

INDEPENDENT SCHOOL DISTRICT #832
REGULAR MEETING – BOARD OF EDUCATION
Thursday, May 14, 2015 - 7:00 PM
Mahtomedi District Education Center - Community Room

Mission Statement - Mahtomedi Public Schools will ensure a rigorous and relevant education where: all learners are valued and supported, positive relationships are developed, and students are empowered to reach their full potential in a global society.

- AGENDA -

1. CALL TO ORDER
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. MAEF - Check Presentation
Presenter: Jen Ruhland and Darcy Mears
 - B. Student/Staff/Community Recognition
 1. Certificates of Excellence
 2. Century Link Teachers and Technology Grant - Matt Young
 3. Carter Hill - Student Representative
 - C. Community Education - Director Cathy Wyland
 1. Introduction/General Overview
 2. Summer Course Offerings
 3. Development of Field 6
 - D. Gifted & Talented Program
Presenter: Jen Israel
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
Presenter: Carter Hill, Student Representative
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a. Donohoe, David	
b. Giuliani, Lisa	
c. Halsten, Chad	
d. Harlane, Hans	
e. Holmquist, Abigail	
f. Horihan, Beth	

g. Israel, Jennifer	
h. Johnson, Bethany	
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D. Approval of Donations/Grants Totaling \$2,500

All donations and grants are greatly appreciated. The use of these funds will be to further the mission of the school district and are used towards the wishes of the donor.

1. From Kramer-Berg American Legion Post 507 to Mahtomedi Area Community Education Adult Senior Program - \$1,500
2. From Jane and Peter Strauman to Mahtomedi High School Drama Program - \$1,000

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G. Personnel

1. Approval of Contracts and Work Agreements

- a. David Briggs - Long-Term Sub Vocal Music Teacher - Mahtomedi High School (4/17/15 to 6/5/15)
- b. Ellen Cole - Counselor - Mahtomedi High School (2015-2016)
- c. Elizabeth Erlenborn - Media Specialist - O. H. Anderson Elementary School (2015-2016)
- d. Chad Garrels - Vocal Music Teacher - Mahtomedi High School (2015-2016)
- e. Laura Harelstad - School Psychologist - O. H. Anderson Elementary School (2015-2016)
- f. Tiffany Moore - American Sign Language (ASL) / Language Arts Teacher - Mahtomedi High School (2015-2016)
- g. Dawn Walker - School Psychologist - Wildwood Elementary School (2015-2016)

2. Approval of Leaves of Absence

- a. Christina Boice-Mallach - School Psychologist - O. H. Anderson Elementary School (2015-2016, .2 FTE LOA)
- b. Dee Brust - ELL Teacher - O. H. Anderson Elementary School (2015-2016, .7 FTE LOA)
- c. Stefanie Fiser - Vocal Music Teacher - Mahtomedi High School (4/9/15 to 6/5/15)
- d. Kimberly O'Connor - Data Assessment Coordinator - District Office (2015-2016)

3. Approval of Resignations/Retirements/Terminations

- a. John Davis - Paraprofessional - O. H. Anderson Elementary School (5/5/15)

Agenda - May 14, 2015

- b. Maxine Schneider - Phy. Ed. Teacher - Mahtomedi Middle School
(6/5/15)

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.larson@mahtomedi.k12.mn.us or 651-407-2001.
- If you would like to speak to the school board, you will be recognized during the Public Comment portion of the meeting. 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.

Minutes of Regular Meeting

Board of Education Mahtomedi Public Schools

A **Regular** meeting of the Board of Education of the Mahtomedi Public Schools was held **Thursday, April 9, 2015**, beginning at 7:00 PM in the Mahtomedi District Education Center - Community Room.

1. CALL TO ORDER

Meeting called to order at 7:00 p.m. by Acting Chair Lucy Payne.

2. ROLL CALL OF ATTENDANCE

Present: Mike Chevalier; Mary Jo Deters; Kevin Donovan; Julie McGraw; Lucy Payne; and Superintendent Mark Larson, ex officio. Absent: Judy Schwartz and Carter Hill, Student Representative.

3. APPROVAL OF THE AGENDA

Deters moved, McGraw seconded, approval of the agenda. Carried.

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

Acting School Board Chair Lucy Payne noted the \$1,300 in donations and expressed the school board/district's formal thank you. Donovan moved, McGraw seconded, approval of the actions recommended on the consent agenda. Carried.

5. PRESENTATIONS/RECOGNITION

A. PTO Check Presentation

Andrea Cegielski, President of the Elementary Parent Teacher Organization (PTO), presented to the school board a check for \$10,000 to be used at O. H. Anderson Elementary School for improvements and general upkeep to the grounds of the school. Cegielski thanked Julie Osterbauer, Supervisor of Buildings and Grounds, for working with the PTO on a plan for best use of these funds.

B. Student/Staff/Community Recognition

The following students were recognized by the school board and administration:

- President's Volunteer Service Award Recipient: Samantha Kostuch

- MHS FABLab Volunteers: Colin Bergmann and Jade Geiger
- MSHSL Triple A Award Recipients: Audrey Scott. Not Present: Dallas Keate
- MHS Athena Award Recipient: Hannah Shands

C. Engineering Program - FAB Lab 101 Summer Academy

Courtney McCormick, engineering coordinator, presented an update to the school board on the engineering program which included: K-12 curriculum overview and FAB 101 for Teachers summer training. Also, student perspectives were provided on new courses: How to Make Almost Anything-Mechanical – by Colin Bergmann and Engineering Capstone – by Joe Broberg, Kenji Cataldo, and Shea Ryan.

D. Mahtomedi High School

1. National Blue Ribbon Application

Mahtomedi High School Principal Kathe Nickleby, Assistant Principal Luanne Wagner, and Director of Student Activities Matt Menier spoke about the nomination, by Commissioner of Education Brenda Cassellius, for the National Blue Ribbon Schools Award. This is a United States government program to bring exemplary U. S. schools to public attention. The application was completed and submitted and components of the application process which included gathering the data and creating the narrative were explained.

E. Health and Wellness for Students

Licensed School Nurses (LSNs) Monica Kubel and Megan McMahon presented to the school board on the Student Health & Wellness Council. McMahon and Kubel, spoke on the initial 2014-2015 goals which included establishing the committee, reviewing the district's wellness policy, and allocation of SHIP grant funds. The committee accomplishments, ideas for 2015-2016 school year, and long-term goals were shared.

F. Elementary Art Program

Art teachers Kristi Eckert and Chad Halsten explained the elementary art curriculum at Wildwood and O. H. Anderson Elementary Schools and showed videos on students working on art projects in the classroom.

6. PUBLIC COMMENT

The following members of the audience spoke to the school board about:

Open Enrollment: Jennifer Amundson, Derek Anderson, Amy Honmyhr, Sara Nephew, Katie Nestrud, Alison Schroeder, Lynnette Showers, and John Taylor.

7. REPORT FROM STUDENT REPRESENTATIVE

None.

8. APPROVAL OF MINUTES

A. March 12, 2015 - Regular Meeting

Donovan moved, Deters seconded, approval of the minutes from the March 12, 2015, regular school board meeting. Carried.

B. March 26, 2015 - Study Session

Donovan moved, Deters seconded, approval of the minutes from the March 26, 2015, school board study session. Carried.

9. DISCUSSION/INFORMATION ITEMS

A. Calendar of Events

Acting Chair Lucy Payne reviewed the calendar of events.

B. First Reading of Policies

The Minnesota School Boards Association (MSBA) provided a policy customization service to our district that entailed reviewing all of the current policies and making recommendations to bring the policy manual up-to-date. The policies are now being reviewed by administration and the School Board Policy Committee. Each month sections of the policy manual will be brought to the school board for a first reading, second reading, and then approval.

For the following policies that need to be reviewed annually and the policies in section 100 (School District), Superintendent Mark Larson reviewed new policies recommended by MSBA, changes to current policies, and policies that need no change: 410 - Family and Medical Leave Policy, 413 - Harassment and Violence, 414 - Mandated Reporting of Child Neglect or Physical or Sexual Abuse, 415 - Mandated Reporting of Maltreatment of Vulnerable Adults, 506 - Student Discipline, 522 - Student Sex Nondiscrimination, 524 - Technology Acceptable Use and Safety Policy, 616 - School District System Accountability, 806 - Crisis Management Policy, 101 - Legal Status of the School District, 101.1 - Name of the School District, 102 - Equal Educational Opportunity, 103 - Complaints - Students, Employees, Parents, Other Persons.

C. Second Reading of Policy

1. Policy 515 - Protection and Privacy of Pupil Records

Superintendent Mark Larson discussed Policy 515-Protection and Privacy of Pupil Records. There were no changes from the first reading that was done at the March 12 school board meeting.

10. ACTION ITEMS

A. Approval of Policy

1. Policy 509 - Enrollment of Nonresident Students

McGraw moved, Donovan seconded, approval of Policy 509-Enrollment of Nonresident Students. Carried.

B. Approval of Resolution Relating to 2015-2016 Open Enrollment (Window #2)

Superintendent Mark Larson reviewed with school board members current enrollment numbers and what is being projected for 2015-2016. Principal Mark Hamre discussed with school board members reducing class sizes at Wildwood School by going from 9 sections of kindergarten down to 8. Also discussed was what may be the new trend of not approving as many open enrollment students into the elementary grades, the majority of whom are kindergarten applicants. This is based on an increase of new families moving into the school district which is bringing up the resident student population numbers. The impact will be felt by open enrollment families who currently have children attending and employees.

In February, 9 of the 282 open enrollment applications that were received by January 15 were approved under Sibling/Employee Preference. Grades K-5 and 12 were closed. Of the 9 that were approved, 1 declined attendance.

At this time, of the 49 applications received since January 15, Superintendent Mark Larson recommended approving 1 of them under Sibling/Employee Preference. Also, of the 126 applications on the waiting list, Larson recommended approving 37. Grades K-5 and 12 remain closed. McGraw moved, Chevalier seconded, approval of Resolution Relating to 2015-2016 Open Enrollment (Window #2). Carried.

C. Personnel

1. Approval of Resolution to Terminate and Nonrenew Probationary Teaching Contracts

a. Bernstrom, Andrew

- b. Cranston, Suzanne
- c. Fiser, Stefanie
- d. Peck, Katherine
- e. Pratt, Joanne
- f. Welshons, Jacqueline

Donovan moved, McGraw seconded, approval of Resolution to Terminate and Nonrenew Probationary Teaching Contracts. Carried.

2. Approval of Resolution Proposing to Place on Unrequested Leave of Absence

- a. Deneen, Morgan

Deters moved, McGraw seconded, approval of Resolution Proposing to Place Morgan Deneen on Unrequested Leave of Absence. Carried.

- b. Paulson, Dana

Donovan moved, McGraw seconded, approval of Resolution Proposing to Place Dana Paulson on Unrequested Leave of Absence. Carried.

11. SCHOOL BOARD COMMITTEE REPORTS

A. Association of Metropolitan School Districts (AMSD) Board

Superintendent Mark Larson reported on what topics are on the agenda for tomorrow's AMSD meeting.

B. Integration District: Educational Equity Alliance (EEA)

School Board Director Mary Jo Deters reported on the following EEA topics: MDE revenue update, South Washington County's request to join, programming, Community Education partnership, and local partnerships.

C. Minnesota School Boards Association (MSBA) Legislative Liaison

School Board Treasurer Kevin Donovan reported on the National School Boards Association (NSBA) Conference that he attended and MSBA strategic planning,

D. Northeast Metro 916 Board

School Board Director Julie McGraw attended the 916 board meeting and reported on the new Capitol View reconfiguration, new facility in Lake Elmo that will open in

2018, location for Work Experience Life Skills program facility, and Valley Crossing staffing update.

E. Other Items/Reports

TIES – Acting School Board Chair Lucy Payne informed school board members that TIES is accepting nominations for the executive board

School Board Facilities Committee – School Board Director Mary Jo Deters reported on the March 26 Facilities Committee meeting: hockey arena land donation, upgrading windows and doors for safety, and abatement bonds – for improvements to parking lots, sidewalks, and lighting.

School Board Policy Committee – School Board Clerk/Vice Chair Lucy Payne reported on tonight’s Policy Committee meeting where sections 200, 300, and policy 706-Acceptance of Gifts were reviewed and will be brought to the May 14 school board meeting for a first reading. Policy 706 will also be brought to the April 23 study session for discussion.

12. SUPERINTENDENT'S REPORT

Superintendent Mark Larson reported on the following: distinguished alumni were chosen and starting the strategic planning process with facilitators from MSBA.

13. ADJOURNMENT

Donovan moved, Deters seconded, adjournment. Meeting adjourned at 10:32 p.m. Carried

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

A. Approval of Treasurer's Report

B. Approval to Pay Bills

1. Check Register 02 - Check No. 387222 to 387488 and Check No. 80005902 to 80005986
2. Check Register 05 - Check No. 50000287 to 50000290

C. Approval of Wire Transfer Transactions

D. Approval of Donations/Grants Totaling \$1,300

All donations and grants are greatly appreciated. The use of these funds will be to further the mission of the school district and are used towards the wishes of the donor.

1. From Anonymous to Mahtomedi High School Drama Program - \$1,000
2. From Margaret Schifsky to Mahtomedi Area Community Education Senior Adult Program - \$300

- E. Approval to Designate Superintendent Mark Larson as the Identified Official with Authority to Authorize User Access to MDE Secure Websites for our Local Education Agency - This gives the Superintendent responsibility of assigning job duties to local education agency staff.
- F. Approval of Student Travel Request
 - 1. Art and French Students - France and Spain - July 15-26, 2016
- G. Approval of Parent/Student Handbooks
 - 1. Mahtomedi Middle School
 - 2. Mahtomedi High School
- H. Personnel
 - 1. Approval of Contracts and Work Agreements
 - a. Christy Affolter - Paraprofessional - Wildwood Elementary School (3/16/15)
 - b. Erica Anderson - Third Grade Teacher (Job Share) - O. H. Anderson Elementary School (2015-2016)
 - c. Sarah Hill - Third Grade Teacher (Job Share) - O. H. Anderson Elementary School (2015-2016)
 - d. Katie Langer - Receptionist - Wildwood Elementary School (4/13/15)
 - e. Tifini Lipovetz - Paraprofessional - Mahtomedi High School (3/19/15)
 - f. Markell Pulver - Preschool Associate - Community Education (4/6/15)
 - g. Bethany Sneden - Staff Development Supervisor - District Office (2014-2016)
 - h. Catherine Wyland - Community Education Director - Community Education (4/6/15)
 - 2. Approval of Leaves of Absence
 - a. Amy Albrecht - Math Teacher - Mahtomedi Middle School (2015-2016)
 - b. Debra Carlson - Early Childhood Special Education (ECSE) Teacher - Wildwood Elementary School (2015-2016, .8 FTE LOA)
 - c. Rebecca Hurd - Chemistry Teacher - Mahtomedi High School (2015-2016, .2 FTE LOA)
 - d. Sue Katzke - Math Teacher - Mahtomedi High School (2015-2016, .4 FTE LOA)
 - 3. Approval of Resignations/Retirements/Terminations
 - a. Marie Andrews - Paraprofessional - O. H. Anderson Elementary School (3/26/15)
 - b. Cynthia Sapinski - Work Experience Teacher - Mahtomedi High School (6/5/15)

KEVIN DONOVAN, ACTING CLERK

Minutes of Study Session

Board of Education Mahtomedi Public Schools

A **Study Session** of the Board of Education of the Mahtomedi Public Schools was held **Thursday, April 23, 2015**, beginning at 7:00 PM in the Mahtomedi District Education Center - Community Room.

1. CALL TO ORDER

Meeting called to order at 7:05 p.m. by Chair Judy Schwartz.

2. ROLL CALL OF ATTENDANCE

Present: Mike Chevalier; Mary Jo Deters; Kevin Donovan; Julie McGraw; Judy Schwartz; and Superintendent Mark Larson, ex officio. Absent: Lucy Payne.

Also present: Mark Hamre, Wildwood Elementary School Principal; Carter Hill, School Board Student Representative; Rochel Manders, Director of Business Services; and Lynne Viker, Director of Teaching and Learning and Support Services.

3. APPROVAL OF THE AGENDA

Donovan moved, McGraw seconded, approval of the agenda. Carried.

4. DISCUSSION ITEMS

A. Curriculum Advisory Council Update

Lynne Viker, Director of Teaching and Learning and Support Services, reported on the curriculum advisory council meeting which included updates on: new course offerings, hiring of career and guidance counselor at MHS, next year's curriculum review: art, language arts, Family and Consumer Science (FACS), and current year's curriculum review: science. Viker also discussed Project-Based Learning (PBL) and staff training.

B. Abatement Bonds

Rochel Manders, Director of Business Services, presented to school board members on abatement bonds: the definition of abatement, permitted projects, requirements and parameters, the process and tax impact, timing of projects, and reviewed projects to be done - parking lots, sidewalks, and outdoor lighting. The next step will be to pass a resolution at a future school board meeting.

C. Open Enrollment

Superintendent Mark Larson reviewed with school board members current enrollment numbers and what is being projected for 2015-2016. Principal Mark Hamre discussed with school board members reducing class sizes at Wildwood School by going from 9 sections of kindergarten down to 8 and the possibility of going from 8 sections of first grade up to 9. Also discussed was what may be the new trend of not approving as many open enrollment students into the elementary grades, the majority of whom are kindergarten applicants. This is based on an increase of new families moving into the school district which is bringing up the resident student population numbers. The impact will be felt by open enrollment families who currently have children attending and employees. Larson also discussed the district's definition of residency and following up on reports of students attending whose parents/legal guardians do not live in the school district.

D. Protocol for Group Email

Superintendent Mark Larson discussed with school board members protocols for responding to community email.

E. Policy 706 - Acceptance of Gifts

Superintendent Mark Larson discussed with school board members Policy 706- Acceptance of Gifts that will be brought for a first reading at the May 14 school board meeting. The board members and superintendent discussed whether or not to have a specific dollar amount or conditions that would trigger the donation being put on the agenda for discussion prior to taking board action to approve the donation.

F. Strategic Planning Update

Superintendent Mark Larson read the school district's current mission and vision statements, shared the community survey results, and the strategic planning committee membership made up of students, community, teachers, administrators, and school board. Facilitators from the Minnesota School Boards Association (MSBA) will be conducting three strategic planning meetings which have been scheduled for: May 6, 20, and June 3 where the committee will work on updating the mission and vision of the district and work on a strategic plan for the next three to five years. The school board will approve the new mission, vision and strategic plan in July. The superintendent will bring to administrators at their August retreat for roll out in September.

G. Commencement Speaker

Superintendent Mark Larson discussed with school board members the history of a board member speaking at graduation. It was determined that Chair Judy Schwartz would speak at this year's commencement ceremony.

5. ADJOURNMENT

Donovan moved, McGraw seconded, adjournment. Carried. Meeting adjourned at 9:04.

KEVIN DONOVAN, ACTING CLERK

CALENDAR OF EVENTS

MAY		
DATE/TIME	MEETING/EVENT	LOCATION
<u>Monday, May 11</u> 8:00 p.m.	MHS Concert and Symphonic Band Concert	Chautauqua Fine Arts Center
<u>Tuesday, May 12</u> 7:00 p.m.	7 th Grade Choir Concert	Chautauqua Fine Arts Center
<u>Thursday, May 14</u> 5:30 p.m. 7:00 p.m.	School Board Policy Committee Meeting School Board Meeting	District Education Center – Board Room District Education Center – Community Room
<u>Monday, May 18</u> 7:00 p.m. 8:15 p.m.	6th Grade Choir Concert 8th Grade Choir Concert	Chautauqua Fine Arts Center Chautauqua Fine Arts Center
<u>Wednesday, May 20</u> 6:30-9:00 p.m.	Strategic Planning Meeting	District Education Center – Room 102/104
<u>Thursday, May 21</u> 1:30 p.m.	Fifth Grade Program	O. H. Anderson School – Large Gym
<u>Friday, May 22</u> 6:45 a.m. 1:30 p.m.	8 th Grade Student Recognition Program Fifth Grade Program	Chautauqua Fine Arts Center O. H. Anderson School – Large Gym
<u>Monday, May 25</u>	No School - Memorial Day Holiday	
<u>Wednesday, May 27</u> 9:30 a.m. 6:30-8:00 p.m.	Elementary PTO Meeting- <i>(Payne)</i> MHS Engineering Student Showcase	District Education Center – Community Room Mahtomedi High School – FABLab
<u>Thursday, May 28</u> 5:30 p.m. 7:00 p.m.	School Board Finance Committee Meeting School Board Study Session	District Education Center – Board Room District Education Center – Room 102/104
<u>Friday, May 29</u> 7:00 a.m. 5:00-8:00 p.m.	AMSD Board of Directors Meeting- <i>(Chevalier)</i> Fun Fair	TIES Building-Cafeteria, St. Paul Wildwood Elementary School

CALENDAR OF EVENTS

JUNE		
DATE/TIME	MEETING/EVENT	LOCATION
<u>Monday, June 1</u> 7:00 p.m.	MAEF Board of Trustees Meeting-(<i>McGraw</i>)	District Education Center – Room 102/104
<u>Tuesday, June 2</u> 6:00 p.m.	Northeast Metro 916 School Board Meeting-(<i>Schwartz</i>)	Bellaire School, White Bear Lake
<u>Wednesday, June 3</u> 12:00-1:00 p.m. 6:30-9:00 p.m.	Adult Senior Community Lunch - <i>WW Peace Choir</i> Strategic Planning Meeting	District Education Center – Community Room District Education Center – Room 102/104
<u>Thursday, June 4</u> 12:30 p.m.	Last Day of School 5 th Grade Awards Program	O. H. Anderson Elementary – Large Gym
<u>Saturday, June 6</u> 6:00 p.m.	Mahtomedi High School Graduation	Aldrich Arena
<u>Thursday, June 12</u> 5:30 p.m. 7:00 p.m.	School Board Policy Committee Meeting School Board Meeting	District Education Center – Board Room District Education Center – Community Room
<u>Wednesday, June 17</u> 4:00 p.m.	Northeast Metro 916 School Board Retreat-(<i>Schwartz</i>)	Bellaire School, White Bear Lake
<u>Monday, June 22</u> 7:00 p.m.	MAEF Social-(<i>McGraw</i>)	TBD
<u>Thursday, June 25</u> 7:00 p.m.	School Board Study Session	District Education Center – Room 102/104

Mahtomedi Public Schools
Independent School District #832
1520 Mahtomedi Avenue
Mahtomedi, MN 55115

Regular Meeting - Board of Education

Date: May 14, 2015

Agenda Item #9. B.

TOPIC: ADSIS Grant Update

BACKGROUND: Mahtomedi Schools have been receiving state funding for the Alternative Delivery of Specialized Instructional Services (ADSI) program since the 2008-2009 school year. This state funded program is to provide supplemental instruction to general education students who need additional academic support to succeed in the general education environment and may eventually qualify for special education if the intervention services were not available.

PURPOSE OF PRESENTATION: The purpose of this presentation is to provide the Board and community with an overview of Mahtomedi's ADSIS program and data showing outcomes of the program.

LEARNING OBJECTIVE: As a result of this presentation, the Board will have an understanding of the purpose of the ADSIS program and the impact ADSIS has on student success.

ACTION RECOMMENDED: Discussion Only.

Submitted By:

Kim O'Connor

Name

Data & Assessment Coordinator/ADSI Coordinator

Title

Concurrence By:



Dr. Mark Larson

Superintendent of Schools

Mahtomedi Public Schools
Independent School District #832
1520 Mahtomedi Avenue
Mahtomedi, MN 55115

Regular Meeting - Board of Education

Date: May 14, 2015

Agenda Item #C. 1-27

TOPIC: First Reading of Policies

- 201-Legal Status of the School Board
- 202-School Board Officers
- 203-Operation of the School Board-Governing Rules
- 203.1-School Board Procedures; Rules of Order
- 203.2-Order of the Regular School Board Meeting
- 203.5-School Board Meeting Agenda
- 203.6-Consent Agendas
- 204-School Board Meeting Minutes
- 205-Open Meetings and Closed Meetings
- 206-Public Participation in School board Meetings/Complaints about Persons at School Board Meetgs and Data Privacy Considerations
- 207-Ublic Hearings
- 208-Development, Adoptions, and Implementation of Policies
- 209-Code of ethics
- 210-Conflict of Interest-School Board Members
- 211-Criminal or Civil Action Against School District, School Board Member, Employee, or Student
- 212-School Board Member Development
- 213-School Board Committees
- 214-Out-of-pState Travel by School Board Members
- 298-Meet and Confer
- 299-Student Representation on School Board
- 301-School District Administration
- 302-Superintendent
- 303-Superintendent Selection
- 304-Superintendent Contract, Duties, and Evaluation
- 305-Policy Implementation
- 306-Administrator Code of Ethics
- 706-Acceptance of Gifts

BACKGROUND: MSBA provides for each school district sample policies that districts may accept as provided, make alterations, or ignore completely. Mahtomedi administration and the Policy Committee will be looking at each of the proposed policies in detail, bring them to the full Board for a first reading, take the recommendations/direction from the full board at that meeting

and present about a month later at a second reading. A brief explanation of each of the policies is below:

ACTION RECOMMENDED: Provide direction for administration on what changes to the policies are required for the second reading on June 11, 2015.

Submitted By:

Mark Larson

Name

Superintendent of Schools

Title

Concurrence By:

Mark Larson

Dr. Mark Larson

Superintendent of Schools



First Reading: May 14, 2015

Revised: 3/8/07

Adopted: 11/5/98

201 LEGAL STATUS OF THE SCHOOL BOARD

I. PURPOSE

The care, management, and control of the schools is vested by statutory and constitutional authority in the school board. The school board shall carry out the mission of the school district with diligence, prudence, and dedication to the ideals of providing the finest public education. The purpose of this policy is to define the authority, duties, and powers of the school board in carrying out its mission.

II. GENERAL STATEMENT OF POLICY

- A. The school board is the governing body of the school district. As such, the school board has responsibility for the care, management, and control over public schools in the school district.
- B. Generally, elected members of the school board have binding authority only when acting as a school board legally in session, except where specific authority is provided to school board members or officers individually. Generally, the school board is not bound by an action or statement on the part of an individual school board member unless the action is specifically directed or authorized by the school board.

III. DEFINITION

“School board” means the governing body of the school district.

IV. ORGANIZATION AND MEMBERSHIP

- A. The membership of the school board consists of six elected directors and an appointed high school student representative who serves in an ex officio capacity. The term of office for the elected directors is four years. The student representative’s term begins in September and continues through the end of the school year. The student is not limited to a single term.

- B. There may be other ex officio members of the school board as provided by law. The superintendent is an ex officio member.
- C. A majority of voting members constitutes a quorum. The act of the majority of a quorum is the act of the school board.
- D. The election of school board members shall be according to Minnesota law and will occur on the general election day of even numbered years.
- E. A vacancy on the school board will be filled by school board action until such vacancy can be filled at the next election as provided by law.

V. POWERS AND DUTIES

- A. The school board has powers and duties specified by statute. The school board's authority includes implied powers in addition to specific powers granted by the legislature.
- B. The school board exercises administrative functions. It also has certain powers of a legislative character and other powers of a quasi-judicial character.
- C. The school board shall superintend and manage the schools of the school district; adopt rules for their organization, government, policy, set graduation requirements and authorize contracts.
- D. The school board shall have the general charge of the business of the school district, its facilities and property, and of the interest of the schools.
- E. The school board, among other duties, shall perform the following in accordance with applicable law:
 1. provide by levy of tax, necessary funds for the conduct of schools, the payment of indebtedness, and all proper expenses of the school district;
 2. conduct the business of the schools and pay indebtedness and proper expenses;
 3. employ and contract with necessary qualified teachers and discharge the same for cause;
 4. provide services to promote the health of its pupils;
 5. provide school buildings and erect needed buildings;
 6. purchase, sell, and exchange school district property and equipment as deemed necessary by the school board for school purposes;
 7. provide for payment of claims against the school district, and prosecute and defend actions by or against the school district, in all proper cases;
 8. employ and discharge necessary employees and contract for other services;
 9. provide for transportation of pupils to and from school, as governed by statute; and

10. procure insurance against liability of the school district, its officers, and employees.
- F. The school board, at its discretion, may perform the following:
1. provide library facilities, public evening schools, adult and continuing education programs, summer school programs, and intersession classes of flexible school year programs;
 2. furnish school lunches for pupils and teachers on such terms as the school board determines;
 3. enter into agreements with one or more other independent school districts to provide for agreed upon educational services;
 4. lease rooms or buildings for school purposes;
 5. authorize the use of school facilities for community purposes that will not interfere with their use for school purposes;
 6. authorize cocurricular and extracurricular activities;
 7. receive, for the benefit of the school district, bequests, donations, or gifts for any proper purpose; and
 8. perform other acts as the school board shall deem to be reasonably necessary or required for the governance of the schools.

Legal References: Minn. Stat. § 123A.22 (Cooperative Centers)
Minn. Stat. § 123B.02 (General Powers)
Minn. Stat. § 123B.09 (School Board Powers)
Minn. Stat. § 123B.14 (School District Officers)
Minn. Stat. § 123B.23 (Liability Insurance)
Minn. Stat. § 123B.49 (Cocurricular and Extracurricular Activities; Insurance)
Minn. Stat. § 123B.51 (Schoolhouses and Sites; Access for Noncurricular Purposes)
Minn. Stat. § 123B.85 (Definition)
Jensen v. Indep. Consol. Sch. Dist. No. 85, 160 Minn. 233, 199 N.W. 911 (1924)

Cross References: Policy 101 (Legal Status of the School District)
Policy 202 (School Board Officers)
Policy 203 (Operation of the School Board -Governing Rules)
Policy 205 (Open Meetings and Closed Meetings)
Policy 299 (Student Representation on School Board)
MSBA Service Manual, Chapter 1, School District Governance, Powers and Duties



First Reading: May 14, 2015

Revised: 3/8/07

Adopted: 11/5/98

202 SCHOOL BOARD OFFICERS

I. PURPOSE

School board officers are charged with the duty of carrying out the responsibilities entrusted to them for the care, management, and control of the public schools of the school district. The purpose of this policy is to delineate those responsibilities.

II. GENERAL STATEMENT OF POLICY

- A. The school board shall meet annually and organize by selecting a chair, a clerk, a treasurer, and such other officers as determined by the school board. At its option, the school board may appoint a vice-chair to serve in the temporary absence of the chair.
- B. The school board shall appoint a superintendent who shall be an ex officio, nonvoting member of the school board.

III. ORGANIZATION

The school board shall meet annually on the first Monday in January, or as soon thereafter as practicable, and organize by selecting a chair, a clerk, a treasurer, and such other officers as determined by the school board. These officers shall hold office for one year and until their successors are elected and qualify.

- A. The persons who perform the duties of clerk and treasurer need not be members of the school board.
- B. The school board by resolution may combine the duties of the offices of clerk and treasurer in a single person in the office of business affairs.

IV. OFFICER'S RESPONSIBILITIES

- A. Chair
 - 1. The chair when present shall preside at all meetings of the school board,

countersign all orders upon the treasurer for claims allowed by the school board, represent the school district in all actions, and perform all duties a chair usually performs.

2. In case of absence, inability, or refusal of the clerk to draw orders for the payment of money authorized by a vote of the majority of the school board to be paid, the chair may draw the orders, or the office of the clerk may be declared vacant by the chair and treasurer and filled by appointment.

B. Treasurer

1. The treasurer shall deposit the funds of the school district in the official depository.
2. The treasurer shall make all reports which may be called for by the school board and perform all duties a treasurer usually performs.
3. In the event there are insufficient funds on hand to pay valid orders presented to the treasurer, the treasurer shall receive, endorse, and process the orders in accordance with Minn. Stat. § 123B.12.

C. Clerk

1. The clerk shall keep a record of all meetings in the permanent minutes book.
2. Within three days after an election, the clerk shall notify all persons elected of their election.
3. On or before September 15 of each year, the clerk shall:
 - a. file with the school board a report of the revenues, expenditures, and balances in each fund for the preceding fiscal year.
 - b. make and transmit to the commissioner certified reports, showing:
 - (1) revenues and expenditures in detail, and such other financial information required by law, rule, or as may be called for by the commissioner;
 - (2) length of school term and enrollment and attendance by grades; and
 - (3) other items of information as called for by the commissioner.
4. The clerk shall enter into the clerk's permanent minutes book copies of resolutions and of the proceedings of any school board meeting.
5. The clerk shall furnish to the county auditor, on or before September 30 of each year, an attested copy of the clerk's record, showing the amount of

proposed property tax voted by the school district or the school board for school purposes.

6. The clerk shall draw and sign all orders upon the treasurer for the payment of money for bills allowed by the school board for salaries of officers and for teachers' wages and all claims, to be countersigned by the chair.
7. The clerk shall perform such duties as required by the Minnesota Election Law or other applicable laws relating to the conduct of elections.
8. The clerk shall perform the duties of the chair in the event of the chair's and the vice-chair's temporary absences.

D. Vice-Chair

The vice-chair shall perform the duties of the chair in the event of the chair's temporary absence.

E. Superintendent

1. The superintendent shall be an ex officio, nonvoting member of the school board.
2. The superintendent shall perform the following:
 - a. visit and supervise the schools in the school district, report and make recommendations about their condition when advisable or on request by the school board;
 - b. recommend to the school board employment and dismissal of teachers;
 - c. annually evaluate each school principal assigned responsibility for supervising a school building within the district;
 - d. superintend school grading practices and examinations for promotions;
 - e. make reports required by the commissioner; and
 - f. perform other duties prescribed by the school board.

V. ABSENCE OF OFFICERS

If an officer is absent and the situation is not provided for in this policy, the board will select an acting officer to perform the duties of the absent officer.

Legal References: Minn. Stat. § 123B.12 (Finance)
 Minn. Stat. § 123B.14 (Officers)
 Minn. Stat. § 123B.143 (Superintendent)
 Minn. Stat. § 126C.17 (Referendum Revenue)
 Minn. Stat. Ch. 205A (School District Elections)

Cross References: Policy 101 (Legal Status of the School District)
Policy 201 (Legal Status of the School Board)
Policy 203 (Operation of the School Board – Governing Rules)
MSBA Service Manual, Chapter 1, School District Governance, Powers
and Duties



First Reading: May 14, 2015

Adopted: _____

203 OPERATION OF THE SCHOOL BOARD – GOVERNING RULES

I. PURPOSE

The purpose of this policy is to provide governing rules for the conduct of meetings of the school board.

II. GENERAL STATEMENT OF POLICY

An orderly school board meeting allows school board members to participate in discussion and decision of school district issues. Rules of order allow school board members the opportunity to review school-related topics, discuss school business items, and bring matters to conclusion in a timely and consistent manner.

III. RULES OF ORDER

Rules of order for school board meetings shall be as follows:

- A. Minnesota statutes where specified;
- B. Specific rules of order as provided by the school board consistent with Minnesota statutes; and
- C. *Robert's Rules of Order, Revised* (latest edition) where not inconsistent with A. and B., above.

Legal References: Minn. Stat. Ch. 13D (Open Meeting Law)
Minn. Stat. § 123B.09, Subds. 6, 7, and 10 (School Board Matters)
Minn. Stat. § 123B.14 (Officers)



First Reading: May 14, 2015

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Adopted: 11/5/98

203.1 SCHOOL BOARD PROCEDURES; RULES OF ORDER

I. PURPOSE

The purpose of this policy is to provide specific rules of order to conduct meetings of the school board.

II. GENERAL STATEMENT OF POLICY

To ensure that school board meetings are conducted in an orderly fashion, the school board will follow rules of order which will allow the school board:

- A. To establish guidelines by which the business of the school board can be conducted in a regular and internally consistent manner;
- B. To organize the meetings so all necessary matters can be brought to the school board and decisions of the school board can be made in an orderly and reasonable manner;
- C. To insure that members of the school board have the necessary information to make decisions on substantive issues and to insure adequate discussion of decisions to be made; and
- D. To insure that meetings and actions of the school board are conducted so as to be informative to the staff and the public, and to produce a clear record of actions taken and decisions made.

III. RULES OF ORDER

- A. School board members need not rise to gain the recognition of the chair.
- B. A motion will be adopted or carried if it receives the affirmative votes of a majority of those actually voting on the matter. Abstentions are considered to be acquiescence to the vote of the majority. It should be noted that some motions by statute or Robert's Rules of Order require larger numbers of affirmative votes.
- C. All motions that require a second shall receive a second prior to opening the issue for discussion of the school board. If a motion that requires a second does not

receive a second, the chair may declare that the motion fails for lack of a second or may provide the second. The names of the members making and seconding a motion shall be recorded in the minutes.

- D. The chair shall decide the order in which school board members will be recognized to address an issue. An attempt should be made to alternate between pro and con positions if appropriate to the discussion. A member shall only speak to an issue after the member is recognized by the chair.
- E. The chair shall rule on all questions relating to motions and points of order brought before the school board.
- F. A ruling by the chair is subject to appeal to the full school board pursuant to Robert's Rules of Order.
- G. The school board shall have authority to recognize any member of the audience regarding a request to be heard at the school board meeting. Members of the public who wish to be heard shall follow school board procedures for Public Comment.
- H. The chair has the authority to declare a recess at any time for the purpose of restoring decorum to the meeting or for any other necessary purpose.
- I. The chair shall repeat a motion or the substance of a motion prior to the vote. The chair shall call for an affirmative and a negative vote on all motions.
- J. The order in which names will be called for roll call votes will be determined by the school board.
- K. The chair has the same right and responsibility as each school board member to vote on all issues.
- L. The chair shall announce the result of each vote. The vote of each member, including abstentions, shall be recorded in the minutes. If the vote is unanimous, it may be reflected as unanimous in the minutes if the minutes also reflect the members present.
- M. A majority of the voting members of the school board constitute a quorum. The absence of a quorum may be raised by the chair or any member. Generally any action taken in the absence of a quorum is null and void. The only legal actions the school board may take in the absence of a quorum are to fix the time at which to adjourn, to adjourn, to recess or to take measures to obtain a quorum.

