parent/guardian responsibilities.
  3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and materials to exercise this option.
  4. A statement that the Internet Use Agreement must be signed by the user and the parent or guardian prior to use by the student.
  5. A statement that the school district's acceptable use policy is available for parental review.

## **XIII. NOTIFICATION REGARDING TECHNOLOGY PROVIDERS**

### **A. "Technology provider" means a person who:**

1. Contracts with the school district, as part of a one-to-one program or otherwise, to provide a school - issued device for student use; and
2. Creates, receives, or maintains educational data pursuant or incidental to a contract with the school district.

### **B. "Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.**

### **C. Within 30 days of the start of each school year, the school district must give parents and students direct and timely notice, by United States mail, e-mail, or other direct form of communications, of any curriculum, testing, or assessment technology provider contract affecting a student's educational data. The notice must:**

1. Identify each curriculum, testing, or assessment technology provider with access to educational data;
2. Identify the educational data affected by the curriculum, testing, or assessment technology provider contract; and
3. Include information about the contract inspection and provide contact information for a school

department to which a parent or student may direct questions or concerns regarding any program or activity that allows a curriculum, testing, or assessment technology provider to access a student's educational data.

D. The school district must provide parents and students an opportunity to inspect a complete copy of any contract with a technology provider.

E. A contract between a technology provider and the school district must include requirements to ensure appropriate security safeguards for educational data. The contract must require that:

1. The technology provider's employees or contractors have access to educational data only if authorized; and

2. The technology provider's employees or contractors may be authorized to access educational data only if access is necessary to fulfill the official duties of the employee or contractor.

F. All educational data created, received, maintained, or disseminated by a technology provider pursuant to or incidental to a contract with a public educational agency or institution are not the technology provider's property.

#### **XIV. SCHOOL-ISSUED DEVICES**

A. "School-issued devices" means hardware or software that the school district, acting independently or with a technology provider, provides to an individual student for that student's dedicated personal use. A school-issued device includes a device issued through a one-to-one program.

B. Except as provided in paragraph C, the school district or technology provider must not electronically access or monitor;

1. Any location-tracking feature of a school-issued device

2. Any audio or visual receiving, transmitting, or recording feature of a school-issued device; or

3. Student interactions with a school-issued device, including but not limited to keystrokes and web-browsing activity.

C. The school district or a technology provider may only engage in activities prohibited by paragraph B if:

1. The activity is limited to a noncommercial educational purpose for instruction, technical support, or exam-proctoring by school district employees, student teachers, staff contracted by the school district, a vendor, or the Minnesota Department of Education, and notice is provided in advance;

2. The activity is permitted under a judicial warrant;

3. The school district is notified or becomes aware that the device is missing or stolen;

4. The activity is necessary to respond to an imminent threat to life or safety and the access is limited to that purpose;

5. The activity is necessary to comply with federal or state law, including but not limited to Minnesota

Statutes section 121A.031; or

6. The activity is necessary to participate in federal or state funding programs, including but not limited to the E-Rate program.

D. If the school district or a technology provider interacts with a school-issued device as provided in paragraph C, clause 4, it must, within 72 hours of the access, notify the student whom the school-issued device was issued or that student's parent and provide a written description of the interaction, including which features of the device were accessed and a description of the threat. This notice is not required at any time when the notice itself would pose an imminent threat to life or safety, but must instead be given within 72 hours after that imminent threat has ceased.

## **XV. LIMIT ON SCREEN TIME FOR CHILDREN IN PRESCHOOL AND KINDERGARTEN**

A child in a publicly funded preschool or kindergarten program may not use an individual-use screen, such as a tablet, smartphone, or other digital media, without engagement from a teacher or other students. This section does not apply to a child for whom the school has an individualized family service plan, an individualized education program, or a 504 plan in effect.

## **XVIII. IMPLEMENTATION; POLICY REVIEW**

- A. The school district administration may develop appropriate user notification forms, guidelines and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines, forms and procedures shall be an addendum to this policy.
- B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.
- C. The school district Internet policies and procedures are available for review by all parents, guardians, staff and members of the community.
- D. Because of the rapid changes in the development of the Internet, the school board shall conduct periodic reviews of this policy.

**Legal References:** 15 U.S.C. § 6501 *et seq.* (Children's Online Privacy Protection Act)  
17 U.S.C. § 101 *et seq.* (Copyrights)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))  
47 C.F.R. § 54.520 (FCC rules implementing CIPA)  
Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 13.32 (Educational Data)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. § 124D.166 (Limit on Screen Time for Children in Preschool and Kindergarten)  
Minn. Stat. § 125B.15 (Internet Access for Students)  
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)  
*Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)  
*United States v. Amer. Library Assoc.*, 539 U.S. 194, 123 S.Ct. 2297, 56 L.Ed.2d 221

(2003)  
*Doninger v. Niehoff*, 527 F.3d 41 (2<sup>nd</sup> Cir. 2008)  
*R.S. v. Minnewaska Area Sch. Dist. No. 2149*, No. 12-588, 2012 WL 3870868 (D. Minn. 2012)  
*Tatro v. Univ. of Minnesota*, 800 N.W.2d 811 (Minn. App. 2011), aff'd on other grounds 816 N.W.2d 509 (Minn. 2012)  
*S.J.W. v. Lee's Summit R-7 Sch. Dist.*, 696 F.3d 771 (8<sup>th</sup> Cir. 2012)  
*Kowalski v. Berkeley County Sch.*, 652 F.3d 565 (4<sup>th</sup> Cir. 2011)  
*Layshock v. Hermitage Sch. Dist.*, 650 F.3d 205 (3<sup>rd</sup> Cir. 2011))  
*Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist.*, 853 F.Supp.2d 888 (W.D. Mo. 2012)  
*M.T. v. Cent. York Sch. Dist.*, 937 A.2d 538 (Pa. Commw. Ct. 2007)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)  
MSBA/MASA Model Policy 603 (Curriculum Development)  
MSBA/MASA Model Policy 604 (Instructional Curriculum)  
MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)  
MSBA/MASA Model Policy 806 (Crisis Management Policy)  
MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)



## TECHNOLOGY USE AGREEMENT - EMPLOYEE

I have read and understand school district policy #524 - ACCESS TO AND USE OF THE DISTRICT TECHNOLOGY SYSTEM (NETWORKED INFORMATION RESOURCES) relating to acceptable use and safety of the school district's technology systems including: the computer system, internet, email, voicemail and telephone system and agree to abide by the policy. I further understand that should I commit any violation, my access privileges may be revoked, school disciplinary action may be taken (up to and including suspension or termination of employment), and/or appropriate legal action may be taken.

User's Full Name (please print): \_\_\_\_\_

User Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**\*\*\*SIGN AND RETURN THIS FORM TO YOUR BUILDING SECRETARY\*\*\***



## Student/Parent Alternative To Internet Use Request Form

Parent/guardian understands their student is offered school district resources/accounts to access the Internet and it is the parent's/guardian's responsibility to notify the school district if, at the parent's option, they would like to request alternative activities not requiring Internet access.

I, \_\_\_\_\_ (parent or guardian name) hereby request alternative educational activities not requiring Internet access and the material to exercise this option for my student \_\_\_\_\_ (name of student).

I understand this notification form must be completed each school year.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

**Forward this completed form to the student's supervising teacher**

# ALC Laker PRIDE

	<p><b>Purpose</b> our intention, what drives us</p>	<p>Deliver educational excellence.</p>
	<p><b>Relationships</b> the ways we connect and behave toward each other</p>	<ul style="list-style-type: none"> <li>● School staff and parents collaborate to ensure mutual support for each other's roles as partners             <ul style="list-style-type: none"> <li>○ Weekly communication with school and home</li> <li>○ Quarterly staffings for continuous improvement</li> <li>○ Mid-quarter reports</li> <li>○ Open invitations to visit</li> <li>○ Participation in Advisory activities</li> </ul> </li> </ul>
	<p><b>Innovation</b> the creation, development and implementation of a new idea or concept to enhance educational opportunities</p>	<ul style="list-style-type: none"> <li>● School staff will use a variety of media tools to support communication             <ul style="list-style-type: none"> <li>○ All communication is individualized to meet the needs of families and school</li> <li>○ Use of Project-Based Learning</li> </ul> </li> </ul>
	<p><b>Development</b> a process that creates growth, progress, positive change or the addition of physical, economic, environmental, social and demographic components</p>	<ul style="list-style-type: none"> <li>● Parents know and understand the process of communication to improve student outcomes             <ul style="list-style-type: none"> <li>○ Expand partnerships with community organizations to improve parent and student engagement</li> <li>○ Credit Recovery availability</li> </ul> </li> </ul>
	<p><b>Equity</b> the quality of being fair (not equal) and impartial</p>	<ul style="list-style-type: none"> <li>● School staff and parents collaborate to ensure mutual support for each other's roles as partners in their students education             <ul style="list-style-type: none"> <li>○ Rights of students and parents are respected and communicated to promote trust</li> <li>○ Access to Friday activities</li> </ul> </li> </ul>

2022-23 Goal: *We have high standards and expectations for ALL students (2022-2023)*

*Teachers and staff believe that all students can learn and meet high standards. While recognizing that some students must overcome significant barriers, these obstacles are not seen as insurmountable. Students are offered an ambitious and rigorous course of study.*

Guiding Principles	Implementation Actions and or Activities <i>List as Many as are needed to complete goal</i>	Timeline	People Engaged
<b>R1:</b>	<ul style="list-style-type: none"> <li>● Meet PBIS goal of 5:1 Positive to Negative interactions with students by using the tools built into our BARR System.               <ul style="list-style-type: none"> <li>○ Creation of a new Laker Pride positive reward system</li> <li>○ Give out at least 4500 Laker Pride Tickets this year</li> </ul> </li> <li>● Implement I-Time curriculum (both Vol. 1 in 9th grade and Vol. 2 in 10-12) with fidelity</li> <li>● Implement a Student Strength Glossary (Old Dots/Have Nots) to improve staff understanding of student connections to school and student strengths to inform instruction.               <ul style="list-style-type: none"> <li>○ “R U Ready for School I-Time (Student Voice)”</li> </ul> </li> </ul>	Sept.-May	All Staff
Resources: BARR Happy Hour Meetings, Laker PRIDES, I Time Audits			
<b>I2</b>	<ul style="list-style-type: none"> <li>● Implement a Flex Scheduler to use with student intervention during block days.</li> <li>● Implement Morning Announcements (Student Led)</li> <li>● Use the work called “What School Could Be” to start critical conversations around how and why our schools should change!               <ul style="list-style-type: none"> <li>○ Watch the video “What is school for” during workshop</li> <li>○ Continue the conversation in our Instructional Excellence Team meetings.</li> </ul> </li> </ul>	Sept.-May	ALL Staff and Students
Resources: Tim Vagle, Brady Baxter, M. Kvebak			
<b>D3</b>	<ul style="list-style-type: none"> <li>● Implement “Standards of Performance” for staff based on identified high needs areas.               <ul style="list-style-type: none"> <li>○ DLHS House Rules-created during workshop</li> </ul> </li> <li>● BARR Training (August)</li> <li>● Teach I-Time Lessons to intentionally build capacity in students.</li> <li>● Enhanced Student Expectations               <ul style="list-style-type: none"> <li>○ Intentionally taught during first few weeks</li> <li>○ Booster trainings throughout the year</li> </ul> </li> </ul>	August-training Sept.-May	ALL Staff
Resources: BARR I Time Lessons Volume 1 (9th) and Volume 2 (10-12)			

<b>E4</b>	<ul style="list-style-type: none"> <li>● Increase participation in advanced courses across all demographics. <ul style="list-style-type: none"> <li>○ Current Data (AP Exams) 10th grade=31, 11th grade=50, 12th grade=33</li> </ul> </li> <li>● Implement MTSS Tier 1 best practices school wide. (Guaranteed Curriculum-Learning Targets, Common Assessments, Checks for understanding) <ul style="list-style-type: none"> <li>○ Administrator Observation</li> </ul> </li> <li>● Implement a “Student Advisory Council” representative of our student population.</li> <li>● Collect “Street Data” from former graduates' stories. (What helped, what didn't help, etc...)</li> </ul>		
	Resources: Street Data book,		

<p>2022-23 Goal: <i>We have focused professional learning in our building Focused Professional Development. A strong emphasis is placed on training staff in areas of most need. Feedback from learning and teaching focuses extensive and ongoing professional development. The support is also aligned with the school or district vision and objectives.</i></p>			
Guiding Principles	Implementation Actions and or Activities <i>List as Many as are needed to complete goal</i>	Timeline	People Engaged
<b>R1:</b>	<ul style="list-style-type: none"> <li>● We have organized our schedule around 2 different staff teams in order to facilitate focused professional learning. These are: Pathway teams and course alike PLC's. These groups meet weekly to implement school wide initiatives, analyze data, and collaborate between and across curricular areas.</li> </ul>	Sept.-May	All Staff

	<ul style="list-style-type: none"> <li>• BARR small block and big block meetings. During our pathway meetings, staff discuss student concerns within these meetings in order to problem solve issues that are occurring and ensure a connection with all students.</li> <li>• Send out talking points from all meetings</li> </ul>		
Resources: BARR Happy Hour Meetings, Laker PRIDES, I Time Audits			
I2	<ul style="list-style-type: none"> <li>• Implement peak performance meetings (6 of them) to improve staff connection, provide an opportunity for learning/growth, and monitor our progress on building goals throughout the year.</li> </ul>	Oct.-May	ALL Staff and Students
Resources: Student surveys, agendas from strategy teams to inform these meetings.			
D3	<ul style="list-style-type: none"> <li>• Implement the following DLHS strategy teams: BARR, Student Leadership Team, Academy Leadership Team, Instructional Excellence Team, and DLHS Culture Team to implement a shared leadership model, continuously improve the student experience, staff experience, and outcomes at our building.</li> <li>• Conduct a 2 day BARR training for staff on August 10 and 11 focused on effective team meetings and addressing trauma through BARR.</li> <li>• Connect our course alike PLC</li> </ul>	<p>August-May</p> <p>August 10/11</p>	ALL Staff

	work to data analysis, BARR, and MTSS Tier 1 expectations.		
	Resources: PLC Plus book, Student surveys		
<b>E4</b>	<ul style="list-style-type: none"> <li>• Train staff on the 3 Levels of Data (Satellite, Map, Street Data) from “The Listening Leader: Creating the Conditions for Equitable School Transformation”</li> <li>• Implement the 3 Levels of Data in all our Strategy Teams</li> </ul>	August-May	
	Resources: John Wiley Book		

# Roosevelt Building Goals

2022-23

2022-23

High Performing School Area: **There is a clear and shared focus in our building.**

**GOAL #1:** During the 2022-23 school year, 92% of Roosevelt staff will develop a clear and shared focus through committee discussions and professional development opportunities.

