

Regular Meeting

Tuesday, December 20, 2022 6:30 PM

Oak Park Building, 6355 Osman Avenue North, Stillwater, MN 55082

I. Recognition - Tina Riehle and Vivian Votava	Speaker (s) : Ms. Alison Sherman, School Board Chair
II. Public Comment	
III. Call to Order	Speaker (s) : Ms. Alison Sherman, School Board Chair
IV. Roll Call	Speaker (s) : Ms. Alison Sherman, School Board Chair
V. Pledge of Allegiance	Speaker (s) : Ms. Alison Sherman, School Board Chair
VI. Approval of Agenda	Speaker (s) : Ms. Alison Sherman, School Board Chair
VII. Student Report	Speaker (s) : Ms. Iliana Balok and Ms. Keira Jelinek, Student Representatives
VIII. Superintendent Report	Speaker (s) : Dr. Mike Funk, Superintendent
IX. Board Chair Report	Speaker (s) : Allison Sherman, Board Chair
X. Consent Agenda	
X.A. School Board Meeting Minutes - November 22, 2022	Speaker (s) : Dr. Annie Porbeni, Clerk
X.B. School Board Special Meeting - December 8, 2022	Speaker (s) : Dr. Annie Porbeni, School Board Clerk
X.C. Payment of Invoice - December 3, 2022 - December 16, 2022	Speaker (s) : Ms. Marie Schrul, Executive Director of Finance
X.D. 2023 Lily Lake Elementary Partial Roof Replacement	Speaker (s) : Mr. Mark Drommerhausen, Director of Operations
X.E. SCEA MOU	Speaker (s) : Dr. Jennifer Cherry, Assistant Superintendent
X.F. Human Resources Personnel Report	Speaker (s) : Dr. Jennifer Cherry, Assistant Superintendent
XI. Action Item	
XI.A. Certify the 2022 Payable 2023 Tax Levy	Speaker (s) : Ms. Marie Schrul, Executive

XI.B. Be SMART Resolution	Director of Finance Speaker (s) : Dr. Mike Funk, Superintendent
XI.C. Approval of New Policy 522 - Title IX, Revised Policy 428 - Employee Technology and Internet Access and Acceptable Use, Revised Policy 524 - Student Technology and Internet Access and Acceptable Use	Speaker (s) : Dr. Jennifer Cherry, Assistant Superintendent
XII. Reports	
XII.A. First Reading for Revised Policies; 416 - Drug and Alcohol Testing, 418 - Drug-Free Workplace, 419 - Tobacco Free Environment	Speaker (s) : Dr. Jennifer Cherry, Assistant Superintendent
XII.B. Second Reading Revised Policies; 601 - Academic Achievement Plan, 603 - Evaluation of the Instructional Program, 604 - Instructional Curriculum, 606 - Selection and Review of Instructional Resources	Speaker (s) : Dr. Jennifer Cherry, Assistant Superintendent
XII.C. 916 Update	Speaker (s) : Ms. Katie Hockert, School Board Vice Chair
XIII. Adjournment	
XIV. Attachments	

I. Public Comment

Catherine Hobbs – Policies
Jessica Johnson – School Board, Curriculum, ALC

II. Call to Order

The meeting was called to order at 6:40 p.m.

III. Roll Call

Present: Katie Hockert, Pete Kelzenberg, Beverly Petrie, Alison Sherman, Vivian Votava;
Absent: Annie Porbeni, Tina Riehle

IV. Pledge of Allegiance

V. Approval of Agenda

Motion made by Alison Sherman to approve the agenda with the removal of Item XII Closed Session and Action Item XIII Approval of closed session and seconded by Beverly Petrie, Carried. Yea: 5, Nay: 0, Absent: 2

VI. Student Report

Iliana gave a report on academics:

- Seniors are experiencing a challenging workload.
- Students are looking forward to the return of office hours.
- Sophomores have received their Pre-SAT test scores.
- The freshman student council has been finalized.

Keira shared a report on extracurriculars

- The adaptive soccer team takes third in state.
- Girls swim and dive placed 4th in state.
- Six fall sports teams were crowned section champions.
- Winter sports have begun
- The debate team qualified for the state tournament.

VII. Superintendent Report

- Modified office hours at the high school will begin next Wednesday for one hour after school. This will allow students time to meet with their teachers.
- The school portion of property taxes is decreasing for many district residents.

VIII. Board Chair Report

- Vivian Votava and Tina Riehle will be recognized at the December 22 board meeting.

IX. Consent Agenda

- A. School Board Business Meeting Minutes - October 27, 2022
- B. School Board Study Session Meeting Minutes - November 10, 2022
- C. School Board Special Meeting Minutes - November 17, 2022
- D. Payment of Invoices - November 12, 2022 - November 23, 2022
- E. Accept Gifts and Donations - June, July, August and September 2022
- F. Treasurer's Report - June, July, August and September 2022
- G. Filed Trip Approval Form for Stillwater Area High School Concert Orchestra trip to Kansas City, Missouri
- H. Filed Trip Approval Form for Stillwater Area High School English 11 Newspaper to attend the National Journalism Convention in San Francisco, CA

I. Human Resources Personnel Report

Motion made by Alison Sherman to approve consent agenda A - I and seconded by Pete Kelzenberg, Carried. Yea: 5, Nay: 0, Absent: 2

X. Action Item

X.A. Oak Park Learning Center - Mr. Mark Drommerhausen, Director of Operations
Moving the ALC to the Oak Park Building would be an alternative location outside of the high school setting. It will have flexible learning spaces with a common area for gathering, outdoor spaces and room to expand the program now and in the future. Construction will begin next fall and is expected to wrap up sometime in early 2024.

Motion made by Alison Sherman to approve the Oak Park Learning Center and seconded by Beverly Petrie, Carried. Yea: 5, Nay: 0, Absent: 2

X.B. 2023-2024 Calendar - Mr. Mark Drommerhausen, Director of Operations
The calendar is modeled after the current school year with a staggered start for students beginning August 28, 2023. The last day of school for students will be May 30, 2024.

Motion made by Alison Sherman to approve the 2023-2024 Calendar and seconded by Katie Hockert, Carried. Yea: 5, Nay: 0, Absent: 2

X.C. Approval of Policy 806 - Crisis Management - Mr. Mark Drommerhausen, Director of Operations

Motion made by Katie Hockert to approve Policy 806 - Crisis Management and seconded by Pete Kelzenberg, Carried. Yea: 5, Nay: 0, Absent: 2

XI. Reports

XI.A. Course Change Proposals for 2023-2024 - Dr. Caleb Drexler Booth , Director of Teaching

Dr. Drexler Booth shared information about the middle and high school course name changes, deletions and additions. This will come to the school board in the spring of 2023 for approval.

XI.B. First Reading Revised Policies; 601 - Academic Achievement Plan; 603 - Evaluation of the Instructional Program; 604 - Instructional Curriculum; 606 - Selection and Review of Instructional Resources - Dr. Caleb Drexler Booth , Director of Teaching

These policies will come to the board for a second reading at a future meeting.

XI.C. Second Reading New Policy 522 - Title IX; 428 - Employee Technology and Internet Access and Acceptable Use; 524 - Student Technology and Internet Access and Acceptable Use - Dr. Mike Funk, Superintendent

These policies will come to the board for a final reading and approval at a future meeting.

XII. Adjournment

The meeting adjourned at 8:39 p.m.

Respectfully submitted, Alison Sherman, Board Chair

Special Meeting
Thursday, December 8, 2022 6:30 PM

Oak Park Building
6355 Osman Avenue North
Stillwater, MN 55082

I. Call to Order

The meeting was called to order at 6:34 p.m.

II. Roll Call

Present: Katie Hockert, Pete Kelzenberg, Beverly Petrie, Annie Porbeni, Tina Riehle, Alison Sherman; Absent: Vivian Votava

III. Pledge of Allegiance

IV. Truth in Taxation Report

Public Input

Each December the district is required to present its budget and levy to the community and provide a time for public comment. The presentation included the current budget and the proposed Tax Levy for Taxes Payable 2023. The school board is required to adopt the final levy by December 31 of each year. The board will take action to certify the levy at the December 20, 2022 school board meeting.

V. Study Session

VI. Approval of Agenda

Motion made by Alison Sherman to approve the agenda and seconded by Beverly Petrie, Carried. Yea: 6, Nay: 0, Absent: 1

VII. Consent Agenda

VII.A. Payment of Invoices - November 24, 2022 - December 9, 2022

Motion made by Alison Sherman to approve consent agenda A and seconded by Katie Hockert, Carried. Yea: 6, Nay: 0, Absent: 1

VIII. Action Item

VIII.A. Audit Presentation/Approval – Ms. Marie Schrul, Executive Director of Finance
The district is required to have an annual independent financial audit and to submit audited financial data to the commissioner of the Minnesota Department of Education and to the Office of the State Auditor. This year's audit was conducted by CliftonLarsonAllen LLP (CLA) and the district received an "unmodified" opinion on its annual audit of basic financial statements.

Motion made by Pete Kelzenberg to approve the Financial Report FY22 and seconded by Beverly Petrie, Carried. Yea: 6, Nay: 0, Absent: 1

IX. Reports

IX.A. Combined World's Best Workforce and Achievement & Integration Annual Report
- Dr. Caleb Drexler Booth, Director of Teaching and Learning and Dawn Lueck- Director of Schools

Public Input

As part of the World's Best Workforce (WBWF) annual meeting, the school board reviewed the progress on the WBWF plan and the Achievement and Integration goals. The public had an opportunity to provide feedback on the plan as part of the public hearing.

IX.B. Dual Language Immersion at the Middle School - Dr. Caleb Drexler Booth , Director of Teaching and Learning and Dawn Lueck- Director of Schools

The school board received an update on the district's plans to provide Spanish Immersion opportunities for Amigos Unidos students transitioning to 6th grade next fall.

X. Closed Session

X.A Motion made by Alison Sherman to move to closed sessions at 8:52 p.m. Pursuant to Minnesota Statutes § 13D.05, Subd. 3(b), for a confidential attorney-client discussion regarding pending litigation in the matter *ISD No. 834 v. EN Properties, LLC, et al. and* Pursuant to § Minnesota Statute 13D.03(b) to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to sections 179A.01 to 179A.25 and seconded by Beverly Petrie, Carried. Yea: 6, Nay: 0, Absent: 1
The closed session for litigation ended at 9:40 p.m.

X.B. The board moved to a closed session for negotiations at 9:42 p.m.
Motion made by Alison Sherman and seconded by Katie Hockert to adjourn to the open meeting at 10:14 p.m., Carried. Yea: 6, Nay: 0, Absent: 1

X.A. Adjournment

The meeting adjourned at 10:16 p.m.

Respectfully submitted, Annie Porbeni, Board Clerk



EXPENDITURE APPROVAL FORM Fiscal Year 2022-2023

Instructions: This form is to be completed any time a lease, purchase, or contract for goods or services exceeds \$100,000.

REQUESTED BY: Mark Drommerhausen, Director of Operations

DATE: December 20, 2022

DESCRIPTION OF REQUEST

The Stillwater Area Public Schools – 2023 roofing project is scheduled to take place at Lily Lake Elementary School. The project replaces the roofing system, vapor barrier underlayment, wood sheathing and insulation on the areas of sloped roofs that cover the main office, cafeteria and gymnasium.

The sloped roof sections at Lily Lake Elementary were last replaced with asphalt shingles in 2006. The roofs will be replaced with a standing seam metal roof system. This is the District’s standard for areas with sloped roofs. The roof will have a 30 year warranty on materials and labor and expected to last 50 plus years. Construction costs for this project were estimated to be \$1,800,000 and are part of the FY 2024 Long-Term Facilities Maintenance funding.

Three bids were received on December 6, 2022. The lowest responsible bidder was Berwald Roofing Company Inc. of North St. Paul, MN for a bid total of \$1,344,900. Wold Architects have verified their bid total and recommend them as the lowest responsible bidder. Administration is requesting to award the bid to Berwald Roofing Company Inc. for the partial roof replacement at Lily Lake Elementary School.

FINANCIAL IMPACT

Budget(s) Impacted: \$1,344,900 Long-Term Facilities Maintenance Budget

Additional costs may be incurred to remedy issues not identified in the construction bidding documents.

Is This a One-Time Expenditure?

Yes, once implemented there will be no ongoing costs

No, it will need to be funded indefinitely

No, it will need to be funded for Fiscal Years 2022-?

Is there an off-setting revenue source(s)?

Yes List Source(s): Long-Term Facilities Maintenance

No

PROGRESS MONITORING

Work to be completed summer of 2023



December 8, 2022

Anthony Willger
Manager of Facility and Site Operations
Stillwater Area Public Schools
1875 South Greeley Street
Stillwater, Minnesota 55082

Re: Independent School District #834
2023 Lily Lake Elementary Partial Roof Replacement
Commission No. 222167

Dear Anthony:

We request that the following recommendation be presented to the School Board for the Award of the 2023 Lily Lake Elementary Partial Roof Replacement project.

On December 6, 2022, three (3) bids were received for the 2023 Lily Lake Elementary Partial Roof Replacement project. A copy of the bid tabulation is enclosed for your review. The bid has been reviewed and reflects a fair value for the work involved.

The scope of the project includes the replacement of existing roofing and insulation on both sections of sloped roof at Lily Lake Elementary School.

Based on our review of the bids submitted, we recommend that the District award a contract for the 2023 Lily Lake Elementary Partial Roof Replacement project to Berwald Roofing Company Inc., 2440 Charles Street North, North St. Paul, Minnesota 55109, as follows:

2023 Lily Lake Elementary Partial Roof Replacement:

<u>Base Bid:</u>	<u>\$1,344,900</u>
Total Recommended Contract Amount:	\$1,344,900

Upon your action, we will provide notice to the contractor and draft a contract reflecting this amount.

Sincerely,

Wold Architects and Engineers

A handwritten signature in black ink, appearing to read "Matthew M. Mohr".