Legal References: Minn. Stat. § 13D.01, Subd. 4 (Open Meeting Law)
Minn. Stat. § 122A.40 (Employment Contracts, Termination)

Minn. Stat. § 123B.09, Subds. 6 and 7 (School Board Powers)
Minn. Stat. § 126C.53 (Enabling Resolution; Form of Certificates of Indebtedness)
Minn. Stat. § 331A.01, Subd. 6 (Newspapers; Definitions)
Minn. Stat. § 331A.04, Subd. 6 (Newspapers; Exception to Designation Priority)
Minn. Stat. § 471.88 (Exceptions)

Cross References: Policy 203 (Operation of the School Board – Governing Rules)
Policy 204 (School Board Meeting Minutes)
Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)
Policy 207 (Public Hearings)



First Reading: May 14, 2015

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Adopted: 11/5/98

203.2 ORDER OF THE REGULAR SCHOOL BOARD MEETING

I. PURPOSE

The purpose of this policy is to ensure consistency in the order of business at regular school board meetings.

II. GENERAL STATEMENT OF POLICY

It is the policy of the school board to consider matters that come before it in a consistent and orderly manner.

III. ORDER

A. The school board shall conduct an orderly school board meeting. The school board will, at all regular school board meetings, follow an agenda order similar to:

1. Call to order.
2. Roll call of attendance.
3. Approval of the agenda.
4. Approval of the consent agenda.
5. Building presentation/school board recognition.
6. Public comment.
7. Report from student representatives.
8. Approval of minutes.
9. Discussion/Information items.
10. Action items.
11. School board committee reports.
12. Superintendent's report.
13. Adjournment.

B. The school board may depart from the order of business with the consent of the majority of members present.

Legal References: Minn. Stat. § 123B.09, Subd. 7 (School Board Powers)

Cross References: Policy 203 (Operation of the School Board – Governing Rules)
Policy 203.5 (School Board Meeting Agenda)
Policy 203.6 (Consent Agendas)



First Reading: May 14, 2015

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203.5 SCHOOL BOARD MEETING AGENDA

I. PURPOSE

The purpose of this policy is to provide procedures for the preparation of the school board meeting agenda to ensure that the school board can accomplish its business as efficiently and expeditiously as possible.

II. GENERAL STATEMENT OF POLICY

The policy of the school board is that school board meetings shall be conducted in a manner to allow the school board to accomplish its business while allowing reasoned debate and discussion of each matter to be acted upon.

III. PROCEDURES

- A. While all school board members may provide input, it shall be the responsibility of the school board chair and superintendent to develop, prepare, and arrange the order of items for the tentative school board meeting agenda for each school board meeting.
- B. Persons wishing to place an item on the agenda must make a request to the school board chair or superintendent in a timely manner. The person making the request is encouraged to state the person's name, address, purpose of the item, action desired, and pertinent background information. The chair and superintendent shall determine whether to place the matter on the tentative agenda.
- C. The tentative agenda and supporting documents shall be sent to the school board members at least two (2) days prior to the scheduled school board meeting.
- D. Items may only be added to the agenda by a motion adopted at the meeting. If an added item is acted upon, the minutes of the school board meeting shall include a description of the matter.

- E. At least one copy of any printed materials, including electronic communications, relating to the agenda items of the meeting prepared or distributed by or at the direction of the school board or its employees and: (i) distributed at the meeting to all members of the governing body; (ii) distributed before the meeting to all members; or (iii) available in the meeting room to all members shall be available in the meeting room for inspection by the public while the school board considers their subject matter. This does not apply to materials classified by law as other than public or to materials relating to the agenda items of a closed meeting.

Legal References: Minn. Stat. § 13D.01, Subd. 6 (Open Meeting Law)
Minn. Stat. § 123B.09, Subd. 7 (School Board Powers)
Dept. of Admin. Advisory Op. No. 10-013 (April 29, 2010)
Dept. of Admin. Advisory Op. No. 08-015 (July 9, 2008)

Cross References: Policy 203 (Operation of the School Board – Governing Rules)
Policy 203.2 (Order of the Regular School Board Meeting)
Policy 203.6 (Consent Agendas)
Policy 204 (School Board Meeting Minutes)
Policy 207 (Public Hearings)



First Reading: May 14, 2015

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Adopted: 11/5/98

203.6 CONSENT AGENDAS

I. PURPOSE

The purpose of this policy is to allow the use of a consent agenda.

II. GENERAL STATEMENT OF POLICY

In order for a more efficient administration of school board meetings, the school board may elect to use a consent agenda for the passage of noncontroversial items or items of a similar nature.

III. CONSENT AGENDAS

- A. The superintendent, in consultation with the school board chair, may place items on the consent agenda. By using a consent agenda, the school board has consented to the consideration of certain items as a group under one motion. Should a consent agenda be used, an appropriate amount of discussion time will be allowed to review any item upon request.
- B. Consent items are those which usually do not require discussion or explanation prior to school board action, are noncontroversial and/or similar in content, or are those items which have already been discussed and/or explained and do not require further discussion or explanation. Such agenda items might include ministerial tasks such as, but not limited to, the approval of the agenda, approval of previous minutes, approval of bills, approval of reports, etc. These items might also include similar groups of decisions such as, but not limited to, approval of staff contracts, approval of maintenance details for the school district buildings and grounds or approval of various schedules.
- C. Items shall be removed from the consent agenda by a timely request by an individual school board member for independent consideration. A request is timely if made prior to the vote on the consent agenda. The request does not require a

second or a vote by the school board. An item removed from the consent agenda will then be discussed and acted on separately immediately following the consideration of the consent agenda.

- D. Consent agenda items are approved en masse by one vote of the school board. The consent agenda items shall be separately recorded in the minutes.

Legal References: Minn. Stat. § 123B.09, Subd. 7 (School Board Powers)

Cross References: Policy 203.2 (Order of the Regular School Board Meeting)
Policy 203.5 (School Board Meeting Agenda)
Policy 204 (School Board Meeting Minutes)



First Reading: May 14, 2015

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204 SCHOOL BOARD MEETING MINUTES

I. PURPOSE

The purpose of this policy is to establish procedures relating to the maintenance of records of the school board and the publication of its official proceedings.

II. GENERAL STATEMENT OF POLICY

It is the policy of the school district to maintain its records so that they will be available for inspection by members of the general public and to provide for the publication of its official proceedings in compliance with law.

III. MAINTENANCE OF MINUTES AND RECORDS

A. The clerk shall keep and maintain permanent records of the school board, including records of the minutes of school board meetings and other required records of the school board. All votes taken at meetings required to be open to the public pursuant to the Minnesota Open Meeting Law shall be recorded. Public records maintained by the school district shall be available for inspection by members of the public during the regular business hours of the school district. Minutes of meetings shall be available for inspection at the administrative offices of the school district after they have been prepared. Minutes of a school board meeting shall be approved or modified by the school board at a subsequent meeting, which action shall be reflected in the official proceedings of that subsequent meeting.

B. Recordings of Closed Meetings

1. All closed meetings, except those closed as permitted by the attorney-client privilege, must be electronically recorded at the expense of the school district. Recordings of closed meetings shall be made separately from the recordings of an open meeting, to the extent such meetings are recorded. If a meeting is closed to discuss more than one (1) matter, each matter shall be separately recorded.

2. Recordings of closed meetings shall be preserved by the school district for the following time periods:
 - a. Meetings closed to discuss labor negotiations strategy shall be preserved for two (2) years after the contract is signed.
 - b. Meetings closed to discuss security matters shall be preserved for at least four (4) years.
 - c. Meetings closed to discuss the purchase or sale of property shall be preserved for at least eight (8) years after the date of the meeting.
 - d. All other closed meetings shall be preserved by the school district for at least three (3) years after the date of the meeting.
 - e. Following the expiration of the above time periods, recordings of closed meetings shall be maintained as set forth in the school district's Records Retention Schedule.
3. Recordings of closed meetings shall be classified by the school district as protected non-public data that is not accessible by the public or any subject of the data, with the following exceptions:
 - a. Recordings of labor negotiations strategy meetings shall be classified as public data and made available to the public after all labor contracts are signed by the school district for the current budget period.
 - b. Recordings of meetings related to the purchase or sale of property shall be classified as public data and made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the school district has abandoned the purchase or sale.
 - c. Recordings of any other closed meetings shall be classified and/or released as required by court order.
4. Recordings of closed meetings shall be maintained separately from recordings of open meetings, to the extent recordings of open meetings are maintained by the school district, with the exception of recordings that have been classified as public data as set forth in Section III.B.3. above. Recordings of closed meetings classified as non-public data also shall be maintained in a secure location, separate from recordings classified as public data.

5. Recordings of closed meetings shall be maintained in a manner to easily identify the data classification of the recording. The recordings shall be identified with at least the following information:
 - a. The date of the closed meeting;
 - b. The basis upon which the meeting was closed (i.e.: labor negotiations strategy, purchase or sale of real property, educational data, etc.); and
 - c. The classification of the data.
6. Recordings of closed meetings related to labor negotiations strategy and the purchase or sale of property shall be maintained and monitored in a manner that reclassifies the recording as public upon the occurrence of an event reclassifying that data as set forth in Section III.B.3. above.

IV. PUBLICATION OF OFFICIAL PROCEEDINGS

- A. The school board shall cause its official proceedings to be published once in the official newspaper of the school district within thirty (30) days of the meeting at which the proceedings occurred.
- B. The proceedings to be published shall be sufficiently full to fairly set forth the proceedings. They must include the substance of all official actions taken by the school board at any regular or special meeting, and at minimum must include the subject matter of a motion, the persons making and seconding the motion, the character of resolutions offered including a brief description of their subject matter, and whether adopted or defeated a listing of how each member present voted on the motion. The minutes and permanent records of the school board may include more detail than is required to be published with the official proceedings. If the proceedings have not yet been approved by the school board, the proceedings to be published may reflect that fact.
- C. The proceedings to be published may be a summary of the essential elements of the proceedings, and/or of resolutions and other official actions of the school board. Such a summary shall be written in a clear and coherent manner and shall, to the extent possible, avoid the use of technical or legal terms not generally familiar to the public. When a summary is published, the publication shall clearly indicate that the published material is only a summary and that the full text is available for public inspection at the administrative offices of the school district and that a copy of the proceedings, other than attachments to the minutes, is available without cost at the offices of the school district or by means of standard or electronic mail.

Legal References: Minn. Stat. § 13D.01, Subds. 4-6 (Open Meeting Law)
 Minn. Stat. § 123B.09, Subd. 10 (Publishing Proceedings)
 Minn. Stat. § 123B.14, Subd. 7 (Record of Meetings)
 Minn. Stat. § 331A.01 (Definition)

Minn. Stat. § 331A.05, Subd. 8 (Notice Regarding Published Summaries)
Minn. Stat. § 331A.08, Subd. 3 (Publication of Proceedings)
Op. Atty. Gen. 161-a-20 (Dec. 17, 1970)
Ketterer v. Independent School District No. 1, 248 Minn. 212, 79 N.W.2d
428 (1956)

Cross References: Policy 205 (Open Meetings and Closed Meetings)
MSBA Service Manual, Chapter 1, School District Governance, Powers
and Duties



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205 OPEN MEETINGS AND CLOSED MEETINGS

I. PURPOSE

- A. The school board embraces the philosophy of openness in the conduct of its business, in the belief that openness produces better programs, more efficiency in administration of programs, and an organization more responsive to public interest and less susceptible to private interest. The school board shall conduct its business under a presumption of openness. At the same time, the school board recognizes and respects the privacy rights of individuals as provided by law. The school board also recognizes that there are certain exceptions to the Minnesota Open Meeting Law as recognized in statute where it has been determined that, in limited circumstances, the public interest is best served by closing a meeting of the school board.
- B. The purpose of this policy is to provide guidelines to assure the rights of the public to be present at school board meetings, while also protecting the individual's rights to privacy under law, and to close meetings when the public interest so requires as recognized by law.

II. GENERAL STATEMENT OF POLICY

- A. Except as otherwise expressly provided by statute, all meetings of the school board, including executive sessions, shall be open to the public.
- B. Meetings shall be closed only when expressly authorized by law.

III. DEFINITION

“Meeting” means a gathering of at least a quorum or more members of the school board, or quorum of a committee or subcommittee of school board members, at which members discuss, decide, or receive information as a group on issues relating to the official business of the school board. The term does not include a chance or social gathering.

IV. PROCEDURES

A. Meetings

1. Regular Meetings

A schedule of the regular meetings of the school board shall be kept on file at its primary offices. If the school board decides to hold a regular meeting at a time or place different from the time or place stated in its schedule, it shall give the same notice of the meeting as for a special meeting.

2. Special Meetings

- a. For a special meeting, the school board shall post written notice of the date, time, place, and purpose of the meeting on the principal bulletin board of the school district or on the door of the school board's usual meeting room if there is no principal bulletin board. The school board's actions at the special meeting are limited to those topics included in the notice.
- b. The notice shall also be mailed or otherwise delivered to each person who has filed a written request for notice of special meetings.
- c. This notice shall be posted and mailed or delivered at least three days before the date of the meeting. As an alternative to mailing or otherwise delivering notice to persons who have filed a written request, the school board may publish the notice once, at least three days before the meeting, in the official newspaper of the school district or, if none, in a qualified newspaper of general circulation within the area of the school district.
- d. A person filing a request for notice of special meetings may limit the request to particular subjects, in which case the school board is required to send notice to that person only concerning those particular subjects.
- e. The school board will establish an expiration date on requests for notice of special meetings and require refiling once each year. Not more than 60 days before the expiration date of request for notice, the school board shall send notice of the refiling requirement to each person who filed during the preceding year.

3. Emergency Meetings

- a. An emergency meeting is a special meeting called because of circumstances that, in the judgment of the school board, require immediate consideration.

- b. If matters not directly related to the emergency are discussed or acted upon, the minutes of the meeting shall include a specific description of those matters.
- c. The school board shall make good faith efforts to provide notice of the emergency meeting to each news medium that has filed a written request for notice if the request includes the news medium's telephone number.
- d. Notice of the emergency meeting shall be given by telephone or any other method used to notify the members of the school board.
- e. Notice shall be provided to each news medium which has filed a written request for notice as soon as reasonably practicable after notice has been given to the school board members.
- f. Notice shall include the subject of the meeting.
- g. Posted or published notice of an emergency meeting shall not be required.
- h. The notice requirements for an emergency meeting as set forth in this policy shall supersede any other statutory notice requirement for a special meeting that is an emergency meeting.

4. Recessed or Continued Meetings

If a meeting is a recessed or continued session of a previous meeting, and the time and place of the meeting was established during the previous meeting and recorded in the minutes of that meeting, then no further published or mailed notice is necessary.

5. Closed Meetings

The notice requirements of the Minnesota Open Meeting Law apply to closed meetings.

6. Actual Notice

If a person receives actual notice of a meeting of the school board at least 24 hours before the meeting, all notice requirements are satisfied with respect to that person, regardless of the method of receipt of notice.

7. Health Pandemic or Declared Emergency

In the event of a health pandemic or an emergency declared under Minn.

Stat. Ch. 12, a meeting may be conducted by telephone or other electronic means in compliance with Minn. Stat. § 13D.021.

B. Votes

The votes of school board members shall be recorded in the permanent minutes book and shall be available to the public during all normal business hours at the administrative offices of the school district.

C. Written Materials

1. In any open meeting, a copy of any printed materials, including electronic communications, relating to the agenda items prepared or distributed by the school board or its employees and distributed to or available to all school board members shall be available in the meeting room for inspection by the public while the school board considers their subject matter.
2. This provision does not apply to materials not classified by law as public, or to materials relating to the agenda items of a closed meeting.

D. Data

1. Meetings may not be closed merely because the data to be discussed are not public data.
2. Data that are not public data may be discussed at an open meeting if the disclosure relates to a matter within the scope of the school board's authority and is reasonably necessary to conduct the business or agenda item before the school board.
3. Data discussed at an open meeting retain the data's original classification; however, a record of the meeting, regardless of form, shall be public.

E. Closed Meetings

1. Labor Negotiations Strategy
 - a. The school board may, by a majority vote in a public meeting, decide to hold a closed meeting to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals.
 - b. The time and place of the closed meeting shall be announced at the public meeting. A written roll of school board members and all other persons present at the closed meeting shall be made available to the public after the closed meeting. The proceedings shall be tape recorded, and the tape recording shall be preserved for two years

after the contract discussed at the meeting is signed. The recording shall be made available to the public after all labor contracts are signed by the school board for the current budget period.

2. Sessions Closed by Bureau of Mediation Services

All negotiations, mediation sessions, and hearings between the school board and its employees or their respective representatives are public meetings. These meetings may be closed only by the Commissioner of the Bureau of Mediation Services (BMS). The use of recording devices, stenographic records, or other recording methods are prohibited in mediation meetings closed by the BMS.

3. Preliminary Consideration of Charges

The school board shall close one or more meetings for preliminary consideration of allegations or charges against an individual subject to its authority. If the school board members conclude that discipline of any nature may be warranted as a result of those specific charges or allegations, further meetings or hearings relating to those specific charges or allegations held after that conclusion is reached must be open. A meeting must also be open at the request of the individual who is the subject of the meeting. A closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

4. Performance Evaluations

The school board may close a meeting to evaluate the performance of an individual who is subject to its authority. The school board shall identify the individual to be evaluated prior to closing a meeting. At its next open meeting, the school board shall summarize its conclusions regarding the evaluation. A meeting must be open at the request of the individual who is the subject of the meeting. A closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

5. Attorney-Client Meeting

A meeting may be closed if permitted by the attorney-client privilege. Attorney-client privilege applies when litigation is imminent or threatened, or when the school board needs advice above the level of general legal advice, i.e., regarding specific acts and their legal consequences. A meeting may be closed to seek legal advice concerning litigation strategy, but the mere threat that litigation might be a consequence of deciding a matter one way or another does not, by itself, justify closing the meeting. The motion

to close the meeting must specifically describe the matter to be discussed at the closed meeting, subject to relevant privacy and confidentiality considerations under state and federal law. The law does not require that such a meeting be recorded.

6. Dismissal Hearing

- a. A hearing on the dismissal of a licensed teacher shall be public or private at the teacher's discretion. A hearing regarding placement of teachers on unrequested leave of absence shall be public.
- b. A hearing on dismissal of a student pursuant to the Pupil Fair Dismissal Act shall be closed unless the pupil, parent or guardian requests an open hearing.
- c. To the extent a teacher or student dismissal hearing is held before the school board and is closed, the closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

7. Coaches; Opportunity to Respond

- a. If the school board has declined to renew the coaching contract of a licensed or nonlicensed head varsity coach, it must notify the coach within 14 days of that decision.
- b. If the coach requests the reasons for the nonrenewal, the school board must give the coach the reasons in writing within 10 days of receiving the request.
- c. On the request of the coach, the school board must provide the coach with a reasonable opportunity to respond to the reasons at a school board meeting.
- d. The meeting may be open or closed at the election of the coach unless the meeting is closed as required by Minn. Stat. § 13D.05, Subd. 2, to discuss educational or certain other nonpublic data.
- e. A closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

8. Meetings to Discuss Certain Not Public Data

Any portion of a meeting must be closed if the following types of data are discussed:

- a. data that would identify alleged victims or reporters of criminal sexual conduct, domestic abuse, or maltreatment of minors or vulnerable adults;
- b. active investigative data collected or created by a law enforcement agency;
- c. educational data, health data, medical data, welfare data, or mental health data that are not public data; or
- d. an individual's personal medical records.
- e. A closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

9. Purchase and Sale of Property

- a. The school board may close a meeting:
 - (1) to determine the asking price for real or personal property to be sold by the school district;
 - (2) to review confidential or nonpublic appraisal data; and
 - (3) to develop or consider offers or counteroffers for the purchase or sale of real or personal property.
- b. Before closing the meeting, the school board must identify on the record the particular real or personal property that is the subject of the closed meeting.
- c. The closed meeting must be tape recorded at the expense of the school district. The tape must be preserved for eight years after the date of the meeting and be made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the school board has abandoned the purchase or sale. The real or personal property that is the subject of the closed meeting must be specifically identified on the tape. A list of school board members and all other persons present at the closed meeting must be made available to the public after the closed meeting.
- d. An agreement reached that is based on an offer considered at a closed meeting is contingent on its approval by the school board at an open meeting. The actual purchase or sale must be approved at an open meeting and the purchase price or sale price is public data.

10. Security Matters

- a. The school board may close a meeting to receive security briefings and reports, to discuss issues related to security systems, to discuss emergency response procedures, and to discuss security deficiencies in or recommendations regarding public services, infrastructure, and facilities, if disclosure of the information discussed would pose a danger to public safety or compromise security procedures or responses.
- b. Financial issues related to security matters must be discussed and all related financial decisions must be made at an open meeting.
- c. Before closing a meeting, the school board must refer to the facilities, systems, procedures, services, or infrastructures to be considered during the closed meeting.
- d. The closed meeting must be tape recorded at the expense of the school district and the recording must be preserved for at least four years.

11. Other Meetings

Other meetings shall be closed as provided by law, except as provided above. A closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

F. Procedures for Closing a Meeting

The school board shall provide notice of a closed meeting just as for an open meeting. A school board meeting may be closed only after a majority vote at a public meeting. Before closing a meeting, the school board shall state on the record the specific authority permitting the meeting to be closed and shall describe the subject to be discussed.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
 Minn. Stat. Ch. 13D (Open Meeting Law)
 Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing)
 Minn. Stat. § 122A.33, Subd. 3 (Coaches; Opportunity to Respond)
 Minn. Stat. § 122A.40, Subd. 14 (Teacher Discharge Hearing)
 Minn. Stat. § 179A.14, Subd. 3 (Labor Negotiations)
 Minn. Rules Part 5510.2810 (Bureau of Mediation Services)
Brown v. Cannon Falls Township, 723 N.W.2d 31 (Minn. App. 2006)
Brainerd Daily Dispatch v. Dehen, 693 N.W.2d 435 (Minn. App. 2005)

The Free Press v. County of Blue Earth, 677 N.W.2d 471 (Minn. App. 2004)
Prior Lake American v. Mader, 642 N.W.2d 729 (Minn. 2002)
Star Tribune v. Board of Education, Special School District No. 1, 507 N.W.2d 869 (Minn. App. 1993)
Minnesota Daily v. University of Minnesota, 432 N.W.2d 189 (Minn. App. 1988)
Moberg v. Independent School District No. 281, 336 N.W.2d 510 (Minn. 1983)
Sovereign v. Dunn, 498 N.W.2d 62 (Minn. App. 1993), *rev. denied.* (Minn. 1993)
 Dept. of Admin. Advisory Op. No. 12-004 (March 8, 2012)
 Dept. of Admin. Advisory Op. No. 11-004 (April 18, 2011)
 Dept. of Admin. Advisory Op. No. 10-020 (September 23, 2010)
 Dept. of Admin. Advisory Op. No. 09-020 (September 8, 2009)
 Dept. of Admin. Advisory Op. No. 08-015 (July 9, 2008)
 Dept. of Admin. Advisory Op. No. 06-027 (September 28, 2006)
 Dept. of Admin. Advisory Op. No. 04-004 (February 3, 2004)

Cross References: Policy 204 (School Board Meeting Minutes)
 Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)
 Policy 207 (Public Hearings)
 Policy 406 (Public and Private Personnel Data)
 Policy 515 (Protection and Privacy of Pupil Records)
 MSBA Service Manual, Chapter 13, School Law Bulletin “C” (Minnesota’s Open Meeting Law)



First Reading: May 14, 2015

Adopted: _____

206 PUBLIC PARTICIPATION IN SCHOOL BOARD MEETINGS/COMPLAINTS ABOUT PERSONS AT SCHOOL BOARD MEETINGS AND DATA PRIVACY CONSIDERATIONS

I. PURPOSE

- A. The school board recognizes the value of participation by the public in deliberations and decisions on school district matters. At the same time, the school board recognizes the importance of conducting orderly and efficient proceedings, with opportunity for expression of all participants' respective views.
- B. The purpose of this policy is to provide procedures to assure open and orderly public discussion as well as to protect the due process and privacy rights of individuals under the law.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school board is to encourage discussion by citizens of subjects related to the management of the school district at school board meetings. The school board may adopt reasonable time, place, and manner restrictions on public expression in order to facilitate free discussion by all interested parties.
- B. The school board shall, as a matter of policy, protect the legal rights to privacy and due process of employees and students.

III. DEFINITIONS

- A. "Personnel data" means government data on individuals maintained because the individual is or was an employee or applicant for employment. For purposes of this policy, "employee" includes a volunteer or an independent contractor.
- B. Personnel data on current and former employees that is "public" includes:

Name; employee identification number, which must not be the employee's social security number; actual gross salary; salary range; terms and conditions of employment relationship; contract fees; actual gross pension; the value and nature of employer paid fringe benefits; the basis for and the amount of any added

remuneration, including expense reimbursement, in addition to salary; bargaining unit; job title; job description; education and training background; previous work experience; date of first and last employment; the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action; the final disposition of any disciplinary action as defined in Minn. Stat. § 13.43, Subd. 2(b), together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the public body; the terms of any agreement settling any dispute arising out of the employment relationship, including a superintendent buyout agreement, except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money; work location; a work telephone number; badge number; work-related continuing education; honors and awards received; and payroll time sheets or other comparable data that are only used to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.

- C. Personnel data on current and former applicants for employment that is "public" includes:

Veteran status; relevant test scores; rank on eligible list; job history; education and training; and work availability. Names of applicants shall be private data except when certified as eligible for appointment to a vacancy or when applicants are considered by the appointing authority to be finalists for a position in public employment. For purposes of this subdivision, "finalist" means an individual who is selected to be interviewed by the appointing authority prior to selection.

- D. "Educational data" means data maintained by the school district which relates to a student.
- E. "Student" means an individual currently or formerly enrolled or registered in the school district, or applicants for enrollment, or individuals who receive shared time services.
- F. Data about applicants for appointments to a public body, including a school board, collected by the school district as a result of the applicant's application for appointment to the public body are private data on individuals, except that the following are public: name; city of residence, except where the appointment has a residency requirement that requires the entire address to be public; education and training; employment history; volunteer work; awards and honors; prior government service; and any data required to be provided or that is voluntarily provided in an application to a multimember agency pursuant to Minn. Stat. § 15.0597. Once an individual has been appointed to a public body, the following additional items of data are public: residential address and either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee; provided, however, any electronic mail address or

telephone number provided by a public body for use by an appointee shall be public. An appointee may use an electronic mail address or telephone number provided by the public body as the designated electronic mail address or telephone number at which the appointee can be reached.

IV. RIGHTS TO PRIVACY

- A. School district employees have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following:
1. right to a private hearing for teachers, pursuant to Minn. Stat. § 122A.40, Subd. 14 (Teachers Discharge Hearing);
 2. right to privacy of personnel data as provided by Minn. Stat. § 13.43 (Personnel Data);
 3. right to consideration by the school board of certain data treated as not public as provided in Minn. Stat. § 13D.05 (Not Public Data);
 4. right to a private hearing for licensed or nonlicensed head varsity coaches to discuss reasons for nonrenewal of a coaching contract pursuant to Minn. Stat. § 122A.33, Subd. 3.
- B. School district students have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following:
1. right to a private hearing, Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing);
 2. right to privacy of educational data, Minn. Stat. § 13.32 (Educational Data); 20 U.S.C. § 1232g (FERPA);
 3. right to privacy of complaints as provided by child abuse reporting and discrimination laws, Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors) and Minn. Stat. Ch. 363A (Minnesota Human Rights Act).

V. THE PUBLIC'S OPPORTUNITY TO BE HEARD

The school board will strive to give all citizens of the school district an opportunity to be heard and to have complaints considered and evaluated, within the limits of the law and this policy and subject to reasonable time, place, and manner restrictions. Among the rights available to the public is the right to access public data as provided by Minn. Stat. § 13.43, Subd. 2 (Public Data).

VI. PROCEDURES

A. Agenda Items

1. Citizens who wish to have a subject discussed at a public school board meeting are encouraged to notify the superintendent's office in advance of the school board meeting. The citizen should provide his or her name, address, the name of group represented (if any), and the subject to be covered or the issue to be addressed.
2. Citizens who wish to address the school board on a particular subject should identify the subject and identify agenda item(s) to which their comments pertain. Usually, only items on the agenda can be addressed. If the item for discussion is not on the agenda, the citizen will be allowed to speak at the discretion of the Board Chair.
3. The school board chair will recognize one speaker at a time, and will rule out of order other speakers who are not recognized. Only those speakers recognized by the chair will be allowed to speak. Comments by others are out of order. Individuals who interfere with or interrupt speakers, the school board, or the proceedings may be directed to leave.
4. The school board retains the discretion to limit discussion of any agenda item to a reasonable period of time as determined by the school board. If a group or organization wishes to address the school board on a topic, the school board reserves the right to require designation of one or more representatives or spokespersons to speak on behalf of the group or organization.
5. Matters proposed for placement on the agenda which may involve data privacy concerns, which may involve preliminary allegations, or which may be potentially libelous or slanderous in nature shall not be considered in public, but shall be processed as determined by the school board in accordance with governing law.
6. The school board chair shall promptly rule out of order any discussion by any person, including school board members, that would violate the provisions of state or federal law, this policy or the statutory rights of privacy of an individual.
7. Personal attacks by anyone addressing the school board are unacceptable. Persistence in such remarks by an individual shall terminate that person's privilege to address the school board.
8. Depending upon the number of persons in attendance seeking to be heard, the school board reserves the right to impose such other limitations and

restrictions as necessary in order to provide an orderly, efficient, and fair opportunity for those present to be heard.

B. Complaints

1. Routine complaints about a teacher or other employee should first be directed to that teacher or employee or to the employee's immediate supervisor.
2. If the complaint is against an employee relating to child abuse, discrimination, racial, religious, or sexual harassment, or other activities involving an intimidating atmosphere, the complaint should be directed to the employee's supervisor or other official as designated in the school district policy governing that kind of complaint. In the absence of a designated person, the matter should be referred to the superintendent.
3. Unresolved complaints from Paragraph 1. of this section or problems concerning the school district should be directed to the superintendent's office.
4. Complaints which are unresolved at the superintendent's level may be brought before the school board by notifying the school board in writing.

C. Open Forum

The school board shall normally provide a specified period of time when citizens may address the school board on any topic, subject to the limitations of this policy. The school board reserves the right to allocate a specific period of time for this purpose and limit time for speakers accordingly.

The school board may decide to hold certain types of public meetings where the public will not be invited to address the school board. Possible examples are work sessions and board retreats. The public will still be entitled to notice of these meetings and will be allowed to attend these meetings, but the public will not be allotted time during the meeting to address the board.

D. No Board Action at Same Meeting

Except as determined by the school board to be necessary or in an emergency, the school board will not take action at the same meeting on an item raised for the first time by the public.

VII. PENALTIES FOR VIOLATION OF DATA PRIVACY

- A. The school district is liable for damages, costs and attorneys' fees, and, in the event of a willful violation, punitive damages for violation of state data privacy laws. (Minn. Stat. § 13.08, Subd. 1)

- B. A person who willfully violates data privacy is guilty of a misdemeanor. (Minn. Stat. § 13.09)
- C. In the case of an employee, willful violation constitutes just cause for suspension without pay or dismissal. (Minn. Stat. § 13.09)

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 13.601, Subd. 3 (Applicants for Appointment)
Minn. Stat. § 13D.05 (Open Meeting Law)
Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing)
Minn. Stat. § 122A.33, Subd. 3 (Coaches; Opportunity to Respond)
Minn. Stat. § 122A.40, Subd. 14 (Teacher Discharge Hearing)
Minn. Stat. § 122A.44 (Contracting with Teachers)
Minn. Stat. § 123B.02, Subd. 14 (Employees; Contracts for Services)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
Minn. Op. Atty. Gen. 852 (July 14, 2006)

Cross References: Policy 205 (Open Meetings and Closed Meetings)
Policy 207 (Public Hearings)
Policy 406 (Public and Private Personnel Data)
Policy 515 (Protection and Privacy of Pupil Records)
MSBA Service Manual, Chapter 13, School Law Bulletin “C”
(Minnesota’s Open Meeting Law)
MSBA Service Manual, Chapter 13, School Law Bulletin “I” (School
Records – Privacy – Access to Data)



First Reading: May 14, 2015

Adopted: _____

207 PUBLIC HEARINGS

I. PURPOSE

The school board recognizes the importance of obtaining public input on matters properly before the school board. The purpose of this policy is to establish procedures to efficiently receive public input.

II. GENERAL STATEMENT OF POLICY

In order for the school board to efficiently receive public input on matters properly before the school board, the procedures set forth in this policy are established by the school board.

III. PROCEDURES

A. Public Hearings

Public hearings are required by law to be held concerning certain issues, including but not limited to, school closings (Minn. Stat. § 123B.51), education district establishment (Minn. Stat. § 123A.15), and agreements for secondary education (Minn. Stat. § 123A.30). Additionally, other public hearings may be held by the school board on school district matters at the discretion of the school board.

B. Notice of Public Hearings

Public notice of a public hearing required by law shall be given as provided by the enabling legislation. Public notice of other hearings shall be given in the manner required for a regular meeting if held in conjunction with a regular meeting, in the manner required for a special meeting if held in conjunction with a special meeting, or as otherwise determined by the school board.

C. Public Participation

The school board retains the right to require that those in attendance at a public hearing indicate their desire to address the school board and complete and file with the clerk of the school board an appropriate request card prior to the commencement

of the hearing if the school board utilizes this procedure. In that case, any request to address the school board after the commencement of the hearing will be granted only at the discretion of the school board.

1. Format of Request: If required by the school board, a written request of an individual or a group to address the school board shall contain the name and address of the person or group seeking to address the school board. It shall also contain the name of the group represented, if any, and a brief statement of the subject to be covered or the issue to be addressed.
2. Time Limitation: The school board retains the discretion to limit the time for each presentation as needs dictate.
3. Groups: The school board retains the discretion to require that any group of persons who desire to address the school board designate one representative or spokesperson. In the event that the school board requires the designation of a representative or spokesperson, no other person in the group will be recognized to address the school board, except as otherwise determined by the school board.
4. Privilege to Speak: A school board member should direct any remarks or questions through the chair. Only those speakers recognized by the chair will be allowed to speak. Comments by others are out of order. Individuals who interfere with or interrupt speakers, the school board, or the proceedings may be directed to leave.
5. Personal Attacks: Personal attacks by anyone addressing the school board are unacceptable. Persistence in such remarks by an individual shall terminate that person's privilege to address the school board.
6. Limitations on Participation: Depending upon the number of persons in attendance seeking to be heard, the school board reserves the right to impose such other limitations and restrictions as necessary in order to provide an orderly, efficient, and fair opportunity for those present to be heard.

Legal References: Minn. Stat. § 123A.15 (Education District Establishment)
Minn. Stat. § 123A.30 (Agreements for Secondary Education)
Minn. Stat. § 123B.51 (School Closings)

Cross References: Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)



First Reading: May 14, 2015

Revised: 2/10/05

Adopted: 11/5/98

208 DEVELOPMENT, ADOPTION, AND IMPLEMENTATION OF POLICIES

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEVELOPMENT OF POLICY

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

IV. ADOPTION OF POLICY

- A. The school board shall give notice of proposed policy changes or adoption of new policies by placing the item on the agenda of two school board meetings. The

proposals shall be distributed and public comment will be allowed at both meetings prior to final school board action.

- B. The final action taken to adopt the proposed policy shall be approved by a simple majority vote of the school board at a subsequent meeting after the meetings at which public input was received. The policy will be effective on the later of the date of passage or the date stated in the motion.
- C. In the case of an emergency, a new or modified policy may be adopted by a majority vote of a quorum of the school board. A statement regarding the emergency and the need for immediate adoption of the policy shall be included in the minutes. The emergency policy shall expire within one year following the emergency action unless the policy adoption procedure stated above is followed and the policy is reaffirmed. The school board shall have discretion to determine what constitutes an emergency situation.
- D. If a policy is modified because of a legal change over which the school board has no control, the modified policy may be approved at one meeting at the discretion of the school board.

V. IMPLEMENTATION OF POLICY

- A. It shall be the responsibility of the superintendent to implement school board policies and to develop administrative guidelines and directives to provide greater specificity and consistency in the process of implementation. These guidelines and directives, including employee and student handbooks, shall be subject to annual review and approval by the school board.
- B. Each school board member shall have access to the policy manual. The manual will be available on the school district's website.
- C. It shall be the responsibility of the superintendent, employees designated by the superintendent, and individual school board members to keep the policy manuals current.
- D. The school board shall review policies at least once every six years. The superintendent shall be responsible for developing a system of periodic review. In addition, the school board shall review the following policies annually:
 - 410 Family and Medical Leave Policy
 - 413 Harassment and Violence
 - 414 Mandated Reporting of Child Neglect or Physical or Sexual Abuse
 - 415 Mandated Reporting of Maltreatment of Vulnerable Adults
 - 506 Student Discipline
 - 514 Bullying Prohibition Policy
 - 522 Student Sex Nondiscrimination
 - 524 Internet Acceptable Use and Safety Policy

- 616 School District System Accountability
- 806 Crisis Management Policy.

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

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

Cross References: Policy 305 (Policy Implementation)



First Reading: May 14, 2015

Revised: 3/8/07

Adopted: 11/5/98

209 CODE OF ETHICS

I. PURPOSE

The purpose of this policy is to assist the individual school board member in understanding his or her role as part of a school board and in recognizing the contribution that each member must make to develop an effective and responsible school board.

II. GENERAL STATEMENT OF POLICY

Each school board member shall follow the code of ethics stated in this policy.

A. AS A MEMBER OF THE SCHOOL BOARD, I WILL:

1. Attend school board meetings.
2. Come to the meetings prepared for discussion of the agenda items.
3. Listen to the opinions and views of others (including, but not limited to, other school board members, administration, staff, students, and community members).
4. Vote my conscience after informed discussion, unless I abstain because a conflict of interest exists.
5. Support the decision of the school board, even if my position concerning the issue was different.
6. Recognize the integrity of my predecessors and associates and appreciate their work.
7. Be primarily motivated by a desire to provide the best possible education for the students of my school district.

