



**Goodhue County Education District Board Agenda**  
**Thursday, March 26, 2026 at 6:00 PM**  
**River Bluff Education Center, Red Wing**  
**395 Guernsey Ln**  
**Red Wing, MN 55066**

**AGENDA**

**I. Pledge of Allegiance:**

**II. Call to Order/Adoption of Agenda:**

**III. Consent Agenda:**

- A. Approval of February 26, 2026, Board Minutes

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Board Meeting  
Thursday, February 26, 2026 6:00 PM Central

River Bluff Education Center, Red Wing  
395 Guernsey Ln  
Red Wing, MN 55066

Erica Aronson: Present  
Terese Bjornstad: Present  
Adam Dicke: Present  
Jason Lohmann: Present  
Heath Oeltjen: Present  
JoLyn Williams: Present

Present: 6.

Jodi Strain in attendance for Jolyn Williams for Cannon Falls.

### **I. Pledge of Allegiance:**

### **II. Call to Order/Adoption of Agenda:**

Motion to approve the agenda was made. This motion, made by Erica Aronson and seconded by Adam Dicke, Passed.

Erica Aronson: Yes, Terese Bjornstad: Yes, Adam Dicke: Yes, Jason Lohmann: Yes, Heath Oeltjen: Yes, JoLyn Williams: Yes

Yes: 6, No: 0

### **III. Consent Agenda:**

Motion to approve the consent agenda was made. This motion, made by JoLyn Williams and seconded by Erica Aronson, Passed.

Erica Aronson: Yes, Terese Bjornstad: Yes, Adam Dicke: Yes, Jason Lohmann: Yes, Heath Oeltjen: Yes, JoLyn Williams: Yes

Yes: 6, No: 0

III.A. Approval of January 29, 2026, Minutes

III.B. Approval of Claims: Terese Bjornstad

III.C. Staff Updates:

#### **III.C.1. Resignations:**

#### **III.C.2. New Hire:**

Victoria Dale, Setting IV Paraprofessional @ River Bluff Education Center - Contracted Services with Precision HR for first 90 days, Effective 03/02/2026.

#### **III.C.3. Transfers:**

#### **III.C.4. Re-assignment:**

Lauren Aagesen, 0.8 FTE School Social Worker @ 5RO to .2 FTE School Social Worker @ 5RO/.8 Early Childhood School Social Worker (Countywide), Effective 03/02/2026.

IV.

**Public Input:** The policy of the education district board is to encourage discussion by persons of subjects related to the management of the district at board meetings. The board shall, as a matter of policy, protect the legal rights to privacy and due process of employees and students. Persons who wish to have a subject discussed at a public board meeting must notify the executive director's office in advance of the board meeting. The person should provide his or her name, address, the name of group represented (if any), and the subject to be covered or the issue to be addressed. The board retains the discretion to limit discussion of any agenda item to a reasonable period of time as determined by the board.

## **V. Reports and Communication:**

### **V.A. Business Manager Report**

Jackie Paradis presented the Business Manager Report.

### **V.B. Buoy Marketing Analytics Update**

This has been tabled and will move to the March board meeting.

### **V.C. Maintenance of Effort (MOE)**

Cherie Johnson presented information on maintenance of effort. We met the MOE threshold for SFY25. We shared that data. Districts asked about the impact of any possible reductions. We will examine options for FY27 budgeting.

### **V.D. Legislative Updates**

Cherie Johnson shared information on the Legislative updates.

## **VI. Old Business:**

### **VI.A. 5RO Data Review and Direction Setting**

Cherie Johnson presented a 5RO review that took place with superintendents.

## **VII. New Business:**

### **VII.A. Revised 2025-2026 Budget and Member District Bills**

Motion made to accept the revised budget and member district bills. This motion, made by Heath Oeltjen and seconded by Erica Aronson, Passed.

Erica Aronson: Yes, Terese Bjornstad: Yes, Adam Dicke: Yes, Jason Lohmann: Yes, Heath Oeltjen: Yes, JoLyn Williams: Yes

Yes: 6, No: 0

The revised budget and bills was presented to the Board by Jackie Paradis.

### **VII.B. Review of Policy 204 Education District Board Meeting Minutes and Policy 20 Recording of Board Meetings**

Motion made to table this until the next board meeting. This motion, made by Jason Lohmann and seconded by Terese Bjornstad, Passed.

Erica Aronson: Yes, Terese Bjornstad: Yes, Adam Dicke: Yes, Jason Lohmann: Yes, Heath Oeltjen: Yes, JoLyn Williams: Yes

Yes: 6, No: 0

Jason Lohmann and Cherie Johnson presented information about the board meeting minutes and recordings.

### **VII.C. 1st Reading of Policies: 401, 402, 403, 404, 405, 406, 407, 408, 409 and 410.**

Cherie Johnson presented the policies listed.

## **VIII. Other:**

## **IX. Comments: Board/Director**

**X. Next Meeting Date: March 26, 2026, at 6 p.m. at the River Bluff Education Center in Red Wing.**

**XI. Adjournment**

Motion made to adjourn. This motion, made by Erica Aronson and seconded by Adam Dicke, Passed.

Erica Aronson: Yes, Terese Bjornstad: Yes, Adam Dicke: Yes, Jason Lohmann: Yes, Heath Oeltjen: Yes, JoLyn Williams: Yes

Yes: 6, No: 0

B. Approval of Claims:

6



**Goodhue County Ed District  
Payment Reg by Bank and Check**

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void	Amount
MERC		41872		Wire	1	00433	CITY OF RED WING		No	Yes	No	02/23/2026	2,548.41
MERC		41873		Wire	1	02880	XCEL ENERGY		No	Yes	No	02/23/2026	8,039.85
MERC		41874		Wire	1	2216	KWIK TRIP EXTENDED NETWORK		No	Yes	No	02/23/2026	640.86
MERC		41875		Wire	1	3232	ENTERPRISE FM TRUST		No	Yes	No	02/23/2026	5,859.64
MERC		41876		Wire	1	3781	VISA		No	Yes	No	02/23/2026	3,995.55
MERC		41877		Wire	1	3810	KAVIRA HEALTH		No	Yes	No	02/23/2026	2,133.00
MERC		41878		Direct Pymt	1	00707	MENARD'S RED WING		Yes	Yes	No	02/23/2026	251.54
MERC		41879		Direct Pymt	1	03350	REGION V COMPUTER SERVICES		Yes	Yes	No	02/23/2026	46.50
MERC		41880		Direct Pymt	1	1313	SpEd FORMS, LLC		Yes	Yes	No	02/23/2026	13,968.64
MERC		41881		Direct Pymt	1	1497	BODENHAMER, SUSAN		Yes	Yes	No	02/23/2026	182.56
MERC		41882		Direct Pymt	1	1789	UPS		Yes	Yes	No	02/23/2026	218.91
MERC		41883		Direct Pymt	1	2197	JOHNSON, CHERYL		Yes	Yes	No	02/23/2026	955.26
MERC		41884		Direct Pymt	1	2200	PETERSEN, LYNNE		Yes	Yes	No	02/23/2026	253.75
MERC		41885		Direct Pymt	1	2440	LIBERTY'S RESTAURANT		Yes	Yes	No	02/23/2026	269.51
MERC		41886		Direct Pymt	1	2571	ANCHOR PROMOTIONS		Yes	Yes	No	02/23/2026	1,960.61
MERC		41887		Direct Pymt	1	2766	CASHMAN BRIAN		Yes	Yes	No	02/23/2026	107.64
MERC		41888		Direct Pymt	1	2809	MRI SOFTWARE, LLC		Yes	Yes	No	02/23/2026	97.50
MERC		41889		Direct Pymt	1	2865	INTELLICENTS		Yes	Yes	No	02/23/2026	1,250.00
MERC		41890		Direct Pymt	1	2951	SHI		Yes	Yes	No	02/23/2026	12,662.00
MERC		41891		Direct Pymt	1	3159	TESTEN, MARY		Yes	Yes	No	02/23/2026	2.18
MERC		41892		Direct Pymt	1	3362	MCNALLIE, LAURIE		Yes	Yes	No	02/23/2026	95.48
MERC		41893		Direct Pymt	1	3415	AMAZON CAPITAL SERVICES		Yes	Yes	No	02/23/2026	1,019.15
MERC		41894		Direct Pymt	1	3441	KING, ANDREA		Yes	Yes	No	02/23/2026	81.20
MERC		41895		Direct Pymt	1	3464	NAVIGATE360,LLC		Yes	Yes	No	02/23/2026	2,185.66
MERC		41896		Direct Pymt	1	3468	YUSTEN, NIKKI		Yes	Yes	No	02/23/2026	209.53
MERC		41897		Direct Pymt	1	3504	SENECHALLE, MEGAN		Yes	Yes	No	02/23/2026	96.22
MERC		41898		Direct Pymt	1	3532	LUNDBERG BOGNER, MICHELLE		Yes	Yes	No	02/23/2026	89.16
MERC		41899		Direct Pymt	1	3540	CORY, KIM		Yes	Yes	No	02/23/2026	110.78
MERC		41900		Direct Pymt	1	3545	ROHAN, JILL		Yes	Yes	No	02/23/2026	55.83
MERC		41901		Direct Pymt	1	3601	ESPIRICUETA VALDEZ, ILIANA		Yes	Yes	No	02/23/2026	1,139.60
MERC		41902		Direct Pymt	1	3603	HODGELL, LINDA		Yes	Yes	No	02/23/2026	38.11
MERC		41903		Direct Pymt	1	3616	PRICE, MORGAN		Yes	Yes	No	02/23/2026	511.85
MERC		41904		Direct Pymt	1	3617	DICK, OLIVIA		Yes	Yes	No	02/23/2026	80.48
MERC		41905		Direct Pymt	1	3618	SOLIANI		Yes	Yes	No	02/23/2026	2,021.48
MERC		41906		Direct Pymt	1	3628	AMPION PBC C/O DEPT. 8121		Yes	Yes	No	02/23/2026	665.24
MERC		41907		Direct Pymt	1	3670	GREEN, MADELYN		Yes	Yes	No	02/23/2026	98.60
MERC		41908		Direct Pymt	1	3673	AMPION PBC C/O DEPT. 8125		Yes	Yes	No	02/23/2026	36.15
MERC		41909		Direct Pymt	1	3736	EBERT. ABBY		Yes	Yes	No	02/23/2026	764.16

**Goodhue County Ed District  
Payment Reg by Bank and Check**

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
MERC		41910		Direct Pymt	1	3762	CONTLA HERNANDEZ, CARLA		Yes	Yes	No	02/23/2026	29.26
MERC		41911		Direct Pymt	1	3790	KELLY SERVICES, INC		Yes	Yes	No	02/23/2026	3,033.44
MERC		41912		Direct Pymt	1	3792	NEMANICH, THOMAS		Yes	Yes	No	02/23/2026	187.78
MERC		41913		Direct Pymt	1	3801	TreviPay		Yes	Yes	No	02/23/2026	301.12
MERC		41914		Direct Pymt	1	3802	E.B.C...,LLC/ACS MONTHLY FEE - DIREC		Yes	Yes	No	02/23/2026	145.98
MERC		41915		Direct Pymt	1	3814	FLYNN, CRYSTAL		Yes	Yes	No	02/23/2026	7.25
MERC		41916		Wire	1	04060	PERA-PUBLIC EMPLOYEES RETIREMT		No	Yes	No	02/27/2026	8,970.22
MERC		41917		Wire	1	04062	MN TEACHERS RETIREMENT ASSOC		No	Yes	No	02/27/2026	75,785.14
MERC		41918		Wire	1	2284	E. B. C..., LLC /ACS		No	No	No	02/27/2026	22,062.66
MERC		41919		Wire	1	2392	US DEPT. OF TREASURY		No	Yes	No	02/27/2026	109,525.14
MERC		41920		Wire	1	2396	MN Dept of Revenue		No	No	No	02/27/2026	20,107.68
MERC		41921		Wire	1	2501	Merchants Bank		No	Yes	No	02/27/2026	5,784.90
MERC		41922		Direct Pymt	1	09118	EDUCATION MN - GCED		Yes	No	No	02/27/2026	3,343.83
MERC		41923		Direct Pymt	1	1984	E. B. C., LLC/Flex Contributions		Yes	No	No	02/27/2026	568.06
MERC		41924		Direct Pymt	1	3235	Goodhue Co Ed Dist Paraprofessional Unic		Yes	No	No	02/27/2026	402.89
MERC		41941		Wire	1	2216	KWIK TRIP EXTENDED NETWORK		No	No	No	03/05/2026	895.90
MERC		41942		Wire	1	03977	SOUTHEAST SERVICE COOPERATIVE		No	No	No	03/05/2026	132,836.94
MERC		41943		Direct Pymt	1	00707	MENARD'S RED WING		Yes	No	No	03/05/2026	43.05
MERC		41944		Direct Pymt	1	02672	METRO SALES, INC.		Yes	No	No	03/05/2026	2,254.50
MERC		41945		Direct Pymt	1	09129	RED WING IND SCHOOL DIST 256		Yes	No	No	03/05/2026	77,838.86
MERC		41946		Direct Pymt	1	1497	BODENHAMER, SUSAN		Yes	No	No	03/05/2026	130.72
MERC		41947		Direct Pymt	1	1789	UPS		Yes	No	No	03/05/2026	21.67
MERC		41948		Direct Pymt	1	2200	PETERSEN, LYNNE		Yes	No	No	03/05/2026	345.10
MERC		41949		Direct Pymt	1	2440	LIBERTY'S RESTAURANT		Yes	No	No	03/05/2026	131.55
MERC		41950		Direct Pymt	1	3002	MOLDE-BOEDING, JAYNE		Yes	No	No	03/05/2026	726.90
MERC		41951		Direct Pymt	1	3222	BAUER, SARAH		Yes	No	No	03/05/2026	1,537.33
MERC		41952		Direct Pymt	1	3362	MCNALLIE, LAURIE		Yes	No	No	03/05/2026	116.59
MERC		41953		Direct Pymt	1	3415	AMAZON CAPITAL SERVICES		Yes	No	No	03/05/2026	600.88
MERC		41954		Direct Pymt	1	3468	YUSTEN, NIKKI		Yes	No	No	03/05/2026	147.90
MERC		41955		Direct Pymt	1	3504	SENECHALLE, MEGAN		Yes	No	No	03/05/2026	38.06
MERC		41956		Direct Pymt	1	3601	ESPIRICUETA VALDEZ, ILIANA		Yes	No	No	03/05/2026	1,599.10
MERC		41957		Direct Pymt	1	3618	SOLIANI		Yes	No	No	03/05/2026	598.49
MERC		41958		Direct Pymt	1	3670	GREEN, MADELYN		Yes	No	No	03/05/2026	110.20
MERC		41959		Direct Pymt	1	3762	CONTLA HERNANDEZ, CARLA		Yes	No	No	03/05/2026	94.88
MERC		41960		Direct Pymt	1	3790	KELLY SERVICES, INC		Yes	No	No	03/05/2026	2,927.57
MERC		41961		Direct Pymt	1	3801	TreviPay		Yes	No	No	03/05/2026	69.87
MERC		41962		Direct Pymt	1	3812	NELSON, CHANTELE		Yes	No	No	03/05/2026	62.93
MERC		41963		Direct Pymt	1	3816	KITTELSON, ELIZABETH		Yes	No	No	03/05/2026	335.00