**Staff Feedback:** 88.9% agree; 11.1% disagree

Guiding Principles	Implementation Actions and or Activities	Timeline	People Engaged
<b>R1</b>	During the 2022-23 school year, Roosevelt staff will continue to build an understanding of the Multi-Tiered Systems of Supports, focusing on shared vocabulary and Tier One instruction.	<ul style="list-style-type: none"> <li>● <b>Building-level MTSS meetings</b></li> <li>● <b>PLC discussions</b></li> <li>● <b>Student Intervention Team meetings</b></li> </ul>	Classroom Teachers, Interventionists and Administration
<b>I2</b>	During the 2022-23 school year, the MTSS team will address the specifics of which MTSS areas are clear and what trauma-informed practices are continually used and successful.	<ul style="list-style-type: none"> <li>● <b>Determine needs of staff using online survey</b></li> <li>● <b>List and analyze building supports</b></li> </ul>	All Staff
<b>D3</b>	During the 2022-23 school year, Roosevelt PLC teams and the MTSS team will discuss student needs and strategies that are used to support students academic and behavioral needs.	<ul style="list-style-type: none"> <li>● <b>MTSS grade-level document aligns yearly data</b></li> <li>● <b>List and analyze building supports - are they effective?</b></li> </ul>	MTSS Team and Administration
<b>E4</b>	During the 2022-23 school year, the MTSS team will analyze Roosevelt's demographics and attendance data to determine potentially overlooked need-areas.	<ul style="list-style-type: none"> <li>● <b>Building-level MTSS meetings</b></li> <li>● <b>PLC discussions</b></li> <li>● <b>Student Intervention Team meetings</b></li> <li>● <b>Truancy Coordinator</b></li> </ul>	MTSS Team, S/E Team and Administration

2022-23

High Performing School Area: **Our building has high levels of community and parent engagement.**

**GOAL #2:** During the school year of 2022-23, staff will be informed of community and parent engagement we currently implement as well as areas that need improvement in order to increase staff's positive perception from 74.1 percent to 80 percent.

**Staff Feedback:** 61.2% agree; 38.9% disagree

Guiding Principles	Implementation Actions and or Activities	Timeline	People Engaged
<b>R1</b>	During the 2022-23 school year, Roosevelt Intervention Teams and SITE Leadership Team will seek new ways to engage community members and increase family engagement.	<ul style="list-style-type: none"><li>● <b>Fall 2022 Open House</b></li><li>● <b>Attendance at Fall Parent/Teacher Conferences</b></li><li>● <b>Attendance at Spring Parent/Teacher Conferences</b></li><li>● <b>Science Fair</b></li><li>● <b>Music Informances</b></li><li>● <b>Spring 2022 Family Fun Night</b></li><li>● <b>5th Grade Graduation</b></li></ul>	SITE/Title One Teams and Families
<b>I2</b>	During the 2022-23 school year, we will increase our social media presence by having Roosevelt staff submit an increasingly consistent number from various grade levels and departments each month.	<ul style="list-style-type: none"><li>● <b>Develop electronic calendar for Grade Levels, Specialists and Interventionists to contribute to social media</b></li></ul>	Staff and Rvt Families
<b>D3</b>	During the 2022-23 school year, staff will provide weekly cultural activities for our American Indian students and discuss future planning and opportunities for diverse learning across grade levels.	<ul style="list-style-type: none"><li>● <b>Cultural activity opportunities guided/provided by Title 6 staff</b></li><li>● <b>SAIL - art/cultural activities</b></li></ul>	Title 6 Staff, SAIL staff and Administration

<b>E4</b>	During the 2022-23 school year, grade levels will send home a weekly/bi-wkly newsletter to parents posted in SeeSaw.	<ul style="list-style-type: none"><li>• <b>Weekly newsletters per grade level (paper copies upon request)</b></li><li>• <b>Roosevelt Revelations at least twice/month</b></li></ul>	Staff and Families
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# Rossman Elementary Goals 2022-23

2021-22 Goal #1: *To implement with fidelity the new PBIS model and expectations.*

**HPS Competency Area1: There is a clear and shared focus in our building; Area 2: We have high standards and expectations for our students.**

Guiding Principles	Implementation Actions and or Activities <i>List as Many as are needed to complete goal</i>	Timeline	People Engaged
R1	<ul style="list-style-type: none"> <li>Communicate and share the new PBIS language to improve connection with and understanding for all students and families</li> <li>Increase engagement with PBIS strategies for all staff and students</li> </ul>	January 2023  January 2023	Site Leadership and PBIS Team
I2	<ul style="list-style-type: none"> <li>Develop Rossman PBIS celebration and engagement activities for students, staff, and families</li> </ul>	January 2023	PBIS Team and Rossman Staff
	Resources: <a href="https://www.pbis.org/">https://www.pbis.org/</a> ; <a href="#">PBIS Family Engagement</a> ; <a href="#">PBIS Staff Engagement</a>		
D3	<ul style="list-style-type: none"> <li>Site Team and PBIS Team collaborate to develop implementation strategies for the new PBIS model and expectations</li> </ul>	August - plan for fall kick-off Monthly Meetings - plan systematic implementation	Site Leadership and PBIS Teams
E4	<ul style="list-style-type: none"> <li>Gather input via surveys of teachers, staff, students, and parents to refine strategies for implementation and continued development of the PBIS model and expectations</li> </ul>	Mid-Year: January 2023  End-of-Year: May 2023	Rossman staff, students, and parents

Rossman Continued

<b>2021-22 Goal #2: <i>To continue to improve communication pertaining to and describing specific content standards and learning outcomes to further stakeholder understanding and engagement.</i></b> <b>HPS Area 5: Our curriculum and instruction is aligned to Minnesota Standards</b>			
Guiding Principles	Implementation Actions and or Activities <i>List as Many as are needed to complete goal</i>	Timeline	People Engaged
R1	<ul style="list-style-type: none"> <li>Classroom communication to families will include descriptions of the standard or essential learning outcomes and ways families can reinforce the concepts at home</li> </ul>	September 2022-May 2023	K-5 Teachers
I2	<ul style="list-style-type: none"> <li>Teachers will collaborate during PLCs to develop communication strategies, practices, and platforms with families</li> </ul>	September 2022-May 2023	K-5 Teachers
D3	<ul style="list-style-type: none"> <li>Stakeholder input and feedback regarding level of understanding and connection to learning and instruction at Rossman will be collected via survey</li> </ul>	Mid-Year: January 2023 End-of-Year: May 2023	Site Leadership Team K-5 Teachers
E4	<ul style="list-style-type: none"> <li>Implementation of systematic communication to remove barriers to understanding and connecting with learning and instruction at Rossman</li> </ul>	September 2022-May 2023	K-5 Teachers

Charting An **Intentional** Course To Our Future:

OUR TRADITIONS

Our Hopes

*Our Dreams*

***Our Future***

Our Legacy

DETROIT LAKES

**LAKERS**

Strategic Planning 2021-26





# A NOTE FROM THE SUPERINTENDENT

Greetings,

It is a privilege and honor to work with all of you in setting our course for the next 5 years. I would like to start off by inviting you on an adventure; to leave your personal mark of excellence on the Detroit Lakes Public School district. We need all of us to create greatness.

Our Motto “Sails Up,” is a great place to start in creating our strategic plan. When a sailboat’s sails are up the wind helps the boat reach its destination. Similarly, our actions generate momentum toward a destination. A good sailor knows that they cannot allow the wind to act alone for the wind will randomly select the destination without guidance. A good sailor uses tools and a map to chart a planned destination. We know as a district if we do not intentionally plan our work we will also see an unintentional destination for staff, students, and our community. Strategic Planning is an intentional roadmap that will guide us to positively grow and improve personally and together to ensure we can help our students enter adulthood as healthy, happy, and productive members of our local and global communities.

Today I am asking you to have a growth mindset let’s focus on growing and learning personally that we can ensure the growing and learning of our Detroit Lakes EC-12 students.

Let’s take this journey together,  
Mark Jensen





# Get Motivated For Strategic Planning 2020-25



## Creating The Future: Vision, Mission, and Guiding Principles



Sails Up!

Vision	Mission
Detroit Lakes Public Schools: Charting a course for excellence.	The mission of the Detroit Lakes Public Schools is to fill all of our sails with Laker PRIDE.
<b>Guiding Principles:</b> Laker PRIDE  Purpose Relationships Innovation Development Equity	

# Building Strategic Planning



THE POWER FOR CREATING A  
BETTER FUTURE IS  
CONTAINED IN THE PRESENT  
MOMENT: YOU CREATE A  
GOOD FUTURE BY CREATING  
A GOOD PRESENT.

- Eckhart Tolle



## Building Data Inquiry

1 Work Session..... 2 hours

**Inquiry Stage:** Reflect on who we are, what our current situation is, and where we need to go to meet our Vision, Mission, & Guiding Principles as a building.

Who	What	When
<p>Building Leadership Team</p> <ul style="list-style-type: none"> <li>● Building Principal</li> <li>● Teachers (<i>1 from each grade level and/or department</i>)</li> <li>● 1 Academic Coach</li> </ul>	<p><b>Build, Monitor, and be Accountable to: A 5 Year Building Strategic Plan</b></p> <ul style="list-style-type: none"> <li>● Reflect, as a building, on the 9 areas of a high performing school</li> <li>● Create 5 Year Plan using your staff and family/student feedback.</li> <li>● Create Yearly Accountability Benchmarks</li> </ul>	<p>Building Leadership Teams MUST meet 3 times a year to review, monitor, and adjust the Building Strategic Plan to ensure the building will meet yearly benchmarks. (recommended: monthly meetings)</p> <p>Principals will submit a progress summary after each meeting to the Superintendent in the following months:</p> <ul style="list-style-type: none"> <li>- September 2021</li> <li>- January 2022</li> <li>- June 2022</li> </ul>

**District Expectation:**

All buildings will strive to reach high levels of competency in all 9 areas of high performing schools.

We first need to have a common understanding of what the 9 areas look like, feel like, and sound like.

As an Administrative team we will add indicator bullets under each area: **Due: July 31st**

**There is a clear and shared focus in our building**

**We have high standards and expectations for ALL students**

**High levels of collaboration and communication happen in our school**

**Our building has effective school leadership**

**Our curriculum and Instruction is aligned to MN Standards**

**Frequent Monitoring of Teaching and Learning happens in our Building**

**We have focused professional learning in our building**

**Our school has a supportive learning environment**

**Our building has high levels of community and parent engagement**



**inquiry Stage:** Reflect on who we are, what our current situation is, and where we need to go as a building.

**Inquiry 1:** How will our building live our mission and guiding principles every day? Do our daily actions show progress towards our collective vision?

Before you begin, reflect on the nine commonalities found in successful schools. What are some ways you can ensure these elements are found in your building strategic plan embedded into goals aligned to the district Vision, Mission, and Guiding Principles. It is important to know exactly where you are in order to map out a plan that you can achieve.

**District Expectations:** All buildings will strive to reach high levels of competency in all 9 areas of high performing schools within 5 years.

**Task 1:** Reflect on where your building is through comparing and contrasting it against the district Vision, Mission, Guiding Principles and Nine Commonalities found in Successful Schools.

- Leadership Team creates a back to school session that allows the building to share their thoughts and ideas with the leadership team.
- Leadership Team creates a family survey to be filled out at back to school nights by families attending and can also be sent out by email to families that could not attend.

*Adapted from: Shannon, G.S. & Bylsma, P.(2007). The Nine Characteristics of High Performing Schools: A Research-based resource for schools and districts to assist with improving student learning. (2nd Ed.). Olympia,*

<b>There is a clear and shared focus in our building</b>
<b>We have high standards and expectations for ALL students</b>
<b>High levels of collaboration and communication happen in our school</b>
<b>Our building has effective school leadership</b>
<b>Our curriculum and Instruction is aligned to MN Standards</b>
<b>Frequent Monitoring of Teaching and Learning happens in our Building</b>
<b>We have focused professional learning in our building</b>
<b>Our school has a supportive learning environment</b>
<b>Our building has high levels of community and parent engagement</b>



## Building Strategic Plan

Write a summary to clearly show where your building is in each of the 9 areas, district vision, mission, and guiding principles. Include what is in place and indicate areas that will need attention to reach the expectations set by the Administrative team ( approved by school board )

Write 9 goals, using the 9 area **indicator bullets** to create a 5 year plan that will lead your building to to reach high levels of competency in all 9 areas of high performing schools and align to our district vision and mission

When you are writing your building long term goals reflect and make sure that our Vision, Mission, Guiding Principles, and the 9 Characteristics of High Performing Schools are braided into your goals.

Strategic Plan for 2021 - 2022 Building: **Due: September 15th, 2021**

"A GOAL  
WITHOUT A  
PLAN IS JUST  
A WISH"



# 2021-22 Goals

Goal Area - (9 Areas of H.E.S.) Prioritized by DLMS Site Council	Chosen indicator bullet(s) that will be addressed:
Detroit Lakes Middle School has high levels of community and parent engagement.	<ul style="list-style-type: none"><li>● Building → Parents<ul style="list-style-type: none"><li>○ Parents know what their kids are learning.</li></ul></li><li>● Teacher → Parents<ul style="list-style-type: none"><li>○ Teachers/teams will deliver information on curriculum and activities regularly.</li></ul></li><li>● Building → Community<ul style="list-style-type: none"><li>○ Always trying to grow community partnerships</li></ul></li></ul>
Detroit Lakes Middle School has high standards and expectations for ALL students.	<ul style="list-style-type: none"><li>● Implement and sustain PBIS at all levels<ul style="list-style-type: none"><li>○ Reach and teach each student through Top 20 concepts.</li></ul></li><li>● Actively promote equity<ul style="list-style-type: none"><li>○ All students are regular ed students first, they are OUR kids.</li></ul></li><li>● Remove systemic barriers<ul style="list-style-type: none"><li>○ Consistent procedures and expectations building wide.</li></ul></li></ul>

# 2022-23 Goals



**GOAL #1**

Goal Area - (9 Areas of H.E.S.) Prioritized by DLMS Site Council	Chosen indicator bullet(s) that will be addressed:
<p>Detroit Lakes Middle School has frequent monitoring of teaching and learning.</p>	<ul style="list-style-type: none"><li>● Teacher → Teacher<ul style="list-style-type: none"><li>○ PLCs identify and use data from assessments to influence instruction</li><li>○ PLCs focus on their impact on students</li><li>○ PLCs will implement collective efficacy in order to grow</li></ul></li> <li>● Principal → Teacher<ul style="list-style-type: none"><li>○ Principal visits classrooms twice a trimester to ensure all students are having the same experiences.</li><li>○ Principal will review teacher gradebooks twice a trimester.</li><li>○ Principal will review PLC notes at least biweekly.</li><li>○ Principal will visit with PLCs after each set of classroom visits.</li></ul></li></ul>

# 2022-23 Goals



**GOAL #2**

Goal Area - (9 Areas of H.E.S.)  
Prioritized by DLMS Site Council

Detroit Lakes Middle School has high levels of collaboration and communication.