Matthew M. Mohr | AIA

Enclosure

cc: Marie Schrul, Executive Director of Finance
Mark Drommerhausen, Director of Operations
Paul Aplikowski, Wold
Valerie Peterson, Wold

SS/ISD_834/222167/crsp/dec22

Wold Architects and Engineers
332 Minnesota Street, Suite W2000
Saint Paul, MN 55101
woldae.com | 651 227 7773

**PLANNERS
ARCHITECTS
ENGINEERS**



Project Name: 2023 Lily Lake Elementary Partial Roof Replacement

BID TABULATION

Commission No.: 222167
 Bid Date: 12/6/2022
 Bid Time: 2:00 PM

Wold Architects and Engineers
 332 Minnesota Street, Suite W2000
 Saint Paul, Minnesota 55101
 651.227.7773 Fax: 651.223.5646

Bidders Name	Addendum Numbers	Bid Security	Base Bid	Remarks
Atomic Architectural Sheet Metal, Inc. 3207 Labore Road Vadnais Heights, Minnesota 55110 Phone: 651-646-1706	1 of 1	YES	\$1,650,000	
Berwald Roofing Co., Inc. 2440 Charles Street North North St. Paul, Minnesota 55109 Phone: 651-777-7411	1 of 1	YES	\$1,344,900	LOW BIDDER
Palmer West Construction Company, Inc. 14595 James Road Rogers, Minnesota 55374 Phone: 763-428-1867	1 of 1	YES	\$1,397,600	



MEMORANDUM OF UNDERSTANDING: JOB SHARING

This Memorandum of Understanding (“MOU”) is entered into by and between Independent School District No. 834 (“District”) and St. Croix Education Association (“Union”).

WHEREAS, the District and the Union are parties to a collective bargaining agreement (“CBA”) governing the negotiated terms and conditions of employment for “teachers” who are employed by the District;

WHEREAS, Article IX, Section 2, Subdivision 3 states that teachers employed less than .5 FTE will not be eligible for health and welfare benefits;

WHEREAS, Article XVIII, Section 5 of the CBA indicates that a waiver of medical insurance may be requested when teachers share a 1.0 FTE teaching position, if there is proof that insurance coverage continues through another source and the combined medical insurance for the two job share applicants does not exceed the cost of a 1.0 FTE teacher; and

WHEREAS, the District and the Union are entering into this MOU to clarify that teachers who share a 1.0 FTE position may share insurance benefits, provided that the arrangement does not result in the District paying more than the cost of insurance for a 1.0 FTE teacher;

NOW, THEREFORE, IN CONSIDERATION OF the mutual promises contained in this MOU, the parties understand agree as follows:

1. When two non-probationary teachers elect to share a 1.0 FTE teaching position pursuant to Article XVIII, Section 5 and Appendix F of the CBA, the teachers may also elect to share insurance benefits, provided that the sharing arrangement does not result in the District paying more than the cost of insurance for a 1.0 FTE teacher. This will apply even if one of the teachers works less than .5 FTE. The teachers must agree in writing on the manner and degree to which they will share insurance benefits.
2. This MOU reflects the entire understanding and agreement between the parties regarding health insurance benefits for teachers who elect to share a 1.0 FTE teaching position. This MOU controls over any inconsistent provisions in the CBA.

SAINT CROIX EDUCATION ASSOCIATION

Date: _____
President

INDEPENDENT SCHOOL DISTRICT NO. 834

Date: _____
Superintendent

(New Hires, Resignations, Retirements, Terminations, Leave Requests)

RETIREMENT/RESIGNATION/RELEASE

NAME	STATUS	ASSIGNMENT	GROUP	EFFECTIVE DATE
Brown, Melissa	Resignation	Assistant Volleyball Coach Stillwater Area Public Schools	Co-Curricular	December 1, 2022
Burnett, Hunter	Resignation	Paraprofessional, 6.0 hours/day Stillwater Middle School	SCPA	November 3, 2022
Gannon, Christine	Resignation	Custodian, Lvl VI, 8.0 hours/day Rutherford Elementary	Custodial	November 30, 2022
Hanson, Alexandra	Resignation	Health Paraprofessional, 6.5 hours/day Afton-Lakeland Elementary	SCPA	November 28, 2022
Larson, Gabriel	Resignation	Custodian VI, 8.0 hours/day Oak-Land Middle School	Custodial	December 6, 2022

HIRES/REHIRES

NAME	ASSIGNMENT	SALARY PLACEMENT/ HOURLY RATE	REASON	GROUP	EFFECTIVE DATE
Charlsen, Melissa	Custodian Lvl VI, 8.0 hours/day Stillwater Middle School	\$22.83/hour	Replacement	Custodial	November 30, 2022
Cosgrove, Daniel	Assistant Baseball Coach Stillwater Area High School	\$4,488.00	Replacement	Co-Curricular	March 1, 2023
Feiges, Jennifer	Admin. Asst. Exec. Dir. of Finance & Dir. of Operations Central Services	\$27.75/hour	Replacement	Tech Support	December 15, 2022
Glover, John	Paraprofessional, 6.0 hours/day Lake Elmo Elementary	\$17.18/hour	2022-2023 Staffing	SCPA	December 7, 2023
Haumersen, Samantha	1.0 FTE LTS Math & Intervention Teacher Oak-Land Middle School	\$47,520.00	Replacement	SCEA	December 6, 2022 - June 8, 2023
Hussein, Angela	Cafeteria Manager, 6.75 hours/day Afton Lakeland Elementary	\$23.24/hour	2022-2023 Staffing	Cafeteria	November 21, 2022
Jones, Heidi	1.0 FTE LTS Instructional Coach Oak-Land Middle School	\$87,933.00	Replacement	SCEA	December 19, 2022 - June 8, 2023
Kirby, Laurel	Cafeteria Employee, 4.0 hours/day Stillwater Area High School	\$17.41/hour	2022-2023 Staffing	Cafeteria	November 21, 2022
Larson, Gabriel	Custodian Lvl VI, 8.0 hours/day Oak-Land Middle School	\$18.89/hour	Replacement	Custodial	December 5, 2022
Neuhaus, Max	Community Ed Site Lead, 8 hours/day Lily Lake Elementary	\$21.5/hour	2022-2023 Staffing	Community Ed Leads & Assts	December 12, 2022
Schofield, Catherine	Cafeteria Employee, 4.0 hours/day Lake Elmo Elementary	\$17.10/hour	2022-2023 Staffing	Cafeteria	November 28, 2022
Thiesen, Ryan	Cafeteria Employee (floater), 4.0 hours/day District Wide	\$17.41/hour	2022-2023 Staffing	Cafeteria	November 30, 2022
Wyman, Jamie	Assistant Girls Basketball Coach Stillwater Area High School	\$5,984.00	Replacement	Co-Curricular	December 2, 2022
Zhong, YanMei	Paraprofessional, 5.3 hours/day Brookview Elementary	\$16.78/hour	2022-2023 Staffing	SCPA	December 5, 2022

LEAVES OF ABSENCE

NAME	STATUS	ASSIGNMENT	GROUP	EFFECTIVE DATE
Banks, Kelly	Approve	.8 FTE School Psychologist Andersen Elementary	SCEA	October 6, 2022 - February 16, 2023
Edgell, Nichole	Approve	Paraprofessional, 3.25 hours/day Afton-Lakeland Elementary	SCPA	December 22, 2022 - March 24, 2023
Ekren, Juliann	Approve	1.0 FTE Elementary Education Teacher Andersen Elementary	SCEA	April 3, 2023 - June 8, 2023

Johnson, Kim	Approve	Community Ed Site Lead, 8.0 hours/day Stonebridge Elementary	Community Ed Leads & Asst	December 2, 2022 - January 15, 2023
Martens, Nicole	Approve	Paraprofessional, 6.5 hours/day Lake Elmo Elementary	SCPA	January 5, 2023 - March 6, 2023
Nettleton, Brianna	Approve	.6 FTE Math Teacher Stillwater Area High School	SCEA	December 7, 2022 - February 28, 2023

ASSIGNMENT CHANGES

NAME	FROM	TO	REASON	GROUP	EFFECTIVE DATE
Butteris, Abigail	Floating Health Care Specialist, 6.5 hrs/day District Wide	Health Care Specialist, 6.5 hrs/day Lake Elmo Elementary	Replacement	CSS	December 9, 2022
Dressen, David	Custodian V, 8.0 hours/day Afton-Lakeland Elementary	Custodian III, 8.0 hours/day Andersen Elementary	Replacement	Custodial	December 12, 2022
Fisher, Erika	1.0 FTE Math Teacher Stillwater Area High School	1.2 FTE Math Teacher Stillwater Area High School	Replacement	SCEA	December 7, 2022 - February 28, 2023
Fisher, Kim	.2 FTE Speech Pathologist Afton-Lakeland Elementary	.4 FTE Speech Pathologist Afton-Lakeland Elementary & ECSE	2022-2023 Staffing	SCEA	January 3, 2023 - May 26, 2023
Hamilton, Pete	1.0 FTE Math Teacher Stillwater Area High School	1.1 FTE Math Teacher Stillwater Area High School	Replacement	SCEA	December 7, 2022 - February 28, 2023
Hemenway, Matt	1.0 FTE Math Teacher Stillwater Area High School	1.2 FTE Math Teacher Stillwater Area High School	Replacement	SCEA	December 7, 2022 - February 28, 2023
Parker, Mike	1.0 FTE Math Teacher Stillwater Area High School	1.1 FTE Math Teacher Stillwater Area High School	Replacement	SCEA	December 7, 2022 - February 28, 2023

ADDITIONAL ASSIGNMENTS

NAME	Position	Reason	Group	EFFECTIVE DATE
Henning, Claire	Assistant Speech Coach Stillwater Area High School	Replacement	Co-Curricular	November 28, 2022
Jensen, Ryan	Head Nordic Ski Coach Stillwater Area High School	Replacement	Co-Curricular	November 14, 2022
Lauer, Sarah	Assistant Speech Coach Stillwater Area High School	Replacement	Co-Curricular	November 28, 2022
Perkins, Wayne	Assistant Speech Coach Stillwater Area High School	Replacement	Co-Curricular	November 28, 2022
Toft, Jacob	Assistant 7th Grade Boys Basketball Coach Oak-Land Middle School	Replacement	Co-Curricular	November 11, 2022

Totals

Levy Description of Categoricals	Pay 2022			Est. Pay 2023			Potential Levy Change
	RMV Information	Pay 2022 NTC Information	Total	RMV Information	NTC Information	Total	
General	22,535,273.20	14,613,857.51	37,149,130.71	22,615,206.51	16,461,840.01	39,077,046.52	1,927,915.81
Community Service	0.00	994,449.28	994,449.28	0.00	1,057,203.81	1,057,203.81	62,754.53
Debt Service	0.00	9,591,494.57	9,591,494.57	0.00	9,761,848.36	9,761,848.36	170,353.79
Total	22,535,273.20	25,199,801.36	47,735,074.56	22,615,206.51	27,280,892.18	49,896,098.69	2,161,024.13



Stillwater
AREA PUBLIC SCHOOLS

Curiosity Thrives Here



Taxes Payable 2023
0834-01-000-000 Stillwater Area Public Schools

Validate/Certify Levy

You have successfully validated your Levy data! You are ready to submit it.

Submit Levy

If you are sure your levy data is correct and ready to certify it, you can do so by clicking Certify Levy button below. Before certifying it, you are strongly recommended to validate it by clicking Validate Levy button.

- By clicking Certify Levy button, you are certifying your levy data and data is being submitted to MDE.
- If you certified your levy previously and are now making any changes, you have to recertify it again.

For further information about Levy Certification, contact the following:

Program Finance at mde.levy@state.mn.us
Emails will be redirected to the appropriate staff person within Program Finance.

District Levy Summary

Subtotals By Levy Category

Title	Limit	Proposed	Certified
GENERAL - RMV VOTER - JOBZ EXEMPT	15,462,385.56	15,462,385.56	15,462,385.56
GENERAL - RMV OTHER - JOBZ EXEMPT	7,152,820.95	7,152,820.95	7,152,820.95
GENERAL - NTC VOTER - JOBZ EXEMPT	5,210,401.51	5,210,401.51	5,210,401.51
GENERAL - NTC OTHER - JOBZ EXEMPT	11,251,438.50	11,251,438.50	11,251,438.50
COMMUNITY SERVICE - NTC OTHER - JOBZ EXEMPT	1,057,203.81	1,057,203.81	1,057,203.81
GENERAL DEBT - NTC VOTER - JOBZ NONEXEMPT	9,525,294.09	9,525,294.09	9,525,294.09
GENERAL DEBT - NTC OTHER - JOBZ NONEXEMPT	236,554.27	236,554.27	236,554.27
OPEB DEBT - NTC VOTER - JOBZ NONEXEMPT	0.00	0.00	0.00
OPEB DEBT - NTC OTHER - JOBZ NONEXEMPT	0.00	0.00	0.00

Subtotals By Fund

Title	Limit	Proposed	Certified
GENERAL FUND	39,077,046.52	39,077,046.52	39,077,046.52
COMMUNITY SERVICES FUND	1,057,203.81	1,057,203.81	1,057,203.81
GENERAL DEBT SERVICE FUND	9,761,848.36	9,761,848.36	9,761,848.36
OPEB/PENSION DEBT SERVICE FUND	0.00	0.00	0.00

Subtotals By Tax Base

Title	Limit	Proposed	Certified
REFERENDUM MARKET VALUE	22,615,206.51	22,615,206.51	22,615,206.51
NET TAX CAPACITY	27,280,892.18	27,280,892.18	27,280,892.18

Subtotals By Truth In Taxation Category

Title	Limit	Proposed	Certified
VOTER APPROVED	30,198,081.16	30,198,081.16	30,198,081.16
OTHER	19,698,017.53	19,698,017.53	19,698,017.53