8. Inform myself about the proper duties and functions of a school board member.

B. IN PERFORMING THE PROPER FUNCTIONS OF A SCHOOL BOARD MEMBER, I WILL:

1. Focus on education policy as much as possible.
2. Remember my responsibility is to set policy – not to implement policy.
3. Consider myself a trustee of public education and do my best to protect, conserve, and advance its progress.
4. Recognize that my responsibility, exercised through the actions of the school board as a whole, is to see that the schools are properly run – not to run them myself.
5. Work through the superintendent – not over or around the superintendent.
6. Delegate the implementation of school board decisions to the superintendent.

C. TO MAINTAIN RELATIONS WITH OTHER MEMBERS OF THE SCHOOL BOARD, I WILL:

1. Respect the rights of others to have and express opinions.
2. Recognize that authority rests with the school board in legal session – not with the individual members of the school board except as authorized by law.
3. Make no disparaging remarks, in or out of school board meetings, about other members of the school board or their opinions.
4. Keep an open mind about how I will vote on any proposition until the board has met and fully discussed the issue.
5. Make decisions by voting in school board meetings after all sides of debatable questions have been presented.
6. Insist that committees be appointed to serve only in an advisory capacity to the school board.

D. IN MEETING MY RESPONSIBILITIES TO MY COMMUNITY, I WILL:

1. Attempt to appraise and plan for both the present and future educational needs of the school district and community.

2. Attempt to obtain adequate financial support for the school district's programs.
3. Insist that business transactions of the school district be ethical and open.
4. Strive to uphold my responsibilities and accountability to the taxpayers in my school district.

E. IN WORKING WITH THE SUPERINTENDENT OF SCHOOLS AND STAFF, I WILL:

1. Hold the superintendent responsible for the administration of the school district.
2. Give the superintendent authority commensurate with his or her responsibilities.
3. Assure that the school district will be administered by the best professional personnel available.
4. Consider the recommendation of the superintendent in hiring all employees.
5. Participate in school board action after considering the recommendation of the superintendent and only after the superintendent has furnished adequate information supporting the recommendation.
6. Insist the superintendent keep the school board adequately informed at all times.
7. Offer the superintendent counsel and advice.
8. Recognize the status of the superintendent as the chief executive officer and a non-voting, ex officio member of the school board.
9. Refer all complaints to the proper administrative officer or insist that they be presented in writing to the whole school board for proper referral according to the chain of command.
10. Present any personal criticisms of employees to the superintendent.
11. Provide support for the superintendent and employees of the school district so they may perform their proper functions on a professional level.

F. IN FULFILLING MY LEGAL OBLIGATIONS AS A SCHOOL BOARD MEMBER, I WILL:

1. Comply with all federal, state, and local laws relating to my work as a school board member.
2. Comply with all school district policies as adopted by the school board.
3. Abide by all rules and regulations as promulgated by the Minnesota Department of Education and other state and federal agencies with jurisdiction over school districts.
4. Recognize that school district business may be legally transacted only in an open meeting of the school board.
5. Avoid conflicts of interest and refrain from using my school board position for personal gain.
6. Take no private action that will compromise the school board or administration.
7. Guard the confidentiality of information that is protected under applicable law.

Legal References: Minn. Stat. § 123B.02, Subd. 1 (School District Powers)
Minn. Stat. § 123B.09 (School Board Powers)
Minn. Stat. § 123B.143, Subd. 1 (Superintendent)

Cross References: MSBA Service Manual, Chapter 1, School Board Member Code of Ethics



First Reading: May 14, 2015

Revised: 11/9/00

Adopted: 6/12/95

210 CONFLICT OF INTEREST – SCHOOL BOARD MEMBERS

I. PURPOSE

The purpose of this policy is to observe state statutes regarding conflicts of interest and to engage in school district business activities in a fashion designed to avoid any conflict of interest or the appearance of impropriety.

II. GENERAL STATEMENT OF POLICY

It is the policy of the school board to contract for goods and services in conformance with statutory conflict of interest laws and in a manner that will avoid any conflict of interest or the appearance thereof. Accordingly, the school board will contract under the statutory exception provisions only when it is clearly in the best interest of the school district because of limitations that may exist on goods or services otherwise available to the school district.

III. GENERAL PROHIBITIONS AND RECOGNIZED STATUTORY EXCEPTIONS

A. In all procurement activities, the school board, administration, and staff will abide by all laws, regulations, and school district policies relating to vendor relations and conflict of interest and will do the following:

1. Consider first the interests of the school district and the betterment of its educational and support programs;
2. Endeavor to obtain the greatest value for every dollar expended;
3. Give all responsible bidders equal consideration and assurance of unbiased judgment in determining whether or not their product meets specifications and the needs of the school district;
4. Refuse the offer of, and decline all, personal gifts, favors, or benefits which, in any way, might influence or appear to influence purchases, except that the school board may receive gifts in accordance with Policy 706-Acceptance of Gifts;
5. Accrue all credits or benefits issued by companies to the school district and not to individual school board members or employees. In the event the issuing vendor will not honor a transfer or assignment of credits or benefits,

- the school board member or employee will report receipt of the credit or benefit to the director of business services within 30 days of receipt;
6. Discourage solicitation of funds or material from school district vendors and obtain prior authorization from the superintendent prior to solicitation.
- B. A school board member who is authorized to take part in any manner in making any sale, lease, or contract in his or her official capacity shall not voluntarily have a personal financial interest in that sale, lease, or contract or personally benefit financially therefrom.
- C. In the following circumstances, however, the school board may as an exception, by unanimous vote, contract for goods or services with a school board member of the school district:
1. In the designation of a bank or savings association, in which a school board member is interested, as an authorized depository for school district funds and as a source of borrowing, provided such deposited funds are protected in accordance with Minn. Stat. Ch. 118A. Any school board member having said interest shall disclose that interest and the interest shall be entered upon the minutes of the school board. Disclosure must be made when such bank or savings association is first designated as a depository or source of borrowing, or when such school board member is elected, whichever is later. Disclosure serves as notice of the interest and must only be made once;
 2. The designation of an official newspaper, or publication of official matters therein, in which the school board member is interested when it is the only newspaper complying with statutory requirements relating to the designation or publication;
 3. A contract with a cooperative association of which the school board member is a shareholder or stockholder but not an officer or manager;
 4. A contract for which competitive bids are not required by law. A contract made under this exception will be void unless the following procedures are observed:
 - a. The school board must authorize the contract in advance of its performance by adopting a resolution setting out the essential facts and determining that the contract price is as low as or lower than the price at which the goods or services could be obtained elsewhere.
 - b. In the case of an emergency when the contract cannot be authorized in advance, payment of the claims must be authorized by a like resolution wherein the facts of the emergency are also stated.
 - c. Before a claim is paid, the interested school board member must file with the clerk of the school board an affidavit stating:
 - (1) The name of the school board member and the office held;
 - (2) An itemization of the goods or services furnished;

- (3) The contract price;
 - (4) The reasonable value;
 - (5) The interest of the school board member in the contract; and
 - (6) That to the best of the school board member's knowledge and belief, the contract price is as low as, or lower than, the price at which the goods or services could be obtained from other sources.
5. A school board member may rent space in a public facility at a rate commensurate with that paid by other members of the public.
- D. In the following circumstances, the school board may as an exception, by majority vote at a meeting where all school board members are present, contract for services with a school board member of the school district: A school board member may be newly employed or may continue to be employed by the school district as an employee where there is a reasonable expectation on July 1, or at the time the contract is entered into or extended, that the amount to be earned by that school board member under that contract or employment relationship, will not exceed \$8,000 in that fiscal year. If the school board member does not receive majority approval to be initially employed or to continue in employment at a meeting where all school board members are present, that employment must be immediately terminated and that school board member will have no further rights to employment while serving as a school board member in the school district.
- E. The school board may contract with a class of school district employees, such as teachers or custodians, where the spouse of a school board member is a member of the class of employees contracting with the school board and the employee spouse receives no special monetary or other benefit that is substantially different from the benefits that other members of the class receive under the employment contract. In order for the school board to invoke this exception, it must have a majority of disinterested school board members vote to approve the contract, direct the school board member spouse to abstain from voting to approve the contract, and publicly set out the essential facts of the contract at the meeting where the contract is approved.

IV. LIMITATIONS ON RELATED EMPLOYEES

- A. The school board can hire or dismiss teachers only at duly called meetings. Where a husband and wife, brother and sister, or two brothers or sisters, constitute a quorum, no contract employing a teacher may be made or authorized except upon the unanimous vote of the full school board.
- B. The school board may not employ any teacher related by blood or marriage to a school board member, within the fourth degree as computed by the civil law, except by a unanimous vote of the full school board.

V. CONFLICTS PRIOR TO TAKING OFFICE

A school board member with personal financial interest in a sale, lease, or contract with the school district which was entered before the school board member took office and presents an actual or potential conflict of interest, shall immediately notify the school board of such interest. It shall thereafter be the responsibility of the school board member to refrain from participating in any action relating to the sale, lease, or contract. At the time of renewal of any such sale, lease, or contract, the school board may enter into or renew such sale, lease, or contract only if it falls within one of the enumerated exceptions for contracts relating to goods or services provided above and if the procedures provided in this policy are followed.

VI. DETERMINATION AS TO WHETHER A CONFLICT OF INTEREST EXISTS

The determination as to whether a conflict of interest exists is to be made by the school board. Any school board member who has an actual or potential conflict shall notify the school board and superintendent of such conflict immediately. The school board member shall thereafter cooperate with the school board as necessary for the school board to make its determination.

Legal References: Minn. Stat. § 122A.40, Subd. 3 (Teacher Hiring, Dismissal)
 Minn. Stat. § 123B.195 (Board Member's Right to Employment)
 Minn. Stat. § 471.87 (Public Officers; Interest in Contract; Penalty)
 Minn. Stat. § 471.88, Subds. 2, 3, 4, 5, 12, 13, and 21 (Exceptions)
 Minn. Stat. § 471.89 (Contract, When Void)
 Op. Atty. Gen. 90-A (Aug. 14, 1957)
 Op. Atty. Gen. 90-C-5 (July 30, 1940)
 Op. Atty. Gen. 437-A-4 (March 15, 1935)

Cross References: Policy 101 (Legal Status of the School Board)
 Policy 209 (Code of Ethics)
 MSBA Service Manual, Chapter 1, School District Governance, Powers and Duties



First Reading: May 14, 2015

Adopted: _____

211 CRIMINAL OR CIVIL ACTION AGAINST SCHOOL DISTRICT, SCHOOL BOARD MEMBER, EMPLOYEE, OR STUDENT

I. PURPOSE

The purpose of this policy is to provide guidance as to the school district's position, rights, and responsibilities when a civil or criminal action is pending against the school district, or a school board member, school district employee, or student.

II. GENERAL STATEMENT OF POLICY

- A. The school district recognizes that, when civil or criminal actions are pending against a school board member, school district employee, or student, the school district may be requested or required to take action.
- B. In responding to such requests and/or requirements, the school district will take such measures as are appropriate to its primary mission of providing for the education of students in an environment that is safe for staff and students and is conducive to learning.
- C. The school district acknowledges its statutory obligations with respect to providing assistance to school board members and teachers who are sued in connection with performance of school district duties. Collective bargaining agreement and school district policies may also apply.

III. CIVIL ACTIONS

- A. Pursuant to Minn. Stat. § 466.07, Subd. 1, the school district shall defend and indemnify any school board member or school district employee for damages in school-related litigation, including punitive damages, claimed or levied against the school board member or employee, provided that he or she was acting in the performance of the duties of the position and was not guilty of malfeasance, willful neglect of duty, or bad faith.
- B. Pursuant to Minn. Stat. §123B.25(b), with respect to teachers employed by the school district, upon written request of the teacher involved, the school district shall provide legal counsel for any school teacher against whom a claim is made or action

is brought for recovery of damages in any tort action involving physical injury to any person or property or for wrongful death arising out of or in connection with the employment of the teacher with the school district. The school district will choose legal counsel after consultation with the teacher.

C. Data Practices

Educational data and personnel data maintained by the school district may be sought as evidence in a civil proceeding. The school district will release the data only pursuant to the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and to the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g and related regulations. When an employee is subpoenaed and is expected to testify regarding educational data or personnel data, he or she is to inform the building administrator or designated supervisor, who shall immediately inform the superintendent or designee. No school board member or employee may release data without consultation in advance with the school district official who is designated as the authority responsible for the collection, use, and dissemination of data.

D. Service of Subpoenas

It is the policy of the school district that its officers and employees will normally not be involved in providing service of process for third parties in the school setting.

E. Leave to Testify

Leave for employees appearing in court, either when sued or under subpoena to testify, will be considered in accordance with school district personnel policies and applicable collective bargaining agreements.

IV. **CRIMINAL CHARGES OR CONDUCT**

A. Employees

1. The school district expects that its employees serve as positive role models for students. As role models for students, employees have a duty to conduct themselves in an exemplary manner.
2. If the school district receives information relating to activities of a criminal nature by an employee, the school district will investigate and take appropriate disciplinary action, which may include discharge, subject to school district policies, statutes, and provisions of applicable collective bargaining agreements.
3. Pursuant to Minn. Stat. § 123B.02, Subd. 20, if reimbursement for a criminal defense is requested by a school district employee, the school board may, after consulting with its legal counsel, reimburse the employee for any costs and reasonable attorney fees incurred by the employee to

defend criminal charges brought against the employee arising out of the performance of duties for the school district. The decision as to whether to reimburse shall be made at the discretion of the school board. A school board member who is a witness or an alleged victim in the case may not vote on the reimbursement. If a quorum of the school board is disqualified from voting on the reimbursement, the reimbursement must be approved by a judge of the district court.

B. Students

The school district has an interest in maintaining a safe and healthful environment and in preventing disruption of the educational process. In order to further that interest, the school district will take appropriate action regarding students convicted of crimes that relate to the school environment.

C. Criminal Investigations

1. It is the policy of the school district to cooperate with law enforcement officials. The school district will make all efforts, however, to encourage law enforcement officials to question students and employees outside of school hours and off school premises unless there are extenuating circumstances or the matter being investigated is school-related, or as otherwise provided by law.
2. If such questioning at school is unavoidable, the school district will attempt to maintain confidentiality, to avoid embarrassment to students and employees and to avoid disruption of the educational program. The school district will attempt to notify parents of a student under age 18 that police will be questioning their child. Normally, the principal or other appropriate school official will be present during the interview, except as otherwise required by law (Minn. Stat. § 626.556, Subd. 10), or as otherwise determined in consultation with the parent or guardian.

D. Data Practices

The school district will release to juvenile justice and law enforcement authorities educational and personnel data only in accordance with Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act) and 20 U.S.C. § 1232g (FERPA).

V. STATEMENTS WHEN LITIGATION IS PENDING

The school district recognizes that when a civil or criminal action is commenced or pending, parties to the lawsuit have particular duties in reference to persons involved or named in the lawsuit, as well as insurance carrier(s). Therefore, school board members or school district employees shall make or release statements in that situation only in consultation with legal counsel.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 123B.02, Subd. 20 (Legal Counsel, Reimbursement)
Minn. Stat. § 123B.25(b) (Actions Against Teachers)
Minn. Stat. § 466.07, Subd. 1 (Indemnification)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
42 U.S.C. § 1983 (Civil Action for Depriving Rights)
Minn. Op. Atty. Gen. 169 (Mar. 7, 1963)
Minn. Op. Atty. Gen. 169 (Nov. 3, 1943)
Dypress v. School Committee of Boston, 446 N.E.2d 1099 (Mass. App. Ct. 1983)
Wood v. Strickland, 420 U.S. 308, 95 S.Ct. 992, 43 L.Ed.2d 214 (1975)

Cross References: Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
Policy 406 (Public and Private Personnel Data)
Policy 408 (Subpoena of a School District Employee)
Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
Policy 506 (Student Discipline)
Policy 515 (Protection and Privacy of Pupil Records)



First Reading: May 14, 2015

Adopted: _____

212 SCHOOL BOARD MEMBER DEVELOPMENT

I. PURPOSE

In recognition of the need for continuing in-service training and development for its members, the purpose of this policy is to encourage the members of the school board to participate in professional development activities designed for them so that they may perform their responsibilities.

II. GENERAL STATEMENT OF POLICY

- A. New school board members will be provided the opportunity and encouragement to attend the orientation and training sessions sponsored by the Minnesota School Boards Association (MSBA). School board members shall receive training in school finance and management developed in consultation with MSBA.
- B. All school board members are encouraged to participate in school board and related workshops and activities sponsored by local, state, and national school boards associations, as well as in the activities of other educational groups.
- C. School board members are expected to report back to the school board with materials of interest gathered at the various meetings and workshops.
- D. The school board will reimburse the necessary expenses of all school board members who attend meetings and conventions pertaining to school activities and the objectives of the school board, within the approved policy and budget allocations of the school district relating to the reimbursement of expenses involving the attendance at workshops and conventions.

Legal References: Minn. Stat. § 123B.09, Subd. 2 (School Board Member Training)

Cross References: Policy 214 (Out-of-State Travel by School Board Members)
Policy 412 (Expense Reimbursement)



First Reading: May 14, 2015

Revised: _____

Adopted: 8/8/96

213 SCHOOL BOARD COMMITTEES

I. PURPOSE

The purpose of this policy is to provide for the structure and the operation of committees or subcommittees of the school board.

II. GENERAL STATEMENT OF POLICY

- A. It is the policy of the school board to designate school board committees or subcommittees when it is determined that a committee process facilitates the mission of the school board.
- B. The school board has determined that certain permanent standing committees, as described in this policy, do facilitate the operation of the school board and the school district.
- C. A school board committee or subcommittee will be formed by school board resolution which shall outline the duties and purpose of the committee or subcommittee.
- D. A committee or subcommittee is advisory in nature and has only such authority as specified by the school board.
- E. The school board will receive reports or recommendations from a committee or subcommittee for consideration. The school board, however, retains the right and has the duty to make all final decisions related to such reports or recommendations.
- F. The school board also may establish such ad hoc committees for specific purposes as it deems appropriate.
- G. The school board reserves the right to limit, create or abolish any standing or ad hoc committee as it deems appropriate.
- H. A committee of the school board shall not appoint a subcommittee of that committee without approval of the school board.

III. APPOINTMENT OF COMMITTEES

- A. The school board hereby appoints the following standing committees:
- Facilities
 - Finance
 - Personnel
 - Policy
- B. The school board will establish, by resolution, for each standing or ad hoc committee the number of members, the term and the charge or mission of each such committee.
- C. The school board chair shall appoint the members of each standing or ad hoc committee and designate the chair thereof.

IV. PROCEDURES FOR SCHOOL BOARD COMMITTEES

- A. All meetings of committees or subcommittees shall be open to the public in compliance with the Open Meeting Law, and notice shall be given as prescribed by law.
- B. A committee or subcommittee shall act only within the guidelines and mission established for that committee or subcommittee by the school board.
- C. Actions of a committee or subcommittee shall be by majority vote and be consistent with the governing rules of the school board.
- D. The committee or subcommittee shall designate a secretary who will record the minutes of actions of the school board committee.
- E. The power of a committee or subcommittee of the school board is advisory only and is limited to making recommendations to the school board.
- F. A committee or subcommittee of the school board shall, when appropriate, clarify in any dealings with the public that its powers are only advisory to the school board.

Legal References: Minn. Stat. Ch. 13D (Open Meeting Law)

Cross References: Policy 201 (Legal Status of the School Board)
 Policy 203 (Operation of the School Board – Governing Rules)
 MSBA Service Manual, Chapter 13, School Law Bulletin “C” (Minnesota’s Open Meeting Law)



First Reading: May 14, 2015

Revised: _____

Adopted: 2/12/09

214 OUT-OF-STATE TRAVEL BY SCHOOL BOARD MEMBERS

I. PURPOSE

The purpose of this policy is to control out-of-state travel by school board members as required by law.

II. GENERAL STATEMENT OF POLICY

School board members have an obligation to become informed on the proper duties and functions of a school board member, to become familiar with issues that may affect the school district, to acquire a basic understanding of school finance and budgeting, and to acquire sufficient knowledge to comply with federal, state, and local laws, rules, regulations, and school district policies that relate to their functions as school board members. Occasionally, it may be appropriate for school board members to travel out of state to fulfill their obligations.

III. APPROPRIATE TRAVEL

Travel outside the state is appropriate when the school board finds it proper for school board members to acquire knowledge and information necessary to allow them to carry out their responsibilities as school board members. Travel to regional or national meetings of the National School Boards Association is presumed to fulfill this purpose. Travel to other out-of-state meetings for which the member intends to seek reimbursement from the school district should be preapproved by the school board.

IV. REIMBURSABLE EXPENSES

Expenses to be reimbursed may include transportation, meals, lodging, registration fees, required materials, parking fees, tips, and other reasonable and necessary school district-related expenses.

V. REIMBURSEMENT

A. Requests for reimbursement must be itemized on the official school district form and are to be submitted to the designated administrator. Receipts for lodging,

commercial transportation, registration, and other reasonable and necessary expenses must be attached to the reimbursement form.

- B. Automobile travel shall be reimbursed at the mileage rate set by the school board. Commercial transportation shall reflect economy fares and shall be reimbursed only for the actual cost of the trip.
- C. Amounts to be reimbursed shall be within the school board's approved budget allocations, including attendance at workshops and conventions.

VI. ESTABLISHMENT OF DIRECTIVES AND GUIDELINES

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

Legal References: Minn. Stat. § 123B.09, Subd. 2 (School Board Member Training)
Minn. Stat. § 471.661 (Out-of-State Travel)
Minn. Stat. § 471.665 (Mileage Allowances)
Minn. Op. Atty. Gen. 1035 (Aug. 23, 1999) (Retreat Expenses)
Minn. Op. Atty. Gen. 161b-12 (Aug. 4, 1997) (Transportation Expenses)

Cross References: Policy 212 (School Board Member Development)
Policy 412 (Expense Reimbursement)



First Reading: May 14, 2015

Revised: _____

Adopted: 6/12/97

298 MEET AND CONFER

I. PURPOSE

The purpose of this policy is to establish procedures for meet and confer meetings in accordance with the Public Employment Labor Relations Act (PELRA).

II. GENERAL STATEMENT OF POLICY

The intent of this policy is to encourage close cooperation between the school board, administration, and the professional employees by providing for discussions and mutual exchange of ideas regarding all matters that are not terms and conditions of employment as provided by M. S. 179A.08, Subd. 1, which states “The Legislature recognizes that professional employees possess knowledge, expertise, and dedication, which is helpful and necessary to the operation and quality of public services which may assist public employers in developing their policies.”

III. COMMITTEE MEETING GUIDELINES

- A. The committee may consist of members of the school board, administration, and members selected by the professional employees’ organization of the local teachers’ association, the Mahtomedi Education Association (MEA).
- B. The committee shall meet at the request of either party to exchange views and concerns between employers and their employees. The meeting date shall be determined by mutual agreement of the superintendent and the MEA representative. The school district shall provide the facilities for the meeting.
- C. The agenda, which shall be prepared at least two weeks prior to the meeting date, may include all meet and confer concerns of the employer and employee groups. To insure that terms and conditions of employment do not become discussion items at meet and confer meetings, the final agenda shall be adopted by mutual agreement of the administration and the association.

Legal References: Minn. Stat. § 179A.01 (Public Policy)
Minn. Stat. § 179A.03 (Definitions)
Minn. Stat. § 179A.08 (Policy Consultants)



First Reading: May 14, 2015

Revised: 1/10/08; 12/8/05; 12/9/93; 6/11/92

Adopted: 1/10/91

299 STUDENT REPRESENTATION ON SCHOOL BOARD

I. PURPOSE

The school board recognizes its responsibility to develop educational policies that reflect the concerns of its constituency and the interests of students. A student representative on the school board provides a mechanism whereby the views, needs, and recommendations of students can be carefully considered in the development of policies and programs. Student representation on the school board is authorized in accordance with this policy.

II. NOMINATION AND SELECTION

One high school representative is selected to represent Mahtomedi students on the school board in accordance with a written procedure under supervision of the high school principal. Regular attendance, preparation, active participation, and sincere interest are priority considerations for the representative selected for this position.

III. TERM

The student representative's term begins in September and continues through the end of the school year. The student is not limited to a single term.

IV. BOARD PARTICIPATION

- A. The student representative participates in all regularly scheduled business meetings and may attend all study sessions, special meetings, and committee meetings that he or she feels are of relevance to his or her position, unless otherwise requested by the superintendent. The student representative does not participate in closed sessions of the school board.
- B. The student representative receives an agenda and appropriate informational materials similar to what the school board receives for regularly scheduled meetings, to the extent such materials would be available to the public under Minnesota law. During his or her term, the representative is automatically filed as a recipient of notices of special meetings (in accordance with Mahtomedi School

Board Policy 205, Section IV.2.). The superintendent shall withhold materials that constitute private or confidential data or are sensitive in nature.

- C. The student representative on the school board is advisory. The representative does not have the right to vote, make, or second a motion, but does have all other rights in accordance with school board policy, law, and parliamentary procedure.
- D. The student representative provides a monthly report on issues of importance.

Legal References: Minn. Stat. § 123B.09 (School Board Powers)



First Reading: May 14, 2015

Adopted: _____

301 SCHOOL DISTRICT ADMINISTRATION

I. PURPOSE

The purpose of this policy is to clarify the role of the school district administration and its relationship with the school board.

II. GENERAL STATEMENT OF POLICY

- A. Effective administration and sound management practices are essential to realizing educational excellence. It is the responsibility of the school district administration to develop a school environment that recognizes the dignity of each student and employee, and the right of each student to access educational programs and services.
- B. The school board expects all activities related to the operation of the school district to be administered in a well-planned manner, conducted in an orderly fashion, and to be consistent with the policies of the school board.
- C. The school board shall seek specific recommendations, background information and professional advice from the school district administration, and will hold the administration accountable for sound management of the schools.
- D. Although the school board holds the superintendent ultimately responsible for administration of the school district and annual evaluation of each principal, the school board also recognizes the direct responsibility of principals for educational results and effective administration, supervisory, and instructional leadership at the school building level.
- E. The school board and school administration shall work together to share information and decisions that best serve the needs of school district students within financial and facility constraints that may exist.

Legal References: Minn. Stat. § 123B.143 (Superintendent)
Minn. Stat. § 123B.147 (Principals)

Cross References: MSBA Service Manual, Chapter 3, Superintendent of Schools



First Reading: May 14, 2015

Adopted: _____

302 SUPERINTENDENT

I. PURPOSE

The purpose of this policy is to recognize the importance of the role of the superintendent and the overall responsibility of that position within the school district.

II. GENERAL STATEMENT OF POLICY

The school board shall employ a superintendent who shall serve as an ex officio, nonvoting member of the school board and as chief executive officer of the school system.

III. GENERAL RESPONSIBILITIES

- A. The superintendent is responsible for the management of the schools, the administration of all school district policies, and is directly accountable to the school board.
- B. The superintendent shall annually evaluate each principal assigned responsibility for supervising a school building in the district.
- C. The superintendent may delegate responsibilities to other school district personnel, but shall continue to be accountable for actions taken under such delegation.
- D. Where responsibilities are not specifically prescribed, nor school board policy applicable, the superintendent shall use personal and professional judgment, subject to review by the school board.

Legal References: Minn. Stat. § 123B.143 (Superintendent)

Cross References: Policy 202 (School Board Officers)
 Policy 208 (Development, Adoption, and Implementation of Policies)
 Policy 214 (Out-of-State Travel by School Board Members)
 Policy 301 (School District Administration)
 Policy 303 (Superintendent Selection)
 Policy 304 (Superintendent Contract, Duties, and Evaluation)
 Mahtomedi School Board Policy 305 (Policy Implementation)

Policy 306 (Administrator Code of Ethics)
Policy 412 (Expense Reimbursement)
Policy 510 (School Activities)
Policy 511 (Student Fundraising)
Policy 513 (Student Promotion, Retention, and Program Design)
Policy 602 (Organization of School Calendar and School Day)
Policy 605 (Alternative Programs)
Policy 701 (Establishment and Adoption of School District Budget)
Policy 704 (Development and Maintenance of an Inventory of Fixed Assets and a Fixed Asset Accounting System)
Policy 802 (Disposition of Obsolete Equipment and Material)
Policy 903 (Visitors to School District Buildings and Sites)
Policy 905 (Advertising)
Policy 906 (Community Notification of Predatory Offenders)
Policy 907 (Rewards)
MSBA Service Manual, Chapter 3, Superintendent of Schools



First Reading: May 14, 2015

Adopted: _____

303 SUPERINTENDENT SELECTION

I. PURPOSE

The purpose of this policy is to convey to the school community that the authority to select and employ a superintendent is vested in the school board.

II. GENERAL STATEMENT OF POLICY

The school board shall employ a superintendent to serve as the chief executive officer of the school board and to conduct the daily operations of the school district.

III. QUALIFICATIONS

- A. The school board shall consider applicants who meet or exceed the licensing standards set by the Minnesota Board of School Administrators and qualifications established in the job description for the superintendent position. State and federal equal employment and nondiscrimination requirements shall be observed throughout the recruitment and selection process.
- B. The school board will consider professional preparation, experience, skill and demonstrated competence of qualified applicants in making a final decision.

IV. SELECTION

- A. A process for recruitment, screening, and interviewing of candidates shall be developed by the school board.
- B. The school board may contract for assistance in the search for a superintendent.
- C. The school board shall provide the contract for the superintendent and specifically identify all conditions of employment mutually agreed upon with the superintendent. In so doing, the school board shall observe all requirements of state and federal law and school board policy.

Legal References: Minn. Stat. § 123B.143 (Superintendent)
Minn. Rules, Chapter 3512

Cross References: MSBA Service Manual, Chapter 3, Superintendent of Schools



First Reading: May 14, 2015

Adopted: _____

304 SUPERINTENDENT CONTRACT, DUTIES, AND EVALUATION

I. PURPOSE

The purpose of this policy is to provide for the use of an employment contract with the superintendent, a position description, and the use of an approved instrument to evaluate performance. All school districts maintaining a classified secondary school must employ a superintendent who shall be an ex officio, nonvoting member of the school board, Minn. Stat. § 123B.143.

II. GENERAL STATEMENT OF POLICY

- A. The superintendent's contract shall be used to formalize the employment relationship and to specifically identify and clarify all conditions of employment with the superintendent.
- B. The specific duties for which the superintendent is accountable shall be set forth in a position description for the superintendent and shall be measured by a performance appraisal instrument approved by the school board in consultation with the superintendent. The school board shall use this instrument to periodically evaluate the performance of the superintendent.
- C. The school board may use the model contract approved by the boards of the Minnesota School Boards Association and the Minnesota Association of School Administrators as a model instrument.

Legal References: Minn. Stat. § 123B.143 (Superintendent)

Cross References: MSBA Service Manual, Chapter 3, Superintendent of Schools (See Model Contract, Sample Performance Appraisals, and Model Job Description)



First Reading: May 14, 2015

Adopted: _____

305 POLICY IMPLEMENTATION

I. PURPOSE

The purpose of this policy is to clarify the responsibility of the school administration for implementation of school board policy.

II. GENERAL STATEMENT OF POLICY

- A. It shall be the responsibility of the superintendent to implement school board policy and to recommend additions or modifications thereto. The administration is authorized to develop guidelines and directives to effectuate the implementation of school board policies. These guidelines and directives shall not be inconsistent with said policies.
- B. Employee and student handbooks shall be subject to annual review and approval by the school board.
- C. School principals and other administrators who have handbook responsibilities shall present recommended changes necessary to reflect new or modified policies. Changes of substance within handbooks shall be reviewed by the superintendent to assure compliance with school board policy and shall be approved by the school board.

Legal References: Minn. Stat. § 123B.143 (Superintendent)

Cross References: Policy 208 (Development, Adoption, and Implementation of Policies)



First Reading: May 14, 2015

Adopted: _____

306 ADMINISTRATOR CODE OF ETHICS

I. PURPOSE

The purpose of this policy is to establish the requirements of the school board that school administrators adhere to the standards of ethics and professional conduct in this policy and Minnesota law.

II. GENERAL STATEMENT OF POLICY

- A. An educational administrator's professional behavior must conform to an ethical code. The code must be idealistic and at the same time practical, so that it can apply reasonably to all educational administrators. The administrator acknowledges that the schools belong to the public they serve for the purpose of providing educational opportunities to all. However, the administrator assumes responsibility for providing professional leadership in the school and community. This responsibility requires the administrator to maintain standards of exemplary professional conduct. It must be recognized that the administrator's actions will be viewed and appraised by the community, professional associates, and students. To these ends, the administrator must subscribe to the following standards.
- B. The Educational Administrator:
1. Makes the well-being of students the fundamental value of all decision-making and actions.
 2. Fulfills professional responsibilities with honesty and integrity.
 3. Supports the principle of due process and protects the civil and human rights of all individuals.
 4. Obeys local, state, and national laws and does not knowingly join or support organizations that advocate, directly or indirectly, the overthrow of the government.
 5. Implements the school board's policies.

6. Pursues appropriate measures to correct those laws, policies, and regulations that are not consistent with sound educational goals.
7. Avoids using positions for personal gain through political, social, religious, economic, or other influence.
8. Accepts academic degrees or professional certification only from duly accredited institutions.
9. Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.
10. Honors all contracts until fulfillment, release, or dissolution is mutually agreed upon by all parties to the contract.
11. Adheres to the Code of Ethics for School Administrators in Minnesota Rule.

Legal References: Minn. Stat. § 122A.14, Subd. 4 (Code of Ethics)
Minn. Rules Part 3512.5200 (Code of Ethics for School Administrators)



First Reading: May 14, 2015

Revised: _____

Adopted: 6/12/08

706 ACCEPTANCE OF GIFTS

I. PURPOSE

The purpose of this policy is to provide guidelines for the acceptance of gifts by the school board.

II. GENERAL STATEMENT OF POLICY

It is the policy of this school district to accept gifts only in compliance with state law.

III. ACCEPTANCE OF GIFTS GENERALLY

The school board may receive, for the benefit of the school district, bequests, donations or gifts for any proper purpose. The school board shall have the sole authority to determine whether any gift or any precondition, condition, or limitation on use included in a proposed gift furthers the interests of or benefits the school district and whether it should be accepted or rejected.

IV. GIFTS OF REAL OR PERSONAL PROPERTY

The school board may accept a gift, grant or devise of real or personal property only by the adoption of a resolution approved by two-thirds of its members. The resolution must fully describe any conditions placed on the gift. The real or personal property so accepted may not be used for religious or sectarian purposes.

V. ADMINISTRATION IN ACCORDANCE WITH TERMS

If the school board agrees to accept a bequest, donation, gift, grant or devise which contains preconditions, conditions or limitations on use, the school board shall administer it in accordance with those terms. Once accepted, a gift shall be the property of the school district unless otherwise provided in the agreed upon terms.

Legal References: Minn. Stat. § 123B.02, Subd. 6 (Bequests, Donations, Gifts)
Minn. Stat. § 465.03 (Gifts)

Mahtomedi Public Schools
Independent School District #832
1520 Mahtomedi Avenue
Mahtomedi, MN 55115

Regular Meeting - Board of Education

Date: May 14, 2015

Agenda Item #D. 1-13

TOPIC: Second Reading of Policies

- 101-Legal Status of the School District
- 101.1-Name of the School District
- 102-Equal Educational Opportunity
- 103-Complaints – Students, Employees, Parents, Other Persons
- 410-Family and Medical Leave Policy
- 413-Harassment and Violence
- 414-Mandated Reporting of Child Neglect or Physical or Sexual Abuse
- 415-Mandated Reporting of Maltreatment of Vulnerable Adults
- 506-Student Discipline
- 522-Student Sex Nondiscrimination
- 524-Technology Acceptable Use and Safety Policy
- 616-School District System Accountability
- 806-Crisis Management Policy

BACKGROUND: MSBA provides for each school district sample policies that districts may accept as provided, make alterations, or ignore completely. Mahtomedi administration and the Policy Committee will be looking at each of the proposed policies in detail, bring them to the full Board for a first reading, take the recommendations/direction from the full board at that meeting and present about a month later at a second reading. A brief explanation of each of the policies is below:

101-Legal Status of the School District—this policy is unchanged

101.1-Name of the School District—this is a new policy recommended by MSBA

102-Equal Educational Opportunity—this is a mandated policy that incorporates the MSBA suggestions

103-Complaints – Students, Employees, Parents, Other Persons—this is a new policy recommended by MSBA

410-Family and Medical Leave Policy—this is a mandated policy that requires annual review

413-Harassment and Violence—this is a mandated policy that requires annual review

414-Mandated Reporting of Child Neglect or Physical or Sexual Abuse—this policy has a legal requirement and must be reviewed annually

415-Mandated Reporting of Maltreatment of Vulnerable Adults—this policy has a legal requirement, is a new policy, and must be reviewed annually

506-Student Discipline—this is a mandated policy that requires annual review

522-Student Sex Nondiscrimination—this is a mandated policy that requires annual review

524-Teachology Acceptable Use and Safety Policy—this is a mandated policy that requires annual review

616-School District System Accountability—this is a mandated policy that requires annual review

806-Crisis Management Policy—this is a mandated policy that requires annual review

ACTION RECOMMENDED: Provide direction for administration on what changes to the policies are required before adopting on June 11, 2015.

Submitted By:

Mark Larson

Name

Superintendent of Schools

Title

Concurrence By:

Mark Larson

Dr. Mark Larson

Superintendent of Schools



Second Reading: May 14, 2015

Revised: 3/8/07

Adopted: 11/5/98

101 LEGAL STATUS OF THE SCHOOL DISTRICT

I. PURPOSE

A primary principle of this nation is that the public welfare demands an educated and informed citizenry. The power to provide for public education is a state function vested in the state legislature and delegated to local school districts. The purpose of this policy is to clarify the legal status of the school district.

