

INDEPENDENT SCHOOL DISTRICT #832
REGULAR MEETING – BOARD OF EDUCATION
Monday, July 13, 2015 - 4:00 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. There will be no presentations/recognition this month.
6. PUBLIC COMMENT

Visitors attending the meeting who wish to address the school board on any issue that is on the agenda may do so at this time. Please refer to the last page for the procedure that has been established for public comments.
7. REPORT FROM STUDENT REPRESENTATIVE
 - A. There will be no student representative report this month.
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B. Integration District: Educational Equity Alliance (EEA) Presenter: Mary Jo Deters	
C. Minnesota School Boards Association (MSBA) Legislative Liaison Presenter: Kevin Donovan	
D. Northeast Metro 916 Board Presenter: Judy Schwartz	
E. Other Items/Reports	
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- B. Approval to Pay Bills
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- C. Approval of Wire Transfer Transactions 284
- D. Approval of Donations/Grants Totaling \$96,373.15
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 4M Fund City of Mahtomedi to Mahtomedi Area Community Education - \$52,676
 - 2. From Mahtomedi Area Educational Foundation to Mahtomedi Public Schools (Spring Grants) - \$33,315.90
 - 3. From The St. Paul Foundation-Murphy Charitable Fund to Mahtomedi High School Girls' Soccer Program - \$4,860
 - 4. From Minnesota Track Coaches Association to Mahtomedi High School - \$1,100
 - 5. From Wildwood Lions to Mahtomedi Area Community Education - \$972
 - 6. From Mahtomedi Area Educational Foundation to Mahtomedi Public Schools (WAS Faculty Concert Proceeds) - \$868.25
 - 7. From Mahtomedi P.T.O. to Wildwood Elementary School (Summit Hill Brass Concert) - \$800
 - 8. From Mahtomedi High School Hockey to Mahtomedi High School Hockey Program - \$775
 - 9. From Wildwood Lions Club Foundation to Mahtomedi Area Community Education Youth Programs - \$576
 - 10. From The Men's Wearhouse to Mahtomedi High School Interact Club - \$430
- E. Approval of Membership in the Association of Metropolitan School Districts (AMSD) for 2015-2016 285
- F. Approval of Membership in the Metropolitan Educational Cooperative Service Unit (ECSU) for 2015-2016 286
- G. Approval of Membership in the Minnesota School Boards Association (MSBA) for 2015-2016 287
- H. Approval of Revised 2015-2016 and 2016-2017 School Calendars 288
Wildwood Elementary School Curriculum Nights rescheduled from September 24 to September 17, 2015 and from September 22 to September 15, 2016.
- I. Personnel
 - 1. Approval of Contracts and Work Agreements

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- a. Jennina Boskovich - Counselor - Mahtomedi Middle School (2015-2016)
- b. James Fisette - Cleaner - Mahtomedi High School (6/22/15)
- c. Nicole Loch - Work Experience Coordinator - Mahtomedi High School (2015-2016)

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, June 11, 2015**, beginning at 7:00 PM in the Mahtomedi District Education Center - Community Room.

1. CALL TO ORDER

Meeting called to order at 7:02 p.m. by Chair Judy Schwartz.

2. ROLL CALL OF ATTENDANCE

Present: Mike Chevalier; Mary Jo Deters (arrived 7:32 p.m.); Kevin Donovan; Julie McGraw; Judy Schwartz; Superintendent Mark Larson, ex officio; and Carter Hill, Student Representative. Absent: Lucy Payne.

3. APPROVAL OF THE AGENDA

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

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

School Board Chair Judy Schwartz noted the \$104,000 in donations and expressed the school board/district's formal thank you. McGraw moved, Chevalier seconded, approval of the actions recommended on the consent agenda. Carried.

5. PRESENTATIONS/RECOGNITION

A. Student/Staff/Community Recognition

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

Mahtomedi Middle School Student Council: Julie Brown and Ajah Williams
Mahtomedi Middle School Volunteers: LouAnn Hanson and Robin Thomford
Outstanding Young Band Director Award: Mike Moeller
State Adapted Bowling: Molly Thompson

6. PUBLIC COMMENT

None.

7. REPORT FROM STUDENT REPRESENTATIVE

School Board Student Representative Carter Hill recapped the end of the school year and his year of being the school board student representative.

8. APPROVAL OF MINUTES

A. May 14, 2015 - Regular Meeting

Donovan moved, McGraw seconded, approval of the minutes from the May 14, 2015, regular school board meeting. Carried.

B. May 28, 2015 - Study Session

Donovan moved, McGraw seconded, approval of the minutes from the May 28, 2015, school board study session. Carried.

9. DISCUSSION/INFORMATION ITEMS

A. Calendar of Events

Chair Judy Schwartz reviewed the calendar of events.

B. Black Box/Broadcast Studio Update

Mike Moeller, Mahtomedi High School Band Director, reported on what classes the MAC Lab will offer: piano (keyboarding), guitar, and music and event broadcasting. The MAC Lab is a portable classroom that will be set up in the Black Box Theater next school year and can be moved for other events that need to take place in the Black Box. Interest in these classes is expected to grow so it is not known yet if the MAC Lab will stay in the Black Box or have to find new space for following school years.

C. 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 in section 400 (Employees/Personnel), Superintendent Mark Larson reviewed new policies recommended by MSBA, changes to current policies, and policies that need no change: 401 - Equal Employment Opportunity,

402 - Disability Nondiscrimination Policy, 403 - Discipline, Suspension and Dismissal of School District Employees, 404 - Employment Background Checks, 405 - Veteran's Preference, 406 - Public and Private Personnel Data, 407 - Employee Right to Know - Exposure to Hazardous Substances, 408 - Subpoena of a School District Employee, 409 - Employee Publications, Instructional Materials, Inventions and Creations, 412 - Expense Reimbursement, 416 - Drug and Alcohol Testing, 417 - Chemical Use and Abuse, 418 - Drug-Free Workplace/Drug-Free School, 419 - Tobacco-Free Environment, 420 - Students and Employees with Sexually Transmitted Infections and Diseases and Certain Other Communicable Diseases and Infectious Conditions, 421 - Gifts to Employees, 422 - Policies Incorporated by Reference, 423 - Employee-Student Relationships, 424 - License Status, 427 - Workload Limits for Certain Special Education Teachers, 399 - Administrator Performance Appraisal.

D. Second Reading of Policies

The following policies were brought for a second reading: 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 Meetings and Data Privacy Considerations, 207 - Public 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-State 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. Superintendent Mark Larson reviewed changes that were made at the first reading to policies 204 and 706.

10. ACTION ITEMS

A. Approval of Preliminary Budget for 2015-2016

Rochel Manders, Director of Business Services, reviewed with the school board the preliminary 2015-2016 budget. The funds the school board will be approving tonight and their projected June 30, 2016 fund balance are: General Fund - \$4,361,705, Food Service Fund - \$290,503, Community Education Fund - \$518,541, Debt Service Fund - \$275,916, and OPEB Debt Service Fund - \$60,811. Donovan moved, Chevalier seconded, approval of the preliminary budget for 2015-2016. Carried.

B. Approval of Resolution Relating to 2015-2016 Open Enrollment (Window #3)

Superintendent Mark Larson reviewed with school board members current enrollment numbers and what is being projected for 2015-2016.

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.

In April, 1 of the 49 applications received in Window #2, was approved under Sibling/Employee Preference. Also, 37 of the 126 applications on the waiting list, were approved. Grades K-5 and 12 remained closed. Of the 38 that were approved, 4 declined attendance.

At this time, of the 15 applications received in Window #3, Larson recommended approving 5. Also, of the 131 applications on the waiting list, Larson recommended approving 9. Grades K-5 and 12 remain closed. McGraw moved, Deters seconded, approval of Resolution Relating to 2015-2016 Open Enrollment (Window #3). Carried.

C. Approval of Policies

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

D. Approval to Repeal Policies

Deters moved, McGraw seconded approval to repeal the following policies: 425 - Staff Development, 430 - Employment of Coaches for Extracurricular Assignments, 431 - Noncontract Grievance Procedure - Licensed Personnel, 432 - Teaching Improvement Program (TIP), 434 - Instructional Assignments - Licensed Instructional Staff, 435 - Transfer - Licensed Instructional Staff, 436 - Non-Licensed Job Description Review Process, 437 - Retirement Savings Options, 438 - Administrative Supervision and Evaluation of Teachers. Carried.

11. SCHOOL BOARD COMMITTEE REPORTS

A. Association of Metropolitan School Districts (AMSD) Board

Superintendent Mark Larson gave an update on the last AMSD meeting.

B. Integration District: Educational Equity Alliance (EEA)

No report.

C. Minnesota School Boards Association (MSBA) Legislative Liaison

School Board Treasurer Kevin Donovan reminded school board members about the upcoming summer seminar in August.

D. Northeast Metro 916 Board

School Board Chair Judy Schwartz reported on the last 916 board meeting where legislative actions that affect 916 funding was discussed, there was a presentation on a new building in Lake Elmo, summer programming was highlighted, and invited school board and audience members to participate in the 916 Foundation golf event.

E. Other Items/Reports

School Board Policy Committee – Superintendent Mark Larson reported on tonight's Policy Committee meeting where policies in section 500 were reviewed and will be brought to the July 13 school board meeting for a first reading.

MAEF – School Board Director Julie McGraw gave an update on the May meeting where proceeds received from the Gala were discussed.

12. SUPERINTENDENT'S REPORT

Superintendent Mark Larson reported on the following: good finish to the school year, senior send off and graduation, state tournaments, PLC meeting, received preliminary ACT results, Project Music discussion, and will be attending Summer Leadership Institute.

13. ADJOURNMENT

Deters moved, McGraw seconded, adjournment. Meeting adjourned at 8:09 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. 387784 to 388098 and 80006109 to 80006221
2. Check Register 05 - Check No 50000296 to 50000300

C. Approval of Wire Transfer Transactions

D. Approval of Donations/Grants Totaling \$104,000

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 Cossack Foundation to Mahtomedi Public Schools - \$100,000
2. From Wildwood Lions to Mahtomedi Area Community Education Adult Senior Program - \$4,000

E. Approval of Mahtomedi Compensation Plan

F. Personnel

1. Approval of Contracts and Work Agreements

- a. Katherine Freemyer - Early Childhood Special Education Teacher - Wildwood Elementary School (2015-2016)
- b. Margaret Klabunde - School-Age Child Care Coordinator - Community Education (2015-2016)
- c. Courtney McCormick - Engineering Coordinator - Mahtomedi High School (2015-2016)
- d. Kelly Wilke - Chemistry Teacher - Mahtomedi High School (2015-2016)

2. Approval of Leaves of Absence

- a. Tory Ferrey - Paraprofessional - Mahtomedi High School (2015-2016)

3. Approval of Resignations/Retirements/Terminations

- a. Courtney Hatcher - Paraprofessional - Mahtomedi High School (6/5/15)
- b. Jane Martz - Principal's Secretary - O. H. Anderson Elementary School (7/30/15)
- c. Teresa Rodrique - Paraprofessional - O. H. Anderson Elementary School (6/5/15)
- d. Rebecca Wilson-Abbott - Early Childhood Special Education Teacher - Wildwood Elementary 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, June 25, 2015**, beginning at 7:00 PM in the Mahtomedi District Education Center - Teaching & Learning Center.

1. CALL TO ORDER

Meeting called to order at 7:02 p.m. by Chair Judy Schwartz.

2. ROLL CALL OF ATTENDANCE

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

Also present: Rochel Manders, Director of Business Services and Lynne Viker, Director of Teaching and Learning and Support Services.

3. APPROVAL OF THE AGENDA

Payne moved, Donovan seconded, approval to amend the agenda by adding 5. A. Discussion of Labor Negotiations. Carried. McGraw moved, Chevalier seconded approval of agenda as amended. Carried.

4. DISCUSSION/INFORMATION ITEMS

A. Integration Program Update

Lynne Viker, Director of Teaching and Learning and Support Services informed school board members that the integration plan and budget were approved by the Minnesota Department of Education. Will be receiving \$15,000 more in funding. Discussed some training pieces that will take place and the vacant director/coordinator position at North St. Paul-Maplewood- Oakdale.

B. Instructional Leadership

Lynne Viker, Director of Teaching and Learning and Support Services, presented on the Mahtomedi Instructional Data Leadership Team. Viker discussed the 3-5 year plan for district focus and goals, elements of assessment literate, role of Instructional Leadership Team, action steps to increase staff assessment literacy, support and

strengthen PLC teams, increase skills in data analysis and interpretation, select strategies of implementation that work, formative assessment, develop, implement, and analyze common assessments, and grading based on standards.

C. 2015-2016 Projected Enrollment Update

Superintendent Mark Larson reviewed and discussed with school board members the updated 2015-2016 projected enrollment numbers. Also revisited the open enrollment waiting list and whether or not to approve more kindergartners and or 6th graders in July. Dr. Mike Neubeck, Mahtomedi Middle School Principal, discussed with school board members the target enrollment by grade and class sizes at Mahtomedi Middle School. Lynne Viker, Director of Teaching and Learning and Support Services, handed out grade 4 and 5 math and reading cohort percent in proficiency level. Also discussed district total enrollment, building capacities, and effect of more or less students on budget.

D. Strategic Planning Update

Superintendent Mark Larson shared the Strategic Plan and Monitoring the District's Strategic Plan documents in preparation for the July 13 planning retreat. At that retreat, the school board will agree on mission and vision statements. The belief statements remain unchanged. Larson asked the board to review handouts and be prepared to discuss at the retreat.

5. CLOSE MEETING

Donovan moved, McGraw seconded, approval to close meeting. Carried.

A. Discussion of Labor Negotiations Pursuant to Minnesota Statute 13D.03.

B. Discussion of Personnel Matter Pursuant to Minnesota Statute 13D.05, subd. 3(a) - Superintendent Evaluation

6. OPEN MEETING

Payne moved, Chevalier seconded, approval to open meeting. Carried.

7. ADJOURNMENT

Chevalier moved, Donovan seconded, adjournment. Carried. Meeting adjourned at 9:05 p.m.

LUCY PAYNE, CLERK

CALENDAR OF EVENTS

JULY		
DATE/TIME	MEETING/EVENT	LOCATION
<u>Monday, July 13</u> 8:00 a.m.-3:00 p.m.	School Board Planning Retreat	Kopp Technology Center Conference Room, Century College
4:00 p.m.	School Board Meeting	District Education Center - Community Room
AUGUST		
DATE/TIME	MEETING/EVENT	LOCATION
<u>Monday, August 3</u> 8:15 a.m.-4:00 p.m.	MSBA Summer Seminar-(Chevalier, <i>Donovan</i> , <i>McGraw</i> , <i>Larson</i>)	Minneapolis Marriott Northwest, Brooklyn Park
<u>Wednesday, August 5</u> 6:00 p.m.	Northeast Metro 916 School Board Meeting-(<i>Schwartz</i>)	Bellaire School, White Bear Lake
<u>Thursday, August 13</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>Friday, August 14</u> 7:00-9:00 a.m.	AMSD Board of Directors Meeting-(<i>Chevalier</i>)	TIES Building, St. Paul
<u>Monday, August 17</u> 7:00-8:30 p.m.	MAEF Board of Trustees Meeting-(<i>McGraw</i>)	
<u>Wednesday, August 26 – Friday, August 28</u>	New Employee Orientation	
<u>Thursday, August 27</u> 5:00 p.m. 7:00 p.m.	School Board Personnel Committee Meeting School Board Study Session	District Education Center - Board Room District Education Center - Community Room
<u>Monday, August 31 – Thursday, September 3</u>	Staff Development	

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

Regular Meeting - Board of Education

Date: July 13, 2015

Agenda Item #9. C. 1-28

TOPIC: First Reading of Policies

- 501-School Weapons Policy
- 502-Search of Student Lockers, Desks, Personal Possessions, and Student's Person
- 503-Student Attendance
- 504-Student Dress and Appearance
- 505-Distribution of Non-school-Sponsored Materials on School Premises by Students and Employees
- 507-Corporal Punishment
- 508-Extended School Year for Certain Students with Individualized Education Programs
- 511-Student Fundraising
- 512-School-Sponsored Student Publications and Activities
- 513-Student Promotion, Retention, and Program Design
- 513.1-Procedures for Pupil Retention and Acceleration
- 516-Student Medications
- 517-Student Recruiting
- 518-DNR-DNI Orders
- 519-Interviews of Students by Outside Agencies
- 520-Student Surveys
- 521-Student Disability Nondiscrimination
- 523-Policies Incorporated by Reference
- 525-Violence Prevention [Applicable to Students and Staff]
- 526-Hazing Prohibition
- 527-Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches
- 529-Staff Notification of Violent Behavior by Students
- 530-Immunization Requirements
- 531-The Pledge of Allegiance
- 532-Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds
- 533-Wellness
- 598-Early Admission to Kindergarten
- 599-Pupil Fee Guidelines

BACKGROUND: The policies listed above have been reviewed by MSBA, district administration, and then by the Policy Committee. They are presented here for a first reading.

ACTION RECOMMENDED: Provide direction for administration on what changes to the policies are required for the second reading on August 13, 2015.

