

Policy Committee - Regular School Board Meeting

Tuesday, May 19, 2020 6:30 PM

Historic Old Central High School - Board Room, 2nd Floor, 215 N 1st Ave E,
Duluth, MN 55802

1. AGENDA ITEMS

A. Review District/MSBA Policies

B. Create a Process/Timeline

2. POLICIES FOR FIRST READING-None

3. POLICIES FOR SECOND READING-None

SPECIAL RESOLUTION

Commencing With the Review of District Policies and Transition to the Minnesota
School Boards Association (MSBA) Model Policies

WHEREAS, A major role and responsibility of the School Board is reviewing, revising, adopting and rescinding District #709 policies.

WHEREAS, Duluth Public Schools ISD 709 is a subscribed member of the Minnesota School Boards Association (MSBA), which includes MSBA Policy Services. All model policies are carefully examined to by MSBA's legal counsel to insure compliance with federal and Minnesota laws.

WHEREAS, The MSBA model policies are reviewed and updated annually to reflect any changes by legislation or court decisions. Those changes are posted on the MSBA website and subscribing districts are notified.

NOW, THEREFORE, BE IT RESOLVED, By the School Board of Independent School District 709, St. Louis County, Minnesota, that the School Board directs District administration to commence with the review of current District Policies and transition to the MSBA model policies, including their numbering system.

Resolution SP-2-15-3240

February 24, 2015

208 - DEVELOPMENT, ADOPTION, AND IMPLEMENTATION OF POLICIES BYLAW

I. PURPOSE

The purpose of this Bylaw is to emphasize the importance of the policy-making role of the school board and provide the means for it to continue to be an ongoing effort.

II. GENERAL STATEMENT OF BYLAW

Formal guidelines are necessary to ensure the school community that the school system responds to its mission and operates in an effective, efficient, and consistent manner. A set of written policy statements shall be maintained and modified as needed. Policies should define the desire and intent of the school board and should be in a form which is sufficiently explicit to guide administrative action.

III. DEVELOPMENT OF POLICY

- A. The school board has jurisdiction to legislate policy for the school district with the force and effect of law. School board policy provides the general direction as to what the school board wishes to accomplish while delegating implementation of policy to the administration.
- B. The school board's written policies provide guidelines and goals to the school community. The policies shall be the basis for the formulation of guidelines and directives by the administration. The school board shall determine the effectiveness of the policies by evaluating periodic reports from the administration.
- C. Policies or amendments to policies may be proposed, in writing, by a school board member, employee, student, resident of the school district or other individuals. Proposed policies, amendments or ideas shall be submitted to all members and the superintendent for review prior to placement on the school board agenda.

IV. ADOPTION OF POLICY

- A. The school board shall give notice of proposed policy changes or adoption of new policies by placing the item on the agenda of two school board meetings. The proposals shall be distributed and public comment will be allowed at both meetings prior to final school board action. The policy will be effective on the later of the date of passage or the date stated in the motion.
- B. In the case of an emergency, a new or modified policy may be adopted by a majority vote of a quorum of the school board. A statement regarding the emergency and the need for immediate adoption of the policy shall be included in the minutes. The emergency policy shall expire within one year following the emergency action unless the policy adoption procedure stated above is followed and the policy is reaffirmed. The school board shall have discretion to determine what constitutes an emergency situation.
- C. **Suspension**

POLICIES of the School Board shall be subject to suspension only upon a majority vote of the members of the School Board present at a meeting in the call for which the proposed suspension has been described in writing or upon a unanimous vote of ALL members of the School Board when no such written notice has been given.

BY-LAWS of the School Board shall be subject to suspension only upon a majority vote of ALL members of the School Board at a meeting in the call for which the proposed suspension has been described in writing, or upon a unanimous vote of ALL the members of the School Board when no such written notice has been given.

Reference: Robert's Rules of Order, Newly Revised, section 25, pp. 224-228:

"Rules protecting absentees or a basic right of the individual member cannot be suspended, even by general consent or a unanimous vote. For example, the rule requiring previous notice of a proposed amendment to the bylaws protects the absentees, and its suspension would violate their rights" . . . unless ALL members have an opportunity to vote.