II. GENERAL STATEMENT OF POLICY

- A. The Mahtomedi Public Schools also known as Independent School District No. 832, Washington County, Minnesota, is a public corporation subject to the control of the legislature, limited only by constitutional restrictions. The school district has been created for educational purposes.
- B. The legislature has authority to prescribe the school district's powers and privileges, its boundaries and territorial jurisdictions.
- C. The school district has only the powers conferred on it by the legislature; however, the school board's authority to govern, manage, and control the school district, to carry out its duties and responsibilities, and to conduct the business of the school district includes implied powers in addition to any specific powers granted by the legislature.

III. RELATIONSHIP TO OTHER ENTITIES

- A. The school district is a separate legal entity.
- B. The school district is coordinate with and not subordinate to the county(ies) in which it is situated.
- C. The school district is not subservient to municipalities within its territory.

IV. POWERS AND AUTHORITY OF THE SCHOOL DISTRICT**A. Funds**

1. The school district, through its school board, has authority to raise funds for the operation and maintenance of its schools and authority to manage and expend such funds, subject to applicable law.
2. The school district has wide discretion over the expenditure of funds under its control for public purposes, subject to the limitations provided by law.
3. School district officials occupy a fiduciary position in the management and expenditure of funds entrusted to them.

B. Raising Funds

1. The school district shall, within the limitations specified by law, provide by levy of tax necessary funds for the conduct of schools, payment of indebtedness, and all proper expenses.
2. The school district may issue bonds in accordance with the provisions of Minn. Stat. Ch. 475, or other applicable law.
3. The school district has authority to accept gifts and donations for school purposes, subject to applicable law.

C. Property

1. The school district may acquire property for school purposes. It may sell, exchange, or otherwise dispose of property which is no longer needed for school purposes, subject to applicable law.
2. The school district shall manage its property in a manner consistent with the educational functions of the district.
3. The school district may permit the use of its facilities for community purposes which are not inconsistent with, nor disruptive of, its educational mission.
4. School district officials hold school property as trustees for the use and benefit of students, taxpayers, and the community.

D. Contracts

1. The school district is empowered to enter into contracts in the manner provided by law.

2. The school district has authority to enter into installment purchases and leases with an option to purchase, pursuant to Minn. Stat. § 465.71 or other applicable law.
3. The school district has authority to make contracts with other governmental agencies and units for the purchase, lease or other acquisition of equipment, supplies, materials, or other property, including real property.
4. The school district has authority to enter into employment contracts. As a public employer, the school district, through its designated representatives, shall meet and negotiate with public employees in an appropriate bargaining unit and enter into written collective bargaining agreements with such employees, subject to applicable law.

E. Textbooks, Educational Materials, and Studies

1. The school district, through its school board and administrators, has the authority to determine what textbooks, educational materials, and studies should be pursued.
2. The school district shall establish and apply the school curriculum.

F. Actions and Suits

The school district has authority to sue and to be sued.

Legal References: Minn. Const. art. 13, § 1
Minn. Stat. Ch. 123B (School Districts, Powers and Duties)
Minn. Stat. Ch. 179A (Public Employment Labor Relations)
Minn. Stat. § 465.035 (Conveyance or Lease of Land)
Minn. Stat. §§ 465.71; 471.345; 471.6161; 471.6175; 471.64 (Rights, Powers, Duties of Political Subdivisions)
Minnesota Association of Public Schools v. Hanson, 287 Minn. 415, 178 N.W.2d 846 (1970)
Independent School District No. 581 v. Mattheis, 275 Minn. 383, 147 N.W.2d 374 (1966)
Village of Blaine v. Independent School District No. 12, 272 Minn. 343, 138 N.W.2d 32 (1965)
Huffman v. School Board, 230 Minn. 289, 41 N.W.2d 455 (1950)
State v. Lakeside Land Co., 71 Minn. 283, 73 N.W.970 (1898)

Cross References: Policy 201 (Legal Status of School Board)
Policy 603 (Curriculum Development)
Policy 604 (Instructional Curriculum)
Policy 606 (Textbooks and Instructional Materials)

Policy 705 (Investments)

Policy 706 (Acceptance of Gifts)

Policy 801 (Equal Access to School Facilities)

MSBA Service Manual, Chapter 3, Employee Negotiations

MSBA Service Manual, Chapter 13, School Law Bulletin "F" (Contract and Bidding Procedures)



Second Reading: May 15, 2015

Adopted: _____

101.1 NAME OF THE SCHOOL DISTRICT

I. PURPOSE

The purpose of this policy is to clarify the name of the school district.

II. GENERAL STATEMENT OF POLICY

Pursuant to statute, the official name of the school district is Independent School District No. 832. However, the school district is often referred to by other informal names. In order to avoid confusion and to encourage consistency in school district letterheads, signage, publications and other materials, the school board intends to establish a uniform name for the school district.

III. UNIFORM NAME

- A. The name of the school district shall be the Mahtomedi Public Schools.
- B. The name specified above may be used to refer to the school district and may be shown on school district letterheads, signage, publications and other materials.
- C. In official communications and on school district ballots, the school district shall be referred to as Independent School District No. 832 (Mahtomedi), but inadvertent failure to use the correct name shall not invalidate any legal proceeding or matter or affect the validity of any document.

Legal References: Minn. Stat. § 123A.55 (Classes, Number)



Second Reading: May 14, 2015

Adopted: 12/8/05

102 EQUAL EDUCATIONAL OPPORTUNITY

I. PURPOSE

The purpose of this policy is to ensure that equal educational opportunity is provided for all students of the school district.

II. GENERAL STATEMENT OF POLICY

- A. It is the school district's policy to provide equal educational opportunity for all students. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation or age. The school district also makes reasonable accommodations for disabled students.
- B. The school district prohibits the harassment of any individual for any of the categories listed above. For information about the types of conduct that constitute violation of the school district's policy on harassment and violence and the school district's procedures for addressing such complaints, refer to Mahtomedi School Board Policy 413, Harassment and Violence.
- C. This policy applies to all areas of education including academics, coursework, co-curricular and extracurricular activities, or other rights or privileges of enrollment.
- D. It is the responsibility of every school district employee to comply with this policy conscientiously.
- E. Any student, parent or guardian having any questions regarding this policy should discuss it with the appropriate school district official as provided by policy. In the absence of a specific designee, an inquiry or a complaint should be referred to the superintendent.

Legal References: Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. § 1681 *et seq.* (Title IX of the Education Amendments of 1972)
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

Cross References: Policy 402 (Disability Nondiscrimination)
Policy 413 (Harassment and Violence)
Policy 521 (Student Disability Nondiscrimination)
Policy 522 (Student Sex Nondiscrimination)



Second Reading: May 14, 2015

Adopted: _____

103 COMPLAINTS – STUDENTS, EMPLOYEES, PARENTS, OTHER PERSONS

I. PURPOSE

The school district takes seriously all concerns or complaints by students, employees, parents or other persons. If a specific complaint procedure is provided within any other policy of the school district, the specific procedure shall be followed in reference to such a complaint. If a specific complaint procedure is not provided, the purpose of this policy is to provide a procedure that may be used.

II. GENERAL STATEMENT OF POLICY

- A. Students, parents, employees or other persons, may report concerns or complaints to the school district. While written reports are encouraged, a complaint may be made orally. Any employee receiving a complaint shall advise the principal or immediate supervisor of the receipt of the complaint. The supervisor shall make an initial determination as to the seriousness of the complaint and whether the matter should be referred to the superintendent. A person may file a complaint at any level of the school district; i.e., principal, superintendent or school board. However, persons are encouraged to file a complaint at the building level when appropriate.
- B. Depending upon the nature and seriousness of the complaint, the supervisor or other administrator receiving the complaint shall determine the nature and scope of the investigation or followup procedures. If the complaint involves serious allegations, the matter shall promptly be referred to the superintendent who shall determine whether an internal or external investigation should be conducted. In either case, the superintendent shall determine the nature and scope of the investigation and designate the person responsible for the investigation or follow up relating to the complaint. The designated investigator shall ascertain details concerning the complaint and respond promptly to the appropriate administrator concerning the status or outcome of the matter.
- C. The appropriate administrator shall respond to the complaining party concerning the outcome of the investigation or follow up, including any appropriate action or corrective measure that was taken. The response to the complaining party shall be consistent with the rights of others pursuant to the applicable provisions of Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act) or other law.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)

Cross References: Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)
Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
Policy 413 (Harassment and Violence)
Policy 514 (Bullying Prohibition)
MSBA Service Manual, Chapter 13, School Law Bulletin “I” (School Records – Privacy – Access to Data)



Second Reading: April 9, 2015

Revised: _____

Adopted: 10/8/09

410 FAMILY AND MEDICAL LEAVE POLICY

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 of 1993 (FMLA) and also with parenting leave under state law.

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

A. “Covered active duty” means:

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

B. “Covered service member” means:

1. a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
2. a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during

the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

- C. “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.
- D. “Next of kin of a covered service member” means the nearest blood relative other than the covered service member’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member 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 service member, all such family members shall be considered the covered service member’s next of kin, and the employee may take FMLA leave to provide care to the covered service member, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered service member’s only next of kin.
- E. “Outpatient status” means, with respect to a covered service member, the status of a member of the Armed Forces assigned to:
1. a military medical treatment facility as an outpatient; or
 2. a unit established for the purpose of providing command and control of members of the Armed Forces receiving care as outpatients.
- F. “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 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.
- G. “Serious health condition” means an illness, injury, impairment, or physical or mental condition that involves:
1. inpatient care in a hospital, hospice, or residential medical care facility; or
 2. continuing treatment by a health care provider.
- H. “Veteran” has the meaning given in 38 U.S.C. § 101.

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 covered active duty, or notified of an impending call or order to covered active duty in the Armed Forces.
2. For the purposes of this policy, “year” is defined as a rolling 12-month period measured backward from the date an employee’s leave is to commence.
3. An employee’s entitlement to FMLA leave for the birth, adoption, or foster care of a child expires at the end of the 12-month period beginning on the date of the birth or placement.
4. A “serious health condition” typically requires either inpatient care or continuing treatment by or under the supervision of a health care provider, as defined by applicable law. Family and medical leave generally is not intended to cover short-term conditions for which treatment and recovery are very brief.

5. A “serious injury or illness,” in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means:
 - a. injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or that existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; and
 - b. a “serious injury or illness,” in the case of a veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time, during the period of five years preceding the date on which the veteran undergoes the medical treatment, recuperation, or therapy, means a qualifying injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or that existed before the beginning of the member’s active duty and was aggravated by service in the line of duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

6. 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.

7. 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.

8. If an employee requests a leave for the serious health condition of the employee or the employee’s spouse, child, or parent, the employee will be required to submit sufficient medical certification. In such a case, the employee must submit the medical certification within 15 days from the date of the request or as soon as practicable under the circumstances.

9. 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.
10. Requests for leave shall be made to the school district. When leave relates to an employee's spouse, son, daughter, parent, or covered service member being on covered active duty, or notified of an impending call or order to covered 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.
11. The school district may require that a request for leave under Paragraph IV.A.1.e. above be supported by a copy of the covered military member's active duty orders or other documentation issued by the military indicating active duty or a call to active duty status and the dates of active duty service. In addition, the school district may require the employee to provide sufficient certification supporting the qualifying exigency for which leave is requested.
12. During the period of a leave permitted under this policy, the 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 be required, in some situations, to reimburse the school district for the cost of the health plan premiums paid by it.
13. 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. The superintendent shall be responsible to

develop directives and guidelines as necessary to implement this policy. Such directives and guidelines shall be submitted to the school board for annual review.

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

14. Employees returning from a leave permitted under this policy are eligible for reinstatement in the same or an equivalent position as provided by law. However, the employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the leave.

B. 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.

C. Twenty-six-week Service Member Family Military Leave

1. An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a total of 26 work weeks of leave during a 12-month period to care for the service member. The leave described in this paragraph shall be available only during a single 12-month period. For purposes of this leave, the need to care for a service member 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 service member 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 service member 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 service member 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.7., IV.A.10., IV.A.12., IV.A.13., and IV.A.14. above shall apply to leaves under this section.

V. SPECIAL RULES FOR INSTRUCTIONAL EMPLOYEES

- A. An instructional employee is one whose principal function is to teach and instruct students in a class, a small group, or an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors, and special education assistants.
- B. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule leave greater than 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 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 posted on the school district's website.
- 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)
 10 U.S.C. § 101 *et seq.* (Armed Forces General Military Law)
 29 U.S.C. § 2601 *et seq.* (Family and Medical Leave Act)
 38 U.S.C. § 101 (Definitions)
 29 C.F.R. Part 825 (Family and Medical Leave Act)

Cross References: MSBA 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)



Second Reading: May 14, 2015

Revised: 5/13/10

Adopted: 2/12/09

413 HARASSMENT AND VIOLENCE

I. PURPOSE

The purpose of this policy is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.
- B. A violation of this policy occurs when any pupil, teacher, administrator, or other school personnel of the school district harasses a pupil, teacher, administrator, or other school personnel or group of pupils, teachers, administrators, or other school personnel through conduct or communication based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability, as defined by this policy. (For purposes of this policy, school personnel includes school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)
- C. A violation of this policy occurs when any pupil, teacher, administrator, or other school personnel of the school district inflicts, threatens to inflict, or attempts to inflict violence upon any pupil, teacher, administrator, or other school personnel or group of pupils, teachers, administrators, or other school personnel based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.

- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability, and to discipline or take appropriate action against any pupil, teacher, administrator, or other school personnel who is found to have violated this policy.

III. DEFINITIONS

- A. "Assault" is:
1. an act done with intent to cause fear in another of immediate bodily harm or death;
 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
 3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability when the conduct:
1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
 2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
 3. otherwise adversely affects an individual's employment or academic opportunities.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
 - a. has a physical, sensory, or mental impairment which materially limits one or more major life activities;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
 2. "Familial status" means the condition of one or more minors being domiciled with:

- a. their parent or parents or the minor’s legal guardian; or
 - b. the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
3. “Marital status” means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
 4. “National origin” means the place of birth of an individual or of any of the individual’s lineal ancestors.
 5. “Sex” includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
 6. “Sexual orientation” means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one’s biological maleness or femaleness. “Sexual orientation” does not include a physical or sexual attachment to children by an adult.
 7. “Status with regard to public assistance” means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.

E. Sexual Harassment; Definition

1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:
 - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
 - b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual’s employment or education; or
 - c. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual’s employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.

2. Sexual harassment may include, but is not limited to:
 - a. unwelcome verbal harassment or abuse;
 - b. unwelcome pressure for sexual activity;
 - c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of pupil(s) by teachers, administrators, or other school personnel to avoid physical harm to persons or property;
 - d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
 - e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
 - f. unwelcome behavior or words directed at an individual because of gender.

F. Sexual Violence; Definition

1. Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minn. Stat. § 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
2. Sexual violence may include, but is not limited to:
 - a. touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
 - b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
 - c. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
 - d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

G. Violence; Definition

Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to, race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability by a pupil, teacher, administrator, or other school personnel of the school district, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a pupil, teacher, administrator, or other school personnel or group of pupils, teachers, administrators, or other school personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. The school district encourages the reporting party or complainant to use the report form available from the principal of each building or available from the school district office, but oral reports shall be considered complaints as well. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent.
- B. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter building report taker) is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. School district personnel who fail to inform the building report taker of a report of harassment or violence in a timely manner may be subject to disciplinary action.
- C. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- D. In the District. The school board hereby designates the human resources supervisor as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.
- E. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.

- F. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, or work assignments.
- G. Use of formal reporting forms is not mandatory.
- H. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

V. INVESTIGATION

- A. By authority of the school district, the human rights officer, upon receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall immediately undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the complainant, pupils, teachers, administrators, or other school personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

VI. SCHOOL DISTRICT ACTION

- A. Upon completion of the investigation, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and school district policies.
- B. The result of the school district's investigation of each complaint filed under these procedures will be reported in writing to the complainant by the school district in accordance with state and federal law regarding data or records privacy.

VII. REPRISAL

The school district will discipline or take appropriate action against any pupil, teacher, administrator, or other school personnel who retaliates against any person who makes a good faith report of alleged harassment or violence prohibited by this policy or any person who testifies, assists, or participates in an investigation, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment.

VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

IX. HARASSMENT OR VIOLENCE AS ABUSE

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minn. Stat. § 626.556 may be applicable.
- B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

X. DISSEMINATION OF POLICY AND TRAINING

- A. This policy shall be posted on the school district's website.
- B. This policy shall be given to each school district employee and independent contractor at the time of entering into the person's employment contract.

- C. This policy shall appear in the student handbook.
- D. The school district will develop a method of discussing this policy with students and employees.
- E. The school district may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

Legal References: Minn. Stat. § 120B.232 (Character Development Education)
 Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)
 Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
 Minn. Stat. § 609.341 (Definitions)
 Minn. Stat. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)
 20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
 29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
 29 U.S.C. § 794 (Rehabilitation Act of 1973, § 504)
 42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)
 42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)
 42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
 42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

Cross References: Policy 102 (Equal Educational Opportunity)
 Policy 401 (Equal Employment Opportunity)
 Policy 402 (Disability Nondiscrimination Policy)
 Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
 Policy 406 (Public and Private Personnel Data)
 Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
 Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
 Policy 506 (Student Discipline)
 Policy 515 (Protection and Privacy of Pupil Records)
 Policy 521 (Student Disability Nondiscrimination)
 Policy 522 (Student Sex Nondiscrimination)
 Policy 524 (Internet Acceptable Use and Safety Policy)
 Policy 525 (Violence Prevention)
 Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)



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Revised: _____

Adopted: 2/12/09

414 MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. “Accidental” means a sudden, not reasonably foreseeable, and unexpected occurrence or event which:
 - 1. is not likely to occur and could not have been prevented by exercise of due care; and
 - 2. if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the facility are in compliance with the laws and rules relevant to the occurrence of event.
- B. “Child” means one under age 18 and, for purposes of Minn. Stat. Ch. 260C (Child Protection) and Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment), includes an individual under age 21 who is in foster care pursuant to Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18).

- C. “Immediately” means as soon as possible but in no event longer than 24 hours.
- D. “Mandated reporter” means any school personnel who knows or has reason to believe a child is being neglected or physically or sexually abused, or has been neglected or physically or sexually abused within the preceding three years.
- E. “Neglect” means the commission or omission of any of the acts specified below, other than by accidental means:
1. failure by a person responsible for a child’s care to supply a child with necessary food, clothing, shelter, health, medical, or other care required for the child’s physical or mental health when reasonably able to do so, including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;
 2. failure to protect a child from conditions or actions that seriously endanger the child’s physical or mental health when reasonably able to do so;
 3. failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors such as the child’s age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for his or her own basic needs or safety or the basic needs or safety of another child in his or her care;
 4. failure to ensure that a child is educated in accordance with state law, which does not include a parent’s refusal to provide his or her child with sympathomimetic medications;
 5. prenatal exposure to a controlled substance used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child’s birth, or medical effects or developmental delays during the child’s first year of life that medically indicate prenatal exposure to a controlled substance or the presence of a fetal alcohol spectrum disorder;
 6. medical neglect as defined by Minn. Stat. § 260C.007, Subd. 4, Clause (5);
 7. chronic and severe use of alcohol or a controlled substance by a parent or person responsible for the care of the child that adversely affects the child’s basic needs and safety; or
 8. emotional harm from a pattern of behavior which contributes to impaired emotional functioning of the child which may be demonstrated by a substantial and observable effect in the child’s behavior, emotional response, or cognition that is not within the normal range for the child’s age and stage of development, with due regard to the child’s culture.

Neglect does not include spiritual means or prayer for treatment or care of disease where the person responsible for the child’s care in good faith has selected and depended on those means for treatment or care of disease, except where the lack of medical care may cause serious danger to the child’s health.

- F. “Nonmaltreatment mistake” means: (1) at the time of the incident, the individual was performing duties identified in the center’s child care program plan required under Minn. Rules Part 9503.0045; (2) the individual has not been determined

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

- G. “Physical abuse” means any physical injury, mental injury, or threatened injury, inflicted by a person responsible for the child’s care other than by accidental means; or any physical or mental injury that cannot reasonably be explained by the child’s history of injuries or any aversive or deprivation procedures, or regulated interventions, that have not been authorized by Minn. Stat. § 121A.67 or § 245.825.

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

Actions which are not reasonable and moderate include, but are not limited to, any of the following that are done in anger or without regard to the safety of the child: (1) throwing, kicking, burning, biting, or cutting a child; (2) striking a child with a closed fist; (3) shaking a child under age three; (4) striking or other actions which result in any nonaccidental injury to a child under 18 months of age; (5) unreasonable interference with a child’s breathing; (6) threatening a child with a weapon, as defined in Minn. Stat. § 609.02, Subd. 6; (7) striking a child under age one on the face or head; (8) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled substances which were not prescribed for the child by a practitioner, in order to control or punish the child, or giving the child other substances that substantially affect the child’s behavior, motor coordination, or judgment or that result in sickness or internal injury, or subject the child to medical procedures that would be unnecessary if the child were not exposed to the substances; (9) unreasonable physical confinement or restraint not permitted under Minn. Stat. § 609.379 including, but not limited to, tying, caging, or chaining; or (10) in a school facility or school zone, an act by a person responsible for the child’s care that is a violation under Minn. Stat. § 121A.58.

- H. “School personnel” means professional employee or professional’s delegate of the school district who provides health, educational, social, psychological, law enforcement, or child care services.
- I. “Sexual abuse” means the subjection of a child by a person responsible for the child’s care, by a person who has a significant relationship to the child (as defined in Minn. Stat. § 609.341, Subd. 15), or by a person in a position of authority (as defined in Minn. Stat. § 609.341, Subd. 10) to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual

penetration as well as sexual contact. Sexual abuse also includes any act involving a minor which constitutes a violation of Minnesota statutes prohibiting prostitution, or use of a minor in a sexual performance. Sexual abuse includes threatened sexual abuse which includes the status of a parent or household member who has committed a violation which requires registration under Minn. Stat. § 243.166, Subd. 1b(a) or (b) (Registration of Predatory Offenders).

- J. “Mental injury” means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child’s ability to function within a normal range of performance and behavior with due regard to the child’s culture.
- K. “Person responsible for the child’s care” means (1) an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, other school employees or agents, or other lawful custodian of a child having either full-time or short-term care responsibilities including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.
- L. “Threatened injury” means a statement, overt act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes, but is not limited to, exposing a child to a person responsible for the child’s care who has subjected the child to, or failed to protect a child from, egregious harm, or a person whose parental rights were involuntarily terminated, been found palpably unfit, or one from whom legal and physical custody of a child has been involuntarily transferred to another.

IV. REPORTING PROCEDURES

- A. A mandated reporter as defined herein shall immediately report the neglect or physical or sexual abuse, which he or she knows or has reason to believe is happening or has happened within the preceding three years to the local welfare agency, police department, county sheriff, or agency responsible for assisting or investigating maltreatment.
- B. If the immediate report has been made orally, by telephone or otherwise, the oral report shall be followed by a written report within 72 hours (exclusive of weekends and holidays) to the appropriate police department, the county sheriff, local welfare agency, or agency responsible for assisting or investigating maltreatment. The written report shall identify the child, any person believed to be responsible for the abuse or neglect of the child if the person is known, the nature and extent of the abuse or neglect and the name and address of the reporter.
- C. A mandated reporter who knows or has reason to know of the deprivation of parental rights or the kidnapping of a child shall report the information to the local police department or the county sheriff.

- D. With the exception of a health care professional or a social service professional who is providing the woman with prenatal care or other health care services, a mandated reporter shall immediately report to the local welfare agency if the person knows or has reason to believe that a woman is pregnant and has used a controlled substance for a nonmedical purpose during the pregnancy, including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive.
- E. A person mandated by Minnesota law and this policy to report who fails to report may be subject to criminal penalties and/or discipline, up to and including termination of employment.
- F. Submission of a good faith report under Minnesota law and this policy will not adversely affect the reporter's employment, or the child's access to school.
- G. Any person who knowingly or recklessly makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, and the reckless making of a false report may result in discipline. The court may also award attorney's fees.

V. INVESTIGATION

- A. The responsibility for investigating reports of suspected neglect or physical or sexual abuse rests with the appropriate county, state, or local agency or agencies. The agency responsible for assessing or investigating reports of child maltreatment has the authority to interview the child, the person or persons responsible for the child's care, the alleged perpetrator, and any other person with knowledge of the abuse or neglect for the purpose of gathering the facts, assessing safety and risk to the child, and formulating a plan. The investigating agency may interview the child at school. The interview may take place outside the presence of a school official. The investigating agency, not the school, is responsible for either notifying or withholding notification of the interview to the parent, guardian or person responsible for the child's care. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded.
- B. When the investigating agency determines that an interview should take place on school property, written notification of intent to interview the child on school property will be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school property.

- C. Except where the alleged perpetrator is believed to be a school official or employee, the time and place, and manner of the interview on school premises shall be within the discretion of school officials, but the local welfare or law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place, and manner of the interview set by the school officials shall be reasonable and the interview shall be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school officials and the local welfare or law enforcement agency. Every effort must be made to reduce the disruption of the educational program of the child, other students, or school employees when an interview is conducted on school premises.
- D. Where the alleged perpetrator is believed to be a school official or employee, the school district shall conduct its own investigation independent of MDE and, if involved, the local welfare or law enforcement agency.
- E. Upon request by MDE, the school district shall provide all requested data that are relevant to a report of maltreatment and are in the possession of a school facility, pursuant to an assessment or investigation of a maltreatment report of a student in school. The school district shall provide the requested data in accordance with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE

- A. When a local welfare or local law enforcement agency determines that a potentially abused or abused child should be interviewed on school property, written notification of the agency's intent to interview on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct the interview. The notification shall be private data. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notice or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation has been concluded.
- B. All records regarding a report of maltreatment, including any notification of intent to interview which was received by the school as described above in Paragraph A., shall be destroyed by the school only when ordered by the agency conducting the investigation or by a court of competent jurisdiction.

VII. PHYSICAL OR SEXUAL ABUSE AS SEXUAL HARASSMENT OR VIOLENCE

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

VIII. DISSEMINATION OF POLICY AND TRAINING

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 121A.58 (Corporal Punishment)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. § 121A.67 (Aversive and Deprivation Procedures)
Minn. Stat. § 243.166, Subd. 1b(a)(b) (Registration of Predatory Offenders)
Minn. Stat. § 245.825 (Use of Aversive or Deprivation Procedures)
Minn. Stat. § 260C.007, Subd.4, Clause (5) (Child in Need of Protection)
Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18)
Minn. Stat. § 260D (Child in voluntary Foster Care for Treatment)
Minn. Stat. § 609.02, Subd.6 (Definitions – Dangerous Weapon)
Minn. Stat. § 609.341, Subd. 10 (Definitions – Position of Authority)
Minn. Stat. § 609.341, Subd. 15 (Definitions – Significant Relationship)
Minn. Stat. § 609.379 (Reasonable Force)
Minn. Stat. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)
Minn. Stat. § 626.5561 (Reporting of Prenatal Exposure to Controlled Substances)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

Cross References: Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)



Second Reading: May 14, 2015

Adopted: _____

415 MANDATED REPORTING OF MALTREATMENT OF VULNERABLE ADULTS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. “Mandated Reporters” means any school personnel who have reason to believe that a vulnerable adult is being or has been maltreated.
- B. “Maltreatment” means the neglect, abuse, or financial exploitation of a vulnerable adult.
- C. “Neglect” means the failure or omission by a caregiver to supply a vulnerable adult with care or services, including but not limited to, food, clothing, shelter, health care, or supervision which is: (1) reasonable and necessary to obtain or maintain the vulnerable adult’s physical or mental health or safety, considering the physical and mental capacity or dysfunction of the vulnerable adult; and (2) which is not the result of an accident or therapeutic conduct. Neglect also includes the absence or likelihood of absence of care or services, including but not limited to, food, clothing, shelter, health care, or supervision necessary to maintain the physical and mental health of the vulnerable adult which a reasonable person would deem essential to obtain or maintain the vulnerable adult’s health, safety, or comfort

considering the physical or mental capacity or dysfunction of the vulnerable adult. Neglect does not include actions specifically excluded by Minn. Stat. § 626.5572, Subd. 17.

- D. “Abuse” means: (a) An act against a vulnerable adult that constitutes a violation of, an attempt to violate, or aiding and abetting a violation of: (1) assault in the first through fifth degrees as defined in sections 609.221 to 609.224; (2) the use of drugs to injure or facilitate crime as defined in section 609.235; (3) the solicitation, inducement, and promotion of prostitution as defined in section 609.322; and (4) criminal sexual conduct in the first through fifth degrees as defined in sections 609.342 to 609.3451. A violation includes any action that meets the elements of the crime, regardless of whether there is a criminal proceeding or conviction. (b) Conduct which is not an accident or therapeutic conduct as defined in this section, which produces or could reasonably be expected to produce physical pain or injury or emotional distress including, but not limited to, the following: (1) hitting, slapping, kicking, pinching, biting, or corporal punishment of a vulnerable adult; (2) use of repeated or malicious oral, written, or gestured language toward a vulnerable adult or the treatment of a vulnerable adult which would be considered by a reasonable person to be disparaging, derogatory, humiliating, harassing, or threatening; (3) use of any aversive or deprivation procedure, unreasonable confinement, or involuntary seclusion, including the forced separation of the vulnerable adult from other persons against the will of the vulnerable adult or the legal representative of the vulnerable adult; and (4) use of any aversive or deprivation procedures for persons with developmental disabilities or related conditions not authorized under section 245.825. (c) Any sexual contact or penetration as defined in section 609.341, between a facility staff person or a person providing services in the facility and a resident, patient, or client of that facility. (d) The act of forcing, compelling, coercing, or enticing a vulnerable adult against the vulnerable adult’s will to perform services for the advantage of another. Abuse does not include actions specifically excluded by Minn. Stat. § 626.5572, Subd. 2.
- E. “Financial Exploitation” means a breach of a fiduciary duty by an actor’s unauthorized expenditure of funds entrusted to the actor for the benefit of the vulnerable adult or by an actor’s failure to provide food, clothing, shelter, health care, therapeutic conduct or supervision, the failure of which results or is likely to result in detriment to the vulnerable adult. Financial exploitation also includes: the willful use, withholding or disposal of funds or property of a vulnerable adult; the obtaining of services for wrongful profit or advantage which results in detriment to the vulnerable adult; the acquisition of a vulnerable adult’s funds or property through undue influence, harassment, duress, deception or fraud; and the use of force, coercion, or enticement to cause a vulnerable adult to perform services against the vulnerable adult’s will for the profit or advantage of another.
- F. “Vulnerable Adult” means any person 18 years of age or older who: (1) is a resident or inpatient of a facility; (2) receives services at or from a licensed facility which serves adults as set forth in Minn. Stat. § 626.5572, Subd. 21(a)(2); (3) receives services from a licensed home care provider or home care provider service; or (4)

regardless of residence or type of service received possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction that impairs the individual's ability to adequately provide the person's own care without assistance or supervision and, because of the dysfunction or infirmity and need for care or services, has an impaired ability to protect the individual's self from maltreatment.

- G. "Caregiver" means an individual or facility who has responsibility for the care of a vulnerable adult as a result of a family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, by contract, or by agreement.
- H. "School Personnel" means professional employees or their delegates of the school district engaged in providing health, educational, social, psychological, law enforcement, or other caretaking services of vulnerable adults.
- I. "Immediately" means as soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received.

IV. REPORTING PROCEDURES

- A. A mandated reporter as defined herein shall immediately report the suspected maltreatment to the designated county entity.
- B. Whenever a mandated reporter, as defined herein, knows or has reason to believe that an individual made an error in the provision of therapeutic conduct to a vulnerable adult which results in injury or harm, which reasonably requires the care of a physician, such information shall be reported immediately to the designated county agency. The mandated reporter also may report a belief that the error did not constitute neglect and why the error does not constitute neglect.
- C. The reporter shall to the extent possible identify the vulnerable adult, the caregiver, the nature and extent of the suspected maltreatment, any evidence of previous maltreatment, the name and address of the reporter, the time, date, and location of the incident, and any other information that the reporter believes might be helpful in investigating the suspected abuse or neglect. A mandated reporter may disclose *not public data* as defined under Minn. Stat. § 13.02 to the extent necessary to comply with the above reporting requirements.
- D. A person mandated to report suspected maltreatment of a vulnerable adult who negligently or intentionally fails to report is liable for damages caused by the failure. A negligent or intentional failure to report may result in discipline. A mandatory reporter who intentionally fails to make a report, who knowingly provides false or misleading information in reporting, or who intentionally fails to provide all the material circumstances surrounding the reported incident may be guilty of a misdemeanor.

- E. Retaliation against a person who makes a good faith report under Minnesota law and this policy, or against vulnerable adult who is named in a report is prohibited.
- F. Any person who intentionally makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury. The intentional making of a false report may result in discipline.

V. INVESTIGATION

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

VI. DISSEMINATION OF POLICY AND TRAINING

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

Legal References: Minn. Stat. § 13.02 (Collection, Security, and Dissemination of Records; Definitions)
Minn. Stat. § 245.825 (Aversive and Deprivation Procedures; Licensed Facilities and Services)
Minn. Stat. §§ 609.221-609.224 (Assault)
Minn. Stat. § 609.234 (Crimes Against the Person)
Minn. Stat. § 609.235 (Use of Drugs to Injure or Facilitate Crime)
Minn. Stat. § 609.322 (Solicitation, Inducement, and Promotion of Prostitution; Sex Trafficking)
Minn. Stat. § 609.341 (Definitions)
Minn. Stat. §§ 609.342-609.3451 (Criminal Sexual Conduct)
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)
Minn. Stat. § 626.5572 (Definitions)
In re Kleven, 736 N.W.2d 707 (Minn. App. 2007)

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



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Adopted: 8/11/86

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 discipline and ensure that there is no interference with the educational process. The school district will take appropriate disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.

II. GENERAL STATEMENT OF POLICY

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

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

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

Although this policy emphasizes the development of self-discipline, it is recognized that there are instances when it will be necessary to administer disciplinary measures. The position of the school district is that a fair and equitable district-wide student discipline

policy will contribute to the quality of the student's educational experience. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, 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.

III. AREAS OF RESPONSIBILITY

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

district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.

- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the behavior of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

IV. STUDENT RIGHTS

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

V. STUDENT RESPONSIBILITIES

All students have the responsibility:

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

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 including e-cigarettes or look-alike products;
 11. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
 12. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances, or look-alike substances, except as prescribed by a physician, including one student sharing prescription medication with another student;
 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 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 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 nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;
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;
35. Impertinent or disrespectful language toward teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy;
37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;
38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
40. Verbal assaults or verbally abusive behavior including, but not limited to, use of language that is discriminatory, abusive, obscene, threatening, intimidating, or that degrades other people;
41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;
43. Violation of the school district's Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees Policy;
44. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or employees.

VII. DISCIPLINARY ACTION OPTIONS

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

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

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

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 taken by a teacher, principal, or other school district employees 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) consecutive 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.

The student may return to class after a conference with the appropriate administrator, teacher, and/or the parent or guardian.

- 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 pre-assessment 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.

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.

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

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

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

C. Suspension Procedures

1. “Suspension” means an action by the school administration, under rules promulgated by the school board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.
2. If a student’s total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student’s parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian’s expense. The purpose of this meeting is to attempt to determine the 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 guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the

process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.

4. A student with a disability may be suspended. When a student with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law,¹ relevant members of the student's IEP team, including at least one of the student's teachers, shall meet and determine the extent to which the student needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6th) consecutive day of suspension or the tenth (10th) cumulative day of suspension has elapsed.
5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. 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 administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
7. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minn. 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.

¹ See Part XIII, below, if a discipline recommendation involves a change in placement.

8. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
9. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
10. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.

D. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, 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.
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. 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

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

XIII. DISABLED STUDENTS

Students who are currently identified as eligible under the IDEA or Section 504 will be subject to the provisions of this policy, unless the student's IEP or 504 plan specifies a necessary modification.

Before initiating an expulsion or exclusion of a student with a disability, relevant members of the child's IEP team and the child's parent shall, consistent with federal law, conduct a manifestation determination and determine whether the child's behavior was (i) caused by or had a direct and substantial relationship to the child's disability and (ii) whether the child's conduct was a direct result of a failure to implement the child's IEP. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school district will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral assessment and implement a behavioral intervention plan for such student provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior.

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

XIV. OPEN ENROLLED STUDENTS

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (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. This policy will be posted on the school district's website.

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)
Policy 711 (Video Recording on School Buses)
Policy 712 (Video Surveillance Other Than on Buses)



Second Reading: May 14, 2015

Revised: _____

Adopted: 2/12/09

522 STUDENT SEX NONDISCRIMINATION

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The school district provides equal educational opportunity for all students, and does not unlawfully discriminate on the basis of sex. No student will be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any educational program or activity operated by the school district on the basis of sex.
- B. It is the responsibility of every school district employee to comply with this policy.
- C. The school board hereby designates Human Resources Supervisor, Nicole Flesner, 1520 Mahtomedi Avenue, Mahtomedi, MN 55115, Tel: (651) 407-2005 as its Title IX coordinators. This employee coordinates the school district's efforts to comply with and carry out its responsibilities under Title IX.
- D. Any student, parent or guardian having questions regarding the application of Title IX and its regulations and/or this policy should discuss them with the Title IX coordinator. Questions relating solely to Title IX and its regulations may be referred to the Assistant Secretary for Civil Rights of the United States Department of Education. In the absence of a specific designee, an inquiry or complaint should be referred to the superintendent or the school district human rights officer.

III. REPORTING GRIEVANCE PROCEDURES

- A. Any student who believes he or she has been the victim of unlawful sex discrimination by a teacher, administrator or other school district personnel, or any

person with knowledge or belief of conduct which may constitute unlawful sex discrimination toward a student should report the alleged acts immediately to an appropriate school district official designated by this policy or may file a grievance. The school district encourages the reporting party or complainant to use the report form available from the principal of each building or available from the school district office, but oral reports shall be considered complaints as well. Nothing in this policy shall prevent any person from reporting unlawful sex discrimination toward a student directly to a school district human rights officer or to the superintendent.