Submitted By:

Mark Larson

Name

Superintendent of Schools

Title

Concurrence By:

Mark Larson

Dr. Mark Larson

Superintendent of Schools



First Reading: July 13, 2015

Revised: _____

Adopted: 12/10/09

501 SCHOOL WEAPONS POLICY

I. PURPOSE

The purpose of this policy is to assure a safe school environment for students, staff and the public.

II. GENERAL STATEMENT OF POLICY

No student or nonstudent, including adults and visitors, shall possess, use or distribute a weapon when in a school location except as provided in this policy. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school employee, volunteer, or member of the public who violates this policy.

III. DEFINITIONS

A. "Weapon"

1. A "weapon" means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including, but not limited to, any firearm, whether loaded or unloaded; airguns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; numchucks; throwing stars; explosives; fireworks; mace and other propellants; stunguns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.
2. No person shall possess, use or distribute any object, device or instrument having the appearance of a weapon and such objects, devices or instruments shall be treated as weapons including, but not limited to, weapons listed above which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon.
3. No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.), to inflict bodily harm

and/or intimidate and such use will be treated as the possession and use of a weapon.

- B. “School Location” includes any school building or grounds, whether leased, rented, owned or controlled by the school, locations of school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the area of entrance or departure from school premises or events, all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the school district.
- C. “Possession” means having a weapon on one’s person or in an area subject to one’s control in a school location.

IV. EXCEPTIONS

- A. A student who finds a weapon on the way to school or in a school location, or a student who discovers that he or she accidentally has a weapon in his or her possession, and takes the weapon immediately to the principal’s office shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the principal’s office, a student shall not be considered to possess a weapon if he or she immediately turns the weapon over to an administrator, teacher or head coach or immediately notifies an administrator, teacher or head coach of the weapon’s location.
- B. It shall not be a violation of this policy if a nonstudent (or student where specified) falls within one of the following categories:
 - 1. active licensed peace officers;
 - 2. military personnel, or students or nonstudents participating in military training, who are on duty performing official duties;
 - 3. persons authorized to carry a pistol under Minn. Stat. § 624.714 while in a motor vehicle or outside of a motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle;
 - 4. persons who keep or store in a motor vehicle pistols in accordance with Minn. Stat. §§ 624.714 or 624.715 or other firearms in accordance with § 97B.045;
 - a. Section 624.714 specifies procedures and standards for obtaining pistol permits and penalties for the failure to do so. Section 624.715 defines an exception to the pistol permit requirements for “antique firearms which are carried or possessed as curiosities or for their historical significance or value.”
 - b. Section 97B.045 generally provides that a firearm may not be transported in a motor vehicle unless it is (1) unloaded and in a gun

case without any portion of the firearm exposed; (2) unloaded and in the closed trunk; or (3) a handgun carried in compliance with §§ 624.714 and 624.715.

5. firearm safety or marksmanship courses or activities for students or nonstudents conducted on school property;
6. possession of dangerous weapons, BB guns, or replica firearms by a ceremonial color guard;
7. a gun or knife show held on school property;
8. possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other person having general control and supervision of the school or the director of a child care center; or
9. persons who are on unimproved property owned or leased by a child care center, school or school district unless the person knows that a student is currently present on the land for a school-related activity.

C. Policy Application to Instructional Equipment/Tools

While the school district takes a firm “Zero Tolerance” position on the possession, use or distribution of weapons by students, and a similar position with regard to nonstudents, such a position is not meant to interfere with instruction or the use of appropriate equipment and tools by students or nonstudents. Such equipment and tools, when properly possessed, used and stored, shall not be considered in violation of the rule against the possession, use or distribution of weapons. However, when authorized instructional and work equipment and tools are used in a potentially dangerous or threatening manner, such possession and use will be treated as the possession and use of a weapon.

D. Firearms in School Parking Lots and Parking Facilities

A school district may not prohibit the lawful carry or possession of firearms in a school parking lot or parking facility. For purposes of this policy, the “lawful” carry or possession of a firearm in a school parking lot or parking facility is specifically limited to nonstudent permit-holders authorized under Minn. Stat. § 624.714 to carry a pistol in the interior of a vehicle or outside the motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle. Any possession or carry of a firearm beyond the immediate vicinity of a permit-holder’s vehicle shall constitute a violation of this policy.

V. CONSEQUENCES FOR STUDENT WEAPON POSSESSION / USE / DISTRIBUTION

- A. The school district takes a position of “Zero Tolerance” in regard to the possession, use or distribution of weapons by students. Consequently, the minimum consequence for students possessing, using or distributing weapons shall include:
1. immediate out-of-school suspension;
 2. confiscation of the weapon;

3. immediate notification of police;
4. parent or guardian notification; and
5. recommendation to the superintendent of dismissal for a period of time not to exceed one year.

B. Pursuant to Minnesota law, a student who brings a firearm, as defined by federal law, to school will be expelled for at least one year. The school board may modify this requirement on a case-by-case basis.

C. Administrative Discretion

While the school district takes a “Zero Tolerance” position on the possession, use or distribution of weapons by students, the superintendent may use discretion in determining whether, under the circumstances, a course of action other than the minimum consequences specified above is warranted. If so, other appropriate action may be taken, including consideration of a recommendation for lesser discipline.

VI. CONSEQUENCES FOR WEAPON POSSESSION / USE / DISTRIBUTION BY NONSTUDENTS

A. Employees

1. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, or discharge as deemed appropriate by the school board.
2. Sanctions against employees, including nonrenewal, suspension, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.
3. When an employee violates the weapons policy, law enforcement may be notified, as appropriate.

B. Other Nonstudents

1. Any member of the public who violates this policy shall be informed of the policy and asked to leave the school location. Depending on the circumstances, the person may be barred from future entry to school locations. In addition, if the person is a student in another school district, that school district may be contacted concerning the policy violation.
2. If appropriate, law enforcement will be notified of the policy violation by the member of the public and may be asked to provide an escort to remove the member of the public from the school location.

Legal References: Minn. Stat. § 97B.045 (Transportation of Firearms)
Minn. Stat. § 121A.05 (Referral to Police)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)
Minn. Stat. § 609.02, Subd. 6 (Definition of Dangerous Weapon)
Minn. Stat. § 609.605 (Trespass)
Minn. Stat. § 609.66 (Dangerous Weapons)
Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)
Minn. Stat. § 624.715 (Exemptions; Antiques and Ornaments)
18 U.S.C. § 921 (Definition of Firearm)
In re C.R.M. 611 N.W.2d 802 (Minn. 2000)

Cross References: Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
Policy 506 (Student Discipline)
Policy 525 (Violence Prevention)



First Reading: July 13, 2015

Revised: _____

Adopted: 3/23/87

502 SEARCH OF STUDENT LOCKERS, DESKS, PERSONAL POSSESSIONS, AND STUDENT'S PERSON

I. PURPOSE

The purpose of this policy is to provide for a safe and healthful educational environment by enforcing the school district's policies against contraband.

II. GENERAL STATEMENT OF POLICY

A. Lockers and Personal Possessions within a Locker

Pursuant to Minnesota statutes, school lockers are the property of the school district. At no time does the school district relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school officials for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school officials have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, the school officials must provide notice of the search to students whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials.

B. Desks

School desks are the property of the school district. At no time does the school district relinquish its exclusive control of desks provided for the convenience of students. Inspection of the interior of desks may be conducted by school officials for any reason at any time, without notice, without student consent, and without a search warrant.

C. Personal Possessions and Student's Person

The personal possessions of students and/or a student's person may be searched when school officials have a reasonable suspicion that the search will uncover a

violation of law or school rules. The search will be reasonable in its scope and intrusiveness.

- D. It shall be a violation of this policy for students to use lockers and desks for unauthorized purposes or to store contraband. It shall be a violation for students to carry contraband on their person or in their personal possessions.

III. DEFINITIONS

- A. “Contraband” means any unauthorized item possession of which is prohibited by school district policy and/or law. It includes but is not limited to weapons and “look-alikes,” alcoholic beverages, controlled substances and “look-alikes,” overdue books and other materials belonging to the school district, and stolen property.
- B. “Personal possessions” includes but is not limited to purses, backpacks, book bags, packages, and clothing.
- C. “Reasonable suspicion” means that a school official has grounds to believe that the search will result in evidence of a violation of school district policy, rules, and/or law. Reasonable suspicion may be based on a school official’s personal observation, a report from a student, parent or staff member, a student’s suspicious behavior, a student’s age and past history or record of conduct both in and out of the school context, or other reliable sources of information.
- D. “Reasonable scope” means that the scope and/or intrusiveness of the search is reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g. to prevent violence, serious and immediate risk of harm or destruction of evidence), and the age of the student.

IV. PROCEDURES

- A. School officials may inspect the interiors of lockers and desks for any reason at any time, without notice, without student consent, and without a search warrant.
- B. School officials may inspect the personal possessions of a student and/or a student’s person based on a reasonable suspicion that the search will uncover a violation of law or school rules. A search of personal possessions of a student and/or a student’s person will be reasonable in its scope and intrusiveness.
- C. As soon as practicable after a search of personal possessions within a locker pursuant to this policy, the school officials must provide notice of the search to students whose possessions were searched unless disclosure would impede an ongoing investigation by police or school officials.

- D. Whenever feasible, a search of a person shall be conducted in private by a school official of the same sex. A second school official of the same sex shall be present as an observer during the search of a person whenever feasible.
- E. A strip search is a search involving the removal of coverings or clothing from private areas. Mass strip searches, or body cavity searches, are prohibited. Strip searches will be conducted only in circumstances involving imminent danger.
- F. A school official conducting any other search may determine when it is appropriate to have a second official present as an observer.
- G. A summary of this policy will be printed in the student handbook or disseminated in any other way which school officials deem appropriate.

V. DIRECTIVES AND GUIDELINES

School administration may establish reasonable directives and guidelines which address specific needs of the school district, such as use of tape in lockers, standards of cleanliness and care, posting of pin-ups and posters which may constitute sexual harassment, etc.

VI. SEIZURE OF CONTRABAND

If a search yields contraband, school officials will seize the item and, where appropriate, turn it over to legal officials for ultimate disposition.

VII. VIOLATIONS

A student found to have violated this policy and/or the directives and guidelines implementing it shall be subject to discipline in accordance with the school district's Student Discipline Policy, which may include suspension, exclusion, or expulsion, and the student may, when appropriate, be referred to legal officials.

Legal References: U. S. Const., amend. IV
 Minn. Const., art. I, § 10
New Jersey v. T.L.O., 469 U.S. 325, 105 S.Ct. 733, 83 L.Ed.2d 720 (1985)
 Minn. Stat. § 121A.72 (School Locker Policy)

Cross References: Policy 417 (Chemical Use and Abuse)
 Policy 418 (Drug-Free Workplace/Drug-Free School)
 Policy 501 (School Weapons)
 Policy 506 (Student Discipline)



First Reading: July 13, 2015

Adopted: _____

503 STUDENT ATTENDANCE

I. PURPOSE

- A. The school board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.
- B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher, and administrators. This policy will assist students in attending class.

II. GENERAL STATEMENT OF POLICY

A. Responsibilities

1. Student's Responsibility

It is the student's right to be in school. It is also the student's responsibility to attend all assigned classes and study halls every day that school is in session and to be aware of and follow the correct procedures when absent from an assigned class or study hall. Finally, it is the student's responsibility to request any missed assignments due to an absence.

2. Parent or Guardian's Responsibility

It is the responsibility of the student's parent or guardian to ensure the student is attending school, to inform the school in the event of a student absence, and to work cooperatively with the school and the student to solve any attendance problems that may arise.

3. Teacher's Responsibility

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also

the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's responsibility to provide any student who has been absent with any missed assignments upon request. Finally, it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

4. Administrator's Responsibility

- a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.
- b. In accordance with the Minnesota Compulsory Instruction Law, Minn. Stat. § 120A.22, the students of the school district are **REQUIRED** to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

B. Attendance Procedures

Attendance procedures shall be presented to the school board for review and approval. When approved by the school board, the attendance procedures will be included as an addendum to this policy.

1. Excused Absences

- a. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.
- b. The following reasons shall be sufficient to constitute excused absences:
 - (1) Illness.
 - (2) Serious illness in the student's immediate family.

- (3) A death or funeral in the student's immediate family or of a close friend or relative.
- (4) Medical, dental, or orthodontic treatment, or a counseling appointment.
- (5) Court appearances occasioned by family or personal action.
- (6) Religious instruction not to exceed three hours in any week.
- (7) Physical emergency conditions such as fire, flood, storm, etc.
- (8) Official school field trip or other school-sponsored outing.
- (9) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
- (10) Family emergencies.
- (11) Active duty in any military branch of the United States.
- (12) A student's condition that requires ongoing treatment for a mental health diagnosis.

c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.
- (2) Work missed because of absence generally must be made up within two days from the date of the student's return to school. Any work not completed within this period shall result in "no credit" for the missed assignment. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

2. Unexcused Absences

- a. The following are examples of absences which will not be excused:
 - (1) Truancy. An absence by a student which was not approved by the parent and/or the school district.

- (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
- (3) Work at home.
- (4) Work at a business, except under a school-sponsored work release program.
- (5) Vacations with family.
- (6) Personal trips to schools or colleges.
- (7) Any other absence not included under the attendance procedures set out in this policy.

b. Consequences of Unexcused Absences

- (1) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.
- (2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.
- (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.

C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness.
2. Procedures for Reporting Tardiness
 - a. Students tardy at the start of school must report to the school office for an admission slip.
 - b. Tardiness between periods will be handled by the teacher.
3. Excused Tardiness

Valid excuses for tardiness are:

- a. Illness.

- b. Serious illness in the student's immediate family.
- c. A death or funeral in the student's immediate family or of a close friend or relative.
- d. Medical, dental, orthodontic, or mental health treatment.
- e. Court appearances occasioned by family or personal action.
- f. Physical emergency conditions such as fire, flood, storm, etc.
- g. Any tardiness for which the student has been excused in writing by an administrator or faculty member.

4. Unexcused Tardiness

- a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
- b. Consequences of tardiness may include detention after three unexcused tardies.

D. Participation in Extracurricular Activities and School-Sponsored On-the-Job Training Programs

- 1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.
- 2. School-initiated absences will be accepted and participation permitted.
- 3. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
- 4. If a student is suspended from any class, he or she may not participate in any activity or program that day.
- 5. If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program.

III. DISSEMINATION OF POLICY

A summary of this policy shall be included in the student handbook and the complete policy posted on the school district's website.

IV. REQUIRED REPORTING

A. Continuing Truant

Minn. Stat. § 260A.02 provides that a continuing truant is a student who is subject to the compulsory instruction requirements of Minn. Stat. § 120A.22 and is absent from instruction in a school, as defined in Minn. Stat. § 120A.05, without valid excuse within a single school year for:

1. Three days if the child is in elementary school; or
2. Three or more class periods on three days if the child is in middle school, junior high school, or high school.

B. Reporting Responsibility

When a student is initially classified as a continuing truant, Minn. Stat. § 260A.03 provides that the school attendance officer or other designated school official shall notify the student's parent or legal guardian, by first class mail or other reasonable means, of the following:

1. That the child is truant;
2. That the parent or guardian should notify the school if there is a valid excuse for the child's absences;
3. That the parent or guardian is obligated to compel the attendance of the child at school pursuant to Minn. Stat. § 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minn. Stat. § 120A.34;
4. That this notification serves as the notification required by Minn. Stat. § 120A.34;
5. That alternative educational programs and services may be available in the district;
6. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
7. That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minn. Stat. Ch. 260;
8. That if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to Minn. Stat. § 260C.201; and
9. That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

C. Habitual Truant

1. A habitual truant is a child under the age of 16 years who is absent from attendance at school without lawful excuse for seven school days if the child is in elementary school or for one or more class periods on seven school days if the child is in middle school, junior high school, or high school, or a child who is 16 or 17 years of age who is absent from attendance at school

without lawful excuse for one or more class periods on seven school days and who has not lawfully withdrawn from school.

2. A school district attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minn. Stat. Ch. 260A.

Legal References: Minn. Stat. § 120A.05 (Definitions)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 120A.24 (Reporting)
Minn. Stat. § 120A.26 (Enforcement and Prosecution)
Minn. Stat. § 120A.30 (Attendance Officers)
Minn. Stat. § 120A.34 (Violations; Penalties)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 260A.02 (Definitions)
Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is a Continuing Truant)
Minn. Stat. § 260C.007, Subd. 19 (Habitual Truant Defined)
Minn. Stat. § 260C.201 (Dispositions; Children in Need of Protection or Services or Neglected and in Foster Care)
Goss v. Lopez, 419 U.S. 565, 95 S.Ct. 729 (1975)
Slocum v. Holton Board of Education, 429 N.W.2d 607 (Mich. App. Ct. 1988)
Campbell v. Board of Education of New Milford, 475 A.2d 289 (Conn. 1984)
Hamer v. Board of Education of Township High School District No. 113, 66 Ill. App.3d 7, 383 N.E.2d 231 (1978)
Gutierrez v. School District R-1, 585 P.2d 935 (Co. Ct. App. 1978)
Knight v. Board of Education, 38 Ill. App. 3d 603, 348 N.E.2d 299 (1976)
Dorsey v. Bale, 521 S.W.2d 76 (Ky. 1975)

Cross References: Policy 506 (Student Discipline)



First Reading: July 13, 2015

Adopted: _____

504 STUDENT DRESS AND APPEARANCE

I. PURPOSE

The purpose of this policy is to enhance the education of students by establishing expectations of dress and grooming that are related to educational goals and community standards.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to encourage students to be dressed appropriately for school activities and in keeping with community standards. This is a joint responsibility of the student and the student's parent(s) or guardian(s).
- B. Appropriate clothing includes, but is not limited to, the following:
 - 1. Clothing appropriate for the weather.
 - 2. Clothing that does not create a health or safety hazard.
 - 3. Clothing appropriate for the activity (i.e., physical education or the classroom).
- C. Inappropriate clothing includes, but is not limited to, the following:
 - 1. "Short shorts," skimpy tank tops, tops that expose the midriff, and other clothing that is not in keeping with community standards.
 - 2. Clothing bearing a message that is lewd, vulgar, or obscene.
 - 3. Apparel promoting products or activities that are illegal for use by minors.
 - 4. Objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, evidences gang membership or affiliation, or approves, advances, or provokes any form of religious, racial, or sexual harassment and/or violence against other individuals as defined in Mahtomedi School Board Policy 413.