**Goodhue County Ed District  
Payment Reg by Bank and Check**

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
MERC		41863	22242	Check	1	3347	ASL INTERPRETING SERVICES, INC		Yes	No	No	02/23/2026	2,836.88
MERC		41861	22243	Check	1	3329	CHASE CARD SERVICES		Yes	Yes	No	02/23/2026	107.36
MERC		41854	22244	Check	1	1132	CULLIGAN		Yes	Yes	No	02/23/2026	62.00
MERC		41864	22245	Check	1	3497	DIGGINS, LIZ		Yes	No	No	02/23/2026	791.35
MERC		41853	22246	Check	1	05393	EDUCATION WEEK		Yes	No	No	02/23/2026	35.00
MERC		41860	22247	Check	1	3232	ENTERPRISE FM TRUST		Yes	No	No	02/23/2026	667.49
MERC		41868	22248	Check	1	3752	GREAT RIVER CONSULTING		Yes	No	No	02/23/2026	680.00
MERC		41867	22249	Check	1	3743	HIAWATHA HOMECARE		Yes	No	No	02/23/2026	3,835.00
MERC		41869	22250	Check	1	3786	HMH EDUCATION COMPANY		Yes	No	No	02/23/2026	12,868.00
MERC		41865	22251	Check	1	3566	JOSTEN'S INC		Yes	Yes	No	02/23/2026	870.76
MERC		41857	22252	Check	1	2960	LANGUAGE LINE SERVICES		Yes	No	No	02/23/2026	79.99
MERC		41866	22253	Check	1	3672	LEXIKEET, LLC		Yes	No	No	02/23/2026	78.75
MERC		41856	22254	Check	1	2714	LICENSE CENTER		Yes	Yes	No	02/23/2026	20.25
MERC		41852	22255	Check	1	02620	MSBA		Yes	No	No	02/23/2026	125.00
MERC		41870	22256	Check	1	3812	NELSON, CHANTELE		Yes	No	No	02/23/2026	33.71
MERC		41855	22257	Check	1	1150	PHONAK, LLC		Yes	Yes	No	02/23/2026	72.98
MERC		41871	22258	Check	1	3815	PRECISION HUMAN RESOURCE SOLU		Yes	No	No	02/23/2026	2,160.00
MERC		41850	22259	Check	1	00245	READ NATURALLY		Yes	Yes	No	02/23/2026	42.84
MERC		41859	22260	Check	1	3078	SHRED-N-GO-446138		Yes	Yes	No	02/23/2026	89.30
MERC		41862	22261	Check	1	3338	SOUNDS AND MEDIA SOLUTIONS		Yes	No	No	02/23/2026	485.00
MERC		41851	22262	Check	1	00452	SW/WC SERVICE COOPERATIVES		Yes	Yes	No	02/23/2026	57,091.74
MERC		41858	22263	Check	1	3011	U.S. BANK EQUIPMENT FINANCE		Yes	No	No	02/23/2026	233.20
MERC		41933	22264	Check	1	3586	ADAM'S PEST CONTROL - MAIN		Yes	No	No	03/05/2026	51.00
MERC		41931	22265	Check	1	3347	ASL INTERPRETING SERVICES, INC		Yes	No	No	03/05/2026	2,079.25
MERC		41938	22266	Check	1	3791	CHAHANI, KRISTI		Yes	No	No	03/05/2026	121.22
MERC		41925	22267	Check	1	00433	CITY OF RED WING		Yes	No	No	03/05/2026	2,631.07
MERC		41927	22268	Check	1	1132	CULLIGAN		Yes	No	No	03/05/2026	31.00
MERC		41932	22269	Check	1	3497	DIGGINS, LIZ		Yes	No	No	03/05/2026	98.83
MERC		41929	22270	Check	1	3126	FERNBROOK FAMILY CENTER		Yes	No	No	03/05/2026	23,624.05
MERC		41935	22271	Check	1	3718	GARCIA, MONICA		Yes	No	No	03/05/2026	139.72
MERC		41936	22272	Check	1	3743	HIAWATHA HOMECARE		Yes	No	No	03/05/2026	5,622.50
MERC		41937	22273	Check	1	3786	HMH EDUCATION COMPANY		Yes	No	No	03/05/2026	390.25
MERC		41934	22274	Check	1	3672	LEXIKEET, LLC		Yes	No	No	03/05/2026	80.50
MERC		41930	22275	Check	1	3252	MDE-MCIS - ACT 621892		Yes	No	No	03/05/2026	369.00
MERC		41939	22276	Check	1	3815	PRECISION HUMAN RESOURCE SOLU		Yes	No	No	03/05/2026	2,196.00
MERC		41926	22277	Check	1	00670	FATWIK ROSZAK & MALONEY PA		Yes	No	No	03/05/2026	456.00
MERC		41940	22278	Check	1	3817	RUTH ANN MARSH		Yes	No	No	03/05/2026	2,947.41

# Goodhue County Ed District Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Date	Amount
MERC		41928	22279		Check	1 3011		U.S. BANK EQUIPMENT FINANCE		Yes	No	No	03/05/2026	233.20
Bank Total: \$662,799.53														
Report Total: \$662,799.53														

C. Staff Updates:

1. **Resignations:**

2. **New Hire:**

3. **Transfers:**

4. **Retirement:**

Dave Hinck, Building-Wide Substitute @ RBEC, effective 06/05/2026

5. **Re-assignment:**

6. **Termination:**

Victoria Dale, Setting IV Paraprofessional @ River Bluff Education Center - Contracted Services with Precision HR, Effective 03/05/2026.

IV. **Public Input:** The policy of the education district board is to encourage discussion by persons of subjects related to the management of the district at board meetings. The board shall, as a matter of policy, protect the legal rights to privacy and due process of employees and students. Persons who wish to have a subject discussed at a public board meeting must notify the executive director's office in advance of the board meeting. The person should provide his or her name, address, the name of group represented (if any), and the subject to be covered or the issue to be addressed. The board retains the discretion to limit discussion of any agenda item to a reasonable period of time as determined by the board.

V. **Reports and Communication:**

A. Business Manager Report

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3-10-26

District	REACH / Setting IV	STEP	Pathways 6-7	Pathways 8-12	5RO Elementary	5RO Secondary	5RO Part Time	Total
Cannon Falls	3	3		5	3	17	82	113
Goodhue	1	1		0	2	9	18	31
Kenyon-Wanamingo	9	3		0	0	17	11	40
Lake City	5	2		10	4	30	83	134
Red Wing	42	4	14	28	18	96	21	223
Zumbrota-Mazeppa	1	3		1	3	27	14	49
Non Members	3	0		0	13	73	19	108
<b>Total Program</b>	<b>64</b>	<b>16</b>	<b>14</b>	<b>44</b>	<b>43</b>	<b>269</b>	<b>248</b>	<b>698</b>

<b>Total Special Ed</b>	64	16	0	13	5	43	8	149
<b>Percent Special Ed</b>	100.00%	100.00%	0.00%	29.55%	11.63%	15.99%	3.23%	21.35%

Color Code Key	
	MDE Tuition Billing System
	Billed to Districts at or below APU amount
	Billed to Districts throughout year for cash flow and trued up at year end (Open Enrollment)

<b>REVENUE</b>							February 28, 2026	February 28, 2025	February 29, 2024		
<b>REVENUE CATEGORIES</b>	June 30, 2024	June 30, 2025	Adopted Budget	Revised Budget	Received YTD	Budget Remaining	% of Budget Received	% of Actuals Received	% of Actuals Received	February 28, 2025	February 29, 2024
STATE	6,262,303	6,401,575	6,529,002	6,897,580	3,397,581	3,499,999	49.3%	49.5%	44.8%	3,166,046	2,804,760
FEDERAL	2,370,023	2,037,610	2,051,616	2,037,217	526,911	1,510,306	25.9%	40.8%	43.9%	831,759	1,039,865
LOCAL (FEES, INTEREST, ETC.)	11,303,859	11,439,690	11,753,680	11,722,594	7,538,510	4,184,084	64.3%	62.2%	60.4%	7,114,150	6,827,823
<b>TOTALS</b>	<b>19,936,185</b>	<b>19,878,875</b>	<b>20,334,298</b>	<b>20,657,391</b>	<b>11,463,002</b>	<b>9,194,389</b>	<b>55.5%</b>	<b>55.9%</b>	<b>53.5%</b>	<b>11,111,955</b>	<b>10,672,448</b>

<b>EXPENDITURES</b>							February 28, 2026	February 28, 2025	February 29, 2024		
<b>OBJECT SERIES</b>	June 30, 2024	June 30, 2025	Adopted Budget	Revised Budget	Expended YTD	Budget Remaining	% of Budget Expended	% of Actuals Expended	% of Actuals Expended	February 28, 2025	February 29, 2024
SALARIES & WAGES	10,093,545	10,990,252	11,525,375	11,436,105	6,112,542	5,323,563	53.4%	53.6%	51.9%	5,885,327	5,236,657
EMPLOYEE BENEFITS	2,843,575	3,173,243	3,361,997	3,495,545	1,850,693	1,644,852	52.9%	52.9%	50.0%	1,677,997	1,422,842
PURCHASED SERVICES	5,105,484	3,999,273	3,708,838	3,884,560	1,107,967	2,776,593	28.5%	28.5%	29.2%	1,139,686	1,490,311
SUPPLIES	819,001	794,966	716,194	732,750	432,676	300,074	59.0%	76.1%	72.1%	604,767	590,094
EQUIPMENT	1,073,045	1,175,995	1,084,272	1,095,876	1,091,710	4,166	99.6%	95.6%	94.8%	1,124,097	1,016,764
OTHER EXPENDITURES	124,731	30,830	28,362	81,010	18,624	62,386	23.0%	85.7%	18.9%	26,406	23,617
<b>TOTALS</b>	<b>20,059,380</b>	<b>20,164,559</b>	<b>20,425,038</b>	<b>20,725,846</b>	<b>10,614,212</b>	<b>10,111,634</b>	<b>51.2%</b>	<b>51.9%</b>	<b>48.8%</b>	<b>10,458,281</b>	<b>9,780,284</b>

<b>PROGRAM SERIES</b>							February 28, 2026	February 28, 2025	February 29, 2024		
<b>PROGRAM SERIES</b>	June 30, 2024	June 30, 2025	Adopted Budget	Revised Budget	Expended YTD	Budget Remaining	% of Budget Expended	% of Actuals Expended	% of Actuals Expended	February 28, 2025	February 29, 2024
SITE ADMINISTRATION	357,053	358,374	381,650	387,208	255,683	131,525	66.0%	65.6%	63.9%	235,071	228,102
DISTRICT ADMINISTRATION	92,977	88,643	94,744	102,502	64,766	37,736	63.2%	66.4%	52.3%	58,872	48,617
SUPPORT SERVICES	338,571	349,805	320,477	330,467	334,905	(4,438)	101.3%	100.5%	102.1%	351,715	345,596
REGULAR INSTRUCTION	3,275,290	2,841,820	3,064,529	2,901,639	1,264,130	1,637,509	43.6%	44.8%	32.3%	1,272,628	1,059,002
EXTRA-CURRICULAR ACTIVITES	-	-	-	-	-	-	0.0%	0.0%	0.0%	-	-
SPECIAL EDUCATION	10,794,455	11,172,266	11,507,645	11,849,166	5,754,423	6,094,743	48.6%	50.3%	50.0%	5,615,897	5,394,457
INSTRUCTIONAL SUPPORT	893,095	990,629	816,563	793,933	423,441	370,492	53.3%	38.8%	38.6%	384,446	344,522
PUPIL SUPPORT SERVICES	2,499,034	2,357,264	2,341,307	2,351,592	1,152,403	1,199,189	49.0%	50.3%	45.4%	1,185,849	1,133,830
FACILITIES	1,354,668	1,443,735	1,386,060	1,506,703	1,158,044	348,659	76.9%	75.7%	79.1%	1,092,969	1,072,081
OTHER FINANCING USES	-	-	-	-	-	-	0.0%	0.0%	0.0%	-	-
<b>TOTALS</b>	<b>20,059,380</b>	<b>20,164,559</b>	<b>20,425,038</b>	<b>20,725,846</b>	<b>10,614,212</b>	<b>10,111,634</b>	<b>51.2%</b>	<b>51.9%</b>	<b>48.8%</b>	<b>10,458,281</b>	<b>9,780,284</b>

<b>SUMMARY - ALL FUNDS</b>							February 28, 2026	February 28, 2025	February 29, 2024		
<b>SUMMARY</b>	June 30, 2024	June 30, 2025	Adopted Budget	Revised Budget	Expended YTD	Budget Remaining	% of Budget	% of Actuals	% of Actuals	February 28, 2025	February 29, 2024
REVENUE	19,936,185	19,878,875	20,334,298	20,657,391	11,463,002	9,194,389	55.5%	55.9%	53.5%	11,111,955	10,672,448
EXPENDITURES	20,059,380	20,164,559	20,425,038	20,725,846	10,614,212	10,111,634	51.2%	51.9%	48.8%	10,458,281	9,780,284
SPENDING VARIANCE	(123,195)	(285,685)	(90,740)	(68,455)	848,790	N/A	N/A	N/A	N/A	653,675	892,164

**Goodhue County Ed District  
Reconciliation Worksheet Report  
02/28/2026**

Audit No	Statement Date	Co	Bank Code	Bank Name/Description
1579	02/28/2026	6051	MERC	MERCHANTS BANK GENERAL

**Worksheet has been Finalized**

Statement Amount	781,736.27
Deposits in Transit	0.00
<b><u>Outstanding Payments</u></b>	
Checks	29,690.94
Wires	42,170.34
SHR - Payments	0.00
SHR - Third Party	0.00
Cash	0.00
ACH	4,314.78

**Adjustment Amount**      (73,566.60)

**Amount Per Bank**                      631,993.61

**GL Account Balance**                631,993.61

<b>Co</b>	<b>L</b>	<b>Fd</b>	<b>Org</b>	<b>Pro</b>	<b>Crs</b>	<b>Fin</b>	<b>O/S</b>	<b>Ty</b>
6051	B	01	101	000				F

**Difference**                                      0.00

**Adjustments**

Manual	02/28/2026	KT	Wire	681.08	KT RECORDED IN MAR
Manual	02/28/2026	SWEEP	Deposit	(74,247.68)	FROM SWEEP

## Business Manager Report 3-26-26

### 2025-26 Budget as of 2/28/26

We have received \$11,463,002 or 55.5% of the budget, compared to 55.9% at Feb 28, 2025 and 53.5% at Feb 29, 2024. We have expended \$10,614,212 or 51.2% of the expense budget, compared to 51.9% at Feb 28, 2025 and 48.8% at Feb 29, 2024.

### Cash Flow

For your information. Cash flow is looking good through the end of the fiscal year with the implementation of prebilling a month in advance.

### Feb Bank Rec

For your information

### Enrollment

We have increased 12 students since February. Below is the change by program.

Program	Feb 26	Mar 26	Change	Mar 25
REACH	63	64	+1	52
STEP	16	16	0	15
Pathways 6-7	14	14	0	8
Pathways 8-12	43	44	+1	37
5RO Elementary	43	43	0	34
5RO Secondary FT	263	269	+6	256
5RO Secondary PT	244	248	+4	172
Total	686	698	+12	574



**GOODHUE CO ED DISTRICT  
2025-26 CASH FLOW**

**AS OF 3-11-26**

**JULY**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
7/1/2025	-	-	821.38	-	258,035.27	1,279,380.74
7/9/2025	(575,217.41)	-	-	-	-	704,163.33
7/15/2025	(256,956.56)	(359,420.75)	3,073.14	237,993.78	-	328,852.94
7/20/2025	-	-	93,255.44	-	-	422,108.38
7/31/2025	(457,800.39)	(270,689.30)	172,218.71	107,916.87	-	(26,245.73)
<b>ENDING BALANCE</b>	<b>(1,289,974.36)</b>	<b>(630,110.05)</b>	<b>269,368.67</b>	<b>345,910.65</b>	<b>258,035.27</b>	<b>(26,245.73)</b>

**AUGUST**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
8/1/2025	-	-	444,412.03	-	-	418,166.30
8/4/2025	-	-	-	-	-	418,166.30
8/15/2025	(333,365.27)	(311,456.46)	95,907.87	410,084.14	54,615.91	333,952.49
8/17/2025	-	-	30,439.51	-	-	364,392.00
8/30/2025	(229,594.62)	(275,887.01)	1,140,135.62	816,335.57	-	1,815,381.56
<b>ENDING BALANCE</b>	<b>(562,959.89)</b>	<b>(587,343.47)</b>	<b>1,710,895.03</b>	<b>1,226,419.71</b>	<b>54,615.91</b>	<b>1,815,381.56</b>

**SEPTEMBER**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
9/1/2025	(216,361.14)	(2,676.80)	13,445.00	-	-	1,609,788.62
9/15/2025	(869,025.94)	(286,143.37)	475,439.74	134,751.83	46,200.80	1,111,011.68
9/17/2025	-	(501.62)	397,194.43	-	-	1,507,704.49
9/30/2025	(989,689.87)	(305,306.63)	66,317.55	420,030.84	148,275.79	847,332.17
<b>ENDING BALANCE</b>	<b>(2,075,076.95)</b>	<b>(594,628.42)</b>	<b>952,396.72</b>	<b>554,782.67</b>	<b>194,476.59</b>	<b>847,332.17</b>

**OCTOBER**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
10/1/2025	(236,726.00)	-	-	-	-	610,606.17
10/9/2025	(30,612.94)	-	235,288.66	-	-	815,281.89
10/15/2025	(242,116.15)	(314,504.15)	250,449.89	103,718.83	-	612,830.31
10/20/2025	(259,936.65)	-	501,129.65	-	-	854,023.31
10/31/2025	(232,319.53)	(301,289.22)	260,832.80	352,516.02	121,000.38	1,054,763.76
<b>ENDING BALANCE</b>	<b>(1,001,711.27)</b>	<b>(615,793.37)</b>	<b>1,247,701.00</b>	<b>456,234.85</b>	<b>121,000.38</b>	<b>1,054,763.76</b>