Chosen indicator bullet(s) that will be addressed:

- Teacher → Teacher
  - PLCs identify and use data from assessments to influence instruction
  - PLCs focus on their impact on students
  - PLCs will implement collective efficacy in order to grow
- Principal → Teacher
  - Principal visits classrooms twice a trimester to ensure all students are having the same experiences.
  - Principal will review teacher gradebooks twice a trimester.
  - Principal will review PLC notes at least biweekly.
  - Principal will visit with PLCs after each set of classroom visits.
- Principal → Building Staff
  - Weekly bulletins sent via email
  - Floating meetings
  - Full staff meetings on early out and/or inservice days



Goal Area - (9 Areas of H.E.S.) Prioritized by DLMS Site Council	Chosen indicator bullet(s) that will be addressed:
There is a clear and shared focus evident at Detroit Lakes Middle School.	<ul style="list-style-type: none"> <li>● Implement and sustain PBIS at all levels               <ul style="list-style-type: none"> <li>○ Everyone knows “Attend, Achieve, Behave.”</li> </ul> </li> </ul>
Detroit Lakes Middle School has effective school leadership.	<ul style="list-style-type: none"> <li>● Building → teachers               <ul style="list-style-type: none"> <li>○ Leadership is more than just a leader, it’s a team</li> </ul> </li> </ul>
Detroit Lakes Middle School has a supportive learning environment.	<ul style="list-style-type: none"> <li>● Support diverse ways of thinking and doing               <ul style="list-style-type: none"> <li>○ Culture of building, how our teams function, supportive of students</li> </ul> </li> </ul>
There is professional learning of staff at Detroit Lakes Middle School.	<ul style="list-style-type: none"> <li>● Provide professional development that supports PRIDE               <ul style="list-style-type: none"> <li>○ Customized by building, building will identify needs.</li> </ul> </li> </ul>
Detroit Lakes Middle School curriculum and instruction is aligned MN Standards.	<ul style="list-style-type: none"> <li>● Renew and bring up to date all systems and practices               <ul style="list-style-type: none"> <li>○ Following district documents that were created and adhering to that. Learning Targets &amp; outcomes are posted and set to meet.</li> </ul> </li> </ul>

## 2022-23 Goal: Detroit Lakes Middle School has frequent monitoring of teaching and learning

- Teacher → Teacher
  - PLCs identify and use data from assessments to influence instruction
  - PLCs focus on their impact on students
  - PLCs will implement collective efficacy in order to grow
- Principal → Teacher
  - Principal visits classrooms twice a trimester to ensure all students are having the same experiences.
  - Principal will review teacher gradebooks twice a trimester.
  - Principal will review PLC notes at least biweekly.
  - Principal will visit with PLCs after each set of classroom visits.

Guiding Principles	Implementation Actions and or Activities <i>List as Many as are needed to complete goal</i>	Timeline	People Engaged
<b>Relationships</b>	<ul style="list-style-type: none"> <li>● PLC collegial relationships will grow</li> <li>● Principal visits will strengthen accountability</li> </ul>	Sept 2022 - May 2023	*Teacher → *Principal →
	Resources: PLC notes, principal visit logs, gradebook print outs		
<b>Innovation</b>	<ul style="list-style-type: none"> <li>● PLC training in a new approach</li> <li>● Consistent principal walk-throughs</li> </ul>	Sept 2022 - May 2023	*Teacher → *Principal →
	Resources: PLC leader training, PLC+ books,		
<b>Development</b>	<ul style="list-style-type: none"> <li>● PLC training in a new approach</li> <li>● Consistent principal walk-throughs and follow-up</li> </ul>	Sept 2022 - May 2023	*Teacher → *Principal →
	Resources: PLC notes		
<b>Equity</b>	<ul style="list-style-type: none"> <li>● Analyzing PLC assessment data for equity in instruction, feedback, assessment</li> </ul>	Sept 2022 - May 2023	*Teacher → *Principal →
	Resources: PLC notes, principal visits to PLCs		

# Monitoring & Measure

## Building Accountability Plan



Indicator bullets that will be addressed:

- Teacher → Teacher
  - PLCs identify and use data from assessments to influence instruction
  - PLCs focus on their impact on students
  - PLCs will implement collective efficacy in order to grow
- Principal → Teacher
  - Principal visits classrooms twice a trimester to ensure all students are having the same experiences.
  - Principal will review teacher gradebooks twice a trimester.
  - Principal will review PLC notes at least biweekly.
  - Principal will visit with PLCs after each set of classroom visits.

Guiding Principles	Administrator Teacher Leader Assigned (Accountability)	Monitoring Process	Measure of success and completion indicators	Plan Adjustments Actions
R1	<ul style="list-style-type: none"> <li>• Suckert</li> <li>• PLC leaders</li> </ul>	<ul style="list-style-type: none"> <li>• Twice/trimester classroom visits</li> <li>• Reviewing PLC notes</li> </ul>	<ul style="list-style-type: none"> <li>• Post-classroom visit follow-up meetings to PLCs</li> </ul>	Site Council will monitor for completion via monthly agenda check-ins
I2	<ul style="list-style-type: none"> <li>• Suckert</li> <li>• Pam Daly training for PLC+</li> </ul>	<ul style="list-style-type: none"> <li>• PLC notes reviewed biweekly</li> <li>• Monthly PLC leader training/meetings</li> </ul>	<ul style="list-style-type: none"> <li>• Noticeable collective efficacy</li> <li>• Gradebook symmetry</li> </ul>	Site Council updates
D3	<ul style="list-style-type: none"> <li>• PLCs/Teams</li> <li>• Suckert</li> </ul>	<ul style="list-style-type: none"> <li>• PLC notes reviewed biweekly</li> <li>• Monthly PLC leader training/meetings</li> </ul>	<ul style="list-style-type: none"> <li>• Noticeable collective efficacy</li> <li>• Gradebook symmetry</li> </ul>	Site Council updates
E4	<ul style="list-style-type: none"> <li>• PLCs</li> <li>• Suckert</li> <li>• Data Team</li> </ul>	<ul style="list-style-type: none"> <li>• Classroom visits</li> <li>• PLC notes reviewed biweekly</li> <li>• Site Council minutes/updates</li> </ul>	<ul style="list-style-type: none"> <li>• Gradebook symmetry</li> <li>• Noticeable collective efficacy</li> <li>• Growth in ALL students</li> </ul>	Site Council updates

## 2022-23 Goal: Detroit Lakes Middle School has high levels of collaboration and communication.

- Teacher → Teacher
  - PLCs identify and use data from assessments to influence instruction
  - PLCs focus on their impact on students
  - PLCs will implement collective efficacy in order to grow
- Principal → Teacher
  - Principal visits classrooms twice a trimester to ensure all students are having the same experiences.
  - Principal will review teacher gradebooks twice a trimester.
  - Principal will review PLC notes at least biweekly.
  - Principal will visit with PLCs after each set of classroom visits.
- Principal → Building Staff
  - Weekly bulletins sent via email

Floating meetings

  - Monthly staff meetings (choice of before or after school) for group meetings

Guiding Principles	Implementation Actions and or Activities <i>List as Many as are needed to complete goal</i>	Timeline	People Engaged
<b>Relationships</b>	<ul style="list-style-type: none"> <li>● PLC collegial relationships will grow</li> <li>● Principal visits will strengthen accountability</li> <li>● Increase building culture via increased building communication</li> </ul>	Sept 2022 - May 2023	*Teacher → Teacher *Principal → Teacher *Principal → Building Staff
	Resources: PLC notes, principal visit logs, gradebook print outs		
<b>Innovation</b>	<ul style="list-style-type: none"> <li>● PLC training in a new approach</li> <li>● Consistent principal walk-throughs</li> <li>● Consistent staff meetings</li> </ul>	Sept 2022 - May 2023	*Teacher → Teacher *Principal → Teacher *Principal → Building Staff
	Resources: PLC leader training, PLC+ books,		
<b>Development</b>	<ul style="list-style-type: none"> <li>● PLC training in a new approach</li> <li>● Consistent principal walk-throughs and follow-up</li> </ul>	Sept 2022 - May 2023	*Teacher → Teacher *Principal → Teacher *Principal → Building Staff
	Resources: PLC notes		
<b>Equity</b>	<ul style="list-style-type: none"> <li>● Analyzing PLC assessment data for equity in instruction, feedback, assessment</li> <li>● Clear communication amongst all staff through regular staff meetings</li> </ul>	Sept 2022 - May 2023	*Teacher → Teacher *Principal → Teacher *Principal → Building Staff
	Resources: PLC notes, principal visits to PLCs		

# Monitoring & Measure

## Building Accountability Plan

Indicator bullets that will be addressed:

- Teacher → Teacher
  - PLCs identify and use data from assessments to influence instruction
  - PLCs focus on their impact on students
  - PLCs will implement collective efficacy in order to grow
- Principal → Teacher
  - Principal visits classrooms twice a trimester to ensure all students are having the same experiences.
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- Principal → Building Staff
  - Weekly bulletins sent via email
  - Floating meetings
  - Monthly staff meetings (choice of before or after school) for group meetings

Guiding Principles	Administrator Teacher Leader Assigned (Accountability)	Monitoring Process	Measure of success and completion indicators	Plan Adjustments Actions
R1	<ul style="list-style-type: none"> <li>• Suckert</li> <li>• PLC leaders</li> <li>• Site Council</li> </ul>	<ul style="list-style-type: none"> <li>• Twice/trimester classroom visits</li> <li>• Reviewing PLC notes</li> </ul>	<ul style="list-style-type: none"> <li>• Post-classroom visit follow-up meetings to PLCs</li> </ul>	Site Council will monitor for completion via monthly agenda check-ins
I2	<ul style="list-style-type: none"> <li>• Suckert</li> <li>• Pam Daly training for PLC+</li> <li>• Site Council</li> </ul>	<ul style="list-style-type: none"> <li>• PLC notes reviewed biweekly</li> <li>• Monthly PLC leader training/meetings</li> </ul>	<ul style="list-style-type: none"> <li>• Noticeable collective efficacy</li> <li>• Gradebook symmetry</li> </ul>	Site Council updates
D3	<ul style="list-style-type: none"> <li>• PLCs/Teams</li> <li>• Suckert</li> <li>• Site Council</li> </ul>	<ul style="list-style-type: none"> <li>• PLC notes reviewed biweekly</li> <li>• Monthly PLC leader training/meetings</li> </ul>	<ul style="list-style-type: none"> <li>• Noticeable collective efficacy</li> <li>• Gradebook symmetry</li> </ul>	Site Council updates
E4	<ul style="list-style-type: none"> <li>• PLCs</li> <li>• Suckert</li> <li>• Data Team</li> <li>• Site Council</li> </ul>	<ul style="list-style-type: none"> <li>• Classroom visits</li> <li>• PLC notes reviewed biweekly</li> <li>• Site Council minutes/updates</li> </ul>	<ul style="list-style-type: none"> <li>• Gradebook symmetry</li> <li>• Noticeable collective efficacy</li> <li>• Growth in ALL students</li> </ul>	Site Council updates



# Progress Reports

<b>Due Date: Submit Progress Report to the Board</b>	<b>Progress Report Elements</b>	<b>Person Responsible for Reporting</b>	<b>Completion Check Box:</b>
September	Plan and Execution (Implementation) Plan	Building Principals	<input type="checkbox"/>
September	Plan and Execution (Implementation) Plan	District Directors and Coordinators	<input type="checkbox"/>
January	Monitoring and Adjusting	Building Principals	<input type="checkbox"/>
January	Monitoring and Adjusting	District Directors and Coordinators	<input type="checkbox"/>
June	Accountability	Building Principals	<input type="checkbox"/>
June	Accountability	District Directors and Coordinators	<input type="checkbox"/>

# DLMS Strategic Planning Practices to continue from 21-22

## Continue:

Communicating with parents positively, as well as with concerns, (S'more, Remind, email, text . . .)

Implementing Top 20, Laker Pride tickets, celebrating positive student experiences



# DLMS Strategic Planning Goals for '22-'23

Detroit Lakes Middle School has frequent monitoring of teaching and learning.

Detroit Lakes Middle School has high levels of collaboration and communication.



# DLMS Strategic Planning Goals for '23-'24

There is a clear and shared focus evident at Detroit Lakes Middle School.

Detroit Lakes Middle School has effective school leadership.



September 26, 2022

PRE-SALE REPORT FOR

# Independent School District No. 22 (Detroit Lakes Public Schools), Minnesota

## \$2,435,000 General Obligation School Building Bonds, Series 2022A



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**Prepared by:**

Ehlers  
3060 Centre Pointe Drive  
Roseville, MN 55113

**Advisors:**

Matthew Hammer, Senior Municipal Advisor  
Jodie Zesbaugh, Senior Municipal Advisor

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**BUILDING COMMUNITIES. IT'S WHAT WE DO.**

# EXECUTIVE SUMMARY OF PROPOSED DEBT

## Proposed Issue:

\$2,435,000 General Obligation School Building Bonds, Series 2022A

District voters authorized the issuance of up to \$49,880,000 in bonds in a bond referendum election held on November 6, 2018. On January 9, 2019, the District issued General Obligation School Building Bonds, Series 2019A totaling \$47,445,000, leaving a remaining unused authority of \$2,435,000.

## Purposes:

The proposed issue includes financing for the acquisition and betterment of school sites and facilities, including construction and equipping of additions, interior and exterior renovations, and improvements to the District's existing school sites and facilities.

## Authority:

The Bonds are being issued pursuant to Minnesota Statutes, Chapter 475. The Bonds will be general obligations of the district for which its full faith, credit and taxing powers are pledged. Debt service for the bonds will be paid from the District's annual debt service tax levy.