D. Amendment or Suspensions of Policies, By-Laws and Regulations

All rules and regulations heretofore adopted which are inconsistent or in conflict with the rules and regulations of the School Board as presently constituted are hereby repealed.

Rules and regulations may be altered or amended at any regular meeting of the School Board by a majority vote of the members present.

- E. If a policy is modified with minor changes that do not affect the substance of the policy or because of a legal change over which the school board has no control, the modified policy may be approved at one meeting at the discretion of the school board.

V. IMPLEMENTATION OF POLICY

- A. The superintendent shall be responsible for implementing school board policies and developing administrative guidelines and regulations to provide greater specificity and consistency in the process of implementation. These guidelines and, regulations, shall be distributed to the school board.
- B. A paper copy of all policies and procedures will be available for review in the Superintendent's Office. Electronic copies will also be available on the district's website.
- C. The superintendent, employees designated by the superintendent, and individual school board members shall be responsible for keeping the electronic policy manuals current.
- D. The school board shall review policies at least once every five years. The superintendent shall be responsible for developing a system of periodic

review, addressing approximately one fifth of the policies annually. In addition, the school board shall review the following policies annually:

- 410 - Family and Medical Leave Policy
- 413 - Harassment and Violence
- 414 - Mandated Reporting of Child Neglect or Physical or Sexual Abuse
- 415 - Mandated Reporting of Maltreatment of Vulnerable Adults
- 506 - Student Discipline
- 514 - Bullying Prohibition Policy
- 522 - Student Sex Nondiscrimination
- 524 - Internet Acceptable Use and Safety Policy
- 616 - School District System Accountability
- 806 - Crisis Management Policy

- E. When no school board policy exists to provide guidance on a matter, the superintendent is authorized to act appropriately under the circumstances keeping in mind the educational philosophy and financial condition of the school district. Under such circumstances, the superintendent shall advise the school board of the need for a policy and present a recommended policy to the school board for approval.

Legal References: Minn. Stat. § 123B.02, Subd. 1 (School District Powers)
Minn. Stat. § 123B.09, Subd. 1 (School Board Powers)

Cross References: MSBA/MASA Model Policy 305 (Policy Implementation)

Replacing: Policies 8065, 9065
First Reading: 01-19-2016
Adopted: 02-23-2106 ISD709
Updated: 02-27-2018

A number of school board policies are mandatory and are necessary to meet the requirements of state or federal law. State and federal agencies look for the mandatory school board policies during accreditation visits, financial audits, investigations and as contingencies prior to the release of funds. Such policies include (click on the links below to access these policies):

100 Series — School District

- [102 — Equal Educational Opportunity — \(Inclusive Education\)](#)

200 Series — School Board

- [214 — Out-of-State Travel by School Board Members](#)

400 Series — Employees/Personnel

- [401 — Equal Employment Opportunity](#)
- [402 — Disability Nondiscrimination Policy](#)
- [406 — Public & Private Personnel Data and Form: Employee Authorization for Release of Information](#)
- [410 — Family & Medical Leave Policy](#)
- [412 — Expense Reimbursement](#)
- [413 — Harassment & Violence and Harassment & Violence Report Form](#)
- [417 — Chemical Use & Abuse](#)
- [418 — Drug-Free Workplace/Drug-Free School and Acknowledgement of Drug-Free Workplace/Drug-Free School Policy](#)
- [419 — Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices](#)
- [427 — Workload Limits for Certain Special Education Teachers](#)

500 Series — Students

- [501 — School Weapons Policy](#)
- [502 — Search of Student Lockers, Desks, Personal Possessions, and Student's Person](#)
- [506 — Student Discipline and Notice of Suspension](#)
- [514 — Bullying Prohibition Policy](#)
- [515 — Protection and Privacy of Pupil Records and Public Notice & Juvenile Justice System Request for Information](#)

- [516 — Student Medication](#)
- [520 — Student Surveys and Public Notice Form](#)
- [521 — Student Disability Nondiscrimination](#)
- [522 — Student Sex Nondiscrimination \(Title IX\) and Unlawful Sex Discrimination Towards a Student Report Form](#)
- [524 — Internet Acceptable Use & Safety Policy and Internet Use Agreement — Student Form/Employee Form](#)
- [526 — Hazing Prohibition](#)
- [531 — The Pledge of Allegiance](#)
- [532 — Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds](#)
- [533 — Wellness](#)
- [534 — Unpaid Meal Charges](#)

