

INDEPENDENT SCHOOL DISTRICT #832  
REGULAR MEETING – BOARD OF EDUCATION  
Thursday, September 10, 2009 - 7:00 PM  
Mahtomedi District Education Center - Community Room

The Mission of the Mahtomedi School District No. 832, as a multi-community public school system, is to provide individually challenging, lifelong learning experiences for all people, leading to productive and self-fulfilling roles in a global society, accomplished through partnerships with students, families, staff and communities all committed to excellence.

**- AGENDA -**

1. CALL TO ORDER 5
2. ROLL CALL OF ATTENDANCE
3. APPROVAL OF THE AGENDA
4. APPROVAL OF THE CONSENT AGENDA - See #14 for Consent Agenda Items
5. PRESENTATIONS/RECOGNITION
  - A. There will be no building presentation/school board recognition this month.
6. PUBLIC COMMENT  
Visitors attending the meeting who wish to address the school board on any issue that is on the agenda may do so at this time. Please refer to the last page for the procedure that has been established for public comments.
7. REPORT FROM STUDENT REPRESENTATIVE
  - A. Nicholas Donovan, Student Representative
8. APPROVAL OF MINUTES
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  - B. Policies
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Presenter: Lynne Viker
      - b. Policy 532 - Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds 34  
Presenter: Lynne Viker
    2. Second Reading

a.	Policy 410 - Family & Medical Leave	39
b.	Policy 417 - Chemical Use & Abuse Presenter: Denise Waalen	47
c.	Policy 524 - Internet Acceptable Use Presenter: Denise Waalen	54
d.	Policy 531 - Pledge of Allegiance Presenter: Denise Waalen	65
10.	<b>ACTION ITEMS</b>	
A.	Approval of Preliminary Levy Payable 2010-2011 Presenter: Denise Sundstrom	
B.	Approval of North St. Paul-Maplewood-Oakdale Multi District Integration Collaborative Governance Agreement Presenter: Denise Waalen	66
C.	Approval of Changes in High School Graduation Requirements Presenter: Denise Waalen	71
11.	<b>SCHOOL BOARD COMMITTEE REPORTS</b>	
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B.	Integration Districts (EMID & NSP-M-O) Presenter: Kevin Donovan	
C.	Minnesota School Boards Association (MSBA) Legislative Liaison Presenter: Cathy Dalton	
D.	Northeast Metro 916 Board Presenter: John Belisle	72
12.	<b>SUPERINTENDENT'S REPORT</b>	
13.	<b>ADJOURNMENT</b>	
14.	<b>CONSENT AGENDA ITEMS (Items Approved Under #4)</b>	
A.	Approval to Pay Bills - Check No. 362802 - 363093 and 80000001 - 80000002	74
B.	Approval of Wire Transfer Transactions	83
C.	Personnel	
1.	Approval of Contracts and Work Agreements	
a.	Carissa Deragisch - .25 FTE Long-Term Substitute Social Studies Teacher - Mahtomedi High School (2009- 2010)	
b.	Rainiera Letourneau - Long-Term Substitute Special Education Teacher - O. H. Anderson Elementary School (2009-2010)	
c.	Amy Rova-Duffy - Math Teacher - Mahtomedi Middle School (8/31/09 to 11/23/09)	

**Agenda** - September 10, 2009

- d. Donna Starky - Paraprofessional - Mahtomedi Middle School (2009-2010)
- 2. Approval of Resignations/Retirements/Terminations
  - a. Erin Whisler - Extended Day Supervisor - Community Education (8/28/09)

## **PUBLIC PARTICIPATION IN SCHOOL BOARD MEETINGS REGULAR SCHOOL BOARD MEETING**

Thank you for coming. The School Board of Independent School District #832 hopes you will find the meeting informative. By attending, you will better understand how your school district operates. The School Board meeting is a meeting "in public," and not a public meeting. In order to conduct its work in a professional and business-like manner, the school board has established the following rules for conducting the meeting:

- Comments and questions on issues are welcome at the scheduled time on the agenda. The school board is prohibited by law from discussing concerns about individual employees or students in a public meeting. Please forward comments or issues regarding individual employees or students to the superintendent at [mark.wolak@mahtomedi.k12.mn.us](mailto:mark.wolak@mahtomedi.k12.mn.us) or 651-407-2001.
- If you would like to speak to the school board, you will be recognized during Public Comment. The public may comment on any item on the agenda. The school board generally does not take action on any issue that is not on the agenda. Concerns or questions are forwarded to the superintendent for review and recommended action before consideration by the school board. Unless requested by a school board member, items on the consent agenda are not discussed by the school board at the meeting.
- The chairperson will ask citizens in attendance to sign in if they wish to address the school board. If you are late and wish to speak, please give your name, address, and agenda number to the clerk when you arrive.
- Individuals will be recognized in the order received. Since we are videotaping tonight's meeting for delayed broadcast, individuals who wish to address the school board or ask questions need to go to the microphone. Please state your name and address after being recognized and limit your comments to three minutes (approximately 450 written words). Everyone wishing to comment will be recognized and heard before anyone speaks twice.



**ADDENDUM TO AGENDA**  
**BOARD OF EDUCATION**  
**September 10, 2009**

7. REPORT FROM STUDENT REPRESENTATIVE

- A. Nicholas Donovan, Student Representative – I met with Nicholas Donovan and Kathe Nickleby to prepare him for his role on the school board. He will introduce himself to you at this meeting. He is a capable young leader and expressed a personal interest to represent the views of high school students along the way this year. His mother, Julie Donovan, is a teacher at O. H. Anderson School.

9. DISCUSSION/INFORMATION ITEMS

- B. Policies – Mandatory policies are being brought forward again this month. Denise Waalen will address the question raised last month regarding Policy 417-Chemical Use & Abuse and the requirement for a chemical health advisory committee. We have a high school team that meets currently to address chemical health needs that will fulfill this obligation. If you have other specific questions or concerns, please let me know.

10. ACTION ITEMS

- A. Approval of Preliminary Levy Payable 2010-2011 – Denise Sundstrom will seek your approval of the preliminary levy. Department of Education staff members have not provided the actual levy data as of this writing.
- B. Approval of North St. Paul-Maplewood-Oakdale Multi District Integration Collaborative Governance Agreement – Kevin Donovan and Steve Wolgamot met with me and the superintendent and board chair of North St. Paul-Maplewood-Oakdale School District to discuss this agreement. We added language in Article V, Section 4, requiring the Multi District Collaborative Council to review the plan and budget prior to approval by the District 622 School Board. As mentioned at the last study session, Denise Sundstrom must give prior approval to all expenditures under this agreement (Exhibit A document attached to agreement).
- C. Approval of Changes in High School Graduation Requirements – Denise Waalen will bring an edited version of the graduation requirements discussed at the last study session for your approval. The world language credit requirement will be deleted from the proposed list.

# Minutes of Regular Meeting

## Board of Education Mahtomedi Public Schools

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A Regular meeting of the Board of Education of the Mahtomedi Public Schools was held **August 13, 2009**, beginning at 7:00 PM in the Mahtomedi District Education Center - Community Room.

1. CALL TO ORDER

Meeting called to order at 7:02 p.m. by Chair Steve Wolgamot.

2. ROLL CALL OF ATTENDANCE

Present: John Belisle; Mary Jo Deters; Judy Schwartz; Steve Wolgamot; and Superintendent Mark Wolak, ex officio. Absent: Cathy Dalton and Kevin Donovan.

3. APPROVAL OF THE AGENDA

Agenda item 12. *Superintendent's Report* was moved to be on the agenda after agenda item 5. *Presentations/Recognition*. Schwartz moved, Deters seconded, approval of the agenda. Carried.

4. APPROVAL OF THE CONSENT AGENDA - See #14 for Consent Agenda Items

Schwartz moved, Deters seconded, approval of the actions recommended on the consent agenda.

5. PRESENTATIONS/RECOGNITION

A. Meet Chuck Ericksen, Director of Community Education

Chuck Ericksen, Director of Community Education, introduced himself to the school board. Ericksen has met with the Community Education Advisory Council, with the senior citizens, and has been working with the MAGI group. Erickson has also been researching the possibility of a partnership with Century College, 916, and North St. Paul-Maplewood-Oakdale School District on an engineering program for dual (high school/college) credit and has also submitted a Green Corp grant on behalf of the school district. School board members welcomed Ericksen to the district.

6. SUPERINTENDENT'S REPORT

A. Update on Northeast YMCA Partnership Proposal

Superintendent Mark Wolak gave an update on the Northeast YMCA Partnership Proposal. The school district is supportive of the partnership but is still working with the YMCA to come up with an agreement that is affordable. The most recent proposal from the YMCA is limited to the use of the pool for the swim team. That cost would be \$22,000 annually for 10 years. What is no longer part of the agreement is the tuition-based program for water safety and swim instruction. At this time, it is not known if there would be enough interest to raise the revenue for this program. The water safety and swim instruction is something that could be added in the future. The school board discussed what the district will do if the YMCA does not build a diving board/well. Director of Student Activities Jeff Whisler spoke to that issue. Administrators will continue to work on the agreement and bring it to the August 27 study session.

6. PUBLIC COMMENT

Todd Benjamin, resident of Grant and coach for the swim team, and parent spoke to the school board in support of the YMCA partnership proposal even if the YMCA does not build a diving board/well.

Steve Domine, resident of Mahtomedi and parent, spoke to the school board in support of the YMCA partnership proposal. Also informed the school board that most of the swim team families rented a bus for the year for their children to take to practice and to meets so that they didn't have to worry about them driving.

7. REPORT FROM STUDENT REPRESENTATIVE

A. There will be no student representative report this month.

8. APPROVAL OF MINUTES

A. July 9, 2009 - Regular Meeting

Schwartz moved, Deters seconded, approval of the minutes from the July 9, 2009, school board meeting. Carried.

9. DISCUSSION/INFORMATION ITEMS

A. Calendar of Events

Chair Steve Wolgamot reviewed the calendar of events. New employee orientation August 26-29, workshop week August 31-September 3, and the start of school on September 8 were noted.

B. Adequate Yearly Progress (AYP) Update for O. H. Anderson Elementary School

Kirsten Bouwens, Principal at O. H. Anderson School, shared with the school board the results of the 2009 MCA's in math and reading. Eighty-one percent of O. H. Anderson students met or exceeded standards in the area of math and 84 % met or exceeded standards in reading. O. H. Anderson School did not make AYP (Adequate Yearly Progress) for 2009 in the sub-groups of special education and free and reduced lunch. Bouwens outlined a plan to address the AYP status for 2009-2010.

C. School Board Meeting Schedule 2010

Superintendent Wolak and school board members discussed the proposed 2010 school board meeting schedule.

D. Policies

1. First Reading of Policy 410-Family and Medical Leave Policy

No changes recommended.

2. First Reading of Policy 417-Chemical Use and Abuse

Administration will find out if item II. D. in the policy is necessary and if the district has other policies that are similar to this policy.

3. First Reading of Policy 524-Internet Acceptable Use and Safety Policy

No changes recommended.

4. First Reading of Policy 531-The Pledge of Allegiance

No changes recommended.

10. ACTION ITEMS

A. Approval of Resolution Relating to 2009-2010 Open Enrollment (Closing All Grades)

In February, the school board closed grades 1, 4, 5, 7, 8, and 9-12 to open enrollment due to class size and building capacity. Grades K, 2, 3, and 6 remained open and have now reached their targeted numbers. Superintendent Mark Wolak recommended the school district close to open enrollment in grades K, 2, 3, and 6. Schwartz moved, Belisle seconded, approval of the resolution relating to 2009-2010 open enrollment. Carried.

11. SCHOOL BOARD COMMITTEE REPORTS

A. Association of Metropolitan School Districts (AMSD) Board

No report.

B. Integration Districts (EMID & NSP-M-O)

No report.

C. Minnesota School Boards Association (MSBA) Legislative Liaison

Director Mary Jo Deters attended the MSBA summer seminar and shared information on the sessions that she attended.

D. Northeast Metro 916 Board

Director John Belisle reported that 916 will be entering into an agreement with the Stillwater Schools for their early childhood deaf and hard of hearing program.

13. ADJOURNMENT

Roberts moved, Belisle seconded, adjournment. Meeting adjourned at 8:10 p.m. Carried.

14. CONSENT AGENDA ITEMS (Items Approved Under #4)

A. Approval to Pay Bills - Check No. 362407 to 362801

B. Approval of Wire Transfer Transactions

C. Personnel

1. Approval of Contracts and Work Agreements

a. Leanne Barry - Reading Teacher - Mahtomedi Middle School (2009-2010)

b. Julie Buttermore - Paraprofessional - Wildwood Elementary School (2009-2010)

c. Ann Capeder - Integration Facilitator - District Wide (2009-2010)

d. Sue Cordek - Math Teacher - O. H. Anderson Elementary School (2009-2010)

e. Dawn Dworak - Long-Term Substitute Second Grade Teacher - Wildwood Elementary School (2009-2010)

f. Pamela Harein - Special Education Finance Specialist - District Office (2009-2010)

g. Cassandra Huberty - Reading Teacher - O. H. Anderson Elementary School (2009-2010)

h. John Krause - Long-Term Substitute Physical Science Teacher - Mahtomedi High School (2009-2010)

- i. Gina Loosbrock - Long-Term Substitute Fourth Grade Teacher – O. H. Anderson Elementary School (2009-2010)
- j. Pam Rech - Math Teacher - Wildwood Elementary School (2009-2010)
- k. David Sorenson - Art Teacher - Mahtomedi Middle School (2009-2010)
- l. Aaron Swanson - STEM Teacher - Mahtomedi Middle School (2009-2010)
2. Approval of Leaves of Absence
  - a. Sarah Lornston - Language Arts Teacher - Mahtomedi High School (10/12/09 to 1/25/10)
  - b. Stephen Wheeler - Social Studies Teacher - Mahtomedi High School (9/8/09 to 11/6/09)
3. Approval of Resignations/Retirements/Terminations
  - a. Denise Waalen - Assistant Superintendent - District Office (9/30/09)

JOHN BELISLE, ACTING CLERK

## Minutes of Study Session

### Board of Education Mahtomedi Public Schools

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A Study Session of the Board of Education of the Mahtomedi Public Schools was held **August 27, 2009**, beginning at 7:00 PM in the Mahtomedi District Education Center - Community Room.