## Term/Call Feature:

The Bonds are being issued for a term of 5 years, 3 months. Principal on the Bonds will be due on February 1 of 2024 through 2028. Interest will be due every six months beginning August 1, 2023.

## Bank Qualification:

Because the District is issuing no more than \$10,000,000 in tax exempt debt during the calendar year, the District will be able to designate the Bonds as "bank qualified" obligations. Bank qualified status broadens the market for the Bonds, which can result in lower interest rates.

## **State Credit Enhancement:**

By resolution the District will covenant and obligate itself to be bound by the provisions of Minnesota Statutes, Section 126C.55, which provides for payment by the State of Minnesota in the event of a potential default of a school district obligation.

To qualify for the credit enhancement, the District must submit an application to the State. Ehlers will coordinate the application process to the State on your behalf.

## **Rating:**

Under current bond ratings, the state credit enhancement would bring a S&P Global Rating of "AAA". The District's most recent bond issues were rated "A+" (underlying rating) and "AAA" (credit enhanced rating) by S&P Global Ratings. The District will request a new rating for the Bonds.

## **Basis for Recommendation:**

Based on your objectives, financial situation and need, risk tolerance, liquidity needs, experience with the issuance of Bonds and long-term financial capacity, as well as the tax status considerations related to the Bonds and the structure, timing and other similar matters related to the Bonds, we are recommending the issuance of Bonds as a suitable option.

## **Method of Sale/Placement:**

We are recommending the Bonds be issued as municipal securities and offered through a competitive underwriting process. We will solicit competitive bids for the purchase of the Bonds from underwriters and banks.

We will include an allowance for discount bidding in the terms of the issue. The discount is treated as an interest item and provides the underwriter with all or a portion of their compensation in the transaction.

If the Bonds are purchased at a price greater than the minimum bid amount (maximum discount), the unused allowance may be used to reduce your borrowing amount.

## **Premium Pricing:**

In some cases, investors in municipal bonds prefer "premium" pricing structures. A premium is achieved when the coupon for any maturity (the interest rate paid by the issuer) exceeds the yield to the investor, resulting in a price paid that is greater than the face value of the bonds. The sum of the amounts paid in excess of face value is considered "reoffering premium." The underwriter of the bonds will retain a portion of this reoffering premium as their compensation (or "discount") but will pay the remainder of the premium to the District. Any net premium received may be used to reduce the principal amount of the Bonds, increase the net proceeds for the project, or to fund a portion of the interest on the Bonds.

## **Review of Existing Debt:**

We have reviewed all outstanding indebtedness for the District and find that there are no refunding opportunities at this time.

We will continue to monitor the market and the call dates for the District's outstanding debt and will alert you to any future refunding opportunities.

## **Continuing Disclosure:**

The District will be agreeing to provide certain updated Annual Financial Information and its Audited Financial Statement annually, as well as providing notices of the occurrence of certain reportable events to the Municipal Securities Rulemaking Board (the "MSRB"), as required by rules of the Securities and Exchange Commission (SEC). The District is already obligated to provide such reports for its existing bonds, and has contracted with Ehlers to prepare and file the reports.

## **Arbitrage Monitoring:**

The District must ensure compliance with certain sections of the Internal Revenue Code and Treasury Regulations ("Arbitrage Rules") throughout the life of the issue to maintain the tax-exempt status of the Bonds. These Arbitrage Rules apply to amounts held in construction, escrow, reserve, debt service account(s), etc., along with related investment income on each fund/account.

IRS audits will verify compliance with rebate, yield restriction and records retention requirements within the Arbitrage Rules. The District's specific arbitrage responsibilities will be detailed in the Tax Certificate (the "Tax Compliance Document") prepared by your Bond Attorney and provided at closing.

The Bonds may qualify for one or more exception(s) to the Arbitrage Rules by meeting 1) small issuer exception, 2) spend down requirements, 3) bona fide debt service fund limits, 4) reasonable reserve requirements, 5) expenditure within an available period limitations, 6) investments yield restrictions, 7) de minimis rules, or; 8) borrower limited requirements.

We recommend that the District review its specific responsibilities related to the Bonds with an arbitrage expert in order to utilize one or more of the exceptions listed above.

## **Investment of Bond Proceeds:**

To maximize interest earnings, we recommend using an SEC registered investment advisor to assist with the investment of bond proceeds until they are needed to pay project costs. Ehlers is an SEC registered investment advisor and can assist the District in developing a strategy to invest your Bond proceeds until the funds are needed to pay project costs.

## Other Service Providers:

This debt issuance will require the engagement of other public finance service providers. This section identifies those other service providers, so Ehlers can coordinate their engagement on your behalf. Where you have previously used a particular firm to provide a service, we have assumed that you will continue that relationship. For services you have not previously required, we have identified a service provider. Fees charged by these service providers will be paid from proceeds of the obligation, unless you notify us that you wish to pay them from other sources. Our pre-sale bond sizing includes a good faith estimate of these fees, but the final fees may vary. If you have any questions pertaining to the identified service providers or their role, or if you would like to use a different service provider for any of the listed services please contact us.

**Bond Counsel:** Kennedy & Graven, Chartered

**Paying Agent:** Bond Trust Services Corporation

**Rating Agency:** S&P Global Ratings (S&P)

*This presale report summarizes our understanding of the District's objectives for the structure and terms of this financing as of this date. As additional facts become known or capital markets conditions change, we may need to modify the structure and/or terms of this financing to achieve results consistent with the District's objectives.*

## PROPOSED DEBT ISSUANCE SCHEDULE

School Board Approves Resolution Authorizing Sale of the Bonds:	August 22, 2022
Ehlers Presents Pre-Sale Report to School Board:	September 26, 2022
Due Diligence Call to Review Official Statement:	Week of October 4, 2022
Conference with Rating Agency:	October 6, 2022
Distribute Official Statement:	Week of October 10, 2022
Ehlers Receives and Evaluates Proposals for Purchase of Bonds: School Board Meeting to Award Sale of Bonds:	October 27, 2022
Estimated Closing Date:	November 17, 2022

### Attachments

Estimated Sources and Uses of Funds

Estimated Debt Service Schedule

Estimated Long-Term Financing Plan for Debt and Capital Payments and Levies

## EHLERS' CONTACTS

Matthew Hammer, Senior Municipal Advisor	(651) 697-8592
Jodie Zesbaugh, Senior Municipal Advisor	(651) 697-8526
Silvia Johnson, Senior Public Finance Analyst	(651) 697-8580
Brian Shannon, Manager, Senior Financial Analyst	(651) 697-8515

**ESTIMATES PRIOR TO BOND SALE**

**Detroit Lakes School District No. 22**

Estimated Sources and Uses of Funds

Remaining Voter Approved Building Bonds

	<b>Voter Approved School Building Bonds</b>
<b>Bond Amount</b>	<b>\$2,435,000</b>
<b>Number of Years</b>	<b>5</b>
<b>Closing Date</b>	<b>11/17/2022</b>
<b>Sources of Funds</b>	
Par Amount	\$2,435,000
Estimated Investment Earnings <sup>1</sup>	5,887
Reoffering Premium <sup>2</sup>	68,226
<u>Total Sources</u>	<u>\$2,509,113</u>
<b>Uses of Funds</b>	
Allowance for Discount Bidding <sup>3</sup>	\$29,220
Legal and Fiscal Costs <sup>4</sup>	51,000
<u>Net Available for Project Costs</u>	<u>2,428,893</u>
Total Uses	\$2,509,113
<b>Estimated Deposit to Construction Fund</b>	<b>\$2,423,006</b>

- 1 Estimated investment earnings are based on an average interest rate of 0.50%, and an average life of 6 months.
- 2 The underwriter that purchases the bonds may offer a premium, a portion of which may be retained by the underwriter as their compensation, or underwriter's discount. The remainder of the bond proceeds may be used to pay costs of issuance or deposited in the construction fund and used to fund portion of the project costs.
- 3 The allowance for discount bidding is an estimate of the compensation taken by the underwriter who provides the lowest true interest cost as part of the competitive bidding process and purchases the bonds. Ehlers provides independent municipal advisory services as part of the bond sale process and is not an underwriting firm.
- 4 Includes fees for municipal advisor, bond counsel, rating agency, paying agent and county certificates.

# I.S.D. No. 022 (Detroit Lakes), MN

\$2,435,000 General Obligation School Building Bonds, Series 2022A

Dated: November 17, 2022

## Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
11/17/2022	-	-	-	-	-
08/01/2023	-	-	78,069.72	78,069.72	-
02/01/2024	350,000.00	5.000%	55,325.00	405,325.00	483,394.72
08/01/2024	-	-	46,575.00	46,575.00	-
02/01/2025	475,000.00	5.000%	46,575.00	521,575.00	568,150.00
08/01/2025	-	-	34,700.00	34,700.00	-
02/01/2026	500,000.00	5.000%	34,700.00	534,700.00	569,400.00
08/01/2026	-	-	22,200.00	22,200.00	-
02/01/2027	545,000.00	4.000%	22,200.00	567,200.00	589,400.00
08/01/2027	-	-	11,300.00	11,300.00	-
02/01/2028	565,000.00	4.000%	11,300.00	576,300.00	587,600.00
<b>Total</b>	<b>\$2,435,000.00</b>	<b>-</b>	<b>\$362,944.72</b>	<b>\$2,797,944.72</b>	<b>-</b>

## Yield Statistics

Bond Year Dollars	\$8,305.53
Average Life	3.411 Years
Average Coupon	4.3699176%
Net Interest Cost (NIC)	3.9002798%
True Interest Cost (TIC)	3.8646812%
Bond Yield for Arbitrage Purposes	3.4886120%
All Inclusive Cost (AIC)	4.5357393%

## IRS Form 8038

Net Interest Cost	3.4588856%
Weighted Average Maturity	3.404 Years

**ESTIMATES PRIOR TO BOND SALE**

**Detroit Lakes Public Schools I.S.D. No. 22**  
**Analysis of Possible Structure for Capital and Debt Levies**

<p><b>\$2,435,000</b>  <b>Voter Approved Bonds</b>  <b>5 Tax Levies</b></p>
---

Type of Bond	Principal Amount	Dated Date	Interest Rate
Voter-Approved Building	\$2,435,000	11/17/22	3.86%

September 22, 2022

Levy Payable Year	Fiscal Year	Tax Capacity Value <sup>1</sup>		Existing Commitments					Proposed New School Building Bonds				Combined Totals		
		(\$000s)	% Chg	Building Bonds <sup>2</sup>	Abatement Bonds <sup>2</sup>	Est. Debt Excess <sup>3</sup>	Net Levy	Tax Rate	Principal	Interest	Add'l. Debt Excess <sup>3</sup>	Net Levy	Initial Debt Levy	Net Levy	Tax Rate
2021	2022	30,576	5.4%	3,341,133	440,948	-	3,782,081	12.37	-	-	-	-	3,782,081.00	3,782,081.00	12.37
2022	2023	32,122	5.1%	3,491,546	442,155	(84,206)	3,849,495	11.98	-	-	-	-	3,849,494.62	3,849,494.62	11.98
2023	2024	35,335	10.0%	3,494,170	437,798	(96,842)	3,835,126	10.85	350,000	133,395	24,169	531,733	4,366,859.38	4,366,859.38	12.36
2024	2025	35,335	0.0%	3,492,333	438,533	(157,279)	3,773,587	10.68	475,000	93,150	-	596,558	4,370,144.11	4,370,144.11	12.37
2025	2026	35,335	0.0%	3,491,283	438,953	(157,235)	3,773,001	10.68	500,000	69,400	-	597,870	4,370,870.71	4,370,870.71	12.37
2026	2027	35,335	0.0%	3,490,758	439,058	(157,209)	3,772,606	10.68	545,000	44,400	(23,915)	594,955	4,367,561.11	4,367,561.11	12.36
2027	2028	35,335	0.0%	3,490,495	438,848	(157,193)	3,772,150	10.68	565,000	22,600	(23,798)	593,182	4,365,332.00	4,365,332.00	12.35
2028	2029	35,335	0.0%	3,495,483	438,323	(157,174)	3,776,632	10.69	-	-	-	-	3,776,631.61	3,776,631.61	10.69
2029	2030	35,335	0.0%	3,491,703	437,483	(157,352)	3,771,833	10.67	-	-	-	-	3,771,833.11	3,771,833.11	10.67
2030	2031	35,335	0.0%	3,489,603	441,578	(157,167)	3,774,013	10.68	-	-	-	-	3,774,012.91	3,774,012.91	10.68
2031	2032	35,335	0.0%	3,488,973	439,950	(157,247)	3,771,676	10.67	-	-	-	-	3,771,675.61	3,771,675.61	10.67
2032	2033	35,335	0.0%	3,494,695	438,008	(157,157)	3,775,546	10.69	-	-	-	-	3,775,545.91	3,775,545.91	10.69
2033	2034	35,335	0.0%	3,912,648	-	(157,308)	3,755,340	10.63	-	-	-	-	3,755,339.71	3,755,339.71	10.63
2034	2035	35,335	0.0%	3,928,398	-	(156,506)	3,771,892	10.67	-	-	-	-	3,771,891.91	3,771,891.91	10.67
2035	2036	35,335	0.0%	3,927,348	-	(157,136)	3,770,212	10.67	-	-	-	-	3,770,211.91	3,770,211.91	10.67
2036	2037	35,335	0.0%	3,931,088	-	(157,094)	3,773,995	10.68	-	-	-	-	3,773,994.54	3,773,994.54	10.68
2037	2038	35,335	0.0%	3,931,883	-	(157,244)	3,774,639	10.68	-	-	-	-	3,774,638.96	3,774,638.96	10.68
2038	2039	35,335	0.0%	3,928,601	-	(157,275)	3,771,326	10.67	-	-	-	-	3,771,325.95	3,771,325.95	10.67
2039	2040	35,335	0.0%	-	-	-	-	-	-	-	-	-	-	-	-
2040	2041	35,335	0.0%	-	-	-	-	-	-	-	-	-	-	-	-
2041	2042	35,335	0.0%	-	-	-	-	-	-	-	-	-	-	-	-
2042	2043	35,335	0.0%	-	-	-	-	-	-	-	-	-	-	-	-
2043	2044	35,335	0.0%	-	-	-	-	-	-	-	-	-	-	-	-
2044	2045	35,335	0.0%	-	-	-	-	-	-	-	-	-	-	-	-
2045	2046	35,335	0.0%	-	-	-	-	-	-	-	-	-	-	-	-
2046	2047	35,335	0.0%	-	-	-	-	-	-	-	-	-	-	-	-
2047	2048	35,335	0.0%	-	-	-	-	-	-	-	-	-	-	-	-
2048	2049	35,335	0.0%	-	-	-	-	-	-	-	-	-	-	-	-
2049	2050	35,335	0.0%	-	-	-	-	-	-	-	-	-	-	-	-
2050	2051	35,335	0.0%	-	-	-	-	-	-	-	-	-	-	-	-
<b>Totals</b>				<b>65,312,140</b>	<b>5,271,631</b>	<b>(2,538,624)</b>	<b>68,045,147</b>		<b>2,435,000</b>	<b>362,945</b>	<b>(23,544)</b>	<b>2,914,298</b>	<b>70,959,445</b>	<b>70,959,445</b>	

- 1 Tax capacity value for taxes payable in 2021 and 2022 are final values. Estimates for future years are based on the percentage changes as shown above.
- 2 Initial debt service levies (prior to subtracting debt equalization aid) are set at 105 percent of the principal and interest payments during the next fiscal year.
- 3 Debt excess adjustment for taxes payable in 2021 and 2022 are the actual amounts. 2023 is an estimate from the district's taxes payable 2023 levy report. Debt excess for future years is estimated at 4% of the prior year's initial debt service levy.