**NOVEMBER**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
11/1/2025	-	-	-	-	-	1,054,763.76
11/5/2025	(263,427.58)	-	216,283.56	-	-	1,007,619.74
11/15/2025	-	(348,817.82)	-	122,785.83	-	781,587.75
11/20/2025	(345,536.26)	-	447,716.35	-	-	883,767.84
11/30/2025	(232.72)	(304,434.60)	92,651.65	285,764.45	-	957,516.62
<b>ENDING BALANCE</b>	<b>(609,196.56)</b>	<b>(653,252.42)</b>	<b>756,651.56</b>	<b>408,550.28</b>	<b>-</b>	<b>957,516.62</b>

**DECEMBER**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
12/1/2025	(467,115.67)	-	358,699.83	-	-	849,100.78
12/8/2025	-	-	-	-	-	849,100.78
12/15/2025	(371,907.29)	(307,793.17)	65,200.87	276,933.19	-	511,534.38
12/20/2025	-	(1,020.43)	536,057.41	-	-	1,046,571.36
12/31/2025	(250,509.70)	(326,964.41)	1,798.81	153,204.24	-	624,100.30
<b>ENDING BALANCE</b>	<b>(1,089,532.66)</b>	<b>(635,778.01)</b>	<b>961,756.92</b>	<b>430,137.43</b>	<b>-</b>	<b>624,100.30</b>

**JANUARY**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
1/1/2026	-	-			-	624,100.30
1/8/2026	(261,869.95)	-	240,053.89		526,910.85	1,129,195.09
1/15/2026	(228,850.80)	(289,316.72)		251,996.31		863,023.88
1/20/2026	(833,505.17)	-	327,839.61	7,187.60	-	364,545.92
1/31/2026	(240,291.27)	(298,350.11)	942,290.43	642,571.56		1,410,766.53
<b>ENDING BALANCE</b>	<b>(1,564,517.19)</b>	<b>(587,666.83)</b>	<b>-</b>	<b>1,510,183.93</b>	<b>901,755.47</b>	<b>526,910.85</b>

**FEBRUARY**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
2/1/2026	(234,565.85)	-	8,170.70		-	1,184,371.38
2/15/2026	(232,376.10)	(301,381.81)	161,827.46	129,098.32	-	941,539.25
2/20/2026		-	144,044.04		-	1,085,583.29
2/28/2026	(398,516.35)	(319,069.03)	7,950.88	256,044.82	-	631,993.61
<b>ENDING BALANCE</b>	<b>(865,458.30)</b>	<b>(620,450.84)</b>	<b>-</b>	<b>321,993.08</b>	<b>385,143.14</b>	<b>-</b>

**MARCH**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
3/1/2026	(264,534.99)	-			-	367,458.62
3/15/2026	(217,449.34)	(298,815.55)	192,178.24	305,463.98		348,835.95
3/20/2026	(85,982.43)	-	3,634.19		-	266,487.70
3/31/2026	(220,239.16)	(297,781.82)	725,487.70	299,707.29	-	773,661.72
<b>ENDING BALANCE</b>	<b>(788,205.92)</b>	<b>(596,597.37)</b>	<b>-</b>	<b>921,300.13</b>	<b>605,171.27</b>	<b>-</b>

**APRIL**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
4/9/2026	(490,967.45)	-	127,235.74		-	409,930.01
4/15/2026	(221,156.24)	(297,390.69)	217,909.40	199,804.87	-	309,097.35
4/20/2026	(188,126.86)	-	456,368.64		113,452.23	690,791.36
4/30/2026	(221,958.66)	(298,803.15)	1,163.95	465,170.07	-	636,363.57
<b>ENDING BALANCE</b>	<b>(1,122,209.21)</b>	<b>(596,193.85)</b>	<b>-</b>	<b>802,677.74</b>	<b>664,974.94</b>	<b>113,452.23</b>

**MAY**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
5/1/2026	(313,362.49)	-	98,799.75		2,751.49	424,552.32
5/15/2026	(346,114.60)	(297,866.04)	226,907.24	249,756.08	-	257,234.99
5/20/2026	-	-	505,500.07		-	762,735.07
5/31/2026	(380,023.68)	(299,918.19)	530,990.43	249,756.08	-	863,539.70
<b>ENDING BALANCE</b>	<b>(1,039,500.77)</b>	<b>(597,784.23)</b>	<b>-</b>	<b>1,362,197.49</b>	<b>499,512.16</b>	<b>2,751.49</b>

**JUNE**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
6/1/2026	-	-			-	863,539.70
6/15/2026	(478,941.71)	(374,098.82)	246,186.55		-	256,685.72
6/20/2026	-	-	333,974.97	249,756.08	-	840,416.77
6/30/2026	(355,283.09)	(289,992.84)	135,666.74		-	330,807.57
<b>ENDING BALANCE</b>	<b>(834,224.80)</b>	<b>(664,091.67)</b>	<b>-</b>	<b>715,828.25</b>	<b>249,756.08</b>	<b>-</b>

<b>TOTALS</b>	<b>(12,842,567.88)</b>	<b>(7,379,690.52)</b>	<b>-</b>	<b>11,532,950.51</b>	<b>6,728,348.65</b>	<b>1,271,242.72</b>	<b>330,807.57</b>
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# 5RiversOnline Advertising Campaign

March 26, 2026

18

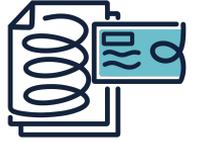


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# The Goals

- **Ultimate: Increase enrollment numbers at 5RiversOnline**
- Campaign-specific goals:
  - Clicks to 5RiversOnline page
  - Clicks to K-6-specific page
  - Opens of pre-enroll form
  - Submissions of pre-enroll form

# Who We're Looking to Reach



## Phase 1:

- People who are not aware of 5RiversOnline as an option for them
- Families who currently homeschooling
- Families who are considering homeschooling
- Focus on the K-6 population
- Special interest in families near Twin Cities metro

## Phase 2:

- Olmsted County support
- Course-specific supplements

# The Approach



- Digital ads on Meta (Facebook and Instagram) and Google
  - Set budget in advance, not buying ads in bulk; only paying when people engage
  - Reviewing where we have traction to invest more/pivot away from other options
  - *Google (\$1,500 Phase 1 spend):*
    - Pay only when someone clicks
    - Shown to people actively searching for help
    - Budget capped and closely monitored
  - *Meta (\$1,500 Phase 1 spend; \$2,000 Phase 2 spend):*
    - Budget set in advance
    - Shown only to relevant audiences
    - Performance-based distribution
    - Adjustable at any time
- SEO clean-up on website and content changes on website
- Enrollment form accessibility

# Phase 1: Messaging & Keyword Themes



## Messaging:

- Preventing burnout (current homeschool families)
- The "best of both worlds" (current and potential homeschool families)
- "You're not alone" (potential homeschool families)
- Universal appeal

## Keyword themes (170+ keywords):

- Virtual school
- Homeschool
- Teacher/Student support
- Learning approaches
- Elementary-specific
- Alternative/Non-Traditional education

# Phase 2: Messaging



## Messaging:

- No wait, enrolling now (specific city/county families)
- Part-time options available (entire state families)



# Ad Designs



**Goodhue County Education District**  
Ad · 🌐



Live, online classrooms with 5-10 students, guided by a certified teacher.

That's 5RiversOnline: a rural-style education for suburban Minnesota families, completely free.

- Live classes.
- Small groups.
- Zero cost.

**Homeschool Freedom**  
**MEETS**  
**Classroom Connection**  
**AT**  
**5RiversOnline**



gced.k12.mn.us  
**Discover a new way to homeschool**

[Learn more](#)



**Goodhue County Education District**  
Ad · 🌐



You're doing a great job homeschooling, but you don't have to do it alone.

- Small class sizes
- Real-time learning K-6
- Accredited teachers
- A tight-knit community that feels more rural than urban

**Homeschooling is a calling.**  
**Not a solo mission.**



gced.k12.mn.us  
**Free homeschooling for MN families**

[Learn more](#)



**Goodhue County Education District**  
Ad · 🌐



5RiversOnline is Minnesota's answer for Twin Cities families who want something different for their student.

- Live, online instruction
- Small class sizes that feel personal
- A rural, community-centered experience
- Accredited educators
- Zero tuition

It's where homeschooling freedom meets classroom connection.

**Free, live instruction with certified teachers.**  
**It's education that puts your child first.**



gced.k12.mn.us  
**Enrolling for grades K-6 now!**

[Learn more](#)



**Goodhue County Education District**  
Ad · 🌐

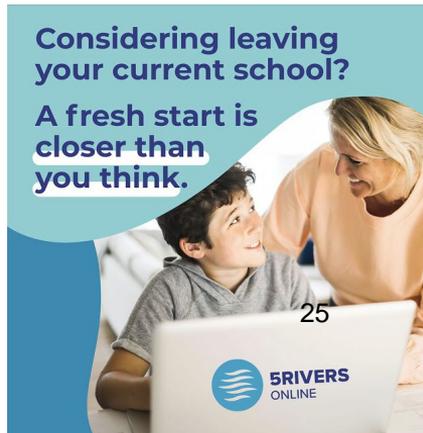


Thinking about leaving your public or private school? You're not alone.

More Metro Twin Cities families are discovering a new option: 5RiversOnline. It's not a big school. It's not solo homeschooling. It's live, online, small-group classes with certified teachers.

- Live instruction, not videos
- Small class sizes (real relationships!)
- Completely free
- Accredited Minnesota educators
- Opportunities for in-person meet-ups

**Considering leaving your current school?**  
**A fresh start is closer than you think.**



gced.k12.mn.us  
**Education your way: Free MN schooling**

[Learn more](#)



# Phase 1: Meta and Google Analytics

# Analytics (one month)



## Meta:

- **Impressions:** 41,620
- **Reach:** 13,822
- **Click-through to the website:** 3,875
- **Conversion to pre-enroll page:** 180
- **Conversion to contact page:** 1

## Google:

- **Impressions:** 2,857
- **Clicks:** 211
- **Total conversions:** 35
  - Clicked on K-6 learning: 11
  - Clicked on 7-12 learning: 7
  - Clicked Pre-Enroll: 8

## Top Locations:

- Anoka
- Eden Prairie
- Maple Grove
- Prior Lake
- Andover

## Potential Enrollments: 6 - 8 students

# Recommendations



- Consider alternative awareness-building activities
  - Informational webinars
  - In-person tabling – libraries, community events throughout state
  - Organic social media campaigns/content calendar to build following
- Determine if different process beyond pre-enroll form is beneficial
- Consider additional ways to support families from first site visit through registration



**Questions?**

VI.	<b>Old Business:</b>	
A.	2nd Reading of Policy 20 Recording of Board Meetings	31

*Adopted: 05/25/2023*

*Revised: \_\_\_\_\_*

## **20 RECORDING OF BOARD MEETINGS**

### **I. PURPOSE**

The Board of the Goodhue County Education District believes that communication with the many varying constituencies that the cooperative serves is very important. Recording of board meetings is one of the methods of communication available to the Board of Education. Recording is intended to provide additional information to stakeholders while also increasing the cooperative's visibility in the community.

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

It is the policy of the Board of the Goodhue County Education District that its regular meetings be digitally recorded and made available online for the education and information of the stakeholders. The digital recording that is made available online on behalf of the cooperative is an informational medium only. The digital recording is not part of the official record of the Board proceedings.

The meetings shall be digitally recorded in their entirety. There shall be no editing of the actual Board meetings, other than to add titles or credits to a recorded session. If editing is desired or deemed to be in the public or cooperative interest, the edited version shall receive the approval of the Board prior to the broadcast of the edited version.

### **III. OFFICIAL RECORD**

The official record of the Board of the Goodhue County Education District, is the Board meeting minutes as recorded and submitted by the Clerk or designee of the Board for the approval of the Board at a subsequent public meeting. The digital recording and its contents are the property of the district.

### **IV. AVAILABILITY OF DIGITAL RECORDINGS**

Digital recordings of board meetings shall be available for public viewing on the cooperative's official video sharing service, which will be linked on [gced.k12.mn.us](https://gced.k12.mn.us), the cooperative's website.

The digital recording of a board meeting shall be posted for at least a period of time that encompasses the following four (4) regular board meetings. Beginning with the fifth board meeting after the digital recording was initially made, that recording may be available for use to record another meeting.

No copy of a digital recording may be made without the advance written permission of the cooperative.

An authorized copy of a digital recording shall be made only by an authorized Goodhue County Education District employee or designee. The cost of such recording shall be paid by a requesting person and the cost shall reflect first, the hourly rate for the employee or authorized person, second, the district's administrative cost, and third, the cost of materials used to make the recording. Payment shall be rendered before the recording is released.

## **V. MALFUNCTIONS AND OMISSIONS**

Digital recording and re-broadcasting processes are composed of and dependent upon human and mechanical interactions as well as supportive systems. The system that the cooperative uses has no backup or alternate power sources.

It is acknowledged that the audio equipment may record imperfectly. While every attempt is made to get a proper recording, speakers may not always speak directly into the microphones. In the event of a power failure, equipment malfunction, operator error, or the quality of the digital recording, the cooperative will not be responsible for recording the meeting.

## **VI. REBROADCAST**

No meeting may be digitally recorded more than twice without the advanced written approval of the Board. Any recording other than the master digital recording, owned by the cooperative, must be reused or destroyed immediately following the final digital recording as described above.

B. 2nd Reading of Policies: 401, 402, 403, 404, 405, 406,  
407, 408, 409 and 410.

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**401 EQUAL EMPLOYMENT OPPORTUNITY**

**[NOTE: School districts are not required by statute to have a policy addressing these issues. However, the Equal Employment Opportunity Commission strongly encourages the adoption of a policy and will look for such a policy during accreditation visits, audits, or investigations.]**

**I. PURPOSE**

The purpose of this policy is to provide equal employment opportunity for all applicants for education district employment and for all education district employees.

**II. GENERAL STATEMENT OF POLICY**

A. The policy of the education district is to provide equal employment opportunity for all applicants and employees. The education district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, including gender identity or expression, age, family care leave status, or veteran status. The education district also makes reasonable accommodations for disabled employees.

~~**[NOTE: The Minnesota Human Rights Act defines "sexual orientation" to include "having or being perceived as having a self image or identity not traditionally associated with one's biological maleness or femaleness." Minnesota Statutes, section 363A.03, subdivision 44.]**~~

¶

B. The education district prohibits the harassment of any individual for any of the categories listed above. For information about the types of conduct that constitute impermissible harassment and the education district's internal procedures for addressing complaints of harassment, please refer to the education district's policy on harassment and violence.

C. This policy applies to all areas of employment, including hiring, discharge, promotion, compensation, facilities, or privileges of employment.

D. Every education district employee shall be responsible for following this policy.

E. Any person having a question regarding this policy should discuss it with:  
Cheryl Johnson, Executive Director  
Goodhue County Education District  
395 Guernsey Lane  
Red Wing, MN 55066  
[cjohnson@gced.k12.mn.us](mailto:cjohnson@gced.k12.mn.us)  
651-388-4441

- Legal References:**
- Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
  - 29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
  - 29 U.S.C. § 2615 (Family and Medical Leave Act)
  - 38 U.S.C. § 4211 *et seq.* (Employment and Training of Veterans)
  - 38 U.S.C. § 4301 *et seq.* (Employment and Reemployment Rights of Members of the Uniformed Services)
  - 42 U.S.C. § 2000e *et seq.* (Equal Employment Opportunities; Title VII of the Civil Rights Act)
  - 42 U.S.C. § 12101 *et seq.* (Equal Opportunity for Individuals with Disabilities)

**Cross References:** MSBA/MASA Model Policy 402 (Disability Nondiscrimination)  
MSBA/MASA Model Policy 405 (Veteran's Preference)  
MSBA/MASA Model Policy 413 (Harassment and Violence)

## **402 DISABILITY NONDISCRIMINATION POLICY**

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

### **I. PURPOSE**

The purpose of this policy is to provide a fair employment setting for all persons and to comply with state and federal law.

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

- A. The education district shall not discriminate against qualified individuals with disabilities because of the disabilities of such individuals in regard to job application procedures, hiring, advancement, discharge, compensation, job training, and other terms, conditions, and privileges of employment.
- B. The education district shall not engage in contractual or other arrangements that have the effect of subjecting its qualified applicants or employees with disabilities to discrimination on the basis of disability. The education district shall not exclude or otherwise deny equal jobs or job benefits to a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a relationship or association.
- C. The education district shall make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee unless the accommodation would impose undue hardship on the operation of the business of the education district.
- D. Any job applicant or employee wishing to discuss the need for a reasonable accommodation, or other matters related to a disability or the enforcement and application of this policy, should contact Cheryl Johnson, Executive Director, Goodhue County Education District, 395 Guernsey Lane, Red Wing, MN 55066 [cjohnson@gced.k12.mn.us](mailto:cjohnson@gced.k12.mn.us) 651-398-6355. This individual is the education district's appointed ADA/Section 504 coordinator.