5. Any apparel or footwear that would damage school property.
- D. It is not the intention of this policy to abridge the rights of students to express political, religious, philosophical, or similar opinions by wearing apparel on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane, or do not advocate violence or harassment against others.
- E. “Gang,” as defined in this policy, means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or whose members engaged in a pattern of criminal gang activity. “Pattern of gang activity” means the commission, attempt to commit, conspiring to commit, or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of or belong to the same criminal street gang.

III. PROCEDURES

- A. When, in the judgment of the administration, a student’s appearance, grooming, or mode of dress interferes with or disrupts the educational process or school activities, or poses a threat to the health or safety of the student or others, the student will be directed to make modifications or will be sent home for the day. Parents/guardians will be notified.
- B. The administration may recommend a form of dress considered appropriate for a specific event and communicate the recommendation to students and parents/guardians.
- C. Likewise, an organized student group may recommend a form of dress for students considered appropriate for a specific event and make such recommendation to the administration for approval.

Legal References: U. S. Const., amend. I
Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
B.W.A. v. Farmington R-7 Sch. Dist., 554 F.3d 734 (8th Cir. 2009)
Lowry v. Watson Chapel Sch. Dist., 540 F.3d 752 (8th Cir. 2008)
Stephenson v. Davenport Cmty. Sch. Dist., 110 F.3d 1303 (8th Cir. 1997)
D.B. ex rel. Brogdon v. Lafon, 217 Fed.Appx. 518 (6th Cir. 2007)
Hardwick v. Heyward, No. 4:06-cv-1042-TLW, 2012 WL761249 (D.S.C. Mar. 8, 2012)
Madrid v. Anthony, 510 F.Supp.2d 425 (S.D. Tex. 2007)
McIntire v. Bethel School, Indep. Sch. Dist. No. 3, 804 F.Supp. 1415 (W.D. Okla. 1992)

Hicks v. Halifax County Bd. of Educ., 93 F.Supp.2d 649 (E.D. N.C. 1999)
Olesen v. Bd. of Educ. of Sch. Dist. No. 228, 676 F.Supp. 820 (N.D. Ill. 1987)

Cross References: Policy 413 (Harassment and Violence)
Policy 506 (Student Discipline)
Policy 525 (Violence Prevention)



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Revised: 1/12/06

Adopted: 2/14/02

505 DISTRIBUTION OF NONSCHOOL-SPONSORED MATERIALS ON SCHOOL PREMISES BY STUDENTS AND EMPLOYEES

I. PURPOSE

The purpose of this policy is to protect the exercise of students' and employees' free speech rights, taking into consideration the educational objectives and responsibilities of the school district.

II. GENERAL STATEMENT OF POLICY

- A. The school district recognizes that students and employees have the right to express themselves on school property. This protection includes the right to distribute, at a reasonable time and place and in a reasonable manner, nonschool-sponsored material.
- B. To protect First Amendment rights, while at the same time preserving the integrity of the educational objectives and responsibilities of the school district, the school board adopts the following regulations and procedures regarding distribution of nonschool-sponsored material on school property and at school activities.

III. DEFINITIONS

- A. "Distribute" or "Distribution" means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying material, or placing material in internal staff or student mailboxes.
- B. "Nonschool-sponsored material" or "unofficial material" includes all materials or objects intended for distribution, except school newspapers, employee newsletters, literary magazines, yearbooks, and other publications funded and/or sponsored or authorized by the school. Examples of nonschool-sponsored materials include, but are not limited to, leaflets, brochures, buttons, badges, flyers, petitions, posters, and underground newspapers whether written by students or employees or others, and tangible objects.

- C. “Obscene to minors” means:
1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
 2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and
 3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- D. “Minor” means any person under the age of eighteen (18).
- E. “Material and substantial disruption” of a normal school activity means:
1. Where the normal school activity is an educational program of the district for which student attendance is compulsory, “material and substantial disruption” is defined as any disruption which interferes with or impedes the implementation of that program.
 2. Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods) “material and substantial disruption” is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.
- In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecast, including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.
- F. “School activities” means any activity sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.
- G. “Libelous” is a false and unprivileged statement about a specific individual that tends to harm the individual’s reputation or to lower that individual in the esteem of the community.

IV. GUIDELINES

- A. Students and employees of the school district have the right to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, nonschool-sponsored material.
- B. Requests for distribution of nonschool-sponsored material will be reviewed by the administration on a case-by-case basis. However, distribution of the materials listed below is always prohibited. Material is prohibited that:
1. is obscene to minors;
 2. is libelous or slanderous;
 3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended;
 4. advertises or promotes any product or service not permitted to minors by law;
 5. advocates violence or other illegal conduct;
 6. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religious, or ethnic origin);
 7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.
- C. Distribution by students and employees of nonschool-sponsored materials on school district property are subject to reasonable time, place, and manner restrictions set forth below. In making decisions regarding the time, place, and manner of distribution, the administration will consider factors including, but not limited to, the following:
1. whether the material is educationally related;
 2. the extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline, or school activities;
 3. whether the materials can be distributed from the office or other isolated location so as to minimize disruption of traffic flow in hallways;
 4. the quantity or size of materials to be distributed;
 5. whether distribution would require assignment of school district staff, use of school district equipment, or other resources;
 6. whether distribution would require that nonschool persons be present on the school grounds;
 7. whether the materials are a solicitation for goods or services not requested by the recipients.

V. TIME, PLACE, AND MANNER OF DISTRIBUTION

- A. No nonschool-sponsored material shall be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.
- B. Distribution of nonschool-sponsored material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the school, and school parking lots. Distribution shall not impede entrance to or exit from school premises in any way.
- C. No one shall coerce a student or staff member to accept any publication.
- D. The time, place, and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy.

VI. PROCEDURES

- A. Any student or employee wishing to distribute (as defined in this policy) nonschool-sponsored material must first submit for approval a copy of the material to the appropriate administrator at least 24 hours in advance of desired distribution time, together with the following information:
 - 1. Name and contact information of the person submitting the request.
 - 2. Date(s) and time(s) of day intended for distribution.
 - 3. Location where material will be distributed.
 - 4. If intended for students, the grade(s) of students to whom the distribution is intended.
 - 5. The stated purpose of the material or activity being promoted.
 - 6. A list of people and/or organizations sponsoring the activity being promoted.
- B. The administrator will review the request and render a decision. In the event that permission to distribute the material is denied or limited, the person submitting the request should be informed in writing of the reasons for the denial or limitation.
- C. If the person submitting the request does not receive a response within a few days, the person shall contact the office to verify that the lack of response was not due to an inability to locate the person.
- D. If the person is dissatisfied with the decision of the administrator, the person may submit a written request for appeal to the superintendent. If the person does not receive a response within three (3) school days (not counting Saturdays, Sundays,

and holidays) of submitting the appeal, the person shall contact the office of the superintendent to verify that the lack of response is not due to an inability to locate the person.

- E. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the school board, or the individual reviewing the material submitted.

VII. DISCIPLINARY ACTION

- A. Distribution by any student of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place, and manner of distribution as described above will be halted and disciplinary action will be taken in accordance with the school district's Student Discipline Policy.
- B. Distribution by any employee of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place, and manner of distribution as described above will be halted and appropriate disciplinary action will be taken, in accordance with any individual contract, collective bargaining agreement, school district policies and procedures, and/or governing statute.
- C. Any other party violating this policy will be requested to leave the school property immediately and, if necessary, the police will be called.

VIII. NOTICE OF POLICY TO STUDENTS AND EMPLOYEES

A summary of this policy will be published in student handbooks and the complete policy posted on the school district's website.

IX. IMPLEMENTATION

The school district administration may develop any additional guidelines and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy.

- Legal References:**
- U. S. Const., amend. I
 - Hazelwood School District v. Kuhlmeier*, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)
 - Bethel Sch. Dist. No. 403 v. Fraser*, 478 U.S. 675, 106 S.Ct. 3159, 92 L.Ed.2d 549 (1986)
 - Tinker v. Des Moines Indep. Sch. Dist.*, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
 - Bystrom v. Fridley High School*, 822 F.2d 747 (8th Cir. 1987)
 - Roark v. South Iron R-1 School Dist.*, 573 F.3d 556 (8th Cir. 2009)
 - Victory Through Jesus Sports Ministry Foundation v. Lee's Summit R-7 School Dist.*, 640 F.3d 329 (8th Cir. 2011)

Cross References: Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
Policy 506 (Student Discipline)
Policy 512 (School-Sponsored Student Publications)
Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)



First Reading: July 13, 2015

Revised: _____

Adopted: 10/12/89

507 CORPORAL PUNISHMENT

I. PURPOSE

The purpose of this policy is to describe limitations on corporal punishment of students.

II. GENERAL STATEMENT OF POLICY

No employee or agent of the school district shall cause corporal punishment to be inflicted upon a student to reform unacceptable conduct or as a penalty for unacceptable conduct. As used in this policy, the term “corporal punishment” means conduct involving hitting or spanking a person with or without an object, or unreasonable physical force that causes bodily harm or substantial emotional harm.

III. EXCEPTIONS

A teacher or school principal 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. Other school district employees, school bus drivers, or other agents of a school district may use reasonable force when necessary under the circumstances to restrain a student or prevent bodily harm or death to another.

IV. VIOLATION

Employees who violate the provisions of this policy shall be subject to disciplinary action as appropriate. Any such disciplinary action shall be made pursuant to and in accordance with applicable statutory authority, collective bargaining agreements and school district policies. Violation of this policy may also result in civil or criminal liability for the employee.

Legal References: Minn. Stat. § 121A.58 (Corporal Punishment)
 Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
 Minn. Stat. § 123B.25 (Actions Against Districts and Teachers)
 Minn. Stat. § 609.06 Subd. 1 (6)(7) (Authorized Use of Force)

Cross References: Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
Policy 506 (Student Discipline)



First Reading: July 13, 2015

Adopted: _____

508 EXTENDED SCHOOL YEAR FOR CERTAIN STUDENTS WITH INDIVIDUALIZED EDUCATION PROGRAMS

I. PURPOSE

The purpose of this policy is to ensure that the school district complies with the overall requirements of law as mandated for certain students subject to individualized education programs (IEPs) when necessary to provide a free appropriate public education (FAPE).

II. GENERAL STATEMENT OF POLICY

- A. Extended School Year Services Must Be Available to Provide a FAPE. The school district shall provide extended school year (ESY) services to a student who is the subject of an IEP if the student's IEP team determines the services are necessary during a break in instruction in order to provide a FAPE.
- B. Extended School Year Determination. At least annually, the IEP team must determine that a student is in need of ESY services if the student meets any of the following conditions:
1. There will be significant regression of a skill or acquired knowledge from the student's level of performance on an annual goal that requires more than the length of the break in instruction to recoup unless the IEP team determines a shorter time for recoupment is more appropriate; OR
 2. Services are necessary for the student to attain and maintain self-sufficiency because of the critical nature of the skill addressed by an annual goal, the student's age and level of development, and the timeliness for teaching the skill; OR
 3. The IEP team otherwise determines, given the student's unique needs, that ESY services are necessary to ensure the pupil receives a FAPE.
- C. Required Factors Schools Must Consider in Making ESY Determinations. The IEP team must decide ESY eligibility using information including:
1. Prior observations of the student's regression and recoupment during the break in instruction;
 2. Observations of the student's tendency to regress over extended breaks in instruction during the school year; and

- D. Additional Factors to Consider, Where Relevant. In making its determination of ESY needs, the following factors must be considered, where relevant:
1. The student's progress and maintenance of skills during the regular school year.
 2. The student's degree of impairment.
 3. The student's rate of progress.
 4. The student's behavioral or physical problems.
 5. The availability of alternative resources.
 6. The student's ability and need to interact with nondisabled peers.
 7. The areas of the student's curriculum which need continuous attention.
 8. The student's vocational needs.
- E. No Unilateral Decisions. In the course of providing ESY services to children with disabilities, the school district may not unilaterally limit the type, amount, or duration of those services.
- F. Services to Nonresident Students Temporarily Placed in School District. A school district may provide ESY services to nonresident children with disabilities temporarily placed in the school district in accordance with applicable state law.

Legal References: Minn. Stat. § 125A.14 (Extended School Year)
Minn. Rules Part 3525.0755
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)
34 C.F.R. Part 300



First Reading: July 13, 2015

Revised: _____

Adopted: 1/11/88

511 STUDENT FUNDRAISING

I. PURPOSE

The purpose of this policy is to address student fundraising efforts.

II. GENERAL STATEMENT OF POLICY

The school board recognizes a desire and a need by some student organizations for fundraising. The school board also recognizes a need for some constraint to prevent fundraising activities from becoming too numerous and overly demanding on employees, students and the general public.

III. RESPONSIBILITY

- A. The building administrators shall be responsible for developing recommendations to the superintendent that will result in a level of activity deemed acceptable by employees, parents, and students. Fundraising must be conducted in a manner that will not result in embarrassment on the part of individual students, employees, or the school.
- B. All fundraising activities must be approved in advance by the administration. Participation in unapproved activities shall be considered a violation of school district policy.
- C. The superintendent shall be responsible to provide coordination of student fundraising throughout the school district as deemed appropriate.
- D. The school district expects all students who participate in approved fundraising activities to represent the school, the student organization, and the community in a responsible manner. All rules pertaining to student conduct and student discipline extend to student fundraising activities.
- E. The school district expects all employees who plan, supervise, coordinate, or participate in student fundraising activities to act in the best interests of the students

and to represent the school, the student organization, and the community in a responsible manner.

Legal References: Minn. Stat. § 120A.20 (Age Limitations; Pupils)
Minn. Stat. § 123B.09, Subd. 8 (Duties)
Minn. Stat. § 123B.36 (Authorized Fees)

Cross References: Policy 506 (Student Discipline)



First Reading: July 13, 2015

Adopted: _____

512 SCHOOL-SPONSORED STUDENT PUBLICATIONS AND ACTIVITIES

I. PURPOSE

The purpose of this policy is to protect students' rights to free speech in production of official school publications and activities while at the same time balancing the school district's role in supervising student publications and the operation of public schools.

II. GENERAL STATEMENT OF POLICY

- A. The school district may exercise editorial control over the style and content of student expression in school-sponsored publications and activities.
- B. Expressions and representations made by students in school-sponsored publications and activities are not expressions of official school district policy. Faculty advisors shall supervise student writers to ensure compliance with the law and school district policies.
- C. Students who believe their right to free expression has been unreasonably restricted in an official student publication or activity may seek review of the decision by the building principal. The principal shall issue a decision no later than three (3) school days after review is requested.
 - 1. Students producing official school publications and activities shall be under the supervision of a faculty advisor and the school principal. Official publications and activities shall be subject to the guidelines set forth below.
 - 2. Official school publications may be distributed at reasonable times and locations.

III. DEFINITIONS

- A. "Distribution" means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying material, placing materials in internal staff or student mailboxes, or using the Internet for circulation purposes.

- B. “Official school publications” means school newspapers, yearbooks, or material produced in communications, journalism, or other classes as a part of the curriculum.
- C. “Obscene to minors” means:
1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
 2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and
 3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- D. “Minor” means any person under the age of eighteen (18).
- E. “Material and substantial disruption” of a normal school activity means:
1. Where the normal school activity is an educational program of the school district for which student attendance is compulsory, “material and substantial disruption” is defined as any disruption which interferes with or impedes the implementation of that program.
 2. Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods) “material and substantial disruption” is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.
- In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecast, including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.
- F. “School activities” means any activity of students sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.

- G. “Libelous” is a false and unprivileged statement about a specific individual that tends to harm the individual’s reputation or to lower that individual in the esteem of the community.