600 Series — Education Programs

- [601 — School District Curriculum and Instruction Goals](#)
- [603 — Curriculum Development](#)
- [612-1 — Development of Parent and Family Engagement Policies for Title I Programs](#)
- [616 — School District System Accountability](#)
- [620 — Credit for Learning](#)

700 Series — Non-Instructional Operations

- [709 — Student Transportation Safety Policy and Notification Forms](#)
- [721 — Uniform Grant Guidance Policy Regarding Federal Revenue Sources](#)
- [722 — Public Data Requests and Public Data Request Form](#)

800 Series — Buildings and Sites

- [806 — Crisis Management Policy and F1: Assistance in Drafting a Crisis Management Plan. F-2: Other Resources/Publications. F-3: Emergency Planning and Procedures Guide for Schools.](#)

900 Series — School District - Community Relations

- [903 — Visitors to School District Buildings and Sites](#)

POLICIES THAT MUST BE REVIEWED ANNUALLY BY THE SCHOOL BOARD

410 – Family and Medical Leave Policy

413 – Harassment and Violence

414 – Mandated Reporting of Child Neglect or Physical or Sexual Abuse

415 – Mandated Reporting of Maltreatment of Vulnerable Adults

506 – Student Discipline

514 – Bullying Prohibition Policy

522 – Student Sex Nondiscrimination

524 – Internet Acceptable Use and Safety Policy

616 – School District System Accountability

806 – Crisis Management Policy



Newsletter

September 2019

Model Policy Revisions

MSBA has completed its revisions of the Model Policies listed below to reflect statutory requirements that the Minnesota legislature enacted through the 2019 legislative session and other federal and state requirements.

Yellow highlighted Model Policies contain newly-updated revisions as of September 2019. Instructions are at the end of this newsletter.

Green highlighted Model Policies were revised and posted on the MSBA website in June 2019.

*Note: Model Policies 506, 603, 616, and 624 were revised in June and in September.

Statutory and Recommended Changes		
Model Policy Number	Model Policy Title	Summary of Changes
414	Mandated Reporting	Statutory change adds two crimes under the definition of 'sexual abuse'
419	Tobacco-Free Environment	Policy title change; statutory change adding electronic devices and definition of 'smoking'
421	Gifts to Employees and School Board Members	Adds definition of "financial interest"
510	School Activities	Adds language reflecting 2019 legislative action regarding student activity accounts and deletes outdated reference

Model Policy Number	Model Policy Title	Summary of Changes
516	Student Medication	Statutory change adds student possession and use of sunscreen
524	Internet Acceptable Use and Safety Policy	Updates social media references and revises references
532	Use of Peace Officers	Statutory change to dates of seclusion reports to MDE
534	Unpaid Meal Charges	Adds 2019 Minnesota Attorney General Opinion language
601	Curriculum and Instruction	Statutory change adding dyslexia screening and additional reporting requirements
603	Curriculum Development	Adds language regarding dyslexia screening
611	Home Schooling	Statutory change to add teacher's materials to the definition of 'textbook'
613	Graduation Requirements	Statutory changes revise Graduation Assessment Requirements (Art. V) and Graduation Credit Requirements (Art. VI). Legal References updated
615	Testing Accommodations, Modifications, and Exemptions for IEPS, Section 504 Plans, LEP Students	Updated URL for the "Procedures Manual for the Minnesota Assessments"
616	School District Accountability	Updated advisory committee provisions
618	Assessment of Achievement	Statutory changes required MDE Commissioner to create form regarding state assessments; district must post form

Model Policy Number	Model Policy Title	Summary of Changes
620	Credit for Learning	Statutory change deletes North Central Assn. of Colleges and Schools from 'eligible institution' definition
623	Mandatory Summer School Instruction	Adds dyslexia screening language
703	Annual Audit	Updates Minnesota Legal Compliance Audit Guide title
713	Student Activity Accounting	Student activity accounts must be under board control
720	Vending Machines	Updates sealed bid statutory requirement
721	Uniform Grant Guidance	Federal change increases two threshold levels under "Procurement Methods"
802	Obsolete Equipment	Statutory change expands potential recipients of surplus school computers and adds option to sell/give surplus school computers to 'qualifying students'