1. CALL TO ORDER

Chair Steve Wolgamot called the study session to order at 7:04 p.m.

2. ROLL CALL OF ATTENDANCE

Present: John Belisle; Cathy Dalton; Mary Jo Deters; Kevin Donovan; Steve Wolgamot; and Superintendent Mark Wolak, ex officio. Absent: Judy Schwartz.

3. DISCUSSION/INFORMATION ITEMS

A. School Board Meeting Schedule 2010

Superintendent Mark Wolak presented a schedule of proposed school board meetings for 2010. Additional planning is needed before a final calendar is prepared.

B. Proposed Mahtomedi High School Graduation Requirements

Assistant Superintendent Denise Waalen and Kathe Nickleby, Principal at Mahtomedi High School, presented proposed changes for high school graduation requirements. Proposed changes reflect new state requirements as well as local preferences for the future. Waalen reviewed a document listing required courses. School board members discussed a possible requirement for World Language. This topic was tabled. All other course and credit requirements will be on a future school board meeting for approval. The requirements include the following credit requirements; English (4.0), Math (3.0), Physical Education (1.0) and Health (.5), Science (3.0), Social Studies (3.5), Fine Arts (1.0), and Electives (3 to 5 electives).

C. Northeast YMCA Partnership Proposal

Superintendent Mark Wolak noted that the current partnership proposal to share in the costs of updating the Northeast YMCA pool does not include a diving well for the swim team. Swim competition requires that if a dive well is not available, the

team forfeits points in competition. Given this circumstance, the school district would see additional costs to rent both from the YMCA and an area school district. School board members discussed the choices and costs. The partnership proposal will be tabled until a dive well is included in the YMCA facility.

4. ADJOURNMENT

Donovan moved, Belisle seconded, adjournment. Meeting adjourned at 8:08 p.m.  
Carried.

KEVIN DONOVAN, CLERK

## CALENDAR OF EVENTS

<b>SEPTEMBER</b>		
<b>DATE/TIME</b>	<b>MEETING/EVENT</b>	<b>LOCATION</b>
<b><u>Tuesday, September 8</u></b>	First Day of School, Grades 1-12	
<b><u>Thursday, September 10</u></b> 6:00 p.m. 6:00 p.m. 7:00 p.m.	First Day of School, Kindergarten School Board Facilities Committee Meeting School Board Personnel Committee Meeting School Board Meeting	District Education Center - Community Room District Education Center - Computer Lab District Education Center - Community Room
<b><u>Friday, September 11</u></b> 7:00-9:00 a.m.	AMSD Board of Directors Meeting	TIES Building, St. Paul
<b><u>Monday, September 14</u></b> 4:00-8:00 p.m. 7:00 p.m.	Meet the Assistant Superintendent Finalists MAEF Board of Trustees Meeting	District Education Center District Education Center - Board Room
<b><u>Tuesday, September 15</u></b> 6:30-8:30 p.m.	Community Education Advisory Council Meeting	District Education Center - Board Room
<b><u>Wednesday, September 16</u></b> 6:00 p.m.	EMID Joint Powers School Board Meeting	Harambee Elementary School, Maplewood
<b><u>Friday, September 18</u></b> 7:30 a.m.	City/School District Leaders Meeting	District Education Center - Board Room
<b><u>Thursday, September 24</u></b> 9:30-11:00 a.m.  7:00 p.m.	Elementary PTO Meeting <i>(Cathy Dalton is scheduled to attend)</i> School Board Study Session	District Education Center - Community Room  District Education Center - Community Room

## CALENDAR OF EVENTS

<b>OCTOBER</b>		
DATE/TIME	MEETING/EVENT	LOCATION
<b><u>Friday, October 2</u></b> 7:00 a.m.	AMSD Board of Directors Meeting	TIES Building, St. Paul
<b><u>Tuesday, October 6</u></b> 8:00-9:30 a.m.  6:00 p.m.	MHS Parent Information Meeting <i>(John Belisle is scheduled to attend)</i> Northeast Metro 916 School Board Meeting	Black Box Theater  Bellaire School, White Bear Lake
<b><u>Thursday, October 8</u></b> 7:00 p.m.	School Board Meeting	District Education Center - Community Room
<b><u>Friday, October 9</u></b>	No School – Staff Development, K-5 / Parent-Teacher Conferences/Staff Development, 6-12	
<b><u>Monday, October 12</u></b> 7:00 p.m.	MAEF Meeting	District Education Center - Board Room
<b><u>Tuesday, October 13</u></b> 6:30-8:30 p.m.	Community Education Advisory Council Mtg. <i>(Kevin Donovan is scheduled to attend)</i>	District Education Center – Board Room
<b><u>Wednesday, October 14</u></b> 11:30 a.m.-12:30 p.m.	MMS Parent Association Meeting <i>(Cathy Dalton is scheduled to attend)</i>	MMS - Room 115
<b><u>Thursday, October 15</u></b>	No School - MEA	
<b><u>Friday, October 16</u></b>	No School - MEA	
<b><u>Wednesday, October 21</u></b> 6:00 p.m.	EMID Joint Powers School Board Meeting	Crosswinds Middle School
<b><u>Thursday, October 22</u></b> 5:45-7:00 p.m. 7:00 p.m.	School Board Dinner Session School Board Study Session	District Education Center – Board Room District Education Center - Community Room
<b><u>Thursday, October 29</u></b> 8:00 a.m.	Data Retreat - Superintendent Progress Report	District Education Center - Community Room

## Draft of Proposed Policy to Replace Current Policy 528

Adopted: \_\_\_\_\_

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

### **506 STUDENT DISCIPLINE**

#### **I. PURPOSE**

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

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

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

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

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

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

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

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### III. AREAS OF RESPONSIBILITY

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

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- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.

### IV. STUDENT RIGHTS

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

### V. STUDENT RESPONSIBILITIES

All students have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies and procedures **and to conduct themselves in accord with them;**
- B. To be aware of and comply with federal, state and local laws;**
- C. To attend school daily, except when excused, and to be on time to all classes and other school functions, **and to be in compliance with School Board Policy 503;**
- D. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- E. To make necessary arrangements for making up work when absent from school;
- F. To assist the school staff in maintaining a safe school for all students;
- ~~F. To be aware of all school rules, regulations, policies and procedures, including those in this policy, and to conduct themselves in accord with them;~~
- G. To assume that until a rule or policy is waived, altered or repealed, it is in full force and effect;
- ~~H. To be aware of and comply with federal, state and local laws;~~
- H. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- I. To respect and maintain the school's property and the property of others;
- J. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;
- K. To avoid inaccuracies in student newspapers, **school multimedia presentations,** or publications and refrain from indecent or obscene language;
- L. To conduct themselves in an appropriate physical or verbal manner; and

## Draft of Proposed Policy to Replace Current Policy 528

M. To recognize and respect the rights of others.

### VI. CODE OF STUDENT CONDUCT

A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all school-related functions. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.

1. Violation of any local, state or federal law as appropriate;
2. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
3. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
4. The use of profanity or obscene language, or the possession of obscene materials;
5. Gambling, including, but not limited to, playing a game of chance for stakes;
6. Violation of the school district's Hazing Prohibition Policy;
7. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
8. Violation of the school district's Student Attendance Policy;
9. Opposition to authority using physical force or violence;
10. Using, possessing, or distributing tobacco or tobacco paraphernalia;
11. Using, possessing, distributing, or being under the influence of alcohol or other intoxicating substances or look-alike substances;

## Draft of Proposed Policy to Replace Current Policy 528

12. Using, possessing, distributing, or being under the influence of narcotics, drugs, or other controlled substances, or look-alike substances, except as prescribed by a physician, including one student sharing **their own or another person's** prescription medication with another student **and a student using, distributing or being under the influence of another person's prescription medication**;
13. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
14. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
15. Violation of the school district's Weapons Policy;
16. Violation of the school district's Violence Prevention Policy;
17. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
18. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
19. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
20. **Possessing or using** an ignition device, including a butane or disposable lighter or matches, inside an educational building **or on school grounds** and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
21. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful **language or** behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
22. Violation of the school district's Internet Acceptable Use and Safety Policy;
23. **Possession of or use in a classroom of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers; radios; beepers; lasers; MP3 players, such as Ipods; and phones, including picture phones, and other electronic devices**;

## Draft of Proposed Policy to Replace Current Policy 528

24. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
25. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
26. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
27. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
28. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
29. Possession or distribution of slanderous, libelous or pornographic materials;
30. Violation of the school district' Bullying Prohibition Policy;
31. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
32. Falsification of any records, documents, notes or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
35. Violation of the school district's Harassment and Violence Policy;
36. Actions, including fighting, **horseplay**, or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel **or other person, or actions which disrupt the educational environment**;

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37. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
38. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
39. Verbal assaults, or verbally abusive behavior, including, but not limited to, use of language that is discriminatory, abusive, obscene, threatening, intimidating or that degrades other people;
40. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
41. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin or sexual orientation;
42. Violation of the school district's Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees Policy;
43. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or employees.

### **VII. DISCIPLINARY ACTION OPTIONS**

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

- A. Student conference with teacher, principal, counselor or other school district personnel, and verbal warning;
- B. Parent contact;
- C. Parent conference;

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- D. Removal from class;
- E. In-school suspension;
- F. Suspension from extracurricular activities;
- G. Detention or restriction of privileges;
- H. Loss of school privileges;
- I. In-school monitoring or revised class schedule;
- J. Referral to in-school support services;
- K. Referral to community resources or outside agency services;
- L. Financial restitution;
- M. Referral to police, other law enforcement agencies, or other appropriate authorities;
- N. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- O. Out-of-school suspension under the Pupil Fair Dismissal Act;
- P. Preparation of an admission or readmission plan;
- Q. Saturday school;
- R. Expulsion under the Pupil Fair Dismissal Act;
- S. Exclusion under the Pupil Fair Dismissal Act; and/or
- T. Other disciplinary action as deemed appropriate by the school district, including but not limited to, confiscation of a student's property possessed or used in violation of this or other school district policy or procedures.

### **VIII. REMOVAL OF STUDENTS FROM CLASS**

- A. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions

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taken by a teacher, principal, or other school district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

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

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

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

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

In either the elementary or secondary schools, if a student is sent for removal, the teacher, principal or other school district employee will complete a verbal or written report describing the student's behavior. The student will be sent to the school office, behavior specialist, psychologist or case manager, guidance office, or school resource officer and remain in the custody of the building administrator or his/her designee until the process for return to class specified in Paragraph E is followed.

- D. Responsibility for and Custody of a Student Removed From Class

Teachers removing students from class are required to direct the student to the school office and notify or verify his or her arrival

- E. Procedures for Return of a Student to a Class From Which the Student Was Removed.

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The student may return to class after a conference with the appropriate administrator, teacher, and/or the parent or guardian. At the time of this conference a definite plan of action will be established, including a review of any existing special education services. Students removed from class will be required to examine and take measures to correct inappropriate conduct.

F. Procedures for Notification.

Parents and/or guardians of students removed from class will be notified as soon as practical of the rule violations that led to the removal, resulting disciplinary action, and conditions for re-admission.

G. Disabled Students; Special Provisions.

If necessary to insure a safe environment conducive to learning, a student with a disability may be removed from class for one or more activity periods in a day, not to exceed one full day without the removal constituting a suspension which invokes the rules and regulations regarding a change of placement.

H. Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.

1. The school district shall establish a chemical abuse preassessment team pursuant to Minn. Stat. § 121A.26;

2. The school district shall establish a school and community advisory team to address chemical abuse problems in the district pursuant to Minn. Stat. § 121A.27; and

3. The school district shall establish teacher reporting procedures to the chemical abuse pre-assessment team pursuant to Minn. Stat. § 121A.29.

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

1. On-going, inappropriate behavior will be documented on the building referral form. Behavior and consequence will be described and parent will be contacted by school personnel.

2. School staff will contact parent/guardian to make them aware of ongoing concern(s) with their students. Staff will relay the school or classroom expectation and possible outcomes if behavior continues. Parents will be encouraged to discuss situation with their child and work with school personnel to address behavior proactively. A meeting with parent/guardian and school personnel to review the area of concern may occur.

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

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During the enrollment process, schools will gather as much information from parents as possible to determine any pre-existing academic, behavioral, or attendance concerns.