IV. GUIDELINES

- A. Expression in an official school publication or school-sponsored activity is prohibited when the material:
1. is obscene to minors;
 2. is libelous or slanderous;
 3. advertises or promotes any product or service not permitted for minors by law;
 4. encourages students to commit illegal acts or violate school regulations or substantially disrupts the orderly operation of school or school activities;
 5. expresses or advocates sexual, racial, or religious harassment or violence or prejudice;
 6. is distributed or displayed in violation of time, place, and manner regulations.
- B. Expression in an official school publication or school-sponsored activity is subject to editorial control by the school district over the style and content so long as the school district’s actions are reasonably related to legitimate pedagogical concerns. These may include, but are not limited to, the following:
1. assuring that participants learn whatever lessons the activity is designed to teach;
 2. assuring that readers or listeners are not exposed to material that may be inappropriate for their level of maturity;
 3. assuring that the views of the individual speaker are not erroneously attributed to the school;
 4. assuring that the school is not associated with any position other than neutrality on matters of political controversy;
 5. assuring that the sponsored student speech cannot reasonably be perceived to advocate conduct otherwise inconsistent with the shared values of a civilized social order;
 6. assuring that the school is not associated with expression that is, for example, ungrammatical, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences.

C. Time, Place, and Manner of Distribution

Students shall be permitted to distribute written materials at school as follows:

1. Time

Distribution shall be limited to the hours before the school day begins, during lunch hour and after school is dismissed.

2. Place

Written materials may be distributed in locations so as not to interfere with the normal flow of traffic within the school hallways, walkways, entry ways, and parking lots. Distribution shall not impede entrance to or exit from school premises in any way.

3. Manner

No one shall induce or coerce a student or staff member to accept a student publication.

Legal References:

U. S. Const., amend. I
Hazelwood School District v. Kuhlmeier, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)
Bystrom v. Fridley High School, I.S.D. No. 14, 822 F. 2d 747 (8th Cir. 1987)
Morse v. Frederick, 551 U.S. 393, 127 S.Ct. 2618, 168 L.Ed.2d 290 (2007)

Cross References:

Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
Policy 506 (Student Discipline)
Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)



First Reading: July 13, 2015

Adopted: _____

513 STUDENT PROMOTION, RETENTION, AND PROGRAM DESIGN

I. PURPOSE

The purpose of this policy is to provide guidance to professional staff, parents and students regarding student promotion, retention, and program design.

II. GENERAL STATEMENT OF POLICY

The school board expects all students to achieve at an acceptable level of proficiency. Parental assistance, tutorial and remedial programs, counseling and other appropriate services shall be coordinated and utilized to the greatest extent possible to help students succeed in school.

A. Promotion

Students who achieve at levels deemed acceptable by local and state standards shall be promoted to the next grade level at the completion of each school year.

B. Retention

Retention of a student may be considered when professional staff and parents feel that it is in the best interest of the student. Physical development, maturity, and emotional factors shall be considered as well as scholastic achievement. The superintendent's decision shall be final.

C. Program Design

1. The superintendent, with participation of the professional staff and parents, shall develop and implement programs to challenge students that are consistent with the needs of students at every level. A procedure for screening and identifying students for program assignment shall be developed in coordination with such programs. Opportunities for special programs and placement outside of the school district shall also be developed as additional options.

2. The school district will adopt procedures for the academic acceleration of gifted and talented students. These procedures will include how the school district will:
 - a. assess a student's readiness and motivation for acceleration; and
 - b. match the level, complexity, and pace of the curriculum to a student to achieve the best type of academic acceleration for that student.

Legal References: Minn. Stat. § 120B.15 (Gifted and Talented Program)
Minn. Stat. § 123B.143, Subd. 1 (Superintendents)

Cross References: 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 620 (Credit for Learning)



First Reading: July 13, 2015

Revised: _____

Adopted: 2/11/99

513.1 PROCEDURES FOR PUPIL RETENTION AND ACCELERATION

I. PURPOSE

The purpose of these procedures is to ensure that all students are placed in a setting most appropriate for continuity and continuous progress in their learning.

II. GENERAL STATEMENT

The desire of the school district is to challenge all learners and by these procedures establish a method for students who are unable to engage in optimal learning within their current classroom placements. Many reasons may cause a student not to be engaged in learning in a classroom, including previous mastery of the material, missing prerequisite material, and a variety of other circumstances.

III. DEFINITIONS

“Retention” is defined as an educational practice that results in a student repeating a grade or a class or taking more than the allotted time to complete a grade or class.

“Acceleration” is defined as “an educational practice that results in a student completing a school program in less than the commonly allotted time.”

Grade acceleration is skipping one or more grades.

Split acceleration is placing talented students in a single content area into a higher-grade level for one or more subject areas.

In practice, the Mahtomedi School District only retains or accelerates students in exceptional circumstances. Reasons for retention could include age, injury, or any other factors that would indicate that retention would benefit the student.

IV. PROCESS FOR RECOMMENDATION OF ACCELERATION OR RETENTION

The process for considering a student for grade acceleration or retention may be initiated by the principal, a staff member, or a parent.

A preliminary data-gathering conference with the Building Assessment Team will be held to determine if the student is a strong candidate for retention or acceleration and to plan how to implement procedures.

The Building Assessment Team will include the following school personnel: principal; current year's classroom teacher; previous year's classroom teacher; the gifted coordinator (for acceleration only); psychologist; and other specialists as deemed necessary by the building principal.

Prior to a Building Assessment Team conference, the gifted coordinator and special education staff members (for acceleration) or special education teacher (for retention) will conduct interviews with the current year's classroom teacher, student, and parents.

The Building Assessment Team will determine if any additional information is needed. Parent permission is mandatory for any further testing.

A. Acceleration

Possible assessment and other considerations for acceleration will include the following:

- An intellectual ability evaluation by the school psychologist.
- An individual achievement test(s) by school personnel.
- Psychologist or other specialist should determine the social/emotional readiness of the student.
- The child should not show any serious social or emotional adjustment problems other than problems that can be attributed to a lack of academic challenge.
- The child should possess a high degree of persistence and motivation for acceleration.
- The students should not feel unduly pressured to advance a grade, but want to make the move themselves.
- The consideration for acceleration will be sensitive to underrepresented groups, including, but not limited to, low-income, minority, twice-exceptional, and English learners.

The following criteria should serve as a guideline for determining if a recommendation for grade acceleration is appropriate:

- A high level of achievement should be present in most areas of the curriculum with special emphasis placed upon reading, writing, and mathematics.
- An intellectual ability screening should indicate ability that is two standard deviations above the norm. An achievement test should indicate that the student is at the 98th percentile or above in more than one curriculum area.
- The social and emotional maturity of the student should be stable.
- The interest and motivation of the student to be accelerated must be present.

The following criteria should serve as a guideline for determining if a recommendation for acceleration in one or more courses is appropriate:

- The student is scoring at the 98th percentile on an achievement test in the particular subject.
- A high level of achievement in the subject as indicated by previous grades.
- The social and emotional maturity of the student must be considered.
- The interest and motivation of the student to be accelerated must be considered.

B. Retention

The committee should consider the following factors before retaining a child:

- The child is younger than his or her classmates.
- The child has missed a considerable amount of school due to illness or accident.
- The child would benefit from retention.
- The child's parents are in favor of retention.
- The child is not opposed to retention.

If acceleration or retention is determined to be an appropriate option, the following procedures should be followed:

- The receiving and sending teacher will be a part of all acceleration or retention planning.
- A support plan for the student, parent, and receiving teacher will be created which will include an opportunity to become familiar with the material that

will be skipped or repeated and teachers receive instruction in areas where a deficit has been determined. This plan will become part of the student's permanent record.

- A time line for transition will be established. The optimum time for retaining or accelerating a student is at the beginning of a new school year.
- The grade advancement or retention should be arranged on a trial basis, preferably six weeks after which the student or parent should have the right to request a return to the original grade or class.

If acceleration is not determined to be appropriate, an individual learning plan to provide for the student's talents within the current grade level will be written.

If retention is not determined to be appropriate, an individual educational plan to provide for the student's remediation needs within the current grade level will be written.

Parent permission for testing is mandatory. Possible assessments for retention will include:

- An individual ability test.
- An individual achievement test.
- A physician's report if appropriate.

Following the assessments and building conferences, the Building Assessment Team will recommend for or against acceleration or retention. The decision will be made by the Building Assessment Team and may be appealed to the Director of Teaching and Learning.

Legal References: Minn. Stat. § 120B.15 (Gifted and Talented Students Programs)



First Reading: July 13, 2015

Revised: 3/21/96; 2/6/97; 6/8/00; 11/9/00

Adopted: 3/7/88

516 - STUDENT MEDICATIONS

I. PURPOSE

The purpose of this policy is to set forth the provisions that must be followed when administering medication to students during the school day.

II. GENERAL STATEMENT OF POLICY

The school district acknowledges that some students may require medication during the school day to function as near to their potential as possible. Medication will be administered by Licensed School Nurse (LSN), Registered Nurse (RN), health staff, or designated personnel in accordance with law and school district procedures. The school district reserves the right to refuse request for medication authorization/administration under certain circumstances.

III. AUTHORIZATION TO DISPENSE MEDICATION

- A. Medications will be defined as those prescription or nonprescription medications taken for a specific medical condition.
 - 1. Long-term medications are defined as those that are taken or stored in the health office greater than 2 weeks.
 - 2. Short-term medications are defined as those that are taken or stored in the health office for less than 2 weeks.
- B. Medications will be administered when the parent or guardian and/or the physician/licensed prescriber has signed the Medication Authorization Form.
 - 1. Long-term medication requires a written order from a physician/licensed prescriber AND a parent or guardian signature on the Medication Authorization Form.

2. Short-term medication requires a parent signature on the completed Medication Authorization Form and will be administered according to labeled instructions.
 3. All controlled medications require a written order from a physician/ licensed prescriber AND a parent or guardian signature on the Medication Authorization Form. Some examples of controlled medications are: Ritalin, Dexedrine, and Adderall.
 4. The Medication Authorization Form must be completed annually at the start of each school year and/or when a change in prescription occurs.
- C. An oral request by a parent or guardian to administer medication may be valid for two school days, provided that the school district receives a completed Medication Authorization Form for the medication by the end of the two school day timeframe.
 - D. Prescription medication must be brought to school in the pharmacist's labeled container, appropriately labeled for the student. Over the counter medications must be in their original container. The label must clearly identify the medication, the dosage, and directions for administration.
 - E. Parents or guardians must grant permission for the school to contact the physician/ licensed prescriber regarding any medication concerns.
 - F. The administration of the medication will be discontinued upon request from the parent or guardian to the school district's LSN, RN, health staff, or designated personnel.
 - G. Any changes regarding administration of medication will be implemented only upon written request from the parent or guardian, and authorization of the physician/ licensed prescriber if needed.
 - H. A parent or guardian who authorizes designated school personnel to administer approved medication releases school personnel from liability should adverse reactions result from the medication administration.
 - I. Medications are generally not to be carried by the student. If a parent or guardian requests that their child carry and/or self-administer a medication, a written agreement between the student's parent or guardian, physician/ licensed prescriber, and school nurse or designee will be completed. Medications used at school must be stored in the health office unless an authorization to self-carry is signed by the parent or guardian and approved by the school nurse. Controlled substances will not be allowed for self-administration.

IV. ADMINISTRATION OF MEDICATION

All medications will be administered in accordance with the provisions of M.S. 121A.22. School personnel designated by the school nurse to administer medication to students will:

- A. Administer prescription and non-prescription medication according to the written authorization of the parent or guardian (and physician/licensed prescriber if required), in compliance with label directions.
- B. Keep a record of administration indicating the date, time, and dosage of all medications administered.
- C. Keep medication in a locked cabinet. Medications requiring refrigeration will be kept in the refrigerator in the health office.
- D. Maintain an inventory of the current supply and notify the parent or guardian when the current inventory needs to be replenished.
- E. Dispose of unused medications or return them to the parent or guardian in accordance with district procedures.
- F. Administer medication, upon request, on field trips.
 - 1. Medications will be administered by designated school district staff as delegated by the school nurse on field trips.

V. THE SCHOOL RETAINS THE RIGHT TO:

- A. Request that a 504 Emergency Care Plan be written to provide added clarification of the procedures, roles and responsibilities related to the medications administered in response to medical emergency.
- B. Reject requests for administration of medications on a case-by-case basis.

VI. STUDENT USE OF UNAUTHORIZED MEDICATIONS

The parent or guardian and/or administration will be notified if students are observed self-administering unauthorized medication.

VII. NOT COVERED BY THIS POLICY

- A. Special health treatments, such as catheterization, tracheostomy, suctioning, and gastrostomy feeding do not constitute administration of drugs and medicine.
- B. Drugs or medicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy.
- C. It is the responsibility of the parent/guardian to notify the appropriate school personnel (ex: coaches, trainers, and teachers) of required medical needs for prescription and over the counter medications for the following school sponsored activities taking place outside of the school day:

1. On overnight field trips; or
2. in connection with athletics or extracurricular activities; or
3. in connection with activities that occur before or after the regular school day.

VIII. STOCK EPINEPHRINE

- A. Mahtomedi Public Schools may obtain and possess Epinephrine Auto Injectors to be maintained and administered to a student or other individual if in good faith, it is determined that person is experiencing anaphylaxis, regardless of whether the student or other individual has a prescription for an Epinephrine Auto Injector. The administration of an Epinephrine Auto Injector, in accordance with MN Statute 121A.2207, is not the practice of medicine.
- B. Mahtomedi Public Schools may enter into arrangements with manufacturers of Epinephrine Auto Injectors to obtain Epinephrine Auto Injectors at fair market, free, or reduced prices. A third party, other than a manufacturer or supplier, may pay for the school's supply of Epinephrine Auto Injectors in accordance with MN Statute 121A.2207.
- C. Stock Epinephrine Auto Injectors are to be utilized only in emergencies during the school's building hours.
- D. Emergency administration of school stock Epinephrine Auto Injectors does not require parent/guardian authorization prior to administration.
- E. Stock Epinephrine Auto Injectors will be clearly labeled and stored in a location that will be secure but accessible.
- F. Training for Epinephrine Auto Injectors will be held in accordance with current MN law/statutes.

- Legal References:**
- Minn. Stat. § 13.32 (Student Health Data)
 - Minn. Stat. § 121A.21 (Hiring of Health Personnel)
 - Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
 - Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)
 - Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)
 - Minn. Stat. § 121A.2205 (Possession and Use of Nonsyringe Injectors of Epinephrine; Model Policy)
 - Minn. Stat. § 151.212 (Label of Prescription Drug Containers)
 - Minn. Stat. § 121A.2207 (Life Threatening Allergies in Schools: Stock Supply of Epinephrine Auto Injectors)
 - 20 U.S.C. § 1400 et seq. (Individuals with Disabilities Education Improvement Act of 2004)
 - 29 U.S.C. § 794 et seq. (Rehabilitation Act of 1973, § 504)
- Cross References:**
- Policy 418 (Drug-Free Workplace/Drug-Free School)



Authorization for Administration of Medication at School

Name of Student: _____ Birth Date: _____

School: _____ School Year: _____ Grade: _____

Medical Condition (ICD 10 Code)	Medication	Strength mg/ml	Dose (# of tablets)	Time(s) Frequency	Route

Other Considerations/Directions: _____

Start Date: _____ Stop Date: _____ (All authorizations expire at the end of the school year.)

Print or Type Name of Physician/Licensed Prescriber

Physician's/Licensed Prescriber's Signature

Clinic Address

Phone Number

Fax Number

Date

Parent/Guardian Authorization

1. I request that the above medication(s) be given during school hours as ordered by this student's physician/licensed prescriber. I also request the medication(s) be given on field trips, as prescribed.
2. I release school personnel from liability in the event adverse reactions result from taking the medication(s).
3. I will notify the school of any change in the medication(s) (dosage change, medication is discontinued, etc.).
4. I give permission for the Licensed School Nurse (LSN) or designee to communicate this order to Mahtomedi Independent School District 832 staff that require this information to provide my child's education.
5. I give permission for the LSN or designee to consult (in oral or written format) with the above named student's physician/licensed prescriber regarding any questions that arise with regard to the listed medication(s) or medical condition(s) being treated by the medication(s).
6. I give permission for medication(s) to be given by designated personnel, as delegated by the LSN/Registered Nurse (RN).
7. I acknowledge that any medication(s) not picked up at the end of the school year will be destroyed and that any controlled medication(s) must be dropped off and picked up by a parent/guardian.

- I give permission for the health office to send remaining medication (non-controlled only) home with my son/daughter at the end of the school year or if medication is discontinued sooner. Date: _____ Initials: _____
- My son/daughter may **self-administer** his/her inhaler/EpiPen, with an MD order, and if appropriate as assessed by the LSN/RN. Assessed and approved by LSN/RN. Date: _____ Initials: _____
- My son/daughter may **self-carry** his/her inhaler/EpiPen, with an MD order, and if appropriate as assessed by the LSN/RN. Assessed and approved by LSN/RN. Date: _____ Initials: _____

Date

Parent/Guardian Signature

Relationship to Student

NOTE: Prescription Medication must be supplied in the original prescription bottle and cannot be expired. Over-the-Counter Medication(s) must be provided in a sealed, original labeled container and cannot be expired.

Mahtomedi Independent School District #832

MEDICATION PROCEDURE

The purpose of administering medications in school is to assist students who require medication to be given during school hours to maintain an optimal state of health and therefore, enhance their educational success.

The intent of this procedure is to assure safe administration of medication in school for those students who require them.

This procedure applies to both prescription and over-the-counter medications.