**Legal References:** Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
29 U.S.C. § 794 *et seq.* (Section 504 of the Rehabilitation Act of 1973)  
42 U.S.C. § 12101 (Americans with Disabilities Act)  
29 C.F.R. Part 32 (Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance)  
34 C.F.R. Part 104 (Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance)

**Cross References:** MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

## **403 DISCIPLINE, SUSPENSION, AND DISMISSAL OF EDUCATION DISTRICT EMPLOYEES**

### **I. PURPOSE**

The purpose of this policy is to achieve effective operation of the education district's programs through the cooperation of all employees under a system of policies and rules applied fairly and uniformly.

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

The disciplinary process described herein is designed to utilize progressive steps, where appropriate, to produce positive corrective action. While the education district intends that in most cases progressive discipline will be administered, the specific form of discipline chosen in a particular case and/or the decision to impose discipline in a manner otherwise, is solely within the discretion of the education district.

### **III. DISCIPLINE**

#### **A. Violation of School Laws and Rules**

The form of discipline imposed for violations of school laws and rules may vary from an oral reprimand to termination of employment or discharge depending upon factors such as the nature of the violation, whether the violation was intentional, knowing and/or willful and whether the employee has been the subject of prior disciplinary action of the same or a different nature. School laws and rules to which this provision applies include:

1. policies of the education district;
2. directives and/or job requirements imposed by administration and/or the employee's supervisor; and
3. federal, state, and local laws, rules and regulations, including, but not limited to, the rules and regulations adopted by federal and state agencies.

#### **B. Substandard Performance**

An employee's substandard performance may result in the imposition of discipline ranging from an oral reprimand to termination of employment or discharge. In most instances, discipline imposed for the reason of substandard performance will follow a progressive format and will be accompanied by guidance, help and encouragement to improve from the employee's supervisor and reasonable time for correction of the employee's deficiency.

#### **C. Misconduct**

Misconduct of an employee will result in the imposition of discipline consistent with the seriousness of the misconduct. Conduct which falls into this category includes, but is not limited to:

1. unprofessional conduct;
2. failure to observe rules, regulations, policies and standards of the education district and/or directives and orders of supervisors and any other act of an

insubordinate nature;

3. continuing neglect of duties in spite of oral warnings, written warnings and/or other forms of discipline;
4. personal and/or immoral misconduct;
5. use of illegal drugs, alcohol or any other chemical substance on the job or any use off the job which impacts on the employee's performance;
6. deliberate and serious violation of the rights and freedoms of other employees, students, parents or other persons in the education community;
7. activities of a criminal nature relating to the fitness or effectiveness of the employee to perform the duties of the position;
8. failure to follow the canons of professional and personal ethics;
9. falsification of credentials and experience;
10. unauthorized destruction of education district property;
11. other good and sufficient grounds relating to any other act constituting inappropriate conduct;
12. neglect of duty;
13. violation of the rights of others as provided by federal and state laws related to human rights.

#### **IV. FORMS OF DISCIPLINE**

- A. The forms of discipline that may be imposed by the education district include, but are not limited to:
  1. oral warning;
  2. written warning or reprimand;
  3. probation;
  4. disciplinary suspension, demotion or leave of absence with pay;
  5. disciplinary suspension, demotion or leave of absence without pay; and
  6. dismissal/termination or discharge from employment.
- B. Other forms of discipline, including any combination of the forms described in Paragraph A., above, may be imposed if, in the judgment of the administration, another form of discipline will better accomplish the education district's objective of stopping or correcting the offending conduct and improving the employee's performance.

#### **V. PROCEDURES FOR ADMINISTERING POLICY**

- A. When any form of discipline is imposed, the employee's supervisor will:
  1. Advise the employee of any inadequacy, deficiency or conduct which is the cause of the discipline, either orally or in writing. If given orally, the supervisor will document the fact that an oral warning was given to the

- employee specifying the date, time, and nature of the oral warning.
2. Provide directives to the employee to correct the conduct or performance.
  3. Forward copies of all writings to the administrator in charge of personnel for filing in the employee's personnel file.
  4. Allow a reasonable period of time, when appropriate, for the employee to correct or remediate the performance or conduct.
  5. Specify the expected level of performance or modification of conduct to be required from the employee.
- B. The education district retains the right to immediately discipline, terminate, or discharge an employee as appropriate, subject to relevant governing law and collective bargaining agreements when applicable.

**Legal References:** Minn. Stat. § 122A.40 (Employment; Contracts; Termination)  
Minn. Stat. § 122A.41 (Teacher Tenure Act; Cities of the First Class)  
Minn. Stat. § 122A.44 (Contracting with Teachers; Substitute Teachers)  
Minn. Stat. § 122A.58 (Coaches; Termination of Duties)  
Minn. Stat. § 123B.02, Subd. 14 (General Powers of Independent School Districts)  
Minn. Stat. § 123B.143 (Superintendent)  
Minn. Stat. § 123B.147 (Principals)  
Minn. Stat. § 197.46 *et seq.* (Veterans Preference Act)

**Cross References:** None

#### 404 EMPLOYMENT BACKGROUND CHECKS

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

##### I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment in the education district in order to promote the physical, social, and psychological well-being of its students. To that end, the education district will seek a criminal history background check for applicants who receive an offer of employment with the education district and on all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the education district, regardless of whether any compensation is paid, or such other background checks as provided by this policy. The education district may also elect to do background checks of other volunteers, independent contractors, and student employees in the education district.

##### II. GENERAL STATEMENT OF POLICY

- A. The education district shall require that applicants for education district positions who ~~are receive an~~ offered ~~of~~ employment in the education district and all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the education district, regardless of whether any compensation is paid, submit to a criminal history background check. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by the education district that an individual's criminal history does not preclude the individual from employment with, or provision of services to, the education district.
- B. The education district specifically reserves any and all rights it may have to conduct background checks regarding current employees, applicants, or service providers without the consent of such individuals.
- C. Adherence to this policy by the education district shall in no way limit the education district's right to require additional information, or to use procedures currently in place or other procedures to gain additional background information concerning employees, applicants, volunteers, service providers, independent contractors, and student employees.

##### III. PROCEDURES

- A. Normally an individual will not commence employment or provide services until the education district receives the results of the criminal history background check. ~~The education district may hire or otherwise allow an individual to provide a service to a school pending completion of a background check under Minnesota Statutes, section 123B.03, subdivision 1 or obtaining notice of a Professional Educator Licensing and Standards Board action under subdivision 1a but shall notify the individual that the individual's employment or other service may be terminated based on the result of the background check or Professional Educator Licensing and Standards Board action. The education district is not liable for failing to hire or for terminating an individual's employment or other service based on the result of a background check or Professional Educator Licensing and Standards Board action. The education district may conditionally hire an applicant or allow an individual to provide services pending completion of the background check but shall notify the individual that the individual's employment or opportunity to provide services may be terminated based on the result~~

~~of the background check.~~

Background checks will be performed by the Minnesota Bureau of Criminal Apprehension (BCA). The BCA shall conduct the background check by retrieving criminal history data as defined in Minnesota Statutes, section 13.87. The education district reserves the right to also have criminal history background checks conducted by other organizations or agencies.

- B. In order for an individual to be eligible for employment or to provide athletic coaching services or other extracurricular academic coaching services to the education district, except for an enrolled student volunteer, the individual must sign a criminal history consent form, which provides permission for the education district to conduct a criminal history background check, and provide a money order or check payable to either the BCA or to the education district, at the election of the education district, in an amount equal to the actual cost to the BCA and the education district of conducting the criminal history background check. The cost of the criminal history background check is the responsibility of the individual, unless the education district decides to pay the costs for a volunteer, an independent contractor, or a student employee. If the individual fails to provide the education district with a signed Informed Consent Form and fee at the time the individual receives a job offer, or permission to provide services, the individual will be considered to have voluntarily withdrawn the application for employment or request to provide services.

**[NOTE: If the education district elects to receive payment, it may, at its discretion, accept payment in the form of a negotiable instrument other than a money order or check and then pay the superintendent of the BCA directly to conduct the background check.]**

- C. The education district, in its discretion, may elect not to request a criminal history background check on an individual who holds an initial entrance license issued by the Minnesota Professional Educator Licensing and Standards Board or the ~~Minnesota~~ Commissioner of ~~the Minnesota~~ Department of Education within the twelve (12) months preceding an offer of employment or permission to provide services.
- D. The education district may use the results of a criminal background check conducted at the request of another school hiring authority if:
1. the results of the criminal background check are on file with the other school hiring authority or otherwise accessible;
  2. the other school hiring authority conducted a criminal background check within the previous twelve (12) months;
  3. the individual executes a written consent form giving the education district access to the results of the check; and
  4. there is no reason to believe that the individual has committed an act subsequent to the check that would disqualify the individual for employment or provision of services.
- E. For all nonstate residents who are offered employment with or the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the education district, the education district shall request a criminal history background check on such individuals from the superintendent of the BCA and from the government agency performing the same function in the resident state or, if no government entity performs the same function in the resident state, from the Federal Bureau of Investigation. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by the education district that an individual's criminal history does not preclude the individual from employment with, or provision of services to, the education district. Such individuals must provide an

executed criminal history consent form.

- F. When required, individuals must provide fingerprints to assist in a criminal history background check. If the fingerprints provided by the individual are unusable, the individual will be required to submit another set of prints.
- G. Copies of this policy shall be available in the education district's employment office and will be distributed to applicants for employment and individuals who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services upon request. The need to submit to a criminal history background check may be included with the basic criteria for employment or provision of services in the position posting and position advertisements.
- H. The individual will be informed of the results of the criminal background check(s) to the extent required by law.
- I. If the criminal history background check precludes employment with, or provision of services to, the education district, the individual will be so advised.
- J. The education district may apply these procedures to other volunteers, independent contractors, or student employees.
- K. At the beginning of each school year or when a student enrolls, the education district will notify parents and guardians about this policy and identify those positions subject to a background check and the extent of the education district's discretion in requiring a background check. The education district may include this notice in its student handbook, a school policy guide, or other similar communication. A form notice for this purpose is included with this policy.

#### **IV. CRIMINAL HISTORY CONSENT FORM**

A form to obtain consent for a criminal history background check is included with this policy.

**Legal References:** Minn. Stat. § 13.04, Subd. 4 (Rights of Subjects of Data)  
Minn. Stat. § 13.87, Subd. 1 (Criminal Justice Data)  
Minn. Stat. § 123B.03 (Background Check)  
Minn. Stat. §§ 299C.60-299C.64 (Minnesota Child, Elder, and Individuals with Disabilities Protection Background Check Act)  
Minn. Stat. § 364.09(b) (Exception for School Districts)

**Cross References:** None

## **405 VETERAN'S PREFERENCE**

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

### **I. PURPOSE**

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

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

- A. The education district's policy is to comply with the VPA regarding veteran's preference rights and mandated preference points to veterans and spouses of deceased veterans or disabled veterans.
- B. The education district's policy is also to comply with the VPA requirement that no covered veteran may be removed from public employment except for incompetency or misconduct shown after a hearing upon due notice, upon stated charges, and in writing. This paragraph does not apply to the position of teacher.
- C. Veteran's preference points will be applied pursuant to applicable law as follows:
  - 1. A credit of ten (10) points shall be added to the competitive open examination rating of a non-disabled veteran, who so elects, provided that the veteran obtained a passing rating on the examination without the addition of the credit points.
  - 2. A credit of fifteen (15) points shall be added to the competitive open examination rating of a disabled veteran, who so elects, provided that the veteran obtained a passing rating on the examination without the addition of the credit points.
  - 3. A credit of five (5) points shall be added to the competitive promotional examination rating of a disabled veteran, who so elects, provided that (a) the veteran obtained a passing rating on the examination without the addition of the credit points and (b) the veteran is applying for a first promotion after securing public employment.
  - 4. A preference may be used by the surviving spouse of a deceased veteran and by the spouse of a disabled veteran who, because of the disability, is unable to qualify.
- D. Eligibility for and application of veteran's preference, the definition of a veteran, and the definition of a disabled veteran for purposes of this policy will be pursuant to the VPA.
- E. When notifying applicants that they have been accepted into the selection process, the education district shall notify applicants that they may elect to use veteran's preference.
- F. The education district's policy is to use a 100-point hiring system to enable allocation of veteran's preference points. The education district may or may not use a 100-point hiring system for filling teaching positions. If a 100-point hiring system is not used for

filling a teaching position, preference points will not be added, but all veteran applicants who have proper licensure for the teaching position will be granted an interview for the position.

- G. If the education district does not select a member of the finalist pool who has claimed veteran's preference, the education district shall notify the finalist in writing of the reasons for the rejection and file the notice with the education district's personnel officer.

**[NOTE: A school district may require a veteran to complete an initial hiring probationary period as defined in Minnesota Statutes, section 43A.16.]**

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

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

**Cross References:** MSBA/MASA Model Policy 401 (Equal Employment Opportunity)

## 406 PUBLIC AND PRIVATE PERSONNEL DATA

**[NOTE: The provisions of this policy accurately reflect the Minnesota Government Data Practices Act and are not discretionary in nature.]**

### I. PURPOSE

The purpose of this policy is to provide guidance to education district employees as to the data the education district collects and maintains regarding its employees, volunteers, independent contractors, and applicants ("personnel"). ~~personnel.~~

### II. GENERAL STATEMENT OF POLICY

- A. All data on individuals collected, created, received, maintained, or disseminated by the education district, which is classified by statute or federal law as public, shall be accessible to the public pursuant to the procedures established by the education district.
- B. All other data on individuals is private or confidential.

### III. DEFINITIONS

- A. "Confidential" means the data ~~are not public and are not accessible to the subject. is not available to the subject.~~
- B. "Finalist" means an individual who is selected to be interviewed by the education district board for a position.
- C. "Parking space leasing data" means the following government data on an applicant for, or lessee of, a parking space: residence address, home telephone number, beginning and ending work hours, place of employment, location of parking space, and work telephone number.
- D. "Personnel data" means government data on individuals maintained because they are or were employees ~~of the education district~~, applicants for employment, or volunteers or independent contractors for the education district, ~~or members of or applicants for an advisory board or commission.~~ Personnel data include data submitted ~~by an employee~~ to the education district ~~by an employee~~ as part of an organized self-evaluation effort by the education district to request suggestions from all employees on ways to cut costs, make the education district more efficient, or to improve education district operations. ~~An employee who is identified in a suggestion shall have access to all data in the suggestion except the identity of the employee making the suggestion.~~
- E. "Private" means that the data ~~is not public and is accessible only to the following: the subject of the data, as limited by any applicable state or federal law; individuals within the education district whose work assignments reasonably require access; entities and agencies as determined by the responsible authority who are authorized by law to gain access to that specific data; and entities or individuals given access by the express written direction of the data subject. is available to the subject of the data and to education district staff who need it to conduct the business of the education district.~~
- F. "Protected health information" means individually identifiable health information as

defined in 45 Code of Federal Regulations, section 160.103, that is transmitted by electronic media, maintained in electronic media, or transmitted or maintained in any other form or medium by a health care provider, in connection with a transaction covered by 45 Code of Federal Regulations, Parts 160, 162 and 164. "Protected health information" excludes individually identifiable health information in education records covered by the Family Educational Rights and Privacy Act, employment records held by a school district in its role as employer;; and records regarding a person who has been deceased for more than fifty (50) years.~~transmitted in electronic form by a school district acting as a health care provider. "Protected health information" excludes health information in education records covered by the federal Family Educational Rights and Privacy Act and employment records held by a school in its role as employer.~~

- G. "Public" means that the data is available to anyone who requests it.
- H. "Public officials" means business managers; human resource directors; athletic directors whose duties include at least fifty (50)50 percent of their time spent in administration, personnel, supervision, and evaluation; chief financial officers; directors; and individuals defined as superintendents and principals under Minnesota Rules, part 3512.0100.¶

#### **IV. PUBLIC PERSONNEL DATA**

- A. The following information on ~~current and former~~ employees, ~~including~~ volunteers and independent contractors of the education district, is public:
  - 1. name;
  - 2. employee identification number, which may not be the employee's Social Security number;
  - 3. actual gross salary;
  - 4. salary range;
  - 5. terms and conditions of employment relationship;
  - 6. contract fees;
  - 7. actual gross pension;
  - 8. the value and nature of employer-paid fringe benefits;
  - 9. the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary;
  - 10. job title;
  - 11. bargaining unit;
  - 12. job description;
  - 13. education and training background;
  - 14. previous work experience;
  - 15. date of first and last employment;
  - 16. the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action;