- B. In Each School Building. The building principal is the person responsible for receiving oral or written reports or grievances of unlawful sex discrimination toward a student at the building level. Any adult school district personnel who receives a report of unlawful sex discrimination toward a student shall inform the building principal immediately.
- C. Upon receipt of a report or grievance, the principal must notify the school district human rights officer immediately, without screening or investigating the report. The principal may request, but may not insist upon a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the principal to the human rights officer. If the report was given verbally, the principal shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any report or complaint of unlawful sex discrimination toward a student as provided herein may result in disciplinary action against the principal. If the complaint involves the building principal, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. The school board hereby designates Human Resources Supervisor, Nicole Flesner, 1520 Mahtomedi Avenue, Mahtomedi, MN 55115, Tel: (651) 407-2005, as the school district human rights officers to receive reports, complaints or grievances of unlawful sex discrimination toward a student. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.
- E. The school district shall conspicuously post the name of the Title IX coordinator and human rights officer(s), including office mailing addresses and telephone numbers.
- F. Submission of a good faith complaint, grievance or report of unlawful sex discrimination toward a student will not affect the complainant or reporter's future employment, grades or work assignments.
- G. Use of formal reporting forms is not mandatory.
- H. The school district will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible,

consistent with the school district's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

IV. INVESTIGATION

- A. By authority of the school district, the human rights officer, upon receipt of a report, complaint or grievance alleging unlawful sex discrimination toward a student shall promptly undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the complainant, pupils, teachers, administrators or other school personnel pending completion of an investigation of alleged unlawful sex discrimination toward a student.
- E. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

V. SCHOOL DISTRICT ACTION

- A. Upon conclusion of the investigation and receipt of a report, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law and school district policies.

- B. The result of the school district's investigation of each complaint filed under these procedures will be reported in writing to the complainant by the school district in accordance with state and federal law regarding data or records privacy.

VI. REPRISAL

The school district will discipline or take appropriate action against any pupil, teacher, administrator or other school personnel who retaliates against any person who reports alleged unlawful sex discrimination toward a student or any person who testifies, assists or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such unlawful sex discrimination. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

VII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights, initiating civil action or seeking redress under state criminal statutes and/or federal law, or contacting the Office of Civil Rights for the United States Department of Education.

VIII. DISSEMINATION OF POLICY AND EVALUATION

- A. This policy shall be made available to all students, parents/guardians of students, staff members, employee unions and organizations.
- B. The school district shall review this policy and the school district's operation for compliance with state and federal laws prohibiting discrimination on a continuous basis.

Legal References: Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)
 Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
 20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
 34 C.F.R. Part 106 (Implementing Regulations of Title IX)

Cross References: Policy 102 (Equal Educational Opportunity)
 Policy 413 (Harassment and Violence)
 Policy 528 (Student Parental, Family, and Marital Status
 Nondiscrimination)



Second Reading: May 14, 2015

Revised: 4/21/11; 10/8/09; 10/13/05; 3/8/01; 6/10/99

Adopted: 2/6/97

524 TECHNOLOGY ACCEPTABLE USE AND SAFETY POLICY

I. PURPOSE

The purpose of this policy is to provide guidelines for acceptable and safe use of the school district's electronic technologies for guests, students, and school district personnel (users) and to set guidelines for acceptable use of the school district's computer systems, hardware and software, web-based applications, electronic communications, school district web sites, and the Internet.

II. GENERAL STATEMENT OF POLICY

In making decisions regarding student and employee access to the school district's electronic technologies, the school district considers its own stated educational mission, goals, and objectives. Technology skills are now fundamental to prepare students to become responsible global citizens. The school district expects that users will blend thoughtful use of electronic technologies and the Internet throughout the curriculum.

III. LIMITED EDUCATIONAL PURPOSE

The school district is providing students and employees with access to the school district electronic technologies including Internet access. The school district systems have limited educational purpose, which includes use of the systems for classroom activities, educational research, collaboration, and professional or career development activities. Employees are required to follow data privacy policies and refrain from using email for communications containing private educational data or personnel data. Users are expected to use Internet access through the district systems to further educational and personal goals consistent with the mission of the school district and school policies. Employees may use the school district system for occasional 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, or email, for advertising purposes or to promote personal causes.

IV. USE OF SYSTEM IS A PRIVILEGE

The use of school district systems 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 systems or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school district policies, including suspension, expulsion, exclusion or termination of employment; or civil or criminal liability under other applicable laws.

V. UNACCEPTABLE USES

- A. The following uses of school district systems and Internet resources or accounts are considered unacceptable:
1. Users will not use school district systems to access, review, upload, download, store, print, post, receive, transmit or distribute:
 - a. pornographic, obscene or sexually explicit material or other visual depictions that are harmful to minors;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, 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 school district systems or the Internet 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 consistent with school district and school policies.
 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 do any of the following:
 - a. Vandalize, damage or disable the property of another person or organization.
 - b. Make deliberate attempts to degrade or disrupt equipment, software or system performance by loading, creating, or spreading computer viruses or by any other means.

- c. Tamper with, modify or change school district systems, software, hardware, or wiring.
 - d. Take any action to violate, bypass or disable school district security and safety systems.
 - e. Use school district systems to disrupt the use of the systems.
5. Users will not use school district systems 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.
6. Users will not engage in Cyberbullying. "Cyberbullying" means bullying using technology or other electronic communications, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on school district property, at school functions or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.
6. 7. Users will not use school district systems to post, transmit or distribute private information about another person, personal contact information about themselves or other persons, or other personally identifiable information including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable without permission. Users will not repost a message that was sent to the user privately without permission of the person who sent the message.
- a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students.)
 - b. Employees creating or posting school district related publications, websites, and social media may not post personal contact information or other personally identifiable information about students unless:

- (1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515-Protection and Privacy of Pupil Records; or
- (2) such information is not classified by the school district as directory information but consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515-Protection and Privacy of Pupil Records.

These prohibitions specifically prohibit a user from utilizing the school district's systems to post personal information about a user or another individual on personal social networks.

- 7. 8.** Users must keep all account information and passwords on file with the designated school district official. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person's account, or use computer accounts, access codes or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities. Any user identified as a security risk or having a history of problems with other computer systems may be denied access to school district systems or the Internet or both.
- 8. 9.** Users will not use school district systems 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 and copyright protected.
- 9. 10.** Users will not use school district systems 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.
- 10. 11.** Users will not use school district systems for non-district supported software without the prior approval of the school district technology department.
- 11. 12.** Users will not save personal photos, music, files, etc. unrelated to educational purposes on a district share/home folder for an extended period

of time. Personal data saved on workstations may be removed if they degrade the performance of the workstation or other district systems.

~~12.~~ 13. Users will not access the internal school district network, the Internet, or printers with personal electronic devices without prior approval.

- B. A student or employee engaging in any of the foregoing unacceptable uses of the Internet when off school district premises and without the use of the school district system may also may be in violation of this policy as well as other school district policies. Examples of such violations include, but are not limited to, situations where the school district's systems are compromised or if a school district employee or student is negatively impacted. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to academic sanctions or disciplinary action for such conduct including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.
- C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.
- D. A user must notify the district technology department if a user identifies a security problem with school district systems or on the Internet. The user should not demonstrate the problem to other users.
- E. Respect for privacy rights:
1. Students may only use personal electronic devices to record sound, pictures, or video of classroom instruction with prior approval from the teacher or staff member. It may be inappropriate to record any conversations or exchanges of communications without the knowledge and consent of all participating persons.
 2. Students shall not photograph or videotape other individuals at school or at school sponsored activities without their knowledge and consent, except for activities considered to be in the public arena such as sporting events or public performances.

3. Students shall not e-mail, post to the Internet, or other otherwise electronically transmit images of other individuals taken at school without consent.
4. Use of cellular phones or other personal electronic devices is strictly prohibited in locker rooms and restrooms.

VI. DISTRICT WEB SITE

- A. All communications and information accessible on Mahtomedi Public Schools' official websites are property of the school district.
- B. The principal of each school building or an administrator designee (i.e. district communications coordinator, district technology coordinator, etc.) 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. Individual student or staff web pages developed using school district systems or access shall be subject to this policy.

VII. FILTER

- A. With respect to school district Internet access, the district will monitor and filter online activities of both minors and adults. The school district is required by Child Internet Protection Act (CIPA) to implement filtering measures that 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:
 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. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.
- D. 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.
- E. The school district will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.
- F. The school district reserves the right to block or filter sites that are deemed inappropriate for users or compromise the integrity of school district systems.

VIII. CONSISTENCY WITH OTHER SCHOOL POLICIES

- A. Use of school district computer systems 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 school district systems, the school district does not relinquish control over materials on the systems or contained in files on the systems, whether onsite or offsite, or transmitted via the systems. Users should expect only limited privacy for personal content on school district systems.
- 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.
- 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, online activity and e-mail. 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). The school district archives employee email for a period of up to three years.
- F. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in

compliance with school district policies conducted through the school district system.

X. COMPUTER SYSTEMS AND INTERNET USE AGREEMENT

- A. The proper use of the school district's computer systems and the Internet, and the educational value to be gained from their proper use, is the joint responsibility of students, parents, employees, and guests 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 school district's computer systems and the Internet.
- C. The Computer Systems and Internet Use Agreement form for students must be read and signed by the user and the parent or guardian upon beginning Wildwood Elementary School or O. H. Anderson Elementary School and yearly at Mahtomedi Middle School and Mahtomedi High School.
- D. The Computer Systems and Internet Use Agreement form for employees must be signed by the employee upon hire or change in policy. The form must then be filed at the District Office.
- E. Guest access to the wireless Internet will require digital verification that the user will abide by all district policies pertaining to acceptable and responsible use.

XI. LIMITATION ON SCHOOL DISTRICT LIABILITY

Use of school district systems 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 systems or backup media, 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 district computer systems and 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 systems.
 - 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 the collection, creation, reception, maintenance and dissemination of data via the Internet, including electronic communications, is governed by Policy 435-Public and Private Personnel Data and Policy 509-Protection and Privacy of Pupil Records.
7. Notification that, should the user violate the school district's acceptable use policy, the user's access privileges may be revoked, student or employee disciplinary action may be taken, and/or appropriate legal action may be taken.
8. Notification that all provisions of the acceptable use policy are subordinate to local, state and federal laws.

XIII. PARENTS' RESPONSIBILITY: NOTIFICATION OF STUDENT COMPUTER SYSTEMS AND INTERNET USE

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

XIV. IMPLEMENTATION: POLICY REVIEW

- A. The school district administration may develop appropriate user notification forms, login banners, 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 computer systems, Internet policies and procedures are available for review by all parents, guardians, staff and members of the community.
- D. This policy will be annually reviewed and posted on the district website.

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))
 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)
Doninger v. Niehoff, 527 F.3d 41(2nd Cir. 2008)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011)
Layshock v. Hermitage Sch. Dist., 650 F.3d 205 (3rd Cir. 2011)
J.S. v. Bethlehem Area Sch. Dist., 807 A.2d 847 (Pa. 2002)

Cross References: Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
 Policy 406 (Public and Private Personnel Data)
 Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)

Policy 506 (Student Discipline)

Policy 514 (Bullying Prohibition Policy)

Policy 515 (Protection and Privacy of Pupil Records)

Policy 519 (Interviews of Students by Outside Agencies)

Policy 521 (Student Disability Nondiscrimination)

Policy 522 (Student Sex Nondiscrimination)

Policy 603 (Curriculum Development)

Policy 604 (Instructional Curriculum)

Policy 606 (Textbooks and Instructional Materials)

Policy 806 (Crisis Management Policy)

Policy 904 (Distribution of Materials on School District Property by
Nonschool Persons)



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Revised: _____

Adopted: 8/11/05

616 SCHOOL DISTRICT SYSTEM ACCOUNTABILITY

I. PURPOSE

The purpose of this policy is to focus public education strategies on a process which promotes higher academic achievement for all students and ensures broad-based community participation in decisions regarding the implementation of the Minnesota Academic Standards and other state and federal mandates.

II. GENERAL STATEMENT OF POLICY

The school district will establish a system to review and improve instruction, curriculum, and assessment which will include substantial input by students, parents or guardians, and local community members. The school district will be accountable to the public and the state through annual reporting.

III. DEFINITIONS

- A. “Credit” means a student’s successful completion of an academic year of study or a student’s mastery of the applicable subject matter, as determined by the school district.
- B. “Graduation Standards” means the credit requirements or Minnesota Academic Standards that school districts must offer and certify that students complete to be eligible for a high school diploma.
- C. “World’s best workforce” means striving to: meet school readiness goals; have all third grade students achieve grade-level literacy; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.

IV. ESTABLISHMENT OF GOALS; IMPLEMENTATION; EVALUATION AND REPORTING

A. School District Goals

1. The school board has established school district-wide goals which provide broad direction for the school district. Incorporated in these goals are the graduation and education standards contained in the Minnesota Academic Standards. The broad goals shall be reviewed annually and approved by the school board. The school board shall adopt annual goals based on the recommendations of the Advisory Committee for Comprehensive Continuous Improvement of Student Achievement (Advisory Committee).
2. The improvement goals should address recommendations identified through the Advisory Committee process. The school district's goal setting process will include consideration of individual site goals. School district goals may be developed through an education effectiveness program, an evaluation of student progress committee, or through some other locally determined process.

B. System for Reviewing All Instruction and Curriculum. Incorporated in the process will be analysis of the school district's progress toward implementation of the Minnesota Academic Standards. Instruction and curriculum shall be reviewed and evaluated by taking into account strategies and best practices, student outcomes, principal evaluations under Minn. Stat. § 123B.147, Subd. 3, and teacher evaluations under Minn. Stat. § 122A.40, Subd. 8, or 122A.41, Subd. 5.

C. District Curriculum Advisory Committee

1. The District Curriculum Advisory Committee will meet to advise and assist the school district in the implementation of the school district system accountability and comprehensive continuous improvement process.
2. The District Curriculum Advisory Committee will provide active community participation in:
 - a. Reviewing the school district instructional and curriculum plan with emphasis on implementing the World's Best Workforce;
 - b. Identifying annual instruction and curriculum improvement goals for recommendation to the school board;
 - c. Making recommendations regarding the evaluation process that will be used to measure school district progress toward its goals;
 - d. Making recommendations regarding graduation requirements.
3. The District Curriculum Advisory Committee shall meet the following criteria:

- a. The District Curriculum Advisory Committee shall ensure active community participation in all planning for instruction and curriculum affecting Graduation Standards.
 - b. Building teams may be established as subcommittees to develop and implement an education effectiveness plan and to carry out methods to improve instruction, curriculum, and assessments as well as methods to use technology in meeting the school district improvement plan.
 - c. A local plan to evaluate student progress, using a local process, shall be used for developing a plan for assessment of student progress toward the Graduation Standards, as well as program evaluation data for use by the Advisory Committee in the instruction and curriculum review process. The World’s Best Workforce plan shall annually be approved by the school board.
4. The District Curriculum Advisory Committee shall, when possible, be comprised of two-thirds community representatives and shall reflect the diversity of the community. Included in its membership should be:
- a. The Director of Curriculum (or similar educational leader)
 - b. Principal
 - c. School Board Member
 - d. Student Representative
 - e. One teacher from each building or instructional level
 - f. One parent from each building or instructional level
 - g. Two residents without school-aged children, non-representative of local business or industry
 - h. Two residents representative of local business or industry
 - i. School District Test Administrator (if different from “a.” above)
5. The Advisory Committee shall meet the following timeline each year:
- | | |
|---------|---|
| Fall: | Organizational meeting of the Committee to review the authorizing legislation and the roles and responsibilities of the Committee as determined by the school board. Become familiar with the instruction and curriculum of the cycle content area. |
| Winter: | Review evaluation results and prepare recommendations. |
| Spring: | Present updates to administration. |

- D. Reporting. Consistent with Minn. Stat. § 120B.36, Subd. 1, the school board shall provide a report by mail or by electronic means on the school district website. The school board shall hold an annual public meeting to review and revise, where appropriate, student achievement goals, local assessment outcomes, plans, strategies, and practices for improving curriculum and instruction, and to review school district success in realizing the previously adopted student achievement goals and related benchmarks and the improvement plans leading to the world's best workforce. Administration must transmit an electronic summary of its report to the Commissioner in the form and manner the Commissioner determines. The school district shall periodically survey affected constituencies about their connection to and level of satisfaction with school. The school district shall include the results of this evaluation in its summary report to the Commissioner.

Legal References: Minn. Stat. § 120B.02 (Educational Expectations for Minnesota's Students)
 Minn. Stat. § 120B.018 (Definitions)
 Minn. Stat. § 120B.11 (School District Process)
 Minn. Stat. § 120B.128 (Educational Planning and Assessment System (EPAS) Program)
 Minn. Stat. § 120B.35 (Student Achievement Levels)
 Minn. Stat. § 120B.36 (School Accountability; Appeals Process)
 Minn. Stat. § 122A.40, Subd. 8 (Employment; Contracts; Termination)
 Minn. Stat. § 122A.41, Subd. 5 (Teacher Tenure Act; Cities of the First Class; Definitions)
 Minn. Stat. § 123B.04 (Site Decision Making Agreement)
 Minn. Stat. § 123B.147, Subd. 3 (Principals)
 Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)
 Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
 Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)
 Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)
 Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)
 20 U.S.C. § 6301, *et seq.* (No Child Left Behind Act)

Cross References: Policy 104 (School District Mission Statement)
 Policy 601 (School District Curriculum and Instruction Goals)
 Policy 613 (Graduation Requirements)
 Policy 614 (School District Testing Plan and Procedure)
 Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
 Policy 617 (School District Ensurance of Preparatory and High School Standards)
 Policy 618 (Assessment of Student Achievement)
 Policy 619 (Staff Development for Standards)
 Policy 620 (Credit for Learning)



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806 CRISIS MANAGEMENT POLICY

I. PURPOSE

The purpose of this Model Crisis Management Policy is to act as a guide for school district and building administrators, school employees, students, school board members, and community members to address a wide range of potential crisis situations in the school district. Each school district should develop tailored building-specific crisis management plans for each school building in the school district, and sections or procedures may be added or deleted in those crisis management plans based on building needs.

The school district will, to the extent possible, engage in ongoing emergency planning within the school district and with first responders and other relevant community organizations. The school district will ensure that relevant first responders in the community have access to their building-specific crisis management plans and will provide training to school district staff to enable them to act appropriately in the event of a crisis.

II. GENERAL INFORMATION

A. The Policy and Plans

The school district's Crisis Management Policy has been created in consultation with local community response agencies and other appropriate individuals and groups that would likely be involved in the event of a school emergency. It is designed so that each building administrator can tailor a building-specific crisis management plan to meet that building's specific situation and needs.

B. Elements of the District Crisis Management Policy

1. General Crisis Procedures. The Crisis Management Policy includes general crisis procedures for securing buildings, classroom evacuation, building evacuation, campus evacuation, and sheltering. The Policy designates the individual(s) who will determine when these actions will be taken. These district-wide procedures may be modified by building administrators when creating their building-specific crisis management plans. A communication

system will be in place to enable the designated individual to be contacted at all times in the event of a potential crisis, setting forth the method to contact the designated individual, the provision of at least two designees when the contact person is unavailable, and the method to convey contact information to the appropriate staff persons. The alternative designees may include members of the emergency response team. A secondary method of communication should be included in the plan for use when the primary method of communication is inoperable. Each building in the school district will have access to a copy of the Emergency Planning and Procedures Guide for Schools to assist in the development of building-specific crisis management plans. Finally, all general crisis procedures will address specific procedures for children with special needs such as physical, sensory, motor, developmental, and mental health challenges.

- a. Lock-Down Procedures. Lock-down procedures will be used in situations where harm may result to persons inside the school building, such as a shooting, hostage incident, intruder, trespass, disturbance, or when determined to be necessary by the building administrator or his or her designee. The building administrator or designee will announce the lock-down over the public address system or other designated system. Code words will not be used. Provisions for emergency evacuation will be maintained even in the event of a lock-down. Each building administrator will submit lock-down procedures for their building as part of the building-specific crisis management plan.
- b. Evacuation Procedures. Classroom and building evacuations shall be implemented at the discretion of the building administrator or designee. Campus evacuations shall be implemented at the discretion of the superintendent or designee. Each building's crisis management plan will include procedures for transporting students and staff a safe distance from harm to a designated safe area until released by the building administrator or designee. Safe areas may change based upon the specific emergency situation. The evacuation procedures should include specific procedures for children with special needs, including children with limited mobility (wheelchairs, braces, crutches, etc.), visual impairments, hearing impairments, and other sensory, developmental, or mental health needs. The evacuation procedures should also address transporting necessary medications for students that take medications during the school day.
- c. Sheltering Procedures. Sheltering provides refuge for students, staff, and visitors within the school building during an emergency. Shelters are safe areas that maximize the safety of inhabitants. Safe areas may change based upon the specific emergency. The building administrator or his or her designee will announce the need for

sheltering over the public address system or other designated system. Each building administrator will submit sheltering procedures for his or her building as part of the building-specific crisis management plan.

2. Crisis-Specific Procedures. The Crisis Management Policy includes crisis-specific procedures for crisis situations that may occur during the school day or at school-sponsored events and functions. These district-wide procedures are designed to enable building administrators to tailor response procedures when creating building-specific crisis management plans.
3. Crisis Response Teams
 - a. Composition. The building administrator in each school building will select a crisis response team that will be trained to respond in an emergency. Team members should be trained to carry out the building's crisis management plans and will have knowledge of procedures, evacuation routes, and safe areas. Team members must be willing to be actively involved with resolving crises and available to assist when necessary, as determined by the building administrator. Each building will maintain, and update annually, a current list of crisis response team members in a location known by the building administrator and designee(s). A copy of the list also will be kept on file in the school district office.
 - b. Leaders. The building administrator or designee serves as the leader of the crisis response team and the primary contact for emergency response officials. The designee list should include more than one alternative designee and may include members of the emergency response team. When they are present, emergency response officials may take command and control of the crisis. In this situation, school officials must assume a resource role and be available to emergency response officials as necessary.

III. PREPARATION BEFORE AN EMERGENCY

A. Communication

1. District Employees. Teachers generally have the most direct contact with students on a day-to-day basis. As a result, they must be aware of their role in responding to crisis situations. This also applies to non-teaching school personnel who have direct contact with students. All staff shall be aware of the school district's Crisis Management Policy and their own building's crisis management plan. Each school's building-specific crisis management plan shall include the method and dates of dissemination of the plan to its staff. Employees will receive a copy of the relevant building-specific crisis

management plans and shall receive periodic training on plan implementation.

2. Students and Parents. Students and parents shall be made aware of the school district's Crisis Management Policy and relevant tailored crisis management plans for each school building. Each school district's building-specific crisis management plan shall set forth how students and parents are made aware of the district and school-specific plans. Students shall receive specific instruction on plan implementation and shall participate in a required number of drills and practice sessions throughout the school year.

B. Planning and Preparing for Fire Response

1. Designate a safe area at least 50 feet away from the building and away from fire lanes for students and staff to evacuate to. The safe area should not be in an area where evacuated persons are exposed to any products of combustion.
2. Each building's facility diagram and site plan shall be available in appropriate areas of the building showing the most direct evacuation routes to the designated safe areas and the location of the fire alarm control panel, fire alarms, fire extinguishers, hoses, water spigots, and utility shut offs.
3. Teachers and staff will be trained regarding the primary emergency evacuation routes and alternate routes from various points in the building. During fire drills, students and staff will practice evacuations using primary evacuation routes and alternate routes. The school district will develop a universal signal to indicate a blocked entrance. When this signal is used, the responsible adult must immediately identify an alternate route.
4. Certain employees, such as those who work in hazardous areas in the building, will receive training on the locations and proper use of fire extinguishers and protective clothing and equipment.
5. Fire drills will be conducted periodically without warning at various times of the day and under different circumstances, e.g., lunchtime, recess, and during assemblies. State law requires a minimum of five fire drills each school year, consistent with Minn. Stat. § 299F.30. See Minn. Stat. § 121A.035.
6. A record of fire drills conducted at the building will be maintained in the building administrator's office.
7. The school district will have prearranged sites for emergency sheltering and transportation as needed.

8. The school district will determine which staff will remain in the building to perform essential functions if safe to do so (e.g., switchboard, building engineer, etc.). The school district also will designate an administrator or his or her designee to meet local fire or law enforcement agents upon their arrival.

C. Facility Diagrams and Site Plans

All school buildings will have a facility diagram and site plan that includes the location of primary and secondary evacuation routes, exits, designated safe areas inside and outside of the building, and the location of fire alarm control panel, fire alarms, fire extinguishers, hoses, water spigots, and utility shut offs. All facility diagrams and site plans will be updated regularly and whenever a major change is made to a building. Facility diagrams and site plans will be maintained by the building administrator and on file in the school district office. Facility diagrams and site plans will be provided to first responders, such as fire and law enforcement personnel.

D. Emergency Telephone Numbers

Each building will maintain a current list of emergency telephone numbers and the names and addresses of local, county, and state personnel who may be involved in a crisis situation. The list will include telephone numbers for local police, fire, ambulance, hospital, the Poison Control Center, county and state emergency management agencies, local public works departments, local utility companies, the public health nurse, mental health/suicide hotlines, and the county welfare agency. A copy of this list will be kept on file in the school district office, or at a secondary location for single building school districts, and updated annually.

School district employees will receive training on how to make emergency contacts, including 911 calls, when the school district's primary telephone number and location is electronically conveyed to emergency personnel instead of the specific building in need of emergency services.

School district plans will set forth a process to internally communicate an emergency, using telephones in classrooms, intercom systems, or two-way radios, as well as the procedure to enable the staff to rapidly convey emergency information to a building designee. Each plan will identify a primary and secondary method of communication for both internal and secondary use. It is recommended that the plan include several methods of communication because computers, intercoms, telephones, and cell phones may not be operational or may be dangerous to use during an emergency.

E. Warning Systems

The school district shall maintain a warning system designed to inform students, staff, and visitors of a crisis or emergency. This system shall be maintained on a regular basis under the maintenance plan for all school buildings.

The building administrator shall be responsible for informing students and employees about the warning system and the means by which the system is used to identify a specific crisis or emergency situation. Each school's building-specific crisis management plan will include the method and frequency of dissemination of the warning system information to students and employees.

F. Early School Closure Procedures

The superintendent will make decisions about closing school or buildings as early in the day as possible. The early school closure procedures will set forth the criteria for early school closure (e.g., weather-related, utility failure, or a crisis situation), will specify how closure decisions will be communicated to staff, students, families, and the school community (designated broadcast media, local authorities, e-mail, or district or school building web sites), and will discuss the factors to be considered in closing and reopening a school or building.

Early school closure procedures also will include a reminder to parents and guardians to listen to designated local radio and TV stations for school closing announcements, where possible.

G. Media Procedures

The superintendent has the authority and discretion to notify parents or guardians and the school community in the event of a crisis or early school closure. The superintendent will designate a spokesperson who will notify the media in the event of a crisis or early school closure. The spokesperson shall receive training to ensure that the district is in strict compliance with federal and state law relative to the release of private data when conveying information to the media.

H. Grief-Counseling Procedures

Grief-counseling procedures will set forth the procedure for initiating grief-counseling plans. The procedures will utilize available resources including the school psychologist, counselor, community grief counselors, or others in the community. Grief-counseling procedures will be used whenever the superintendent or the building administrator determines it to be necessary, such as after an assault, a hostage situation, shooting, or suicide. The grief-counseling procedures shall include the following steps:

1. Administrator will meet with relevant persons, including school psychologists and counselors, to determine the level of intervention needed for students and staff.
2. Designate specific rooms as private counseling areas.
3. Escort siblings and close friends of any victims as well as others in need of emotional support to the counseling areas.
4. Prohibit media from interviewing or questioning students or staff.
5. Provide follow-up services to students and staff who receive counseling.
6. Resume normal school routines as soon as possible.

IV. MISCELLANEOUS PROCEDURES

A. Chemical Accidents

Procedures for reporting chemical accidents shall be posted at key locations such as chemistry labs, art rooms, swimming pool areas, and janitorial closets.

B. Visitors

The school district shall implement procedures mandating visitor sign in and visitors in school buildings. See Policy 903-Visitors to School District Property and Facilities.

The school district shall implement procedures to minimize outside entry into school buildings except at designated check-in points and assure that all doors are locked prior to and after regular building hours.

C. Student Victims of Criminal Offenses at or on School Property

The school district shall establish procedures allowing student victims of criminal offenses on school property the opportunity to transfer to another school within the school district.

Legal References: Minn. Stat. Ch. 12 (Emergency Management)
 Minn. Stat. § 121A.035 (Crisis Management Policy)
 Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)
 Minn. Stat. § 299F.30 (Fire Drill in School)
 Minn. Stat. § 609.605, Subd. 4 (Trespasses on School Property)
 Minn. Rules Ch. 7511 (Fire Safety)
 20 U.S.C. § 1681, *et seq.* (Title IX)

20 U.S.C. § 6301, *et seq.* (No Child Left Behind)
20 U.S.C. § 7912 (Unsafe School Choice Option)
42 U.S.C. § 5121 *et seq.* (Disaster Relief and Emergency Assistance)

Cross References: Policy 407 (Employee Right to Know – Exposure to Hazardous Substances)
Policy 413 (Harassment and Violence)
Policy 501 (School Weapons Policy)
Policy 506 (Student Discipline)
Policy 532 (Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds)
Policy 903 (Visitors to School District Property and Facilities)

Mahtomedi Public Schools
Independent School District #832
1520 Mahtomedi Avenue
Mahtomedi, MN 55115

Regular Meeting - Board of Education

Date: May 14, 2015

Agenda Item #10. A.

TOPIC: Approval of Bid – Mahtomedi High School Roof Replacement

BACKGROUND: The roof of the high school was originally planned to be replaced in 2011, but the funding was pulled from this project due to lack of funds and other unforeseen expenses with the new construction. It is at the point now, where the roof must be replaced. The funding source is coming from both deferred maintenance and capital funds. This has been approved by the Facilities Committee and the project will start July 1, 2015 and be completed by the start of school.

ACTION RECOMMENDED: Approval of the low bid by All Elements Inc. of \$255,333.

Submitted By:



Name

Superintendent of Schools

Title

Concurrence By:



Dr. Mark Larson

Superintendent of Schools



mla

architects
planners

May 12, 2015

Ms. Julie Osterbauer
ISD #832
1520 Mahtomedi Ave.
Mahtomedi, MN 55115

Re: Mahtomedi High School Roof Replacement
Mahtomedi, MN
MLA Project # 15-1010

Dear Ms. Osterbauer:

At 1:00 p.m. on Thursday, May 7, 2015, we received two (2) bids for the above-referenced project. A copy of the bid forms are attached for your review. MLA, Inc. has reviewed the bids received for the above-referenced project.

We recommend that the District enter into a contract with All Elements, Inc. of Monticello Minnesota for the total bid amount of Two Hundred Fifty-five Thousand Three Hundred Thirty-three and No/100 Dollars (\$255,333.00).

Upon your action, we will draft a contract reflecting this amount to the Contractor.

Sincerely,

Raj Dhital

Attachments
c: Rochel Manders, ISD #832

12 Long Lake Road
Suite #17
St. Paul, MN 55115

Ph (651) 770-4442
Fx (651) 770-1997

Mahtomedi Public Schools
Independent School District #832
1520 Mahtomedi Avenue
Mahtomedi, MN 55115

Regular Meeting - Board of Education

Date: May 14, 2015

Agenda Item #10. B.

TOPIC: Approval of Policy 515 – Protection and Privacy of Pupil Records

BACKGROUND: Pupil records is a policy that requires review fairly often as laws and statutes change. MSBA has provided a sample policy which follows all applicable state and federal laws. The area of discretion for School Boards is with a determination of what constitutes “Directory Information.” This information is public, but will be released “only for use in matters pertaining to school district related business, functions or purposes, as determined by the Superintendent or designee.”

RELEVANT INFORMATION:

The issue of “Directory Information” and the information that is included has generated the most discussion. The information below remains unchanged from the second reading.

Section I.

DEFINITIONS

A. Directory Information

- The student’s name
- Date of birth
- Participation in officially organized teams
- Dates of enrollment
- Grade levels completed
- Degrees and awards received
- Pictures of students for school-approved publications/newspapers/ yearbooks, district-managed websites and district-managed social media (e.g. Facebook and Twitter) or for cable cast, bulletins, programs, or similar school-produced information pieces
- Name(s), street and e-mail address(es) and telephone number(s) of the student’s parent(s)/guardian(s)

MSBA has not indicated a preference for including email addresses saying it was a local decision for School Boards. There is not a great deal of discretion in the policy as a lot of the Pupil Records is identified in either federal or state statute.

ACTION RECOMMENDED: Approval.

Submitted By:

Mark Larson

Name

Superintendent of Schools

Title

Concurrence By:

Mark Larson

Dr. Mark Larson

Superintendent of Schools



Revised: 5/14/15; 1/8/04; 9/12/02; 9/14/00

Adopted: 6/9/86

515 PROTECTION AND PRIVACY OF PUPIL RECORDS

I. PURPOSE

The school district recognizes its responsibility in regard to the collection, maintenance, and dissemination of pupil records and the protection of the privacy rights of students as provided in federal law and state statutes.

II. GENERAL STATEMENT OF POLICY

The following procedures and policies regarding the protection and privacy of parents and students are adopted by Mahtomedi Public Schools, pursuant to the requirements of 20 U.S.C. § 1232g, *et seq.* (Family Educational Rights and Privacy Act (FERPA)), 34 C.F.R. Part 99, and consistent with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and Minn. Rules Parts 1205.0100-1205.2000.

III. DEFINITIONS

A. Authorized Representative

“Authorized representative” means any entity or individual designated by the school district, state, or an agency headed by an official of the Comptroller of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or state and local educational authorities to conduct, with respect to federal or state supported education programs, any audit or evaluation or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

B. Biometric Record

“Biometric record,” as referred to in “Personally Identifiable,” means a record of one or more measurable biological or behavioral characteristics that can be used for authorized recognition of an individual (e.g., fingerprints, retina and iris patterns, voice prints, DNA sequence, facial characteristics, and handwriting).

C. Dates of Attendance

“Dates of attendance,” as referred to in “Directory Information,” means the period of time during which a student attends or attended a school or schools in the school

district, including attendance in person or by paper correspondence, satellite, internet or other electronic communication technologies for students who are not in the classroom, and including the period during which a student is working under a work-study program. The term does not include specific daily records of a student's attendance at a school or schools in the school district.

D. Directory Information

“Directory information” means information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed.

The school district has identified selected “Directory Information” relating to students. This information is public. The parent or eligible student may, however, request in writing that any or all of the information below not be released on that individual student. The written request must be received within 30 days after the official notice is published.

Directory information includes the following information relating to a student and is subject to release as directory information **only for use in matters pertaining to school district related business, functions or purposes, as determined by the superintendent or designee:**

- the student's name,
- date of birth,
- sex,
- major field of study,
- participation in officially organized teams,
- dates of enrollment and dates of graduation or withdrawal,
- grade levels completed,
- degrees and awards received,
- pictures of students for school-approved publications/newspapers/yearbooks, district-managed websites and district-managed social media (e.g. Facebook and Twitter), or for cablecasts, bulletins, programs, or similar school-produced information pieces.
- name(s), street and e-mail address(es) and telephone number(s) of the student's parent(s) or guardian.

Directory information does not include:

1. a student's social security number;
2. a student's identification number (ID), user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems if the identifier may be used to access education records without use of one or more factors that authenticate the student's identity such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user;

3. a student ID or other unique personal identifier that is displayed on a student ID badge if the identifier can be used to gain access to educational records when used in conjunction with one or more factors that authenticate the student's identity, such as a PIN, password, or other factor known or possessed only by the student;
4. personally identifiable data which references religion, race, color, social position, or nationality; or
5. data collected from nonpublic school students, other than those who receive shared time educational services, unless written consent is given by the student's parent or guardian.

E. Education Records

1. "Education records" means those records which: (1) are directly related to a student; and (2) are maintained by the school district or by a party acting for the school district.
2. The term, "education records," does not include:
 - a. Records of instructional personnel which:
 - (1) are in the sole possession of the maker of the record; and
 - (2) are not accessible or revealed to any other individual except a substitute teacher; and
 - (3) are destroyed at the end of the school year.
 - b. Records of a law enforcement unit of the school district, provided education records maintained by the school district are not disclosed to the unit, and the law enforcement records are:
 - (1) maintained separately from education records;
 - (2) maintained solely for law enforcement purposes; and
 - (3) disclosed only to law enforcement officials of the same jurisdiction.
 - c. Records relating to an individual, including a student, who is employed by the school district which:
 - (1) are made and maintained in the normal course of business;
 - (2) relate exclusively to the individual in that individual's capacity as an employee; and
 - (3) are not available for use for any other purpose.

However, these provisions shall not apply to records relating to an individual in attendance at the school district who is employed as a result of his or her status as a student.

- d. Records relating to an eligible student, or a student attending an institution of post-secondary education, which are:

- (1) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity or assisting in that capacity;
- (2) made, maintained, or used only in connection with the provision of treatment to the student; and
- (3) disclosed only to individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are a part of the program of instruction within the school district.

e. Records that only contain information about an individual after he or she is no longer a student at the school district and that are not directly related to the individual's attendance as a student.

F. Eligible Student

"Eligible student" means a student who has attained eighteen (18) years of age or is attending an institution of post-secondary education.

G. Juvenile Justice System

"Juvenile justice system" includes criminal justice agencies and the judiciary when involved in juvenile justice activities.

H. Legitimate Educational Interest

"Legitimate educational interest" includes interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, student health and welfare, and the ability to respond to a request for education data. It includes a person's need to know in order to:

1. Perform an administrative task required in the school or employee's contract or position description approved by the school board;
2. Perform a supervisory or instructional task directly related to the student's education; or
3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid.
4. Perform a task directly related to responding to a request for data.

I. Parent

"Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent of the student in the absence of a parent or guardian. The school district may presume the parent has the authority to exercise the rights

provided herein, unless it has been provided with evidence that there is a state law or court order governing such matters as marriage dissolution, separation or child custody, or a legally binding instrument which provides to the contrary.