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

1. School administrators will ensure the building is adequately supervised and that a system is in place for reporting behavior concerns, regardless of the time and day.

2. School administration will have a plan for reviewing attendance records on a regular basis and then act on attendance concerns in accordance with the appropriate county truancy program.

3. Schools should have a formal structure for teachers to discuss student behavior concerns that is clearly communicated and followed up by administration.

4. Schools must have a team including administration, counselors, the school nurse, and other staff as available to review student academic, attendance, behavior, and social/emotional concerns.

5. Schools may have staff assigned to intervene and support students early on as behavior concerns are surfacing.

6. Schools will work with district office chemical health support staff to assess student behavior and determine whether or not chemical issues are present.

7. Schools will work with district office personnel to engage and support students from all cultural backgrounds.

8. In conjunction with the special education process, schools will have regularly scheduled meetings to consider whether students with academic, behavioral, or social-emotional concerns might need to be assessed for special education services.

9. A formal structure should be created to share information as students transition between schools and grades to assist in continuous support and intervention.

10. Schools will communicate with parents about academic progress and encourage parents to assist in identifying concerns.

## IX. DISMISSAL

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

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

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

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

1. Willful violation of any reasonable school board regulation, including those found in this policy;
2. Willful conduct that significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or
3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.

C. Suspension Procedures

1. “Suspension” means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less, except as may be provided in federal law for a student with a disability.
2. If a student’s total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student’s parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian’s expense. The purpose of this meeting is to attempt to determine the pupil’s need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or

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guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.

4. In the case of a student with a disability, the student's individual education plan team shall meet immediately but not more than ten (10) school days after the date on which the decision to remove the student from the student's current education placement is made. The individual education plan team must review all relevant information in the student's file to determine if the conduct in question was (i) caused by, or had a direct and substantial relationship to, the child's disability, or (ii) the direct result of the school's failure to implement the individual education plan.

The requirements of the individual education plan team meeting apply when: (1) the parent requests a meeting; (2) the student is removed from the student's current placement for five (5) or more consecutive days; or (3) the student's total days of removal from the student's placement during the school year exceed ten (10) cumulative days in a school year. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. A separate administrative conference shall be conducted for each period of suspension.

5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the pupil to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.
6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school

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administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.

7. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
  - a. strongly encourage a parent or guardian of the student to attend school with the student for one day;
  - b. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
  - c. petition the juvenile court that the student is in need of services under Minn. Stat. Ch. 260C.
8. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference. (See attached sample Notice of Suspension.)
9. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
10. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
11. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.

### **D. Expulsion and Exclusion Procedures**

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.

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2. “Exclusion” means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the school district’s intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56; describe alternative educational services accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student’s own choosing, including legal counsel at the hearing; (2) examine the student’s records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district shall advise the student’s parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE).
6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent or guardian and shall be closed, unless the student, parent or guardian requests an open hearing.
8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student’s own choosing, including legal counsel, at the student’s sole expense. The school district shall advise the student’s parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.

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10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.
14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation provided that neither party presents any evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the Commissioner of Education (Commissioner) of the basis and reason for the decision.
18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minn. Stat. § 121A.49.

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The decision of the school board shall be implemented during the appeal to the Commissioner.

19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

### **X. ADMISSION OR READMISSION PLAN**

A school administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan may include measures to improve the student's behavior, including completing a character education program consistent with Minn. Stat. § 120B.232, Subd. 1, and require parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

### **XI. NOTIFICATION OF POLICY VIOLATIONS**

Notification of any violation of this policy and resulting disciplinary action shall be as provided herein, or as otherwise provided by the Pupil Fair Dismissal Act or other applicable law. The teacher, principal or other school district official may provide additional notification as deemed appropriate.

### **XII. STUDENT DISCIPLINE RECORDS**

It is the policy of the school district that complete and accurate student discipline records be maintained. The collection, dissemination, and maintenance of student discipline records shall be consistent with applicable school district policies and federal and state law, including the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13.

### **XIII. DISABLED STUDENTS**

Students who are currently identified as eligible under the IDEA or Section 504 will be

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subject to the provisions of this policy, unless the student's IEP or 504 plan specifies a necessary modification.

Where a student is dismissed for five (5) or more consecutive days, or has accumulated more than ten (10) days of dismissal over the course of the school year, the school district will convene a meeting to determine whether the student's educational program is appropriate and to review all relevant information in order to determine whether the behavior subject to discipline is a manifestation of the student's disability. Such a meeting must be held within ten (10) school days of the school district's decision to remove the student from his or her current educational placement and must be held before commencing an expulsion or exclusion of the student. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school district will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral assessment and implement a behavioral intervention plan for such student provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior. If the student was placed in a 45-day interim alternative educational setting pending the manifestation determination, the student will be returned to the placement from which the student was removed unless the student and school district agree to a change of placement as part of the modification of the behavioral intervention plan.

When a student who has an IEP is excluded or expelled for misbehavior that is not a manifestation of the student's disability, the school district shall continue to provide special education and related services during the period of expulsion or exclusion.

### **XIV. OPEN ENROLLED STUDENTS**

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

### **XV. DISTRIBUTION OF POLICY**

The school district will notify students and parents of the existence and contents of this policy in such manner as it deems appropriate. Copies of this discipline policy shall be made available to all students and parents at the commencement of each school year and to all new students and parents upon enrollment. This policy shall also be available upon

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request in each principal's office.

### **XVI. REVIEW OF POLICY**

The principal and representatives of parents, students and staff in each school building shall confer at least annually to review this discipline policy, determine if the policy is working as intended, and to assess whether the discipline policy has been enforced. Any recommended changes shall be submitted to the superintendent for consideration by the school board, which shall conduct an annual review of this policy.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)  
Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 121A.26 (School Preassessment Teams)  
Minn. Stat. § 121A.27 (School and Community Advisory Team)  
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)  
Minn. Stat. § 121A.582 (Reasonable Force)  
Minn. Stat. §§ 121A.60-121A.61 (Removal From Class)  
Minn. Stat. § 123A.05 (Area Learning Center Organization)  
Minn. Stat. § 124D.03 (Enrollment Options Program)  
Minn. Stat. § 124D.08 (Enrollment in Nonresident District)  
Minn. Stat. Ch.125A (Students With Disabilities)  
Minn. Stat. Ch. 260A (Truancy)  
Minn. Stat. Ch. 260C (Juvenile Court Act)  
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Improvement Act of 2004)  
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)  
34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

**Cross References:** Policy 413 (Harassment and Violence)  
Policy 501 (School Weapons)  
Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)  
Policy 503 (Student Attendance)  
Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)  
Policy 514 (Bullying Prohibition Policy)  
Policy 524 (Internet Acceptable Use and Safety Policy)  
Policy 525 (Violence Prevention)  
Policy 526 (Hazing Prohibition)  
Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)  
Policy 610 (Field Trips)  
Policy 709 (Student Transportation Safety Policy)

*FIRST READING – September 10, 2009*

**Draft of Proposed New Policy**

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 532

Orig. 2003

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

Rev. 2006

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

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

**I. PURPOSE**

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

**II. GENERAL STATEMENT OF POLICY**

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

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

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

**III. DEFINITIONS**

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

- A. “Student with an IEP” or “the student” means a student who is eligible to receive special education and related services pursuant to the terms of an IEP or an individual interagency intervention plan (IIIP).
- B. “Peace officer” means an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the Board of

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Peace Officer Standards and Training, charged with the prevention and detection of crime and the enforcement of general criminal laws of the state and who has the full power of arrest. The term “peace officer” includes a person who serves as a sheriff, a deputy sheriff, a police officer, or a state patrol trooper.

- C. “Police liaison officer” is a peace officer who, pursuant to an agreement between the school district and a political subdivision or law enforcement agency, is assigned to a school building for all or a portion of the school day to provide law enforcement assistance and support to the building administration and to promote school safety, security, and positive relationships with students.
- D. “Crisis team” means a group of persons, which may include teachers and non-teaching school personnel, selected by the building administrator in each school building who have received crisis intervention training and are responsible for becoming actively involved with resolving crises. The building administrator or designee shall serve as the leader of the crisis team.
- E. The phrase “remove the student from school grounds” is the act of securing the person of a student with an IEP and escorting that student from the school building or school activity at which the student with an IEP is located.
- F. “Emergency” means a situation in which immediate intervention is necessary to protect a student or other individual from physical injury, emotional abuse due to verbal and nonverbal gestures, or to prevent severe property damage.
- G. All other terms and phrases used in this policy shall be defined in accordance with applicable state and federal law or ordinary and customary usage.

#### **IV. REMOVAL OF STUDENTS WITH IEPs FROM SCHOOL GROUNDS**

##### **A. Removal By Crisis Team**

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

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

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### B. Removal By Police Liaison Officer or Peace Officer

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

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

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

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

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

### C. Reasonable Force Permitted

In removing a student with an IEP from school grounds, a building administrator, other crisis team members, or the police liaison officer or other agents of the school district, whether or not members of a crisis team, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

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In removing a student with an IEP from school grounds, police liaison officers and school district personnel are further prohibited from engaging in the following conduct:

1. Requiring the student to assume and maintain a specified physical position, activity, or posture that induces physical pain as an aversive procedure;
2. Presenting intense sounds, lights, or other sensory stimuli as an aversive stimulus;
3. Using noxious smell, taste, substance, or spray as an aversive stimulus;
4. Denying or restricting the student's access to equipment and devices such as hearing aids and communication boards that facilitate the student's functioning except temporarily when the student is perceived to be destroying or damaging equipment or devices;
5. Using faradic skin shock;
6. Restricting, totally or partially, the student's auditory or visual sense, except that study carrels may be used as an academic intervention;
7. Withholding regularly scheduled meals or water; and/or
8. Denying the student access to toilet facilities.

### **D. Parental Notification**

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

### **E. Continued Removals; Review of IEP**

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

### **F. Effect of Policy in an Emergency; Use of Conditional Procedures**

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

If the school district seeks to remove a student with an IEP from school grounds under this policy due to behaviors that constitute an emergency and the student's

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IEP, IIP, or behavior intervention plan authorizes the use of one or more conditional procedures, the crisis team may employ those conditional procedures, in addition to any reasonable force that may be necessary, to facilitate the student's removal from school grounds. If the crisis team initiates use of conditional procedures in an emergency, the student's IEP team shall meet as soon as possible, but no later than five (5) school days after emergency procedures have commenced.

**Legal References:** 20 U.S.C. § 1415(k)(6) (Individuals with Disabilities Education Improvement Act of 2004 (IDEA))  
34 C.F.R. § 300.529 (IDEA Regulation Regarding Involvement of Law Enforcement)  
20 U.S.C. 1232g *et seq.* (Family Educational Rights and Privacy (FERPA))  
Minn. Stat. § 13.01, *et seq.* (Minnesota Government Data Practices Act)  
Minn. Stat. §§ 121A.40-121A.56 (Minnesota Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)  
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)  
Minn. Stat. § 121A.67 (Aversive and Deprivation Procedures)  
Minn. Stat. § 609.06 (Authorized Use of Force)  
Minn. Stat. § 609.379 (Permitted Actions)  
Minn. Rule 3525.0200, Subp. 2c (Definition of "Emergency")  
Minn. Rule 3525.2900, Subp. 5 (The IEP and Regulated Interventions)

**Cross References:** MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 507 (Corporal Punishment)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
MSBA/MASA Model Policy 806 (Crisis Management Policy)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

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Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 410

Orig. 1995

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Rev. 2008

### **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 school district employees in accordance with the Family and Medical Leave Act 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 school district, pursuant to the requirements of the Family and Medical Leave Act of 1993 (FMLA) and consistent with the requirements of the Minnesota Parenting Leave laws.

#### **III. DEFINITIONS**

- A. “Active duty” or “call to active duty” means a federal call to active duty as a member of the reserve components (Army National Guard, Army Reserve, Navy Reserve, Marine Corps Reserve, Air National Guard, Air Force Reserve, and Coast Guard Reserve) or a retired member of the regular Armed Forces or reserve component in support of a contingency operation. For purposes of this policy, active duty or call to active duty status does not include members of the regular Armed Forces.
- B. “Contingency operation” means a military operation that is designated by the Secretary of Defense as an operation in which members of the Armed Forces are or may become involved in military actions, operations, or hostilities against an enemy of the United States or against an opposing military force or which results in the call or order to, or retention on, active duty of members of the uniformed services under federal law or any other provision of law during a war or during a national emergency declared by the President or Congress.
- C. “Covered military member” means the employee’s spouse, son, daughter, or parent on active duty or call to active duty status.
- D. “Covered servicemember” means a current 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 incurred in the line of duty while on active duty that may render the

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servicemember medically unfit to perform the duties of his or her office, grade, rank, or rating.

- E. “Eligible employee” means an employee who has been employed by the school district for a total of at least 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. While the 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 the break is occasioned by the employee’s fulfillment of his or her National Guard or Reserve military service obligation or a written agreement, including a collective bargaining agreement, exists concerning the school district’s intention to rehire the employee after the break in service.
- F. “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.
- 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 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 five days with a covered military member who is on short-term, temporary rest and recuperation leave during a period of

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deployment;

7. to attend post-deployment activities related to a covered military member; and
8. to address other events related to a covered military member that both the employee and school district agree is a qualifying exigency.