Non-substantive Changes

Model Policy Number	Model Policy Title	Summary of Changes
205	Open Meeting and Closed Meeting	<p>These changes reflect updates to the legal and cross references (including changes in statute numbers and/or names, new statutes, rules, or cases), changes to the notes within the policies, changes to accompanying forms, and minor corrections. The substance of the policy language is not affected.</p>
402	Disability Nondiscrimination	
404	Employment Background Checks	
423	Employee-Student Relationships	
424	License Status	
506	Student Discipline	
515	Protection and Privacy of Pupil Records	
523	Policies Incorporated	
530 FORM	Immunization Form and Instructions	
602	Organization of School Calendar and School Day	
624	Online Learning Options	
806 FORM	For Assistance in Drafting a Crisis Management Plan	
904	Distribution of Materials on School District Property by Nonschool Persons	

Instructions to access the Policy Manual online:

1. Please visit www.mnmsba.org.
2. Go to the Resources tab and select Policies
3. Log into the Members area (access is limited to Policy Services subscribers)
4. Access the MSBA/MASA Policy Reference Manual

Within the Policy Reference Manual, you may access, download, and search all of the policies. To download the entire Policy Reference Manual at once, click on the link labeled "Download the Entire Manual" and follow the dialog boxes that appear. A separate link for "Revision History" is also available to review or download redlined versions of the revisions and access a list of revised policies.

If you would prefer to receive the revised policies on CD or paper, please contact the MSBA office. Additional charges apply. These items are available to Policy Services subscribers only.

If you have questions about Policy Services, how to navigate the online Policy Reference Manual, or the content of the model policies, please contact Terry Morrow at (507) 934-8126 or (800) 324-4459 or by email at tmorrow@mnmsba.org

Public Schools Policy Review Timeline

Area	Policy Number	Pages	Mandatory	Annual Review	Description	1st Reading	2nd Reading	3rd Reading (FINAL)
School District	101	3	NO	NO	Legal Status of the School District			
	101.1	1	NO	NO	Name of the School District			
	102	1	YES	NO	Equal Educational Opportunity			
	103	3	NO	NO	Complaints - Students, Employees, Parents, Other Persons			
	104	1	NO	NO	School District Mission Statement			
School Board	201	3	NO	NO	Legal Status of the School Board			
	202	3	NO	NO	School Board Officers			
	202.1	2	No	NO	Student Representatives to School Board			
	203	2	NO	NO	Operation of the School Board - Governing Rules			
	203.1	2	NO	NO	School Board Procedures; Rules of Order			
	203.2	1	NO	NO	Order of the Regular School Board Meeting			
	203.5	2	NO	NO	School Board Meeting Agenda			
	203.6	1	NO	NO	Consent Agendas			
	204	2	NO	NO	School Board Meeting Minutes			
	205	9	NO	NO	Open Meetings and Closed Meetings			
	206	6	NO	NO	Public Participation in School Board Meetings/Complaints About Persons at School Board Meetings and Data Privacy			
	207	2	NO	NO	Public Hearings			
	208	3	NO	NO	Development, Adoption, and Implementation of Policies			
	209	4	NO	NO	Code of Ethics			
	210	4	NO	NO	Conflict of Interest - School Board Members			
211	4	NO	NO	Criminal or Civil Action Against School District, School Board Member, Employee, or Student				
212	1	NO	NO	School Board Member Development				
213	2	NO	NO	School Board Committees				
214	2	YES	NO	School Board Member Out-of-State Travel				
Administration	301	1	NO	NO	School District Administration			
	302	2	NO	NO	Superintendent			
	303	1	NO	NO	Superintendent Selection			
	304	4	NO	NO	Superintendent Contract, Duties, and Evaluation			
	305	1	NO	NO	Policy Implementation			
	306	2	NO	NO	Administrator Code of Ethics			