Total Levy

Title	Limit	Proposed	Certified
TOTAL LEVY	49,896,098.69	49,896,098.69	49,896,098.69



School Boards Secure Storage Notification Resolution

Board Member _____ moved the adoption of the following resolution:

Whereas, Evidence strongly suggests that secure firearm storage is an essential component to any effective strategy to keep schools and students safe;

Whereas, An estimated 4.6 million American children live in households with at least one loaded, unlocked firearm;

Whereas, Every year, roughly 350 children under the age of 18 unintentionally shoot themselves or someone else. That's roughly one unintentional shooting per day, and 70 percent of these incidents take place inside a home;

Whereas, Another 1,200 children and teens die by gun suicide each year, most often using guns belonging to a family member;

Whereas, In incidents of gun violence on school grounds, 75 percent of active shooters are current students or recent graduates, and up to 80 percent of shooters under the age of 18 obtained their guns from their own home, a relative's home, or from friends;

Whereas, Research shows that secure firearm storage practices are associated with up to an 85 percent reduction in the risk of unintentional firearm injuries among children and teens;

Whereas, The U.S. Secret Service National Threat Assessment Center recommends the importance of appropriate storage of weapons because many school attackers used firearms acquired from their homes;

Whereas, Across the country, lawmakers, community members, and local leaders are working together to implement public awareness campaigns, such as the Be SMART program, which is endorsed by the National PTA and which encourages secure gun storage practices and highlights the public safety risks of unsecured guns;

Whereas, School districts across the country have begun to proactively send materials home to parents and guardians informing them of applicable firearm storage laws and firearm secure storage best practices;

Whereas, Keeping students, teachers and staff safe from the threat of gun violence should be the responsibility of all adult stakeholders at each of our school sites;

Whereas, State law requires adults to securely store their firearms where a child is likely to gain access to the firearm;

Whereas, In order to continue with preventative measures to increase student and school safety we must act now; now therefore, be it

Resolved, That the Board directs the Superintendent and staff to update the Student Handbook to include information about parents' legal obligations regarding the secure storage of firearms;

Resolved further, That the Board directs the Superintendent to create an appropriate letter, to parents and guardians that explains the importance of secure gun storage and the legal obligations to protect minors from accessing irresponsibly stored guns, to be included in annual registration materials at each school site, and requiring a signature acknowledging awareness of secure gun storage responsibilities; and, be it finally;

Resolved, That the Board and the Superintendent will continue to work with local law enforcement agencies, health agencies and non-profits to collaborate and increase efforts to inform District parents of their obligations regarding secure storage of firearms in their homes.

The motion for the foregoing resolution was seconded by:

The following voted in favor of the resolution:

The following voted against the resolution:

WHEREUPON said resolution was duly declared passed and adopted.

Signature: _____

Annie Porbeni, School Board Clerk

Date: _____

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Title IX - Sex Non-Discrimination	522	Adopted:	Annual

I. PURPOSE

Students are protected from discrimination on the basis of sex pursuant to Title IX of the Education Amendments of 1972 and the Minnesota Human Rights Act. The purpose of this policy is to provide equal educational opportunity for all students and to prohibit discrimination on the basis of sex.

II. GENERAL STATEMENT OF POLICY

- A. The school district provides equal educational opportunity for all students and does not unlawfully discriminate on the basis of sex. No student will be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any educational program or activity operated by the school district on the basis of sex.
- B. 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:

Assistant Superintendent
1875 South Greeley Street
Stillwater, MN 55082
651-351-8391
titleixcoordinator@stillwaterschools.org

Questions relating solely to Title IX and its regulations may be referred to the Title IX Coordinator(s), the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

III. DEFINITIONS

- A. "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to the school district's Title IX Coordinator or to any employee of the school district. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the school district with actual knowledge is the respondent.
- B. "Complainant" means a person who is alleged to be the victim of conduct that could constitute sexual harassment under Title IX. A Title IX Coordinator who signs a formal complaint is not a complainant unless the Title IX Coordinator is alleged to be the victim of the conduct described in the formal complaint.
- C. "Day" or "days" means, unless expressly stated otherwise, business days (i.e. day(s) that the school district office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).
- D. "Deliberately indifferent" means clearly unreasonable in light of the known circumstances. The school district is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.
- E. "Education program or activity" means locations, events, or circumstances for which the school district exercises substantial control over both the respondent and the context in which the sexual harassment occurs and includes school district education programs or activities that occur on or off of school district property.
- F. "Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school district investigate the allegation of sexual harassment.
1. A formal complaint filed by a complainant must be a physical document or an electronic submission. The formal complaint must contain the complainant's

physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint, and must be submitted to the Title IX Coordinator in person, by mail, or by email.

2. A formal complaint shall state that, at the time of filing the formal complaint, the complainant was participating in, or attempting to participate in, an education program or activity of the school district with which the formal complaint is filed.
- G. “Informal resolution” means options for resolving a formal complaint that do not involve a full investigation and adjudication. Informal resolution may encompass a broad range of conflict resolution strategies, including mediation or restorative justice.
- H. “Relevant questions” and “relevant evidence” are questions, documents, statements, or information that are related to the allegations raised in a formal complaint. Relevant evidence includes evidence that is both inculpatory and exculpatory. Questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.
- I. “Remedies” means actions designed to restore or preserve the complainant’s equal access to education after a respondent is found responsible. Remedies may include the same individualized services that constitute supportive measures, but need not be non-punitive or non-disciplinary, nor must they avoid burdening the respondent.
- J. “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment under Title IX.
- K. “Sexual harassment” means any of three types of misconduct on the basis of sex that occurs in a school district education program or activity and is committed against a person in the United States:
1. *Quid pro quo* harassment by a school district employee (conditioning the provision of an aid, benefit, or service of the school district on an individual's participation in unwelcome sexual conduct);
 2. Unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; or
 3. Any instance of sexual assault (as defined in the Clery Act, 20 United States Code section 1092(f)(6)A(v)), dating violence, domestic violence, or stalking (as

defined in the Violence Against Women Act, 34 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 informal resolutions. The following are considered Title IX Personnel:
 - 1. “Title IX Coordinator” means an employee of the school district that coordinates the school district’s efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator is responsible for acting as the primary contact for the parties and ensuring that the parties are provided with all notices, evidence, reports, and written determinations to which they are entitled under this policy and grievance process. The Title IX Coordinator is also responsible for effective implementation of any supportive measures or remedies. The Title IX Coordinator must be free from conflicts of interest and bias when administering 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.

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.

IV. 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.
3. 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.

C. Confidentiality

The school district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual

who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), 20 United States Code section 1232g, FERPA regulations, 34 Code of Federal Regulations part 99, Minnesota law under Minnesota Statutes section 13.32, or as required by law, or to carry out the purposes of 34 Code of Federal Regulations part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the school district's obligation to maintain confidentiality shall not impair or otherwise affect the complainants and respondents receipt of the information to which they are entitled with respect to the investigative record and determination of responsibility).

D. Right to an Advisor; Right to a Support Person

Complainants and respondents have the right, at their own expense, to be assisted by an advisor of their choice during all stages of any grievance proceeding, including all meetings and investigative interviews. The advisor may be, but is not required to be, an attorney. In general, an advisor is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.

A complainant or respondent with a disability may be assisted by a support person throughout the grievance process, including all meetings and investigative interviews, if such accommodation is necessary. A support person may be a friend, family member, or any individual who is not otherwise a potential witness. The support person is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.

E. 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.

F. 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.

G. 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.

H. 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.

I. Timelines

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.

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.

J. Potential Remedies and Disciplinary Sanctions

1. The following is the range of possible remedies that the school district may provide a complainant and disciplinary sanctions that the school district might impose upon a respondent, following determination of responsibility: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual or unilateral restrictions on contact between the parties, changes in work locations, leaves of absence, monitoring of certain areas of the school district buildings or property, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge.
2. If the Decision-maker determines a student-respondent is responsible for violating this policy, the Decision-maker will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the superintendent of the recommended remedies, such that an authorized administrator can consider the recommendation(s) and implement appropriate remedies in compliance with 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.

V. REPORTING PROHIBITED CONDUCT

- A. Any student who believes they have been the victim of unlawful sex discrimination or sexual harassment, or any person (including the parent of a student) with actual knowledge of conduct which may constitute unlawful sex discrimination or sexual harassment toward a student should report the alleged acts as soon as possible to the Title IX Coordinator.
- B. Any employee of the school district who has experienced, has actual knowledge of, or has witnessed unlawful sex discrimination, including sexual harassment, or who otherwise becomes aware of unlawful sex discrimination, including sexual harassment, must promptly report the allegations to the Title IX Coordinator without screening or investigating the report or allegations.
- C. A report of unlawful sex discrimination or sexual harassment may be made at any time, including during non-business hours, and may be made in person, by mail, by telephone, or by e-mail using the Title IX Coordinator’s contact information. A report may also be made by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report.
- D. Sexual harassment may constitute both a violation of this policy and criminal law. To the extent the alleged conduct may constitute a crime, the School District may report the

alleged conduct to law enforcement authorities. The school district encourages complainants to report criminal behavior to the police immediately.

VI. 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.

VII. STATUS OF RESPONDENT DURING PENDENCY OF FORMAL COMPLAINT

A. Emergency Removal of a Student

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:

1. The school district undertakes an individualized safety and risk analysis;
2. 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
3. The school district determines the student-respondent poses such a threat, it will 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.

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.

VIII. INFORMAL RESOLUTION OF A FORMAL COMPLAINT

- A. At any time prior to reaching a determination of responsibility, informal resolution may be offered and facilitated by the school district at the school district's discretion, but only after a formal complaint has been received by the school district.
- B. The school district may not require as a condition of enrollment or continued enrollment, or of employment or continued employment, or enjoyment of any other right, waiver of

the right to a formal investigation and adjudication of formal complaints of sexual harassment.

- C. The informal resolution process may not be used to resolve allegations that a school district employee sexually harassed a student.
- D. The school district will not facilitate an informal resolution process without both parties' agreement, and will obtain their voluntary, written consent. The school district will provide to the parties a written notice disclosing the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, the parties' right to withdraw from the informal resolution process, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
- E. At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

IX. DISMISSAL OF A FORMAL COMPLAINT

- A. Under federal law, the school district must dismiss a Title IX complaint, or a portion thereof, if the conduct alleged in a formal complaint or a portion thereof:
 - 1. Would not meet the definition of sexual harassment, even if proven;
 - 2. Did not occur in the school district's education program or activity; or
 - 3. Did not occur against a person in the United States.
- B. The school district may, in its discretion, dismiss a formal complaint or allegations therein if:
 - 1. The complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations therein;
 - 2. The respondent is no longer enrolled or employed by the school district; or
 - 3. Specific circumstances prevent the school district from gathering sufficient evidence to reach a determination.
- C. The school district shall provide written notice to both parties of a dismissal. The notice must include the reasons for the dismissal.
- D. Dismissal of a formal complaint or a portion thereof does not preclude the school district from addressing the underlying conduct in any manner that the school district deems appropriate.

X. 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.

XI. DETERMINATION REGARDING RESPONSIBILITY

- A. After the school district has sent the investigative report to both parties and before the school district has reached a determination regarding responsibility, the Decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness.

- B. The Decision-maker must provide the relevant questions submitted by the parties to the other parties or witnesses to whom the questions are offered, and then provide each party with the answers, and allow for additional, limited follow-up questions from each party.
- C. The Decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant.
- D. When the exchange of questions and answers has concluded, the Decision-maker must issue a written determination regarding responsibility that applies the preponderance of the evidence standard to the facts and circumstances of the formal complaint. The written determination of responsibility must include the following:
 - 1. Identification of the allegations potentially constituting sexual harassment;
 - 2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
 - 3. Findings of fact supporting the determination;
 - 4. Conclusions regarding the application of the school district's code of conduct to the facts;
 - 5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the school district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the school district to the complainant; and
 - 6. The school district's procedures and permissible bases for the complainant and respondent to appeal and the date by which an appeal must be made.
- E. In determining appropriate disciplinary sanctions, the Decision-maker should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incident occurred.
- F. The written determination of responsibility must be provided to the parties simultaneously.
- G. The Title IX Coordinator is responsible for the effective implementation of any remedies.
- H. The determination regarding responsibility becomes final either on the date that the school district provides the parties with the written determination of the result of the

appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

XII. APPEALS

- A. The school district shall offer the parties an opportunity to appeal a determination regarding responsibility or the school district's dismissal of a formal complaint or any allegations therein, on the following bases:
 - 1. A procedural irregularity that affected the outcome of the matter (e.g., a material deviation from established procedures);
 - 2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
 - 3. The Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- B. If notice of an appeal is timely received by the school district, the school district will notify the parties in writing of the receipt of the appeal, assign or designate the Appellate Decision-maker, and give the parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.
- C. After reviewing the parties' written statements, the Appellate Decision-maker must issue a written decision describing the result of the appeal and the rationale for the result.
- D. The written decision describing the result of the appeal must be provided simultaneously to the parties.
- E. The decision of the Appellate Decision-maker is final. No further review beyond the appeal is permitted.

XIII. RETALIATION PROHIBITED

- A. Neither the school district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing

- regulations, or this policy, constitutes retaliation. Retaliation against a person for making a report of sexual harassment, filing a formal complaint, or participating in an investigation, constitutes a violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.
- B. Any person may submit a report or formal complaint alleging retaliation in the manner described in this policy and it will be addressed in the same manner as other complaints of sexual harassment or sex discrimination.
- C. Charging an individual with violation of school district policies for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

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

PERSONNEL

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Employee Technology and Internet Access and Acceptable Use	428	Adopted: 6/11/2020	Annually

I. PURPOSE

The School Board recognizes that technological resources can enhance employee performance by offering effective tools to assist in providing a quality instructional program, facilitating communications with parents/guardians, students, and the community, supporting district and school operations, and improving access to and exchange of information. The Board expects all employees to learn to use the available technological resources that will assist them in the performance of their job responsibilities. As needed, employees shall receive professional development in the appropriate use of these resources.