### **IV. LEAVE ENTITLEMENT**

#### **A. Twelve-week Leave**

1. Eligible employees are entitled to a total of 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 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 active duty, or notified of an impending call or order to active duty, in the reserve component of the Armed Forces or a retired member of the regular Armed Forces or reserve component in support of a contingency operation.
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.

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5. Eligible spouses employed by the school district are limited to an aggregate of 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 school district does not apply to leave taken: by one 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 Paragraph IV.A.1.e. above.
6. Depending on the type of leave, intermittent or reduced schedule leave may be granted in the discretion of the school 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 school 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.
7. 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 15 days from the date of the request or as soon as practicable under the circumstances.
8. If the school district has reason to doubt the validity of a health care provider's certification, it may require a second opinion at the school district's expense. If the opinions of the first and second health care providers differ, the school district may require certification from a third health care provider at the school 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.
9. Requests for leave shall be made to the school district. When leave relates to an employee's spouse, son, daughter, or parent being on active duty, or notified of an impending call or order to active duty pursuant to Paragraph IV.A.1.e. above, and such leave is foreseeable, the employee shall provide reasonable and practical notice to the school district of the need for leave. For all other leaves, employees must give 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 school district, subject to and in coordination with the health care provider.
10. The school district may require that a request for leave under Paragraph

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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 in support of a contingency operation and the dates of active duty service. In addition, the school district may require the employee to provide sufficient certification supporting the qualifying exigency for which leave is requested.

11. During the period of a leave permitted under this policy, the school 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, in some situations, be required to reimburse the school district for the cost of the health plan premiums paid by it.
12. The school 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. It shall be the responsibility of the superintendent to develop directives and guidelines as necessary to implement this policy. Such directives and guidelines shall be submitted to the school board for annual review.

The school district shall comply with written notice requirements as set forth in federal regulations.

13. 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. Six-week Leave**

An employee who does not qualify for parenting leave under Paragraphs IV.A.1.a. or IV.A.1.b. above may qualify for a six-week unpaid parenting leave for birth or adoption of a child. The employee may qualify if he or she has worked for the school district for at least 12 consecutive months and has worked an average number of hours per week equal to one-half of the full time equivalent. This leave is separate and exclusive of the family and medical leave described in the preceding paragraphs.

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### **C. 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 26 work weeks of leave during a 12-month period to care for the servicemember. The leave described in this paragraph shall only be available 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 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 12 months after that date.
4. Eligible spouses employed by the school district are limited to an aggregate of 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 school 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 15 days from the date of the request or as soon as practicable under the circumstances.
7. The provisions of Paragraphs IV.A.6., IV.A.9., IV.A.11., IV.A.12., and IV.A.13. 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.

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- B. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule leave greater than 20 percent of the work days 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 weeks before the end of a semester and it is likely the leave will last at least three weeks, the school district may require that the leave be continued until the end of the semester.
  - 2. If the employee begins leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last more than two weeks or if the employee's return from leave would occur during the last two weeks of the semester.
  - 3. If the employee begins leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, school district may require the employee to continue taking leave until the end of the semester.
  
- D. The entire period of leave taken under the special rules will be counted as leave. The school district will continue to fulfill the school 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

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employees in a certified collective bargaining unit and the school district regarding family and medical leaves (if any) shall be followed.

### **VII. DISSEMINATION OF POLICY**

- A. This policy shall be conspicuously posted in each school district building in areas accessible to employees.
- B. This policy will be reviewed at least annually for compliance with state and federal law.

***Legal References:*** Minn. Stat. §§ 181.940-181.944 (Parenting Leave)  
29 U.S.C. § 2601 *et seq.* (Family and Medical Leave Act)  
29 C.F.R. Part 825 (Family and Medical Leave Act)

***Cross References:*** MSBA Service Manual, Chapter 13, School Law Bulletin “M” (Statutory Provisions Which Grant Leaves to Licensed as well as Non-Licensed School District Employees – Family and Medical Leave Act Summary)

Adopted: \_\_\_\_\_

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Orig. 1995

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Rev. 2003

## **417 CHEMICAL USE AND ABUSE**

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

### **I. PURPOSE**

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

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

- A. Use of controlled substances, toxic substances, and alcohol is prohibited in the school setting in accordance with school district policies with respect to a Drug-Free Workplace/Drug-Free School.
- B. It is the policy of this school district to provide an instructional program in every elementary and secondary school in chemical abuse and the prevention of chemical dependency.
- C. The school district shall establish and maintain in every school a chemical abuse preassessment team. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
- D. It will be the responsibility of the superintendent, with the advice of the school board, to establish a school and community advisory team to address chemical abuse problems in the district.
- E. The school district shall establish and maintain a program to educate and assist employees, students and others in understanding this policy and the goals of achieving drug-free schools and workplaces.

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

*dependency.]*

### **III. DEFINITIONS**

- A. “Chemical abuse” 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 student’s normal function in academic, school, or social activities is chronically impaired.
- B. “Chemicals” includes but is not limited to alcohol, toxic substances, and controlled substances as defined in the school district’s Drug-Free Workplace/Drug-Free School policy.
- C. “School location” includes any school building or on any school premises; on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off-school property at any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.

### **IV. STUDENTS**

#### **A. Instruction**

- 1. Every school shall provide an instructional program in chemical abuse and the prevention of chemical dependency. The school district may involve parents, students, health care professionals, state department staff, and members of the community in developing the curriculum.

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

- 2. Each school shall have age-appropriate and developmentally based activities that:

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- a. address the consequences of violence and the illegal use of drugs, as appropriate;
  - b. promote a sense of individual responsibility;
  - c. teach students that most people do not illegally use drugs;
  - d. teach students to recognize social and peer pressure to use drugs illegally and the skills for resisting illegal drug use;
  - e. teach students about the dangers of emerging drugs;
  - f. engage students in the learning process; and
  - g. incorporate activities in secondary schools that reinforce prevention activities implemented in elementary schools.
3. Each school shall have activities that involve families, community sectors (which may include appropriately trained seniors), and a variety of drug and violence prevention providers in setting clear expectations against violence and illegal use of drugs and appropriate consequences for violence and illegal use of drugs.
  4. Each school shall disseminate drug and violence prevention information within the school and to the community.
  5. Each school shall have professional development and training for, and involvement of, school personnel, student services personnel, parents, and interested community members in prevention, education, early identification and intervention, mentoring, or rehabilitation referral, as related to drug and violence prevention.
  6. Each school shall have drug and violence prevention activities that may include the following:
    - a. Community-wide planning and organizing activities to reduce violence and illegal drug use, which may include gang activity prevention.
    - b. The hiring and mandatory training, based on scientific research, of school security personnel who interact with students in support of youth drug and violence prevention activities under this policy that are implemented in the school.
    - c. Conflict resolution programs, including peer mediation programs that educate and train peer mediators and a designated faculty supervisor, and youth anti-crime and anti-drug councils and activities.

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- d. Counseling, mentoring, referral services, and other student assistance practices and programs, including assistance provided by qualified school-based mental health services providers and the training of teachers by school-based mental health services providers in appropriate identification and intervention techniques for students at risk of violent behavior and illegal use of drugs.
- e. Programs that encourage students to seek advice from, and to confide in, a trusted adult regarding concerns about violence and illegal drug use.

### B. Reports of Chemical Use and Abuse

- 1. In the event that a school district employee knows that a student is abusing, possessing, transferring, distributing or selling chemicals in a school location:
  - a. The employee shall immediately either take the student to an administrator or notify an appropriate administrator of the observation and continue to observe the student until the administrator arrives.
  - b. The administrator will notify the student's parents. If there is a medical emergency, the administrator will notify the school nurse and/or outside medical personnel as appropriate.
  - c. The administrator will notify law enforcement officials, the student's counselor, and the chemical preassessment team.
  - d. The administrator and/or law enforcement officials will confiscate the chemicals and/or conduct a search of the student's person, effects, locker, vehicle, or areas within the student's control. Searches by school district officials shall be in accordance with school board policies regarding search and seizure.
  - e. The school district will take appropriate disciplinary action in compliance with the student discipline code. Such discipline may include immediate suspension, initiation of expulsion proceedings, and/or referral to a detoxification center or medical center.
- 2. If a school district employee has reason to believe that a student is abusing, possessing, transferring, distributing or selling chemicals:
  - a. The employee shall notify the building administrator or a member of the preassessment team and shall describe the basis for the suspicion. The building administrator and/or team will determine what action should be taken. Action may include conducting an

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investigation, gathering data, scheduling a conference with the student or parents, or providing a meeting between a single member of the team and the student to discuss the behaviors that have been reported and attempting to ascertain facts regarding chemical abuse.

- b. The team may determine there is no chemical abuse. If the team determines there is chemical abuse, the team will select an appropriate course of action, which may include referral to a school counselor; referral to a treatment program; referral for screening, assessment, and treatment planning; participation in support groups; or other appropriate measures.
3. Students involved in the abuse, possession, transfer, distribution or sale of chemicals shall be suspended in compliance with the student discipline policy and the Pupil Fair Dismissal Act, Minn. Stat. §121A.40-121A.56, and proposed for expulsion.
4. Searches by school district officials in connection with the abuse, possession, transfer, distribution or sale of chemicals will be conducted in accordance with school board policies related to search and seizure.

### C. Preassessment Team

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

### D. Data Practices

1. Student data may be disclosed without consent in health and safety emergencies pursuant to Minn. Stat. § 13.32 and applicable federal law and regulations.
2. Destruction of Records

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- a. If the preassessment team decides not to provide a student and, in the case of a minor, the student's parents with information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the determination is made.
- b. If the team decides to provide the student and, in the case of a minor or a dependent student, the student's parents with such information, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the student is no longer enrolled in the district.
- c. This section shall govern destruction of records notwithstanding provisions of the Records Management Act, Minn. Stat. § 138.163.

### E. 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.

### F. School and Community Advisory Team

1. The superintendent, with the advice of the school board, shall establish a school and community advisory team to address chemical abuse problems. The advisory team will be composed of representatives from the school preassessment teams to the extent possible, law enforcement agencies, county attorney's office, social service agencies, chemical abuse treatment programs, parents, and the business community.
2. The advisory team shall:
  - a. build awareness of the problem within the community, identify available treatment and counseling programs for students and develop good working relationships and enhance communication between the schools and other community agencies; and
  - b. develop a written procedure clarifying the notification process to be used by the chemical abuse preassessment team when a student is believed to be in possession of or under the influence of alcohol or a controlled substance. The procedure must include contact with the student and the student's parents or guardian in the case of a minor student.

## V. **EMPLOYEES**

- A. The superintendent or designee shall undertake and maintain a drug-free

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awareness and prevention program to inform employees, students and others about:

1. The dangers and health risks of chemical abuse in the workplace/school.
  2. The school district's drug-free workplace/drug-free school policy.
  3. Any available drug or alcohol counseling, treatment, rehabilitation, re-entry and/or assistance programs available to employees and/or students.
- B. The superintendent or designee shall notify any federal granting agency required to be notified under the Drug-Free Workplace Act within ten (10) days after receiving notice of a conviction of an employee for a criminal drug statute violation occurring in the workplace. To facilitate the giving of such notice, any employee aware of such a conviction shall report the same to the superintendent.

*[Note: Notification to the federal granting agency within ten (10) days is required by the Drug Free Workplace Act. 41 U.S.C. §§ 701 and 702.]*

**Legal References:** Minn. Stat. § 121A.25-121A.29 (Chemical Abuse)  
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 144.343 (Pregnancy, Venereal Disease, Alcohol or Drug Abuse, Abortion)  
41 U.S.C. §§ 701-707 (Drug-Free Workplace Act)  
20 U.S.C. §§ 7101-7144 (Safe and Drug-Free Schools and Communities Act)  
34 C.F.R. Part 85 (Government-wide Requirements for Drug-Free Workplace)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)  
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug Free School)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)  
MSBA/MASA Model Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)

## **Draft of Proposed Policy to Replace Current Policy 524**

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### **524 - INTERNET ACCEPTABLE USE AND SAFETY POLICY**

#### **I. PURPOSE**

The purpose of this policy is to provide direction for the school district personnel and to set guidelines for acceptable use of the school district computer system, the Internet, including electronic communications, and school district web site.

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

In making decisions regarding student and employee access to the school district computer system and to the Internet, the school district considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the school district computer system and to the Internet enables students and employees to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The school district expects that faculty will blend thoughtful use of the school district computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

#### **III. LIMITED EDUCATIONAL PURPOSE**

The school district is providing students and employees with access to the school district computer system, which includes Internet access. The purpose of the system is not merely to provide students and employees with general access to the Internet. The school district system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Employees are discouraged from using email for lengthy communications containing private educational or personnel data. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the school district and school policies, except that employees may use the school district system for occasional, brief personal needs consistent with other school board policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network. Users shall not use the Internet, including email, for advertising purposes.

#### **IV. USE OF SYSTEM IS A PRIVILEGE**

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

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suspension, expulsion, exclusion or termination of employment; or civil or criminal liability under other applicable laws.

#### **V. UNACCEPTABLE USES**

A. The following uses of the school district system and Internet resources or accounts are considered unacceptable:

1. Users will not use the school district system to access, review, upload, download, store, print, post, receive, transmit or distribute:

- a. pornographic, obscene or sexually explicit material;
- b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, terroristic, disrespectful, or sexually explicit language;
- c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
- d. information or materials that could cause damage or danger of disruption to the educational process;
- e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.