17. the final disposition of any disciplinary action, as defined in Minnesota Statutes, section 13.43, subdivision 2(b), ~~Minn. Stat. § 13.43, Subd. 2(b)~~, together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the education district;
  18. the complete terms of any agreement settling any dispute arising out of the employment relationship, including superintendent buyout agreements, except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money, and such agreement may not have the purpose or effect of limiting access to or disclosure of personnel data or limiting the discussion of information or opinions related to personnel data;
  19. work location;
  20. work telephone number;
  21. badge number;
  22. work-related continuing education;
  23. honors and awards received; and
  24. payroll time sheets or other comparable data that are used only to account for an employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.
- B. The following information on current and former applicants for employment by the education district is public:
1. veteran status;
  2. relevant test scores;
  3. rank on eligible list;
  4. job history;
  5. education and training; and
  6. work availability.
- C. Names of applicants are private data except when certified as eligible for appointment to a vacancy or when they become finalists for an employment position. ~~applicants are considered by the education district board to be finalists for public employment.~~
- D. Applicants for appointment to a public body.
1. Data about applicants for appointment to a public body collected by the education district as a result of the applicant's application for employment are private data on individuals except that the following are public:
    - a. name;
    - b. city of residence, except when the appointment has a residency requirement that requires the entire address to be public;
    - c. education and training;

- d. employment history;
  - e. volunteer work;
  - f. awards and honors;
  - g. prior government service;
  - h. any data required to be provided or that are voluntarily provided in an application for appointment to a multimember agency pursuant to [Minnesota Statutes, section 15.0597](#); ~~Minn. Stat. § 15.0597~~; and
  - i. veteran status.
2. Once an individual is appointed to a public body, the following additional items of data are public:
- a. residential address;
  - b. either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee;
  - c. first and last dates of service on the public body;
  - d. the existence and status of any complaints or charges against an appointee; and
  - e. upon completion of an investigation of a complaint or charge against an appointee, the final investigative report is public, unless access to the data would jeopardize an active investigation.
3. Notwithstanding ~~Paragraph 2~~, any electronic mail address or telephone number provided by a public body for use by an appointee shall be public. An appointee may use an electronic mail address or telephone number provided by the public body as the designated electronic mail address or telephone number at which the appointee can be reached.
- E. Regardless of whether there has been a final disposition as defined in [Minnesota Statutes, section 13.43, subdivision 2\(b\)](#), ~~Minn. Stat. § 13.43, Subd. 2(b)~~, upon completion of an investigation of a complaint or charge against a public official, as defined in [Minnesota Statutes, section 13.43, subdivision 2\(e\)](#), ~~Minn. Stat. § 13.43, Subd. 2(e)~~, or if a public official resigns or is terminated from employment while the complaint or charge is pending, all data relating to the complaint or charge are public, unless access to the data would jeopardize an active investigation or reveal confidential sources. [Data relating to a complaint or charge against a public official is public only if:](#)
- 1. [the complaint or charge results in disciplinary action or the employee resigns or is terminated from employment while the complaint or charge is pending;](#) or
  - 2. [potential legal claims arising out of the conduct that is the subject of the complaint or charge are released as part of a settlement agreement](#)
- [Data that is classified as private under another law is not made public by this provision.](#)
- ~~F. Data relating to a complaint or charge against a public official is public only if: (1) the complaint or charge results in disciplinary action or the employee resigns or is~~

~~terminated from employment while the complaint or charge is pending; or (2) potential legal claims arising out of the conduct that is the subject of the complaint or charge are released as part of a settlement agreement. Data that is classified as private under another law is not made public by this provision.~~

## V. PRIVATE PERSONNEL DATA

- A. All other personnel data ~~not listed in Article IV.~~ are private data ~~and will only be shared with education district staff whose work requires such access. Private data will not be otherwise released unless authorized by law or by the employee's informed written consent.~~ not be otherwise released unless authorized by law.
- B. Data pertaining to an employee's dependents are private data on individuals.
- C. Data created, collected, or maintained by the education district to administer employee assistance programs are private.
- D. Parking space leasing data with regard to data on individuals are private.
- E. An individual's checking account number is private when submitted to a government entity.
- F. ~~Notwithstanding classification by any other provision of Minnesota Statutes, chapter 13, upon request from an exclusive representative, personnel~~ Personnel data ~~must~~ may be disseminated to labor organizations to the extent ~~the education district determines it is necessary for the labor organization to conduct its business or when ordered or authorized by the Commissioner of the Bureau of Mediation Services.~~ necessary to conduct elections, investigate and process grievances, and implement the provisions of Minnesota Statutes, chapters 179 and 179A. Personnel data shall be disseminated to labor organizations and the Bureau of Mediation Services ("BMS") to the extent the dissemination is ordered or authorized by the Commissioner of the BMS. Employee Social Security numbers are not necessary to implement the provisions of chapters 179 and 179A.

The home addresses, nonemployer issued phone numbers and email addresses, dates of birth, and emails or other communications between exclusive representatives and their members, prospective members, and nonmembers are private data on individuals.

Dissemination of personnel data to a labor organization pursuant to Minnesota Statutes, section 13.43, subdivision 6, shall not subject the education district to liability under Minnesota Statutes, section 13.08.

Personnel data described under Minnesota Statutes, section 179A.07, subdivision 8, must be disseminated to an exclusive representative under the terms of that subdivision.

- G. The education district may display a photograph of a current or former employee to prospective witnesses as part of the education district's investigation of any complaint or charge against the employee.
- H. The education district may, if its responsible authority or designee reasonably determines that the release of personnel data is necessary to protect an employee from harm to self or to protect another person who may be harmed by the employee, release data that are relevant to the concerns for safety to:
  - 1. the person who may be harmed and to the attorney representing the person when the data are relevant to obtaining a restraining order;

2. a prepetition screening team conducting an investigation of the employee under Minnesota Statutes, section 253B.07, subdivision 1 ~~Minn. Stat. § 253B.07, subd. 1~~; or
  3. a court, law enforcement agency, or prosecuting authority.
- I. Private personnel data or confidential investigative data on employees may be disseminated to a law enforcement agency for the purpose of reporting a crime or alleged crime committed by an employee, or for the purpose of assisting law enforcement in the investigation of a crime or alleged crime committed by an employee.
  - J. A complainant has access to a statement provided by the complainant to the education district in connection with a complaint or charge against an employee.
  - K. When allegations of sexual or other types of harassment are made against an employee, the employee does not have access to data that would identify the complainant or other witnesses if the responsible authority determines that the employee's access to that data would:
    1. threaten the personal safety of the complainant or a witness; or
    2. subject the complainant or witness to harassment.

If a disciplinary proceeding is initiated against the employee, data on the complainant or witness shall be available to the employee as may be necessary for the employee to prepare for the proceeding.

- L. The education district must report to the Minnesota Professional Educator Licensing and Standards Board ("PELSB") or the Board of School Administrators ("BOSA"), whichever has jurisdiction over the teacher's or administrator's license, as required by Minnesota Statutes § 122A.20, subdivision. 2, ~~shall make any report to the Minnesota Professional Educator Licensing and Standards Board or the state board of education as required by Minn. Stat. § 122A.20, Subd. 2~~ and shall, upon written request from the licensing board having jurisdiction over ~~thea~~ teacher's license, provide the licensing board with information about the teacher or administrator from the education district's files, any termination or disciplinary proceeding, and settlement or compromise, or any investigative file in accordance with Minnesota Statutes § 122A.20, subdivision 2. ~~Minn. Stat § 122A.20, Subd. 2.~~
- M. Private personnel data shall be disclosed to the Minnesota Department of Employment and Economic Development for the purpose of administration of the unemployment insurance program under Minnesota Statutes, chapter 268.
- N. When a report of alleged maltreatment of a student in an elementary, middle school, high school or charter school ~~in a school~~ is made to the Commissioner of the Minnesota Department of Education ("MDE"), ~~of Education~~ under Minnesota Statutes, chapter 260E, data that are relevant and collected by the school facility about the person alleged to have committed maltreatment must be provided to the MDE Commissioner ("Commissioner") on request for purposes of an assessment or investigation of the maltreatment report. Additionally, personnel data may be released for purposes of providing information to ~~informing~~ a parent, legal guardian, or custodian of a child in accordance with MDE Screening Guidelines. ~~that an incident has occurred that may constitute maltreatment of the child, when the incident has occurred, and the nature of the conduct that may constitute maltreatment.~~
- O. The education district shall release to a requesting school district or charter school private personnel data on a current or former employee related to acts of violence toward or sexual contact with a student, if

1. an investigation conducted by or on behalf of the education district or law enforcement affirmed the allegations in writing prior to release and the investigation resulted in the resignation of the subject of the data; or
2. the employee resigned while a complaint or charge involving the allegations was pending, the allegations involved acts of sexual contact with a student, and the employer informed the employee in writing, before the employee resigned, that if the employee resigns while the complaint or charge is still pending, the employer must release private personnel data about the employee's alleged sexual contact with a student to a school district or charter school requesting the data after the employee applies for employment with that school district or charter school and the data remain classified as provided in Minnesota Statutes, chapter 13.

Data that are released under this paragraph must not include data on the student.

- P. Data submitted by an employee to the education district as part of an organized self-evaluation effort by the education district to request suggestions from all employees on ways to cut costs, make the education district more efficient, or improve the education district operations is private data. An employee who is identified in a suggestion, however, shall have access to all data in the suggestion except the identity of the employee making the suggestion. ~~The identity of an employee making a suggestion as part of an organized self-evaluation effort by the education district to cut costs, make the education district more efficient, or to improve education district operations is private.~~
- Q. Protected health information, as defined in 45 Code of Federal Regulations, Parts 160 and 164, on employees is private and will not be disclosed except as permitted or required by law. ~~Health information on employees is private unless otherwise provided by law. To the extent that the education district transmits protected health information, the education district will comply with all privacy requirements.~~
- R. Personal home contact information for employees may be used by the education district to ensure that an employee can be reached in the event of an emergency or other disruption affecting continuity of education district operations and may be shared with another government entity in the event of an emergency or other disruption to ensure continuity of operation for the education district or government entity.
- S. The personal telephone number, home address, and electronic mail address of a current or former employee of a contractor or subcontractor maintained as a result of a contractual relationship between the education district and a contractor or subcontractor entered on or after August 1, 2012, are private data. These data must be shared with another government entity to perform a function authorized by law. The data also must be disclosed to a government entity or any person for prevailing wage purposes.
- T. When a continuing contract teacher is discharged immediately because the teacher's license has been revoked due to a conviction for child abuse or sexual ~~abuse offenses involving a child as set forth in Minnesota Statutes, section 122A.40, subdivision 13(b),~~ or when the Commissioner of the Minnesota Department of Education (MDE) makes a final determination of child maltreatment involving a teacher under ~~Minnesota Statutes, section 260E.21, subdivision 4, or 260E.35,~~ the school principal or other person having administrative control of the school must include in the teacher's employment record the information contained in the record of the disciplinary action or the final maltreatment determination, consistent with the definition of public data under Minn. Stat. § 13.41, Subd. 5, ~~Minnesota Statutes, section 13.41, subdivision 5,~~ and must provide ~~PELSB the Minnesota Professional Educator Licensing and Standards Board~~ and the licensing division at MDE with the necessary and relevant information to enable ~~PELSB the Minnesota Professional Educator Licensing and Standards Board~~ and MDE's licensing division to fulfill their statutory and administrative duties related to

issuing, renewing, suspending, or revoking a teacher's license. In addition to the background check required under Minnesota Statutes, section 123B.03, a school board or other school hiring authority must contact ~~PELSB~~~~the Minnesota Professional Educator Licensing and Standards Board~~ and MDE to determine whether the teacher's license has been suspended or revoked, consistent with the discharge and final maltreatment determinations. Unless restricted by federal or state data practices law or by the terms of a collective bargaining agreement, the responsible authority for a school district must disseminate to another school district private personnel data on a current or former teacher (employee or contractor) of the district, including the results of background investigations, if the requesting school district seeks the information because the subject of the data has applied for employment with the requesting school district.

## **VI. MULTIPLE CLASSIFICATIONS**

If data on individuals are classified as both private and confidential by [Minn. Stat. Ch. ~~Minnesota Statutes, chapter~~ 13](#), or any other state or federal law, the data are private.

## **VII. CHANGE IN CLASSIFICATIONS**

The education district shall change the classification of data in its possession if it is required to do so to comply with either judicial or administrative rules pertaining to the conduct of legal actions or with a specific statute applicable to the data in the possession of the disseminating or receiving agency.

## **VIII. RESPONSIBLE AUTHORITY**

The education district has designated Cheryl Johnson, Executive Director of the Goodhue County Education District, as the authority responsible for personnel data. Contact information is 395 Guernsey Lane, Red Wing, MN 55066 [cjohnson@gced.k12.mn.us](mailto:cjohnson@gced.k12.mn.us) 651-388-4441.

The responsible authority, or an education district employee if so designated, shall serve as the education district's data practices compliance official and, as such, shall be the employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.

## **IX. EMPLOYEE AUTHORIZATION/RELEASE FORM**

An employee authorization form is included as an addendum to this policy.

**Legal References:**

- Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
- Minn. Stat. § 13.02 (Definitions)
- [Minn. Stat. § 13.03 \(Access to Government Data\)](#)
- [Minn. Stat. § 13.05 \(Duties of Responsible Authority\)](#)
- Minn. Stat. § 13.37 (General Nonpublic Data)
- Minn. Stat. § 13.39 (Civil Investigation)
- [Minn. Stat. § 13.41 \(Licensing Data\)](#)
- Minn. Stat. § 13.43 (Personnel Data)
- Minn. Stat. § 13.601, subd. 3 (Elected and Appointed Officials)
- [Minn. Stat. § 15.0597 \(Appointment to Multimember Agencies\)](#)
- Minn. Stat. § 122A.20, Subd. 2 (Mandatory Reporting)
- Minn. Stat. § 122A.40, Subds. 13 and 16 (Employment; Contracts; Termination)
- [Minn. Stat. § 123B.03 \(Background Check\)](#)
- [Minn. Stat. § 123B.143, subd. 2 \(Disclose Past Buyouts\)](#)
- [Minn. Stat. Ch. 179 \(Minnesota Labor Relations Act\)](#)
- [Minn. Stat. Ch. 179A \(Minnesota Public Labor Relations Act\)](#)
- [Minn. Stat. § 253B.07 \(Judicial Commitment: Preliminary Procedures\)](#)
- [Minn. Stat. Ch. 260E \(Reporting of Maltreatment of Minors\)](#)

Minn. Stat. Ch. 268 (Unemployment Insurance)  
Minn. R. Pt. 1205 (Data Practices)  
~~Minn. Stat. § 626.556, Subd. 7 (Reporting of Maltreatment of Minors)~~  
P.L. 104-191 (HIPAA)  
45 C.F.R. Parts 160, 162, and 164 (HIPAA Regulations)

**Cross References:** MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA Service Manual, Chapter 13, School Law Bulletin "I" (School Records - Privacy - Access to Data) ~~MSBA/MASA Model Policy 722 (Public Data Requests)~~  
~~MSBA Law Bulletin "I" (School Records - Privacy - Access to Data)~~

## **407 EMPLOYEE RIGHT TO KNOW – EXPOSURE TO HAZARDOUS SUBSTANCES**

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

### **I. PURPOSE**

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

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

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

### **III. DEFINITIONS**

- A. “Blood borne pathogen” means a pathogenic microorganism that is present in human blood and can cause disease in humans. This definition includes, but is not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).
- B. “Commissioner” means the [Minnesota](#) Commissioner of Labor and Industry.
- C. “Harmful physical agent” means a physical agent determined by the commissioner as a part of the standard for that agent to present a significant risk to worker health or safety or imminent danger of death or serious physical harm to an employee. This definition includes, but is not limited to, radiation, whether ionizing or nonionizing.
- D. “Hazardous substance” means a chemical or substance, or mixture of chemicals and substances, which:
  - 1. is regulated by the Federal Occupational Safety and Health Administration under the Code of Federal Regulations; or
  - 2. is either toxic or highly toxic; an irritant; corrosive; a strong oxidizer; a strong sensitizer; combustible; either flammable or extremely flammable; dangerously reactive; pyrophoric; pressure-generating; compressed gas; carcinogen; teratogen; mutagen; reproductive toxic agent; or that otherwise, according to generally accepted documented medical or scientific evidence, may cause substantial acute or chronic personal injury or illness during or as a direct result of any customary or reasonably foreseeable accidental or intentional exposure to the chemical or substance; or

3. is determined by the commissioner as a part of the standard for the chemical or substance or mixture of chemicals and substances to present a significant risk to worker health and safety or imminent danger of death or serious physical harm to an employee as a result of foreseeable use, handling, accidental spill, exposure, or contamination.
- E. "Infectious agent" means a communicable bacterium, rickettsia, parasites, virus, or fungus determined by the commissioner by rule, with approval of the commissioner of health, which, according to documented medical or scientific evidence, causes substantial acute or chronic illness or permanent disability as a foreseeable and direct result of any routine exposure to the infectious agent. Infectious agent does not include an agent in or on the body of a patient before diagnosis.
- F. "Routinely exposed" means that there is a reasonable potential for exposure during the normal course of assigned work or when an employee is assigned to work in an area where a hazardous substance has been spilled.