Employees shall be responsible for the appropriate use of technology and shall use the district's technological resources primarily for purposes related to their employment. Employees may have limited personal use of technology that is confined to break-times and does not negatively impact the technology, the employee's job performance, or their work environment, as long as all other policies and regulations are being adhered to.

II. NOTICE TO EMPLOYEES

The Superintendent or designee shall provide copies of related policies, regulations, and guidelines to all employees who use the district's technological resources. Employees shall be required to acknowledge that they have read and understood the district's policies related to technology.

III. CONTENT FILTERING FOR EMPLOYEES

The Superintendent or designee shall ensure that all District computers with Internet access have a technology protection measure that prevents access to visual depictions that are obscene or child pornography and that the operation of such measures is enforced. The Superintendent or designee may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose.

IV. PRIVACY STATEMENT

To ensure proper use, the Superintendent or designee may monitor employee usage of technological resources, including all network traffic, email, and stored files. Monitoring may occur at any time without advance notice or consent.

Employees shall be notified that computer files and electronic communications, including email and voicemail, are not private. Technological resources shall not be used to transmit confidential information about students, employees, or district operations without authority. When authorized, any electronic transmission of confidential information must be clearly noted as such in the header, subject line, or footer.

V. **PUBLISHING STUDENT WORK**

The board recognizes that staff want to celebrate student achievement and work by publishing their accomplishments online. The Board expects staff to acquire prior approval from a student's parent/guardian prior to publishing any student images or work as needed. (public publishing)

VI. **ELECTRONIC COMMUNICATION WITH STUDENTS**

Employees shall communicate electronically (2-Way communication) only with students through their District approved technology resources. Violation of this article will result in disciplinary action, and/or legal action in accordance with law, Board policy, and administrative procedures.

A. Texting Exception

1. Staff may use text-based messaging with any student with whom they share a familial relationship without conditions.
2. Staff may use text-based messaging with students under the following conditions:
 - a. Proper notice has been provided to parents regarding the use of text-based messaging, including the person(s), purpose(s), and time frame(s) during which such communications will take place.
 - b. The content and context of the text-based messages directly relate to the academic, athletic, or club to which the staff and student need text-based communication to support.
 - c. Parents and students are provided an opportunity to opt-out of text-based communications between a staff and student.

VII. **USE OF INTERNET-BASED RESOURCES**

The Board recognizes that employees require the use of Internet-based resources beyond the scope of what has been officially adopted by the District. Employees must notify their site Principal or Superintendent of any Internet-based resources which they control that directly relate to their employment with the District. Employees must also remove any content immediately upon the request of their site Principal, Superintendent or direct supervisor. Employees must take offline and stop using any Internet-based services upon the request of their site Principal, Superintendent or direct supervisor.

[Any district staff member who uses an Internet based resource with students is responsible for ensuring that parents/guardians are informed of the tool being used and the student data](#)

being shared with or created on the tool. This information must be present in the syllabus and must be proactively sent to parents/guardians at the beginning of the term, before the tool is used.

Employees using Internet-based resources to publish information to web sites, blogs, forums, or other online communications representing the school or district shall do so unidirectionally; whereby information is only provided via One-way Communication*. These resources must be set up in such a way that they cannot be used as two-way communication platforms. Such resources shall be subject to rules and guidelines established for district online publishing activities including, but not limited to, copyright laws, privacy rights, and prohibitions against obscene, libelous, and slanderous content. The District retains the right to delete material on any such online resource and employees must comply with the District request to do so.

VIII. EMPLOYEE USE OF TECHNOLOGY RULES AND RESPONSIBILITIES

- A. Employees are authorized to use district equipment to access the Internet or other online services in accordance with Board policy, including the user obligations and responsibilities specified below.
1. The employee in whose name an online services account is issued is responsible for its proper use at all times. Employees shall keep account information private. Each employee shall only use the account(s) to which they have been assigned. Under no circumstance shall employees reveal their passwords to anyone.
 2. Employees shall use computer systems and the Internet safely, responsibly, and primarily for work-related purposes.
 3. Employees shall not access, post, submit, publish, or display harmful or inappropriate ~~manner~~ material. Employee shall not post information that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race, ethnicity, national origin, sex, gender, gender identity, sexual orientation, age, disability, religion, or political beliefs.
 4. Employees shall not use the district computer systems or the Internet to promote unethical practices or any activity prohibited by law, Board policy, or administrative procedure.
 5. Employees shall not use district computer systems or the Internet to engage in commercial or other for-profit activities without permission of the Superintendent or designee.
 6. Copyrighted material shall be posted online only in accordance with applicable copyright laws.
 7. Employees shall not engage in computer **hacking**; broadly **defined** as intentionally accessing a computer, computer system, network, network system, or user account without authorization or exceeding one's authorized access.

8. Users shall report any security problem or misuse of the services to the Superintendent or designee.
9. When using email to discuss issues and data surrounding individual students, staff is required to indicate that the email contains confidential information by including the word “confidential” in either the email’s subject or main message area.
10. When using email to transfer one or more sets of student data (i.e. an excel document of student names and addresses), staff are required to secure the email’s attachment(s) using encryption.
11. Unless authorized by an employee’s supervisor, staff are only to use District email groups to which they are a member or are inclusive of the building that they work in. Wider message distribution must occur in cooperation with Building or District leadership.

IX. DEFINITIONS

“One-way Communication” is defined as any Internet, app, or cellular based communication where a message is sent or posted with no continuing dialogue. An example would be a staff member using an internet based texting service to notify the class of an upcoming test, where that service is one-way and doesn’t facilitate the recipient’s action to reply.

“Two-way Communication” is defined as any Internet, app, or cellular based conversation where there is a message, a response, and a response to the response. For instance, a staff member could post a notice on Facebook (message), and people could comment on that post (a response) without this being considered two-way communication. When the teacher responds with a comment (a response to a response), there is now a two-way communication and therefore a conversation is taking place.

“Text Messaging” is defined as any communication platform that is enabled from a cellular phone, tablet device, or messaging application that facilitates private communication between two parties via text, videos, or images being sent and received. This includes standard cellular text messaging, sms and mms protocols, and any apps that perform similar functions such as, but not limited to, WhatsApp, Snapchat, Signal, Facebook Messenger, etc.

“District authorized Internet-based resources” are any communication platform adopted and/or paid for by the school district including but not limited to district email, gradebook software, student information system(s), learning management systems, etc.

Legal References:

17 U.S.C. § 101 *et seq.* (Copyrights)

47 C.F.R. § 54.520 (FCC rules implementing CIPA)

Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)

STUDENTS

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Student Technology and Internet Access and Acceptable Use	524	Adopted: 12-18-2014 Reviewed: 04-25-2019 Revised: 06-11-2020 Reviewed: 11-04-2021 Revised:	Annually

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.

~~The School Board believes that students should have an opportunity to access the Internet to facilitate learning, and for educational and personal growth in the use of technology, resource sharing, information gathering and communication skills. The use of the District technology system and access to use of the Internet is a privilege, not a right.~~

II. GENERAL STATEMENT OF POLICY

Access to District technology systems and to the Internet enables students to explore thousands of libraries, databases, bulletin boards, and other global resources while exchanging messages with people around the world. The District expects that staff will blend thoughtful use of the school District technology system and the Internet throughout the curriculum and will educate students **in their use.** ~~about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, as well as bullying awareness and response.~~

The value of access to information and interaction on the Internet far outweighs the risk that users may procure material that is inconsistent with the educational goals of the District.

Students are expected to use Internet access through the District technology systems to further educational and personal goals consistent with the mission and policies of the District. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited purpose network.

III. NOTIFICATION / DISCLAIMER

A. Students will use the District technology systems, resources and accounts to access the Internet.

- B. The District makes no warranties, expressed or implied, for the Internet access it is providing. The system is provided on an “as is, as available” basis.
- C. The District will not be responsible for any damages users experience, including but not limited to, damage, loss or unavailability of data stored on or accessed through the district technology system or for delays or interruptions in service or misdeliveries or non-deliveries of information. Additionally, the District will not be responsible for the accuracy, nature or quality of information stored or gathered on the District technology system.
- D. The District will not be responsible for personal property used to access the District technology system or networks.
- E. The District will not be responsible for the setup or maintenance of personal property used for remote access to District technology devices, networks, or District provided Internet access.
- F. The collection, creation, reception, maintenance and dissemination of data via the Internet, including electronic communications, are governed by the Minnesota Data Practices law and District policy Data Privacy Protection and Privacy of Pupil Specific Data Policy.
- G. District policy and all its provisions and rules are subordinate to local, state and federal statutes.
- H. The District will not be responsible for financial obligations incurred by users through district technology systems or the Internet. Parents/guardians must be aware that it is possible to purchase goods and services via the Internet.

IV. FILTERING TECHNOLOGY

Pursuant to state law, school districts are required to restrict access to inappropriate materials on school computers with Internet access. School districts seeking technology revenue pursuant to Minnesota Statutes section 125B.26 or certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children’s Internet Protection Act, effective in 2001. Those districts are required to comply with additional standards in restricting possible access to inappropriate materials.

- A. The District will use various means to limit student access to the Internet; however, these limits do not provide a foolproof means for enforcing the provisions of District policy and rules.
- B. Filtering technology will be narrowly tailored and will not discriminate based on viewpoint.
- C. The District will monitor online activities and employ technology protection measures during use of such technology devices by all users on the network. 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:
 - a. taken as a whole and with respect to minors, appeals to an indecent interest in nudity, sex, or excretion; or
 - b. depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual or perverted act or sexual contact, or a lewd exhibition of the genitals; or
 - c. taken as whole, lacks serious literary, artistic, political, or scientific value for minors.
- D. Technology protection measures may be disabled by authorized personnel, to enable access for bona fide research or other lawful purposes.

V. NOTIFICATION REGARDING TECHNOLOGY PROVIDERS

- A. "Technology provider" means a person who:
1. contracts with the school district, as part of a one-to-one program or otherwise, to provide a school-issued device for student use; and
 2. creates, receives, or maintains educational data pursuant or incidental to a contract with the school district.
- B. "Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.
- C. Within 30 days of the start of each school year, the school district must give parents and students direct and timely notice, by United States mail, e-mail, or other direct form of communication, of any curriculum, testing, or assessment technology provider contract affecting a student's educational data. The notice must:
1. identify each curriculum, testing, or assessment technology provider with access to educational data;
 2. identify the educational data affected by the curriculum, testing, or assessment technology provider contract; and
 3. include information about the contract inspection and provide contact information for a school department to which a parent or student may direct questions or concerns regarding any program or activity that allows a curriculum, testing, or assessment technology provider to access a student's educational data.

- D. The school district must provide parents and students an opportunity to inspect a complete copy of any contract with a technology provider.
- E. A contract between a technology provider and the school district must include requirements to ensure appropriate security safeguards for educational data. The contract must require that:
 - 1. the technology provider's employees or contractors have access to educational data only if authorized; and
 - 2. the technology provider's employees or contractors may be authorized to access educational data only if access is necessary to fulfill the official duties of the employee or contractor.
- F. All educational data created, received, maintained, or disseminated by a technology provider pursuant or incidental to a contract with a public educational agency or institution are not the technology provider's property.

VI. SCHOOL-ISSUED DEVICES

- A. "School-issued device" means hardware or software that the school district, acting independently or with a technology provider, provides to an individual student for that student's dedicated personal use. A school-issued device includes a device issued through a one-to-one program.
- B. Except as provided in section VI paragraph C, the school district or a technology provider must not electronically access or monitor:
 - 1. any location-tracking feature of a school-issued device;
 - 2. any audio or visual receiving, transmitting, or recording feature of a school-issued device; or
 - 3. student interactions with a school-issued device, including but not limited to keystrokes and web-browsing activity.
- C. The school district or a technology provider may only engage in activities prohibited by section VI paragraph B if:
 - 1. the activity is limited to a noncommercial educational purpose for instruction, technical support, or exam-proctoring by school district employees, student teachers, staff contracted by the school district, a vendor, or the Minnesota Department of Education, and notice is provided in advance;
 - 2. the activity is permitted under a judicial warrant;
 - 3. the school district is notified or becomes aware that the device is missing or stolen;
 - 4. the activity is necessary to respond to an imminent threat to life or safety and the access is limited to that purpose;

5. the activity is necessary to comply with federal or state law, including but not limited to Minnesota Statutes section 121A.031; or
 6. the activity is necessary to participate in federal or state funding programs, including but not limited to the E-Rate program.
- D. If the school district or a technology provider interacts with a school-issued device as provided in paragraph C, clause 4, it must, within 72 hours of the access, notify the student to whom the school-issued device was issued or that student's parent and provide a written description of the interaction, including which features of the device were accessed and a description of the threat. This notice is not required at any time when the notice itself would pose an imminent threat to life or safety, but must instead be given within 72 hours after that imminent threat has ceased.

VII. ACCEPTABLE USE AND RESPONSIBILITY

- A. Stillwater Area Public Schools assigns technology devices to students in order to support their learning and perform standardized assessments. Students are expected to maintain their assigned device and keep it in working order through responsible care and use of the device.
- B. Guidelines for technology device use
1. Devices will be assigned in working condition. When a device is damaged, lost, stolen, or is otherwise unusable for its intended educational purposes, it must be reported to the school.
 - a. Accidental damage, as determined by The District, will be billed per the Device Fee Schedule found in the Parent Student Handbook.
 - b. Intentional damage, as determined by The District, will be billed per the actual cost of repair incurred by The District.
 - c. Lost or stolen devices will be assessed and billed per the Device Fee Schedule found in the Parent Student Handbook.
 - d. All repairs must be completed by ISD#834 or an agent of ISD#834. Students are not allowed to perform their own repairs.
 2. Student devices must be properly cared for and kept in a secure location. Students are responsible for ensuring that their assigned device is safe from theft and/or damage.
 3. Student assigned devices may only be used by the assigned student or parents of the assigned student.
 4. Students must either keep their device at school in a secure charging location or bring their device each day in a fully charged state.
 5. Students unable to take their assigned device home will be provided with a secure storage location on campus.