2. Users will not use the school district system to knowingly or recklessly post, transmit or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.

3. Users will not use the school district system to engage in any illegal act or violate any local, state or federal statute or law.

4. Users will not use the school district system to vandalize, damage or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software or system performance by uploading, creating, or spreading computer viruses or by any other means, will not tamper with, modify or change the school district system software, hardware or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.

5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information or files without the implied or direct permission of that person. Users also will not modify information created by others without their permission.

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6. Users will not use the school district system to post, transmit or distribute private information about another person or to post, transmit or distribute personal contact information about themselves or other persons including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, and will not re-post a message that was sent to the user privately without permission of the person who sent the message.
  7. Users must keep all account information and passwords on file with the designated school district official. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person's account, or use computer accounts, access codes or network identification other than those assigned to the user. Users must obtain the written permission prior to the use of another individual's account or to log on to the Internet as a system administrator. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities. Any user identified as a security risk or having a history of problems with other computer systems may be denied access to the Internet.
  8. Users will not use the school district system to violate copyright laws or usage licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet. Users must assume that all communications and information accessible through the Internet is private property.
  9. Users will not use the school district system for conducting business, for unauthorized commercial purposes or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district official.
  10. Users will not use the school district system for non-district supported software without the prior approval of the district-wide instructional technology specialist or district-wide technology coordinator. A list of software programs that have been approved for use with the school district system may be obtained from the district instructional technology specialist.
- B. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate disclosure shall be to the

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employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.

- C. A user must notify a system administrator or the Technology Coordinator of the school district if a user identifies a security problem on the Internet and the user should not demonstrate the problem to other users.

#### **VI. DISTRICT WEB SITE**

- A. All communication and information accessible on the ISD 832 official web site is property of the school district.
- B. The principal of each school building shall approve content on their web page consistent with school district policy, procedures, and guidelines. The content of district-wide pages shall be approved by the Superintendent.
- C. Media directors and the Technology Coordinator shall develop procedures to control input access to the school district's web page.
- D. Individual student or staff web pages developed using school district equipment or access shall be subject to this policy.

#### **VII. FILTER**

A. With respect to any of its computers with Internet access, the School District will monitor the online activities of minors and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:

1. Obscene;
2. Child pornography; or
3. Harmful to minors.

B. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

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

C. An administrator, supervisor or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.

### **VIII. CONSISTENCY WITH OTHER SCHOOL POLICIES**

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

### **IX. LIMITED EXPECTATION OF PRIVACY**

- A. By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school district system.
- B. Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.
- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.
- D. Parents have the right at any time to investigate or review the contents of their child's files and e-mail files. Parents have the right to request the termination of their child's individual account at any time.
- E. School district employees should be aware that the school district retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, school district employees should be aware that data and other materials in files maintained on the school district system may be subject to review, disclosure or discovery under Minnesota Statutes, Chapter 13 (the Minnesota Government Data Practices Act).
- F. The school district will cooperate fully with local, state and federal authorities in any

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investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

#### **X. INTERNET USE AGREEMENT**

- A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents and employees of the school district.
- B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.
- C. The Internet Use Agreement form for students must be read and signed by the user, the parent or guardian, and the supervising teacher. As supervising teachers change, the agreement signed by the new teacher shall be attached to the original agreement.
- D. The Internet Use Agreement form for employees must be signed by the employee. The form must then be filed at the school district office.

#### **XI. LIMITATION ON SCHOOL DISTRICT LIABILITY**

Use of the school district system is at the user's own risk. The Mahtomedi Public Schools, their employees and agents, make no warranties of any kind, whether expressed or implied, regarding the service it is providing. The system is provided on an "as is, as available" basis. The school district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage or unavailability of data stored on school district diskettes, tapes, hard drives or servers, for delays or changes in service, for interruptions of service, or for mis-deliveries or non-deliveries of information or materials, regardless of the cause. The school district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school district system. The school district will not be responsible for financial obligations arising through unauthorized use of the school district system or the Internet.

#### **XII. USER NOTIFICATION**

- A. All users shall be notified of the school district policies relating to Internet use.
- B. This notification shall include the following:
  - 1. Notification that Internet use is subject to compliance with school district policies.
  - 2. Disclaimers limiting the school district's liability relative to:
    - a. Information stored on school district diskettes, hard drives or servers.

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- b. Information retrieved through school district computers, networks or online resources.
  - c. Personal property used to access school district computers, networks or online resources.
  - d. Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.
3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.
  4. Notification that, even though the school district may use technical means to limit student or employee Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
  5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student and/or the student's parents and any financial obligation incurred by an employee through the Internet is the sole responsibility of the employee.
  6. Notification that, should the user violate the school district's acceptable use policy, the user's access privileges may be revoked, student or employee disciplinary action may be taken, and/or appropriate legal action may be taken.
  7. Notification that all provisions of the acceptable use policy are subordinate to local, state and federal laws.
  8. Notification that the collection, creation, reception, maintenance and dissemination of data via the Internet, including electronic communications, is governed by Policy 406, Public and Private Personnel Data and Policy 515, Protection and Privacy of Pupil Records.

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

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

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- B. Parents will be notified that their students will be using school district resources/accounts to access the Internet and that the school district will provide parents the option to request alternative activities not requiring Internet access. This notification should include:
1. A copy of the user notification form provided to the student user.
  2. A description of parent/guardian responsibilities.
  3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.
  4. A statement that the Internet Use Agreement must be signed by the user, the parent or guardian, and the supervising teacher prior to use by the student.
  5. A statement that the school district's acceptable use policy is available for parental review.

#### **XIV. IMPLEMENTATION; POLICY REVIEW**

- A. The school district administration may develop appropriate user notification forms, guidelines and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines, forms and procedures shall be an addendum to this policy.
- B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.
- C. The school district Internet policies and procedures are available for review by all parents, guardians, staff and members of the community.
- D. Because of the rapid changes in the development of the Internet, the school board shall conduct an annual review of this policy.

**Legal References:** 15 U.S.C. § 6501 *et seq.* (Children's Online Privacy Protection Act)  
17 U.S.C. § 101 *et seq.* (Copyrights)  
20 U.S.C. § 6751 *et seq.* (Enhancing Education through Technology Act of 2001)  
47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))

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47 C.F.R. § 54.520 (FCC rules implementing CIPA)  
Minn. Stat. § 125B.15 (Internet Access for Students)  
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)  
*Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503, 89 S.Ct. 733,  
21 L.Ed.2d 731 (1969)  
*United States v. American Library Association*, 539 U.S. 194, 123 S.Ct.  
2297, 56 L.Ed.2d 221 (2003)  
*Layshock v. Hermitage Sch. Dist.*, 412 F.Supp. 2d 502 (2006)  
*J.S. v. Bethlehem Area Sch. Dist.*, 807 A.2d 847 (Pa. 2002)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)  
MSBA/MASA Model Policy 603 (Curriculum Development)  
MSBA/MASA Model Policy 604 (Instructional Curriculum)  
MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)  
MSBA/MASA Model Policy 806 (Crisis Management Policy)  
MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)

*ADOPTED – February 6, 1997*

*REVISED – June 10, 1999; March 8, 2001; October 13, 2005*

*SECOND READING – September 10, 2009*

**INTERNET USE AGREEMENT - EMPLOYEE**

**SCHOOL DISTRICT EMPLOYEE**

I have read and do understand the school district policies relating to safety and acceptable use of the school district computer system and the Internet and agree to abide by them. I further understand that should I commit any violation, my access privileges may be revoked, school disciplinary action may be taken, and/or appropriate legal action may be taken.

User's Full Name (please print): \_\_\_\_\_

User Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**INTERNET USE AGREEMENT - STUDENT**

**STUDENT**

I have read and do understand the school district policies relating to safety and acceptable use of the school district computer system and the Internet and agree to abide by them. I further understand that should I commit any violation, my access privileges may be revoked, school disciplinary action may be taken, and/or appropriate legal action may be taken.

User's Full Name (please print): \_\_\_\_\_

User Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**PARENT OR GUARDIAN**

As the parent or guardian of this student, I have read the school district policies relating to safety and acceptable use of the school district computer system and the Internet. I understand that this access is designed for educational purposes. The school district has taken precautions to eliminate controversial material. However, I also recognize it is impossible for the school district to restrict access to all controversial materials and I will not hold the school district or its employees or agents responsible for materials acquired on the Internet. Further, I accept full responsibility for supervision if and when my child's use is not in a school setting. I hereby give permission to issue an account for my child and certify that the information contained on this form is correct.

Parent or Guardian's Name (please print): \_\_\_\_\_

Parent or Guardian's Signature: \_\_\_\_\_

**SUPERVISING TEACHER**

(Must be signed if applicant is a student)

I have read the school district policies relating to safety and acceptable use of the school district computer system and the Internet and agree to promote these policies with the student. Because the student may use the Internet on the school district computer system for individual work or in the context of another class, I cannot be held responsible for the student's use of the Internet on network. As the supervising teacher I do agree to instruct the student on acceptable use of the Internet and network and proper network etiquette.

Teacher's Name (please print): \_\_\_\_\_

Teacher's Signature: \_\_\_\_\_

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 531

Orig. 2003

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

Rev. 2003

## **531 THE PLEDGE OF ALLEGIANCE**

*[Note: Recitation of the Pledge of Allegiance by students and instruction of students as provided in this policy are required by statute. Also, the statement in Part III., below, must be included in the student handbook or a policy guide. A local school board or a charter school board of directors may waive these statutory requirements by a majority vote taken annually. If the local school board or charter school board of directors waives the requirement to recite the Pledge of Allegiance, it may adopt a district or school policy regarding the reciting of the Pledge of Allegiance.]*

### **I. PURPOSE**

The school board recognizes the need to display an appropriate United States flag and to provide instruction to students in the proper etiquette, display, and respect of the flag. The purpose of this policy is to provide for recitation of the Pledge of Allegiance and instruction in school to help further that end.

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

Students in this school district shall recite the Pledge of Allegiance to the flag of the United States of America one or more times each week. The recitation shall be conducted:

- A. By each individual classroom teacher or the teacher's surrogate; or
- B. Over a school intercom system by a person designated by the school principal or other person having administrative control over the school.

### **III. EXCEPTIONS**

Anyone who does not wish to participate in reciting the Pledge of Allegiance for any personal reasons may elect not to do so. Students and school personnel must respect another person's right to make that choice.

### **IV. INSTRUCTION**

Students will be instructed in the proper etiquette toward, correct display of, and respect for the flag, and in patriotic exercises.

**Legal References:** Minn. Stat. § 121A.11, Subd. 3 (Pledge of Allegiance)  
Minn. Stat. § 121A.11, Subd. 4 (Instruction)

SECOND READING – September 10, 2009

**NORTH ST. PAUL-MAPLEWOOD-OAKDALE MULTI DISTRICT  
INTEGRATION COLLABORATIVE  
GOVERNANCE AGREEMENT**

**ARTICLE I: PARTIES**

This Collaborative Governance Agreement (“Agreement”) is hereby entered into by and between Independent School District No. 622, North St. Paul-Maplewood-Oakdale Public Schools (“District 622”) and Independent School District No. 832, Mahtomedi Public Schools (“District 832”) in accordance with the terms and conditions set forth herein.

**ARTICLE II: AUTHORITY**

Each independent school district organized under Minnesota law has the authority under Minn. Stat. § 123B.02 to govern, manage, and control the district; to carry out its duties and responsibilities; and to conduct the business of the district including implied powers in addition to any specific powers granted by the legislature. Minn. Stat. § 124D.86 empowers independent school districts to establish a Multi District Collaborative Council and to receive integration revenue to finance a Multi District Integration Collaborative.

**ARTICLE III: GENERAL PURPOSE**

The general purpose of this Agreement is to provide for the creation and operation of the North St. Paul-Maplewood-Oakdale Multi District Integration Collaborative Council (“Council”), which will serve in an advisory role for the North St. Paul-Maplewood-Oakdale Multi District Integration Collaborative (“Collaborative”), subject to the approval of the District 622 School Board. The Council and the parties to this Agreement shall implement the North St. Paul-Maplewood-Oakdale Multi District Integration Plan (“Integration Plan”). The Integration Plan and a budget for its implementation were submitted to the Minnesota Department of Education for review and approval in March 2009.

**ARTICLE IV: GOVERNANCE**

The District 622 School Board shall serve as the governing body for the Collaborative as provided in this Article.

**Section 1.** As the Multi District Integration Collaborative’s fiscal agent, the District 622 School Board shall approve the desegregation funds provided to all participating districts in the Collaborative as provided in Minn. Stat. § 124D.86. Further, the District 622 School Board shall administer all other funds derived from grants, if any, consistent with the goals of the Integration Plan.

**Section 2.** The Multi District Integration Collaborative shall be governed by District 622 policies.

**Section 3.** The District 622 School Board shall have the authority to set policies and procedures as it deems necessary to effectuate the goals of the Integration Plan.

**Section 4.** The District 622 School Board may exercise any other powers necessary and incidental to the implementation of this Agreement.

#### **ARTICLE V: MULTI DISTRICT COLLABORATIVE COUNCIL**

**Section 1.** The Multi District Collaborative Council shall be composed of the following four representatives from each of the participating districts: the Superintendent or designee, Business Manager, School Board Member and a representative from the local district’s community advisory council.