Long Term Medications - For more than two weeks

1. A written statement shall be required annually:
 - a. From the physician who will indicate the name of the student, the reason the medication needs to be given (diagnosis), the name of the medication, the strength, the dosage, the frequency and time of administration, the route, other considerations/directions/side effects, and termination date.
 - b. From the parents/guardians who request and authorize the school to give the medication(s) in the dosage, route, frequency, and time prescribed by the physician.
2. Parents/guardians are required to supply:
 - Prescription Medication in the original container or prescription bottle labeled by the pharmacy or physician. The container must be labeled with the student's name, name of the medication, dose to be administered, frequency and time to be given, the name of the prescribing physician, and the date the medication was obtained.
 - Over-the-counter Medication(s) in a sealed, original labeled, container. Medication(s) cannot be expired. Limit the number of pills/tablets to 30 or less.

Short Term Medication - For less than two weeks

1. A written statement will be required from the parent/guardian giving permission to administer the medication(s) in school. The statement must include: the name of the student, the reason the medication needs to be given, the name of the medication, the strength, the dosage, the frequency and time the medication is to be given, and the route of administration.
2. Parents/guardians are required to supply:
 - Prescription Medication in the original container or prescription bottle labeled by the pharmacy or physician. The container must be labeled with the student's name, name of the medication, dose to be administered, frequency and time to be given, the name of the prescribing physician, and the date the medication was obtained.
 - Over-the-counter Medication(s) in a sealed, original labeled, container. Medication(s) cannot be expired. Limit the number of pills/tablets to 30 or less.

NOTES:

- **All medications that are considered controlled substances must have a physician's signature.**
- All medications must be supplied to the school. The health offices do not stock medication.



First Reading: July 13, 2015

Adopted: _____

517 STUDENT RECRUITING

I. PURPOSE

The purpose of this policy is to prevent school district employees from exerting undue influence for purposes of securing or retaining the attendance of a student in a school.

II. GENERAL STATEMENT OF POLICY

- A. It is the policy of the school district to encourage employees to make available to all interested people information regarding the school district, its schools, programs, policies, and procedures. The purpose of such activity is to assist in the process of fully informed decision making regarding school enrollment and to enhance the visibility and image of the school district.
- B. At the same time, the school district recognizes that the scope of such activity is limited by statutory authority and bylaws of the Minnesota State High School League. Accordingly, it shall be a violation of this policy for employees to exert undue influence for purposes of securing or retaining the attendance of a student in a school or to compete with another school district for the enrollment of students.
- C. Employees are further prohibited from encouraging others to engage in such conduct on behalf of the school district.

III. DEFINITION

- A. The terms “undue influence” or “competing for enrollment” shall include initiating any oral or written contact with a student from another school district who participates in a school-sponsored sport or activity which solicits the student’s transfer to participate in a sport or activity.
- B. The terms shall also include the awarding of tuition, allowance for board and/or room, allowance for transportation, priority in assignments of jobs, cash or gifts in any form, or any other privilege or consideration if not similarly available to all students.

IV. PROCEDURES

- A. The school board shall adopt, by resolution, specific standards for acceptance and rejection of applications for open enrollment. Standards may include the capacity of a program, class, school building, or the statutory limits to nonresident enrollment in a particular grade level, or whether the student is currently expelled for (1) possessing a dangerous weapon, as defined under federal law, at a school or school function; (2) possession or using an illegal drug at school or at a school function; (3) selling or soliciting the sale of a controlled substance while at school or a school function; or committing a first, second or third degree assault as described in state law. Standards for acceptance and rejection of open-enrollment applications are subject to the Graduation Incentives Program and may not include previous academic achievement, athletic or other extracurricular ability, disabling conditions, proficiency in the English language, previous disciplinary proceedings, or the student's district of residence.
- B. Employees who violate the provisions of the policy shall be subject to disciplinary action as appropriate. Any such disciplinary action shall be made pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, school district policies, and the bylaws of the Minnesota High School League, as applicable.

Legal References: Minn. Stat. § 124D.03 (Enrollment Options Program)
 Minn. Stat. § 124D.68 (Graduation Incentives Program)
 Minnesota State High School League Bylaws

Cross References: Policy 509 (Enrollment of Nonresident Students)
 MSBA Service Manual, Chapter 10, Minnesota State High School League (MSHSL)



First Reading: July 13, 2015

Revised: _____

Adopted: 8/8/96

518 DNR-DNI ORDERS

I. PURPOSE

The school district recognizes that it is serving students with complex health needs. The school district also recognizes that school district staff may be confronted with requests to withhold emergency care of a student in the event of a life threatening situation at school or school activities or be presented with Do Not Resuscitate/Do Not Intubate (DNR-DNI) orders. The purpose of this policy is to provide guidance to school district staff and parents or guardians in these situations.

II. GENERAL STATEMENT OF POLICY

- A. The primary mission of the school district is education. DNR-DNI orders are medical documents. School district staff will not accept or honor requests to withhold emergency care or DNR-DNI orders. The school district will not convey such orders to emergency medical personnel.
- B. School district staff will provide reasonable emergency care and assistance when a student is undergoing a medical emergency during school or school activities.
- C. School district staff will activate emergency medical services (911) as soon as possible when a student is undergoing a medical emergency during school or school activities.
- D. The parent/guardian will be notified of the emergency as soon as possible.
- E. Notwithstanding this school district policy, IEP and Section 504 teams must develop individualized medical emergency care plans for students when appropriate in accordance with state and federal law.
- F. Parents/guardians who request that emergency care be withheld for their child or who present DNR-DNI orders, shall be advised of and shall be given a copy of this policy.

Legal References: 29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
42 U.S.C. §§ 12101-12213 (Americans with Disabilities Act)



First Reading: July 13, 2015

Adopted: _____

519 INTERVIEWS OF STUDENTS BY OUTSIDE AGENCIES

I. PURPOSE

There are occasions in which persons other than school district officials and employees find it necessary to speak with a student during the school day. Student safety and disruption of the educational program is of concern to the school district. The purpose of this policy is to establish the procedures for access to students by authorized individuals during the school day.

II. GENERAL STATEMENT OF POLICY

- A. Generally, students may not be interviewed during the school day by persons other than a student's parents, school district officials, employees and/or agents, except as otherwise provided by law and/or this policy.
- B. Requests from law enforcement officers and those other than a student's parents, school district officials, employees and/or agents to interview students shall be made through the principal's office. Upon receiving a request, it shall be the responsibility of the principal to determine whether the request will be granted. Prior to granting a request, the principal shall attempt to contact the student's parents to inform them of the request, except where otherwise prohibited by law.

III. INTERVIEWS CONDUCTED UNDER THE MALTREATMENT OF MINORS ACT

- A. In the case of an investigation pursuant to the Maltreatment of Minors Act, Minn. Stat. § 626.556, Subd. 10, a local welfare agency, the agency responsible for investigating the report, and a local law enforcement agency may interview, without parental consent, an alleged victim and any minors who currently reside with or who have resided with the alleged perpetrator. The interview may take place at school and during school hours. School district officials will work with the local welfare agency, the agency responsible for investigating the report, or law enforcement agency to select a place appropriate for the interview. The interview may take place outside the presence of the perpetrator or parent, legal custodian, guardian, or school district official.

- B. If the interview took place or is to take place on school district property, an order of the juvenile court pursuant to Minn. Stat. § 626.556, Subd. 10 (c) may specify that school district officials may not disclose to the parent, legal custodian, or guardian the contents of the notification of intent to interview the child on school district property and/or any other related information regarding the interview that may be a part of the child's record. The school district official must receive a copy of the order from the local welfare or law enforcement agency.
- C. When the local welfare agency, local law enforcement agency, or agency responsible for assessing or investigating a report of maltreatment determines that an interview should take place on school district property, school district officials must receive written notification of intent to interview the child on school district property 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 district property. Where the interviews are conducted by the local welfare agency, the notification must be signed by the chair of the local social services agency or the chair's designee. The notification is private educational data on the student. School district 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, unless a school employee or agent is alleged to have maltreated the child. Until school district officials receive said notification, all inquiries regarding the nature of the investigation or assessment should be directed to the local welfare or law enforcement agency or the agency responsible for assessing or investigating a report of maltreatment shall be solely responsible for any disclosure regarding the nature of the assessment or investigation.
- D. School district officials shall have discretion to reasonably schedule the time, place, and manner of an interview by a local welfare or local law enforcement agency on school district premises. However, where the alleged perpetrator is believed to be a school district official or employee, the local welfare or local law enforcement agency will have discretion to determine where the interview will be held. The interview must be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school district officials and the local welfare or law enforcement agency. However, school district officials must yield to the discretion of the local welfare or law enforcement agency concerning other persons in attendance at the interview. School district officials will make every effort to reduce the disruption to the educational program of the child, other students, or school staff when an interview is conducted on school district premises.
- E. Students shall not be taken from school district property without the consent of the principal and without proper warrant.

Legal References: Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 626.556, Subd. 10(c) and (d) (Duties of Local Welfare Agency)

NEW-MSBA Recommended
and Local Law Enforcement Agency Upon Receipt of a Report)

Cross References: Policy 103 (Complaints – Students, Employees, Parents, Other Persons)
Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
Policy 515 (Protection and Privacy of Pupil Records)



First Reading: July 13, 2015

Adopted: _____

520 STUDENT SURVEYS

I. PURPOSE

Occasionally the school district utilizes surveys to obtain student opinions and information. The purpose of this policy is to establish the parameters of information that may be sought in student surveys.

II. GENERAL STATEMENT OF POLICY

Student surveys may be conducted as determined necessary by the school district. Surveys, analyses and evaluations conducted as part of any program funded through the U.S. Department of Education must comply with 20 U.S.C. § 1232h.

III. STUDENT SURVEYS IN GENERAL

- A. Student surveys will be conducted anonymously and in an indiscernible fashion. No mechanism will be used for identifying the participating student in any way. No attempt will be made in any way to identify a student survey participant. There will be no requirement that the student return the survey, and no record of the student's returning a survey will be maintained.
- B. The superintendent, or designee, may choose not to approve any survey that seeks probing personal and/or sensitive information that could result in identifying the survey participant, or is discriminatory in nature based on age, race, color, sex, disability, religion, or national origin.
- C. Students may elect to not participate in a survey
- D. Although the survey is conducted anonymously, potential exists for personally identifiable information to be provided in response thereto. To the extent that personally identifiable information of a student is contained in his or her responses to a survey, the school district will take appropriate steps to ensure the data is protected in accordance with Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act), 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act) and 34 C.F.R. Part 99.

IV. STUDENT SURVEYS CONDUCTED AS PART OF DEPARTMENT OF EDUCATION PROGRAM

- A. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be available, upon request, for inspection by the parents or guardians of the students.
- B. No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, to participate in a survey if the parent/guardian provides a written request of non-participation.
- C. A school district that receives funds under any program funded by the U.S. Department of Education shall develop local policies consistent with Sections IV.A. and IV.B., above, concerning student privacy, parental access to information, and administration of certain physical examinations to minors.

- 1. The following policies are to be adopted:

- a. The right of a parent to inspect, on request, a survey, including an evaluation, created by a third party before the survey is administered or distributed by a school to a student, including procedures for granting a parent's request for reasonable access to such survey within a reasonable period of time after the request is received.

“Parent” means a legal guardian or other person acting *in loco parentis* (in place of a parent), such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child.

- b. Arrangements to protect student privacy in the event of the administration or distribution of a survey, including an evaluation, to a student which contains one or more of the items listed in Section IV.B., above, including the right of a parent of a student to inspect, on request, any such survey.
- c. The right of a parent of a student to inspect, on request, any instructional material used as part of the educational curriculum for the student and procedures for granting a request by a parent for such access within a reasonable period of time after the request is received.

“Instructional material” means instructional content that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in

electronic or digital formats (i.e., materials accessible through the Internet). The term does not include academic tests or academic assessments.

- d. The administration of physical examinations or screenings that the school district may administer to a student. This provision does not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. § 1400, *et seq.*).
- e. The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing the information to others for that purpose), including arrangements to protect student privacy that are provided by the school district in the event of such collection, disclosure, or use.
 - (1) “Personal information” means individually identifiable information including a student or parent’s first and last name; a home or other physical address (including street name and the name of the city or town); a telephone number; or a Social Security identification number.
 - (2) This provision does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as:
 - (a) college or other post-secondary education recruitment or military;
 - (b) book clubs, magazines, and programs providing access to low cost literary products;
 - (c) curriculum and instructional materials used by elementary and secondary schools;
 - (d) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students, or to generate other statistically useful data for the purpose of securing such tests and assessments and the subsequent analysis and public release of the aggregate data from such tests and assessments;
 - (e) the sale by students of products or services to raise funds for school-related or education-related activities; and
 - (f) student recognition programs.

- (3) The right of a parent to inspect, on request, any instrument used in the collection of information, as described in Section IV.C.1., Subparagraph e., above, before the instrument is administered or distributed to a student and procedures for granting a request by a parent for reasonable access to such an instrument within a reasonable period of time after the request is received.

V. DISSEMINATION OF POLICY

The school district shall post this policy on the school district's website.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
20 U.S.C. 1232g (Family Educational Rights and Privacy Act)
20 U.S.C. 1232h (Protection of Pupil Rights)
34 C.F.R. Part 99 (Family Educational Rights and Privacy Act Regulations)
Gonzaga University v. Doe, 536 U.S. 273, 122 S.Ct. 2268, 153 L.Ed. 2d 309 (2002)
C.N. v. Ridgewood Bd. of Educ., 430 F.3d. 159 (3rd Cir. 2005)
Fields v. Palmdale School Dist., 427 F.3d. 1197 (9th Cir. 2005)

Cross References: Policy 515 (Protection and Privacy of Pupil Records)
Policy 521 (Student Disability Nondiscrimination)
Policy 522 (Student Sex Nondiscrimination)



First Reading: July 13, 2015

Revised: _____

Adopted: 12/10/09

521 STUDENT DISABILITY NONDISCRIMINATION

I. PURPOSE

The purpose of this policy is to protect disabled students from discrimination on the basis of disability and to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973 (Section 504), need services, accommodations, or programs in order that such learners may receive a free appropriate public education.

II. GENERAL STATEMENT OF POLICY

- A. Disabled students who meet the criteria of Paragraph C. below are protected from discrimination on the basis of a disability.
- B. The responsibility of the school district is to identify and evaluate learners who, within the intent of Section 504, need services, accommodations, or programs in order that such learners may receive a free appropriate public education.
- C. For this policy, a learner who is protected under Section 504 is one who:
 - 1. has a physical or mental impairment that substantially limits one or more of such person's major life activities; or
 - 2. has a record of such an impairment; or
 - 3. is regarded as having such an impairment.
- D. Learners may be protected from disability discrimination and be eligible for services, accommodations, or programs under the provisions of Section 504 even though they are not eligible for special education pursuant to the Individuals with Disabilities Education Act.

III. COORDINATOR

Persons who have questions, comments, or complaints should contact the Director of Special Education at 1520 Mahtomedi Avenue, Mahtomedi, MN 55115 or 651-407-2000, regarding grievances or hearing requests regarding disability issues. This person is the school district's Americans with Disabilities Act/Section 504 Coordinator.

Legal References: Pub. L. 110-325, 122 Stat. 3553 (ADA Amendments Act of 2008, § 7)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. Part 104 (Section 504 Implementing Regulations)

Cross References: Policy 402 (Disability Nondiscrimination)



First Reading: July 13, 2015

Adopted: _____

523 POLICIES INCORPORATED BY REFERENCE

PURPOSE

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

Policy 102	Equal Educational Opportunity
Policy 103	Complaints – Students, Employees, Parents, Other Persons
Policy 206	Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations
Policy 211	Criminal or Civil Action Against School District, School Board Member, Employee, or Student
Policy 305	Policy Implementation
Policy 413	Harassment and Violence
Policy 417	Chemical Use and Abuse
Policy 418	Drug-Free Workplace/Drug-Free School
Policy 419	Tobacco-Free Environment
Policy 420	Students and Employees with Sexually Transmitted Infections and Diseases and Certain Other Communicable Diseases and Infectious Conditions
Policy 511	Student Fundraising
Policy 524	Internet Acceptable Use and Safety Policy
Policy 525	Violence Prevention
Policy 610	Field Trips
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 616	School District System Accountability
Policy 707	Transportation of Public School Students
Policy 708	Transportation of Nonpublic School Students
Policy 709	Student Transportation Safety Policy
Policy 710	Extracurricular Transportation
Policy 711	Video Recording on School Buses
Policy 712	Video Surveillance Other Than on Buses

Policy 801 Equal Access to School Facilities

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



First Reading: July 13, 2015

Adopted: _____

525 VIOLENCE PREVENTION [APPLICABLE TO STUDENTS AND STAFF]

I. PURPOSE

The purpose of this policy is to recognize that violence exists and to identify measures that the school district will take in an attempt to maintain a learning and working environment that is free from violent and disruptive behavior.