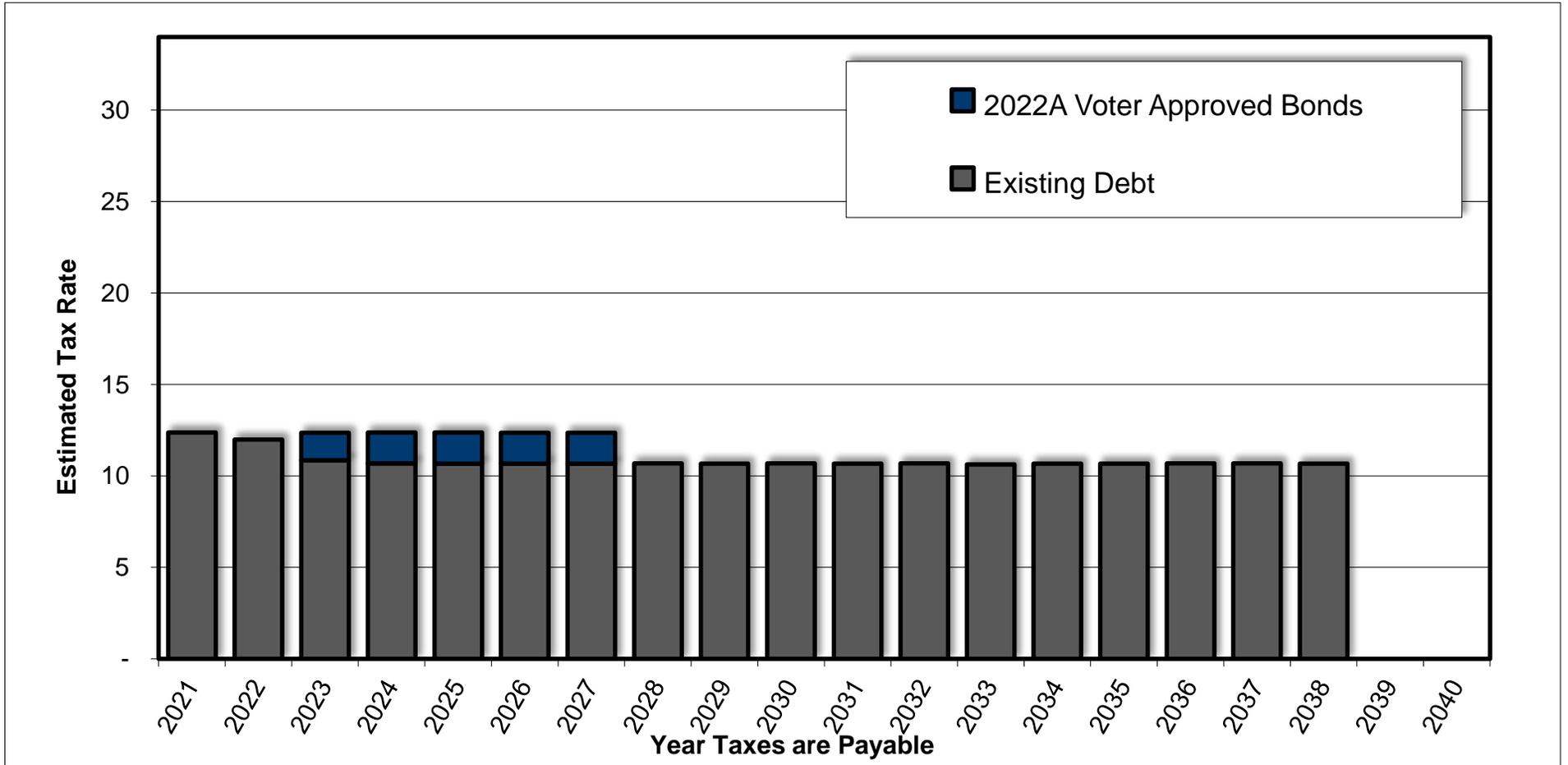


## ESTIMATES PRIOR TO BOND SALE

**Detroit Lakes Public Schools I.S.D. No. 22**  
**Estimated Tax Rates for Capital and Debt Service Levies**  
**Existing Commitments and Proposed New Debt**

**\$2,435,000**  
**Voter Approved Bonds**  
**5 Tax Levies**

Date Prepared: **September 22, 2022**



**PURCHASE OF SERVICE AGREEMENT  
Mental Health Therapy Services  
Detroit Lakes Independent School District &  
Stellher Human Services, Inc.  
July 1, 2022 - June 30, 2023**

**Term**

This agreement is entered into effective July 1, 2022 by and between the Detroit Lakes School District, ("District") and Stellher Human Services, Inc. ("Contractor") for services in the period July 1, 2022 to June 30, 2023.

**RECITALS**

The District has need of mental health intervention and treatment services for children and adolescents who have an emotional disturbance or who are at-risk of developing emotional or behavioral disorders. The purpose of these services is to reduce the risk of onset of emotional and behavioral problems and to provide the appropriate treatment and follow-up services to children who already have an emotional disturbance. The District and Contractor desire to enter into this agreement to combine their resources and thereby provide mutually agreed upon services to students and families with the above needs.

**AGREEMENT**

**I. Contractors Duties**

- A. The Contractor will provide individual and group therapy and/or skills building for students with an emotional disturbance, emotional behavioral disorder or serious mental health problem.
- B. Services will be provided by a Therapist (Mental Health Professional or by a master's level Practitioner as defined in M.S. 245.4871, Subd. 26). The Therapist will be available to provide services both during the school year and in the summer.
- C. The Contractor will provide 10 FTE's comprised of Mental Health Professionals, Mental Health Practitioners and Clinical Trainees to provide services to children.
- D. The Contractor shall be responsible for all compensation, fringe benefits, liability insurance, mileage and compliance with all State and Federal laws governing employment relationships to the employee by the employer.
- E. The Contractor will coordinate services with the District and other agencies that may be providing services to the child.

- F. The Contractor shall, in writing within 10 days, notify the District whenever it is unable to, or going to be unable to, provide the required quality or quantity of the Purchased Services.

**II. Duties of the District**

- A. The District will identify and refer students to the program.
- B. The District will coordinate other district services that the student might be receiving with the Contractor's staff and will assist the Contractor's staff in scheduling and accessing students for treatment sessions.
- C. The District will provide appropriate space and other needed furnishings, equipment and support for conducting treatment sessions.

**III. Terms of Payment**

- A. The Stellher budget for the 2022-2023 school year for the 10 FTE's and Clinical Supervision is \$706,590.33. Of that amount, the District will be responsible for \$241,200.
- B. The Contractor will bill the District nine (9) monthly installments of \$26,800 starting September 1, 2022. The District will make payment to the Contractor within 15 days of receipt of each billing.
- C. The Contractor will bill Minnesota Health Care Programs and other third-party payers for services to eligible clients.
- D. It is understood that if the State source or other sources of funds on behalf of any of the parties is not obtained at a level sufficient to purchase the service, the obligation of each party under this agreement may be revised or terminated.
- E. The Contractor shall not charge any program or service fee to contract eligible clients (students and/or their families). School Linked Mental Health grant funds will be used to pay for services to uninsured and underinsured families and for consultation with staff, parents and other activities not reimbursable by third parties.

**V. Eligibility for Services**

- A. Eligible students are those who have been identified by the District as needing mental health services.
- B. Eligibility for mental health services reimbursable by Minnesota Health Care Programs is determined in accordance with MN Statutes 256B.0943, Children's Therapeutic Services and Supports, and other statutes and rules applicable to those programs.

- C. If a contract eligible client is no longer eligible to receive purchased services or services are no longer needed or appropriate, the Contractor shall notify the School within ten working days of the determination.

**VI. Reports and Records**

- A. The Contractor agrees to submit financial and statistical reports to the District upon their request or at least annually.
- B. The Contractor agrees to keep complete books and records according to generally accepted accounting principles, which shall fully document receipts and expenditures under this contract. Contractor further agrees to maintain all records pertaining to the contract at its office for four years for audit purposes.

**VII. Safeguard of Client Information**

The use or disclosure by any party of information concerning an eligible client in violation of any rule of confidentiality provided for in Minnesota Statutes, Chapter 13, or for any responsibility with respect to the Purchased Services hereunder is prohibited except on written consent of such eligible client, the client's attorney or the client's responsible parent or guardian.

**VIII. Equal Employment Opportunity, Civil Rights, Nondiscrimination & Human Rights**

The Contractor agrees to comply with the Civil Rights Act of 1964, Title VII (42 USC 2000e); including Executive Order No. 11246, and Title VI (42 USC 2000d); and the Rehabilitation Act of 1973, as amended by Section 504, and the Minnesota Human Rights Act (M.S. ch. 363). The School encourages the recruitment and consideration of qualified mental health consumers and family members for positions funded under this contract.

**IX. Indemnification and Insurance**

All parties herein agree to fully exonerate, indemnify and hold harmless one another from and against all claims or actions and all expenses and cost including attorney's fees incidental to the defense of any such claims or actions based upon or arising out of damage or injury (death) to person or property caused by or sustained in connection with the performance of this Agreement. The Contractor further agrees, in order to protect itself and the other parties under the indemnity provisions above, to always during the term of this contract, have and keep in force a liability insurance policy in the amount of \$1,000,000 for each occurrence and \$3,000,000 general aggregate.

**X. Termination**

All parties herein agree that should any of the parties participating in this agreement for reasons beyond their control be unable to secure adequate funding for the purposes herein and upon 30 days' notice be able to revise or terminate their obligations to this agreement.

IN WITNESS WHEREOF, the parties have caused this contract to be duly executed intending to be bound thereby.

  
\_\_\_\_\_  
Detroit Lakes Superintendent

8/31/22  
Date

  
\_\_\_\_\_  
Stellher Human Services, Inc., Co-CEO

9/12/2022  
Date

**DETROIT LAKES SCHOOL DISTRICT**

**&**

**STELLHER HUMAN SERVICES**

**HIPPA BUSINESS ASSOCIATE AGREEMENT**

**Definitions**

The following terms used in this Agreement shall have the same meaning as those terms in the HIPAA Rules: Breach, Data Aggregation, Designated Record Set, Disclosure, Health Care Operations, Individual, Minimum Necessary, Notice of Privacy Practices, Protected Health Information, Required by Law, Secretary, Security Incident, Subcontractor, Unsecured Protected Health Information, and Use.

Specific definitions:

- (a) Business Associate. "Business Associate" shall generally have the same meaning as the term "business associate" at 45 CFR 160.103, and in reference to the party to this agreement, shall mean Detroit Lakes Public School District.
- (b) Covered Entity. "Covered Entity" shall generally have the same meaning as the term "covered entity" at 45 CFR 160.103, and in reference to the party to this agreement, shall mean Stellher Human Services.
- (c) HIPAA Rules. "HIPAA Rules" shall mean the Privacy, Security, Breach Notification, and Enforcement Rules at 45 CFR Part 160 and Part 164.

**Obligations and Activities of Business Associate**

Business Associate agrees to:

- (a) Not use or disclose protected health information other than as permitted or required by the Agreement or as required by law;
- (b) Use appropriate safeguards, and comply with Subpart C of 45 CFR Part 164 with respect to electronic protected health information, to prevent use or disclosure of protected health information other than as provided for by the Agreement;
- (c) Report to covered entity any use or disclosure of protected health information not provided for by the Agreement of which it becomes aware, including breaches of unsecured protected health information as required at 45 CFR 164.410, and any security incident of which it becomes aware;
- (d) In accordance with 45 CFR 164.502(e)(1)(ii) and 164.308(b)(2), if applicable, ensure that any subcontractors that create, receive, maintain, or transmit protected health information on behalf of the business associate agree to the

same restrictions, conditions, and requirements that apply to the business associate with respect to such information;

(e) Make available protected health information in a designated record set to the Covered Entity as necessary to satisfy covered entity's obligations under 45 CFR 164.524;

(f) Make any amendment(s) to protected health information in a designated record set as directed or agreed to by the covered entity pursuant to 45 CFR 164.526, or take other measures as necessary to satisfy covered entity's obligations under 45 CFR 164.526;

(g) Maintain and make available the information required to provide an accounting of disclosures to the Covered Entity as necessary to satisfy covered entity's obligations under 45 CFR 164.528;

(h) To the extent the business associate is to carry out one or more of covered entity's obligation(s) under Subpart E of 45 CFR Part 164, comply with the requirements of Subpart E that apply to the covered entity in the performance of such obligation(s); and

(i) Make its internal practices, books, and records available to the Secretary for purposes of determining compliance with the HIPAA Rules.

#### **Permitted Uses and Disclosures by Business Associate**

(a) Business associate may only use or disclose protected health information as necessary to perform the services set forth in the Purchase of Service Agreement.

(b) Business associate may use or disclose protected health information as required by law.

(c) Business associate agrees to make uses and disclosures and requests for protected health information consistent with covered entity's minimum necessary policies and procedures.

(d) Business associate may not use or disclose protected health information in a manner that would violate Subpart E of 45 CFR Part 164 if done by covered entity.

#### **Term and Termination**

(a) Term. The Term of this Agreement shall be effective as of July 1, 2022, and shall terminate on June 30, 2023, or on the date covered entity terminates for cause as authorized in paragraph (b) of this Section, whichever is sooner.

(b) Termination for Cause. Business associate authorizes termination of this Agreement by covered entity, if covered entity determines business associate has violated a material term of the Agreement and business associate has not cured the breach or ended the violation within the time specified by covered entity.