J. Personally Identifiable

“Personally identifiable” means that the data or information includes, but is not limited to: (a) a student’s name; (b) the name of the student’s parent or other family member; (c) the address of the student or student’s family; (d) a personal identifier such as the student’s social security number or student number or biometric record; (e) other direct identifiers, such as the student’s date of birth, place of birth, and mother’s maiden name; (f) other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or (g) information requested by a person who the school district reasonably believes knows the identity of the student to whom the education record relates.

K. Record

“Record” means any information or data recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.

L. Responsible Authority

“Responsible authority” means the Superintendent of Schools, Mark Larson, or his designee.

M. Student

“Student” includes any individual who is or has been in attendance, enrolled, or registered at the school district and regarding whom the school district maintains education records. Student also includes applicants for enrollment or registration at the school district and individuals who receive shared time educational services from the school district.

N. School Official

“School official” includes: (a) a person duly elected to the school board; (b) a person employed by the school board in an administrative, supervisory, instructional, or other professional position; (c) a person employed by the school board as a temporary substitute in a professional position for the period of his or her performance as a substitute; and (d) a person employed by, or under contract to, the school board to perform a special task such as a secretary, a clerk, a public information officer or data practices compliance official, an attorney, or an auditor for the period of his or her performance as an employee or contractor.

O. Summary Data

“Summary data” means statistical records and reports derived from data on individuals but in which individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify the individual is ascertainable.

P. Other Terms and Phrases

All other terms and phrases shall be defined in accordance with applicable state and federal law or ordinary customary usage.

IV. GENERAL CLASSIFICATION

State law provides that all data collected, created, received, or maintained by a school district are public unless classified by state or federal law as not public or private or confidential. State law classifies all data on individuals maintained by a school district which relates to a student as private data on individuals. This data may not be disclosed to parties other than the parent or eligible student without consent, except pursuant to a valid court order, certain state statutes authorizing access, and the provisions of FERPA and the regulations promulgated thereunder.

V. STATEMENT OF RIGHTS

A. Rights of Parents and Eligible Students

Parents and eligible students have the following rights under this policy:

1. The right to inspect and review the student’s education records;
2. The right to request the amendment of the student’s education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student’s privacy or other rights;
3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that such consent is not required for disclosure pursuant to this policy, state or federal law, or the regulations promulgated thereunder;
4. The right to refuse release of names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions;
5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school district to comply with the federal law and the regulations promulgated thereunder;
6. The right to be informed about rights under the federal law; and
7. The right to obtain a copy of this policy at the location set forth in Section XXI. of this policy.

B. Eligible Students

All rights and protections given parents under this policy transfer to the student when he or she reaches eighteen (18) years of age or enrolls in an institution of post-secondary education. The student then becomes an “eligible student.” However, the parents of an eligible student who is also a “dependent student” are entitled to gain access to the education records of such student without first obtaining the consent of the student. In addition, parents of an eligible student may be given access to education records in connection with a health or safety emergency if the disclosure meets the conditions of any provision set forth in 34 C.F.R. § 99.31(a).

C. Disabled Students

The school district shall follow 34 C.F.R. §§ 300.610-300.617 with regard to the confidentiality of information related to students with a disability.

VI. DISCLOSURE OF EDUCATION RECORDS

A. Consent Required for Disclosure

1. The school district shall obtain a signed and dated written informed consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the student, except as provided herein.
2. The written consent required by this subdivision must be signed and dated by the parent of the student or the eligible student giving the consent and shall include:
 - a. a specification of the records to be disclosed;
 - b. the purpose or purposes of the disclosure;
 - c. the party or class of parties to whom the disclosure may be made;
 - d. the consequences of giving informed consent; and
 - e. if appropriate, a termination date for the consent.
3. When a disclosure is made under this subdivision:
 - a. if the parent or eligible student so requests, the school district shall provide him or her with a copy of the records disclosed; and
 - b. if the parent of a student who is not an eligible student so requests, the school district shall provide the student with a copy of the records disclosed.
4. A signed and dated written consent may include a record and signature in electronic form that:
 - a. identifies and authenticates a particular person as the source of the electronic consent; and

- b. indicates such person's approval of the information contained in the electronic consent.
5. If the responsible authority seeks an individual's informed consent to the release of private data to an insurer or the authorized representative of an insurer, informed consent shall not be deemed to have been given unless the statement is:
- a. in plain language;
 - b. dated;
 - c. specific in designating the particular persons or agencies the data subject is authorizing to disclose information about the data subject;
 - d. specific as to the nature of the information the subject is authorizing to be disclosed;
 - e. specific as to the persons or agencies to whom the subject is authorizing information to be disclosed;
 - f. specific as to the purpose or purposes for which the information may be used by any of the parties named in Clause e. above, both at the time of the disclosure and at any time in the future; and
 - g. specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for: (i) life insurance or noncancellable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or (ii) medical assistance under Minn. Stat. Ch. 256B or Minnesota Care under Minn. Stat. Ch. 256L, which shall be ongoing during all terms of eligibility, for individualized education program health-related services provided by a school district that are subject to third party reimbursement.

6. Eligible Student Consent

Whenever a student has attained eighteen (18) years of age or is attending an institution of post-secondary education, the rights accorded to and the consent required of the parent of the student shall thereafter only be accorded to and required of the eligible student, except as provided in Section V. of this policy.

B. Prior Consent for Disclosure Not Required

The school district may disclose personally identifiable information from the education records of a student without the written consent of the parent of the student or the eligible student unless otherwise provided herein, if the disclosure is:

- 1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records;

2. To a contractor, consultant, volunteer, or other party to whom the school district has outsourced institutional services or functions provided that the outside party:
 - a. performs an institutional service or function for which the school district would otherwise use employees;
 - b. is under the direct control of the school district with respect to the use and maintenance of education records; and
 - c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made.

3. To officials of other schools, school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (see Section XIX.), suspension and expulsion information pursuant to section 7165 of the federal No Child Left Behind Act and, if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minn. Stat. § 260B.171, unless the data are required to be destroyed under Minn. Stat. § 120A.22, Subd. 7(c) or § 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records which have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with Section XV. of this policy;

4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;

5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:
 - a. determine eligibility for the aid;
 - b. determine the amount of the aid;
 - c. determine conditions for the aid; or
 - d. enforce the terms and conditions of the aid.

“Financial aid” for purposes of this provision means a payment of funds provided to an individual or a payment in kind of tangible or intangible property to the individual that is conditioned on the individual's attendance at an educational agency or institution;

6. To state and local officials or authorities to whom such information is specifically allowed to be reported or disclosed pursuant to state statute adopted:

- a. before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system's ability to effectively serve the student whose records are released; or
 - b. after November 19, 1974, if the reporting or disclosure allowed by state statute concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released, provided the officials and authorities to whom the records are disclosed certify in writing to the school district that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the parent of the student. At a minimum, the school district shall disclose the following information to the juvenile justice system under this paragraph: a student's full name, home address, telephone number, and date of birth; a student's school schedule, attendance record, and photographs, if any; and parents' names, home addresses, and telephone numbers.
7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction; provided that the studies are conducted in a manner which does not permit the personal identification of parents or students by individuals other than representatives of the organization who have a legitimate interest in the information, the information is destroyed when no longer needed for the purposes for which the study was conducted, and the school district enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy all personally identifiable information when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed. For purposes of this provision, the term, "organizations," includes, but is not limited to, federal, state, and local agencies and independent organizations. In the event the Department of Education determines that a third party outside of the school district to whom information is disclosed violates this provision, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years;
 8. To accrediting organizations in order to carry out their accrediting functions;
 9. To parents of a student eighteen (18) years of age or older if the student is a dependent of the parents for income tax purposes;
 10. To comply with a judicial order or lawfully issued subpoena, provided, however, that the school district makes a reasonable effort to notify the

parent or eligible student of the order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a federal grand jury subpoena, or any other subpoena issued for law enforcement purposes, and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or the disclosure is in compliance with an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. § 2332b(g)(5)(B) or an act of domestic or international terrorism as defined in 18 U.S.C. § 2331. If the school district initiates legal action against a parent or student, it may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as plaintiff. Also, if a parent or eligible student initiates a legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself;

11. To appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health, including the mental health, or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there is an articulable and significant threat to the health or safety of a student or other individuals. In making a determination whether to disclose information under this section, the school district may take into account the totality of the circumstances pertaining to a threat and may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other students. A record of this disclosure must be maintained pursuant to Section XIII.E. of this policy. In addition, an educational agency or institution may include in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and school officials within the school district and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;
12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;
13. Information the school district has designated as "directory information" pursuant to Section VII. of this policy;
14. To military recruiting officers and post-secondary educational institutions pursuant to Section XI. of this policy;
15. To the parent of a student who is not an eligible student or to the student himself or herself;
16. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations

which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;

17. To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students;
18. To the juvenile justice system, on written request that certifies that the information will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student:
 - a. the following information about a student must be disclosed: a student's full name, home address, telephone number, date of birth; a student's school schedule, daily attendance record, and photographs, if any; and any parents' names, home addresses, and telephone numbers;
 - b. the existence of the following information about a student, not the actual data or other information contained in the student's education record, may be disclosed provided that a request for access must be submitted on the statutory form and it must contain an explanation of why access to the information is necessary to serve the student: (1) use of a controlled substance, alcohol, or tobacco; (2) assaultive or threatening conduct that could result in dismissal from school under the Pupil Fair Dismissal Act; (3) possession or use of weapons or look-alike weapons; (4) theft; or (5) vandalism or other damage to property. Prior to releasing this information, the principal or chief administrative officer of a school who receives such a request must, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information. If the student's parent or guardian notifies the school official of an objection to the disclosure within ten (10) days of receiving certified notice, the school official must not disclose the information and instead must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the school official must respond to the request for information.

The written requests of the juvenile justice system member(s), as well as a record of any release, must be maintained in the student's file;

19. To the principal where the student attends and to any counselor directly supervising or reporting on the behavior or progress of the student if it is information from a disposition order received by a superintendent under Minn. Stat. § 260B.171, Subd. 3. The principal must notify the counselor immediately and must place the disposition order in the student's permanent education record. The principal also must notify immediately any teacher or administrator who directly supervises or reports on the behavior or progress of the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The

principal may also notify other school district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student, outline the offense, and describe any conditions of probation about which the school must provide information if this information is provided in the disposition order. Disposition order information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information may not be further disseminated by the counselor, teacher, administrator, staff member, substitute, or volunteer except as necessary to serve the student, to protect students and staff, or as otherwise required by law, and only to the student or the student's parent or guardian;

20. To the principal where the student attends if it is information from a peace officer's record of children received by a superintendent under Minn. Stat. § 260B.171, Subd. 5. The principal must place the information in the student's education record. The principal also must notify immediately any teacher, counselor, or administrator directly supervising the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student and describe the alleged offense if this information is provided in the peace officer's notice. Peace officer's record information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information must not be further disseminated by the counselor, teacher administrator, staff member, substitute, or volunteer except to communicate with the student or the student's parent or guardian as necessary to serve the student, to protect students and staff, or as otherwise required by law.

The principal must delete the peace officer's record from the student's education record, destroy the data, and make reasonable efforts to notify any teacher, counselor, staff member, administrator, substitute, or volunteer who received information from the peace officer's record if the county attorney determines not to proceed with a petition or directs the student into a diversion or mediation program or if a juvenile court makes a decision on a petition and the county attorney or juvenile court notifies the superintendent of such action; or

21. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits

of one or more programs authorized under the National School Lunch Act or the Child Nutrition Act of 1966 for which the results will be reported in an aggregate form that does not identify any individual, on the conditions that: (a) any data collected shall be protected in a manner that will not permit the personal identification of students and their parents by other than the authorized representatives of the Secretary; and (b) any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measurements.

C. Nonpublic School Students

The school district may disclose personally identifiable information from the education records of a nonpublic school student, other than a student who receives shared time educational services, without the written consent of the parent of the student or the eligible student unless otherwise provided herein, if the disclosure is:

1. Pursuant to a valid court order;
2. Pursuant to a statute specifically authorizing access to the private data; or
3. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiological investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted.

VII. RELEASE OF DIRECTORY INFORMATION

A. Classification

Directory information is public except as provided herein.

B. Former Students

Unless a former student validly opted out of the release of directory information while the student was in attendance and has not rescinded the opt out request at any time, the school district may disclose directory information from the education records generated by it regarding the former student without meeting the requirements of Paragraph C. of this section. In addition, under an explicit exclusion from the definition of an “education record,” the school district may release records that only contain information about an individual obtained after he or she is no longer a student at the school district and that are not directly related to the individual’s attendance as a student (e.g., a student’s activities as an alumnus of the school district).

C. Present Students and Parents

The school district may disclose directory information from the education records of a student and information regarding parents without prior written consent of the parent of the student or eligible student, except as provided herein. Prior to such disclosure the school district shall:

1. Annually give public notice by any means that are reasonably likely to inform the parents and eligible students of:
 - a. the types of personally identifiable information regarding students and/or parents that the school district has designated as directory information;
 - b. the parent's or eligible student's right to refuse to let the school district designate any or all of those types of information about the student and/or the parent as directory information; and
 - c. the period of time in which a parent or eligible student has to notify the school district in writing that he or she does not want any or all of those types of information about the student and/or the parent designated as directory information.
2. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the school district in writing that any or all of the information so designated should not be disclosed without the parent's or eligible student's prior written consent, except as provided in Section VI. of this policy.
3. A parent or eligible student may not opt out of the directory information disclosures to:
 - a. prevent the school district from disclosing or requiring the student to disclose the student's name, ID, or school district e-mail address in a class in which the student is enrolled; or
 - b. prevent the school district from requiring a student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information that may be designated as directory information and that has been properly designated by the school district as directory information.
4. The school district shall not disclose or confirm directory information without meeting the written consent requirements contained in Section VI.A. of this policy if a student's social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student's records.

D. Procedure for Obtaining Nondisclosure of Directory Information

The parent's or eligible student's written notice shall be directed to the responsible authority and shall include the following:

1. Name of the student and/or parent, as appropriate;
2. Home address;
3. School presently attended by student;
4. Parent's legal relationship to student, if applicable; and

5. Specific categories of directory information to be made not public without the parent's or eligible student's prior written consent, which shall only be applicable for that school year.

E. Duration

The designation of any information as directory information about a student or parents will remain in effect for the remainder of the school year unless the parent or eligible student provides the written notifications provided herein.

VIII. DISCLOSURE OF PRIVATE RECORDS

A. Private Records

For the purposes herein, education records are records which are classified as private data on individuals by state law and which are accessible only to the student who is the subject of the data and the student's parent if the student is not an eligible student. The school district may not disclose private records or their contents except as summary data, or except as provided in Section VI. of this policy, without the prior written consent of the parent or the eligible student. The school district will use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other party to whom personally identifiable information from education records is disclosed.

B. Private Records Not Accessible to Parent

In certain cases state law intends, and clearly provides, that certain information contained in the education records of the school district pertaining to a student be accessible to the student alone, and to the parent only under special circumstances, if at all.

1. The responsible authority may deny access to private data by a parent when a minor student who is the subject of that data requests that the responsible authority deny such access. The minor student's request must be submitted in writing setting forth the reasons for denying access to the parent and must be signed by the minor. Upon receipt of such request the responsible authority shall determine if honoring the request to deny the parent access would be in the best interest of the minor data subject. In making this determination the responsible authority shall consider the following factors:
 - a. whether the minor is of sufficient age and maturity to be able to explain the reasons for and understand the consequences of the request to deny access;
 - b. whether the personal situation of the minor is such that denying parental access may protect the minor data subject from physical or emotional harm;
 - c. whether there are grounds for believing that the minor data subject's reasons for precluding parental access are reasonably accurate;

- d. whether the data in question is of such a nature that disclosure of it to the parent may lead to physical or emotional harm to the minor data subject; and
- e. whether the data concerns medical, dental or other health services provided pursuant to Minn. Stat. §§ 144.341-144.347, in which case the data may be released only if the failure to inform the parent would seriously jeopardize the health of the minor.

C. Private Records Not Accessible to Student

Students shall not be entitled to access to private data concerning financial records and statements of the student's parent or any information contained therein.

IX. DISCLOSURE OF CONFIDENTIAL RECORDS

A. Confidential Records

Confidential records are those records and data contained therein which are made not public by state or federal law, and which are inaccessible to the student and the student's parents or to an eligible student.

B. Reports Under the Maltreatment of Minors Reporting Act

Pursuant to Minn. Stat. § 626.556, reports pertaining to a neglected and/or physically and/or sexually abused child shall be accessible only to the appropriate welfare and law enforcement agencies. In respect to other parties, such data shall be confidential and will not be made available to the parent or the subject individual by the school district. The subject individual, however, may obtain a copy of the report from either the local welfare agency, county sheriff, or the local police department subject to the provisions of Minn. Stat. § 626.556, Subd. 11.

C. Investigative Data

Data collected by the school district as part of an active investigation undertaken for the purpose of the commencement or defense of pending civil legal action, or which are retained in anticipation of a pending civil legal action are classified as protected nonpublic data in the case of data not on individuals, and confidential data in the case of data on individuals.

1. The school district may make any data classified as protected non-public or confidential pursuant to this subdivision accessible to any person, agency, or the public if the school district determines that such access will aid the law enforcement process, promote public health or safety, or dispel widespread rumor or unrest.
2. A complainant has access to a statement he or she provided to the school district.

3. Parents or eligible students may have access to investigative data of which the student is the subject, but only to the extent the data is not inextricably intertwined with data about other school district students, school district employees, and/or attorney data as defined in Minn. Stat. § 13.393.
4. Once a civil investigation becomes inactive, civil investigative data becomes public unless the release of the data would jeopardize another pending civil legal action, except for those portions of such data that are classified as not public data under state or federal law. Any civil investigative data presented as evidence in court or made part of a court record shall be public. For purposes of this provision, a civil investigation becomes inactive upon the occurrence of any of the following events:
 - a. a decision by the school district, or by the chief attorney for the school district, not to pursue the civil legal action. However, such investigation may subsequently become active if the school district or its attorney decides to renew the civil legal action;
 - b. the expiration of the time to file a complaint under the statute of limitations or agreement applicable to the civil legal action; or
 - c. the exhaustion or expiration of rights of appeal by either party to the civil legal action.
5. A “pending civil legal action” for purposes of this subdivision is defined as including, but not limited to, judicial, administrative, or arbitration proceedings.

D. Chemical Abuse Records

To the extent the school district maintains records of the identity, diagnosis, prognosis, or treatment of any student which are maintained in connection with the performance of any drug abuse prevention function conducted, regulated, or directly or indirectly assisted by any department or agency of the United States, such records are classified as confidential and shall be disclosed only for the purposes and under the circumstances expressly authorized by law.

X. DISCLOSURE OF SCHOOL RECORDS PRIOR TO EXCLUSION OR EXPULSION HEARING

At a reasonable time prior to any exclusion or expulsion hearing, the student and the student’s parent or guardian or representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the action proposed by the school district may be based, pursuant to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. § 121A.40, *et seq.*

XI. DISCLOSURE OF DATA TO MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS

- A. The school district will release the names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary

educational institutions within sixty (60) days after the date of the request unless a parent or eligible student has refused in writing to release this data pursuant to Paragraph C. below.

- B. Data released to military recruiting officers under this provision:
1. may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military; and
 2. cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces.
- C. A parent or eligible student has the right to refuse the release of the name, address, or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the building principal in writing each year within 30 days after the official notice is published. The written request must include the following information:
1. Name of student and parent, as appropriate;
 2. Home address;
 3. Student's grade level;
 4. School presently attended by student;
 5. Parent's legal relationship to student, if applicable;
 6. Specific category or categories of information which are not to be released to military recruiting officers and post-secondary educational institutions; and
 7. Specific category or categories of information which are not to be released to the public, including military recruiting officers and post-secondary educational institutions.
- D. Annually, the school district will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse to release the names, addresses, and home phone numbers of students in grades 11 and 12 without prior consent.
- E. A parent or eligible student's refusal to release the above information to military recruiting officers and post-secondary educational institutions does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII. of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, phone number, and grade level of students as directory information, absent a request from a parent or eligible student not to release such data, this information will be public data and accessible to members of the public, including military recruiting officers and post-secondary educational institutions.

XII. LIMITS ON REDISCLOSURE

A. Redisclosure

Consistent with the requirements herein, the school district may only disclose personally identifiable information from the education records of a student on the condition that the party to whom the information is to be disclosed will not disclose the information to any other party without the prior written consent of the parent of the student or the eligible student, except that the officers, employees, and agents of any party receiving personally identifiable information under this section may use the information, but only for the purposes for which the disclosure was made.

B. Redisclosure Not Prohibited

1. Subdivision A. of this section does not prevent the school district from disclosing personally identifiable information under Section VI. of this policy with the understanding that the party receiving the information may make further disclosures of the information on behalf of the school district provided:
 - a. The disclosures meet the requirements of Section VI. of this policy; and
 - b. The school district has complied with the record-keeping requirements of Section XIII. of this policy.
2. Subdivision A. of this section does not apply to disclosures made pursuant to court orders or lawfully issued subpoenas or litigation, to disclosures of directory information, to disclosures to a parent or student or to parents of dependent students, or to disclosures concerning sex offenders and other individuals required to register under 42 U.S.C. § 14071. However, the school district must provide the notification required in Section XII.D. of this policy if a redisclosure is made based upon a court order or lawfully issued subpoena.

C. Classification of Disclosed Data

The information disclosed shall retain the same classification in the hands of the party receiving it as it had in the hands of the school district.

D. Notification

The school district shall inform the party to whom a disclosure is made of the requirements set forth in this section, except for disclosures made pursuant to court orders or lawfully issued subpoenas, disclosure of directory information under Section VII. of this policy, disclosures to a parent or student, or disclosures to parents of a dependent student. In the event that the Family Policy Compliance Office determines that a state or local educational authority, a federal agency headed by an official listed in 34 C.F.R. § 99.31(a)(3), or an authorized representative of a state or local educational authority or a federal agency headed

by an official listed in § 99.31(a)(3), or a third party outside of the school district improperly rediscloses personally identifiable information from education records or fails to provide notification required under this section of this policy, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.

XIII. RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING

A. Responsible Authority

The responsible authority shall be responsible for the maintenance and security of student records.

B. Record Security

The principal of each school subject to the supervision and control of the responsible authority shall be the records manager of the school, and shall have the duty of maintaining and securing the privacy and/or confidentiality of student records.

C. Plan for Securing Student Records

The building principal shall submit to the responsible authority a written plan for securing students records by September 1 of each school year. The written plan shall contain the following information:

1. A description of records maintained;
2. Titles and addresses of person(s) responsible for the security of student records;
3. Location of student records, by category, in the buildings;
4. Means of securing student records; and
5. Procedures for access and disclosure.

D. Review of Written Plan for Securing Student Records

The responsible authority shall review the plans submitted pursuant to Paragraph C. of this section for compliance with the law, this policy and the various administrative policies of the school district. The responsible authority shall then promulgate a chart incorporating the provisions of Paragraph C. which shall be attached to and become a part of this policy.

E. Record Keeping

1. The principal shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record with the education records of the student which indicates:
 - a. the parties who have requested or received personally identifiable information from the education records of the student;

- b. the legitimate interests these parties had in requesting or obtaining the information; and
 - c. the names of the state and local educational authorities and federal officials and agencies listed in Section VI.B.4. of this policy that may make further disclosures of personally identifiable information from the student's education records without consent.
- 2. In the event the school district discloses personally identifiable information from an education record of a student pursuant to Section XII.B. of this policy, the record of disclosure required under this section shall also include:
 - a. the names of the additional parties to which the receiving party may disclose the information on behalf of the school district;
 - b. the legitimate interests under Section VI. of this policy which each of the additional parties has in requesting or obtaining the information; and
 - c. a copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 C.F.R. § 99.32 and to whom the school district disclosed information from an education record. The school district shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to whom education records were disclosed upon a request from a parent or eligible student to review the record of requests for disclosure.
- 3. Section XIII.E.1. does not apply to requests by or disclosure to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other school officials under Section VI.B.1. of this policy, to requests for disclosures of directory information under Section VII. of this policy, or to a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or agency has ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18. U.S.C. § 2332b(g)(5)(B) or an act of domestic or international terrorism.
- 4. The record of requests of disclosures may be inspected by:
 - a. the parent of the student or the eligible student;
 - b. the school official or his or her assistants who are responsible for the custody of the records; and
 - c. the parties authorized by law to audit the record-keeping procedures of the school district.

5. The school district shall record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:
 - a. the articulable and significant threat to the health or safety of a student or other individual that formed the basis for the disclosure; and
 - b. the parties to whom the school district disclosed the information.
6. The record of requests and disclosures shall be maintained with the education records of the student as long as the school district maintains the student's education records.

XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

A. Parent of a Student, an Eligible Student or the Parent of an Eligible Student Who is Also a Dependent Student

The school district shall permit the parent of a student, an eligible student, or the parent of an eligible student who is also a dependent student who is or has been in attendance in the school district to inspect or review the education records of the student, except those records which are made confidential by state or federal law or as otherwise provided in Section VIII. of this policy.

B. Response to Request for Access

The school district shall respond to any request pursuant to Subdivision A. of this section immediately, if possible, or within ten (10) days of the date of the request, excluding Saturdays, Sundays, and legal holidays.

C. Right to Inspect and Review

The right to inspect and review education records under Subdivision A. of this section includes:

1. The right to a response from the school district to reasonable requests for explanations and interpretations of records; and
2. If circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the education records, the school district shall provide the parent or eligible student with a copy of the records requested or make other arrangements for the parent or eligible student to inspect and review the requested records.
3. Nothing in this policy shall be construed as limiting the frequency of inspection of the education records of a student with a disability by the student's parent or guardian or by the student upon the student reaching the age of majority.

D. Form of Request

Parents or eligible students shall submit to the school district a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect.

E. Collection of Student Records

If a student's education records are maintained in more than one location, the responsible authority may collect copies of the records or the records themselves from the various locations so they may be inspected at one site. However, if the parent or eligible student wishes to inspect these records where they are maintained, the school district shall attempt to accommodate those wishes. The parent or eligible student shall be notified of the time and place where the records may be inspected.

F. Records Containing Information on More Than One Student

If the education records of a student contain information on more than one student, the parent or eligible student may inspect and review or be informed of only the specific information which pertains to that student.

G. Authority to Inspect or Review

The school district may presume that either parent of the student has authority to inspect or review the education records of a student unless the school district has been provided with evidence that there is a legally binding instrument or a state law or court order governing such matters as marriage dissolution, separation, or custody which provides to the contrary.

H. Fees for Copies of Records

1. The school district shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the reasonable fee, the school district shall consider the following:
 - a. the cost of materials, including paper, used to provide the copies;
 - b. the cost of the labor required to prepare the copies;
 - c. any schedule of standard copying charges established by the school district in its normal course of operations;
 - d. any special costs necessary to produce such copies from machine based record-keeping systems, including but not limited to computers and microfilm systems; and
 - e. mailing costs.
2. If 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and, instead, the charge shall be no more than 25 cents for each page copied.

3. The cost of providing copies shall be borne by the parent or eligible student.
4. The responsible authority, however, may not impose a fee for a copy of an education record made for a parent or eligible student if doing so would effectively prevent or, in the case of a student with a disability, impair the parent or eligible student from exercising their right to inspect or review the student's education records.

XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA

A. Request to Amend Education Records

The parent of a student or an eligible student who believes that information contained in the education records of the student is inaccurate, misleading, or violates the privacy rights of the student may request that the school district amend those records.

1. The request shall be in writing, shall identify the item the requestor believes to be inaccurate, misleading, or in violation of the privacy or other rights of the student, shall state the reason for this belief, and shall specify the correction the requestor wishes the school district to make. The request shall be signed and dated by the requestor.
2. The school district shall decide whether to amend the education records of the student in accordance with the request within thirty (30) days after receiving the request.
3. If the school district decides to refuse to amend the education records of the student in accordance with the request, it shall inform the parent of the student or the eligible student of the refusal and advise the parent or eligible student of the right to a hearing under Subdivision B. of this section.

B. Right to a Hearing

If the school district refuses to amend the education records of a student, the school district, on request, shall provide an opportunity for a hearing in order to challenge the content of the student's education records to ensure that information in the education records of the student is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. A hearing shall be conducted in accordance with Subdivision C. of this section.

1. If, as a result of the hearing, the school district decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall amend the education records of the student accordingly and so inform the parent of the student or the eligible student in writing.

2. If, as a result of the hearing, the school district decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the school district, or both.
3. Any statement placed in the education records of the student under Subdivision B. of this section shall:
 - a. be maintained by the school district as part of the education records of the student so long as the record or contested portion thereof is maintained by the school district; and
 - b. if the education records of the student or the contested portion thereof is disclosed by the school district to any party, the explanation shall also be disclosed to that party.

C. Conduct of Hearing

1. The hearing shall be held within a reasonable period of time after the school district has received the request, and the parent of the student or the eligible student shall be given notice of the date, place, and time reasonably in advance of the hearing.
2. The hearing may be conducted by any individual, including an official of the school district who does not have a direct interest in the outcome of the hearing. The school board attorney shall be in attendance to present the school board's position and advise the designated hearing officer on legal and evidentiary matters.
3. The parent of the student or eligible student shall be afforded a full and fair opportunity for a hearing to present evidence relative to the issues raised under Subdivisions A. and B. of this section and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney.
4. The school district shall make a decision in writing within a reasonable period of time after the conclusion of the hearing. The decision shall be based solely on evidence presented at the hearing and shall include a summary of evidence and reasons for the decision.

D. Appeal

The final decision of the designated hearing officer may be appealed in accordance with the applicable provisions of Minn. Stat. Ch. 14 relating to contested cases.

XVI. PROBLEMS ACCESSING DATA

- A. The data practices compliance official is the designated employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.
- B. Data practices compliance official means Superintendent Mark Larson.
- C. Any request by an individual with a disability for reasonable modifications of the school district's policies or procedures for purposes of accessing records shall be made to the data practices compliance official.

XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA

A. Where to File Complaints

Complaints regarding alleged violations of rights accorded parents and eligible students by FERPA, and the rules promulgated thereunder, shall be submitted in writing to the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue S.W., Washington, D.C. 20202.

B. Content of Complaint

A complaint filed pursuant to this section must contain specific allegations of fact giving reasonable cause to believe that a violation of FERPA and the rules promulgated thereunder has occurred.

XVIII. WAIVER

A parent or eligible student may waive any of his or her rights provided herein pursuant to FERPA. A waiver shall not be valid unless in writing and signed by the parent or eligible student. The school district may not require such a waiver.

XIX. ANNUAL NOTIFICATION OF RIGHTS

A. Contents of Notice

The school district shall give parents of students currently in attendance and eligible students currently in attendance annual notice by such means as are reasonably likely to inform the parents and eligible students of the following:

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;
2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records;

3. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosure without consent;
4. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of FERPA and the rules promulgated thereunder;
5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing education records to other school officials whom the school district has determined to have legitimate educational interests; and
6. That the school district forwards education records on request to a school in which a student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment or transfer and that such records may include suspension and expulsion records pursuant to the federal No Child Left Behind Act and, if applicable, a student's history of violent behavior.

B. Notification to Parents of Students Having a Primary Home Language Other Than English

The school district shall provide for the need to effectively notify parents of students identified as having a primary or home language other than English.

C. Notification to Parents or Eligible Students Who are Disabled

The school district shall provide for the need to effectively notify parents or eligible students identified as disabled.

XX. DESTRUCTION AND RETENTION OF RECORDS

Destruction and retention of records by the school district shall be controlled by state and federal law.

XXI. COPIES OF POLICY

Copies of this policy may be obtained by parents and eligible students at the office of the superintendent.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
 Minn. Stat. Ch. 14 (Administrative Procedures Act)
 Minn. Stat. § 120A.22 (Compulsory Instruction)
 Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)
 Minn. Stat. § 121A.75 (Sharing Disposition Order and Peace Officer Records)
 Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)

Minn. Stat. § 260B.171, Subds. 3 and 5 (Disposition Order and Peace Officer Records of Children)
Minn. Stat. § 363A.42 (Public Records; Accessibility)
Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)
10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns; Compilation of Directory Information)
18 U.S.C. § 2331 (Definitions)
18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
20 U.S.C. § 6301 *et seq.* (No Child Left Behind)
20 U.S.C. § 7908 (Armed Forces Recruiting Information)
26 U.S.C. §§ 151 and 152 (Internal Revenue Code)
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)
34 C.F.R. § 300.610-300.627 (Confidentiality of Information)
42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records)
Gonzaga University v. Doe, 536 U.S. 273, 122 S.Ct. 2268, 153 L.Ed. 2d 309 (2002)

Cross References: Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
Policy 417 (Chemical Use and Abuse)
Policy 506 (Student Discipline)
Policy 519 (Interviews of Students by Outside Agencies)
Policy 520 (Student Surveys)
Policy 711 (Video Recording on School Buses)
Policy 906 (Community Notification of Predatory Offenders)
MSBA Service Manual, Chapter 13, School Law Bulletin “T” (School Records – Privacy – Access to Data)

RESOLUTION

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION RELATING TO THE TERMINATION AND NON-RENEWAL OF THE TEACHING CONTRACT OF REBECCA ARCO, A PROBATIONARY TEACHER.

WHEREAS, Rebecca Arco is a probationary teacher in Independent School District 832,

BE IT RESOLVED, by the School Board of Independent School District No. 832, that, pursuant to Minnesota Statute 122A.40, Subdivision 5, the teaching contract of Rebecca Arco, a probationary teacher in Independent School District No. 832, is hereby terminated at the close of the current 2014-2015 school year.

BE IT FURTHER RESOLVED that written notice be sent to said teacher regarding termination and non-renewal of his/her contract as provided by law, and that said notice shall be in substantially the following form:

NOTICE OF TERMINATION AND NON-RENEWAL

Rebecca Arco
10705 Sterling Alcove
Woodbury, MN 55129

Dear Rebecca:

You are hereby notified that, at a regular meeting of the School Board of Independent School District No. 832, held on May 14, 2015, a resolution was adopted by a majority roll call vote to terminate your contract effective at the end of the current school year and not to renew your contract for the 2015-16 school year. Said action of the Board is taken pursuant to M.S. 122A.40, Subdivision 5.

You may officially request that the School Board give its reasons for non-renewal of the teaching contract. However, such request should be received within ten (10) days after the receipt of this notice.

Yours very truly,

INDEPENDENT SCHOOL DISTRICT NO. 832

Clerk

The motion for the adoption of the foregoing resolution was duly seconded by _____ and upon vote being taken thereon, the following voted in favor thereof: _____, and the following voted against the same: _____ whereupon said resolution was declared passed and adopted.

RESOLUTION

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION RELATING TO THE TERMINATION AND NON-RENEWAL OF THE TEACHING CONTRACT OF AMY WINTER, A PROBATIONARY TEACHER.

WHEREAS, Amy Winter is a probationary teacher in Independent School District 832,

BE IT RESOLVED, by the School Board of Independent School District No. 832, that, pursuant to Minnesota Statute 122A.40, Subdivision 5, the teaching contract of Amy Winter, a probationary teacher in Independent School District No. 832, is hereby terminated at the close of the current 2014-2015 school year.

BE IT FURTHER RESOLVED that written notice be sent to said teacher regarding termination and non-renewal of his/her contract as provided by law, and that said notice shall be in substantially the following form:

NOTICE OF TERMINATION AND NON-RENEWAL

Amy Winter
30 Suzanne Ave
Vadnais Hgts, MN 55127

Dear Amy:

You are hereby notified that, at a regular meeting of the School Board of Independent School District No. 832, held on May 14, 2015, a resolution was adopted by a majority roll call vote to terminate your contract effective at the end of the current school year and not to renew your contract for the 2015-16 school year. Said action of the Board is taken pursuant to M.S. 122A.40, Subdivision 5.

You may officially request that the School Board give its reasons for non-renewal of the teaching contract. However, such request should be received within ten (10) days after the receipt of this notice.

Yours very truly,

INDEPENDENT SCHOOL DISTRICT NO. 832

Clerk

The motion for the adoption of the foregoing resolution was duly seconded by _____ and upon vote being taken thereon, the following voted in favor thereof: _____, and the following voted against the same: _____ whereupon said resolution was declared passed and adopted.

RESOLUTION

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION TO PLACE MORGAN DENEEN ON AN UNREQUESTED LEAVE OF ABSENCE

BE IT RESOLVED by the School Board of Independent School District No. 832 as follows:

1. That Morgan Deneen, teacher of said school district, be placed on unrequested leave of absence without pay or fringe benefits, effective at the end of the 2014-15 school year on June 5, 2015, pursuant to M.S. 122A.40, Subdivision 10, and specifically Article XV, Sections 1 through 7 entitled "Unrequested Leave of Absence and Seniority Policy," found in the negotiated Master Agreement between the District 832 Board of Education and the Mahtomedi Education Association.
2. That written notice be sent to said teacher regarding the placement on unrequested leave of absence without pay or fringe benefits as provided by law and be in substantially the following form:

NOTICE OF PLACEMENT ON UNREQUESTED LEAVE OF ABSENCE

Morgan Deneen
1302 2nd Street N
Stillwater, MN 55082

Dear Morgan:

You are hereby notified that at a regular meeting of the School Board of Independent School District No. 832, held on May 14, 2015, a resolution was adopted by majority roll call vote of the full membership of the School Board, placing you on unrequested leave of absence without pay or fringe benefits as a teacher of Independent School District No.832 effective at the end of the 2014 -15 school year on June 5, 2015, pursuant to Minnesota Statutes, Sec. 122A.40, Subd. 10 and specifically Article XV sections 1 through 7, entitled "Unrequested Leave of Absence and Seniority, found in the negotiated Master Agreement between School District 832 and the Mahtomedi Education Association.

A copy of the resolution duly adopted by the School Board is attached hereto for your information.

If a position becomes available in a field in which you are licensed, at any time up to 5 years after your leave is effective, you may have a right to reinstatement to that position if you have sufficient seniority in the district and if you filed a written request for reinstatement prior to April 1 of each year while you are on leave. If you do not file such a request each year, your right to reinstatement will be automatically terminated.

Please keep the school district's personnel office advised in writing of your address at all times until your rights have expired, so that the district may notify you of any possible positions for which you may qualify.