The school board is committed to promoting healthy human relationships and learning environments that are physically and psychologically safe for all members of the school community. It further believes that students are the first priority and they should be protected from physical or emotional harm during school activities and on school grounds, buses, or field trips while under school district supervision.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to strictly enforce its weapons policy (Policy 501).
- B. The policy of the school district is to act promptly in investigating all acts, or formal or informal complaints, of violence and take appropriate disciplinary action against any student or staff member who is found to have violated this policy or any related policy.
- C. The administration will periodically review discipline policies and procedures, prepare revisions if necessary, and submit them to the school board for review and adoption.
- D. The school district will implement approved violence prevention strategies to promote safe and secure learning environments, to diminish violence in our schools, and to aid in the protection of children whose health or welfare may be jeopardized through acts of violence.

III. IMPLEMENTATION OF POLICY

- A. The school board will review and approve policies to prevent and address violence in our schools. The superintendent or designee will develop procedures to effectively implement the school weapons and violence prevention policies. It shall

be incumbent on all students and staff to observe all policies and report violations to the school administration.

- B. The school board and administration will inform staff and students annually of policies and procedures related to violence prevention and weapons.
- C. The school district will act promptly to investigate all acts and formal and informal complaints of violence and take appropriate disciplinary action against any student or staff member who is found to have violated this policy or any related policy.
- D. The consequences set forth in the school weapons policy (Policy 501) will be imposed upon any student or nonstudent who possesses, uses or distributes a weapon when in a school location.
- E. The consequences set forth in the school hazing policy (Policy 526) will be imposed upon any student or staff member who commits an act against a student or staff member; or coerces a student or staff member into committing an act, that creates a substantial risk of harm to a person in order for the student or staff member to be initiated into or affiliated with an organization, or for any other purpose.
- F. Students with disabilities may be expelled for behavior unrelated to their disabilities, subject to the procedural safeguards required by the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and the Pupil Fair Dismissal Act.
- G. Procedures will be developed for the referral of any person in violation of this policy or the weapons policy to the local law enforcement agency in accordance with Minn. Stat. § 121A.05.
- H. Students who wear objectionable emblems, signs, words, objects, or pictures on clothing communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership or that approves, advances, or provokes any form of religious, racial, or sexual harassment or violence against other individuals as defined in the harassment and violence policy (Policy 413) will be subject to the procedures set forth in the student dress and appearance policy (Policy 504). “Gang” as used in this policy means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or whose members engaged in a pattern of criminal gang activity. A “pattern of gang activity” means the commission, attempt to commit, conspiring to commit, or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of or belong to the same criminal street gang.
- I. This policy is not intended to abridge the rights of students to express political, religious, philosophical, or similar opinions by wearing apparel on which such

messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane, denote gang affiliation, advocate harassment or violence against others, are likely to disrupt the education process, or cause others to react in a violent or illegal manner (Policy 504).

IV. PREVENTION STRATEGIES

The school district has adopted and will implement prevention strategies to promote safe and secure learning environments, to diminish violence in our schools, and to aid in the protection of children whose health or welfare may be jeopardized through acts of violence.

V. STUDENT SUPPORT

- A. Students will have access to school-based student service professionals, when available, including counselors, nurses, social workers, and psychologists who are knowledgeable in methods to assist students with violence prevention and intervention.
- B. Students will be provided with information as to school district and building rules regarding weapons and violence.
- C. Students will be informed of resources for violence prevention and proper reporting.

VI. PERSONNEL

- A. School district personnel shall comply with the school weapons policy (Policy 501) and the school hazing policy (Policy 526).
- B. School district personnel shall be knowledgeable of violence prevention policies and report any violation to school administration immediately. School district personnel will be informed annually as to school district and building rules regarding weapons and violence prevention.
- C. School district personnel or agents of the school district shall not engage in emotionally abusive acts including malicious shouting, ridicule, and/or threats or other forms of corporal punishment (Policy 507).

Legal References: Minn. Stat. § 13.43, Subd. 16 (School District or Charter School Disclosure of Violence or Inappropriate Sexual Contact)
Minn. Stat. § 120B.22 (Violence Prevention Education)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.05 (Policy to Refer Firearms Possessor)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)
Minn. Stat. § 121A.57 (Crisis Management Policy)
Minn. Stat. § 121A.64 (Notification)

Minn. Stat. § 121A.69 (Hazing Policy)
Minn. Stat. § 181.967, Subd. 5 (School District Disclosure of Violence or Inappropriate Sexual Contact)
18 U.S.C. § 921 (Definition of Firearm)
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
Stephenson v. Davenport Cmty. Sch. Dist., 110 F.3d 1303 (8th Cir. 1997)
McIntire v. Bethel School, 804 F.Supp. 1415, 78 Educ. L.Rep. 828 (W.D. Okla. 1992)
Olesen v. Board of Educ. of Sch. Dist. No. 228, 676 F.Supp. 820, 44 Educ. L.Rep. 205 (N.D. Ill. 1987)

Cross References: Policy 413 (Harassment and Violence)
Policy 501 (School Weapons Policy)
Policy 504 (Student Dress and Appearance)
Policy 506 (Student Discipline)
Policy 507 (Corporal Punishment)
Policy 526 (Hazing Prohibition)
Policy 529 (Staff Notification of Violent Behavior by Students)



First Reading: July 13, 2015

Revised: 9/8/05

Adopted: 11/6/97

526 HAZING PROHIBITION

I. PURPOSE

The purpose of this policy is to maintain a safe learning environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times.

II. GENERAL STATEMENT OF POLICY

- A. No student, teacher, administrator, volunteer, contractor, or other employee of the school district shall plan, direct, encourage, aid, or engage in hazing.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate hazing.
- C. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.
- D. This policy applies to behavior that occurs on or off school property and during and after school hours.
- E. A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.
- F. The school district will investigate all complaints of hazing and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.
- G. In order to use school district facilities, community-based organizations will be required to have within their respective by-laws or policies a discipline policy and procedures that address acts of hazing for initiation into or affiliation with their organization. These organizations must also enforce these policies and procedures.

III. DEFINITIONS

- A. “Hazing” means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, physical or psychological, in order for the student to be initiated into or affiliated with a student organization, or for any other school-related purpose. The term hazing includes, but is not limited to:
1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, or placing a harmful substance on the body.
 2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
 5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies or regulations.
- B. “Student organization” means a group, club, or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities, or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition if it would be considered a part of the school district’s activities. A community-based or sponsored group authorized to use school district facilities is not a student organization for purposes of this policy.

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate school district official designated by this policy.
- B. The building principal, the principal’s designee, or the building supervisor (hereinafter building report taker) is the person responsible for receiving reports of hazing at the building level. Any person may report hazing directly to a school

district human rights officer or to the superintendent. 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.

For community-based or sponsored groups authorized to use school district facilities, the community education director is the person responsible for receiving reports of hazing. Violations of a community-based or sponsored group's hazing policy or violations of hazing by individuals not authorized to use the school district's facilities will be turned over to the proper law enforcement agencies for investigation and prosecution.

- C. Teachers, administrators, volunteers, contractors, and other employees of the school district shall be particularly alert to possible situations, circumstances, or events which might include hazing. Any such person who receives a report of, observes, or has other knowledge or belief of conduct which may constitute hazing shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute hazing in a timely manner may be subject to disciplinary action.
- D. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, grades, or work assignments.
- E. Reports of hazing 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.
- F. School personnel, independent contractors working in the school district, and volunteers shall be particularly alert to possible situations, circumstances, or events which might include hazing. Any such person who receives a report of, observes, or has knowledge or belief of conduct which may constitute hazing shall inform the building principal immediately.

V. SCHOOL DISTRICT ACTION

- A. Upon receipt of a complaint or report of hazing, the school district shall undertake or authorize an investigation by school district officials or a third party designated by the school district.
- B. The school district may take immediate steps, at its discretion, to protect the complainant, reporter, students, or others pending completion of an investigation of hazing.
- C. 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. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements, applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act, school district policies, and regulations.

- D. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students involved in a hazing incident and the remedial action taken, to the extent permitted by law, based on a confirmed report.
- E. If the involved parties are in disagreement with the determination made by the administrator who investigated a hazing report, a request for further investigation can be made to the school district human rights officer.

VI. REPRISAL

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district or permitted facility user who retaliates against any person who makes a good faith report of alleged hazing or against any person who testifies, assists, or participates in an investigation, or against any person who testifies, assists, or participates in a proceeding or hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment.

VII. DISSEMINATION OF POLICY

- A. A summary of this policy shall appear in each secondary school's student and parent handbook, in each school's staff information materials, and the complete policy posted on the school district's website.
- B. The school district will develop a method of discussing this policy with students and employees.

Legal References: Minn. Stat. § 121A.0695 (School Board Policy; Prohibiting Intimidation and Bullying)
 Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)
 Minn. Stat. § 121A.69 (Hazing Policy)

Cross References: Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
 Policy 413 (Harassment and Violence)
 Policy 506 (Student Discipline)
 Policy 514 (Bullying Prohibition Policy)
 Policy 525 (Violence Prevention [Applicable to Students and Staff])



First Reading: July 13, 2015

Adopted: _____

527 STUDENT USE AND PARKING OF MOTOR VEHICLES; PATROLS, INSPECTIONS, AND SEARCHES

I. PURPOSE

The purpose of this policy is to provide guidelines for use and parking of motor vehicles by students in school district locations, to maintain order and discipline in the schools, and to protect the health, safety, and welfare of students and school personnel.

II. GENERAL STATEMENT OF POLICY

The policy of this school district is to allow the limited use and parking of motor vehicles by students in school district locations. The position of the school district is that a fair and equitable district-wide student motor vehicle policy will contribute to the quality of the student's educational experience, will maintain order and discipline in the schools, and will protect the health, safety, and welfare of students and school personnel. This policy applies to all students in the school district.

III. DEFINITIONS

- A. "Contraband" means any unauthorized item possession of which is prohibited by school district policy and/or law. It includes, but is not limited to, weapons and "look-alikes," alcoholic beverages, controlled substances and "look-alikes," overdue books and other materials belonging to the school district, and stolen property.
- B. "Reasonable suspicion" means that a school official has grounds to believe that the search will result in evidence of a violation of school district policy, rules, and/or law. Reasonable suspicion may be based on a school official's personal observation, a report from a student, parent, or staff member, a student's suspicious behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.
- C. "Reasonable scope" means that the scope and/or intrusiveness of the search is reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g., to

prevent violence, serious and immediate risk of harm, or destruction of evidence), and the age of the student.

- D. “School district location” means property that is owned, rented, leased, or borrowed by the school district for school purposes, as well as property immediately adjacent to such property that may be used for parking or gaining access to such property. A school district location also shall include off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

IV. STUDENT PARKING OF MOTOR VEHICLES IN SCHOOL DISTRICT LOCATIONS

- A. Students are permitted to park in a school district location as a matter of privilege, not of right. Students driving a motor vehicle to a high school campus may park the motor vehicle in the parking lot designated for student parking only. Students will not park vehicles in driveways, or on private property, but only in designated parking lots.
- B. When there are unauthorized vehicles parked on school district property, school officials may:
1. move the vehicle or require the driver or other person in charge of the vehicle to move it off school district property; or
 2. if unattended, provide for the removal of the vehicle, at the expense of the owner or operator, to the nearest convenient garage or other place of safety off of school district property.

V. PATROLS, INSPECTIONS, AND SEARCHES

School officials may conduct routine patrols of school district locations and routine inspections of the exteriors of the motor vehicles of students. In addition, the interiors of motor vehicles of students in school district locations may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law and/or school policy or rule.

A. Patrols and Inspections

School officials may conduct routine patrols of student parking lots and other school district locations and routine inspections of the exteriors of the motor vehicles of students. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

B. Search of Interior of Student Motor Vehicle

The interiors of motor vehicles of students in school district locations, including glove or trunk compartments, may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law and/or school

policy or rule. The search will be reasonable in its scope and intrusiveness. Such searches may be conducted without notice, without consent, and without a search warrant. A student will be subject to withdrawal of parking privileges and to discipline if the student refuses to open a locked motor vehicle under the student's control or its compartments upon the request of a school official.

C. Prohibition of Contraband and Interference with Patrols, Inspections, Searches, and/or Seizures

A violation of this policy occurs when students store or carry contraband in motor vehicles in a school district location or interfere with patrols, inspections, searches, and/or seizures as provided by this policy.

D. Seizure of Contraband

If a search yields contraband, school officials will seize the item and may turn it over to legal officials for ultimate disposition when appropriate.

E. Dissemination of Policy

A summary of this policy will be included in the student handbook or disseminated in any other way which school officials deem appropriate and the complete policy posted on the school district's website.

VI. VIOLATIONS

A student found to have violated this policy and/or the directives and guidelines implementing it shall be subject to withdrawal of parking privileges and/or to discipline in accordance with the school district's Student Discipline Policy, which may include suspension, exclusion, or expulsion. In addition, the student may be referred to legal officials when appropriate.

Legal References: U. S. Const., amend. IV
 Minn. Const., art. I, §10
 Minn. Stat. §123B.02, Subds. 1 and 5 (General Powers of Independent School Districts)
New Jersey v. T.L.O., 469 U.S. 325, 105 S.Ct. 733, 83 L.Ed.2d 720 (1985)

Cross References: Policy 417 (Chemical Use and Abuse)
 Policy 418 (Drug-Free Workplace/Drug-Free School)
 Policy 501 (School Weapons Policy)
 Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
 Policy 506 (Student Discipline)
 Policy 712 (Video Surveillance Other Than on Buses)



First Reading: _____ July 13, 2015

Adopted: _____

529 STAFF NOTIFICATION OF VIOLENT BEHAVIOR BY STUDENTS

I. PURPOSE

In an effort to provide a safe school environment, the assigned classroom teacher and certain staff members should know whether a student to be placed in the classroom has a history of violent behavior. Additionally, decisions should be made regarding how to manage such a student.

The purpose of this policy is to address the circumstances in which data should be provided to classroom teachers and other school staff members about students with a history of violent behavior and to establish a procedure for notifying staff regarding the placement of students with a history of violent behavior.

II. GENERAL STATEMENT OF POLICY

- A. Any staff member or other employee of the school district who obtains or possesses information concerning a student in the building with a history of violent behavior shall immediately report said information to the principal of the building in which the student attends school.
- B. The administration will meet with the assigned classroom teacher and other appropriate staff members for the purpose of notifying and determining how staff will manage such student.
- C. Only staff members who have a legitimate educational interest in the information will receive notification.

III. DEFINITIONS

For purposes of this policy, the following terms have the meaning given them.

- A. Administration

“Administration” means the superintendent, building principal, or other designee.

B. Classroom Teacher

“Classroom Teacher” means the instructional personnel responsible for the course or room to which a student is assigned at any given time, including a substitute hired in place of the classroom teacher.

C. History of Violent Behavior

1. A student will be considered to have a history of violent behavior if incident(s) of violence have occurred during the current or previous school year.
2. If a student has an incident of violence during the current or previous school year, that incident and all other past related or similar incidents of violence will be reported.

D. Incident(s) of Violence

“Incident(s) of violence” means willful conduct in which a student endangers or causes physical injury to the student, other students, or surrounding person(s) or endangers or causes significant damage to school district property, regardless of whether related to a disability or whether discipline was imposed.

E. 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 educational data. It includes a person’s need to know in order to:

1. Perform an administrative task required in the school or the employee’s contract or position description approved by the school board; or
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; or
4. Perform a task directly related to responding to a request for data.

F. School Staff Member

“School Staff Member” includes:

1. A person duly elected to the school board;
2. A person employed by the school board in an administrative, supervisory, instructional, or other professional position;

3. 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
4. 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.

IV. PROCEDURE FOR STAFF NOTIFICATION OF STUDENTS WITH VIOLENT BEHAVIOR

A. Reports of Violent Behavior

Any staff member or other employee of the school district who becomes aware of any information regarding the violent behavior of an enrolling student or any student enrolled in the school district shall immediately report the information to the building principal where the student is enrolled or seeks to enroll.

B. Recipients of Notice

Each classroom teacher of a student with a history of violent behavior (see Section III.C., above) will receive written notification from the administration prior to placement of the student in the teacher's classroom. In addition, written notice will be given by the administration to other school staff members who have a legitimate educational interest, as defined in this policy, when a student with a history of violent behavior is placed in a teacher's classroom. The administration will provide notice to anyone substituting for the classroom teacher or school staff member, who has received notice under this policy, that the substitute will be overseeing a student with a history of violent behavior.

The administration may provide other school district employees or individuals outside of the school district with information regarding a student, including information regarding a student's history of violent behavior, in accordance with Policy 515, Protection and Privacy of Pupil Records.

C. Determination of Who Receives Notice

The determination of which classroom teachers and school staff members have a legitimate educational interest in information regarding a student with a history of violent behavior will be made by either: (1) the school district's Responsible Authority appointed by the school board under the Minnesota Government Data Practices Act or (2) the administration. In the event the administration makes this determination, the Responsible Authority will provide guidance to the administration as to what data will be shared.

D. Form of Written Notice

The notice given to classroom teachers and school staff members will be in writing and will include the following:

1. Name of the student;
2. Date of notice;
3. Notification that the student has been identified as a student with a history of violent behavior as defined in Section III. of this policy; and
4. Reminder of the private nature of the data provided.

E. Record of Notice

1. The administration will retain a copy of the notice or other documentation provided to classroom teachers and school staff members notified under this section.
2. Retention of the written notice or other documentation provided to classroom teachers and school staff members is governed by the approved Records Retention Schedule.