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

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

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

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

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

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

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

## **408 SUBPOENA OF A SCHOOL DISTRICT EMPLOYEE**

### **I. PURPOSE**

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

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

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

### **III. DATA CLASSIFICATION**

#### **A. Educational Data**

##### **1. State Law**

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

##### **2. Federal Law**

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

#### **B. Personnel Data**

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

### **IV. APPLICATION AND PROCEDURES**

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

B. No employee may release educational data, personnel data, or any other data of any kind without consultation in advance with the school district official who is designated

as the authority responsible for the collection, use and dissemination of data.

- C. Payment for attendance at judicial or administrative proceedings and the retention of witness and mileage fees is to be determined in accordance with the applicable school board policies and collective bargaining agreements.
- D. The administration shall not release any information except in strict compliance with state and federal law and this policy. Recognizing that an unauthorized release may expose the school district or its employees to civil or criminal penalties or loss of employment, the administration shall confer with school district legal counsel prior to release of such data.

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

**Cross References:** MSBA/MASA Model Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee, or Student)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA Law Bulletin "I" (School Records – Privacy – Access to Data)

Adopted: 12/03/09

MSBA/MASA Model Policy 409

Orig. 1995

Revised: TBD

Rev. 2008

## **409 EMPLOYEE PUBLICATIONS, INSTRUCTIONAL MATERIALS, INVENTIONS, AND CREATIONS**

### **I. PURPOSE**

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

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

Unless the employee develops, creates or assists in developing or creating a publication, instructional material, computer program, invention or creation entirely on the employee's own time and without the use of any school district facilities or equipment, the employee shall immediately disclose and, on demand of the school district, assign any rights to publications, instructional materials, computer programs, materials posted on websites, inventions or creations which the employee develops or creates or assists in developing or creating during the term of employee's employment and for three (3) years thereafter. In addition, employees shall sign such documents and perform such other acts as may be necessary to secure the rights of the school district relating to such publications, instructional materials, computer programs, materials posted on websites, inventions and/or creations, including domestic and foreign patents and copyrights.

### **III. NOTICE OF POLICY**

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

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

**Cross References:** None

## **410 FAMILY AND MEDICAL LEAVE POLICY**

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

### **I. PURPOSE**

The purpose of this policy is to provide for family and medical leave to education district employees in accordance with the Family and Medical Leave Act of 1993 (FMLA). ~~and also with parenting leave under state law.~~

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

The following procedures and policies regarding family and medical leave are adopted by the education district, pursuant to the requirements of the FMLA. ~~and consistent with the requirements of the Minnesota parenting leave laws.~~

### **III. DEFINITIONS**

A. "Covered active duty" means:

1. in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
2. in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in 10 United States Code, section 101(a)(13)(B).

B. "Covered servicemember" means:

1. a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
2. a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including a member of the National Guard or Reserves, and was discharged or released under conditions other than dishonorable, at any time during the period of five years preceding the first date the eligible employee takes FMLA leave to care for the covered veteran.

C. "Eligible employee" means an employee who has been employed by the education district for a total of at least twelve (12) months and who has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave. An employee returning from fulfilling his or her Uniformed Services Employment and Reemployment Rights Act (USERRA)-covered service obligation shall be credited with the hours of service that would have been performed but for the period of absence from work due to or necessitated by USERRA-covered service. In determining whether the employee met the hours of service requirement, and to determine the hours that would have been worked during the period of absence from work due to or necessitated by USERRA-covered service,

the employee's pre-service work schedule can generally be used for calculations.

While the twelve (12) months of employment need not be consecutive, employment periods prior to a break in service of seven years or more may not be counted unless: (1) the break is occasioned by the employee's fulfillment of his or her USERRA-covered service obligation; or (2) a written agreement, including a collective bargaining agreement, exists concerning the education district's intention to rehire the employee after the break in service.

- D. "Military caregiver leave" means leave taken to care for a covered servicemember with a serious injury or illness.
- E. "Next of kin of a covered servicemember" means the nearest blood relative other than the covered servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin, and the employee may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin.
- F. "Outpatient status" means, with respect to a covered servicemember who is a current member of the Armed Forces, the status of a member of the Armed Forces assigned to:
  - 1. a military medical treatment facility as an outpatient; or
  - 2. a unit established for the purpose of providing command and control of members of the Armed Forces receiving care as outpatients.
- G. "Qualifying exigency" means a situation where the eligible employee seeks leave for one or more of the following reasons:
  - 1. to address any issues that arise from a short-notice deployment (seven (7) calendar days or less) of a covered military member;
  - 2. to attend military events and related activities of a covered military member;
  - 3. to address issues related to childcare and school activities of a covered military member's child;
  - 4. to address financial and legal arrangements for a covered military member;
  - 5. to attend counseling provided by someone other than a health care provider for oneself, a covered military member, or his/her child;
  - 6. to spend up to fifteen (15) calendar days with a covered military member who is on short-term, temporary rest and recuperation leave during a period of deployment;
  - 7. to attend post-deployment activities related to a covered military member;
  - 8. to address care needs of a covered military member's parent who is incapable of self-care; and

9. to address other events related to a covered military member that both the employee and education district agree is a qualifying exigency.
- H. "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:
  1. inpatient care in a hospital, hospice, or residential medical care facility; or
  2. continuing treatment by a health care provider.
- I. "Spouse" means a husband or wife. For purposes of this definition, husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into or, in the case of a marriage entered into outside of any state, if the marriage is valid in the place where entered into and could have been entered into in at least one state. This definition includes an individual in a same-sex or common law marriage that either: (1) was entered into in a state that recognizes such marriages; or (2) if entered into outside of any state, is valid in the place where entered into and could have been entered into in at least one state.
- J. "Veteran" has the meaning given in 38 United States Code, section 101.

#### **IV. LEAVE ENTITLEMENT**

- A. Twelve-week Leave under Federal Law
  1. Eligible employees are entitled to a total of twelve (12) work weeks of unpaid family or medical leave during the applicable 12-month period as defined below, plus any additional leave as required by law. Leave may be taken for one (1) or more of the following reasons in accordance with applicable law:
    - a. birth of the employee's child and to care for such child;
    - b. placement of an adopted or foster child with the employee;
    - c. to care for the employee's spouse, son, daughter, or parent with a serious health condition;
    - d. the employee's serious health condition makes the employee unable to perform the functions of the employee's job; and/or
    - e. any qualifying exigency arising from the employee's spouse, son, daughter, or parent being on covered active duty, or notified of an impending call or order to covered active duty in the Armed Forces.
  2. For the purposes of this policy, "year" is defined as a rolling 12-month period measured backward from the date an employee's leave is to commence.
  3. An employee's entitlement to FMLA leave for the birth, adoption, or foster care of a child expires at the end of the 12-month period beginning on the date of the birth or placement.
  4. A "serious health condition" typically requires either inpatient care or continuing treatment by or under the supervision of a health care provider, as defined by applicable law. Family and medical leave generally is not intended to cover short-term conditions for which treatment and recovery are very brief.
  5. A "serious injury or illness," in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means:

- a. injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
  - b. in the case of a covered veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time, during the period of five (5) years preceding the date on which the veteran undergoes the medical treatment, recuperation, or therapy, means a qualifying injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty in the Armed Forces and that manifested itself before or after the member became a veteran, and is:
    - (1) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; or
    - (2) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability (VASRD) rating of fifty (50) percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
    - (3) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
    - (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.
6. Eligible spouses employed by the education district are limited to an aggregate of twelve (12) weeks of leave during any 12-month period for the birth and care of a newborn child or adoption of a child, the placement of a child for foster care, or to care for a parent. This limitation for spouses employed by the education district does not apply to leave taken: by one (1) spouse to care for the other spouse who is seriously ill; to care for a child with a serious health condition; because of the employee's own serious health condition; or pursuant to Subparagraph IV.A.1.e. above.
7. Depending on the type of leave, intermittent or reduced schedule leave may be granted at the discretion of the education district or when medically necessary. However, part-time employees are only eligible for a pro-rata portion of leave to be used on an intermittent or reduced schedule basis, based on their average hours worked per week. Where an intermittent or reduced schedule leave is foreseeable based on planned medical treatment, the education district may transfer the employee temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position, and which has equivalent pay and benefits.

8. If an employee requests a leave for the serious health condition of the employee or the employee's spouse, child, or parent, the employee will be required to submit sufficient medical certification. In such a case, the employee must submit the medical certification within fifteen (15) days from the date of the request or as soon as practicable under the circumstances.
9. If the education district has reason to doubt the validity of a health care provider's certification, it may require a second opinion at the education district's expense. If the opinions of the first and second health care providers differ, the education district may require certification from a third health care provider at the education district's expense. An employee may also be required to present a certification from a health care provider indicating that the employee is able to return to work.
10. Requests for leave shall be made to the education district. When leave relates to an employee's spouse, son, daughter, parent, or covered servicemember being on covered active duty, or notified of an impending call or order to covered active duty pursuant to Subparagraph IV.A.1.e. above, and such leave is foreseeable, the employee shall provide reasonable and practical notice to the education district of the need for leave. For all other leaves, employees must give thirty (30) days' written notice of a leave of absence where practicable. The failure to provide the required notice may result in a delay of the requested leave. Employees are expected to make a reasonable effort to schedule leaves resulting from planned medical treatment so as not to disrupt unduly the operations of the education district, subject to and in coordination with the health care provider.
11. The education district may require that a request for leave under Subparagraph IV.A.1.e. above be supported by a copy of the covered military member's active duty orders or other documentation issued by the military indicating active duty or a call to active duty status and the dates of active duty service. In addition, the education district may require the employee to provide sufficient certification supporting the qualifying exigency for which leave is requested.
12. During the period of a leave permitted under this policy, the education district will provide health insurance under its group health plan under the same conditions coverage would have been provided had the employee not taken the leave. The employee will be responsible for payment of the employee contribution to continue group health insurance coverage during the leave. An employee's failure to make necessary and timely contributions may result in termination of coverage. An employee who does not return to work after the leave may be required, in some situations, to reimburse the education district for the cost of the health plan premiums paid by it.
13. The education district may request or require the employee to substitute accrued paid leave for any part of the 12-week period. Employees may be allowed to substitute paid leave for unpaid leave by meeting the requirements set out in the administrative directives and guidelines established for the implementation of this policy, if any. Employees eligible for leave must comply with the family and medical leave directives and guidelines prior to starting leave. The superintendent shall be responsible to develop directives and guidelines as necessary to implement this policy. Such directives and guidelines shall be submitted to the education district board for annual review.  
  
The education district shall comply with written notice requirements as set forth in federal regulations.
14. Employees returning from a leave permitted under this policy are eligible for

reinstatement in the same or an equivalent position as provided by law. However, the employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the leave.

~~B. Twelve-week Leave under State Law~~

~~An employee who does not qualify for parenting leave under Subparagraphs IV.A.1.a. or IV.A.1.b. above may qualify for a 12 week unpaid leave which is available to a biological or adoptive parent in conjunction with the birth or adoption of a child, or to a female employee for prenatal care or incapacity due to pregnancy, childbirth, or related health conditions. The length of the leave shall be determined by the employee but must not exceed twelve (12) weeks unless agreed to by the education district. The employee may qualify if he or she has worked for the education district for at least twelve (12) months and has worked an average number of hours per week equal to one half of the full time equivalent during the 12-month period immediately preceding the leave. This leave is separate and exclusive of the family and medical leave described in the preceding paragraphs but may be reduced by any period of paid parental, disability, personal, or medical, or sick leave, or accrued vacation provided by the education district so that the total leave does not exceed twelve (12) weeks, unless agreed to by the education district, or leave taken for the same purpose under the FMLA. The leave taken under this section shall begin at a time requested by the employee. An employee who plans to take leave under this section must give the education district reasonable notice of the date the leave shall commence and the estimated duration of the leave. For leave taken by a biological or adoptive parent in conjunction with the birth or adoption of a child, the leave must begin within twelve (12) months of the birth or adoption; except that, in the case where the child must remain in the hospital longer than the mother, the leave must begin within twelve (12) months after the child leaves the hospital.~~

B. Twenty-six-week Servicemember Family Military Leave

1. An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember shall be entitled to a total of twenty-six (26) work weeks of leave during a 12-month period to care for the servicemember. The leave described in this paragraph shall be available only during a single 12-month period. For purposes of this leave, the need to care for a servicemember includes both physical and psychological care.
2. During a single 12-month period, an employee shall be entitled to a combined total of twenty-six (26) work weeks of leave under Paragraphs IV.A. and IV.C. above.
3. The 12-month period referred to in this section begins on the first day the eligible employee takes leave to care for a covered servicemember and ends twelve (12) months after that date.
4. Eligible spouses employed by the education district are limited to an aggregate of twenty-six (26) weeks of leave during any 12-month period if leave is taken for birth of the employee's child or to care for the child after birth; for placement of a child with the employee for adoption or foster care or to care for the child after placement; to care for the employee's parent with a serious health condition; or to care for a covered servicemember with a serious injury or illness.
5. The education district may request or require the employee to substitute accrued paid leave for any part of the 26-week period. Employees may be allowed to substitute paid leave for unpaid leave by meeting the requirements set out in the administrative directives and guidelines established for the implementation of this policy, if any. Employees eligible for leave must comply

with the family and medical leave directives and guidelines prior to starting leave.

6. An employee will be required to submit sufficient medical certification issued by the health care provider of the covered servicemember and other information in support of requested leave and eligibility for such leave under this section within fifteen (15) days from the date of the request or as soon as practicable under the circumstances.
7. The provisions of Subparagraphs IV.A.7., IV.A.10., IV.A.12., IV.A.13., and IV.A.14. above shall apply to leaves under this section.

## **V. SPECIAL RULES FOR INSTRUCTIONAL EMPLOYEES**

- A. An instructional employee is one whose principal function is to teach and instruct students in a class, a small group, or an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors, and special education assistants.
- B. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule leave greater than twenty (20) percent of the workdays in the leave period may be required to:
  1. take leave for the entire period or periods of the planned medical treatment; or
  2. move to an available alternative position for which the employee is qualified, and which provides equivalent pay and benefits, but not necessarily equivalent duties.
- C. Instructional employees who request continuous leave near the end of a semester may be required to extend the leave through the end of the semester. The number of weeks remaining before the end of a semester does not include scheduled school breaks, such as summer, winter, or spring break.
  1. If an instructional employee begins leave for any purpose more than five (5) weeks before the end of a semester and it is likely the leave will last at least three (3) weeks, the education district may require that the leave be continued until the end of the semester.
  2. If the instructional employee begins leave for a purpose other than the employee's own serious health condition during the last five (5) weeks of a semester, the education district may require that the leave be continued until the end of the semester if the leave will last more than two (2) weeks or if the employee's return from leave would occur during the last two (2) weeks of the semester.
  3. If the instructional employee begins leave for a purpose other than the employee's own serious health condition during the last three (3) weeks of the semester and the leave will last more than five (5) working days, the education district may require the employee to continue taking leave until the end of the semester.
  4. If the education district requires an instructional employee to extend leave through the end of a semester as set forth in this paragraph, only the period of leave until the employee is ready and able to return to work shall be charged against the employee's FMLA leave entitlement. Any additional leave required by the education district to the end of the school term is not counted as FMLA leave but as an unpaid or paid leave, to the extent the instructional employee has accrued paid leave available and the education district shall maintain the

employee's group health insurance and restore the employee to the same or equivalent job, including other benefits, at the conclusion of the leave.

- D. ~~The entire period of leave taken under the special rules will be counted as leave. The education district will continue to fulfill the education district's leave responsibilities and obligations, including the obligation to continue the employee's health insurance and other benefits, if an instructional employee's leave entitlement ends before the involuntary leave period expires.~~

## VI. OTHER

- A. The provisions of this policy are intended to comply with applicable law, including the FMLA and applicable regulations. Any terms used from the FMLA will have the same meaning as defined by the FMLA and/or applicable regulations. To the extent that this policy is ambiguous or contradicts applicable law, the language of the applicable law will prevail.
- B. The requirements stated in the collective bargaining agreement between employees in a certified collective bargaining unit and the education district regarding family and medical leaves (if any) shall be followed.