6. Student assigned devices and their use are subject to all district policies, as applicable, regardless of device location.
 7. Student devices may not be used to record others without their permission.
- C. Users exercising their privilege to use the Internet as a resource must take responsibility for their choices in accessing and viewing information, and creating and publishing content.
- D. Guidelines for Internet and District Technology System Use
1. It is impossible to assure that District staff can continually monitor each learner; therefore, it is important to emphasize the need for each student's cooperation to act responsibly. With Internet access, users join a community of millions of people who share a world of information resources. Since this community is not ruled by laws in the traditional sense, users of the district technology system and the Internet must abide by the following rules:
 2. Users will be courteous and respectful in their messages to others, using appropriate language. Language that is knowingly false, defamatory, harassing, assaultive, bullying, discriminatory, obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit is prohibited.
 3. Users will not use the District technology system to engage in any illegal act or violate any local, state or federal ordinance or law.
 4. Users will respect legal protection provided by copyright laws, software licensing and trademarks.
 5. The District-provided Internet access will not be used for conducting business, for unauthorized commercial purposes, or for financial gain unrelated to the mission of the school district, nor will it be used for political fundraising and lobbying, or religious proselytizing.
 6. Users are prohibited from attempting unauthorized access to the District technology system, attempting to log in through another person's account, or using computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the District technology system may not be encrypted without the permission of appropriate school authorities.
 7. By authorizing use of the District technology system, the District does not relinquish control over materials on the system or contained in files on the system. Users must be aware that they must expect only limited privacy in the contents of personal files on the District technology system. The District retains the right at any time to investigate or review the contents of any files and e-mail files. In addition, data and other materials in files maintained on the District technology system may be subject to review, disclosure or discovery under Minnesota Statutes, Chapter 13.
 8. Users will not use the District technology system or Internet 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. materials or information that includes language or images that are inappropriate in or disruptive to the education setting;
 - c. materials that use language or images that advocate violence;
 - d. materials that may constitute bullying, harassment or discrimination.
9. Users will not use the District technology system or Internet to:
- a. vandalize, damage, or disable property of another person or organization
 - b. Degrade or disrupt equipment, software, or system performance by spreading computer viruses or by other means;
 - c. Tamper with, modify or change the District technology system software, hardware, or wiring;
 - d. Take any action to violate the District's technology security system, or use the system in such a way as to disrupt the use of other users.
10. Students may use the District technology system for educational purposes consistent with the educational mission of the District.
11. For their safety, students will not send personal information about self or others, including but not limited to, home or school address, phone or credit card numbers or other personally identifiable information over the Internet.
12. Students who inadvertently access unacceptable material or an unacceptable Internet site should immediately report the situation to their classroom teacher or the building principal.

VII. 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.

IX. PARENT/GUARDIAN RIGHTS/RESPONSIBILITIES

- A. The proper use of the District technology system and the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents/guardians and employees of the District. Outside of school, parents/guardians are responsible for monitoring their student's use of the District technology system and of the Internet if the student is accessing the District technology system from home or a remote location.
- B. Parents/guardians have the right at any time to investigate or review the contents of their child's files and e-mail files and to request the termination of their child's individual account at any time.

- C. Parents/guardians are responsible for ensuring that their students use all devices responsibly, per this policy. This includes financial responsibility for when a device is damaged, lost, or stolen. Repair or replacement costs will be assessed by The District per the Device Fee Schedule found in the Parent Student Handbook.

X. CONSEQUENCES OF DISTRICT TECHNOLOGY ~~SYSTEM/INTERNET~~ MISUSE

- A. Inappropriate or offensive content distributed electronically or posted to social media, regardless of whether it was done using the district technology system, may be investigated by school and District officials and, if warranted, may result in disciplinary action.
- B. Students engaging in unacceptable use of the Internet when off school District premises may be in violation of this policy as well as other District policies. If the District receives a report of unacceptable use originating from a non-district technology device or resource, the District may investigate such reports to the best of its ability. Students may be subject to disciplinary action for such conduct.
- 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 District policy or rules.
- D. Evidence of illegal or prohibited activities may be disclosed to law enforcement authorities and civil or criminal liability under applicable laws may result. The District will cooperate fully with local, state or federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with District policies conducted through the District technology system.
 - 1. Inappropriate use may result in termination of the student's access privileges and other consequences as described in the District's Discipline Policy, including, but not limited to, payments for unauthorized financial obligations, damages or repairs.
 - 2. Obligation incurred by a student through the Internet is the sole responsibility of the student and/or the student's parents/guardians. Inappropriate use may also result in suspension, expulsion or exclusion from school.
 - 3. Student use of Internet capabilities in a manner which violates any other school policy or procedure will be subject to additional consequences pursuant to the District and building disciplinary rules.

XI. DISTRIBUTION AND ACKNOWLEDGEMENT OF POLICY TERMS AND CONDITIONS

- A. Notification of this policy and the requirements herein will be provided to parents/guardians and students as part of the annual district handbook and on the District's web page.

- B. User agreement and acceptance of the terms and conditions of this policy will be accomplished through parental/guardian electronic acknowledgement via the District's online registration process at the beginning of each school year.

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 124D.166 (Limit on Screen Time for Children in Preschool and Kindergarten)
Minn. Stat. § 125B.15 (Internet Access for Students)
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
15 U.S.C. § 6501 *et seq.* (Children's Online Privacy Protection Act)
17 U.S.C. § 101 *et seq.* (Copyrights)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))
47 C.F.R. § 54.520 (FCC rules implementing CIPA)
Mahanoy Area Sch. Dist. v. B.L., 594 U.S. ___, 141 S. Ct. 2038 (2021)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969)
United States v. Amer. Library Assoc., 539 U.S. 194 (2003)
Sagehorn v. Indep. Sch. Dist. No. 728, 122 F.Supp.2d 842 (D. Minn. 2015)
~~*Doninger v. Niehoff*, 527 F.3d 41 (2nd Cir. 2008)~~
R.S. v. Minnewaska Area Sch. Dist. No. 2149, 894 F.Supp.2d 1128 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), *aff'd* on other grounds 816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee's Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)
~~*Kowalski v. Berkeley County Sch.*, 652 F.3d 565 (4th Cir. 2011)~~
~~*Layshock v. Hermitage Sch. Dist.*, 650 F.3d 205 (3rd Cir. 2011)~~
Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
DRUG AND ALCOHOL TESTING Transportation Operators– Drug and Alcohol Abuse Policy	SR-1.5 416	Adopted: 12-15-94 Revised:	Three Years

~~It is the policy of I.S.D. 834 to provide a safe and efficient transportation system for its students and staff. The Superintendent/designee is directed to develop, implement and enforce procedures that prohibit illegal drug and alcohol use by operators/contractors of vehicles used in I.S.D. 834-sponsored transportation.~~

I. PURPOSE

- A. The school board recognizes the significant problems created by drug and alcohol use in society in general, and the public schools in particular. The school board further recognizes the important contribution that the public schools have in shaping the youth of today into the adults of tomorrow.
- B. The school board believes that a work environment free of drug and alcohol use will be not only safer, healthier, and more productive but also more conducive to effective learning. 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 state and federal law.

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 Minnesota Statutes, sections 181.950-181.957.
- B. The school district may request or require that any school district employee or job applicant, other than an employee or applicant whose position requires a commercial driver’s license, submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minnesota Statutes, sections 181.950-181.957.
- C. The use, possession, sale, purchase, transfer, or dispensing of any drugs not medically prescribed, including medical cannabis, whether or not it has been prescribed for the employee,

is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of drugs that are not medically prescribed, including medical cannabis, whether or not it has been prescribed for the employee, is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of drugs that are not medically prescribed are prohibited from entering or remaining on school district property.

- D. The use, possession, sale, purchase, transfer, or dispensing of alcohol 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 that includes, but is not limited to, immediate suspension without pay and immediate discharge.

III. DEFINITIONS

- A. “Drug” means a controlled substance as defined in Minnesota Statutes, including medical cannabis, regardless of enrollment in the state registry program.
- B. “Drug and Alcohol Testing,” “Drug or Alcohol Testing,” and “Drug or Alcohol Test” mean analysis of a body component sample by a testing laboratory that meets one of the criteria listed in Minnesota Statutes, section 181.953, subdivision 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested.
- C. “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 IV). 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 V of this policy and the drivers shall fall within this definition of “other employees.”
- D. “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.
- E. “Positive Test Result” means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.

- F. “Random Selection Basis” means a mechanism for selection of employees that:
1. results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected; and
 2. does not give the school district discretion to waive the selection of any employee selected under the mechanism.
- G. “Reasonable Suspicion” means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.
- H. “Safety-Sensitive Position” means a job, including any supervisory or management position, in which an impairment caused by drug or alcohol usage would threaten the health or safety of any person.

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

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.

A. Specific Prohibitions for Drivers

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 commercial motor vehicle (CMV) while the driver possesses alcohol.
3. On-Duty Use. No driver shall use alcohol while performing safety-sensitive functions.
4. Pre-Duty Use. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.
5. Use Following an Accident. No driver required to take a post-accident test shall use alcohol for eight (8) hours following the accident, or until the driver undergoes a post-accident alcohol test, whichever occurs first.
6. Refusal to Submit to a Required Test. No driver shall refuse to submit to an alcohol or controlled substances test required by post-accident, random, reasonable suspicion, return-to-duty, or follow-up testing requirements. A verified adulterated or substituted drug test shall be considered a refusal to test.
7. Use of Controlled Substances. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance,

except when the use is pursuant to instructions (which have been presented to the school district) from a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that the substance does not adversely affect the driver's ability to safely operate a CMV. Controlled substances include medical cannabis, regardless of whether the driver is enrolled in the state registry program.

8. Positive, Adulterated, or Substituted Test for Controlled Substance. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive for controlled substances, including medical cannabis, or has adulterated or substituted a test specimen for controlled substances.
9. General Prohibition. Drivers are also subject to the general policies and procedures of the school district that prohibit possession, transfer, sale, exchange, reporting to work under the influence of drugs or alcohol, and consumption of drugs or alcohol while at work or while on school district premises or operating any school district vehicle, machinery, or equipment.

B. Other Alcohol-Related Conduct

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.

C. Prescription Drugs/Cannabinoid Products

A driver shall inform the driver's supervisor if at any time the driver is using a controlled substance pursuant to a physician's prescription. The physician's instructions shall be presented to the school district upon request. Use of a prescription drug shall be allowed if the physician has advised the driver that the prescribed drug will not adversely affect the driver's ability to safely operate a CMV. Use of medical cannabis is prohibited notwithstanding the driver's enrollment in the patient registry. Use of non-intoxicating cannabinoids or edible cannabinoid products is not a legitimate medical explanation for a confirmed positive test result for marijuana

V. **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 commercial motor vehicles (CMVs) who are subject to federally mandated testing.

A. General Limitations

1. 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 listed in Minnesota Statutes, section 181.953, subdivision 1.
2. 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.

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

1. Job Applicant

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

2. Random Selection

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.

3. Reasonable Suspicion

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.

4. Treatment Program

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.

5. Routine Physical Examination

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.

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

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

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

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 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 Explain Positive Test Result

- a) If an employee or job applicant has a positive test result on a confirmatory test, the school district shall provide the individual with notice of the test results and, at the same time, written notice of the right to explain the results and to submit additional information.
- 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 non-intoxicating 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 an employee claims to have only used non-intoxicating cannabinoids or edible cannabinoid products.
- e) Within three (3) working days after notice of a positive test result on a confirmatory test, an employee or job applicant may submit information (in addition to any information already submitted) to the school district to explain that result.

4. Notice of and Right to Request Confirmatory Retests

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

the other laboratory. The confirmatory retest must use the same drug 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.

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

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 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. Privacy, Confidentiality and Privilege Safeguards

1. Privacy Limitations

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

2. Confidentiality Limitations

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

3. Exceptions to Privacy and Confidentiality Disclosure Limitations

Notwithstanding Paragraphs 1. and 2., evidence of a positive test result on a confirmatory test may be:

- a) used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under Minnesota Statutes, Chapter 43A or other applicable state

- or local law, or a judicial proceeding, provided that information is relevant to the hearing or proceeding;
- b) 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
 - c) disclosed to a substance abuse treatment facility for the purpose of evaluation or treatment of the employee.

I. 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.

VI. **POSTING**

The school district shall post notice on the school district website that it has adopted a drug and alcohol testing policy and that copies of the policy are available for inspection by its employees or job applicants in the school district Central Services Building.

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

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Drug-Free Workplace / Drug-Free School	4189	Adopted: 09-13-1990 Renumbered: 3-11-21 REVISED:	Three Years

~~It is the policy of I.S.D. 834 that no employee shall unlawfully manufacture, distribute, dispense, possess or use on or in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C 812) and as further defined by regulation at 13 21 CFR 1300.11 through 1300.15, or in violation of any statute of the State of Minnesota. Adherence to all Administrative Regulations and Procedures shall be considered a condition of employment in I.S.D. 834.~~

~~ADMINISTRATIVE PROCEDURES AND REGULATIONS~~

~~Definitions:~~

~~"Work place" is defined to mean the site for the performance of work done in connection with employment. That includes any school building or any school premises; any school owned vehicle or any other school approved vehicle used to transport students to and from school or school activities; off school property during 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.~~

~~Condition of Employment:~~

~~Each employee shall notify his or her supervisor of his or her conviction of any criminal drug statute for a violation occurring in the workplace as defined above, no later than five (5) days after such conviction.~~

~~Each employee shall abide by all the terms of this policy creating a drug free workplace.~~

~~Any employee who violates the terms of this policy shall satisfactorily participate in a drug abuse assistance or rehabilitation program in a treatment facility licensed by the State of Minnesota or Wisconsin. If the employee fails to satisfactorily participate in such program, the employee shall be non-renewed or his or her employment may be suspended or terminated, at the discretion of the Board.~~

~~All disciplinary action taken against employees for violation of this policy, including nonrenewal, suspension or termination, shall be imposed in accordance with procedures prescribed by State law, bargaining unit contracts, including those laws and rules affording due process to all employees.~~

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. Use or possession of alcohol, toxic substances, medical cannabis, non-intoxicating cannabinoids (including edible cannabinoid products), and controlled substances before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.
- B. A violation of this policy occurs when any student, teacher, administrator, other school district personnel, or member of the public uses or possesses alcohol, toxic substances, medical cannabis, non-intoxicating cannabinoids (including edible cannabinoid products), or controlled substances in any school location.
- 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 member of the public who violates this policy.