Public Schools Policy Review Timeline

Area	Policy Number	Pages	Mandatory	Annual Review	Description	1st Reading	2nd Reading	3rd Reading (FINAL)
Employees/Personnel	401	2	YES	NO	Equal Employment Opportunity			
	402	1	YES	NO	Disability Nondiscrimination Policy			
	403	3	NO	NO	Discipline, Suspension, and Dismissal of School District Employees			
	404	8	NO	NO	Employment Background Checks			
	405	2	NO	NO	Veteran's Preference; Hiring			
	406	7	YES	NO	Public and Private Personnel Data			
	407	2	NO	NO	Employee Right to Know - Exposure to Hazardous Substances			
	408	2	NO	NO	Subpoena of a School District Employee			
	409	1	NO	NO	Employee Publications, Etc.			
	410	9	YES	YES	Family and Medical Leave Policy			
	411.413	2	NO	NO	Personal Leave Sharing			
	412	2	YES	NO	Expense Reimbursement			
	413	10	YES	YES	Harassment and Violence			
	414	8	NO	YES	Mandated Reporting of Child Neglect or Physical or Sexual Abuse			
	415	4	NO	YES	Mandated Reporting of Maltreatment of Vulnerable Adults			
	416	34	NO	NO	Drug and Alcohol Testing			
	417	7	YES	NO	Chemical Use and Abuse			
	418	5	YES	NO	Drug-Free Workplace/Drug-Free School			
	419	3	YES	NO	Tobacco-Free Environment			
	420	4	NO	NO	Students and Employees with Sexually Transmitted Infections and Diseases and Certain Other Infectious Diseases and Infectious Conditions			
	421	1	NO	NO	Gifts to Employees			
	422	1	NO	NO	Policies Incorporated by Reference			
	423	3	NO	NO	Employee-Student Relationships			
	424	2	NO	NO	License Status			
	425	7	NO	NO	Staff Development			
	427	2	NO	NO	Workload Limits for Certain Special Education Teachers updated			

Public Schools Policy Review Timeline

Area	Policy Number	Pages	Mandatory	Annual Review	Description	1st Reading	2nd Reading	3rd Reading (FINAL)
Students	501	5	YES	NO	School Weapons Policy			
	502	3	YES	NO	Search of Student Lockers, Desks, Personal Possessions, and Student's Person			
	503	9	NO	NO	Student Attendance			
	504	3	NO	NO	Student Dress and Appearance			
	505	6	NO	NO	Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees			
	506	19	YES	YES	Student Discipline			
	507	1	NO	NO	Corporal Punishment			
	508	2	NO	NO	Extended School Year for Certain Students with IEP's			
	509	5	NO	NO	Enrollment of Nonresident Students			
	510	1	NO	NO	School Activities			
	511	1	NO	NO	Student Fundraising			
	512	4	NO	NO	School Sponsored Student Publications and Activities			
	513	2	NO	NO	Student Promotion, Retention, and Program Design			
	513.1	3	NO	NO	Gifted and Talented			
	513.2	2	NO	NO	Early Entrance to Kindergarten, Criteria & Process			
	514	6	YES	YES	Bullying Prohibition			
	515	41	YES	NO	Protection and Privacy of Pupil Records			
	516	5	YES	NO	Student Medication			
	517	2	NO	NO	Student Recruiting			
	518	1	NO	NO	DNR-DNI Orders			
	519	2	NO	NO	Interviews of Students by Outside Agencies			
	520	12	NO	NO	Student Surveys			
	521	3	YES	NO	Student Disability Nondiscrimination			
	522	5	YES	YES	Student Sex Nondiscrimination			
	523	1	NO	NO	Policies Incorporated by Reference			
	524	13	YES	YES	Internet Acceptable Use and Safety Policy			
	525	5	NO	NO	Violence Prevention - [Applicable to Students and Staff]			
	526	4	YES	NO	Hazing Prohibition			
	527	5	NO	NO	Student Use and Parking of Motor Vehicles; Patrols, Inspections and Searches			
	528	2	NO	NO	Student Parental, Family, and Marital Status Nondiscrimination			
	529	7	NO	NO	Staff Notification of Violent Behavior By Students			
	530	9	NO	NO	Immunization Requirements			
	531	2	YES	NO	The Pledge of Allegiance			
	532	20	YES	NO	Use of Peace Officers and Crisis Teams to Remove Students with IEP's from School Grounds			
533	5	YES	NO	Wellness				
534		NO	NO	Unpaid Meal Charges				
540	1	NO	NO	Student Clubs				