F. Meetings Regarding Students with a History of Violent Behavior

1. If the administration determines, in his or her discretion, that the classroom teacher and/or school staff members with a legitimate educational interest in such data reasonably require access to the details regarding a student's history of violent behavior for purposes of school safety and/or intervention services for the student, the administration also may convene a meeting to share and discuss such data.
2. The persons present at the meeting may have access to the data described in Section IV.D., above.

G. Law Enforcement Reports

Staff members will be provided with notice of disposition orders or law enforcement reports received by the school district in accordance with Policy 515, Protection and Privacy of Pupil Records. Where appropriate, information obtained from disposition orders or law enforcement reports also may be included in a Notification of Violent Behavior.

V. MAINTENANCE AND TRANSFER OF RECORDS

A report, notice, or documentation pertaining to a student with a history of violent behavior are educational records of a student and will be retained, maintained, and transferred to a school or school district in which a student seeks to enroll in accordance with Policy 515, Protection and Privacy of Pupil Records.

VI. PARENTAL NOTICE

- A. The administration will notify parents annually that the school district gives classroom teachers and other school staff members notice about students' history of violent behavior.
- B. Prior to providing the written notice of a student's violent behavior to classroom teachers and/or school staff members, the administration will inform the student's parent or guardian that such notice will be provided.
- C. Parents will be given notice that they have the right to review and challenge records or data, including the data documenting the history of violent behavior, in accordance with Policy 515, Protection and Privacy of Pupil Records.

VII. TRAINING NEEDS

Representatives of the school board and representatives of the teachers will discuss the needs of students and staff. The parties may discuss necessary training which may include training on conflict resolution and positive behavior interventions and may discuss necessary intervention services such as student behavioral assessments.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
 Minn. Stat. § 120A.22, Subd. 7 (School Attendance - Education Records)
 Minn. Stat. § 121A.45 (Grounds for Dismissal)
 Minn. Stat. § 121A.64 (Notification of Students with Violent Behavior)
 Minn. Stat. § 121A.75 (Law Enforcement Notice to Schools)
 Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)
 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
 34 C.F.R. §§ 99.1-99.67 (Rules Implementing FERPA)
 Minn. Laws 2003, 1st Sp., Ch. 9, Art. 2, § 53

Cross References: Policy 515 (Protection and Privacy of Pupil Records)



First Reading: July 13, 2015

Adopted: _____

530 IMMUNIZATION REQUIREMENTS

I. PURPOSE

The purpose of this policy is to require that all students receive the proper immunizations as mandated by law to ensure the health and safety of all students.

II. GENERAL STATEMENT OF POLICY

Pursuant to MN Statute 121A.15 (Health Standards; Immunizations; School Children) and Minnesota Department of Health Immunization Guidelines, all students are required to provide proof of immunization status, or appropriate documentation exempting the student from specified immunization(s), and other documentation necessary to ensure that the student is free from any communicable diseases, as a condition of enrollment.

III. STUDENT IMMUNIZATION REQUIREMENTS

- A. No student may be enrolled or remain enrolled, on a full-time, part-time, or shared-time basis, in any elementary or secondary school or school-based early childhood program(s) within the school district until the student or the student's parent or guardian has submitted to the designated school district administrator the required proof of immunization. Prior to the student's first date of attendance, the student or the student's parent or guardian shall provide to the designated school district administrator one of the following statements:
1. a statement, from a physician or a public clinic which provides immunizations, stating that the student received the immunizations required by law, consistent with medically acceptable standards; or
 2. a statement, from a physician or a public clinic which provides immunizations, stating that the student received the primary schedule of immunizations required by law and has commenced a schedule of the remaining required immunizations, indicating the month and year each immunization was administered, consistent with medically acceptable standards.
- B. The statement of a parent or guardian of a student or an emancipated student may be substituted for the statement of a physician or public clinic which administers immunizations. If such a statement is substituted, this statement must indicate the

month, day, and year each immunization was administered. Upon request, the designated school district administrator will provide information to the parent or guardian of a student or an emancipated student of the dosages required for each vaccine according to the age of the student. The school district has the right to request documentation from a physician or a public clinic which provides immunizations to support proof of immunization status.

- C. The parent or guardian of persons receiving instruction in a home school shall submit one of the statements set forth in Section III.A. or III.B., above, or statement of immunization set forth in Section IV., below, to the superintendent or designee of the school district by October 1 of the first year of their home schooling in Minnesota and the grade 7 year.
- D. When there is evidence of the presence of a communicable disease, or when required by any state or federal agency and/or state or federal law, students and/or their parents or guardians may be required to submit such other health care data as is necessary to ensure that the student has received any necessary immunizations and/or is free of any communicable diseases. No student may be enrolled or remain enrolled in any elementary or secondary school within the school district until the student or the student's parent or guardian has submitted the required data.
- E. The school district may allow a student transferring into a school a maximum of 30 days to submit a statement specified in Section III.A. or III.B., above, or Section IV., below. Students who do not provide the appropriate proof of immunization or the required documentation related to an applicable exemption of the student from the required immunization within the specified time frames shall be excluded from school until such time as the appropriate proof of immunizations or exemption documentation has been provided.
- F. If a person who is not a Minnesota resident enrolls in a school district online learning course or program that delivers instruction to the person only by computer and does not provide any teacher or instructor contact time or require classroom attendance, the person is not subject to the immunization, statement, and other requirements of this policy.

IV. EXEMPTIONS FROM IMMUNIZATION REQUIREMENTS

Students will be exempt from the foregoing immunization requirements under the following circumstances:

- A. The parent or guardian of a minor student or an emancipated student submits a physician's signed statement stating that the immunization of the student is contraindicated for medical reasons or that laboratory confirmation of the presence of adequate immunity exists; or

- B. The parent or guardian of a minor student or an emancipated student submits his or her notarized statement stating the student has not been immunized because of the conscientiously held beliefs of the parent, guardian or student.

V. NOTICE OF IMMUNIZATION REQUIREMENTS

- A. The school district will develop and implement a procedure to:
 - 1. Notify parents and students of the immunization and exemption requirements by use of a form approved by the Department of Health;
 - 2. Notify parents and students of the consequence for failure to provide required documentation regarding immunizations;
 - 3. Review student health records to determine whether the required information has been provided; and
 - 4. Make reasonable arrangements to send a student home when the immunization requirements have not been met and advise the student and/or the student's parent or guardian of the conditions for re-enrollment.
- B. The notice provided shall contain written information describing the exemptions from immunization as permitted by law. The notice shall be in a font size at least equal to the font size and style as the immunization requirements and on the same page as the immunization requirements.

VI. IMMUNIZATION RECORDS

- A. The school district will maintain a file containing the immunization records for each student in attendance at the school district for at least five years after the student attains the age of majority.
- B. Upon request, the school district may exchange immunization data with persons or agencies providing services on behalf of the student. Immunization data is private student data and disclosure of such data shall be governed by Policy 515 Protection and Privacy of Pupil Records.
- C. The designated school district administrator will assist a student and/or the student's parent or guardian in the transfer of the student's immunization file to the student's new school within 30 days of the student's transfer.
- D. Upon request of a public or private post-secondary educational institution, the designated school district administrator will assist in the transfer of the student's immunization file to the post-secondary educational institution.

VII. OTHER

Within 60 days of the commencement of each new school term, the school district will forward a report to the Commissioner of the Department of Education stating the number of students attending each school in the school district, including the number of students receiving instruction in a home school, the number of students who have not been

immunized, and the number of students who received an exemption. The school district also will forward a copy of all exemption statements received by the school district to the Commissioner of the Department of Health.

- Legal References:*** Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.15 (Health Standards; Immunizations; School Children)
Minn. Stat. § 121A.17 (School Board Responsibilities)
Minn. Stat. § 144.29 (Health Records; Children of School Age)
Minn. Stat. § 144.3351 (Immunization Data)
Minn. Stat. § 144.441 (Tuberculosis Screening in Schools)
Minn. Stat. § 144.442 (Testing in Schools)
Minn. Rules Parts 4604.0100-4604.1000 (Immunization)
McCarthy v. Ozark Sch. Dist., 359 F.3d 1029 (8th Cir. 2004)
Op. Atty. Gen. 169-W (July 23, 1980)
Op. Atty. Gen. 169-W (Jan. 17, 1968)
- Cross References:*** Policy 515 (Protection and Privacy of Pupil Records)



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Adopted: 10/8/09

531 THE PLEDGE OF ALLEGIANCE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

III. EXCEPTIONS

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

IV. INSTRUCTION

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

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



First Reading: July 13, 2015

Revised: _____

Adopted: 11/12/09

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

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

III. DEFINITIONS

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

- A. "Student with an IEP" or "the student" means a student who is eligible to receive special education and related services pursuant to the terms of an IEP or an individual interagency intervention plan (IIIP).

- B. “Peace officer” means an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the Board of Peace Officer Standards and Training, charged with the prevention and detection of crime and the enforcement of general criminal laws of the state and who has the full power of arrest. The term “peace officer” includes a person who serves as a sheriff, a deputy sheriff, a police officer, or a state patrol trooper.
- C. “Security officer” is a peace officer who, pursuant to an agreement between the school district and a political subdivision or law enforcement agency, is assigned to a school building for all or a portion of the school day to provide law enforcement assistance and support to the building administration and to promote school safety, security, and positive relationships with students.
- D. “Crisis team” means a group of persons, which may include teachers and non-teaching school personnel, selected by the building administrator in each school building who have received crisis intervention training and are responsible for becoming actively involved with resolving crises. The building administrator or designee shall serve as the leader of the crisis team.
- E. The phrase “remove the student from school grounds” is the act of securing the person of a student with an IEP and escorting that student from the school building or school activity at which the student with an IEP is located.
- F. “Emergency” means a situation where immediate intervention is needed to protect a child or other individual from physical injury or to prevent serious property damage.
- G. All other terms and phrases used in this policy shall be defined in accordance with applicable state and federal law or ordinary and customary usage.

IV. REMOVAL OF STUDENTS WITH IEPs FROM SCHOOL GROUNDS

A. Removal By Crisis Team

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

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

B. Removal By Security Officer or Peace Officer

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

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

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

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

C. Reasonable Force Permitted

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

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

1. Corporal punishment prohibited by Minn. Stat. § 121A.58;
2. Requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;
3. Totally or partially restricting a child's senses as punishment;
4. Denying or restricting a child's access to equipment and devices such as walkers, wheel chairs, hearing aids, and communication boards that

facilitate the child's functioning except when temporarily removing the equipment or device is needed to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible;

5. Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under Minn. Stat. § 626.556;
6. Physical holding (as defined in Minn. Stat. § 125A.0941) that restricts or impairs a child's ability to breathe, restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso;
7. Withholding regularly scheduled meals or water; and/or
8. Denying a child access to toilet facilities.

D. Parental Notification

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

E. Continued Removals; Review of IEP

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

F. Effect of Policy in an Emergency; Use of Restrictive Procedures

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

If the school district seeks to remove a student with an IEP from school grounds under this policy due to behaviors that constitute an emergency and the student's IEP, IIP, or behavior intervention plan authorizes the use of one or more restrictive procedures, the crisis team may employ those restrictive procedures, in addition to any reasonable force that may be necessary, to facilitate the student's removal from school grounds, as long as the crisis team members who are implementing the restrictive procedures have received the training required by Minn. Stat § 125A.0942, Subd. 5, and otherwise comply with the requirements of § 125A.0942.

Legal References: Minn. Stat. § 13.01, *et seq.* (Minnesota Government Data Practices Act)
 Minn. Stat. §§ 121A.40-121A.56 (Minnesota Pupil Fair Dismissal Act)
 Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
 Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)
 Minn. Stat. § 121A.67, Subd. 2 (Aversive and Deprivation Procedures)
 Minn. Stat. §§ 125A.094-125A.0942 (Restrictive Procedures for Children with Disabilities)

Minn. Stat. § 609.06 (Authorized Use of Force)

Minn. Stat. § 609.379 (Permitted Actions)

20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy (FERPA))

20 U.S.C. § 1415(k)(6) (Individuals with Disabilities Education Improvement Act of 2004 (IDEA))

34 C.F.R. § 300.535 (IDEA Regulation Regarding Involvement of Law Enforcement)

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



First Reading: July 13, 2015

Revised: _____

Adopted: 7/13/06

533 WELLNESS

I. PURPOSE

The purpose of this policy is to assure a school environment that promotes and protects students' health, well-being, and ability to learn by supporting healthy eating and physical activity.

II. GENERAL STATEMENT OF POLICY

- A. The school board recognizes that nutrition education and physical education are essential components of the educational process and that good health fosters student attendance and education.
- B. The school environment should promote and protect students' health, well-being, and ability to learn by encouraging healthy eating and physical activity.
- C. The school district encourages the involvement of students, parents, teachers, food service staff, and other interested persons in implementing, monitoring, and reviewing school district nutrition and physical activity policies.
- D. Children need access to healthy foods and opportunities to be physically active in order to grow, learn, and thrive.
- E. All students in grades K-12 will have opportunities, support, and encouragement to be physically active on a regular basis.
- F. Qualified food service personnel will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; try to accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.

III. GUIDELINES

A. Foods and Beverages

1. Scheduling:
 - a. When possible schools will schedule recess or physical education before lunch in order to increase food consumed, decrease plate waste, and improve cafeteria behavior.
 - b. School sites will provide sufficient time for all students to eat in the school cafeteria and will schedule meal periods at appropriate times during the school day. Times to eat will work up to at least 10 minutes for breakfast and 20 minutes for lunch.
 - c. The school district will discourage tutoring, club, or organizational meetings or activities during mealtimes, unless students may eat during such activities.
2. Foods and beverages made available on campus during the school day (including a la carte cafeteria items) will be consistent with the current USDA Dietary Guidelines for Americans.
3. Food service personnel will take every measure to ensure that student access to foods and beverages meet or exceed all federal, state, and local laws and guidelines.
4. Food service personnel shall adhere to all federal, state, and local food safety and security guidelines.
5. The school district will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price school meals.
6. The school district will provide students access to hand washing or hand sanitizing before they eat meals or snacks.
7. The school district will ensure that all drinking fountains are sanitary and in working order and that students will have access to drinking water during the school day.

B. School Food Service Program/Personnel

1. The school district will provide healthy and safe school meal programs that strictly comply with all federal, state, and local statutes and regulations.

2. The school district shall designate an appropriate person to be responsible for the school district's food service program, whose duties shall include the creation of nutrition guidelines and procedures for the selection of foods and beverages made available on campus to ensure food and beverage choices are consistent with current USDA Dietary Guidelines for Americans.
3. As part of the school district's responsibility to operate a food service program, the school district will provide continuing professional development for all food service personnel in schools.

C. Nutrition Education and Promotion

1. The school district will encourage and support healthy eating by students and engage in nutrition promotion that is:
 - a. offered as part of a comprehensive program designed to provide students with the knowledge and skills necessary to promote and protect their health;
 - b. part of health education classes as well as classroom instruction in subjects such as math, science, language arts, social sciences, and elective subjects, where appropriate; and
 - c. enjoyable, developmentally appropriate, culturally relevant, and includes participatory activities, such as contests, promotions, taste testing, and field trips.
2. The school district will encourage all students to make age appropriate, healthy selections of foods and beverages, including those sold individually outside the reimbursable school meal programs, such as through a la carte or snack lines, vending machines, fundraising events, concession stands, and student stores.
3. Schools will not use foods or beverages as rewards for academic performance or good behavior (unless this practice is allowed by a student's individual education plan or behavior intervention plan) and will not withhold food or beverages as punishment.

D. Physical Activity

1. Students need opportunities for physical activity and to fully embrace regular physical activity as a personal behavior. Toward that end, health education will reinforce the knowledge and self-management skills needed to maintain a healthy lifestyle and reduce sedentary activities such as watching television;
2. Opportunities for physical activity will be incorporated into other subject lessons, where appropriate; and

3. Classroom teachers will provide short physical activity breaks between lessons or classes, as appropriate.

E. Communications with Parents

1. The school district recognizes that parents and guardians have a primary and fundamental role in promoting and protecting their children's health and well-being.
2. The school district will support parents' efforts to provide a healthy diet and daily physical activity for their children.
3. The school district encourages parents to pack healthy lunches and snacks and refrain from including beverages and foods without nutritional value.
4. The school district will provide information about physical education and other school-based physical activity opportunities and will support parents' efforts to provide their children with opportunities to be physically active outside of school.

F. Staff Wellness

1. School staff members serve as role models for students and are the key to successful implementation of student wellness programs. Therefore, the district and schools should offer staff wellness programs as well as general wellness resources and opportunities. This may include workshops and presentations on health promotion, stress management, education and resources that will enhance morale, encourage healthy lifestyles, prevent injury, reduce chronic diseases, and foster exceptional role modeling.

G. Healthy Concessions

1. Concessions sales at school-related events will be supportive of healthy eating and physical activity by emphasizing the sale of healthy foods or non-food items.
2. The superintendent, or designee, and Activities Director- with the assistance of the School Health Council, will create and promote a list of healthy food and non-food items recommended for sale at concessions stands.
3. Groups should strive to have at least 50% of available concessions items be healthy or non-food, and should price those options lower than less healthy foods when possible.