**Section 2.** The Multi District Collaborative Council shall serve in an advisory role to the District 622 School Board in the implementation of this Agreement.

**Section 3.** The Multi District Collaborative Council shall adopt at its first meeting by-laws to govern its operation.

**Section 4.** The Multi District Collaborative Council shall review the Collaborative’s Integration plan and budget prior to adoption by the District 622 School Board.

#### **ARTICLE VI: COMMUNITY COLLABORATIVE COUNCIL**

**Section 1.** The Community Collaborative Council shall develop or recommend programs, services and initiatives that will support the goals of the Integration Plan.

**Section 2.** The Community Collaborative Council shall provide input and make recommendations on how grant monies or other funds shall be spent to accomplish the goals of the Integration Plan.

**Section 3.** The Community Collaborative Council shall adopt by-laws to govern its operation at its first meeting.

## **ARTICLE VII: CONTRACTED SERVICES**

The District 622 School Board may enter into contracts and disburse public funds to carry out the purposes of this Agreement. On exercising these specific powers the District 622 School Board shall comply with all applicable statutes and rules.

## **ARTICLE VIII: DURATION AND TERMINATION OF GOVERNANCE AGREEMENT**

**Section 1.** This Agreement shall continue in effect until there is no longer a statutory mandate or integration funding from the State of Minnesota, at which time the participating districts shall agree to terminate this Agreement and dissolve the Collaborative and its Council.

**Section 2.** Upon dissolution, any and all property and remaining monies shall be divided among the participating districts. Distribution shall be determined on the basis of each participating district's contributions or purchases made pursuant to this Agreement, consistent with applicable state and federal laws.

**Section 3.** This Agreement shall not be amended or modified except by unanimous, written Agreement between the participating districts.

## **ARTICLE IX: ADDITION/WITHDRAWAL OF DISTRICT PARTICIPATION**

**Section 1.** The participation of any additional school districts in the North St. Paul-Maplewood-Oakdale Multi District Integration Collaborative shall be selected by current participating districts with final approval from the District 622 School Board.

**Section 2.** Each participating district shall meet all the requirements of the Minnesota Department of Education Desegregation Rules and the participating district's local mission and strategic plan shall align with that of the Collaborative. Potential additional participating districts shall also submit a letter to the District 622 School Board stating their intention to join the Collaborative, no less than 16 months prior to the date of desired participation in the Collaborative.

**Section 2.** Any participating district desiring to withdraw from the Collaborative shall submit a written notice approved by that local district's school board, no less than 16 months prior to the desired date of withdrawal.

## **ARTICLE X: SHARED COSTS**

**Section 1.** All expenditures of the Collaborative shall be identified and approved by a Shared Programs Document, a sample of which is attached hereto as Exhibit A and made a part hereof. This document shall be completed for each shared program prior to implementation of the program and shall include the name of the expenditure, estimated cost, and a breakdown of the percent for which each member district is responsible.

**ARTICLE XI: EFFECTIVE DATE**

This Agreement shall be effective on **October 1, 2009**.

**IN WITNESS WHEREOF**, The undersigned parties have caused this Agreement to be signed on their behalf.

**INDEPENDENT SCHOOL DISTRICT NO. 622**

\_\_\_\_\_ Date: \_\_\_\_\_  
School Board Chair

\_\_\_\_\_ Date: \_\_\_\_\_  
Superintendent

**INDEPENDENT SCHOOL DISTRICT NO. 832**

\_\_\_\_\_ Date: \_\_\_\_\_  
School Board Chair

\_\_\_\_\_ Date: \_\_\_\_\_  
Superintendent

# North St. Paul-Maplewood-Oakdale Multi District Collaborative Shared Finance Program Request

**Type of Program:**

- Classroom/Activities Partnership     District Initiative
- Staff Development                       Youth Programming (after-school or summer)
- Other: \_\_\_\_\_

**PARTICIPANTS:**

	<u>North St. Paul-Maplewood-Oakdale</u>	<u>Mahtomedi</u>
Staff Total:	_____	_____
	<u>North St. Paul-Maplewood-Oakdale</u>	<u>Mahtomedi</u>
Partnership Teacher Names:	_____	_____
	_____	_____
	<u>North St. Paul-Maplewood-Oakdale</u>	<u>Mahtomedi</u>
Student Totals:	_____	_____
Parents/Guardians Totals:	_____	_____

Briefly describe program: \_\_\_\_\_  
\_\_\_\_\_

**ANTICIPATED EXPENSES:**

	<u>North St. Paul-Maplewood-Oakdale</u>	<u>Mahtomedi</u>
Staffing:	_____	_____
Materials/supplies:	_____	_____
Out of District Facilities/Trainer:	_____	_____
Transportation:	_____	_____
<b>Total Expenditures:</b>	_____	_____
	=====	=====

_____ Coordinator's/Facilitator's Signature	_____ Date
_____ Administrator's Signature	_____ Date
_____ Business Manager's Signature	_____ Date

**Credit Information for Graduation**  
 Total credits required for graduation, 29,  
 Currently offered at the MHS, 32.

<b>Department/Course</b>	<b>Credits Required for Graduation</b>
English/Language Arts w/emphasis on Composition/Technical Writing	<b>4.5 Mahtomedi – reduce to 4.0</b> 4.0 State Requirement State standards requirement for curriculum
Mathematics	<b>3.0 Mahtomedi and state – transition to 4.0 “2012”</b> State standards requirement for curriculum Will most likely increase to <b>4.0</b> at the U of M next year...
Health/Physical Education  Depression screening, diet, lifelong nutrition information, CPR and basic first aid skills are very important components for Health.	<b>1.5 Mahtomedi (1 credit PE and .5 health) – reduce to .5 PE and .5 Health</b> 1.0 State requirements, .5 each Secondary - instruction must be provided to all students at least once in 9-12 for .5 credits each  In grades K-8 phys. ed. instruction must be given to all students each year; in grades K-8 health instruction must be given each year or by district-determined grade bands.
Science	<b>3.0 Mahtomedi and state</b> State Standards requirement for curriculum must include one in biology <b>.5 PLTW counts for science</b>
Social Studies	<b>4.0 Mahtomedi – reduce to 3.5</b> 3.5 requirement for state which must include economics State Standards requirement for curriculum
Fine Arts	<b>1.0 Mahtomedi</b> Art or Music... local or <b>state</b> standards may be used
General Pool	<i>Eliminated for 2009-10</i>
Electives	<b>12 Mahtomedi – chg to 3-5 electives</b> Must offer at least 7 by state mandate...includes Career and Tech Education / World Languages. We must <b>offer</b> classes but whether they are required for graduation is a local decision. Most post secondary schools require at least 2 years of World languages...should this be a MHS requirement?

*24 Maximum  
 22 to Graduate  
 3-5 Electives  
 18-19 (2012) Math  
 Zero hour  
 4/8 more classes*

\*September 10, 2009 School Board Meeting



**TO:** Northeast Metro 916 Board of Education  
**FROM:** Connie Hayes  
**DATE:** Sept 2, 2009  
**RE:** Sept 1 Board of Education Meeting Talking Points

Members present: Belisle-832, Brunnette-833, Forsberg-16, Livingston-622, Lodico-12, Majerus-623, Parsons-624 and Sager-621

Members absent: Buchholz-834 and Roberts-13

Among a number of topics discussed at the September 1, 2009, meeting of the Northeast Metro 916 Board of Education, the following agenda items were addressed:

1. **916 Education Foundation Board President, Joan Purrington, encouraged participation in the membership drive.** The fall membership drive begins now and runs through the month. All board members are encouraged to participate by becoming a member of the Foundation. Various levels of membership are available.
2. **The Board heard a presentation on curriculum development.** Lynn Grundtner is the lead for curriculum development for the special education division. She explained that the teachers have been responding to the process of studying curriculum for the various programs with enthusiasm. Although well-trained in strategies to use with handicapped students, special education teachers trained in Minnesota do not get training in how to develop and use a scope and sequence of curriculum. This work will benefit special education students in having a more rigorous and appropriate educational program, along with all the services that assist them with physical, mental and behavioral challenges.
3. **The Math & Science Teacher Academy that all member districts participated in was a success!** Jessica Wiley, one of the grant developers, showed a video of a Professional Learning Community (PLC) at Centennial School District. Although the middle school math teachers participating in the training offered by the grant were less than enthusiastic at the beginning of the Academy to meet in their PLCs, by the end of the Academy the teachers expressed such great value in their work together that they will likely continue to meet. The goal of the PLCs is to evaluate student work, data, and help each other learn what can be done differently in their classrooms to increase student achievement. The professional dialogue that happens in PLCs, when they are done right, can have powerful effects on learning.

- 4. The Board approved several leases.** The school district is leasing space from ISD 624 at Sunrise Middle School for middle school Developmental Cognitive Disability (DCD) students and at Willow Lane Elementary for the Auditory/Oral program. In addition, ISD 623 is leasing back space owned by Northeast Metro 916 that is located at Roseville Area Middle School.
  
- 5. The new organization chart was approved.** Several new administrators were highlighted on the organizational chart. In total, four individuals were promoted to administrators from within the district due to excellent mentoring of existing leadership staff. One additional manager position needs to be filled due to the manager of related services taking a new job as director of special services in Owatonna.

## CHECK REGISTER

**Aug-09**

Check Number	Check Status	Check Amount	Check Date	Vendor Number	Vendor Name
362802	Clear	\$432.94	08/04/09	00094	AMERICAN FAMILY ASSURANCE
362803	Clear	\$165.00	08/04/09	01556	MAHTOMEDI AREA EDUC.FOUNDATION
362804	Clear	\$272.00	08/04/09	01740	MINN NCPERS GROUP LIFE INS
362805	Clear	\$14.90	08/04/09	01888	NATIONAL INSURANCE SERVICES
362806	Clear	\$273.00	08/04/09	02017	OFFICE & PROFESSIONAL
362807	Clear	\$758.56	08/04/09	02048	OPERATING ENGINEERS LOCAL #70
362808	Clear	\$1,065.00	08/06/09	00106	ARCTC-AMERICAN RED CROSS
362809	Clear	\$52,377.00	08/06/09	02558	AUL HRA
362810	Clear	\$2,376.88	08/06/09	06942	I.S.D # 112-CHASKA SCHOOL DISTRICT
362811	Clear	\$46,856.20	08/06/09	03248	I.S.D # 834 STILLWATER
362812	Clear	\$3,623.55	08/06/09	01971	NORTHEAST METRO 916
362813	Clear	\$2,935.96	08/06/09	03166	PINES SCHOOL
362814	Clear	\$1,011.00	08/06/09	04234	SUPPORT SOURCE
362815	Clear	\$1,153.73	08/06/09	03017	XEROX CORPORATION
362816	Clear	\$147.95	08/06/09	00032	ACCURATE LABEL DESIGNS
362817	Clear	\$74.98	08/06/09	00084	AMAZON ENVIRONMENTAL INC
362818	Clear	\$405.24	08/06/09	00092	AMERICAN EXPRESS /COSTCO
362819	Clear	\$200.00	08/06/09	07607	BARBARA REDMOND DESIGN
362820	Clear	\$1,226.00	08/06/09	00257	BERRYS FLOOR COVERING
362821	Clear	\$1,230.38	08/06/09	02530	BETHANY SNEDEN
362822	Clear	\$1,902.29	08/06/09	03196	BF LAUZON ENTERPRISES INC
362823	Clear	\$181.53	08/06/09	03720	CARPENTER'S SMALL ENGINE
362824	Clear	\$100.00	08/06/09	06868	CASH (MS)
362825	Clear	\$1,563.40	08/06/09	00437	CDW GOVERNMENT INC
362826	Clear	\$930.00	08/06/09	06648	CENTRAL WOOD PRODUCTS
362827	Clear	\$1,904.25	08/06/09	00487	CLASSROOM DIRECT / SCHOOL SPECIALTY
362828	Clear	\$1,145.00	08/06/09	00599	DALCO
362829	Clear	\$298.86	08/06/09	03433	DELL COMPUTER CORP.
362830	Clear	\$8,835.90	08/06/09	03433	DELL COMPUTER CORP.
362831	Clear	\$638.57	08/06/09	00631	DELTA EDUCATION INC
362832	Clear	\$360.00	08/06/09	00714	EAGLE SCREEN PRINTING
362833	Clear	\$47.45	08/06/09	00740	EDUCATIONAL INNOVATIONS INC
362834	Clear	\$824.00	08/06/09	03241	ELECTRONIC DESIGN CO
362835	Clear	\$420.00	08/06/09	03969	ENERGYWISE CONSULTING,LLC
362836	Clear	\$2,170.00	08/06/09	05068	FITNESS FOCUS
362837	Clear	\$420.66	08/06/09	00936	GBC-GENERAL BINDING CORPORATION
362838	Clear	\$123.08	08/06/09	00987	GRAINGER
362839	Clear	\$6,679.00	08/06/09	01115	HERITAGE EMBROIDERY & DESIGN
362840	Clear	\$70.96	08/06/09	01164	HOUGHTON MIFFLIN HARCOURT/HM RECEIVEABLES CO
362841	Clear	\$2,861.00	08/06/09	01231	INTERSTATE MUSIC SUPPLY
362842	Clear	\$302.12	08/06/09	02931	JEFF WHISLER
362843	Clear	\$150.00	08/06/09	07551	K WAYNE RYE
362844	Clear	\$77.55	08/06/09	01950	KATHE NICKLEBY
362845	Clear	\$25.32	08/06/09	01372	KNOWLAN'S SUPER MARKETS
362846	Clear	\$18,487.33	08/06/09	06819	LAIDLAW TRANSIT INC
362847	Clear	\$33.00	08/06/09	03530	LAURIE MOGA
362848	Clear	\$42.35	08/06/09	01705	LEROY R METZ JR
362849	Clear	\$510.00	08/06/09	07149	LINDA NORDGREN
362850	Clear	\$1,037.25	08/06/09	00942	MARY GEORGE
362851	Clear	\$200.00	08/06/09	01610	MASBO
362852	Clear	\$3,482.80	08/06/09	01699	METRO ECSU
362853	Clear	\$920.00	08/06/09	02043	ON SITE SANITATION INC
362854	Clear	\$13.34	08/06/09	05985	PAMS LUNCHROOM LLC