Yours very truly,

SCHOOL BOARD OF INDEPENDENT
SCHOOL DISTRICT NO. 832

By: _____
School Board Chair

3. That each and all of the foregoing grounds of said notice are within the grounds for unrequested leave placement as set forth in M.S. 122A.40, Subdivision 10, and specifically Article XV, Sections 1 through 7, and are hereby adopted as fully as though separately set forth and resolved herein.

The motion for the adoption of the foregoing resolution was duly seconded by Member _____ and upon vote being taken thereon, the following voted in favor thereof: _____ and the following voted against: _____, whereupon said resolution was declared duly passed and adopted.

RESOLUTION

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION TO PLACE DANA PAULSON ON AN UNREQUESTED LEAVE OF ABSENCE

BE IT RESOLVED by the School Board of Independent School District No. 832 as follows:

1. That Dana Paulson, teacher of said school district, be placed on an unrequested leave of absence without pay or fringe benefits, effective at the end of the 2014-15 school year on June 5, 2015, pursuant to M.S. 122A.40, Subdivision 10, and specifically Article XV, Sections 1 through 7 entitled "Unrequested Leave of Absence and Seniority Policy," found in the negotiated Master Agreement between the District 832 Board of Education and the Mahtomedi Education Association.
2. That written notice be sent to said teacher regarding the placement on unrequested leave of absence without pay or fringe benefits as provided by law and be in substantially the following form:

NOTICE OF PLACEMENT ON UNREQUESTED LEAVE OF ABSENCE

Dana Paulson
161 Juniper St
Mahtomedi, MN 55115

Dear Dana:

You are hereby notified that at a regular meeting of the School Board of Independent School District No. 832, held on May 14, 2015, a resolution was adopted by majority roll call vote of the full membership of the School Board, placing you on an unrequested leave of absence without pay or fringe benefits as a teacher of Independent School District No.832 effective at the end of the 2014 -15 school year on June 5, 2015, pursuant to Minnesota Statutes, Sec. 122A.40, Subd. 10 and specifically Article XV sections 1 through 7, entitled "Unrequested Leave of Absence and Seniority, found in the negotiated Master Agreement between School District 832 and the Mahtomedi Education Association.

A copy of the resolution duly adopted by the School Board is attached hereto for your information.

If a position becomes available in a field in which you are licensed, at any time up to 5 years after your leave is effective, you may have a right to reinstatement to that position if you have sufficient seniority in the district and if you filed a written request for reinstatement prior to April 1 of each year while you are on leave. If you do not file such a request each year, your right to reinstatement will be automatically terminated.

Please keep the school district's personnel office advised in writing of your address at all times until your rights have expired, so that the district may notify you of any possible positions for which you may qualify.

Yours very truly,

SCHOOL BOARD OF INDEPENDENT
SCHOOL DISTRICT NO. 832

By: _____
School Board Chair

3. That each and all of the foregoing grounds of said notice are within the grounds for unrequested leave placement as set forth in M.S. 122A.40, Subdivision 10, and specifically Article XV, Sections 1 through 7, and are hereby adopted as fully as though separately set forth and resolved herein.

The motion for the adoption of the foregoing resolution was duly seconded by Member _____ and upon vote being taken thereon, the following voted in favor thereof: _____ and the following voted against: _____, whereupon said resolution was declared duly passed and adopted.



TO: Northeast Metro 916 Board of Education
FROM: Connie Hayes
DATE: April 8, 2015
RE: April 7 Board of Education Meeting Talking Points

Members present: Auge'-622, Brunnette-833, Bucholz-834, Forsberg-16, Edstrom -623, Lindblad-14, Lodico-12, McGraw-832, Newberg-624, Palmer-13, Sager-621 and Theisen-831. Members absent: Ptacek-834 and Schwartz-832.

Among a number of topics discussed at the April 7, 2015 meeting of the Northeast Metro 916 School Board, the following agenda items were addressed:

1. **Closed Session:** The school board met in a closed session at the beginning of the meeting to discuss charges filed against an employee.
2. **Capitol View Center Reconfiguration Study:** LSE Architects presented the final Capitol View reconfiguration study and reviewed the overall process and major components of the study. LSE also presented further details on the top two design options, a remodel and new construction. Intermediate school districts do not currently have legislature authority to remodel. Efforts at the legislature continue..
3. **Approval for financing of Lake Elmo:** The school board approved the financing for the K-8 special education facility in Lake Elmo for \$21,740,000. The district will finance \$21,000,000 with Certificates of Participation, repayable via lease levy, and the remaining \$740,000 to come from third party billing dollars.
4. **Lease Agreement for WELS-N:** The current space for WELS-N (work and life skills program for students age 18-21) is going through foreclosure and so the program will be moved to a new location in Vaden Heights near County Road E and 35E beginning in the 2015-16 school year. The new space is larger and accommodates a 50% increase in students, as well as is close in proximity to many local businesses. As planning continues for Capitol View Center, we will consider moving this program there as a permanent home.
5. **Valley Crossing staffing update:** Since the School Board action on March 3, 2015 to approve the initial staffing reductions at Valley Crossing Community School, several new developments have occurred that create a positive impact on the staffing plan for the 2015-16 school year. In late March, Valley Crossing partner superintendents met and agreed to add back several teaching positions, as well as use the enrollment projections of 645 students as of April 1, 2015 for the final enrollment count used to guide all planning. The school board approved the following:
 - a. Reinstate Band/Orchestra teacher to be consistent with the offerings at all three sending districts
 - b. Reinstate the two classroom teachers initially reduced for an enrollment cushion

- c. Reinstate an additional classroom teacher due to the increase in enrollment from 630 to 645 students

- 6. **2015-16 School Calendar:** The school board approved the 2015-16 calendars which include two additional staff development days and a total of 172 student contact days (reduced from 174). By reducing the student contact days we are avoiding an additional cost to member districts for the additional staff development days. This is within the range of our member districts' student contact days, which vary from 166 to 174.

- 7. **Retirements:** Deanne DeGraff, Career and Technical Center Principal, will retire at the end of this year after 16 years of service.

- 8. Staff Recognition Video: Superintendent Hayes reported on the program visits underway to present the annual staff recognition awards. A special video was developed and can be viewed at: <https://nemetro916.wistia.com/medias/vvmubkdwqm>

This week the House and Senate floor sessions were the busiest to date of the session. More bills were passed this week by each chamber than had been passed in any other week.

A number of omnibus finance bills were debated and passed through the House and Senate floors this week. On Monday the Senate passed its Omnibus State Government Finance bill, which was amended to include a provision that would prohibit state funding for a soccer stadium. This was proposed in response to Minnesota United recently being named as the newest professional team to join Major League Soccer. The amendment was approved on a vote of 61-4. The House passed its Omnibus Transportation and Jobs bills this week, while the Senate passed, along with State Government Finance, the Omnibus Environment and Judiciary bills.

Attached is an updated summary of the House, Senate and Governor education finance proposals. This document will change as the bills move through the process. Below are links to updated spreadsheets and school district runs for the House and Senate bills.

House Education Finance Bill

On Saturday, the MN House of Representatives debated and passed HF844, the Omnibus E-12 Education Finance and Policy Bill. After 5 hours of debate the bill passed 69-61 with one Republican, Rep. Mark Uglem, voting no along with every Democrat. Several amendments were adopted including:

- a) One amendment required group locker rooms, bathrooms and showers to be designated for one sex only can't be used by the other. It does not preclude schools from offering single-use bathrooms or changing rooms to transgender students.
- b) Another amendment attempted to get at the challenges individuals are faced with in passing the MTLE and in obtaining licensure. This amendment directs the Board of Teaching to grant a temporary license to a teacher candidate who agrees to try to pass the college-level skills examination or attain the requisite ACT or SAT scores during the term of the third, temporary one-year teaching license. It also states that at the request of the school district, the Board of Teaching must issue a standard teaching license to a teacher who, after being granted a third, temporary one-year teaching license, is determined by the school district, based on required teacher evaluations, to have been an effective teacher in each of the three consecutive school years during which the teacher taught full-time under a temporary, one-year teaching license"

House Appropriations Tracking Sheet

House Levy Tracking Sheet

A current district run is not yet available

Senate Education Finance Bill

SF811, the Omnibus E-12 Education Finance Bill, continues to move through the legislative process. It passed out of the Senate Finance Committee last Thursday. The Senate Tax Committee reviews the bill on Monday and the full Senate is expected to debate the bill on Wednesday. A few amendments were adopted in the Senate Finance committee. One transferred approximately \$2 million of the new long-term facilities maintenance aid to Head Start. In addition, amendments that increased funding for Head Start, the Perpich School, Southwest Metro State teacher education and service learning grants were adopted using approximately \$5 million of previously unallocated funds.

School_readiness_aid_run_150421

Senate District Runs

Long_tenn_facilities_fy19_estimates

FY16 american indian education aid

Senate levy tracking

Senate appropriations tracking

What next?

Once the Senate passes their Omnibus Education Finance bill, the House and Senate will name a conference committee of five members from each body. The conference committee must resolve the differences and send one bill for the full House and Senate to approve. Governor Dayton must then sign it into law.

However, before this conference committee completes its work, the House and Senate leadership and Governor Dayton must agree to a global budget agreement. As you know, they do not agree on a lot of things from what and how much tax relief/tax cuts to provide along with how much to appropriate for each budget division. The three are very far apart on a lot of areas and education funding is at the center. The constitutionally mandated adjournment date is Monday, May 18 and if they do not complete their work a special session will be required.

We will connect with you on next steps to continue to put pressure on the Legislature to raise the E12 budget target to accommodate an adequate formula increase and other education funding priorities. Stay tuned!

2015 Hou... Senate-Gov ed ft nance summary.pdf
235K

OMNIBUS EDUCATION FINANCE BILLS - HF844/SF811

Per-pupil formula increase

House: .6% each in FY16 and FY17 -- \$33 in FY16 and an additional \$34 FY17

Senate: 1% each in FY16 and FY17 -- \$58 in FY16 and an additional \$59 FY17

Governor: 1% each in FY16 and FY17 -- \$58 in FY16 and an additional \$59 FY17

Facilities

House: No change to current law

Senate: Beginning in FY2017, establishes long-term facilities maintenance revenue. In fiscal years 2017, 2018, and 2019, provides that the maximum revenue per pupil is the greater of \$193, \$292, and \$380, respectively, or the amount the district would have received in that year under the old law.

Governor: No change to current law

Alternative teacher professional pay system (ATPPS)

House: No change to current law

Senate: Lifts the cap on ATPPS funding and includes cooperative units in ATPPS. Appropriates \$19.2 million in aid and \$8.4 million in levy

Governor: No change to current law

Equity

House: Increases equity revenue for school districts located in Greater Minnesota. Appropriates \$2.4 million in aid and \$6 million in levy

Senate: No change to current law

Governor: No change to current law

Compensatory

House: Delinks compensatory revenue from increases in the formula and creates a new component of compensatory revenue. The new formula equals the sum of the number of free lunch eligible students and one-half the number of reduced price lunch eligible students times the growth in compensatory revenue since FY15. Allows districts to reallocate compensatory revenue among school sites according to a plan approved by the board.

Senate: Allows a school district to allocate up to 50 % of the revenue according to a plan adopted by the school

Governor: No change to current law

Integration

House: Establishes the "Achievement and Integration for Minnesota" program to improve academic achievement and promote racial and economic integration and to create equitable educational opportunities and outcomes. Makes a district's aid equal to the lesser of 70 percent of its achievement and integration revenue or the district's actual expenditures under its approved budget. Makes a district's integration levy equal to the sum of:

- (1) 30 percent of its achievement and integration revenue; and

(2) the greater of zero or the difference between the district's initial achievement and integration levy and an amount equal to \$350 times the district's adjusted pupil units for that year

Senate: No change to current law

Governor: No change to current law

Special education

House: No change to current law

Senate: No change to current law

Governor: Provides for a special education formula increase of \$39.5 million in FY16-17 and \$97.4 million in FY18-19

Student support services

House: No change to current law

Senate: Appropriates \$6 million for student support serves personnel grants

Governor: No change to current law

English language learners (ELL)

House: No change to current law

Senate: No change to current law

Governor: Recommends \$7 million to extend funding for up to 7 years

Transportation sparsity

House: Increases transportation sparsity revenue for school districts that do not receive operating sparsity revenue and cover at leave 525 square miles. Appropriates \$2.8 million

Senate: Makes a similar change to formula. Appropriates \$2 million

Governor: No change to current law

Extended time

House: Renames extended time to extended support revenue. Provides that revenue may be used by ALCs serving high school students for academic purposes during the school day. Increases the allowance by \$100 per pupil.

Senate: No change in appropriation. Same policy changes as House.

Governor: No change to current law

Fund transfers

House: Authorizes a school district to transfer money among accounts and funds (other than the community service or food service fund) if the transfer does not change the district's state aid or local levy authority. Continues the prohibition of transfers from the community service fund to another fund but allows transfers among accounts within the community service fund.

Senate: Same

Governor: No change to current law

School breakfast

House: No change to current law

Senate: Appropriates \$4 million this biennium to expand the school free breakfast program students in first grade

Governor: Appropriates \$28 million this biennium to expand the school free breakfast program up to grade 3

Concurrent enrollment

House: Appropriates \$9 million

Senate: Appropriates \$4 million

Governor: No change to current law

Technology funding

House: No change to current law

Senate: Appropriates \$4 million for telecommunications access grants

Governor: No change to current law

Career and Tech Revenue

House: No change to current law

Senate: Increases the eligible career and technical revenue from 35% to 37.5 % of approved expenditures in the fiscal year in which the levy is certified.

Governor: No change to current law

Positive behavior interventions and supports (PBIS)

House: No change to current law

Senate: No change to current law

Governor: Recommends \$4.6 million to accelerate the implementation of school-wide PBIS in schools and districts. This funding will increase the training, coaching, and evaluation supports available for schools and districts who are implementing PBIS.

Early learning

House: Appropriates \$9.5 million for school readiness and \$30 million for early learning scholarships

- Allows a school board, after receiving written comments from its early childhood advisory council, to adopt a resolution allowing the district to offer a coordinated early learning program to provide early childhood family education and school readiness services and other early learning programs serving parents and children.
- Establishes early learning program revenue that includes early childhood family education revenue, school readiness program revenue, and other revenues set aside for early learning activities. Requires a district that offers a coordinated early learning program to place all revenue received in an early learning program reserve account established in the community service fund.
- States that a district may establish an ECFE and school readiness program as an individual program or as part of an early learning program and allows the funding to be used for either.

Senate: Appropriates \$65 million for school readiness and \$5 million for early learning scholarships

- Suggests that a school readiness program for four-year-olds be a total of 500 hours per year, including 50 summer hours. A program may establish a waiting list when funds are not available to serve every 4 year old
- Specifies that a school readiness program with a waiting list must give enrollment priority to children with one or more risk factors
- Phases in over four years the requirement that programs ensure classroom teachers have the required license
- If a district does not offer a 4-year-old program, the district's aid is reduced by 80% and the funding allocated to other districts

Governor: The Governor recommends the implementation of a voluntary, year-round prekindergarten program offered to parents at no charge.

- Be full-day (not less than 5 hours a day, 850 hours, 42 weeks per school year) and summer programming (8-10 week program meeting a minimum of 200 hours);
- Measure each child’s cognitive skills upon entering and leaving the program;
- Teachers must have an early childhood license (with a phased-in implementation)
- Maximum class size of 20 children and staff ratios of 1:10;
- Curriculum must be aligned with early learning and kindergarten standards;

After school

House: No change to current law

Senate: Increases youth after school enrichment revenue to \$2.37 times the population of the district. Provides an additional \$.55 for districts with populations over 10,000. Also appropriates \$1 million for after-school community learning grants.

Governor: No change to current law

Adult basic education

House: Reduces the growth factor from 3 percent to 0.5 percent for fiscal years 2016 and later (resulting in a reduction of \$3 .4 million in aid). Includes community-based providers, for whom no district characteristics exist, in the distribution of basic population aid. Sets the basic population aid for these programs at \$1.73 per participant.

Senate: No change to current law

Governor: No change to current law

HOUSE OMNIBUS TAX BILL - HF848

Agricultural land

House: Provides for a property tax credit on all property classified as agricultural equal to 50 percent of the tax on the property attributable to school district bonded debt levies. Provides for the credit to be reported on the property tax statement and claimed under the individual income tax. Effective beginning taxes payable in 2016.

Senate: Awaiting Senate Tax Bill

Governor: No change to current law

Capital project levy referendum

House: Requires an election in the law authorizing a school district to levy for a capital project to be held on the first Tuesday after the first Monday in November of either an even-numbered or odd-numbered year instead of a date set by the school board. Provides an exception for a referendum to finance a district’s response to a disaster or emergency.

Senate: Awaiting Senate Tax Bill

Governor: No change to current law

Referendum revenue

House: Requires a school district to state on both its referendum ballot and on its notice to taxpayers the amounts of any board-approved local optional revenue (currently up to \$424 per pupil), board-approved referendum authority (up to \$300 per pupil), and previous voter-approved referendum authority.

Senate: Awaiting Senate Tax Bill

Governor: No change to current law

Education deductions and credits

House: Extends the K-12 education expense subtraction to prekindergarten expenses. Increases the maximum K-12 education deduction from \$1,625 to \$2,500 for each child in grades K to 6, and from \$2,500 to \$3,750 for each child in grades 7 to 12, effective in tax year 2015, and adjusts the maximum deduction amount annually for inflation, beginning in tax year 2016. Defines qualifying expenses and prekindergarten educational program by

reference to the expenses allowed under the K-12 education credit, which section 21 expands to include nonpublic school tuition and to provide a definition of prekindergarten educational programs.

Senate: Awaiting Senate Tax Bill

Governor: No change to current law

INDEPENDENT SCHOOL DISTRICT #832

MAHTOMEDI, MINNESOTA

TREASURER'S REPORT

MONTH ENDING 3/31/15

	CLOSING BALANCE		A/P	PAYROLL	JOURNAL ENTRY	BALANCE AS OF
	2/28/15	RECEIPTS	DISBURSEMENT	DISBURSEMENTS	TRANSFERS	03/31/15
GENERAL FUND (01)	4,229,775.26	3,197,553.41	(1,608,104.32)	(1,081,444.29)	(335,662.64)	4,402,117.42
FOOD SERVICE FUND (02)	561,746.38	140,245.50	(113,983.95)	0.00	0.00	588,007.93
COMMUNITY EDUCATION FUND (04)	621,808.49	123,739.11	(57,753.25)	(47,850.43)	2,747.95	642,691.87
DEBT SERVICE FUND (07)	1,138,170.04	266.36	(1,671.82)	0.00	0.00	1,136,764.58
INTERNAL FUND (20)	729,603.77	12,087.00	(399,861.32)	0.00	352,315.08	694,144.53
DONATIONS (25)	860,988.22	46,822.43	(50,068.24)	0.00	(15,441.99)	842,300.42
ACTIVITIES (50)	224,537.07	39,409.73	(32,831.49)	0.00	(10,606.54)	220,508.77
OPEB TRUST FUND (45)	2,273,282.33	0.00	0.00	0.00	1,150.71	2,274,433.04
OPEB DEBT SERV (47)	41,808.11	0.00	0.00	0.00	0.00	41,808.11
	10,681,719.67	3,560,123.54	(2,264,274.39)	(1,129,294.72)	(5,497.43)	10,842,776.67
BANK	BANK	OUTSTANDING (-)	OUTSTANDING (+)	OUTSTANDING	BANK BALANCE	
	STATEMENT	CHECKS	DEPOSITS	WIRES	03/31/15	
MSDLAF Acct# 1289	631,592.42		5,330.00	(170,285.11)	466,637.31	
MSDLAF Acct# 1521 checking	208,827.44	(90,097.19)			118,730.25	
MN TRUST-OPERATING (30822-101)	7,982,976.07				7,982,976.07	
					0.00	
					0.00	
					0.00	
					0.00	
					0.00	
					0.00	
MN TRUST-OPEB TRUST (30822-301) 45-101-00	2,274,433.04				2,274,433.04	
TOTAL	11,097,828.97	(320,452.91)	32,419.27	(170,285.11)	10,842,776.67	

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Bank	Date	Check #	Ck Amt	Vendor #	Addr	Description	Status
2	04/02/2015	387489	59.75	00009	0	AAA AWARDS	
2	04/02/2015	387490	228.00	00153	0	AES-APPLIED ENVIRONMENTAL SCIENCES INC	Cleared
2	04/02/2015	387491	8,480.00	00066	0	AIM ELECTRONICS INC	Cleared
2	04/02/2015	387492	1,446.46	00080	0	ALPHA GRAPHICS	Cleared
2	04/02/2015	387493	5,007.15	03340	0	BIX PRODUCE CO LLC	Cleared
2	04/02/2015	387494	3,405.25	07031	0	CARRIE ARDITO	Cleared
2	04/02/2015	387495	3,985.00	00527	0	COMSTOCK & SONS INC	Cleared
2	04/02/2015	387496	184.50	09009	0	D & J QUALITY SOURCING LLC	Cleared
2	04/02/2015	387497	1,745.27	00599	0	DALCO	Cleared
2	04/02/2015	387498	1,156.98	03328	0	DIVERSIFIED SNACK DIVISION	Cleared
2	04/02/2015	387499	832.50	00678	0	DOMINO'S PIZZA	Cleared
2	04/02/2015	387500	154.26	00679	0	DONATELLI'S	Cleared
2	04/02/2015	387501	256.00	00725	0	ECKROTH MUSIC COMPANY	Cleared
2	04/02/2015	387502	508.40	05986	0	EDUCATORS BENEFITS CONSULTANTS,LLC	Cleared
2	04/02/2015	387503	901.94	00803	0	EXPRESS SERVICES INC	Cleared
2	04/02/2015	387504	102.16	00815	0	FASTENAL COMPANY	Cleared
2	04/02/2015	387505	124,125.39	06819	0	FIRST STUDENT	Cleared
2	04/02/2015	387506	288.36	00987	0	GRAINGER	Cleared
2	04/02/2015	387507	312.50	01096	0	HEALTHPARTNERS/GROUP HEALTH INC	Cleared
2	04/02/2015	387508	2,980.00	10466	0	HEYING COMPANY	Cleared
2	04/02/2015	387509	1,038.87	03408	0	INTERMEDIATE DISTRICT 287	Cleared
2	04/02/2015	387510	8,820.34	08458	0	K12 TRANSPORTATION MANAGEMENT SERVICES INC	Cleared
2	04/02/2015	387511	250.00	03645	0	KEHOE OFFICE FURNITURE WORX	Cleared
2	04/02/2015	387512	12,890.22	03378	0	KELLY SERVICES, INC	Cleared
2	04/02/2015	387513	408.56	01372	0	KNOWLAN'S SUPER MARKETS	Cleared
2	04/02/2015	387514	721.95	08806	0	LANDS BEST FOODS	Cleared
2	04/02/2015	387515	144.00	03195	0	LASERPLUS, LLC	Cleared
2	04/02/2015	387516	133.00	07073	0	LOFFLER	Cleared
2	04/02/2015	387517	5,947.00	03182	1	MADISON NATIONAL LIFE INS CO INC	Cleared
2	04/02/2015	387518	148.00	10076	0	MANSHIP PLUMBING & HEATING INC	Cleared
2	04/02/2015	387519	54.00	01803	0	MSHSL -MN STATE H S LEAGUE	Cleared
2	04/02/2015	387520	3,944.39	01888	0	NATIONAL INSURANCE SERVICES OF WI INC	Cleared
2	04/02/2015	387521	7,200.00	01974	0	NORTHERN ELECTRIC- ELECTRICAL CONTRACTORS	Cleared
2	04/02/2015	387522	596.22	02108	0	PEOPLES ELECTRICAL CONTRACTORS	Cleared
2	04/02/2015	387523	527.25	02180	0	PRESS PUBLICATIONS	Cleared
2	04/02/2015	387524	9,255.00	02231	0	RAMSEY COUNTY ARENAS PARKS & RECREATI	Cleared
2	04/02/2015	387525	22.76	07113	0	SAM'S CLUB	Cleared
2	04/02/2015	387526	28.40	02406	0	SCHMITT MUSIC COMPANY	Cleared
2	04/02/2015	387527	410.79	02417	1	SCHOOL HEALTH CORPORATION	Cleared
2	04/02/2015	387528	176.00	02591	0	ST PAUL AREA ATHENA AWARDS	Cleared
2	04/02/2015	387529	388.60	00553	3	STAPLES ADVANTAGE	Cleared
2	04/02/2015	387530	2,089.55	02610	0	STATE SUPPLY CO INC	Cleared
2	04/02/2015	387531	1,006.50	02686	0	TAMARAK NATURE CENTER	Cleared
2	04/02/2015	387532	230.00	02135	0	THE PIANO WORKS	Cleared
2	04/02/2015	387533	593.18	02800	0	TWIN CITY FILTER SERVICE INC	Cleared
2	04/02/2015	387534	306.92	09693	0	UNIVERSAL ATHLETIC	Cleared
2	04/02/2015	387535	36,891.29	06934	0	US FOODSERVICE INC	Cleared
2	04/08/2015	387536	68.16	00094	0	AMERICAN FAMILY ASSURANCE	Cleared
2	04/08/2015	387537	790.00	01556	0	MAHTOMEDI AREA EDUC.FOUNDATION	Cleared

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Bank	Date	Check #	Ck Amt	Vendor #	Addr	Description	Status
2	04/08/2015	387538	9.90	01888	0	NATIONAL INSURANCE SERVICES OF WI INC	Cleared
2	04/08/2015	387539	320.00	01740	0	NCPERS MINNESOTA-179220	Cleared
2	04/08/2015	387540	714.00	02017	0	OFFICE & PROFESSIONAL	Cleared
2	04/08/2015	387541	951.96	02048	0	OPERATING ENGINEERS LOCAL #70	Cleared
2	04/09/2015	387542	353.90	00009	0	AAA AWARDS	
2	04/09/2015	387543	658.61	09140	0	AFFINETY SOLUTIONS INC	Cleared
2	04/09/2015	387544	5,348.10	09416	0	AGROPUR	Cleared
2	04/09/2015	387545	558.00	03636	1	APPLE INC	Cleared
2	04/09/2015	387546	2,729.04	08859	1	AWS SERVICE CENTER	Cleared
2	04/09/2015	387547	3,779.00	03196	0	BF LAUZON ENTERPRISES INC	Cleared
2	04/09/2015	387548	337.00	04234	0	BLUE CROSS BLUE SHIELD OF MN/SUPPORT SOURCE	Cleared
2	04/09/2015	387549	619.00	06661	0	BW T&F ENTERPRISES LLP	Cleared
2	04/09/2015	387550	156.63	07004	0	CCP INDUSTRIES	Cleared
2	04/09/2015	387551	245.66	08562	0	CHERYL FROSTCOUTURE	Cleared
2	04/09/2015	387552	15,203.15	01572	0	CITY OF MAHTOMEDI	Cleared
2	04/09/2015	387553	3,915.00	10436	0	CLIMATE MAKERS	Cleared
2	04/09/2015	387554	7,289.50	09009	0	D & J QUALITY SOURCING LLC	Cleared
2	04/09/2015	387555	570.20	00599	0	DALCO	Cleared
2	04/09/2015	387556	1,000.00	00679	0	DONATELLI'S	
2	04/09/2015	387557	210.00	00714	0	EAGLE SCREEN PRINTING	Cleared
2	04/09/2015	387558	1,368.78	06030	1	EARTHGRAINS CO.INC/ BIMBO BAKERIES	Cleared
2	04/09/2015	387559	135.10	03087	0	ERIKA HAMMERSCHMIDT	Cleared
2	04/09/2015	387560	901.94	00803	0	EXPRESS SERVICES INC	Cleared
2	04/09/2015	387561	89.00	10263	0	FIREFLY COMPUTERS	Cleared
2	04/09/2015	387562	9,329.51	06819	0	FIRST STUDENT	Cleared
2	04/09/2015	387563	159.86	06697	0	FRATTALLONE'S ACE HARDWARE STORES	Cleared
2	04/09/2015	387564	336.00	08883	0	GINA BOOGREN	Cleared
2	04/09/2015	387565	1,041.75	01038	0	HAAS MUSICAL INSTRUMENT REPAIR	Cleared
2	04/09/2015	387566	34,661.66	01096	1	HEALTHPARTNERS	Cleared
2	04/09/2015	387567	450.00	03331	0	I.S.D # 622 NO.ST PAUL-MAPLEWOOD-OAKDALE	Cleared
2	04/09/2015	387568	228.00	03248	1	I.S.D # 834 STILLWATER	Cleared
2	04/09/2015	387569	9,478.38	03378	0	KELLY SERVICES, INC	Cleared
2	04/09/2015	387570	30.25	01372	0	KNOWLAN'S SUPER MARKETS	Cleared
2	04/09/2015	387571	400.00	10425	0	KYLE FULTON/FULTON PRODUCTIONS	
2	04/09/2015	387572	571.01	09109	0	MAHTOMEDI YOUTH HOCKEY ASSOCIATION	Cleared
2	04/09/2015	387573	816.00	01612	0	MASA	Cleared
2	04/09/2015	387574	100.00	01618	0	MASSP-MN ASSOC.OF SEC.SCH PRINCIPALS	
2	04/09/2015	387575	2,023.00	08289	0	MATRIX COMMUNICATIONS	Cleared
2	04/09/2015	387576	76.42	01684	0	MENARDS OAKDALE CASHWAY LUMBER	Cleared
2	04/09/2015	387577	420.00	06144	0	MICHAEL SCHUMACHER	Cleared
2	04/09/2015	387578	298.25	03384	0	MID CITY SERVICES-INDUSTRIAL LAUNDRY	Cleared
2	04/09/2015	387579	3,999.60	09328	0	MIDLAND PAPER	Cleared
2	04/09/2015	387580	45.00	07783	0	MINNESOTA COMMUNITY ED.ASSN	Cleared
2	04/09/2015	387581	500.00	04051	1	MINNESOTA ZOOMOBILE	Cleared
2	04/09/2015	387582	507.45	01961	0	NORCOSTCO INC	Cleared
2	04/09/2015	387583	4,368.17	05985	0	PAMS LUNCHROOM LLC	Cleared
2	04/09/2015	387584	34.24	10422	0	PINO'S PIZZA/ROSANERO FOOD	Cleared
2	04/09/2015	387585	56.65	02161	0	POPP.COM INC	Cleared
2	04/09/2015	387586	264,749.70	08212	0	PREFERRED ONE	Cleared

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Bank	Date	Check #	Ck Amt	Vendor #	Addr	Description	Status
2	04/09/2015	387587	58.71	02420	3	SCHOOL SPECIALTY	Cleared
2	04/09/2015	387588	217.30	02537	1	SOFTERWARE INC	Cleared
2	04/09/2015	387589	107.77	00553	3	STAPLES ADVANTAGE	Cleared
2	04/09/2015	387590	259.75	08784	0	TRUSTED EMPLOYEES	Cleared
2	04/09/2015	387591	386.88	09693	0	UNIVERSAL ATHLETIC	Cleared
2	04/09/2015	387592	48.62	02946	0	WHITE BEAR LOCKSMITH	Cleared
2	04/09/2015	387593	157.00	02980	0	CREIGHTON ROBINSON /WILSON RIBBON CO	
2	04/09/2015	387594	134.82	03037	0	ZARNOTH BRUSH WORKS,INC	Cleared
2	04/16/2015	387595	700.00	10116	0	1ST SWING GOLF SCHOOL, LLC	Cleared
2	04/16/2015	387596	23.40	00009	0	AAA AWARDS	
2	04/16/2015	387597	168.00	09119	0	ADVANCEPIERRE FOODS	Cleared
2	04/16/2015	387598	225.00	00059	0	AFTON ALPS SKI AREA	
2	04/16/2015	387599	52.15	05534	0	ALICE SMITH	Cleared
2	04/16/2015	387600	1,193.00	03865	0	AMERICAN CHALLENGE	Cleared
2	04/16/2015	387601	3,397.25	00109	0	AMERICAN SECURITY LLC	Cleared
2	04/16/2015	387602	100.00	00210	0	BARNETT CHRYSLER JEEP	Cleared
2	04/16/2015	387603	164.00	10096	0	BAYPORT PRINTING HOUSE INC	Cleared
2	04/16/2015	387604	3,314.53	09046	0	BUSINESS IMPACT GROUP	Cleared
2	04/16/2015	387605	36.95	03253	0	BOYS TOWN PRESS	Cleared
2	04/16/2015	387606	450.00	07970	0	CATHIE KRUEGER	Cleared
2	04/16/2015	387607	16,000.00	05881	0	CESO-THE CENTER FOR EFFICIENT SCHOOL OPERAT	Cleared
2	04/16/2015	387608	650.00	00527	0	COMSTOCK & SONS INC	Cleared
2	04/16/2015	387609	903.74	00541	0	CONTINENTAL CLAY COMPANY	
2	04/16/2015	387610	1,347.97	00558	1	COURAGE KENNY REHABLIITATION INSTITUTE	Cleared
2	04/16/2015	387611	1,149.24	00599	0	DALCO	Cleared
2	04/16/2015	387612	210.00	00072	0	DANIEL ALBRECHT	Cleared
2	04/16/2015	387613	100.00	10469	0	DAVID SCHLUETER	
2	04/16/2015	387614	1,140.00	00678	0	DOMINO'S PIZZA	Cleared
2	04/16/2015	387615	250.00	06463	0	DOWN SYNDROME ASSOC.OF MN	Cleared
2	04/16/2015	387616	196.00	00714	0	EAGLE SCREEN PRINTING	Cleared
2	04/16/2015	387617	107.14	00725	0	ECKROTH MUSIC COMPANY	Cleared
2	04/16/2015	387618	331.91	00787	0	ERICKSON OIL PRODUCTS INC	Cleared
2	04/16/2015	387619	909.43	00803	0	EXPRESS SERVICES INC	Cleared
2	04/16/2015	387620	447.48	00815	0	FASTENAL COMPANY	Cleared
2	04/16/2015	387621	584.80	05296	0	FINN SISU, INC	Cleared
2	04/16/2015	387622	90.00	10263	0	FIREFLY COMPUTERS	Cleared
2	04/16/2015	387623	200.00	03081	0	GRAY SEEVER	Cleared
2	04/16/2015	387624	1,222.43	01018	0	GROTH MUSIC	Cleared
2	04/16/2015	387625	1,448.13	03409	0	I.S.D # 624 WHITE BEAR LAKE	Cleared
2	04/16/2015	387626	52,175.45	03248	0	I.S.D # 834 STILLWATER	Cleared
2	04/16/2015	387627	420.00	10473	0	KAREN KUSEL	Cleared
2	04/16/2015	387628	8,137.05	03378	0	KELLY SERVICES, INC	Cleared
2	04/16/2015	387629	499.31	01372	0	KNOWLAN'S SUPER MARKETS	Cleared
2	04/16/2015	387630	60.87	01400	0	KULLY SUPPLY COMPANY	Cleared
2	04/16/2015	387631	626.60	08806	0	LANDS BEST FOODS	Cleared
2	04/16/2015	387632	4,316.88	07606	2	LOFFLER COMPANY INC	Cleared
2	04/16/2015	387633	158.00	10076	0	MANSHIP PLUMBING & HEATING INC	Cleared
2	04/16/2015	387634	410.00	07961	0	MCTM	
2	04/16/2015	387635	370.10	01684	0	MENARDS OAKDALE CASHWAY LUMBER	Cleared

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Bank	Date	Check #	Ck Amt	Vendor #	Addr	Description	Status
2	04/16/2015	387636	178.00	01744	0	MINNESOTA CONWAY FIRE & SAFETY/SUMMIT CO	Cleared
2	04/16/2015	387637	20.00	01781	0	MN DEPT OF LABOR AND INDUSTRY	Cleared
2	04/16/2015	387638	145.00	09860	0	NASN-NATIONAL ASSOC.OF SCHOOL NURSES	Cleared
2	04/16/2015	387639	185.00	06513	0	NATIONAL SCIENCE TEACHERS ASSN	Cleared
2	04/16/2015	387640	543.53	02205	4	NCS PEARSON INC	Cleared
2	04/16/2015	387641	349.00	10451	0	NEWMIND GROUP	Cleared
2	04/16/2015	387642	140.89	06012	1	PREMIUM WATERS INC	Cleared
2	04/16/2015	387643	360.40	02180	0	PRESS PUBLICATIONS	Cleared
2	04/16/2015	387644	260.00	09874	0	ROD THOMPSON/THOMPSON SIGN PAINTING	Cleared
2	04/16/2015	387645	1,571.00	01518	0	ROLAND LOZIER	Cleared
2	04/16/2015	387646	697.26	07113	0	SAM'S CLUB	Cleared
2	04/16/2015	387647	349.94	07113	0	SAM'S CLUB	Cleared
2	04/16/2015	387648	308.27	02417	1	SCHOOL HEALTH CORPORATION	Cleared
2	04/16/2015	387649	88.11	00553	3	STAPLES ADVANTAGE	Cleared
2	04/16/2015	387650	941.32	04176	0	SUNBURST CHEMICALS, INC.	Cleared
2	04/16/2015	387651	351.09	02748	1	TIES/ TIES DEPOT	Cleared
2	04/16/2015	387652	1,219.40	03345	0	TRIO SUPPLY CO	Cleared
2	04/16/2015	387653	277.26	00047	0	TYCO INTEGRATED SECURITY LLC	Cleared
2	04/16/2015	387654	403.66	09693	0	UNIVERSAL ATHLETIC	Cleared
2	04/16/2015	387655	758.77	07086	0	VEOLIA ENVIRONMENTAL SERVICES	Cleared
2	04/16/2015	387656	164.80	02873	0	VOSS LIGHTING	Cleared
2	04/16/2015	387657	159.01	02889	1	WALMART COMMUNITY / RFCSLLC	Cleared
2	04/17/2015	387658	700.00	04342	0	WISCONSIN SCTF	Cleared
2	04/23/2015	387659	67.00	03822	0	AARON KLEIN	
2	04/23/2015	387660	1,747.00	09523	0	AGOSTO	Cleared
2	04/23/2015	387661	239.00	00172	0	ASCD	Cleared
2	04/23/2015	387662	367.12	00659	1	BLICK ART MATERIALS	Cleared
2	04/23/2015	387663	150.00	10480	0	BOLLYWOOD DANCE SCENE	
2	04/23/2015	387664	75.00	10474	0	BRADLEY HOLCOMB	
2	04/23/2015	387665	240.26	10479	0	CARTER AVE FRAME SHOP	Cleared
2	04/23/2015	387666	160.56	07299	0	COBORNSDELIVERS LLC	Cleared
2	04/23/2015	387667	1,391.00	00527	0	COMSTOCK & SONS INC	Cleared
2	04/23/2015	387668	2,049.59	09009	0	D & J QUALITY SOURCING LLC	Cleared
2	04/23/2015	387669	67.00	05338	0	DAN PELLETIER	Cleared
2	04/23/2015	387670	50.00	10482	0	DANIELLE ENBLOM	
2	04/23/2015	387671	824.64	00631	0	DELTA EDUCATION INC	Cleared
2	04/23/2015	387672	390.00	00678	0	DOMINO'S PIZZA	Cleared
2	04/23/2015	387673	144.62	00679	0	DONATELLI'S	
2	04/23/2015	387674	75.00	06542	0	DUANE REED	
2	04/23/2015	387675	227.00	05986	0	EDUCATORS BENEFITS CONSULTANTS,LLC	Cleared
2	04/23/2015	387676	270.20	03087	0	ERIKA HAMMERSCHMIDT	Cleared
2	04/23/2015	387677	479.04	00803	0	EXPRESS SERVICES INC	Cleared
2	04/23/2015	387678	67.00	10383	0	GENO HANSON	
2	04/23/2015	387679	466.36	06146	1	GOPHER	Cleared
2	04/23/2015	387680	267.24	00987	0	GRAINGER	Cleared
2	04/23/2015	387681	181.80	08570	0	HANCE LOCATING & SERVICES, INC.	Cleared
2	04/23/2015	387682	2,062.50	09968	0	JANET BERRYHILL/ YOGA & CRANIO SACRAL THERAPY	Cleared
2	04/23/2015	387683	122.00	10476	0	JOSEPH CONNOR	
2	04/23/2015	387684	1,935.00	09440	0	KIDCREATE STUDIO/GET MESSY LLC	Cleared