Public Schools Policy Review Timeline

Area	Policy Number	Pages	Mandatory	Annual Review	Description	1st Reading	2nd Reading	3rd Reading (FINAL)
Education Programs	601	3	YES	NO	School District Curriculum and Instructional Goals			
	602	2	NO	NO	Organization of School Calendar and School Day			
	603	3	YES	NO	Curriculum Development			
	604	2	NO	NO	Instructional Curriculum			
	605	2	NO	NO	Alternative Programs			
	606	8	NO	NO	Textbooks and Instructional Materials			
	607	1	NO	NO	Organization of Grade Levels			
	608	1	NO	NO	Instructional Services - Special Education			
	608.1	1	NO	NO	Special Ed Caseload			
	609	2	NO	NO	Religion			
	610	3	NO	NO	Field Trips			
	611	4	NO	NO	Home Schooling			
	612.1	5	YES	NO	Development of Parental Involvement Policies for Title I Programs			
	613	11	NO	NO	Graduation Requirements			
	614	6	NO	NO	School District Testing Plan and Procedure			
	615	3	NO	NO	Basic Standards Testing, Accommodations, Modifications, and Exemptions for IEP, Section 504 Accommodation and LEP Students			
	616	7	YES	YES	School District System Accountability			
	618	7	NO	NO	Assessment of Standard Achievement			
	619	2	NO	NO	Staff Development for Standards			
	620	10	NO	NO	Credit for Learning			
	623	3	NO	NO	Mandatory Summer School Instruction			
	624	5	NO	NO	On-Line Learning Options			

Public Schools Policy Review Timeline

Area	Policy Number	Pages	Mandatory	Annual Review	Description	1st Reading	2nd Reading	3rd Reading (FINAL)
Non-Instructional Operations And Business Services	701	3	NO	NO	Establishment and Adoption of School District Budget			
	701.1	1	NO	NO	Modification of School District Budget			
	701.413	1	NO	NO	Post Issuance Compliance			
	702	2	NO	NO	Accounting			
	703	2	NO	NO	Annual Audit			
	704	1	NO	NO	Development and Maintenance of an Inventory of Fixed Assets and Fixed Asset Accounting System			
	705	8	NO	NO	Investments			
	705.1	3	NO	NO	Investment of School Funds Procedures and Objectives			
	706	1	NO	NO	Acceptance of Gifts			
	707	9	NO	NO	Transportation of Public School Students			
	708	3	NO	NO	Transportation of Nonpublic School Students			
	709	18	YES	NO	Student Transportation Safety Policy			
	710	2	NO	NO	Extracurricular Transportation			
	711	2	NO	NO	Videotaping on School Buses			
	712	2	NO	NO	Video Surveillance Other than on Buses			
	713	7	NO	NO	Student Activity Accounting			
	714	3	NO	NO	Fund Balances			
720	6	NO	NO	Vending Machines				
721	16	NO	NO	Uniform Grant Guidance Policy Regarding Federal Revenue Resources				
789	2	NO	NO	Meal Charge Management				
Buildings and Sites	801	5	NO	NO	Equal Access to School Facilities			
	802	4	NO	NO	Disposition of Obsolete Equipment and Material			
	805	8	NO	NO	Waste Reduction and Recycling			
	806	11	YES	YES	Crisis Management Policy			
	807	11	YES	NO	Health and Safety Policy			
	808	4	NO	NO	Comfort Dogs in School			
School District - Community Relations	901	1	NO	NO	Community Education			
	902	2	NO	NO	Use of School District Facilities and Equipment			
	903	2	NO	NO	Visitors to the School District Buildings and Sites			
	904	5	NO	NO	Distribution of Materials on School District Property by Nonschool Persons			
	904.413	2	NO	NO	Waste Reduction Distribution			
	905	2	NO	NO	Advertising			
	906	5	NO	NO	Community Notification of Predatory Offenders			
	907	1	NO	NO	Rewards			