## CHECK REGISTER

**Aug-09**

Check Number	Check Status	Check Amount	Check Date	Vendor Number	Vendor Name
362855	Clear	\$353.63	08/06/09	02145	PITNEY BOWES / RESERVE ACCOUNT
362856	Clear	\$38.55	08/06/09	02161	POPP.COM INC
362857	Clear	\$494.34	08/06/09	02165	POSTMASTER
362858	Clear	\$100.00	08/06/09	02165	POSTMASTER-US POSTAL SERVICE
362859	Clear	\$438.65	08/06/09	02180	PRESS PUBLICATIONS
362860	Clear	\$1,200.00	08/06/09	03531	PROFESSIONAL TRAVEL
362861	Clear	\$369.05	08/06/09	02260	REMEDIA PUBLICATIONS INC
362862	Clear	\$250.00	08/06/09	07608	RUSS PELOQUIN
362863	Clear	\$3,990.00	08/06/09	02415	SCHOOL DATEBOOKS INC
362864	Clear	\$300.00	08/06/09	03123	SHEILA MERZER M A
362865	Clear	\$1,383.03	08/06/09	00553	STAPLES/CORPORATE EXPRESS
362866	Clear	\$400.00	08/06/09	03105	STEVE KIMBALL
362867	Clear	\$180.63	08/06/09	03297	SUE ROBINSON
362868	Clear	\$283.87	08/06/09	03314	TEACHER'S DISCOUNT
362869	Clear	\$349.00	08/06/09	02747	TIERNEY BROTHERS INC
362870	Clear	\$2,100.00	08/06/09	03284	TOM-WEYER-FOR-HIRE
362871	Clear	\$30.36	08/06/09	02858	VERIZON WIRELESS
362872	Clear	\$745.45	08/06/09	07514	WEISER EDUCATIONAL
362873	Clear	\$37,903.35	08/06/09	05820	WILCOX PAPER LLC
362874	Clear	\$4,060.64	08/06/09	06816	WORTHINGTON DIRECT
362875	Clear	\$13,497.30	08/06/09	00723	XCEL ENERGY
362876	Clear	\$274.82	08/10/09	02363	SAM'S CLUB DISCOVER
362877	Clear	\$2,637.12	08/10/09	02363	SAM'S CLUB DISCOVER
362878	Clear	\$160.00	08/13/09	00330	BRANSON ELECTRONICS
362879	Clear	\$208.64	08/13/09	00558	COURAGE CENTER
362880	Clear	\$786.00	08/13/09	03430	I.S.D # 011-ANOKA-HENNEPIN SCHOOL DISTRICT
362881	Clear	\$1,353.20	08/13/09	03305	I.S.D # 012 CENTENNIAL SCHOOLS
362882	Clear	\$1,736.52	08/13/09	03222	I.S.D # 625 -ST PAUL PUBLIC SCHOOLS
362883	Clear	\$127.50	08/13/09	01903	NCS PEARSON INC
362884	Clear	\$52.00	08/13/09	02096	NCS PEARSON INC
362885	Clear	\$1,448.64	08/13/09	01971	NORTHEAST METRO 916
362886	Clear	\$728.00	08/13/09	00002	3M
362887	Clear	\$300.00	08/13/09	03455	AARP
362888	Clear	\$19.49	08/13/09	00016	ABBOTT PAINT & CARPET CO
362889	Clear	\$124.00	08/13/09	00172	ASCD
362890	Clear	\$9,956.00	08/13/09	00257	BERRYS FLOOR COVERING
362891	Clear	\$41.32	08/13/09	02530	BETHANY SNEDEN
362892	Clear	\$131.59	08/13/09	06496	BRYAN FARMER
362893	Clear	\$2,245.50	08/13/09	07031	CARRIE ARDITO
362894	Clear	\$430.89	08/13/09	00437	CDW GOVERNMENT INC
362895	Clear	\$245.00	08/13/09	03115	CHARLES LINDERKAMP
362896	Clear	\$12,800.08	08/13/09	00406	CHASE CARD SERVICE/BANK ONE
362897	Clear	\$36.85	08/13/09	05926	CHRISTOPHER MOORE
362898	Clear	\$8,792.00	08/13/09	00527	COMSTOCK & SONS INC
362899	Clear	\$70.26	08/13/09	06586	CROPPER MEDICAL INC
362900	Clear	\$661.00	08/13/09	00599	DALCO
362901	Clear	\$440.79	08/13/09	03433	DELL COMPUTER CORP.
362902	Clear	\$247.83	08/13/09	00787	ERICKSON OIL PRODUCTS INC
362903	Clear	\$3,837.92	08/13/09	00856	FOLLETT EDUCATIONAL SERVICES
362904	Unissued	\$0.00	08/13/09	00856	FOLLETT EDUCATIONAL SERVICES
362905	Clear	\$475.94	08/13/09	06697	FRATTALLONE'S ACE HARDWARE STORES
362906	Clear	\$553.04	08/13/09	01464	G&K SERVICES
362907	Clear	\$24.03	08/13/09	00987	GRAINGER

## CHECK REGISTER

**Aug-09**

Check Number	Check Status	Check Amount	Check Date	Vendor Number	Vendor Name
362908	Clear	\$68,185.00	08/13/09	06591	HANOVER INSURANCE GROUP
362909	Clear	\$373,015.70	08/13/09	01096	HEALTHPARTNERS
362910	Clear	\$304.00	08/13/09	03415	HOSPITALITY MINNESOTA
362911	Clear	\$345.00	08/13/09	01173	HUMAN SERVICES INC
362912	Clear	\$1,200.00	08/13/09	01231	INTERSTATE MUSIC SUPPLY
362913		\$210.00	08/13/09	06289	IRONDALE HIGH SCHOOL
362914	Clear	\$100.00	08/13/09	05898	KAITLYN ANDERSON
362915	Clear	\$144.10	08/13/09	01950	KATHE NICKLEBY
362916	Clear	\$100.00	08/13/09	03235	KATY LUDWIGSON
362917	Clear	\$126.55	08/13/09	01394	KROMER CO LLC
362918	Clear	\$30.15	08/13/09	01400	KULLY SUPPLY COMPANY
362919	Clear	\$5,929.15	08/13/09	01411	LAFAYETTE LIFE INSURANCE CO
362920	Clear	\$80.00	08/13/09	07575	LINDSAY GOMINSKY
362921		\$138.00	08/13/09	07606	LOFFLER COMPANY INC
362922		\$832.50	08/13/09	03486	LRP PUBLICATIONS
362923		\$3,905.81	08/13/09	03182	MADISON NATIONAL LIFE
362924	Clear	\$3,615.00	08/13/09	07609	MARSHALL ELECTRIC CO
362925	Clear	\$1,574.18	08/13/09	01672	MEDCO SUPPLY INC
362926	Clear	\$73.82	08/13/09	01683	MENARDS
362927	Clear	\$40.92	08/13/09	01684	MENARDS OAKDALE CASHWAY LUMBER
362928	Clear	\$75.00	08/13/09	01771	MN BOARD OF SCHOOL ADMINISTRAT
362929		\$70.10	08/13/09	05917	MOLLY HOLLIHAN
362930	Clear	\$3,700.00	08/13/09	01803	MSHSL -MN STATE H S LEAGUE
362931	Clear	\$94.22	08/13/09	01977	NORTHERN TOOL & EQUIPMENT CO/HSBC BUSINESS
362932	Clear	\$32.03	08/13/09	03699	OAK GLEN COUNTRY CLUB
362933	Clear	\$32.00	08/13/09	04488	ORANGE TREE EMPLOYMENT SCREENING
362934	Clear	\$42.19	08/13/09	02688	PAULA TANSOM
362935	Clear	\$72.00	08/13/09	06012	PREMIUM WATERS INC
362936	Clear	\$2,083.65	08/13/09	02227	QWEST
362937	Clear	\$3,200.00	08/13/09	07610	R.T.I- ROCHESTER INSTITUTE OF TECH.
362938	Clear	\$39.28	08/13/09	02346	RYCO SUPPLY COMPANY
362939	Clear	\$3,502.35	08/13/09	02420	SCHOOL SPECIALTY INC
362940	Clear	\$2,750.00	08/13/09	03369	SCHOOLFINANCES.COM
362941	Clear	\$1,920.00	08/13/09	02473	SHERWIN-WILLIAMS CO
362942	Clear	\$7,000.60	08/13/09	00553	STAPLES/CORPORATE EXPRESS
362943		\$80.00	08/13/09	05897	STEPHANIE ANDERSON
362944	Clear	\$1,380.00	08/13/09	02685	TALLY'S DOCKSIDE
362945	Clear	\$600.00	08/13/09	03859	TEAMWORKS INTERNATIONAL, INC.
362946	Clear	\$187.50	08/13/09	06157	THERMEX CORP.
362947	Clear	\$421.04	08/13/09	04490	THOMAS TOOL AND SUPPLY INC
362948	Clear	\$982.09	08/13/09	02748	TIES
362949	Clear	\$150.00	08/13/09	06918	UNIVERSITY OF OREGON
362950	Clear	\$65.30	08/13/09	02873	VOSS LIGHTING
362951	Clear	\$340.96	08/13/09	02903	WASTE MANAGEMENT-BLAINE MN
362952	Clear	\$8.95	08/13/09	04788	WATER CARE
362953	Clear	\$359.00	08/13/09	03017	XEROX CORPORATION
362954	Clear	\$600.00	08/14/09	04342	WISCONSIN SCTF
362955	Clear	\$508.95	08/17/09	02165	POSTMASTER-US POSTAL SERVICE
362956		\$1,002.15	08/20/09	01300	JOSTENS
362957	Clear	\$180.20	08/20/09	02142	PIONEER PRESS
362958	Clear	\$32,561.86	08/20/09	02902	WASHINGTON COUNTY SHERIFF'S OFFICE
362959	Clear	\$31.06	08/20/09	03017	XEROX CORPORATION
362960	Clear	\$17.47	08/20/09	03017	XEROX CORPORATION