## VII. DISSEMINATION OF POLICY

- A. A poster prepared by the U.S. Department of Labor summarizing the major provisions of the Family and Medical Leave Act and informing employees how to file a complaint shall be conspicuously posted in each education district building in areas accessible to employees and applicants for employment.
- B. This policy will be reviewed according to the education district policy review cycle for compliance with state and federal law.

**Legal References:** ~~Minn. Stat. §§ 181.940-181.944 (Parenting Leave and Accommodations)~~10  
U.S.C. § 101 *et seq.* (Armed Forces General Military Law)  
29 U.S.C. § 2601 *et seq.* (Family and Medical Leave Act)  
38 U.S.C. § 101 (Definitions)  
29 C.F.R. Part 825 (Family and Medical Leave Act)

**Cross References:** ~~MSBA School Law Bulletin "M" (Licensed and Non-Licensed School District Employee Leave)~~None

C.	5RO Programming	
VII.	<b>New Business:</b>	
A.	GCED Program Staffing Proposal	68



Program	2026-27 Licensed Staff	2026-27 Paras	2025-26 Licensed Staff	2025-26 Paras
<b>REACH &amp; STEP Programs</b>				
Principal	0.40		0.40	
Asst Director	1.00		1.00	
School Counselor	0.40		0.40	
Social Worker	4.00		4.00	
<b>Cannon Pod</b>	<b>3.00</b>	<b>4.0</b>	2.00	3.0
<b>Jordan Pod</b>	3.00	6.0	3.00	6.0
<b>Mississippi Pod</b>	3.00	3.0	3.00	3.0
<b>Zumbro Pod</b>	3.00	4.0	3.00	4.0
<b>STEP</b>	2.00	<b>4.0</b>	2.00	3.0
English Language Arts	0.33		0.33	
Math	0.33		0.33	
Science	0.33		0.33	
Social Studies	0.33		0.33	
FACS	0.33		0.33	
Industrial Tech	0.33		0.33	
Art	0.50		0.50	
Phy Ed/DAPE	0.66		0.66	
Work Based Learning	0.50		0.50	
ML Teacher	0.17		0.17	
CTSS	1.0		1.0	
Permanent Substitutes	2.00		2.00	
<b>Totals for REACH Programs</b>	<b>25.61</b>	<b>21.0</b>	<b>24.61</b>	<b>19.0</b>
<b>State Approved Alternative Programs</b>				
Principal	0.20		0.20	
School Counselor	0.40		0.40	
Social Worker	<b>0.60</b>		1.00	
ALC Middle Level Teacher	1.00		1.00	
ALC Middle Level Paraprofessional		<b>0.0</b>		1.0
ALC HS Level English Language Arts	0.66		0.66	
ALC HS Level Math	0.66		0.66	
ALC HS Level Science	0.66		0.66	
ALC HS Level Social Studies	0.66		0.66	
ALC HS Level FACS	0.33		0.33	
ALC HS Level Industrial Tech	0.66		0.66	
ALC HS Level Art	0.17		0.17	
ALC HS Work Based Learning	0.33		0.33	
ALC PE/Health	0.33		0.33	
ALC Special Education	<b>0.33</b>		0.17	
<b>Totals for SAAPs</b>	<b>6.99</b>	<b>0.0</b>	<b>7.23</b>	<b>1.0</b>
<b>5RiversOnline Learning Programs</b>				
Principal	0.40		0.40	
SpEd Assistant Director	0.30		0.30	
School Counselor	1.20		1.20	
Social Worker	<b>0.40</b>		1.00	
Special Education Teacher	3.00		3.00	
K-6 Teachers	3.00		3.00	
Core English Language Art	1.00		1.00	
Core Math	1.00		1.00	
Core Science	1.00		1.00	
Core Social Studies	1.00		1.00	
Industrial Tech	0.17		0.17	
FACS	0.42		0.42	
Art	0.42		0.42	
Business	0.17		0.17	
ML Teacher	0.33		0.33	
PhyEd/DAPE/Health	1.00		1.00	
World Language/Student Coordinator	1.00		1.00	
<b>Totals for 5RO</b>	<b>15.81</b>	<b>0.0</b>	<b>16.41</b>	<b>0.0</b>
<b>Totals for All GCED Programs</b>	<b>48.41</b>	<b>21.0</b>	<b>48.25</b>	<b>20.0</b>

- B. Terminations or Non-renewals: Teachers #1, #2, #3, #4, #5, #6, #7, #8
- C. 1st Reading of Policies: 412, 415, 417, 419, 420, 421, 422, 423 and 427 70

## **412 EXPENSE REIMBURSEMENT**

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

### **I. PURPOSE**

The purpose of this policy is to identify education district business expenses that involve initial payment by an employee and qualify for reimbursement from the education district, and to specify the manner by which the employee seeks reimbursement.

### **II. AUTHORIZATION**

All education district business expenses to be reimbursed must be approved by the supervising administrator. Such expenses to be reimbursed may include transportation, meals, lodging, registration fees, required materials, parking fees, tips, and other reasonable and necessary education district business-related expenses.

### **III. REIMBURSEMENT**

- A. Requests for reimbursement must be itemized on the official education district form and are to be submitted to the designated administrator. Receipts for lodging, commercial transportation, registration, and other reasonable and necessary expenses must be attached to the reimbursement form.
- B. Automobile travel shall be reimbursed at the mileage rate set by the education board. Commercial transportation shall reflect economy fares and shall be reimbursed only for the actual cost of the trip.

### **IV. AIRLINE TRAVEL CREDIT**

- A. Employees utilizing education district funds to pay for airline travel are required to ensure that any credits or other benefits issued by any airline accrue to the benefit of the education district rather than the employee.
  - 1. To the extent an airline will not honor a transfer or assignment of credit or benefit from the employee to the education district, the employee shall report receipt of the credit or benefit to the designated administrator within 90 days of receipt of the credit or benefit.
  - 2. Reports of the receipt of an airline credit or benefit shall be made in writing and shall include verification from the airline as to the credit or benefit received. Reimbursement for airline travel expenses will not be made until such documentation is provided.
- B. Employees who have existing credits or benefits issued by an airline based upon previously reimbursed airline travel for education district purposes will be required to utilize those credits or benefits toward any subsequent airline travel related to education district purposes, prior to reimbursement for such travel, to the extent permitted and/or feasible.
- C. The requirements of this section apply to all airline travel, regardless of where or how the tickets are purchased.

**V. ESTABLISHMENT OF DIRECTIVES AND GUIDELINES**

The executive director shall develop a schedule of reimbursement rates for education district business expenses, including those expenses requiring advance approval and specific rates of reimbursement. The executive director shall also develop directives and guidelines to address methods and times for submission of requests for reimbursement.

**Legal References:** Minn. Stat. § 15.435 (Airline Travel Credit)  
Minn. Stat. § 471.665 (Mileage Allowances)  
Minn. Op. Atty. Gen. 1035 (Aug. 23, 1999) (Retreat Expenses)  
Minn. Op. Atty. Gen. 161b-12 (Aug. 4, 1997) (Transportation Expenses)  
Minn. Op. Atty. Gen. 161B-12 (Jan. 24, 1989) (Operating Expenses of Car)

**Cross References:** MSBA/MASA Model Policy 214 (Out-of-State Travel by School Board Members)

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

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

### **I. PURPOSE**

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

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

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

### **III. DEFINITIONS**

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

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

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

- B. "Caregiver" means an individual or facility who has responsibility for the care of a vulnerable adult as a result of a family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, by contract, or by agreement.
- C. "Common entry point" means the entity responsible for receiving reports of alleged or suspected maltreatment of a vulnerable adult and designated by the Commissioner of the Minnesota Department of Human Services as the MN Adult Abuse Reporting Center (MAARC).
- D. "Financial Exploitation" means a breach of a fiduciary duty by an actor's unauthorized expenditure of funds entrusted to the actor for the benefit of the vulnerable adult or by an actor's failure to provide food, clothing, shelter, health care, therapeutic conduct or supervision, the failure of which results or is likely to result in detriment to the vulnerable adult. Financial exploitation also includes: the willful use, withholding or disposal of funds or property of a vulnerable adult; the obtaining of services for wrongful profit or advantage which results in detriment to the vulnerable adult; the acquisition of a vulnerable adult's funds or property through undue influence, harassment, duress, deception or fraud; and the use of force, coercion, or enticement to cause a vulnerable adult to perform services against the vulnerable adult's will for the profit or advantage of another.
- E. "Immediately" means as soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received.
- F. "Mandated reporter" means a professional or professional's delegate while engaged in education.
- G. "Maltreatment" means the neglect, abuse, or financial exploitation of a vulnerable adult.
- H. "Neglect" means the failure or omission by a caregiver to supply a vulnerable adult with care or services, including but not limited to, food, clothing, shelter, health care, or supervision which is: (1) reasonable and necessary to obtain or maintain the vulnerable adult's physical or mental health or safety, considering the physical and mental capacity or dysfunction of the vulnerable adult; and (2) which is not the result of an accident or therapeutic conduct.
- I. Neglect also means the absence or likelihood of absence of care or services, including but not limited to, food, clothing, shelter, health care, or supervision necessary to maintain the physical and mental health of the vulnerable adult which a reasonable person would deem essential to obtain or maintain the vulnerable adult's health, safety, or comfort considering the physical or mental capacity or dysfunction of the vulnerable adult. Neglect does not include actions specifically excluded by Minnesota Statutes, section 626.5572, subdivision 17.
- J. "Education district personnel" means professional employees or their delegates of the education district engaged in providing health, educational, social, psychological, law enforcement, or other caretaking services of vulnerable adults.
- K. "Vulnerable adult" means any person 18 years of age or older who: (1) is a resident or inpatient of a facility; (2) receives services required to be licensed under Minnesota Statutes, chapter 245A, except as excluded under Minnesota Statutes, section

626.5572, subdivision 21(a)(2); (3) receives services from a licensed home care provider or person or organization that offers, provides, or arranges for personal care assistance services under the medical assistance program; or (4) regardless of residence or whether any type of service is received, possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction that impairs the individual's ability to provide adequately for the individual's own care without assistance or supervision and, because of the dysfunction or infirmity and need for care or services, has an impaired ability to protect the individual's self from maltreatment.

#### **IV. REPORTING PROCEDURES**

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

#### **V. INVESTIGATION**

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

#### **VI. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy should appear in education district personnel handbooks as appropriate.
- B. The school district will develop a method of discussing this policy with employees as appropriate.

- C. This policy should be reviewed at least annually for compliance with state law.

**Legal References:** Minn. Stat. § 13.02 (Government Data Practices; Definitions)  
Minn. Stat. Ch. 245A (Human Services Licensing)  
Minn. Stat. § 245.825 (Aversive and Deprivation Procedures; Licensed Facilities and Services)  
Minn. Stat. §§ 609.221-609.224 (Assault)  
Minn. Stat. § 609.232 (Crimes Against Vulnerable Adults; Definitions)  
Minn. Stat. § 609.235 (Use of Drugs to Injure or Facilitate Crime)  
Minn. Stat. § 609.322 (Solicitation, Inducement, and Promotion of Prostitution; Sex Trafficking)  
Minn. Stat. § 609.341 (Definitions)  
Minn. Stat. §§ 609.342-609.3451 (Criminal Sexual Conduct)  
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)  
Minn. Stat. § 626.5572 (Definitions)  
*In re Kleven*, 736 N.W.2d 707 (Minn. App. 2007)

**Cross References:** MSBA/MASA Model Policy 103 (Complaints – Students, Employees, Parents, Other Persons)  
MSBA/MASA Model Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee, or Student)  
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

## 417 CHEMICAL USE AND ABUSE

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

### I. PURPOSE

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

### II. GENERAL STATEMENT OF POLICY

- A. Use or possession of controlled substances, toxic substance, medical cannabis, and alcohol before, during, or after school hours, at school or in any other school location, is prohibited in accordance with education district policies with respect to a Drug-Free Workplace/Drug-Free School.
- B. The education district shall develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievement.
- C. Every school that participates in an education district chemical abuse program shall establish a chemical abuse preassessment team. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
- D. The education district shall establish a drug-free awareness program for its employees.

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

### III. DEFINITIONS

- A. "Chemical abuse," as applied to students, means use of any psychoactive or mood-altering chemical substance, without compelling medical reason, in a manner that induces mental, emotional, or physical impairment and causes socially dysfunctional or socially disordering behavior, to the extent that the minor's normal function in academic, school, or social activities is chronically impaired.
- B. "Controlled substances," as applied to the chemical abuse assessment of students, means a drug, substance, or immediate precursor in Schedules I through V of Minnesota Statutes, section 152.02 and "marijuana" as defined in Minnesota Statutes, section 152.01, subdivision 9 but not distilled spirits, wine, malt beverages,

intoxicating liquors or tobacco. As otherwise defined in this policy, "controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code, section 812, including analogues and look-alike drugs.

- C. "Drug prevention" means prevention, early intervention, rehabilitation referral, recovery support services, or education related to the illegal use of drugs, such as raising awareness about the consequences of drug use that are evidence based.
- D. "Teacher" means all persons employed in a public school or education district or by a service cooperative as members of the instructional, supervisory, and support staff including superintendents, principals, supervisors, secondary vocational and other classroom teachers, librarians, counselors, school psychologists, school nurses, school social workers, audio-visual directors and coordinators, recreation personnel, media generalists, media supervisors, and speech therapists.

#### IV. STUDENTS

A. Education District Discipline Policy

Procedures for detecting and addressing chemical abuse problems of a student while on school premises are included in the districtwide school student discipline policy.

B. Programs and Activities

- 1. The education district shall develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievements. The programs and activities may include, among other programs and activities, drug prevention activities and programs that may be evidence based, including programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes.
- 2. As part of its drug-free programs, the education district may implement the drug abuse resistance education program (DARE) that enables peace officers to undergo the training to teach a curriculum on drug abuse resistance in schools.

C. Reports of Use, Possession, or Transfer of Alcohol or a Controlled Substance

- 1. A teacher in a nonpublic school participating in an education district chemical use program, or a public school teacher, who knows or has reason to believe that a student is using, possessing, or transferring alcohol or a controlled substance while on the school premises or involved in school-related activities, shall immediately notify the school's chemical abuse preassessment team, or staff member assigned duties similar to those of such a team, of this information.

**[NOTE: School districts are not required to participate in a chemical abuse program or establish a chemical abuse preassessment team pursuant to state law. Schools are required to have procedures for detecting student chemical abuse and can obtain federal funding if they establish drug prevention, detection, intervention, and recovery support services. Thus, it is recommended that schools establish these programs and activities. For those schools that do not establish a chemical abuse preassessment team, those obligations could be assigned to a specified staff member such a school counselor or administrator.]**

2. Students involved in the abuse, possession, transfer, distribution, or sale of chemicals may be suspended and proposed for expulsion in compliance with the student discipline policy and the Pupil Fair Dismissal Act, Minnesota Statutes, section 121A.40-121A.56, ~~and proposed for expulsion.~~
3. Searches by education district officials in connection with the use, possession, or transfer of alcohol or a controlled substance will be conducted in accordance with education district board policies related to search and seizure.
4. Nothing in Paragraph IV.B.1. prevents a teacher or any other education district employee from reporting to a law enforcement agency any violation of law occurring on education district premises or at school or education district sponsored events.

D. Preassessment Team

1. Every school that participates in an education district chemical abuse program shall establish a chemical abuse preassessment team designated by the executive director or designee. The team must be composed of classroom teachers, administrators, and to the extent they exist in the school, school nurse, school counselor or psychologist, social worker, chemical abuse specialist, and other appropriate professional staff. For schools that do not have a chemical abuse program and team, the executive director or designee will assign these duties to a designated education district employee.
2. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
3. Within forty-five (45) days after receiving an individual reported case, the team shall make a determination whether to provide the student and, in the case of a minor, the student's parents with information about education district and community services in connection with chemical abuse.

E. Data Practices

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

F. Consent

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

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

**V. EMPLOYEES**

- A. The education district shall establish a drug-free awareness program to inform employees about:
1. The dangers of drug abuse in the workplace.
  2. The education district's policy of maintaining a drug-free workplace.
  3. Available drug counseling, rehabilitation, and employee assistance programs.
  4. The penalties that may be imposed on employees for drug abuse violations.
- B. The education district shall notify a federal granting agency required to be notified under the Drug-Free Workplace Act within ten (10) days after receiving notice from the employee or otherwise receiving actual notice of any criminal drug statute conviction occurring in the workplace.