III. DEFINITIONS

- A. "Alcohol" includes any alcoholic beverage containing more than one-half of one percent alcohol by volume.
- B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code section 812, including analogues and look-alike drugs.
- C. "Edible cannabinoid product" means any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in combination with food ingredients, and is not a drug.
- D. "Non-intoxicating cannabinoid" means substances extracted from certified hemp plants that do not produce intoxicating effects when consumed by any route of administration.
- E. "Medical cannabis" means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of: (1) liquid, including, but not limited to, oil; (2) pill; (3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; (4) combustion with use of dried raw cannabis; or (5) any other method approved by the commissioner.

- F. "Possess" means to have on one's person, in one's effects, or in an area subject to one's control.
- G. "School location" includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.
- H. "Toxic substances" includes: (1) glue, cement, aerosol paint, containing toluene, benzene, xylene, amyl nitrate, butyl nitrate, nitrous oxide, or containing other aromatic hydrocarbon solvents, but does not include glue, cement, or paint contained in a packaged kit for the construction of a model automobile, airplane, or similar item; (2) butane or a butane lighter; or (3) any similar substance declared to be toxic to the central nervous system and to have a potential for abuse, by a rule adopted by the commissioner of health.
- I. "Use" includes to sell, buy, manufacture, distribute, dispense, possess, use, or be under the influence of alcohol, toxic substances, medical cannabis, non-intoxicating cannabinoids (including edible cannabinoid products), and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.

IV. EXCEPTIONS

- A. A violation of this policy does not occur when a person brings onto a school location, for such person's own use, a controlled substance, except medical cannabis, which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.
- B. A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minnesota Statutes section 624.701, subdivision 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).

V. PROCEDURES

- A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, must comply with the school district's student medication policy.
- B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must

inform his or her supervisor. The employee may be required to provide a copy of the prescription.

- C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.
- D. Employees are subject to the school district's drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances in a school location except with the express permission of the superintendent.
- F. No person is permitted to possess or use medical cannabis on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any child care facility. This prohibition includes (1) vaporizing or combusting medical cannabis on any form of public transportation where the vapor or smoke could be inhaled by a minor child or in any public place, including indoor or outdoor areas used by or open to the general public or place of employment; and (2) operating, navigating, or being in actual physical control of any motor vehicle or working on transportation property, equipment or facilities while under the influence of medical cannabis.
- G. Possession of alcohol on school grounds pursuant to the exceptions of Minnesota Statutes section 624.701, subdivision 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

VI. ENFORCEMENT

A. Students

- 1. Students may be required to participate in programs and activities that provide education against the use of alcohol, tobacco, marijuana, smokeless tobacco products, electronic cigarettes, and non-intoxicating cannabinoids (including edible cannabinoid products).
- 2. Students may be referred to drug or alcohol assistance or rehabilitation programs; school based mental health services; individual or group counseling services; and/or referral to law enforcement officials, when appropriate.
- 3. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.

B. Employees

- 1. As a condition of employment in any federal grant, each employee who is engaged either directly or indirectly in performance of a federal grant shall abide by the terms of this policy and shall notify his or her supervisor in writing of his or her conviction of any

criminal drug statute for a violation occurring in any of the places listed above on which work on a school district federal grant is performed, no later than five (5) calendar days after such conviction. Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

2. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, termination, or discharge as deemed appropriate by the school board.
3. In addition, any employee who violates the terms of this policy may be required to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the school district. Any employee who fails to satisfactorily participate in and complete such a program is subject to nonrenewal, suspension, or termination as deemed appropriate by the school board.
4. Sanctions against employees, including nonrenewal, suspension, termination, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.

C. The Public

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

Legal References: Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)

Minn. Stat. § 121A.40-§ 121A.56 (Pupil Fair Dismissal Act)

Minn. Stat. § 151.72 (Sale of Certain Cannabinoid Products)

Minn. Stat. § 152.22, Subd. 6 (Definitions; Medical Cannabis)

Minn. Stat. § 152.23 (Limitations; Medical Cannabis)

Minn. Stat. § 340A.101 (Definitions; Alcoholic Beverage)

Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)

Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)

Minn. Stat. § 609.684 (Abuse of Toxic Substances)

Minn. Stat. § 624.701 (Alcohol in Certain Buildings or Grounds)

20 U.S.C. § 7101-7122 (Student Support and Academic Enrichment Grants)

21 U.S.C. § 812 (Schedules of Controlled Substances)

41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)

21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)

34 C.F.R. Part 84 (Government-Wide Requirements for Drug-Free Workplace)

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
<p>TOBACCO-FREE ENVIRONMENT Drugs, Tobacco, Alcohol Use/Violations</p>	<p>419 SR 1.7</p>	<p>Adopted: 6-28-71 Amended: 6-08-85 Revised:</p>	<p>Three Years</p>

~~It is the policy of I.S.D. 834:~~

~~The use of drugs for non-medical purposes, alcohol and tobacco are prohibited on school grounds or at activities sponsored by I.S.D. 834.~~

~~Employees and students shall not be under the influence of drugs or alcohol when performing any tasks related to roles as staff or student.~~

~~Employees or students found to have violated this policy shall be subject to discipline afforded within guidelines of contract, related policy and due process.~~

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the school district, or person smokes or uses tobacco, tobacco-related devices, or carries or uses an activated electronic delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.

B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco, tobacco-related devices, or electronic delivery devices in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.

- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.
- D. The school district will not solicit or accept any contributions or gifts of money, curricula, materials, or equipment from companies that directly manufacture and are identified with tobacco products, tobacco-related devices, or electronic delivery devices. The school district will not promote or allow promotion of tobacco products or electronic delivery devices on school property or at school-sponsored events.

III. DEFINITIONS

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

F. “Vaping” means using an activated electronic delivery device or heated tobacco product.

IV. EXCEPTIONS

A. A violation of this policy does not occur when an Indian adult lights tobacco on school district property as a part of a traditional Indian spiritual or cultural ceremony. An 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.

VI. ENFORCEMENT

A. All individuals on school premises shall adhere to this policy.

B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.

C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.

D. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.

E. Persons who violate this tobacco-free policy may be referred to the building administration or other school district supervisory personnel responsible for the area or program at which the violation occurred.

F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.

G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

VII. DISSEMINATION OF POLICY

A. This policy shall appear in the student handbook.

B. The school district will develop a method of discussing this policy with students and employees.

Legal References: Minn. Stat. § 120B.238 (Vaping Awareness and Prevention)

Minn. Stat. §§ 144.411-144.417 (Minnesota Clean Indoor Air Act)

Minn. Stat. § 609.685 (Sale of Tobacco to Persons Under Age 21)

2007 Minn. Laws Ch. 82 (Freedom to Breathe Act of 2007)

EDUCATION PROGRAMS

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Academic Achievement Plan Model Policy - School Dist Curriculum Instruction and Goals	601	Adopted: 8-09-2001 Renumbered: 3-11-2021 Revised: _____	3 Years

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

Students’ academic success and learning in Stillwater Area Public Schools is based on effective implementation of the interrelated components of standards, assessment, curricula, and instruction. Successful implementation of these systems results in a continuous improvement cycle of instruction, assessment of clearly defined learning objectives, and equity of access and opportunity for each and every student.

~~It is the policy of I.S.D. 834 that~~

Strategic and operational plans that provide for the focused delivery of learning will be developed and regularly made available to the community with the intent of ongoing dialogue to support improvement and student achievement.

~~Rationale: Plans are developed to provide for: the development of all students; guarding the public welfare; definition of the work and focus of the organization; accountability to community standards; and to demonstrate alignment of curriculum with the directives, values and mission of the district.~~

III. DEFINITIONS

A. “Academic standard” defines expectations for the educational achievement of public school students across the state in grades K-12. Standards and benchmarks are important because they:

1. identify the knowledge and skills that all students must achieve by the end of a grade level or grade band;
 2. help define the course credit requirements for graduation; and
 3. serve as a guide for the local adoption and design of curricula.
- B. “Curriculum” means district or school adopted programs and written plans for providing students with learning experiences that lead to expected knowledge and skills.
- C. “Instruction” means methods of providing learning experiences that enable students to meet state and district academic standards and graduation requirements.
- D. “World’s best workforce” under Minn. Stat. § 120B.11 means striving to accomplish the following goals:
1. all children are ready for school;
 2. all third-grade students achieve grade-level literacy;
 3. all racial and economic achievement gaps between students are closed;
 4. all students are ready for career and college; and
 5. all students graduate from high school.

IV. LONG-TERM STRATEGIC PLAN

- A. The school board, at a public meeting, shall adopt a comprehensive, long-term strategic plan to support and improve teaching and learning that is aligned with creating the world’s best workforce and includes the following:
1. clearly defined school district and school site goals for instruction and student achievement;
 2. a process to assess and evaluate each student’s progress toward meeting state and local academic standards;
 3. a system to periodically review and evaluate the effectiveness of all curriculum and instruction;
 4. strategies for improving curriculum, instruction, and student achievement;
 5. a process to examine the equitable distribution of teachers and strategies to ensure low-income and Black, Indigenous, and children of color are not taught at higher rates than other children by inexperienced, ineffective, or out-of-field teachers;

6. education effectiveness practices that integrate high-quality instruction, rigorous curriculum, technology, and a collaborative professional culture that develops and supports teacher quality, performance, and effectiveness; and
7. an annual budget for continuing to implement the school district plan.

B. School district and school site goals shall include the following:

1. All students will be prepared to effectively participate in lifelong learning. Each student will have the opportunity and will be expected to develop and apply essential knowledge that aligns with the district's Profile of a Graduate. A Stillwater Area Public Schools student will be an effective:
 - a. Communicator: Can express themselves effectively in both written and oral communications. Listens actively to others and treats them with kindness and respect. Shows cultural understanding and global awareness when engaging with others.
 - b. Collaborator: Builds strong relationships and works effectively and respectfully with diverse teams. Seeks out diverse ideas and perspectives. Values the individual contributions made by each team member.
 - c. Critical Thinker: Shows empathy for others. Can solve complex problems and is able to discern accurate and relevant information. Reasons effectively to make sound judgments and decisions.
 - d. Creator: Is courageous, takes risks and learns from failure. Is open-minded and responsive to new and diverse perspectives. Is flexible and can adapt to new environments and situations. Carefully considers ideas in order to improve and maximize creative efforts.
 - e. Self-Advocate: Remains curious and loves to learn new things. Understands personal strengths and weaknesses and is motivated and confident. Follows their passions and interests.

C. Multiple performance measures will be utilized to determine progress in striving to create the world's best workforce and must include at least the following:

1. rigorous course taking, including college-level advanced placement, postsecondary enrollment options, concurrent enrollment, industry certification courses or programs, and other enrichment experiences;
2. student performance on the Minnesota Comprehensive Assessments;
3. high school graduation rates; and

4. career and college readiness under Minn. Stat. § 120B.30, Subd. 1.

Each measure will include analysis of all students as well as by subgroup to identify achievement gaps and inform continuous improvement efforts.

Legal References: Minn. Stat. § 120B.018 (Definitions)
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)
Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement; Striving for the World's Best Workforce)
Minn. Stat. § 120B.30, Subd. 1 (Statewide Testing and Reporting System)
Minn. Stat. § 120B.35, Subd. 3 (Student Academic Achievement and Growth)

EDUCATION PROGRAMS

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Evaluation of the Instructional Program	604 603	Adopted: 1-17-1972 Reviewed: 5-08-1985 Renumbered: 3-11-2021 Revised: _____	3 Years

I. PURPOSE

The purpose of this policy is to provide direction for continuous review and improvement of the instructional program.

II. GENERAL STATEMENT OF POLICY

Curriculum development shall be directed toward the fulfillment of the goals and objectives of the education program of the school district. ~~It is the policy of I.S.D. 834 that the Board of Education expects~~ Faculty and administration ~~to~~ shall regularly evaluate the educational program as a means to improve opportunities for students. Such evaluation may be expected to lead to recommendations for modifications of practice, changes in content and new courses.

~~Rationale: — Continuous evaluation and reflection are components of the highest quality processes for improvement.~~

III. RESPONSIBILITY

A. The superintendent shall be responsible for curriculum development and for determining the most effective way of conducting research on the school district's curriculum needs and establishing a long-range curriculum development program. Timelines shall be determined by the superintendent that will provide for periodic reviews of each curriculum area. ~~The administration will provide a curriculum framework process that will be used by district administrators and teachers for curriculum reviews, major purchases of instructional materials, and new course development.~~

B. The school district shall establish an advisory committee to ensure active community participation in all phases of planning and improving the instruction and curriculum affecting state and district academic standards. The advisory committee membership shall be a reflection of the school community and, to the extent possible, shall reflect the diversity of the district and its school sites, and shall include parent, teacher, support staff, student, community residents, and administration representation, and shall provide translation to the extent appropriate and practicable, per Minn. Stat. § 120B.11 Subd. 3.