(c) Obligations of Business Associate Upon Termination.

Upon termination of this Agreement for any reason, business associate, with respect to protected health information received from covered entity, or created, maintained, or received by business associate on behalf of covered entity, shall:

1. Retain only that protected health information which is necessary for business associate to continue its proper management and administration or to carry out its legal responsibilities;
2. Return to covered entity or, if agreed to by covered entity, destroy the remaining protected health information that the business associate still maintains in any form;
3. Continue to use appropriate safeguards and comply with Subpart C of 45 CFR Part 164 with respect to electronic protected health information to prevent use or disclosure of the protected health information, other than as provided for in this Section, for as long as business associate retains the protected health information;
4. Not use or disclose the protected health information retained by business associate other than for the purposes for which such protected health information was retained.
5. Return to covered entity or, if agreed to by covered entity, destroy the protected health information retained by business associate when it is no longer needed by business associate for its proper management and administration or to carry out its legal responsibilities.

(d) Survival. The obligations of business associate under this Section shall survive the termination of this Agreement.

**Miscellaneous**

(a) Regulatory References. A reference in this Agreement to a section in the HIPAA Rules means the section as in effect or as amended.

(b) Amendment. The Parties agree to take such action as is necessary to amend this Agreement from time to time as is necessary for compliance with the requirements of the HIPAA Rules and any other applicable law.

(c) Interpretation. Any ambiguity in this Agreement shall be interpreted to permit compliance with the HIPAA Rules.

Business Associate and Covered Entity, having signed this Agreement and pursuant to the proper Business Associate and Covered Entity officials having signed this Agreement, the parties hereto agree to be bound by the provisions herein.

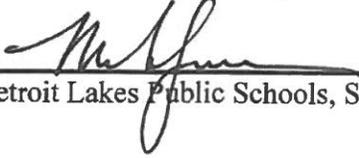
**Business Associate Agreement  
School Year 2022-23**



Stellher Human Services, Co-CEO

9-2-2020

Date



Detroit Lakes Public Schools, Superintendent

8/31/22

Date

**DETROIT LAKES SLMH BUDGET 2022-23**

POSITION	FTE	WAGE	FRINGE	Direct Expense	TOTALS
MH Professional Fasteen	1.00	\$ 51,500.00	\$ 16,480.00		67,980.00
MH Professional Shouse	1.00	\$ 51,500.00	\$ 16,480.00		67,980.00
MH Professional DeCock	1.00	\$ 51,500.00	\$ 16,480.00		67,980.00
MH Clinical Trainee Benson	1.00	\$ 41,200.00	\$ 13,184.00		54,384.00
MH Clinical Trainee Goodrich	1.00	\$ 41,200.00	\$ 13,184.00		54,384.00
MH Clinical Trainee Swanson	1.00	\$ 41,200.00	\$ 13,184.00		54,384.00
MH Practitioner- Alexis Fritz	1.00	\$ 37,080.00	\$ 11,865.60		48,945.60
MH Practitioner- Mernitz	1.00	\$ 37,080.00	\$ 11,865.60		48,945.60
MH Practitioner Waaraniemi	1.00	\$ 37,080.00	\$ 11,865.60		48,945.60
MH Practitioner Lien	1.00	\$ 37,080.00	\$ 11,865.60		48,945.60
Coordinator Larson		\$ 5,150.00	\$ 1,648.00	\$ -	6,798.00
Travel				\$ 1,850.00	1,850.00
Training				\$ 2,250.00	2,250.00
Supplies				\$ 2,250.00	2,250.00
Technology				\$ 3,150.00	3,150.00
<b>Totals</b>		<b>\$ 431,570.00</b>	<b>\$ 138,102.40</b>	<b>\$ 9,500.00</b>	<b>\$ 579,172.40</b>
Indirect Cost					<b>127,417.93</b>
<b>Total Expenses</b>					<b>706,590.33</b>
<b>REVENUES</b>	2022-23	2021-22	Increase	Percentage	
SLMH/3rd Party Billing	\$ 465,390.33	\$ 412,900.80	\$ 52,489.53	13%	
School District	\$ 241,200.00	\$ 235,200.00	\$ 6,000.00	2.6%	
<b>Total Revenues</b>	<b>\$ 706,590.33</b>	<b>\$ 648,100.80</b>	<b>\$ 58,489.53</b>		

DATE: September 15, 2022  
TO: Mark Jenson, Superintendent and Board of Education  
FROM: Jason Kuehn, Director of Finance and Operations  
SUBJECT: **Construction Change Orders – High School**

Attached and summarized below are the Change Orders for the September 26, 2022 School Board meeting, listed by project location and by contractor.

**High School:**

Change Order #009 - CE #126: Painting Contractor: Merit Painting Added Painting for Room 109	\$250.00
Change Order #018 - CE #124: Added Bench Brackets Contractor: Northwest Cabinets Added Brackets for Commons Bench	\$467.73
<b>TOTAL CHANGE ORDERS</b>	<b><u>\$717.73</u></b>

Recommend approval of the above listed Change Orders.



**CCO #009**

Zerr Berg Architects/Gehrtz Construction Services  
510 4th Ave. N  
Fargo, North Dakota 58102  
Phone: (701) 280-0187  
Fax: (701) 280-9021

**Project:** 18-065 - Detroit Lakes High School Additions & Renovations  
1301 Roosevelt Avenue,  
Detroit Lakes, Minnesota 56501

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## Subcontract Change Order #009: CE #126 - Extra prime and paint soffits in room 109

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<b>CONTRACT COMPANY:</b>	Merit Painting Inc. PO Box 71 Menahga, Minnesota 56464	<b>CONTRACT FOR:</b>	SC-18-065-024:9I Painting
<b>DATE CREATED:</b>	8/24/2022	<b>CREATED BY:</b>	James Lansing (Gehrtz Construction Services)
<b>CONTRACT STATUS:</b>	Approved	<b>CHANGE REASON:</b>	Construction Change
<b>ACCOUNTING METHOD:</b>	Amount Based	<b>TOTAL AMOUNT:</b>	\$250.00

**DESCRIPTION:**  
CE #126 - Extra prime and paint soffits in room 109 due to installation of mechanical systems for second floor science room

**ATTACHMENTS:**  
[SKM\\_C308UP22091215390.pdf](#)

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**CHANGE ORDER LINE ITEMS:**

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The original (Contract Sum)	\$ 298,700.00
Net change by previously authorized Change Orders	\$ 23,454.00
The contract sum prior to this Change Order was	\$ 322,154.00
The contract sum will be increased by this Change Order in the amount of	\$ 250.00
The new contract sum including this Change Order will be	\$ 322,404.00
The contract time will not be changed by this Change Order by	

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**Merit Painting Inc.**  
Menahga, Minnesota

DocuSigned by:  
  
089C2AB32C1648F

**Gehrtz Construction Services**  
Fargo, North Dakota

DocuSigned by:  
  
8E9E8070A5C74CC

**Detroit Lakes Public Schools**  
Detroit Lakes, Minnesota

**Zerr Berg Architects**  
Fargo, North Dakota

DocuSigned by:  
  
32113E3583E3494

## James Lansing

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**From:** Dan Kleist  
**Sent:** Saturday, August 20, 2022 9:30 PM  
**To:** James Lansing  
**Subject:** Fwd: DLHS Change Order

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Thanks,

Dan Kleist  
Principal Construction Manager



**Building the Future Together**

Construction Management / Cost Estimating / Design-Build

Office 701.297.0704

Direct 701.478.4733

Fax 701.280.9021

Mobile 701.238.6750

[dkleist@gcs-fm.com](mailto:dkleist@gcs-fm.com)

510 4<sup>th</sup> Avenue N, Fargo, ND 58102

[www.gehrtzconstructionservices.com](http://www.gehrtzconstructionservices.com)

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**From:** braden merit-painting.com <braden@merit-painting.com>  
**Sent:** Friday, August 19, 2022 6:59:53 PM  
**To:** Dan Kleist <dkleist@gcs-fm.com>  
**Subject:** DLHS Change Order

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dan,

Couple additional items:

- Prime and paint drywall in Physics room. \$250
- Paint new HM removable guards in the new gym. \$375

Can we get this processed for final billing?

Thanks,



**CCO #016**

Zerr Berg Architects/Gehrtz Construction Services  
 510 4th Ave. N  
 Fargo, North Dakota 58102  
 Phone: (701) 280-0187  
 Fax: (701) 280-9021

**Project:** 18-065 - Detroit Lakes High School Additions & Renovations  
 1301 Roosevelt Avenue,  
 Detroit Lakes, Minnesota 56501

**Subcontract Change Order #016: CE #124 - Added commons bench brackets**

<b>CONTRACT COMPANY:</b>	Northwest Cabinets, Inc. 9457 Wildasin Dr NW Bemidji, Minnesota 56601	<b>CONTRACT FOR:</b>	SC-18-065-008:6B Millwork - Materials
<b>DATE CREATED:</b>	8/09/2022	<b>CREATED BY:</b>	James Lansing (Gehrtz Construction Services)
<b>CONTRACT STATUS:</b>	Approved	<b>CHANGE REASON:</b>	Construction Change
<b>ACCOUNTING METHOD:</b>	Amount Based	<b>TOTAL AMOUNT:</b>	\$467.73
<b>DESCRIPTION:</b>			
CE #124 - Added commons bench brackets Supplied stronger brackets for the large commons bench			
<b>ATTACHMENTS:</b>			
<a href="#">brackets for bench .pdf</a>			

**CHANGE ORDER LINE ITEMS:**

The original (Contract Sum)	\$ 540,555.00
Net change by previously authorized Change Orders	\$ 130,445.26
The contract sum prior to this Change Order was	\$ 671,000.26
The contract sum will be increased by this Change Order in the amount of	\$ 467.73
The new contract sum including this Change Order will be	\$ 671,467.99
The contract time will not be changed by this Change Order by	

**Northwest Cabinets, Inc.**  
Bemidji, Minnesota

**Gehrtz Construction Services**  
Fargo, North Dakota

DocuSigned by:  
  
 D9E91518A92E4C3

DocuSigned by:  
  
 8E9E807A5C74CC

**Detroit Lakes Public Schools**  
Detroit Lakes, Minnesota

**Zerr Berg Architects**  
Fargo, North Dakota

DocuSigned by:  
  
 48FA95C41FDA482

DocuSigned by:  
  
 32113E3583E3494

# NORTHWEST CABINETS, INC.

Work# 2392

Date: 11/22/2021

**Job Name:** Detroit Lakes High School  
**Proposal for** brackets for bench 601 west

**\$467.73**

Description	MaterialQ uantity	Material Unit	Material rate	Material Total	Labor Hours	Labor Rate	Labor Total	Grand Total
am 12 x 18 brackets request per james	1.00	ea	326.00	326.00				326.00
shipping	1.00	ea	75.00	75.00				75.00
Subtotal				401.00				401.00
Overhead								32.08
Profit								34.65
Insurance								
Bond								
State Tax								
County Tax								
City Tax								
Total								467.73

9457 Wildasin Dr. NW Bemidji, MN 56601  
218-444-6122 Phone 218-444-6898 Fax  
northwestcabinetsinc.com



DATE: September 22, 2022

TO: Mark Jenson, Superintendent and Board of Education

FROM: Jason Kuehn, Director of Finance and Operations

SUBJECT: **Certification of 2022 Tax Levy Payable in 2023 for the 2023-24 School Year**

The school board is required to certify to the county auditor of Ottertail and Becker County the school district's preliminary 2022 Payable 2023 Property Tax Levy by September 30, 2022. The district will certify the maximum levy, as certifying the preliminary levy in this manner allows for adjustments prior to the final levy certification in December. Attached are pages 30 and 31 of the Levy Limitation and Certification document from the Minnesota Department of Education (MDE) which show detailed levy amounts broken down by category.

Preliminary figures indicate that the school district portion of the property tax levy increased by 3.36% from a year ago to \$9,041,348.76. Last year's levy amount was \$8,747,239.67. The figures presented are preliminary and may change in the coming months.

During the regularly scheduled board meeting on Monday, December 19th at 6:00 PM, the school board will discuss the payable 2023 levy and the current year budget (Fiscal Year 2023). At this meeting there will be an opportunity for the public to speak. The final levy certification will be approved at the same meeting.

Administration and Finance Committee recommends to approve the maximum for 2022 Payable 2023 Proposed Property Tax Levy.