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Bank	Date	Check #	Ck Amt	Vendor #	Addr	Description	Status
2	04/23/2015	387685	750.20	08806	0	LANDS BEST FOODS	Cleared
2	04/23/2015	387686	668.82	03195	0	LASERPLUS, LLC	Cleared
2	04/23/2015	387687	1,150.57	07606	1	LOFFLER COMPANY INC/KONICA MINOLTA PREMIER FI	Cleared
2	04/23/2015	387688	1,799.00	07606	1	LOFFLER COMPANY INC/KONICA MINOLTA PREMIER FI	Cleared
2	04/23/2015	387689	2,099.02	07606	1	LOFFLER COMPANY INC/KONICA MINOLTA PREMIER FI	Cleared
2	04/23/2015	387690	891.48	07606	1	LOFFLER COMPANY INC/KONICA MINOLTA PREMIER FI	Cleared
2	04/23/2015	387691	75.00	10475	0	LONNIE STEIN	Cleared
2	04/23/2015	387692	39.00	01557	0	MAHTOMEDI AUTO SERVICE	
2	04/23/2015	387693	75.00	09637	0	MEGAN BERRIMAN	
2	04/23/2015	387694	111.71	01684	0	MENARDS OAKDALE CASHWAY LUMBER	Cleared
2	04/23/2015	387695	122.00	07023	0	MICHAEL CARTER	Cleared
2	04/23/2015	387696	110.00	04181	0	MIDWEST AUDIO VISUAL, INC.	
2	04/23/2015	387697	45.00	01780	1	MN DEPT OF HEALTH	Cleared
2	04/23/2015	387698	4,093.36	04089	0	MN UI FUND	Cleared
2	04/23/2015	387699	1,824.00	08739	0	NAC MECHANICAL & ELECTRICAL SERVICE	Cleared
2	04/23/2015	387700	100.00	10478	0	NICOLE FERGUSON	
2	04/23/2015	387701	67.00	05618	0	NORMAN SETNICKER	Cleared
2	04/23/2015	387702	26,880.00	03188	0	NWEA-NORTHWEST EVALUATION ASSN	Cleared
2	04/23/2015	387703	150.00	10481	0	OLIVIA QUINTANILLA	
2	04/23/2015	387704	216.21	02063	0	PACER CENTER	Cleared
2	04/23/2015	387705	67.00	05976	0	PAT WHALEN	
2	04/23/2015	387706	275.40	02180	0	PRESS PUBLICATIONS	Cleared
2	04/23/2015	387707	96.00	03136	0	RATWIK ROSZAK & MALONEY P A	Cleared
2	04/23/2015	387708	7,268.10	08769	0	RELIANCE COMMUNICATIONS LLC	
2	04/23/2015	387709	75.00	04815	0	ROB LINDER	Cleared
2	04/23/2015	387710	17.35	02420	0	SCHOOL SPECIALTY INC	Cleared
2	04/23/2015	387711	3,052.00	08401	0	SPRIGGS PLUMBING /HEATING	Cleared
2	04/23/2015	387712	734.16	00553	3	STAPLES ADVANTAGE	Cleared
2	04/23/2015	387714	446.00	02630	0	STILLWATER COUNTRY CLUB	
2	04/23/2015	387715	293.56	02664	0	SUPER DUPER PUBLICATIONS	Cleared
2	04/23/2015	387716	676.90	05870	0	TESSMAN CO.	Cleared
2	04/23/2015	387717	73.00	05588	0	TOM GOTHMANN	Cleared
2	04/23/2015	387718	339.19	03345	0	TRIO SUPPLY CO	Cleared
2	04/23/2015	387719	1,149.24	02863	1	VIKING ELECTRIC SUPPLY	Cleared
2	04/23/2015	387720	5,679.23	00723	0	XCEL ENERGY	Cleared
2	04/30/2015	387721	201.00	03822	0	AARON KLEIN	
2	04/30/2015	387722	75.00	05622	0	ANDREW CRADDOCK	
2	04/30/2015	387723	80.50	10460	0	AUSTIN PRATT	
2	04/30/2015	387724	1,820.14	03196	0	BF LAUZON ENTERPRISES INC	
2	04/30/2015	387725	337.00	04234	0	BLUE CROSS BLUE SHIELD OF MN/SUPPORT SOURCE	
2	04/30/2015	387726	75.00	10487	0	BRAD HOLCOMB	
2	04/30/2015	387727	275.00	06661	0	BW T&F ENTERPRISES LLP	
2	04/30/2015	387728	67.00	05512	0	CLIFF WHITSON	
2	04/30/2015	387729	7,870.00	00527	0	COMSTOCK & SONS INC	
2	04/30/2015	387730	969.87	00541	0	CONTINENTAL CLAY COMPANY	
2	04/30/2015	387731	1,224.42	00599	0	DALCO	
2	04/30/2015	387732	73.00	10484	0	DANIEL JOHNSON	
2	04/30/2015	387733	1,242.69	00628	0	DELLWOOD COUNTY CLUB/HILL GOLF CLUB	
2	04/30/2015	387734	283.00	08538	0	DIANA HIRTE	

FY15 APR 2015 CHECK REGISTER - BANK 02

Bank	Date	Check #	Ck Amt	Vendor #	Addr	Description	Status
2	04/30/2015	387735	2,931.88	03328	0	DIVERSIFIED SNACK DIVISION	
2	04/30/2015	387736	795.00	00678	0	DOMINO'S PIZZA	
2	04/30/2015	387737	67.00	05103	0	DON BOWMAN	
2	04/30/2015	387738	109.27	00679	0	DONATELLI'S	
2	04/30/2015	387739	864.50	00714	0	EAGLE SCREEN PRINTING	
2	04/30/2015	387740	256.00	00725	0	ECKROTH MUSIC COMPANY	
2	04/30/2015	387741	1,197.60	00803	0	EXPRESS SERVICES INC	
2	04/30/2015	387742	761.25	10304	0	FRONTLINE TECHNOLOGIES GROUP LLC	
2	04/30/2015	387743	13.76	06146	1	GOPHER	
2	04/30/2015	387744	67.00	07364	0	GUY SEDERSKI	
2	04/30/2015	387745	202.00	01096	0	HEALTHPARTNERS/GROUP HEALTH INC	
2	04/30/2015	387746	440.00	06631	0	HILDI INC	
2	04/30/2015	387747	247.50	03966	1	I.S.D # 196 ROSEMOUNT-APPLE VALLEY-EAGAN	
2	04/30/2015	387748	73.00	10440	0	JASON STURM	
2	04/30/2015	387749	67.00	04968	0	JIM NOVAK	
2	04/30/2015	387750	122.00	08580	0	JOE SCHLUENDER	
2	04/30/2015	387751	75.00	08838	0	JOHN KOLNIK	
2	04/30/2015	387752	67.00	05586	0	JOHN WALTERS	
2	04/30/2015	387753	8,946.66	08458	0	K12 TRANSPORTATION MANAGEMENT SERVICES INC	
2	04/30/2015	387754	94.50	09963	0	KATHLEEN SIMMER	
2	04/30/2015	387755	75.00	07457	0	KENNETH LEHNER	
2	04/30/2015	387756	437.44	04005	0	KERNEL CONCESSION SUPPLY /R.D.HANSON	
2	04/30/2015	387757	880.55	08806	0	LANDS BEST FOODS	
2	04/30/2015	387758	387.45	03195	0	LASERPLUS, LLC	
2	04/30/2015	387759	600.00	05135	0	LAURI HILL	
2	04/30/2015	387760	2,239.00	06072	0	MAD SCIENCE OF MN,SCHOOLHOUSE CHESS, ANNICA	
2	04/30/2015	387761	630.00	01618	0	MASSP-MN ASSOC.OF SEC.SCH PRINCIPALS	
2	04/30/2015	387762	49.00	10485	0	MATT LAWLESS	
2	04/30/2015	387763	732.96	01683	0	MENARDS	
2	04/30/2015	387764	1,085.74	01684	0	MENARDS OAKDALE CASHWAY LUMBER	
2	04/30/2015	387765	67.00	05996	0	MICHAEL COOPER	
2	04/30/2015	387766	2,595.00	01744	0	MINNESOTA CONWAY FIRE & SAFETY/SUMMIT CO	
2	04/30/2015	387767	3,638.00	08739	0	NAC MECHANICAL & ELECTRICAL SERVICE	
2	04/30/2015	387768	238.00	07908	0	NEOPOST	
2	04/30/2015	387769	350.00	01974	0	NORTHERN ELECTRIC- ELECTRICAL CONTRACTORS	
2	04/30/2015	387770	133.00	10422	0	PINO'S PIZZA/ROSANERO FOOD	
2	04/30/2015	387771	153.00	02180	0	PRESS PUBLICATIONS	
2	04/30/2015	387772	450.00	08355	0	RONALD WENZEL	
2	04/30/2015	387773	75.00	10486	0	RYAN OVERLIE	
2	04/30/2015	387774	8.40	07113	0	SAM'S CLUB	
2	04/30/2015	387775	825.00	02442	0	SCIENCE MUSEUM OF MINN	
2	04/30/2015	387776	402.50	03123	0	SHEILA MERZER M A	
2	04/30/2015	387777	1,393.31	08053	0	STANLEY ACCESS TECH LLC	
2	04/30/2015	387778	1,144.53	00553	3	STAPLES ADVANTAGE	
2	04/30/2015	387779	75.00	05193	0	STEVE BOHL	
2	04/30/2015	387780	280.00	09985	0	TERRI STEELE	
2	04/30/2015	387781	3,417.00	02789	0	TROLLHAUGEN	
2	04/30/2015	387782	67.00	06606	0	WILLIAM PETERSON	
2	04/30/2015	387783	29,660.76	00723	0	XCEL ENERGY	

FY15 APR 2015 CHECK REGISTER - BANK 02

Bank	Date	Check #	Ck Amt	Vendor #	Addr	Description	Status
2	04/02/2015	80005987	18.29	99999	10618	Barry, Leanne P	Cleared
2	04/02/2015	80005988	12.99	99999	2373	Ward, Jennifer R	Cleared
2	04/02/2015	80005989	14.22	99999	10269	Heagle, Kristin	Cleared
2	04/02/2015	80005990	41.34	99999	2200	Allen, John E	Cleared
2	04/02/2015	80005991	82.67	99999	10955	Dolentz, Alicia	Cleared
2	04/02/2015	80005992	111.49	99999	10910	Wagner, Luanne	Cleared
2	04/02/2015	80005993	68.38	99999	2074	Petronek, John	Cleared
2	04/02/2015	80005994	124.09	99999	10978	Zemke, Jodi	Cleared
2	04/02/2015	80005995	1,339.49	99999	10659	Seim, Justen	Cleared
2	04/02/2015	80005996	97.75	99999	11100	Henning, Charlotte	Cleared
2	04/02/2015	80005997	59.00	99999	2198	Beyer, Adam R	Cleared
2	04/02/2015	80005998	18.52	99999	2350	Loos, Kim	Cleared
2	04/02/2015	80005999	50.54	99999	10668	Giuliani, Lisa	Cleared
2	04/02/2015	80006000	15.01	99999	11092	Weber, Brittni	Cleared
2	04/02/2015	80006001	54.86	99999	10988	Kubow, Monica	Cleared
2	04/02/2015	80006002	193.96	99999	2216	Trautman, Terry	Cleared
2	04/02/2015	80006003	10,314.22	99999	2253	Poeschl, Jeffrey	Cleared
2	04/02/2015	80006004	1,197.99	99999	11107	Fossen, Alan	Cleared
2	04/02/2015	80006005	15.81	99999	4900	Audorff, Shirley	Cleared
2	04/02/2015	80006006	21.97	99999	4078	Harein, Pamela L	Cleared
2	04/02/2015	80006007	87.83	99999	4075	Zimmerman, Bonny K	Cleared
2	04/02/2015	80006008	4.00	99999	2248	Morreim, Edward	Cleared
2	04/02/2015	80006009	17.25	99999	5081	Metz, Leroy R	Cleared
2	04/02/2015	80006010	72.91	99999	10947	Ruth, Jessica	Cleared
2	04/09/2015	80006011	50.00	99999	10522	Bouwens, Kirsten	Cleared
2	04/09/2015	80006012	50.00	99999	10412	Hamre, Mark B	Cleared
2	04/09/2015	80006013	50.00	99999	10639	Larson, Mark	Cleared
2	04/09/2015	80006014	50.00	99999	10910	Wagner, Luanne	Cleared
2	04/09/2015	80006015	50.00	99999	10686	Neubeck, Michael	Cleared
2	04/09/2015	80006016	50.00	99999	2292	Nickleby, Kathe	Cleared
2	04/09/2015	80006017	45.83	99999	10700	Sorenson, Susan	Cleared
2	04/09/2015	80006018	50.00	99999	10224	Viker, Lynne M	Cleared
2	04/09/2015	80006019	50.00	99999	10908	Menier, Matthew	Cleared
2	04/09/2015	80006020	50.00	99999	10971	Manders, Rochel	Cleared
2	04/09/2015	80006021	25.00	99999	1038	Crothers, Patrick	Cleared
2	04/09/2015	80006022	25.00	99999	10196	Hering, James P	Cleared
2	04/09/2015	80006023	25.00	99999	1039	Kaczorek, Debora	Cleared
2	04/09/2015	80006024	25.00	99999	10323	Kostuch, Tonya M	Cleared
2	04/09/2015	80006025	50.00	99999	11097	McMahon, Megan	Cleared
2	04/09/2015	80006026	50.00	99999	11161	Gemuenden, Adam	Cleared
2	04/09/2015	80006027	50.00	99999	5058	Osterbauer, Julie	Cleared
2	04/09/2015	80006028	25.00	99999	5125	Albrecht, Daniel	Cleared
2	04/09/2015	80006029	25.00	99999	5081	Metz, Leroy R	Cleared
2	04/09/2015	80006030	25.00	99999	5043	Anderson, Roy D	Cleared
2	04/09/2015	80006031	25.00	99999	5066	Jensen, James	Cleared
2	04/09/2015	80006032	50.00	99999	11197	Wyland, Catherine	Cleared
2	04/09/2015	80006033	728.80	03088	0	STEVE HAMMERSCHMIDT	Cleared
2	04/09/2015	80006034	250.60	09832	0	ANDREA MYERS	Cleared
2	04/09/2015	80006035	300.00	99999	10020	Young, Michael R	Cleared

FY15 APR 2015 CHECK REGISTER - BANK 02

Bank	Date	Check #	Ck Amt	Vendor #	Addr	Description	Status
2	04/09/2015	80006036	300.00	99999	10299	Arcand, Andrew J	Cleared
2	04/09/2015	80006037	117.49	99999	2389	Nestrud, Katie L	Cleared
2	04/09/2015	80006038	79.97	99999	2386	Feustel, Krista	Cleared
2	04/09/2015	80006039	104.41	99999	2246	Morreim, Cynthia	Cleared
2	04/09/2015	80006040	17.00	99999	10404	Vedders, Angela	Cleared
2	04/09/2015	80006041	15.00	99999	2320	McGibbon, Paul	Cleared
2	04/09/2015	80006042	125.00	99999	10979	Pratt, Joanne	Cleared
2	04/09/2015	80006043	200.68	99999	10771	Pratt, Jeffrey	Cleared
2	04/09/2015	80006044	30.40	99999	2021	Driscoll, Deborah	Cleared
2	04/09/2015	80006045	147.20	99999	8080	Poirier, Nicole	Cleared
2	04/09/2015	80006046	25.88	99999	11097	McMahon, Megan	Cleared
2	04/09/2015	80006047	125.00	99999	3827	Frye, Sheila M	Cleared
2	04/09/2015	80006048	132.83	99999	1038	Crothers, Patrick	Cleared
2	04/09/2015	80006049	284.37	99999	10196	Hering, James P	Cleared
2	04/16/2015	80006050	2,069.10	03057	0	BRAD BERGIE	Cleared
2	04/16/2015	80006051	20.13	99999	7544	Swanson, Jean M	Cleared
2	04/16/2015	80006052	49.36	99999	10062	Wagner-Beek, Leslie	Cleared
2	04/16/2015	80006053	46.75	99999	10859	Paquette, Chelsea	Cleared
2	04/16/2015	80006054	496.84	99999	2198	Beyer, Adam R	Cleared
2	04/14/2015	80006055	485.75	03115	0	CHARLES LINDERKAMP	Cleared
2	04/16/2015	80006056	125.00	99999	10538	Loosbrock, Gina	Cleared
2	04/16/2015	80006057	260.66	99999	10340	Govrik, Anthony	Cleared
2	04/16/2015	80006058	100.84	99999	11107	Fossen, Alan	Cleared
2	04/16/2015	80006059	31.25	99999	2234	Newman, Keith	Cleared
2	04/16/2015	80006060	24.83	99999	2411	Gale, Ann J	Cleared
2	04/16/2015	80006061	119.50	99999	11126	Peck, Katherine	Cleared
2	04/16/2015	80006062	132.85	99999	10909	Rolling, Julie	Cleared
2	04/23/2015	80006063	14.33	99999	2391	Brunner, Gretchen	Cleared
2	04/23/2015	80006064	74.59	99999	10525	Laue, Deanna	Cleared
2	04/23/2015	80006065	22.45	99999	2432	Warren, Jeanna S	Cleared
2	04/23/2015	80006066	46.95	99999	2181	Hommel, Elizabeth	Cleared
2	04/23/2015	80006067	47.48	99999	10477	Goff, Karen E	Cleared
2	04/23/2015	80006068	50.00	99999	11095	Arco, Rebecca	Cleared
2	04/23/2015	80006069	49.18	99999	10505	Newman, Michlyn	Cleared
2	04/23/2015	80006070	51.96	99999	2432	Warren, Jeanna S	Cleared
2	04/23/2015	80006071	39.89	99999	2432	Warren, Jeanna S	Cleared
2	04/23/2015	80006072	23.89	99999	2181	Hommel, Elizabeth	Cleared
2	04/23/2015	80006073	17.99	99999	10765	Tussey, Laura	Cleared
2	04/23/2015	80006074	17.83	99999	4054	DeMars, Joan S	Cleared
2	04/23/2015	80006075	17.83	99999	10628	Brown, Nancy K	Cleared
2	04/23/2015	80006076	13.20	99999	10628	Brown, Nancy K	Cleared
2	04/23/2015	80006077	5.56	99999	2436	Childs, Rita	Cleared
2	04/23/2015	80006078	41.94	99999	10834	Lane, James	Cleared
2	04/23/2015	80006079	119.13	99999	2292	Nickleby, Kathe	Cleared
2	04/23/2015	80006080	262.48	99999	10560	Paulson, Mark	Cleared
2	04/23/2015	80006081	42.23	99999	2372	Conzemius, Julie	Cleared
2	04/23/2015	80006082	29.00	99999	10020	Young, Michael R	Cleared
2	04/23/2015	80006083	19.78	99999	2386	Feustel, Krista	Cleared
2	04/23/2015	80006084	1,457.60	03088	0	STEVE HAMMERSCHMIDT	Cleared

FY15 APR 2015 CHECK REGISTER - BANK 02

Bank	Date	Check #	Ck Amt	Vendor #	Addr	Description	Status
2	04/23/2015	80006085	16.82	99999	2411	Gale, Ann J	Cleared
2	04/23/2015	80006086	19.18	99999	2227	Caskey, Jennifer	Cleared
2	04/23/2015	80006087	23.00	99999	2227	Caskey, Jennifer	Cleared
2	04/23/2015	80006088	22.40	99999	2227	Caskey, Jennifer	Cleared
2	04/23/2015	80006089	911.64	99999	2375	Brust, Dee	Cleared
2	04/23/2015	80006090	17.25	99999	10628	Brown, Nancy K	Cleared
2	04/23/2015	80006091	34.96	99999	10807	O'Connor, Kimberly	Cleared
2	04/30/2015	80006092	93.58	99999	2268	Brown, Julie M	Cleared
2	04/30/2015	80006093	359.98	99999	2419	Willers, Catherine	Cleared
2	04/30/2015	80006094	26.93	99999	10863	Kostuch, Samantha	Cleared
2	04/30/2015	80006095	463.94	99999	2034	Hardgrove, John	Cleared
2	04/30/2015	80006096	245.43	99999	3896	Irsfeld, Lisa M	Cleared
2	04/30/2015	80006097	157.58	99999	10641	Greene, Daniel	Cleared
2	04/30/2015	80006098	177.00	99999	10344	Mickelson, Craig	Cleared
2	04/30/2015	80006099	23.00	99999	11100	Henning, Charlotte	Cleared
2	04/30/2015	80006100	33.68	99999	2246	Morreim, Cynthia	Cleared
2	04/30/2015	80006101	35.96	99999	11107	Fossen, Alan	Cleared
2	04/30/2015	80006102	34.50	99999	11112	Harlane, Hans	Cleared
2	04/30/2015	80006103	35.86	99999	10489	May, Sydney L	Cleared
2	04/30/2015	80006104	1,589.96	99999	11107	Fossen, Alan	Cleared
2	04/30/2015	80006105	92.00	99999	4084	Eliason, Laura G	Cleared
2	04/30/2015	80006106	145.00	99999	2436	Childs, Rita	Cleared
2	04/30/2015	80006107	44.28	99999	7851	Klinkhammer, Pam	Cleared
2	04/30/2015	80006108	544.35	03115	0	CHARLES LINDERKAMP	Cleared

Total 938,412.64

APR 2015 CHECK REGISTER- BANK 05

Bank	Check Date	Check Number	Check Amount	Vendor Number	ADDR	Vendor Name	Check Status
5	04/09/2015	50000291	1,895.81	02227	0	CENTURYLINK	
5	04/09/2015	50000292	48.00	01116	0	HERITAGE PRINTING	
5	04/09/2015	50000293	3,185.42	02747	0	TIERNEY BROTHERS INC	
5	04/16/2015	50000294	225.00	04719	0	DOOR SERVICE CO OF THE TWIN CITIES IN	
5	04/16/2015	50000295	144.40	02227	0	CENTURYLINK	

Total 5,498.63

**INDEPENDENT SCHOOL DISTRICT #832
WIRE TRANSFER TRANSACTIONS
MONTH OF APRIL 2015**

<u>DATE</u>	<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>	<u>PURPOSE</u>
4/2/15	MN Trust	MSDLAF	\$500,000.00	cover checks
4/6/15	US Bank	Preferred One	\$21,676.27	claims payment
4/6/15	US Bank	Preferred One	\$344.56	claims payment
4/8/15	State of Minnesota	MN Trust	\$30,343.76	direct state payment
4/13/15	US Bank	Preferred One	\$4,943.52	claims payment
4/13/15	US Bank	US Bank Card Services	\$17,350.26	cardmember payment
4/14/15	US Bank	Peoples Bank of Commerce-EBC Flex	\$7,419.59	flex benefits
4/14/15	US Bank	Peoples Bank of Commerce-403-B/457	\$62,405.98	TSA payment/Deferred Comp
4/14/15	US Bank	The United Educators CU	\$11,406.86	MEA teachers union dues
4/15/15	MSDLAF	US Bank	\$561,914.24	cover checks
4/15/15	US Bank	IRS	\$222,714.51	federal & fica taxes
4/15/15	US Bank	MN Dept of Revenue	\$35,683.81	state payroll taxes
4/15/15	US Bank	Public Emp. Retirement Assoc.	\$24,741.75	pera retirement
4/15/15	US Bank	Mn Teachers Retirement	\$107,079.48	teachers retirement
4/15/15	US Bank	Mn Child Support	\$80.73	child support
4/15/15	State of Minnesota	MN Trust	\$1,148,912.68	direct state payment
4/16/15	US Bank	MN Dept of Revenue	\$133.00	sales tax payment
4/20/15	US Bank	Preferred One	\$3,446.79	claims payment
4/20/15	US Bank	Preferred One	\$34,488.58	claims payment
4/24/15	MN Trust	MSDLAF	\$1,200,000.00	cover checks
4/27/15	US Bank	Preferred One	\$18,845.14	claims payment
4/27/15	US Bank	Preferred One	(\$12.34)	claims payment
4/29/15	US Bank	Peoples Bank of Commerce-EBC Flex	\$7,419.59	flex benefits
4/29/15	US Bank	Peoples Bank of Commerce-403-B/457	\$62,745.48	TSA payment/Deferred Comp
4/29/15	US Bank	Central Bank	\$1,579.64	para union dues
4/29/15	US Bank	The United Educators CU	\$11,406.86	MEA teachers union dues
4/29/15	State of Minnesota	MN Trust	\$31,690.35	direct state payment
4/30/15	MSDLAF	US Bank	\$553,831.04	cover checks
4/30/15	US Bank	IRS	\$218,578.55	federal & fica taxes
4/30/15	US Bank	MN Dept of Revenue	\$34,951.12	state payroll taxes
4/30/15	US Bank	Public Emp. Retirement Assoc.	\$24,174.09	pera retirement
4/30/15	US Bank	Mn Teachers Retirement	\$104,805.26	TRA payment
4/30/15	US Bank	Minnesota Child Support	\$8.97	child support
4/30/15	State of Minnesota	MN Trust	\$2,007,929.18	direct state payment



Education and Leadership for a Lifetime

2100 Freeway Boulevard, Brooklyn Center, Minnesota 55430-1735 | (763) 560-2262, FAX (763) 569-0499 | www.mshsl.org

April 2015

Dear Superintendent:

Each year Minnesota Statute 1993, Section 128C.01, requires individual school boards to authorize membership in the Minnesota State High School League. The Resolution for Membership affirms (1) that the school board for your school delegates the control, supervision and regulation of League-sponsored athletic and fine arts activities to the Minnesota State High School League; (2) that your school board adopts the MSHSL Constitution, Bylaws and Rules and Regulations; and, (3) that the administration of and the responsibility for supervising your registered activities are assigned to your official school representative(s).

Formal approval by the governing board of your school district or school must be made prior to August 1, 2015, to enable the League office to certify your continuation or new membership in the League. If your Designated School Board Representative or Designated School Representative has changed from the previous year, please make that change on your school's page on the MSHSL website database.

I am enclosing the Resolution for Membership form which provides for the appropriate school board action. The resolution form is provided in duplicate. **Please return one copy of the 2015-2016 Resolution for Membership to the Minnesota State High School League and retain one copy for your school files. The deadline for returning the resolution form is September 1, 2015. If the form is not received by the above date, a \$250 late fee will be assessed. No school is eligible to compete in post-season tournaments unless the completed Resolution for Membership is on file in the League office.**

A billing for services, rule books, and other supplies your school has ordered will be mailed in mid-August as has been the accepted procedure in the past. This billing, which includes a \$100 service fee, will be based on the materials your school has submitted to the League regarding the activities your school will sponsor during the 2015-2016 school year.

Please be reminded of the following:

1. August 1 begins the MSHSL fiscal year and the Resolution for Membership must be approved by your local school board.
2. **September 1 is the due date for return of the resolution form.** A late fee will be assessed if the resolution is not returned by that date; your students **WILL NOT BE COVERED** by the catastrophic insurance plan; your school district must assume that responsibility; and your students will not be allowed to participate in League-sponsored events.
3. **The resolution form must be completed in full**, including signatures of the superintendent and clerk/secretary of the board of education.
4. Please note the italicized paragraph on the Resolution for Membership from which begins, "*Member schools must develop...*" This language and the steps related to MSHSL Bylaw 206, Good Standing and General Eligibility Requirements as found in the most current MSHSL Official Handbook. The opportunity for a student to appeal a local Code of Conduct decision at your school level most often appears in your school's Student Handbook. Please review your school's internal process as your school board approves the Student Handbook.

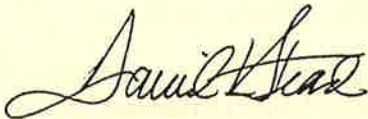
5. Effective for the 2015-2016 school year, each school board must view the WHY WE PLAY training video which defines the purpose of education-based athletics and activities and will assist in communicating a shared-common language as it relates to the value of these programs.

Enclosed is a jump drive with the required Why We Play training video (in both mac and pc format) titled "Aligning School Communities Around The Purpose of Education-Based Programs." The school's athletic administrator has been provided with the necessary resources and training to assist in the facilitation of this short educational requirement.

I would suggest that you place this resolution on your agenda as soon as possible, and certainly not later than a June or July board meeting, in order to avoid last-minute efforts late in the summer which may create problems for your board and administrative staff to meet the September 1, 2015 deadline.

Membership in the Minnesota State High School League will provide your students with rewarding benefits as they participate in the education-based athletic and fine arts activities sponsored by your school. The League staff looks forward to an on-going partnership with your school, your school personnel, and the students in your community.

Sincerely,



David V. Stead
Executive Director

DVS/lmj
Enclosures

Minnesota State High School League
2100 Freeway Boulevard
Brooklyn Center, MN 55430-1735
763-560-2262 Fax: 763.569.0499 www.mshsl.org

**2015-2016 RESOLUTION FOR MEMBERSHIP
IN THE MINNESOTA STATE HIGH SCHOOL LEAGUE**

RESOLVED, that the Governing Board of School District Number 832, County of Washington, State of Minnesota delegates the control, supervision and regulation of interscholastic athletic and fine arts events (referred to in MN Statutes, Section 128C.01) to the Minnesota State High School League, and so hereby certifies to the State Commissioner of Education as provided for by Minnesota Statutes.

FURTHER RESOLVED, that the high school(s) listed below (name all high schools in the district):

Mahtomedi High School

is/are authorized by this, the Governing Board of said school district or school to:

1. _____ Make new application for membership in the Minnesota State High School League; School Enrollment (9-12): _____
OR;
 Renew its membership in the Minnesota State High School League; and,
2. Participate in the approved interschool activities sponsored by said League and its various subdivisions.
3. _____ Our school **WILL NOT** be renewing its membership in the Minnesota State High School League.

FURTHER RESOLVED, that this Governing Board hereby adopts the Constitution, Bylaws, Rules and Regulations of said League and all amendments thereto as the same as are published in the latest edition of the League's *Official Handbook*, on file at the office of the school district or as appears on the League's website, as the minimum standards governing participation in said League-sponsored activities, and that the administration and responsibility for determining student eligibility and for the supervision of such activities are assigned to the official representative identified by the Governing Board.

Signing the Resolution for Membership affirms that this Governing Board has reviewed the WHY WE PLAY training video which defines the purpose of education-based athletic and activity programs and will assist school communities in communicating a shared-common language as it relates to the value of these said programs.

Member schools must develop and publicize administrative procedures to address eligibility suspensions related to Code of Student Conduct violations for students participating in activity programs by member schools.

The above Resolution was adopted by the Governing Board of this school district and is recorded in the official minutes of said Board and hereby is certified to the State Commissioner of Education as provided for by law.

Signed: _____ Signed: _____
Clerk/Secretary - Local Governing Board Superintendent or Head of School

Date: May 14, 2015 Date: May 14, 2015

District Office Address, City, Zip: 1520 Mahtomedi Avenue
Mahtomedi, MN 55115

School Superintendent's Phone: 651-467-2001 School Superintendent's Email: mark.larson@isd832.net

RETURN ONE COPY TO THE MSHSL NOT LATER THAN SEPTEMBER 1, 2015

Retain one copy for the school files.

April 23, 2015

APR 29 2015

Mark Larson Superintendent
Mahtomedi
1520 Mahtomedi Ave
Mahtomedi, MN 55115

Dear Mark Larson,

Thank you to Mahtomedi for being willing to serve as a mentor district for our Southwest Minnesota State University Teacher Education Program Students. Enclosed you will find three copies of the agreement for field experience supervision from July 2015 to June 2018.

The financial honorarium that comes to the school or cooperating teacher for the services provided is not large; however, the teachers' mentoring is invaluable! Student teaching is a full semester experience which is scheduled after the completion of all course work and field experiences. SMSU agrees to pay \$10 per semester credit for each student teacher placed in one of your schools. Typically, our students are registered for 12 semester credits for \$120 per student. The district can put these dollars in an overall fund, or choose to give it to the mentor teacher. In return, the school district agrees to supply the student teacher with the opportunity to work in a cooperative teaching and learning environment with teachers certified at standards equal or superior to the regulations of the State of Minnesota. Payment of said honorarium will be made to the School District or the teacher, depending on your policy.

Please obtain the Board Chairperson's signature, title and date on the second page of all three sets of the enclosed Student Teaching Agreement. Return all three signed sets to our office. We will have our Interim Provost sign all copies then return one copy to you for your records.

Please feel free to contact me with any questions.

We look forward to working with your district as we prepare future teachers!

Thank you,

Amy Christensen, Ed.D.
Director SMSU Office of Placement and Licensure
1501 State Street, IL 152
Marshall, MN 56258
507-537-6212
amy.christensen2@smsu.edu

Enclosures

**STATE OF MINNESOTA
MINNESOTA STATE COLLEGES AND UNIVERSITIES
SOUTHWEST MINNESOTA STATE UNIVERSITY
STUDENT TEACHING AGREEMENT**

This agreement is entered into between the Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Southwest Minnesota State University, 1501 State Street, Marshall, MN 56258 (hereinafter "University") and Pine City – ISD 578 (hereinafter "the school"), Pine county located at Pine City, MN.

1. The university agrees that:

- a. It will place at the school only student teachers who are eligible for such placement under State and university rules.
- b. It will pay to the school **or** cooperating teacher an amount not to exceed \$120 for each full-time student teacher placed in the school.
- c. It will provide general student teaching supervision by university designees.
- d. It will cooperate with the school in the development and implementation of the Student Teaching Program.

2. The school agrees that:

- a. It will supply to the student teacher so placed by the university an opportunity to work in a teaching-learning situation under the supervision of a practicing teacher who holds a continuing license and has; at least three years total teaching experience.
- b. It will cooperate with the university in the development and implementation of the Student Teaching Program.
- c. It shall provide appropriate supervision of the student teacher pursuant to rules promulgated by its board. Such rules may not conflict with any minimum requirements established by the State or the university with regard to the Student Teaching Program.
- d. It shall immediately notify the university if there is a change in the licensure status of any practicing teacher providing supervision to any student teacher assigned hereunder.
- e. It shall not replace any of its employees nor fill any vacancies normally filled by an employee with a student teacher assigned under this agreement. Therefore, a student teacher shall not act as a substitute teacher.
- f. It shall consider and treat any student teacher placed at the school pursuant to this agreement as an employee for purposes of worker's compensation.
- g. It shall consider and treat any student teacher placed in the school pursuant to this agreement as an employee for purposes of liability insurance coverage and the provision of legal counsel.
- h. It shall reserve the right to deny a student teaching opportunity to an applicant and to terminate a student teaching assignment for cause.

- i. It will conduct a Background Check of student teacher if required by the district. Cost of Background Check will be the responsibility of the student teacher. The school district has the right to refuse a student teacher if the criminal background check reveals that the prospective student teacher was convicted of a crime that would disqualify the student teacher from working in the district.
- j. It shall consider and treat all records and data regarding a student teacher, whether such records or data are received from the University or the student teacher or are generated by the School, as records and data subject to the provisions of Minnesota Statutes Sections 13.01 et seq., Minnesota Rules part 1205.0100 et seq., 20 U.S.C. 1232 g and 34 C.F.R. Section 99.1 et seq. The School shall comply with the provisions of these State and Federal statutes and regulations as applied to records and data regarding any student teacher placed at the School pursuant to this agreement as though such statutes and regulations were fully applicable to the school.

3. General provisions:

- a. The term of this agreement shall commence on July 1, 2015 and end on June 30, 2018.
- b. The school shall neither assign nor transfer any rights or obligations under this agreement without the prior written consent of the University.
- c. Any amendments to this agreement shall be in writing.

APPROVED:

SCHOOL: Mankato Public Schools

NAME: _____

TITLE: School Board Chair

DATE: 5-14-15

UNIVERSITY: SOUTHWEST MINNESOTA STATE UNIVERSITY

NAME: _____

TITLE: _____

DATE: _____