C. Within the ongoing continuous improvement process of curriculum development, the

following needs shall be addressed:

1. Provide for the articulation of courses of study from pre-kindergarten through grade twelve.
 2. Identify minimum objectives for each course and at each grade level.
 3. Provide for continuing evaluation of programs for the purpose of attaining school district objectives.
 4. Provide a program for ongoing monitoring of student progress.
 5. Provide resources for specific and special needs of all members of the student community.
 6. Develop a local literacy plan that is comprehensive, scientifically-based and consistent with law to have every student, including English Learners, reading at grade level.
 7. Integrate required and elective course standards in the scope and sequence of the district curriculum.
 8. Meet all applicable requirements of the Minnesota Department of Education and federal law.
- F. The superintendent shall be responsible for keeping the school board informed of all state-mandated curriculum changes, as well as recommended discretionary changes, and for periodically presenting recommended modifications for school board review and approval.
- G. The superintendent shall have discretionary authority to develop guidelines and directives to implement school board policy relating to curriculum development.

Legal References: Minn. Stat. § 120B.10 (Findings; Improving Instruction and Curriculum)
Minn. Stat. § 120B.11 (School District Process)
Minn. Stat. § 120B.12 (Reading Proficiently No Later than the End of Grade 3)
Minn. Stat. § 120B.125(f) (Planning for Students' Successful Transition to Postsecondary Education and Employment)
Minn. Rules Part 3500.0550 (Inclusive Educational Program)
Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
Minn. Rules Part 3501.0820 (Academic Standards for the Arts)
Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)
Minn. Rules Parts 3501.1200-3501.1210 (Academic Standards for English Language Development)
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)
Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical

Education)
20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

EDUCATION PROGRAMS

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Instructional Curriculum	603 604	Adopted: 12-13-2001 Revised: 5-22-2008 Renumbered: 3-11-2021 Revised: _____	3 Years

I. PURPOSE

The purpose of this policy is to provide for the development of course offerings for students.

II. GENERAL STATEMENT OF POLICY

~~It is the policy of I.S.D. 834 that it shall develop and maintain~~ An articulated, aligned curriculum for pre-kindergarten through grade twelve with standards for student performance set at or above state and national expectations shall be developed and maintained.

III. CURRICULUM REQUIREMENTS

- A. The basic instructional program shall include all courses required for each grade level by the Minnesota Department of Education (MDE) and all courses required in all elective subject areas.
- B. Instruction must be provided in at least the following subject areas:
 1. Language arts and basic communication skills, including reading and writing, literature, and fine arts;
 2. Mathematics, including algebra, geometry, statistics and probability;
 3. Science, including biology, chemistry, and physics;
 4. Social studies, including history, geography, economics, government, and citizenship that includes civics;
 5. Health and physical education;
 6. The arts, including dance, media arts, music, theater, and visual arts;
 7. Career and technical education; and

8. World languages.

- C. The school board, at its discretion, may offer additional courses in the instructional program at any grade level.
- D. The school district may develop grade-level curricula or provide instruction that introduces students to various careers, but must not require any curriculum, instruction, or employment-related activity that obligates an elementary or secondary student to involuntarily select or pursue a career, career interest, employment goals, or related job training.
- E. Elementary and middle schools shall offer at least three, and require at least two, of the following four art areas: dance, music, theater, and visual arts. High schools shall offer at least three, and require at least one, of the following five art areas: media arts, dance, music, theater, and visual arts.
- F. Teachers will provide comprehensive, scientifically based reading instruction so that every child may be expected to achieve grade-level benchmarks. The program or collection of practices must include:
 - 1. comprehensive instruction in all five areas of reading (phonemic awareness, phonics, fluency, vocabulary development, and reading comprehension);
 - 2. instructional strategies for continuously assessing and evaluating reading progress (including screening for characteristics of dyslexia, unless a different reason for the reading difficulty has been identified)
 - 3. process to communicate the student's reading progress and needs; and
 - 4. alternate instructional strategies under Minn. Stat. § 125A.56, Subd. 1. A, while the student is in the regular classroom, when a student is identified as having a reading difficulty.

For each student who is not reading at or above grade level, the school district shall provide reading intervention to accelerate student growth and reach the goal of reading at or above grade level by the end of the current grade and school year. If a student does not read at or above grade level by the end of grade 3, the school district must continue to provide scientifically based reading intervention until the student reads at grade level. Intervention methods shall encourage family engagement and, where possible, collaboration with appropriate school and community programs. Intervention methods may include, but are not limited to, attendance in summer school, intensified reading instruction that may require that the student be removed from the regular classroom for part of the school day, or extended day programs.

- G. The school district will provide one time cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) instruction as part of its grade 7 to 12 curriculum.

- H. The school district will provide appropriate curriculum, targeted materials, professional development opportunities for educators, and sufficient resources to enable English learners to become career and college-ready.
- I. The school district shall assist all students by no later than grade 9 to explore their educational college and career interests, aptitudes, and aspirations and develop a plan for a smooth and successful transition to postsecondary education or employment. All students' plans must:
 - 1. provide a comprehensive plan to prepare for and complete career and college-ready curriculum by meeting state and local academic standards and developing career and employment-related skills such as team work, collaboration, creativity, communication, critical thinking, and good work habits;
 - 2. emphasize academic rigor and high expectations and inform the student, and the student's parent or guardian if the student is a minor, of the student's achievement level score on the Minnesota Comprehensive Assessments that are administered during high school;
 - 3. help students identify interests, aptitudes, aspirations, and personal learning styles that may affect their career and college-ready goals and postsecondary education and employment choices;
 - 4. set appropriate career and college-ready goals with timelines that identify effective means for achieving those goals;
 - 5. help students access education and career options;
 - 6. integrate strong academic content into career-focused courses and applied and experiential learning opportunities and integrate relevant career-focused courses and applied and experiential learning opportunities into strong academic content;
 - 7. help identify and access appropriate counseling and other supports and assistance that enable students to complete required coursework, prepare for postsecondary education and careers, and obtain information about postsecondary education costs and eligibility for financial aid and scholarship; and
 - 8. help identify collaborative partnerships among pre-kindergarten through grade 12 schools, postsecondary institutions, economic development agencies, and local and regional employers that support students' transitions to postsecondary education and employment and provide students with applied and experiential learning opportunities; and
 - 9. be reviewed and revised at least annually by the student, the student's parent or guardian, and the school district to ensure that the student's course-taking schedule keeps the student making adequate progress to meet state and local

academic standards and high school graduation requirements and with a reasonable chance to succeed with employment or postsecondary education without the need to first complete remedial coursework.

- J. If a student with a disability has an Individualized Education Program (IEP) or standardized written plan that meets the plan components herein, the IEP satisfies the requirement, and no additional transition plan is needed.
- K. Students who do not meet or exceed the Minnesota Academic Standards, as measured by the Minnesota Comprehensive Assessments that are administered during high school, shall be informed that admission to a public school is free and available to any resident under 21 years of age or who meets the requirements of the compulsory attendance law.

Legal References: Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 120B.021 (Required Academic Standards)
Minn. Stat. § 120B.022 (Elective Standards)
Minn. Stat. § 120B.125 (Planning for Students' Successful Transition to Postsecondary Education and Employment; Personal Learning Plans)
Minn. Stat. § 120B.236 (Cardiopulmonary Resuscitation and Automatic External Defibrillator Instruction)

EDUCATION PROGRAMS

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Selection and Review of Instructional Resources	606	Policy Adopted: 3-29-79 Amended: 5-08-85 Amended: 7-27-95 Amended: 6-24-99 Amended: 8-07-03 Renumbered: 3-11-2021 Revised:	3 Years

~~It is the policy of I.S.D. 834 that it recognizes the need for providing quality instructional resources which support I.S.D. 834's Mission, Core Values, and instructional program.~~

~~The I.S.D. 834 Board of Education is legally responsible for the operation of the schools. Resources selected shall be consistent with I.S.D. 834's Mission and Core Values and contribute to the instructional program for which they will be used.~~

~~The I.S.D. 834 Board of Education directs the Superintendent/designee to implement rules and procedures which provide for:~~

~~Definition of instructional resources:~~

~~Materials to support the instructional process (Rule I)~~

~~Responsibility for selection:~~

~~Delegated to certified teaching personnel by the school board (Rule II)~~

~~Criteria for selection:~~

~~Resources selected based on specific criteria (Rule III)~~

~~Procedures for selection/use/retention (Rule IV)~~

~~Instructional Resources Review and Request for Alternative Instruction~~

~~Opportunity for curriculum review and request for alternative instruction~~

~~Challenge procedure (Rule VI)~~

~~**Process to challenge selected resources**~~

~~Guidelines pertaining to overdue, damaged, or lost materials (Rule VII)~~

.....
~~ADMINISTRATIVE PROCEDURES AND REGULATIONS~~

~~Adopted: 7-27-95~~

~~Amended: 6-24-99~~

I. PURPOSE

The purpose of this policy is to provide direction for selection of textbooks and instructional materials.

II. GENERAL STATEMENT OF POLICY

The school board recognizes that selection of textbooks and instructional materials is a vital component of the school district's curriculum. The school board also recognizes that it has the authority to make final decisions on selection of all textbooks and instructional materials.

District 834 encourages staff to innovate and test effective strategies that are designed to enhance student achievement. This includes use of curriculum enhancements and methodologies that result in higher academic success for all students.

Resources shall enhance learning and critical thinking and promote ~~tolerance, respect,~~ and understanding of all individuals and groups. Resources shall be selected to bring ~~connection, articulation,~~ and focus to the teaching process.

III. DEFINITIONS ~~of Instructional Resources:~~

A. Instructional Resources

Instructional resources are defined as anything ~~which~~ that is read, listened to, manipulated, observed or used by students as part of the instructional process in classrooms and ~~in~~ school-sponsored activities. Instructional resources include, but are not limited to, ~~the following:~~ books; periodicals; manipulatives; textbooks; audio and visual recordings; online databases; ~~films/videos,~~ Internet sites; device apps and web-based applications; ~~television programs~~ and other print, non-print, and electronic resources, field trips, and speakers.

B. Core Instructional Resources

Core resources are instructional resources that comprise the standard learning experience of a course and are consistently utilized across all sections. Core resources are maintained throughout the span of a review cycle. Examples of core resources may include textbooks, whole-class novels, and lab kits.

C. Supporting Instructional Resources

Supporting resources are instructional resources that are provisionally selected in order to complement core resources on a given topic. Usage of supporting resources may vary by student, section, and teacher and are implemented over a short instructional period. Examples of supporting resources may include current event articles, internet resources, and student-selected materials.

IV. RESPONSIBILITY FOR SELECTION

A. The superintendent shall be responsible for developing procedures and guidelines to establish an orderly process for the review and recommendation of textbooks and other instructional materials by the professional staff. Such procedures and guidelines shall provide opportunity for input and consideration of the views of students, parents, and other interested members of the school district community. This procedure shall be coordinated with the school district's curriculum development effort and may utilize advisory committees.

~~The responsibility for the selection of instructional resources is delegated to certified teaching personnel. Responsibility for coordinating and recommending selection and procurement of textbooks and other instructional resources rests with the appropriate teacher(s), library media specialist, department chairperson, curriculum committees, and the district Director of Curriculum and Instruction. The school board of Independent School District 834 recognizes that the freedom to choose from a wide range of instructional resources is an integral part of a free society. Teachers, by virtue of their training and experience, are best qualified to select instructional resources for use with their students. Teachers will select instructional resources for use with their students as defined by criteria for selection/use/retention in Rule III.~~

~~All certificated personnel in the district will follow the procedures for selection of resources as set forth in this policy. School district support is assured to the extent that the rules and procedures stated in this policy are followed.~~

V. SELECTION OF TEXTBOOKS AND OTHER INSTRUCTIONAL MATERIALS ~~Criteria for Selection/Use/Retention:~~

- A. The superintendent shall be responsible for keeping the school board informed of progress on the part of staff and others involved in the textbook and other instructional materials review and selection process.
- B. The superintendent shall present a recommendation to the school board on the selection of textbooks and other instructional materials for purchase after completion of the review process as outlined in this policy.

~~Resources which are selected/used/retained will:~~

- C. Consistent with District 834's mission and core values, professional staff shall use the following criteria for the selection, use, and retention of instructional materials. The materials shall:
 - 1. ~~be~~ be quality materials, appropriate to the level of instruction, and support the goals and objectives of the education programs; ~~pertinent to curriculum~~
 - 2. be appropriate to the age, social development and maturity of the users;
 - 3. be judged in total rather than in part;
 - 4. represent a diversity of views and expression in order to promote learning, critical thinking and objective evaluation;
 - 5. promote ~~tolerance~~, respect and understanding of individuals and groups to foster appreciation for cultural diversity and varied opinion;
 - 6. reflect the history, culture and contributions of members of a diverse society;
 - 7. be used in a manner that enables students to recognize potential bias;
 - 8. provide a background of information designed to motivate students to:
 - a) examine their own attitudes and behaviors.

- b) comprehend their duties, responsibilities, rights and privileges in a democratic society.
9. permit grade-level instruction for students to read and study documents that contributed to the foundation or maintenance of the United States' representative form of limited government, the Bill of Rights, our free-market economic system, and patriotism; and
 10. not censor or restrain instruction in United States or Minnesota state history or heritage based on religious references in original source documents, writings, speeches, proclamations, or records.