**Legal References:** Minn. Stat. § 13.32 (Educational Data)  
Minn. Stat. § 121A.25-121A.29 (Chemical Abuse)  
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)  
Minn. Stat. § 124D.695 (Approved Recovery Program Funding)  
Minn. Stat. § 126C.44 (Safe Schools Levy)  
Minn. Stat. § 138.163 (Preservation and Disposal of Public Records)  
Minn. Stat. § 144.343 (Pregnancy, Venereal Disease, Alcohol or Drug Abuse, Abortion)  
Minn. Stat. § 152.01 (Definitions)  
Minn. Stat. § 152.02 (Schedules of Controlled Substances; Administration of Chapter)  
Minn. Stat. § 152.22 (Definitions; Medical Cannabis)  
Minn. Stat. § 152.23 (Limitations; Medical Cannabis)  
Minn. Stat. § 299A.33 (DARE Program)  
Minn. Stat. § 466.07, subd. 1 (Indemnification Required)  
Minn. Stat. § 609.101, subd. 3(e) (Controlled Substance Offenses; Minimum Fines)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
20 U.S.C. §§ 7101-7122 (Student Support and Academic Enrichment Grants)  
20 U.S.C. § 5812 (National Education Goals)  
20 U.S.C. § 7175 (Local Activities)  
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)  
34 C.F.R. Part 84 (Government-Wide Requirements for Drug-Free Workplace)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 416 (Drug, ~~and~~ Alcohol, ~~and~~ Cannabis Testing)  
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug Free School)

MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction)  
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)

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

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

**I. PURPOSE**

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

**II. GENERAL STATEMENT OF POLICY**

- A. A violation of this policy occurs when any student, teacher, administrator, other personnel of the education 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 the education 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 education district property and all off-campus events sponsored by the education 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 the education 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 education district property and all off-campus events sponsored by the education district.
- C. The education 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 education 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 education district will not promote or allow promotion of tobacco products or electronic delivery devices on education district property or at education district sponsored events.

### **III. DEFINITIONS**

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

### **IV. EXCEPTIONS**

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

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

**V. VAPING PREVENTION INSTRUCTION**

- A. The education district must provide vaping prevention instruction at least once to students in grades 6 through 8.
- B. The education 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 education district's locally developed health standards.

**VI. ENFORCEMENT**

- A. All individuals on education district premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to education district discipline procedures.
- C. Education district administrators and other school personnel who violate this tobacco-free policy shall be subject to education district discipline procedures.
- D. Education district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and education district policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other education 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 education district will develop a method of discussing this policy with students and employees.

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

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School

District Employees)  
MSBA/MASA Model Policy 506 (Student Discipline)

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

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

**I. PURPOSE**

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

**II. GENERAL STATEMENT OF POLICY**

A. Students

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

B. Employees

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

C. Circumstances and Conditions

1. Determinations of whether a contagious individual's school attendance or job performance creates a significant risk of the transmission of the illness to students or employees of the education district will be made on a case by case basis. Such decisions will be based upon the nature of the risk (how it is transmitted), the duration of the risk (how long the carrier is infectious), the severity of the risk (what is the potential harm to third parties), and the probabilities the disease will be transmitted and will cause varying degrees of harm. When a student is disabled, such a determination will be made in

consultation with the educational planning team.

2. The education district board recognizes that some students and some employees, because of special circumstances and conditions, may pose greater risks for the transmission of infectious conditions than other persons infected with the same illness. Examples include students who display biting behavior, students or employees who are unable to control their bodily fluids, who have oozing skin lesions, or who have severe disorders which result in spontaneous external bleeding. These conditions need to be taken into account and considered in assessing the risk of transmission of the disease and the resulting effect upon the educational program of the student or employment of the employee by consulting with the Minnesota Commissioner of Health, the physician of the student or employee, and the parent(s)/guardian(s) of the student.

D. Students with Special Circumstances and Conditions

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

E. Extracurricular Student Participation

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

F. Precautions

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

G. Information Sharing

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

H. Reporting

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

I. Prevention

The education district shall, with the assistance of the Commissioners of Health and

Education, implement a program to prevent and reduce the risk of sexually transmitted diseases in accordance with Minnesota Statutes, section 121A.23 that includes:

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

J. Vaccination and Screening

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

**Legal References:** Minn. Stat. § 121A.23 (Programs to Prevent and Reduce the Risks of Sexually Transmitted Infections and Diseases)  
Minn. Stat. § 144.441 (Tuberculosis Screening in Schools)  
Minn. Stat. § 142 (Testing in School Clinics)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act)  
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)  
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)  
29 C.F.R. 1910.1030 (Bloodborne Pathogens)  
*Kohl by Kohl v. Woodhaven Learning Center*, 865 F.2d 930 (8<sup>th</sup> Cir.), *cert. denied*, 493 U.S. 892 (1989)  
*School Board of Nassau County, Fla. v. Arline*, 480 U.S. 273 (1987)

16 EHLR 712, OCR Staff Memo, April 5, 1990

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

**Resources:** MN Department of Health, [Persons Required to Report Disease](#) (accessed 12/23/25)

## **421 GIFTS TO EMPLOYEES AND EDUCATION DISTRICT BOARD MEMBERS**

### **I. PURPOSE**

The purpose of this policy is to avoid the appearance of impropriety or the appearance of a conflict of interest with respect to gifts given to education district employees and education district board members.

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

- A. The education district recognizes that students, parents, and others may wish to show appreciation to education district employees. The policy of the education district, however, is to discourage gift-giving to employees and to encourage donors instead to write letters and notes of appreciation or to give small tokens of gratitude as memorabilia.
- B. A violation of this policy occurs when any employee solicits, accepts, or receives, either by direct or indirect means, a gift from a student, parent, or other individual or organization of greater than nominal value.
- C. A violation of this policy occurs when any employee solicits, accepts, or receives a gift from a person or entity doing business with or seeking to do business with the education district. Employees may accept items of insignificant value of a promotional or public relations nature or a plaque with a resale value of \$5 or less with an inscription recognizing an individual for an accomplishment. The executive director has discretion to determine what value is "insignificant."
- D. Teachers may accept from publishers free samples of textbooks and related teaching materials.
- E. This policy applies only to gifts given to employees where the donor's relationship with the employee arises out of the employee's employment with the education district. It does not apply to gifts given to employees by personal friends, family members, other employees, or others unconnected to the employee's employment with the education district.
- F. An elected or appointed member of a education district board, an executive director, a school principal, or an education district school officer, including the education district business official, may not accept a gift from an interested person.

### **III. DEFINITIONS**

- A. "Gift" means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment that is given without something of equal or greater value being received in return.
- B. "Interested person" means a person or a representative of a person or association that has a direct financial interest in a decision that an education district board member, an executive director, a school principal, or an education district school officer is authorized to make.
- C. "Financial interest" means any ownership or control in an asset which has the potential to produce a monetary return.

#### **IV. PROCEDURES**

Any employee considering the acceptance of a gift shall confer with the administration for guidance related to the interpretation and application of this policy.

#### **V. VIOLATIONS**

Employees who violate the provisions of this policy may be subject to discipline, which may include reprimand, suspension, and/or termination or discharge.

**Legal References:** Minn. Stat. § 10A.07 (Conflicts of Interest)  
Minn. Stat. § 10A.071 (Prohibition of Gifts)  
Minn. Stat. § 15.43 (Acceptance of Advantage by State Employee; Penalty)  
Minn. Stat. § 471.895 (Certain Gifts by Interested Persons Prohibited)

**Cross References:** MSBA/MASA Model Policy 209 (Code of Ethics)  
MSBA/MASA Model Policy 210 (Conflict of Interest – School Board Members)  
MSBA/MASA Model Policy 306 (Administrator Code of Ethics)

Adopted: 02/24/22

MSBA/MASA Model Policy 422

Orig. 1995

Revised: TBD

Rev. 2022

## **422 POLICIES INCORPORATED BY REFERENCE**

### **PURPOSE**

Certain policies as contained in this policy reference manual are applicable to employees as well as to students. To avoid undue duplication, the education district provides notice by this section of the application and incorporation by reference of the following policies that also apply to employees:

Model Policy 505	Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees
Model Policy 507	Corporal Punishment
Model Policy 510	Student Activities
Model Policy 511	Student Fundraising
Model Policy 517	Student Recruiting
Model Policy 518	DNR-DNI Orders
Model Policy 519	Interviews of Students by Outside Agencies
Model Policy 522	Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process
Model Policy 524	Internet Acceptable Use and Safety Policy
Model Policy 525	Violence Prevention
Model Policy 535	Service Animals in Schools

Employees are charged with notice that the above cited policies are also applicable to employees; however, employees are also on notice that the provisions of the various policies speak for themselves and may be applicable although not specifically listed above.

**Legal References:** None

**Cross References:** None

## **423 EMPLOYEE-STUDENT RELATIONSHIPS**

### **I. PURPOSE**

The education district is committed to an educational environment in which all students are treated with respect and dignity. Every education district employee is to provide students with appropriate guidance, understanding, and direction while maintaining a standard of professionalism and acting within accepted standards of conduct.

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

- A. This policy applies to all education district employees at all times, whether on or off duty and on or off of education district locations.
- B. At all times, students will be treated by teachers and other education district employees with respect, courtesy, and consideration and in a professional manner. Each education district employee is expected to exercise good judgment and professionalism in all interpersonal relationships with students. Such relationships must be and remain on a teacher-student basis or an employee-student basis.
- C. Teachers must be mindful of their inherent positions of authority and influence over students. Similarly, other school district employees also may hold positions of authority over students of the education district and must be mindful of their authority and influence over students.
- D. Sexual relationships between education district employees and students, without regard to the age of the student, are strictly forbidden and may subject the employee to criminal liability.
- E. Other actions that violate this policy include, but are not limited to, the following:
  - 1. Dating students.
  - 2. Having any interaction/activity of a sexual nature with a student.
  - 3. Committing or attempting to induce students or others to commit an illegal act or act of immoral conduct which may be harmful to others or bring discredit to the education district.
  - 4. Supplying alcohol or any illegal substance to a student, allowing a student access to such substances, or failing to take reasonable steps to prevent such access from occurring.
- F. Education district employees shall, whenever possible, employ safeguards against improper relationships with students and/or claims of such improper relationships.  
  
***[Note: Such safeguards may include the following: avoiding altogether or minimizing physical contact, keeping doors open when talking or meeting with students one-on-one, and/or making sure that such meetings with a student take place in rooms with windows and/or others nearby.]***
- G. Excessive informal and social involvement with individual students is unprofessional, is not compatible with employee-student relationships, and is inappropriate.

- H. Education district employees will adhere to applicable standards of ethics and professional conduct in Minnesota law.

### III. REPORTING AND INVESTIGATION

- A. Complaints and/or concerns regarding alleged violations of this policy shall be handled in accordance with MSBA/MASA Model Policy 103 (Complaints – Students, Employees, Parents, Other Persons) unless other specific complaint procedures are provided within any other policy of the education district.
- B. All employees shall cooperate with any investigation of alleged acts, conduct, or communications in violation of this policy.

### IV. EDUCATION DISTRICT ACTION

Upon receipt of a report, the education district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. It also may include reporting to appropriate state or federal authorities, including the Minnesota Professional Educator Licensing and Standards Board or the appropriate licensing authority and appropriate agencies responsible for investigating reports of maltreatment of minors and/or vulnerable adults. Education district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and education district policies.

### V. SCOPE OF LIABILITY

Employees are placed on notice that if an employee acts outside the performance of the duties of the position for which the employee is employed or is guilty of malfeasance, willful neglect of duty, or bad faith, the education district is not required to defend and indemnify the employee for damages in school-related litigation.

**Legal References:** Minn. Stat. § 13.43, Subd. 16 (~~School District or Charter School Disclosure of ff Violence or Inappropriate Sexual Contact~~ **Personnel Data**)  
Minn. Stat. § 122A.20, Subd. 2 (~~Mandatory Reporting to Professional Educator Licensing and Standards Board or Board of School Administrators~~ **Suspension or Revocation of Licenses**)  
Minn. Stat. § 122A.40, Subds. 5(b) and 13(b) (**Employment; Contracts; Termination** ~~Mandatory immediate discharge of teachers with license revocations due to child or sex abuse convictions~~)  
Minn. Stat. §§ 609.341-609.352 (~~Defining “intimate parts” and “position of authority” as well as detailing various sex offenses~~ **Definitions**)  
Minn. Stat. ~~Ch. 260E § 626.556~~ (Reporting of Maltreatment of Minors)  
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)  
Minn. Rules Part 3512.5200 (Code of Ethics for School Administrators)  
Minn. Rules Part 8710.2100 (Code of Ethics for Minnesota Teachers)

**Cross References:** MSBA/MASA Model Policy 103 (Complaints – Students, Employees, Parents, Other Persons)  
MSBA/MASA Model Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee, or Student)  
MSBA/MASA Model Policy 306 (Administrator Code of Ethics)  
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)  
MSBA/MASA Model Policy 421 (Gifts to Employees and School Board Members)

MSBA/MASA Model Policy 507 (Corporal Punishment)

## 427 WORKLOAD LIMITS FOR CERTAIN SPECIAL EDUCATION TEACHERS

**[NOTE: School districts are required by Minnesota Rules 3525.2340, subpart 4.B, to have a policy for determining the workload limits of special education staff who provide services to students who receive direct special education services sixty (60) percent or less of the instructional day.]**

**[NOTE: Minnesota Statutes, section 179A.07, subdivision 1, of the Public Employment Labor Relations Act (PELRA) provides that a public employer is not required to meet and negotiate on matters of inherent managerial policy. Matters of inherent managerial policy include, but are not limited to, such areas of discretion or policy as the functions and programs of the employer, its overall budget, utilization of technology, the organizational structure, selection of personnel, and direction of personnel. MSBA's position is that this policy is not a mandatory subject of bargaining. School districts, therefore, are cautioned to not relinquish their inherent managerial right to determine workload limits for special education ~~teachers~~staff.]**

### I. PURPOSE

The purpose of this policy is to establish general parameters for determining the workload limits of special education staff who provide services to children with disabilities receiving direct special education services sixty (60) percent or less of the instructional day.

### II. DEFINITIONS

**[NOTE: MSBA arranged these paragraphs in alphabetical order in February 2026.]**

#### A. Direct Services

"Direct services" means special education services provided by a ~~special education teacher~~ or a related service professional when the services are related to instruction, including cooperative teaching.

#### B. Indirect Services

"Indirect services" means special education services ~~provided by a special education teacher or a related service professional~~ which include ongoing progress reviews; cooperative planning; consultation; demonstration teaching; modification and adaptation of the environment, curriculum, materials, or equipment; and direct contact with the pupil to monitor and observe. **Indirect services may be provided by a teacher or related services professional to another regular education, special education teacher, related services professional, paraprofessional, support staff, parents, and public and nonpublic agencies to the extent that the services are written in the pupil's IEP and IFSP.**

#### C. Special Education Staff; Special Education Teacher

"Special education staff" and "special education teacher" both mean a teacher employed by the school district who is licensed under the rules of the Minnesota Professional Educator Licensing and Standards Board to instruct children with specific disabling conditions.

#### D. Workload

“Workload” means a special education teacher’s total number of minutes required for all due process responsibilities, including direct and indirect services, evaluation and reevaluation time, management of individualized education programs (IEPs), travel time, parental contact, and other services required in the IEPs.

**III. GENERAL STATEMENT OF POLICY**

- A. Workload limits for special education teachers shall be determined by the appropriate special education administrator, in consultation with the building principal and the superintendent or executive director.
- B. In determining workload limits for special education staff, the education district shall take into consideration the following factors: student contact minutes, evaluation and reevaluation time, indirect services, management of IEPs, travel time, and other services required in the IEPs of eligible students.

**IV. COLLECTIVE BARGAINING AGREEMENT UNAFFECTED**

This policy shall not be construed as a reopening of negotiations between the education district and the special education teachers’ exclusive representative, nor shall it be construed to alter or limit in any way the managerial rights or other authority of the education district set forth in the Public Employment Labor Relations Act or in the collective bargaining agreement between the education district and the special education teachers’ exclusive representative.

**Legal References:** Minn. Stat. § 179A.07, Subd. 1 (Inherent Managerial Policy)  
Minn. Rule 3525.0210, Subps. 14, 27, 44, and 49 (Definitions)  
Minn. Rule 3525.2340, Subp. 4.B. (Case Loads for School-Age Educational Service Alternatives)

**Cross References:** MSBA/MASA Model Policy 508 (Extended School Year for Certain Students with Individualized Education Programs)  
MSBA/MASA Model Policy 608 (Instructional Services – Special Education)

- VIII. **Other:**
- IX. **Comments: Board/Director**
- X. **Next Meeting Date: April 30, 2026 at the River Bluff Education Center in Red Wing.**
- XI. **Adjournment**