# CHECK REGISTER

**Aug-09**

Check Number	Check Status	Check Amount	Check Date	Vendor Number	Vendor Name
362961		\$334.88	08/20/09	00088	AMERICAN BOOK COMPANY
362962	Clear	\$15,105.25	08/20/09	07590	APEX LEARNING
362963		\$79.00	08/20/09	00172	ASCD
362964	Clear	\$22,808.00	08/20/09	04691	BLOOMINGTON COMPENSATION INS CO
362965	Clear	\$1,305.60	08/20/09	03057	BRAD BERGIE
362966		\$100.00	08/20/09	04185	CAROLYNE ZIESKE
362967	Clear	\$250.00	08/20/09	00427	CASH
362968	Clear	\$50.00	08/20/09	00427	CASH
362969	Clear	\$3,000.00	08/20/09	04783	CASH
362970		\$496.00	08/20/09	05798	CATHY BOHNEN
362971	Clear	\$250.00	08/20/09	06469	DAWN DWORAK
362972		\$840.00	08/20/09	00714	EAGLE SCREEN PRINTING
362973	Clear	\$555.00	08/20/09	06650	GALLAGHER & ASSOCIATES, INC
362974	Clear	\$130.00	08/20/09	03081	GRAY SEEVER
362975	Clear	\$59.20	08/20/09	07611	GREAT AMERICAN RIBS
362976		\$1,363.00	08/20/09	01015	GRIZZLY
362977	Clear	\$25.90	08/20/09	06945	GUIDANCE GROUP/CHILDWORKS
362978	Clear	\$1,041.65	08/20/09	01038	HAAS MUSICAL INSTRUMENT REPAIR
362979	Clear	\$52.22	08/20/09	01124	HIGHSMITH
362980		\$95.94	08/20/09	04152	JEAN OSWALD
362981		\$200.00	08/20/09	05591	KRISTA TURGEON
362982	Clear	\$96.00	08/20/09	03195	LASERPLUS, LLC
362983	Clear	\$39.50	08/20/09	05495	LIFELINE AMPLIFICATION SYSTEMS
362984	Clear	\$26.40	08/20/09	05925	MARK HAMRE
362985	Clear	\$782.00	08/20/09	01618	MASSP-MN ASSOC.OF SEC.SCH PRINCIPALS
362986	Clear	\$782.00	08/20/09	01618	MASSP-MN ASSOC.OF SEC.SCH PRINCIPALS
362987	Clear	\$175.00	08/20/09	01641	MCCARTHY WELL COMPANY
362988	Clear	\$48.33	08/20/09	06923	MICHLYN NEWMAN
362989		\$10.39	08/20/09	05488	NANETTE CHOW
362990	Clear	\$219.00	08/20/09	01890	NATIONAL MIDDLE SCHOOL ASSOC
362991	Clear	\$35.75	08/20/09	02157	NICOLE POIRIER
362992	Clear	\$9.45	08/20/09	02020	OFFICE MAX INC.
362993		\$2,085.00	08/20/09	02052	ORIGINS
362994	Clear	\$3,136.00	08/20/09	03538	PARTSTOCK COMPUTER
362995	Clear	\$283.32	08/20/09	02165	POSTMASTER-US POSTAL SERVICE
362996	Clear	\$120.00	08/20/09	03136	RATWIK ROSZAK & MALONEY P A
362997	Clear	\$72.66	08/20/09	02367	SAM'S CLUB
362998	Clear	\$979.47	08/20/09	02417	SCHOOL HEALTH
362999	Clear	\$964.12	08/20/09	02417	SCHOOL HEALTH CORPORATION
363000	Clear	\$787.50	08/20/09	03467	SCHOOL SPECIALTY
363001		\$2,801.84	08/20/09	02474	SHIFFLER EQUIPMENT SALESINC
363002	Clear	\$14,086.29	08/20/09	00553	STAPLES/CORPORATE EXPRESS
363003	Clear	\$1,818.60	08/20/09	05268	STUDY ISLAND
363004		\$23.95	08/20/09	04000	SUE KUCHAR
363005	Clear	\$250.00	08/20/09	02666	SUPERIOR STRIPING INC
363006	Clear	\$1,245.00	08/20/09	04551	THE GOODPRINTER
363007	Clear	\$7,449.38	08/20/09	02747	TIERNEY BROTHERS INC
363008		\$919.36	08/20/09	02750	TIME FOR KIDS
363009	Clear	\$34.10	08/20/09	05393	TONYA KOSTUCH
363010	Clear	\$98.73	08/20/09	03439	WENDY DOYLE
363011	Clear	\$1,620.60	08/20/09	03017	XEROX CORPORATION
363012	Clear	\$401.82	08/27/09	03378	KELLY SERVICES, INC
363013	Clear	\$63.75	08/27/09	04698	KENDALL HUNT PUBLISHING CO
363014		\$6.00	08/27/09	00009	AAA AWARDS

## CHECK REGISTER

**Aug-09**

Check Number	Check Status	Check Amount	Check Date	Vendor Number	Vendor Name
363015	Clear	\$1,036.92	08/27/09	00016	ABBOTT PAINT & CARPET CO
363016	Clear	\$375.78	08/27/09	00031	ACCESS COMMUNICATIONS INC
363017	Clear	\$94.86	08/27/09	00265	ADAM BEYER
363018		\$368.66	08/27/09	00047	ADT SECURITY SYSTEMS
363019	Clear	\$280.00	08/27/09	03959	ADVANCED ROOFING SOLUTIONS,LLC
363020		\$74.99	08/27/09	00084	AMAZON ENVIRONMENTAL INC
363021		\$342.00	08/27/09	00108	AMERICAN SCHOOL BOARD JOURNAL
363022	Clear	\$971.52	08/27/09	05865	APEIRON INC
363023	Clear	\$353.88	08/27/09	00162	ARCOM DISTRIBUTING COMPANY
363024	Clear	\$50.20	08/27/09	00220	BATTERIES PLUS
363025		\$2,000.00	08/27/09	00257	BERRYS FLOOR COVERING
363026		\$17.30	08/27/09	02530	BETHANY SNEDEN
363027	Clear	\$366.08	08/27/09	06950	BIO SKIN
363028	Clear	\$1,142.48	08/27/09	00358	BRYAN ROCK PRODUCTS INC
363029	Clear	\$280.00	08/27/09	03115	CHARLES LINDERKAMP
363030	Clear	\$2,254.40	08/27/09	00462	CHEMSEARCH
363031	Clear	\$296.10	08/27/09	02478	CITY OF SHOREVIEW
363032	Clear	\$143.84	08/27/09	00487	CLASSROOM DIRECT / SCHOOL SPECIALTY
363033	Clear	\$5,619.00	08/27/09	06754	COMMANDING EDGE INC
363034	Clear	\$54.09	08/27/09	05601	CRAIG MICKELSON
363035	Clear	\$1,922.26	08/27/09	00599	DALCO
363036		\$108.77	08/27/09	04683	DAVE MUETZEL
363037	Clear	\$575.94	08/27/09	03433	DELL COMPUTER CORP.
363038	Clear	\$130.82	08/27/09	00631	DELTA EDUCATION INC
363039	Clear	\$583.15	08/27/09	00731	ED'S TROPHIES INC
363040		\$74.94	08/27/09	00736	EDUCATION WEEK
363041		\$280.00	08/27/09	03969	ENERGYWISE CONSULTING,LLC
363042	Clear	\$142.78	08/27/09	00856	FOLLETT EDUCATIONAL SERVICES
363043	Clear	\$139.27	08/27/09	02602	FRANCES STANG
363044	Clear	\$99.94	08/27/09	00922	GARLAND'S INC
363045	Clear	\$98.59	08/27/09	00987	GRAINGER
363046		\$545.10	08/27/09	01116	HERITAGE PRINTING
363047	Clear	\$256.00	08/27/09	01130	HILLYARD
363048	Clear	\$360.00	08/27/09	03654	JERRY OLSON EXTERIORS
363049		\$797.27	08/27/09	02921	JUDY WERNER
363050	Clear	\$75.00	08/27/09	07616	KAREN MOGA
363051	Clear	\$7.44	08/27/09	01950	KATHE NICKLEBY
363052		\$30.00	08/27/09	06899	KENT BELISLE
363053	Clear	\$1,711.10	08/27/09	06819	LIDLAW TRANSIT INC
363054	Clear	\$170.00	08/27/09	04769	LEE ERICKSON
363055		\$427.28	08/27/09	00202	LORI J BAKER
363056		\$623.29	08/27/09	01557	MAHTOMEDI AUTO SERVICE
363057		\$24.20	08/27/09	05925	MARK HAMRE
363058		\$73.95	08/27/09	03700	MARY BETH SKUNES
363059	Clear	\$40.15	08/27/09	01101	MARY JO HEI
363060		\$43.95	08/27/09	01684	MENARDS OAKDALE CASHWAY LUMBER
363061		\$45.00	08/27/09	01699	METRO ECSU
363062	Clear	\$575.60	08/27/09	06322	MIDAMERICA ADMIN & RETIREMENT SOLUTIONS INC
363063	Clear	\$385.72	08/27/09	01722	MIDLAND PRESS
363064		\$120.00	08/27/09	06867	MINNESOTA NATIVE LANDSCAPES
363065	Clear	\$35.00	08/27/09	01779	MN DEPT OF EDUCATION
363066	Clear	\$400.00	08/27/09	01781	MN DEPT OF LABOR AND INDUSTRY
363067	Clear	\$2,000.00	08/27/09	01799	MSBA-MN SCHOOL BOARDS ASSOC

## CHECK REGISTER

**Aug-09**

Check Number	Check Status	Check Amount	Check Date	Vendor Number	Vendor Name
363068	Clear	\$532.80	08/27/09	01862	MUSIC CONNECTION INC
363069	Clear	\$1,020.85	08/27/09	01971	NORTHEAST METRO 916
363070		\$300.60	08/27/09	02022	O'LEARY AUTO BODY
363071	Clear	\$131.00	08/27/09	04488	ORANGE TREE EMPLOYMENT SCREENING
363072	Clear	\$67.10	08/27/09	01363	PAM KLINKHAMMER
363073	Clear	\$6,045.00	08/27/09	02145	PITNEY BOWES / PURCHASE POWER
363074	Clear	\$14.00	08/27/09	07613	PLAYFIT EDUCATION INC
363075	Clear	\$440.00	08/27/09	02165	POSTMASTER-U.S POST OFFICE
363076	Clear	\$78.40	08/27/09	07614	POWER DYNAMICS INC
363077	Clear	\$108.13	08/27/09	03991	SARA DUSEK
363078	Clear	\$153.40	08/27/09	02420	SCHOOL SPECIALTY INC
363079	Clear	\$360.00	08/27/09	02551	SOUTHEASTERN SECURITY CONSULT
363080		\$250.00	08/27/09	00824	STACY FESSER
363081	Clear	\$89.52	08/27/09	02754	T-MOBILE
363082		\$66.38	08/27/09	02541	TAMI SOMMERS
363083	Clear	\$755.00	08/27/09	04551	THE GOODPRINTER
363084		\$200.09	08/27/09	02800	TWIN CITY FILTER SERVICE INC
363085	Clear	\$495.00	08/27/09	04027	ULTIMATE DRAIN SERVICES, INC
363086	Clear	\$127.16	08/27/09	02858	VERIZON WIRELESS
363087	Clear	\$31.63	08/27/09	02858	VERIZON WIRELESS
363088	Clear	\$7,097.66	08/27/09	02916	WELSH COMPANIES LLC
363089	Clear	\$40.00	08/27/09	03439	WENDY DOYLE
363090	Clear	\$7.60	08/27/09	02946	WHITE BEAR LOCKSMITH
363091	Clear	\$455.09	08/27/09	00723	XCEL ENERGY
363092	Clear	\$1,281.58	08/27/09	03017	XEROX CORPORATION
363093		\$263.00	08/27/09	06104	XPRESS
80000001	Clear	\$432.46	08/27/09	99999	Belden, Phillip
80000002	Clear	\$54.52	08/27/09	99999	Strege, Bonny K
	<b>CK AMT</b>	<b>\$956,346.46</b>			

MAHTOMEDI CONSTRUCTION PAYMENTS - JUNE 30, 2009 - JULY 31, 2009

<u>Check Number</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	<u>Code</u>
362670	7/16/09	Westwood Professional Services	Invoice #0906068 Wetland Monitoring from May 24, 2009 to June 27, 2009	\$1,211.25	06-005-870-000-305-101
362760	7/30/09	Minnesota Native Landscapes	Invoice #4898 Herbicide Application on July 10, 2009	\$150.00	06-005-870-000-305-101
<b>TOTAL</b>				<b>\$1,361.25</b>	

MAHTOMEDI CONSTRUCTION PAYMENTS - JULY 31, 2009 - AUGUST 31, 2009

<u>Check Number</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	<u>Code</u>
363064	8/27/09	Minnesota Native Landscapes	Invoice #4898 Herbicide Application on August 13, 2009	\$120.00	06-005-870-000-305-101
	<b>TOTAL</b>			<b>\$120.00</b>	

**MAHTOMEDI CONSTRUCTION PAYMENTS - AUGUST 31, 2009 - SEPTEMBER 30, 2009**

<u>Check Number</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
363114	9/3/09	BF Lauzon Enterprises Inc.	Invoice #14499 Work on Retention Pond & Pipes, Reseeding at OHA	\$2,446.50
	<b>TOTAL</b>			<b>\$2,446.50</b>

**INDEPENDENT SCHOOL DISTRICT #832  
WIRE TRANSFER TRANSACTIONS  
MONTH OF AUGUST 2009**

<u>DATE</u>	<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>	<u>PURPOSE</u>
8/4/09	State of Minnesota	MN Trust	\$739.98	direct state payment
8/12/09	MN Trust	MSDLAF	\$500,000.00	cover checks
8/13/09	US Bank	Peoples Bank of Commerce-EBC Flex	\$932.70	flex benefits
8/14/09	State of Minnesota	MN Trust	\$384.00	direct state payment
8/14/09	MSDLAF	US Bank	\$139,893.40	cover checks
8/14/09	US Bank	IRS	\$51,906.08	federal & fica taxes
8/14/09	US Bank	MN Dept of Revenue	\$8,337.09	state payroll taxes
8/14/09	US Bank	Wis. Dept. of Revenue	\$972.25	state payroll taxes
8/14/09	US Bank	Public Emp. Retirement Assoc.	\$12,884.62	pera retirement
8/14/09	US Bank	Mn Teachers Retirement	\$7,911.34	teachers retirement
8/14/09	US Bank	SOMI Funding	\$7,913.77	TSA payment
8/15/09	State of Minnesota	MN Trust	\$1,176,325.31	direct state payment
8/15/09	State of Minnesota	MN Trust	\$97,041.66	direct state payment
8/26/09	MN Trust	MSDLAF	\$800,000.00	cover checks
8/28/09	US Bank	Peoples Bank of Commerce-EBC Flex	\$8,090.61	flex benefits
8/30/09	State of Minnesota	MN Trust	\$1,143,853.38	direct state payment
8/31/09	MSDLAF	US Bank	\$493,649.51	cover checks
8/31/09	US Bank	IRS	\$181,416.68	federal & fica taxes
8/31/09	US Bank	MN Dept of Revenue	\$29,202.51	state payroll taxes
8/31/09	US Bank	Wis. Dept. of Revenue	\$2,971.64	state payroll taxes
8/31/09	US Bank	Public Emp. Retirement Assoc.	\$13,664.34	pera retirement
8/31/09	US Bank	Mn Teachers Retirement	\$72,604.98	TRA payment
8/31/09	US Bank	SOMI Funding	\$52,682.22	TSA payment