~~In addition, resources used in the classroom which contain gratuitous acts of violence, explicit sexual acts, and/or obscene language may be considered controversial and may be introduced into the classroom after consultation with the building principal and parental notification (see Rule V). Films and videos and television will be selected/used for their educational value rather than solely for entertainment purposes within the instructional day.~~

D. ~~IV~~ Procedures for Selection/Use/Retention:

~~The teacher has the right to select resources that he or she believes will increase effectiveness in meeting curriculum objectives. The teacher recognizes the responsibility to use good judgment in the selection/use/retention of resources. The teacher who is in doubt concerning the advisability of using certain resources which may be controversial in the classroom will consult with the building principal or designee and determine a next course of action. This may include parental notification so that the parents or guardians may have the opportunity to review the material and arrange for alternative instruction (see Rule V).~~

~~Gift resources will be judged by the criteria for selection/use/retention and should be accepted or rejected on that basis. (see Rule III).~~

1. In selecting/using/retaining resources for instructional programs, professional personnel will, when applicable:
 - a) assess curricular needs.
 - b) evaluate the existing resources for educational suitability.
 - c) preview or examine the potential resources. ~~(whenever possible)~~
 - d) select, use and retain resources according to criteria. ~~(see Rule III)~~
 - e) collaborate, ~~when where~~ possible, with other agencies such as other professional organizations, libraries, and electronic databases.
 - f) refer to reputable, professionally prepared reviews. ~~use curriculum advisory committee and/or departments to collaborate and to assist with major instructional resource selection~~
 - g) remove resources that are no longer used for instruction. ~~of educational value~~
 - h) view films/videos in their entirety before use to determine if they meet criteria. ~~(see Rule III)~~
2. Additionally, the following procedures will apply to specific types of resources.

- a) Core Instructional Resources:
 - (1) Selection of core instructional resources must follow the long-range curriculum development and ongoing continuous improvement process.
 - (2) The curriculum advisory committee should be used to collaborate and to assist with core instructional resource selection.
 - (3) Any proposed lease, purchase, or contract for instructional materials in excess of Board limits under MN Stat. § 123B.52, Subd.2 and MN Stat. § 471.345, Subd. 3 must be specifically authorized by the Board.
- b) Supporting Instructional Resources;

The teacher may select supporting instructional resources that will increase effectiveness in meeting curriculum objectives. The teacher recognizes the responsibility to use good judgment in the selection, use, and retention of resources. The teacher who is in doubt concerning the advisability of using certain resources that may be controversial in the classroom will consult with the building principal or designee and determine a next course of action.
- c) Gift resources will be judged by the criteria for selection, use, and retention as stated above and should be accepted or rejected on that basis.
- d) Instructional resources that contain material known to be controversial, ~~which is relevant to the course content~~, such as ~~gratuitous~~ acts of violence, ~~explicit~~ sexual acts, and/or obscene language may be introduced into the classroom ~~presentations and discussions~~ after consultations with and approval by the building principal and parental notification. Parents or guardians shall have the opportunity to review the material and arrange for alternative instruction.

VI. ~~INSTRUCTIONAL RESOURCES REVIEW AND REQUEST FOR ALTERNATIVE INSTRUCTION~~

- A. Parents, guardians or adult students, 18 years of age or older, can review the content of instructional resources used in the classroom. Arrangements to review resources can be made with school personnel ~~at any time. School personnel will notify parents regarding the use of instructional resources known to be controversial. This notification will be sent in a timely manner, so that parents have the opportunity to review the resource and/or select alternative instruction prior to its use in the classroom.~~
- B. If the parent, guardian or adult student objects to the content of the instructional materials, alternative instruction may be requested.
- C. Alternative instruction may be provided by the parent, guardian, or adult student if the alternative instruction, if any, offered by the school board does not meet the concerns of the parent, guardian, or adult student.
- D. The school board is not required to pay for the costs of alternative instruction provided by a parent, guardian or adult student.

- E. School personnel may not impose an academic or other penalty upon a student merely for arranging alternative instruction. School personnel may evaluate and assess the quality of the student's work.

VII. RECONSIDERATION OF TEXTBOOKS OR OTHER INSTRUCTIONAL MATERIALS

~~VI. Challenge Procedure:~~

A. Statement of Procedure and To Whom It Applies

~~Administrative rules and regulations attendant to t~~This policy provides procedures by which adult students, parents, guardians or employees may request reconsideration of instructional resources. ~~In the event that resources are challenged on these grounds, the First Amendment Rights of the Constitution of the United States of America are of primary importance. These rights are further delineated in the Library Bill of Rights of the American Library Association and in the Minnesota Board of Education's Policy on the Freedom to Teach, to Learn, and to Express Ideas in the Public Schools:~~

~~B. Origin of Challenge~~

A challenge is defined as a written ~~or verbal~~ statement of opposition to a resource requesting that it be excluded, included, or restricted. ~~A challenger must be a parent, guardian, adult student of or employee of the school district who objects to the inclusion or exclusion of instructional resource(s) in the district's educational program. Only a challenger may issue a challenge.~~

C. Step by Step Procedure When a Challenge Occurs

1. The challenger will be directed and assisted in meeting with the appropriate teacher(s), library media specialist(s) or instructor(s) for an informational meeting regarding the use of the resource in question. The staff member will immediately advise the school principal or designee of the challenge and then attempt to resolve the issue informally in a respectful manner.
2. After reading or viewing the challenged material in its entirety, the challenger will be given a copy of this policy and may submit a "Statement of Concern About Instructional Resources" form to the principal of the school involved. The certified personnel involved will submit to the principal a "Staff Response to Challenged Resources" form within five (5) working days of receipt of the "Statement of Concern About Instructional Resources." The principal will inform the superintendent and other appropriate personnel of the challenge. A complete copy of the "Staff Response to Challenged Resources" will be provided to the challenger.
3. Upon receipt of the completed forms, ~~the principal will request review of the challenged material by~~ a Resource Review Committee ~~will convene~~ within fifteen (15) working days. It will be up to the discretion of the ~~involved principal superintendent or designee~~ whether or not the challenged resource be used during the reconsideration process. The membership of the committee will be composed of ~~the superintendent or designee~~, the principal, ~~the~~ a library/media specialist, two parents, students where appropriate, and three teachers ~~appointed by the principal~~. No committee member will be a party to the challenged resource's request for reconsideration.

4. ~~Upon receipt of the completed forms,~~ The Resource Review Committee will take the following steps:
 - a) Read, view or listen to the resource in its entirety;
 - b) Invite the challenger and certified staff to the meetings of the committee as observers if they wish to be present for purposes of clarification;
 - c) Check general acceptance of the resource by reading reviews and consulting recommended lists;
 - d) Determine the extent to which the resource supports the curriculum and meets the selection/use/retention criteria;~~(see Rule III).~~
 - e) Review the “Statement of Concern” and “Staff Response to Challenged Resources” in the presence of the certified staff and challenger if they wish to be present to observe the proceedings;
 - f) Complete the “Resource Review Committee Response” form, judging the material for its strength and value as a whole and not in part; and
 - g) Present a written decision to the challenger within twenty (20) working days of the ~~principal’s receipt of the “Statement of Concern About Instructional Resources” form following the~~ initial Resources Review Committee meeting.
5. If either party is not satisfied with the decision of the Resource Review Committee, the decision may be appealed to the school board through the superintendent. The school board shall notify the challenger when the challenge will be considered by the board. Any decision made by the school board will be final.

VIII. GUIDELINES PERTAINING TO OVERDUE, DAMAGED OR LOST INSTRUCTIONAL RESOURCES

Instructional resources or media center materials issued to students become the responsibility of the student. Loss or unreasonable wear and tear will result in the student being appropriately assessed for the resource. Consequences may result from failure to compensate the school district for lost or damaged textbooks or library materials.

Legal References: Minn. Stat. § 120A.22, Subd. 9 (Compulsory Instruction)
Minn. Stat. § 120B.235 (American Heritage Education)
Minn. Stat. § 123B.02, Subd. 2 (General Powers of Independent School Districts)
Minn. Stat. § 123B.09, Subd. 8 (School Board Responsibilities)
Minn. Stat. § 124D.59-124D.61 (Education for English Learners Act)
Minn. Stat. § 127A.10 (State Officials and School Board Members to be Disinterested; Penalty)
Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988)
Pratt v. Independent Sch. Dist. No. 831, 670 F.2d 771 (8th Cir. 1982)



Stillwater School Board
Policy Meeting Notes
November 30, 2022

Present: Katie Hockert, Bev Petrie, Jennifer Cherry, Joan Hurley, Caleb Drexler Booth
Absent: Annie Porbeni, Mike Funk

Agenda

- Policy Committee priorities for revised index
- Review Board feedback on second reading of 522, 428 & 526
- Review Board feedback on first reading of 601, 603, 604 & 606
- Introduce review of policies 416: Drug and Alcohol Testing, 418: Drug-free workplace / Drug-free school, 419: Tobacco-free Environment

Highlights of Discussion

- Discussed an ambitious plan of bringing forward an additional 10 policies for the Dec 20 meeting as well as annual reviews for the first meeting in January.
- No comments on second reading of 522, 428, or 526. No changes made to any of these.
 - 522, 428, 526 move to action on Dec 20, 2022
- Reviewed first reading comments on:
 - 601. Minor changes made. Board discussion of proposed language changes.
 - 603. No changes made. Board discussion for rationale
 - 604. Added in proposed paragraph from model policy
 - 606. Minor changes made. Discussion to continue at next policy meeting

What's next

- 2022 Year in Review
- Continue review of 606
- Bring back policies 416, 418, & 419
- Introduce revisions for policies: 501, 502, 503, 514, 530, 532, & 413
- Action on policies 522, 524, and 428 at Dec 20 board meeting

Respectfully submitted by: Katie Hockert

Submission date: 11/30/22

Next Meeting of Policy Committee: 12/14/22



Stillwater School Board
Finance & Operations Meeting Notes
Dec. 14, 2022

Attendees: Mark Drommerhausen, Beverly Petrie, Pete Kelzenberg, Alison Sherman, Joan Hurley, Marie Schrul

I. Partial roof replacement at Lily Lake Elementary School

M. Drommerhausen described a project the district hopes to complete next summer to replace the roofing system, vapor barrier underlayment, wood sheeting and insulation that covers the sloped-roof section of the Lily Lake building. It covers the main office, gymnasium and cafeteria. The roof was last replaced in 2006 with asphalt shingles, but it has failed. Administration proposes to replace the section with a metal roof system that carries a warranty of 30 years and is expected to last 50 years. The lowest responsible bidder was Berwald Roofing Company Inc., of North St. Paul, with a bid of \$1,344,900. This is considerably less than the \$1.8 million estimate and could indicate an easing of costs in the construction market. The project will be paid from the Long-Term Facilities Maintenance fund.

Respectfully submitted by Beverly Petrie



Stillwater School Board
Policy Meeting Notes
December 14, 2022

Present: Katie Hockert, Bev Petrie, Annie Porbeni, Jennifer Cherry, Joan Hurley, Caleb Drexler Booth, Mike Funk

Agenda

- 2022 Year in Review
- Consent Agenda policies for Jan 2023
- Finish review of board feedback on first reading of 606: Selection and Review of Instructional Resources
- Introduce review of policies 416: Drug and Alcohol Testing, 418: Drug-free workplace / Drug-free school, 419: Tobacco-free Environment

Highlights of Discussion

- 2022 Year in Review Highlights: Policy Committee met 22 of the 23 scheduled times in 2022. The following chart documents the accomplishments over the past 2 years that this policy committee has been working together.

Policy Committee Annual Comparison	2021	2022
Completed reviews	17	19
Completed revocations	4	6
Policies in progress by 12/22 as 1st or 2nd readings	9	12
Total policies brought to board by December:	30	37

- Discussed annual review of policies for the January 2023 consent agendas. 200 series will be reviewed on the consent agenda at the first meeting and 100 series will be reviewed on consent agenda at the second January meeting. Policy 209 will be discussed at a future meeting.
- Reviewed first reading comments on Policy 606.
 - Several minor wording changes were made in response to board member feedback. No comments were received from the community after the first reading.
- Reviewed revised policies 416: Drug and Alcohol Testing, 418: Drug-free workplace / Drug-free school, 419: Tobacco-free Environment
 - Moving to first reading at 12/20/22 board meeting

What's next

- Review board and community comments after second reading on 601, 603, 604, & 606
- Review board and community comments after first reading of policies 416, 418, & 419
- Introduce revisions for policies: 501, 502, 503, 514, 530, 532, & 413

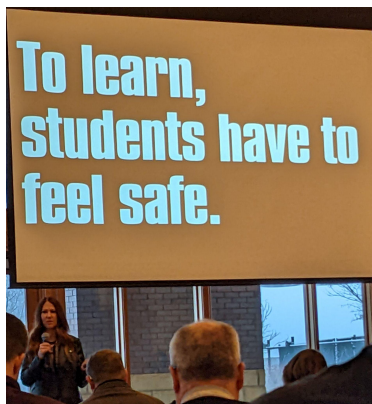
Respectfully submitted by: Katie Hockert

Submission date: 12/14/22 (This was the final committee meeting of this year.)

Director Report: Katie Hockert
Standard Response Protocol Workshop Hosted by ISD 916
November 29, 2022

On November 29, ISD 916 hosted a workshop to educate staff and member districts on their adoption of the Standard Response Protocol as well as share resources with others interested in the program. ISD 916 board members were invited to attend as well.

The workshop's keynote speaker was Carly Posey, the parent of two Sandy Hook Elementary survivors. Her comprehensive testimony offered countless insights and learning opportunities not only about the tragic event, but also about the long road to recovery for survivors. A key takeaway was the importance of thoughtful planning that includes deliberate, factual communication to all involved as well as training and practice in order to make response more automatic if tragedy strikes. Along with that, there needs to be flexibility in these plans that empower everyone to pay attention to the situation and make strategic decisions that make sense in the moment. These conclusions were then addressed by the Standard Response Protocol as Stacy Avila began the training for this program. She introduced the practical, evidence based plans created by the *I love you guys Foundation* to be used and adapted to individual school environments.



Stillwater Area Schools has recently adopted this program, and on November 22, 2022, the School Board approved an updated policy 806: Crisis Management which reflects the new common language established in the Standard Response Protocol.

Today was an important reminder of how critical it is for leadership and, really, all adults in education, to prepare for the unthinkable. Before I left the workshop, ISD 916 Superintendent Boe stopped me to express how impressed she's been with Stillwater's implementation of this program, and in particular, the fabulous student videos created to communicate the new protocols. I am so proud that this work has already begun in our district and will continue to support efforts that prioritize the safety of our students in Stillwater Area Schools and ISD 916.