I. COMPUTATION OF 2022 PAYABLE 2023 LEVY LIMITATION BY FUND (BEFORE COUNTY AUDITOR ADJUSTMENTS):

FUND	INITIAL LEVY LIMITATION	LIMITATION ADJUSTMENTS	ABATEMENT ADJUSTMENTS	OFFSET ADJUSTMENTS	TAC/MAX EFF ADJUSTMENT	MAXIMUM LEVY LIMITATION
GEN-RMV VOTER-EXEMP	2,464,783.89	272,077.79-	N/A			2,192,706.10
GEN-RMV OTHER-EXEMP			N/A			
GEN-NTC VOTER-EXEMP		N/A	N/A		N/A	N/A
GEN-NTC OTHER-GENED	2,102,742.89	212,138.98-	1,199.10			1,891,803.01
GEN-NTC OTHER-EXEMP						
TOTAL GENERAL	4,567,526.78	484,216.77-	1,199.10			4,084,509.11
COM SERV-EXEMP	230,644.38	141.53	24.40-			230,761.51
DEBT-VOTER-NONEXEMP	4,001,736.00	65,567.91-	2,200.94			3,938,369.03
DEBT-OTHER-NONEXEMP	803,435.14	15,726.03-				787,709.11
TOTAL DEBT SERV	4,805,171.14	81,293.94-	2,200.94			4,726,078.14
OPEB-VOTER-NONEXEMP						
OPEB-OTHER-NONEXEMP						
TOTAL OPEB/PENSION						
TOTAL	9,603,342.30	565,369.18-	3,375.64			9,041,348.76

II. COMPARISON OF 2021 PAYABLE 2022 LEVY LIMITATION WITH 2022 PAYABLE 2023 LEVY LIMITATION (BEFORE COUNTY AUDITOR ADJUSTMENTS):

FUND	2021 PAY 2022 LIMITATION	2022 PAY 2023 LIMITATION	INCREASE (DECREASE)	PERCENT CHANGE
GENERAL	4,606,730.46	4,084,509.11	522,221.35-	11.34-
COMMUNITY SERVICE	225,196.80	230,761.51	5,564.71	2.47
GENERAL DEBT SERVICE	3,915,312.41	4,726,078.14	810,765.73	20.71
OPEB DEBT SERVICE				
TOTAL	8,747,239.67	9,041,348.76	294,109.09	3.36

III. COMPARISON OF 2021 PAYABLE 2022 CERTIFIED LEVY PLUS COUNTY AUDITOR ADJUSTMENTS WITH 2022 PAYABLE 2023 CERTIFIED LEVY PLUS COUNTY AUDITOR ADJUSTMENTS:

FUND	2021 PAY 2022 CERTIFIED LEVY + ADJUSTMENTS	2022 PAY 2023 CERTIFIED LEVY + ADJUSTMENTS	INCREASE (DECREASE)	PERCENT CHANGE
GENERAL	4,606,730.46			
COMMUNITY SERVICE	225,196.80			
GENERAL DEBT SERVICE	3,915,312.41			
OPEB DEBT SERVICE				
TOTAL AFTER ADJUSTMENTS	8,747,239.67			

LINE #	LIMITATION COMPONENTS	2021 PAY 2022 LIMITATION	2021 PAY 2022 CERTIFIED LEVY	2022 PAY 2023 LIMITATION	2022 PAY 2023 PROPOSED LEVY	2022 PAY 2023 CERTIFIED LEVY NOTES
SUBTOTALS BY LEVY CATEGORY						
(5001)	GENERAL-RMV VOTER-JOBZ EXEMPT		2,506,333.95	2,192,706.10		
(5002)	GENERAL-RMV OTHER-JOBZ EXEMPT					
(5003)	GENERAL-NTC VOTER-JOBZ EXEMPT		2,100,396.51	1,891,803.01		
(5004)	GENERAL-NTC OTHER-JOBZ EXEMPT		225,196.80	230,761.51		
(5010)	COMMUNITY SERV-NTC OTHER-EXEMPT		3,400,618.03	3,938,369.03		*1
(5015)	GENL DEBT-NTC VOTER-NONEXEMPT		514,694.38	787,709.11		*1
(5016)	GENL DEBT-NTC OTHER-NONEXEMPT					
(5022)	OPEB DEBT-NTC VOTER-NONEXEMPT					
(5023)	OPEB DEBT-NTC OTHER-NONEXEMPT					
SUBTOTALS BY FUND						
(5005)	GENERAL FUND	4,606,730.46	4,606,730.46	4,084,509.11		
(5010)	COMMUNITY SERVICES FUND	225,196.80	225,196.80	230,761.51		
(5017)	GENERAL DEBT SERVICE FUND	3,915,312.41	3,915,312.41	4,726,078.14		
(5024)	OPEB/PENSION DEBT SERVICE FUND					
SUBTOTALS BY TAX BASE						
	REFERENDUM MARKET VALUE	2,506,333.95	2,506,333.95	2,192,706.10		
	NET TAX CAPACITY	6,240,905.72	6,240,905.72	6,848,642.66		
SUBTOTALS BY TRUTH IN TAXATION CATEGORY						
	VOTER APPROVED	3,400,618.03	3,400,618.03	3,938,369.03		
	OTHER	5,346,621.64	5,346,621.64	5,102,979.73		
TOTAL LEVY						
	TOTAL LEVY	8,747,239.67	8,747,239.67	9,041,348.76		
ALLOWABLE INCREASE						
ALLOWABLE INCREASE AMOUNT						
MAXIMUM ALLOWABLE CERTIFIED LEVY						

FOOTNOTES:  
 \*1 SCHOOL BUILDING BOND AGRICULTURAL CREDIT WILL BE CALCULATED USING THE GENERAL DEBT SERVICE LEVY CATEGORIES  
 NOTE TO SCHOOL DISTRICTS: MUST CERTIFY PROPOSED AND FINAL LEVIES VIA THE WEB-BASED LEVY CERTIFICATION SYSTEM AVAILABLE ON THE MDE WEBSITE, [HTTP://EDUCATION.STATE.MN.US](http://EDUCATION.STATE.MN.US).



# Detroit Lakes Public Schools

## Monthly Enrollment Summary

### 2022-2023

Month: September 8

#### D.L. Preschool Special Ed.

	EIC	ECSE	Total
Roosevelt	42	70	112

#### Non-resident Preschool Special Ed.

	EIC	ECSE	Total
Roosevelt	1	6	7

#### KINDERGARTEN

	Kind.	Kind SpEd	Total
Roosevelt	75	21	96
Rossman	76	16	92
<b>Totals</b>	<b>151</b>	<b>37</b>	<b>188</b>

#### GRADES 1 - 5

	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Total
Roosevelt	99	90	88	109	96	482
Rossman	94	94	93	101	98	480
<b>Totals</b>	<b>193</b>	<b>184</b>	<b>181</b>	<b>210</b>	<b>194</b>	<b>962</b>

#### ELEMENTARY TOTALS

Kindergarten	Gr.1-5	Total
188	962	1150

#### MIDDLE SCHOOL

	Grade 6	Grade 7	Grade 8	Total
Middle School	213	201	181	595

#### SENIOR HIGH

	Grade 9	Grade 10	Grade 11	Grade 12	Subtotal	PSEO/F	PSEO/P	Total
Senior High	209	241	225	206	881	0	0	881

#### 2022-2023

##### K-12 Total

2705

#### 2021-2022

##### K-12 Total

2737

#### 2020-2021

##### K-12 Total

2776

#### MONTHLY TOTALS\*

EIC	43
ECSE	76
Kind. Sp. Ed.	37
Kindergarten	151
Grades 1-5	962
Middle School	595
Senior High	881
ALC	68
Laker Transitions	11
<b>TOTAL</b>	<b>2824</b>

\*Does not include non-resident students on tuition agreement

#### ALC

D.L.	52
Other	16
<b>Total</b>	<b>68</b>

#### LAKER TRANSITIONS

D.L.	9
Other	2
<b>Total</b>	<b>11</b>







# Detroit Lakes Public Schools Elementary Grade Sections 2022-2023

Month: September 8

		Roosevelt		Rossman		Grade Average
<b>Kindergarten</b>						<b>18.80</b>
	Section 1&3	19	19	17	19	
	Section 2&4	19	19	19	19	
	Section 5	20		18		
Building Average		19.20		18.40		
<b>Grade 1</b>						<b>19.00</b>
	Section 1&3	19	20	17	19	
	Section 2&4	18	20	19	19	
	Section 5	19		20		
Building Average		19.20		18.80		
<b>Grade 2</b>						<b>23.00</b>
	Section 1&3	23	23	23	24	
	Section 2&4	22	22	24	23	
	Section 5					
Building Average		22.50		23.50		
<b>Grade 3</b>						<b>22.50</b>
	Section 1&3	21	22	22	23	
	Section 2&4	22	22	24	24	
	Section 5					
Building Average		21.75		23.25		
<b>Grade 4</b>						<b>26.13</b>
	Section 1&3	27	27	25	26	
	Section 2&4	27	27	25	25	
	Section 5					
Building Average		27.00		25.25		
<b>Grade 5</b>						<b>21.13</b>
	Section 1&3	24	24	24	25	
	Section 2&4	24	24	24	0	
	Section 5					
Building Average		24.00		18.25		

The district class size average for K-5 is:

**19.47**

The class size average on this page is different than the class size average calculated by the State. The class size average on this page reflects students in a classroom with the regular classroom teacher and does not count specialists such as music, phy.ed. and art teachers which the state uses in calculating class size average.

**Champions Board**  
**Lakeshirts Lab, September 15, 2022 5:00 P.M.**

- 1. Mark Kiser-** Introduction
  - a. Update
- 2. Josh Omang-** Introduction
  - a. Update
- 3. Aaron Swenson-** Introduction
  - a. Academy Enrollment
- 4. Mindi Jenson-** Introduction
  - a. Outdoor Learning
- 5. Vern Schnathorst-** Introduction
  - a. Work-Based Learning Activities
- 6. Open for Comments/Questions**

DETROIT LAKES

**LAKERS**





**City of Detroit Lakes**

1025 Roosevelt Ave., P.O. Box 647 Detroit Lakes, MN 56502

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## **SPORTS ARENA COMMISSION**

### **AGENDA**

**Thursday, September 8, 2022**

**7:30 AM**

**The Meeting will be held in the Conference Room at the City of Detroit Lakes Administration Building, 1025 Roosevelt Avenue Detroit Lakes MN.**

1. Consideration to approving the [Minutes](#) from the meeting held on June 7, 2022.
2. Consideration to approving the [Financials](#) for June, July, & August 2022.
3. Preliminary [Budget 2023](#) review
4. Update Essentia Health sponsorship agreement
  - a. Zamboni wrap update
5. Update spring/summer schedule of events.
  - a. Dick Beardsley Marathon – September 10
  - b. Inquiries – Golden Gloves, DJ show
6. Review CIP projected schedule
7. Update Arena addition project
8. Lease agreements
  - a. Current contracts run through 2022-23 season
9. Other

Respectfully,  
**KELCEY KLEMM**  
City Administrator

**Sports Arena Commission Members:**

Chad Carlblom- Chairman

Matt Boeke- Alderman Ward 3-At Large

John Steffl- School District 22- At Large

Rob Nielsen- School District 22

Judd Syverson- Detroit Lakes Youth Hockey Association

Shawn Eckert- Becker County Fair Board

**Future Meeting Dates:**

December 6 @ 7:30am

A rendering of the Zamboni wrap was shown. Essentia plans to put flashing lights. This will require batteries but will not run off the Zamboni batteries. It was discussed that any maintenance outside of a battery charge will be the responsibility of Essentia. The wrap is planned to be done this summer. The company will travel here from Fargo to put the wrap on.

Missouri River will have a small section on the back of the Zamboni for advertising.

A motion was made by Boeke, seconded by Steffl, and carried without a dissenting vote, to approve the renderings of the Zamboni wrap with the Missouri River advertising included.

King gave an update on the summer ice plans. Youth Hockey has signed an agreement for usage. They will utilize Arena II July 11 to September 29. There is a plan to hold two tournaments in September. This will be an additional cost to the agreement signed for the summer ice agreement. It will be \$4500 per weekend to cover utilities and labor.

Rentals have started to go up. There has been usage in the arena and a couple of bookings for 2023 already.

Carlblom gave an update on the arena addition.

Boeke and Klemm met with the Fair Board and showed them their rendering ideas of the arena and land area. For the most part, the Arena Commission is only interested in the parking lot and is hoping for a longterm usage agreement with the County.

There was discussion of adding a third sheet of ice. Another discussion was the "third sheet of ice" room would be a multi-sport room.

Carlblom said next step is to bring something to Council. We will need community support to keep this going and if we want to use the food/beverage tax, we need community on board so it can go on 2024 ballot. He said we have basically three plans:

Plan A – proceed with addition, no additional ice

Plan B – proceed with addition, add 3<sup>rd</sup> sheet of ice

Plan C - proceed with addition, add 3<sup>rd</sup> sheet of ice, but make it a multi-purpose space

Must have the parking lot agreement to proceed with any of these additions.

A motion was made by Nielsen, seconded by Boeke, and carried without a dissenting vote, to adjourn the meeting at 8:55am.

Upcoming Meetings:

Sept 13 @ 7:30am

Dec 6 @ 7:30am

Respectfully submitted,  
Jamon Friendshuh, Administrative Assistant



Detroit Lakes, MN

# Budget Report

## Account Summary

For Fiscal: 2022 Period Ending: 07/31/2022

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
<b>Fund: 214 - SPORTS ARENA</b>							
<b>Revenue</b>							
<a href="#">214-34793</a>	ARENA RENT/SUMMER HOCKEY	35,000.00	35,000.00	0.00	35,250.00	250.00	100.71 %
<a href="#">214-34795</a>	ARENA RENT/SCHOOL DISTRICT	119,646.00	119,646.00	0.00	0.00	-119,646.00	0.00 %
<a href="#">214-34797</a>	ARENA RENT/YOUTH HOCKEY ASSN	98,838.00	98,838.00	0.00	48,450.00	-50,388.00	49.02 %
<a href="#">214-34799</a>	ARENA RENT/MISCELLANEOUS	9,000.00	9,000.00	0.00	7,533.88	-1,466.12	83.71 %
<a href="#">214-36201</a>	REFUNDS & REIMBURSEMENTS	0.00	0.00	0.00	2,950.00	2,950.00	0.00 %
<a href="#">214-38010</a>	INTEREST EARNINGS	0.00	0.00	0.00	10.18	10.18	0.00 %
<a href="#">214-39200</a>	TRANSFER FROM OTHER FUNDS	144,444.00	144,444.00	12,037.00	84,259.00	-60,185.00	58.33 %
	<b>Revenue Total:</b>	<b>406,928.00</b>	<b>406,928.00</b>	<b>12,037.00</b>	<b>178,453.06</b>	<b>-228,474.94</b>	<b>43.85%</b>
<b>Expense</b>							
<b>Department: 4541 - SPORTS ARENA</b>							
<a href="#">214-4541-10100</a>	SALARIES - REGULAR	107,000.00	107,000.00	8,998.70	60,752.76	46,247.24	56.78 %
<a href="#">214-4541-10200</a>	SALARIES - OVERTIME	1,000.00	1,000.00	1,360.61	1,360.61	-360.61	136.06 %
<a href="#">214-4541-10400</a>	SALARIES - TEMPORARY	14,000.00	14,000.00	0.00	5,410.88	8,589.12	38.65 %
<a href="#">214-4541-12100</a>	PERA	8,100.00	8,100.00	688.22	465.98	7,634.02	5.75 %
<a href="#">214-4541-12200</a>	FICA	9,333.00	9,333.00	595.06	4,322.94	5,010.06	46.32 %
<a href="#">214-4541-13100</a>	HEALTH INSURANCE	23,000.00	23,000.00	2,911.08	24,411.92	-1,411.92	106.14 %
<a href="#">214-4541-15100</a>	WORKMANS COMPENSATION	3,500.00	3,500.00	0.00	3,689.30	-189.30	105.41 %
<a href="#">214-4541-21000</a>	OPERATING SUPPLIES	15,000.00	15,000.00	94.04	15,178.34	-178.34	101.19 %
<a href="#">214-4541-21200</a>	GAS AND OIL	0.00	0.00	0.00	1,589.62	-1,589.62	0.00 %
<a href="#">214-4541-21700</a>	CLOTHING ALLOWANCE	600.00	600.00	0.00	59.98	540.02	10.00 %
<a href="#">214-4541-22000</a>	REPAIR & MAINTENANCE SUPPLIES	13,000.00	13,000.00	1,465.28	17,316.21	-4,316.21	133.20 %
<a href="#">214-4541-24000</a>	SMALL TOOLS & MINOR EQUIPMENT	2,000.00	2,000.00	0.00	1,551.85	448.15	77.59 %
<a href="#">214-4541-31000</a>	IT CHARGES	4,600.00	4,600.00	383.33	2,683.31	1,916.69	58.33 %
<a href="#">214-4541-31040</a>	OSHA SAFETY COMPLIANCE	500.00	500.00	133.90	455.12	44.88	91.02 %
<a href="#">214-4541-32100</a>	TELEPHONE	250.00	250.00	59.95	424.05	-174.05	169.62 %
<a href="#">214-4541-33100</a>	TRAVEL, MEETINGS & SCHOOLS	600.00	600.00	0.00	129.32	470.68	21.55 %
<a href="#">214-4541-36000</a>	INSURANCE	5,000.00	5,000.00	0.00	8,801.00	-3,801.00	176.02 %
<a href="#">214-4541-38100</a>	UTILITIES	75,000.00	75,000.00	5,630.65	37,372.07	37,627.93	49.83 %
<a href="#">214-4541-38300</a>	NATURAL GAS	20,000.00	20,000.00	424.66	16,691.11	3,308.89	83.46 %
<a href="#">214-4541-38400</a>	REFUSE DISPOSAL	0.00	0.00	70.20	2,261.19	-2,261.19	0.00 %
<a href="#">214-4541-40500</a>	REPAIR & MAINTENANCE	40,000.00	40,000.00	615.77	30,998.20	9,001.80	77.50 %
<a href="#">214-4541-43000</a>	MISCELLANEOUS	3,000.00	3,000.00	0.00	1,073.41	1,926.59	35.78 %
<a href="#">214-4541-70200</a>	TRANSFER TO EQUIPMENT FUND	60,000.00	60,000.00	0.00	0.00	60,000.00	0.00 %
	<b>Department: 4541 - SPORTS ARENA Total:</b>	<b>405,483.00</b>	<b>405,483.00</b>	<b>23,431.45</b>	<b>236,999.17</b>	<b>168,483.83</b>	<b>58.45%</b>
	<b>Expense Total:</b>	<b>405,483.00</b>	<b>405,483.00</b>	<b>23,431.45</b>	<b>236,999.17</b>	<b>168,483.83</b>	<b>58.45%</b>
	<b>Fund: 214 - SPORTS ARENA Surplus (Deficit):</b>	<b>1,445.00</b>	<b>1,445.00</b>	<b>-11,394.45</b>	<b>-58,546.11</b>	<b>-59,991.11</b>	<b>-4,051.63%</b>
	<b>Report Surplus (Deficit):</b>	<b>1,445.00</b>	<b>1,445.00</b>	<b>-11,394.45</b>	<b>-58,546.11</b>	<b>-59,991.11</b>	<b>-4,051.63%</b>

City of Detroit Lakes  
Capital Improvements for the Sports Arena

Capital Item	ACTUAL			BUDGET		PROJECTED								TOTALS
	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	
Replace Energy LED Lighting - Both Arenas	21,420													21,420
Replace Hockey Boards	39,124		330											79,454
Replace Furnaces in Main Lobby	18,466													18,466
Rebuild Dehumidifier - Arena #2	41,275													41,275
Insulate Ceiling Arena #1 Incl Electric	99,755													99,755
Overhead Door		4,689												4,689
Scoreboard (w/Advertising)		9,636												9,636
Replace Electric Service & Panel for Comp Room		24,950												24,950
Electric Zamboni			153,470						160,000					313,470
Furnace Replacements				4,350			10,000			10,000			10,000	44,350
Reseal Spray Foamed Ceilings/Painting				49,955										49,955
Arena Board Replacement Project				28,117										28,117
Arena Glass Projects				12,737										12,737
Remodel Locker Rooms & Showers Arena #1			6,980											6,980
Compressor 1 & 2 Overhaul				14,408										14,408
Arena Lighted Sign/Zamboni Wrap				27,169										27,169
Arena Improvement Project - Architect Fees				13,963										13,963
Replace Ammonia Sensor					10,625									10,625
Rebuild Arena #1 Dehumidifier						50,000								50,000
Replace Bleachers						36,000								36,000
Floor Scrubber						10,000					13,000			38,000
Water Heater Replacement x2						30,000								30,000
Resurface Parking Lot/Landscaping							70,000							70,000
Exterior & Façade Improvements							100,000							100,000
Addition - Locker Rooms & Showers/Storage							180,000							180,000
Fire Protection							215,000							215,000
Replace Condenser								150,000						150,000
Replace Condenser Water Pump/Glycol Pump								17,000						17,000
Replace Flat Roof - Main Lobby Entrance								35,000						35,000
Radiant Heat System in Bleacher Area									35,000					35,000
Replace Compressors										85,000			85,000	255,000
Replace Brine Pump #1										13,750				13,750
Replace Brine Pump #2										13,750				13,750
Replace Electric Control Panel										50,000				50,000
Replace Chiller - 500 Ton											125,000			125,000
Replace Dessicant Dehumidifiers - Arena #2												157,500		157,500
Replace Dessicant Dehumidifiers - Arena #1														157,500
<b>TOTALS</b>	<b>220,040</b>	<b>39,275</b>	<b>160,780</b>	<b>150,699</b>	<b>10,625</b>	<b>126,000</b>	<b>575,000</b>	<b>202,000</b>	<b>195,000</b>	<b>172,500</b>	<b>138,000</b>	<b>157,500</b>	<b>95,000</b>	<b>2,549,919</b>

Cash Flows:

	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
<b>Opening Balance</b>	<b>184,159</b>	<b>61,792</b>	<b>123,199</b>	<b>48,459</b>	<b>5,866</b>	<b>92,241</b>	<b>63,241</b>	<b>(414,759)</b>	<b>(519,759)</b>	<b>(647,759)</b>	<b>(759,259)</b>	<b>(824,259)</b>	<b>(914,759)</b>
City Levy	24,483	24,700	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000
Operating Fund #214 Excess (Shortfall)	13,338	23,222	-	(8,393)									
Transfer - School ISD #22	10,000	10,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
Transfer - Youth Hockey	10,000	10,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
Transfer - Summer Hockey	2,000	2,000	2,000										
Transfer - Essentia Sponsorship	-	-	-	25,000	30,000	30,000	30,000	30,000					
Other Revenues (in ice advertising)	7,352	3,260	9,040	8,500	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000
Other Revenues (see detail below)	-	-	-	23,000	-	-	-	-	-	-	-	-	-
Other Contributions	30,500	27,500	15,000										
<b>Total Revenues</b>	<b>97,673</b>	<b>100,682</b>	<b>86,040</b>	<b>108,107</b>	<b>97,000</b>	<b>97,000</b>	<b>97,000</b>	<b>97,000</b>	<b>67,000</b>	<b>67,000</b>	<b>67,000</b>	<b>67,000</b>	<b>67,000</b>
<b>Capital Expenditures</b>	<b>220,040</b>	<b>39,275</b>	<b>160,780</b>	<b>150,699</b>	<b>10,625</b>	<b>126,000</b>	<b>575,000</b>	<b>202,000</b>	<b>195,000</b>	<b>172,500</b>	<b>138,000</b>	<b>157,500</b>	<b>95,000</b>
<b>Ending Balance</b>	<b>61,792</b>	<b>123,199</b>	<b>48,459</b>	<b>5,866</b>	<b>92,241</b>	<b>63,241</b>	<b>(414,759)</b>	<b>(519,759)</b>	<b>(647,759)</b>	<b>(759,259)</b>	<b>(824,259)</b>	<b>(914,759)</b>	<b>(942,759)</b>

Other Revenues Detail	2021
Kent Club (boards project)	10,000
DL Youth Hockey (boards project)	10,000
DL School Dist (boards project)	3,000
<b>Total</b>	<b>23,000</b>

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Budget Worksheet

For Fiscal: 2022 Period Ending: 09/30/2022

								Defined Budgets	
		2020	2020	2021	2021	2022	2022	2023	
		Total Budget	Total Activity	Total Budget	Total Activity	Total Budget	YTD Activity	2023 BUDGET	
<a href="#">214-4541-31000</a>	IT CHARGES	4,607.00	4,607.28	4,600.00	4,599.96	4,600.00	3,066.64	4,600.00	
<a href="#">214-4541-31040</a>	OSHA SAFETY COMPLIANCE	504.00	487.40	500.00	499.45	500.00	455.12	500.00	
<a href="#">214-4541-32100</a>	TELEPHONE	220.00	197.98	250.00	258.57	250.00	484.24	500.00	
<a href="#">214-4541-33100</a>	TRAVEL, MEETINGS & SCHOOLS	600.00	0.00	600.00	43.28	600.00	129.32	600.00	
<a href="#">214-4541-36000</a>	INSURANCE	5,366.00	4,831.00	5,000.00	4,485.00	5,000.00	8,801.00	9,000.00	
<a href="#">214-4541-38100</a>	UTILITIES	83,625.00	62,398.45	75,000.00	80,220.13	75,000.00	45,814.66	80,000.00	
<a href="#">214-4541-38300</a>	NATURAL GAS	25,245.00	12,978.20	20,000.00	18,882.86	20,000.00	18,653.34	23,000.00	
<a href="#">214-4541-38400</a>	REFUSE DISPOSAL	0.00	0.00	0.00	1,129.12	0.00	2,617.10	4,500.00	
<a href="#">214-4541-40500</a>	REPAIR & MAINTENANCE	41,000.00	31,681.74	40,000.00	29,762.82	40,000.00	34,637.12	40,000.00	
<a href="#">214-4541-43000</a>	MISCELLANEOUS	2,000.00	452.00	1,000.00	3,381.88	3,000.00	1,073.41	3,000.00	
<a href="#">214-4541-70200</a>	TRANSFER TO EQUIPMENT FUND	0.00	0.00	60,000.00	76,606.82	60,000.00	0.00	60,000.00	
<b>Department: 4541 - SPORTS ARENA Total:</b>		<b>342,081.00</b>	<b>295,756.31</b>	<b>388,817.00</b>	<b>416,006.83</b>	<b>405,483.00</b>	<b>256,901.77</b>	<b>439,988.00</b>	
<b>Department: 4900 - TRANSFERS</b>									
<a href="#">214-4900-70200</a>	TRANSFER TO EQUIPMENT FUND	21,919.00	32,000.00	0.00	0.00	0.00	0.00		
<b>Department: 4900 - TRANSFERS Total:</b>		<b>21,919.00</b>	<b>32,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	
<b>Expense Total:</b>		<b>364,000.00</b>	<b>327,756.31</b>	<b>388,817.00</b>	<b>416,006.83</b>	<b>405,483.00</b>	<b>256,901.77</b>	<b>439,988.00</b>	
<b>Fund: 214 - SPORTS ARENA Surplus (Deficit):</b>		<b>0.00</b>	<b>11,008.97</b>	<b>7,383.00</b>	<b>-10,660.07</b>	<b>1,445.00</b>	<b>-66,411.71</b>	<b>0.00</b>	
<b>Report Surplus (Deficit):</b>		<b>0.00</b>	<b>11,008.97</b>	<b>7,383.00</b>	<b>-10,660.07</b>	<b>1,445.00</b>	<b>-66,411.71</b>	<b>0.00</b>	

**INDEPENDENT SCHOOL DISTRICT #22**  
**FINANCE COMMITTEE MEETING AGENDA**  
**Finance Committee Meeting - August 18, 2022**

**Members Present:**

**Jennifer Pederson**  
**Jason Kuehn**

**April Thomas**

**Courtney Henderson**

**Members Absent:**

**Mark Jenson**

A Finance Committee Meeting was held on Thursday, September 22, 2022 in the District Office Conference Room. The agenda was as follows:

**1. Fund Balances Review**

**Director of Finance Kuehn reviewed the fund balances through the month of July and receipts for the month of July.**

**2. Review of Disbursements**

**Four sets of disbursement were reviewed by the Finance Committee. The committee recommends approval of the hand payables for August. The committee also recommends the check register for both the Middle School and High School activity accounts for the month of August. Lastly, the committee recommends approval of the check summaries for both September 12th and September 26th.**

**3. Investments**

**Director of Finance Kuehn reviewed investment options with the Committee. Kuehn recommended tabling any investment changes with the focus still on reducing the amount of overall investment accounts and maximizing**

**4. Certification of 2022 Tax Levy Payable in 2023 for the 2023-24 School Year**

**Director of Finance Kuehn reviewed the proposed tax levy for 2022 payable in 2023. Preliminary figures indicate that the school district portion of the property tax levy increased by 3.36% from a year ago to \$9,041,348.76. Last year's levy amount was \$8,747,239.67. The Finance Committee recommends to approve the maximum for 2022 Payable 2023 Proposed Property Tax Levy.**

**Next Meeting - Thursday, October 13th @ 12:00 PM**

**INDEPENDENT SCHOOL DISTRICT #22**  
**FACILITIES COMMITTEE MEETING AGENDA**  
**Facilities Committee Meeting - September 20, 2022**

A Facilities Committee Meeting was held at 8:00 AM on Tuesday, September 20th, 2022 at the District Office. In attendance were Colin Gedrose, John Steffl, Amy Erickson, April Thomas, Rob Nielsen, and Jason Kuehn.

**1. Bond Pre-Sale Report**

Director of Finance and Operations Kuehn provided an updated timeline for the sales of bonds following the resolution passed in September. Matthew Hammer from Ehlers will be at the September 26th school board meeting

**2. DLHS Updates**

Supervisor of Operations Gedrose provided an update - with most of the work related to the construction project being on the tail end. Countertops are being installed in the Science rooms, and the flooring in the dance studio installed and waiting to be sealed. We will work with Gehrtz Construction to finalize punch-list items that need to be completed.

The construction of the DLHS Greenhouse continues to wait for the approval of permits. Operations Supervisor Gedrose updated the committee on the status while the district works

The committee also reviewed change orders through the month of August. The committee recommends approval.

An update was provided in regards to signage throughout DLHS including a timeline for the new exterior sign, as well as signage to the entrance to Lakeshirts Fieldhouse.

**3. Arena Lease Update**

The committee reviewed a proposal from the Arena Commission in regards to renewing the lease agreement between the district and the City of Detroit Lakes that would begin in the 2023-24 school year and continue through the 2025-26 school year. School Board Chair Steffl and Director of Finance Kuehn will bring back discussion topics to the Arena Commission and City of Detroit Lakes.

Next Meeting - Tuesday, October 11th