4. A healthy options list will be available as a resource to groups responsible for concession sales.
5. The district will make external organizations using school property aware of the policy regarding fundraising with food and beverage items and will encourage them to adopt the same policy.

IV. IMPLEMENTATION AND MONITORING

- A. After approval by the school board, the wellness policy will be implemented throughout the school district.
- B. School food service staff, at the school or district level, will ensure compliance within the school's food service areas and will report to the food service program administrator, the building principal, or the superintendent's designee, as appropriate.
- C. The school district's food service program administrator will provide an annual report to the superintendent, or designee, setting forth the nutrition guidelines and procedures for selection of all foods made available on campus.
- D. The superintendent or designee will ensure compliance with the wellness policy and will provide a timely report of the school district's compliance with the policy to the school board.
- E. Members of a district wellness committee will work with designated administrative staff to plan, implement and improve the school district's nutrition and physical activity environment.
- F. The school district will post this wellness policy on its website.

Legal References: Minn. Stat. § 121A.215 (Local School District Wellness Policy) 42 U.S.C. § 1751 *et seq.* (Healthy and Hunger-Free Kids Act) 42 U.S.C. § 1758b (Local School Wellness Policy) 42 U.S.C. § 1771 *et seq.* (Child Nutrition Act of 1966) 7 U.S.C. § 5341 (Establishment of Dietary Guidelines) 7 C.F.R. § 210.10 (School Lunch Program Regulations) 7 C.F.R. § 220.8 (School Breakfast Program Regulations)

Local Resources: Minnesota Department of Education, www.education.state.mn.us Minnesota Department of Health, www.health.state.mn.us County Health Departments Action for Healthy Kids Minnesota, www.actionforhealthykids.org United States Department of Agriculture, www.fns.usda.gov



First Reading: July 13, 2015

Revised: 1/9/92; 4/12/12

Adopted: 7/9/81

598 EARLY ADMISSION TO KINDERGARTEN

I. PURPOSE

- A. The purpose of this policy is to provide an exception to the kindergarten admission minimum age law for exceptional children.
- B. The 1967 legislature passed a law 120.06 “Admission to Public Schools” – Age Limitations. The law states as follows:

All schools supported in whole or in part by state funds are public schools. Admission to a public school is free to any person who resides within the district which operates the school, who is under 21 years of age, and who satisfies the minimum age requirements imposed by this section. No person shall be admitted to any public school after September 1, 1971, (1) as a kindergarten student, unless she or he is at least five years of age on September 1 of the calendar year in which the school year for which she or he seeks admission commences; or (2) as a first grade student, unless she or he is at least six years of age on September 1 of the calendar year in which the school year for which she or he seeks admission commences or has completed kindergarten; except that any school board may establish a policy for admission of selected pupils at an earlier age.

II. GENERAL STATEMENT OF POLICY

- A. Mahtomedi Public Schools will have a program of Early Kindergarten Admission (EKA). This policy will allow children who are five years of age on September 2 through October 31 of the calendar school year for which they seek admission to enroll in kindergarten at their attendance area schools if they meet ALL of the following EKA assessment requirements:
 - 1. Birth dates prior to November 1 of the calendar school year for which they seek admission;
 - 2. Measured general intellectual ability at or above the 98th percentile when compared with same-age peers +/- one Standard Error of Measurement (SEM) for the test used will be required. This area will be assessed using a standardized, norm-referenced, individually administered test of

intellectual ability that is appropriate for the children given their cultural and linguistic backgrounds. Subscales or prorated scores will not be accepted as indicative of “general intellectual ability”;

3. Measured social/emotional/behavioral skills within the average to above-average range (i.e., 25th percentile or higher) when compared with children who are age-appropriate for kindergarten. This area will be assessed using standardized, norm-referenced checklists designed to compare a child’s social/behavioral skills to those of his/her peers. Parents and current daycare/preschool providers will be asked to complete these checklists, as information across settings is needed to determine present level of performance;
 4. Measured academic readiness skills within the average to above-average range (i.e., 25th percentile or higher) when compared with children who are age-appropriate for kindergarten. This area will be assessed using curriculum based measures of early literacy and numeracy as well as a criterion-based assessment of kindergarten readiness skills (e.g., the kindergarten portfolio);
 5. Assessed functional independence and school-readiness skills that are at least average when compared with children who are age-appropriate for kindergarten. This area will be assessed through parent and preschool teacher checklists and interviews. Additionally, the children may be observed within their preschool environments. If a preschool environment is not available, the children may be invited into an existing kindergarten classroom to facilitate an observation of the children’s skills in following a teacher’s directions, functioning within a large group, and interacting with peers during academic and/or social instruction; and
 6. Assessments and admission procedures will be sensitive to underrepresented groups, including, but not limited to Low-income, minority, twice-exceptional, and English learners.
- B. The elementary principal will set up screening and testing times for children and consultation with parents during the months of March, April, May, June, July, or August for children eligible for early entrance to kindergarten in September.

III. PROCEDURES TO BE FOLLOWED FOR EKA

- A. At the request of interested parents and/or community members, the district will conduct a meeting for families considering EKA to explain the EKA requirements and process.
- B. Families seeking EKA must submit a letter of request for admission, or complete and submit the appropriate form, to the school district (by way of the district office or the desired school of attendance) by April 1 of the calendar year in which the family is seeking EKA (e.g., if the family is seeking EKA for the 2013-14 school year, the request for admission must be submitted by April 1, 2013).
- C. A district representative will meet individually with each family seeking EKA and review assessment requirements. A brief history of the child will be taken and an

assessment plan developed that reduces any cultural or linguistic bias in the assessment process. Consent to obtain information from daycare and preschool providers will be obtained (note: parents may choose to decline consent; however, the team will need to develop alternative methods for obtaining information about child performance across settings, and decisions about EKA are based on available data).

- D. A district school psychologist, in collaboration with the gifted and talented coordinator, will be responsible for organizing the assessment process, ensuring that all data are collected and summarized, completing any needed intellectual and social/behavioral assessment, convening the EKA assessment team, editing any final reports, and relaying information to families.
- E. Signed consent to complete the assessment will be obtained prior to starting any data collection. Any individual testing will take place before or after regular school hours or immediately following the conclusion of the school year.
- F. No testing by psychologists for EKA will be done prior to April 1 of the calendar year for which admission is sought. This ensures that all children tested will be at least four years and five months old.
- G. A fee will be charged to the parents for each child assessed, payable to Mahtomedi Public Schools at a rate commensurate with the expenses. The expenses include things like personnel costs, costs of test protocols, related materials, etc. This payment is due prior to starting the early admission assessment. Financial support to offset the cost of the early admission assessment is available through a standard application based on determination of financial need.
- H. The school district will have an early admission kindergarten team (team) review the assessment results. The team shall include a kindergarten teacher, a building principal, a school psychologist, the gifted and talented coordinator, and additional personnel as deemed appropriate.
- I. The team shall decide if the child meets the criteria, and is approved for EKA. The decision of the team is final and will be provided in writing to the family.
- J. A written summary of the assessment shall be submitted to the school district by June 15 of the calendar year in which the family is seeking EKA. Prior to June 30 of the same year, families will be contacted regarding assessment results. A meeting with available team members will be convened, if requested, to review assessment results and conclusions.
- K. Principals, teachers, and school psychologists in Mahtomedi Public Schools will not be involved in screening or evaluating students whose parents are interested in early entrance to preschool programs.
- L. Parents may seek assessment for EKA from agencies other than the school district at their own expense. Reports from these agencies must comply with the criteria

established by the school district regarding age, intellectual ability, academic skills, social/emotional/behavioral skills, and functional independence in a school setting. Any areas not addressed adequately by a private provider's evaluation summary must be assessed prior to determination of EKA eligibility. The EKA team will review any externally collected data and decide if: (1) the child is approved for EKA; (2) the child is not approved for EKA, or (3) additional data are needed to determine EKA eligibility. If additional data are needed to make the EKA decision, the EKA team will draft a recommended assessment plan, including any fees associated with completing the assessment, and submit the plan to the family (total fees will not exceed the cost indicated above for conducting a thorough EKA assessment). The decision of the team will be final and provided in writing to the family.

- M. Parents seeking open enrollment in the Mahtomedi Public Schools for their child as well as EKA must apply for EKA following the procedures above. If the child is not eligible for EKA, the open enrollment seat will be forfeited for the desired academic year.

Legal References: Minn. Stat. § 120B.15 (Gifted and Talented Students Programs)
Minn. Stat. § 124D.02, Subd. 1 (Kindergarten Instruction)

Cross References: Policy 513 (Student Promotion, Retention, and Program Design)



First Reading: July 13, 2015

Revised: _____

Adopted: 7/2/84

599 PUPIL FEE GUIDELINES

I. PURPOSE

The purpose of this policy is to provide uniform regulations pertaining to student fees consistent with Minnesota law.

II. GENERAL STATEMENT OF POLICY

No student shall be denied a required educational experience because of his/her economic inability to pay fees or furnish educational books or supplies. In brief, no student should be required to pay a fee for a program, project, or activity that occurs during the regular school day, in the regular school year (summer school is not a part of the regular school year when courses are taken on a voluntary basis).

The school district has the right to accept voluntary contributions, make certain charges, and establish fees in areas considered extracurricular, non-curricular, or supplementary to the regular school program. Further, the school district should attempt to provide equal opportunities for students who are unable to pay fees. The superintendent should adopt procedures to ensure that staff members are not implementing unauthorized fees or fines.

III. SPECIFIC FEES

A. Permitted Fees. Fees may be charged in the following areas:

1. In any program where the resultant product, in excess of minimum requirements and at the pupil's option, becomes the personal property of the pupil.
2. Admission fees or charges for extracurricular activities, where attendance is optional.
3. A security deposit for the return of materials, supplies, or equipment.

4. For personal physical education equipment and apparel, although any student may provide her/his own if it meets reasonable requirements and standards relating to health and safety established by the school board or its designee.
 5. For items of personal use or products which a student may purchase at his/her own option, such as student publications, class rings, annuals, and graduation announcements.
 6. Fees specifically permitted by any other statute, i.e. driver's training.
 7. Field trips considered supplementary to the regular educational program, do not affect grades and for which attendance is optional, regardless of whether such trips are conducted during or outside the regular school day.
 8. Fees charged by an outside agency for foreign language trips that are not sponsored by the school district and do not involve an interruption of the student's educational program. Time for such trips should be chosen during summer and vacation periods.
 9. Any authorized voluntary student health and accident benefit plan.
 10. For the use of musical instruments owned or rented by the school district, a reasonable rental fee not to exceed either the rental cost to the school district or the annual depreciation plus the actual annual maintenance cost for each school owned instrument (not purchased with Title I, ESEA funds).
 11. Students may be required to furnish personal, consumable items, or other school supplies.
 12. A fee will be charged to students who participate in extracurricular athletic activities for use of athletic equipment and apparel. Students are required to purchase items of a personal nature associated with participation in extracurricular activities. Such items may include, but are not limited to, mouthpieces, hockey sticks, practice uniforms, practice/game socks, and similar items. Fees are based on varying expenditures and depreciation.
- B. Prohibited Fees. Fees will not be charged in the following areas:
1. Textbooks, workbooks, consumable art materials, laboratory supplies, and towels.
 2. Supplies necessary for participation in any instructional course, except as specifically authorized.

3. Field trips which are required as a part of a basic education program or course, or which take place during the regular school day. Voluntary contributions or assistance from outside agencies may be accepted to defray part or all of such field trip costs.
4. Graduation caps, gowns, any specific form of dress necessary for any educational program, and diplomas.
5. Instructional costs for necessary school personnel employed in any course or educational program required for graduation.
6. Library books required to be utilized for educational course or program. A fee may be charged for lost books, but neither grades nor other privileges may be withheld because of nonpayment of such fines. If legal action is desired against the student, the administration has the recourse of pursuing the matter in court.
7. Admission fees, dues, or fees for any activity the pupil is required to attend, or which takes place during the regular school day.
8. Any admission or examination cost for any required educational course or program.
9. Locker rentals. (A deposit for a lock or key, however, is permissible. Such deposit should not exceed the reasonable cost of replacing the lock or key).

IV. FEE WAIVER PROCEDURE

If a satisfactory arrangement for payment of fees and/or charges cannot be worked out, the following waiver procedure shall apply:

- A. The current income guidelines established by state and federal agencies for qualification of free and reduced lunches shall serve as qualifications for waiver of fees and/or charges.
- B. In cases of unusual hardship not falling within the state and federal guidelines, the principal or his/her designee may authorize waiver of some or all of the fees.
- C. The student, if 18 years or older, or the student's parent or guardian shall be responsible for initiating a request for a waiver of fees to the building principal.

V. REFUNDS

After the beginning of the season, the allowable reasons for refunding an athletic fee will be the following:

- A. Student decision to discontinue participation during the first week of practice.
- B. Being cut from a team prior to the first contest or public appearance for reasons other than violation of training rules.
- C. An injury occurring within the first half of the regular season which prevents further participation.
- D. Transfer to another school within the first half of the regular season.

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

Regular Meeting - Board of Education

Date: July 13, 2015

Agenda Item #9. D. 1-21

TOPIC: Second Reading of Policies

- 401-Equal Employment Opportunity
- 402 Disability Nondiscrimination Policy
- 403-Discipline, Suspension and Dismissal of School District Employees
- 404-Employment Background Checks
- 405-Veteran's Preference
- 406-Public and Private Personnel Data
- 407-Employee Right to Know – Exposure to Hazardous Substances
- 408-Subpoena of a School District Employee
- 409-Employee Publications, Instructional Materials, Inventions and Creations
- 412-Expense Reimbursement
- 416-Drug and Alcohol Testing
- 417-Chemical Use and Abuse
- 418-Drug-Free Workplace/Drug-Free School
- 419-Tobacco-Free Environment
- 420-Students and Employees with Sexually Transmitted Infections and Diseases and Certain Other Communicable Diseases and Infectious Conditions
- 421-Gifts to Employees
- 422-Policies Incorporated by Reference
- 423-Employee-Student Relationships
- 424-License Status
- 427-Workload Limits for Certain Special Education Teachers
- 399-Administrator Performance Appraisal

BACKGROUND: The policies listed above have been reviewed by the MSBA, administration, the Policy Committee, and the full School Board at a first reading. There were no changes from the first reading.

ACTION RECOMMENDED: Provide direction for administration on what changes to the policies are required before adopting on August 13, 2015.

Submitted By:

Mark Larson

Name

Superintendent of Schools

Title

Concurrence By:

Mark Larson

Dr. Mark Larson

Superintendent of Schools



Second Reading: July 13, 2015

Revised: 5/8/97

Adopted: 5/21/91

401 EQUAL EMPLOYMENT OPPORTUNITY

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to provide equal employment opportunity for all applicants and employees. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, age, family care leave status, or veteran status. The school district also makes reasonable accommodations for disabled employees.
- 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 impermissible harassment and the school district's internal procedures for addressing complaints of harassment, please refer to the school district's policy on harassment and violence.
- C. This policy applies to all areas of employment including hiring, discharge, promotion, compensation, facilities, or privileges of employment.
- D. It is the responsibility of every school district employee to follow this policy.
- E. Any person having a question regarding this policy should discuss it with the Coordinator of Human Resources.

Legal References: Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
 29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
 29 U.S.C. § 2615 (Family and Medical Leave Act)
 38 U.S.C. § 4211 *et seq.* (Employment and Training of Veterans)
 38 U.S.C. § 4301 *et seq.* (Employment and Reemployment Rights of

Members of the Uniformed Services)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
42 U.S.C. § 12101 *et seq.* (Equal Opportunity for Individuals with Disabilities)

Cross References: Policy 402 (Disability Nondiscrimination)
Policy 405 (Veteran's Preference)
Policy 413 (Harassment and Violence)



Second Reading: July 13, 2015

Revised: _____

Adopted: 5/8/97

402 DISABILITY NONDISCRIMINATION POLICY

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The school district shall not discriminate against qualified individuals with disabilities because of the disabilities of such individuals in regard to job application procedures, hiring, advancement, discharge, compensation, job training, and other terms, conditions, and privileges of employment.
- B. The school district shall not engage in contractual or other arrangements that have the effect of subjecting its qualified applicants or employees with disabilities to discrimination on the basis of disability. The school district shall not exclude or otherwise deny equal jobs or job benefits to a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a relationship or association.
- C. The school district shall make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless the accommodation would impose undue hardship on the operation of the business of the school district.
- D. Any job applicant or employee wishing to discuss the need for a reasonable accommodation, or other matters related to a disability or the enforcement and application of this policy, should contact the Coordinator of Human Resources. This individual is the school district's appointed ADA/Section 504 coordinator.

Legal References: 29 U.S.C. 794 *et seq.* (Rehabilitation Act of 1973, § 504)
 42 U.S.C., Ch. 126 § 12112 (Americans with Disabilities Act)
 29 C.F.R. Part 32
 34 C.F.R. Part 104

Cross References: Policy 521 (Student Disability Nondiscrimination)



Second Reading: July 13, 2015

Revised: 1/8/98

Adopted: 5/8/97

403 DISCIPLINE, SUSPENSION, AND DISMISSAL OF SCHOOL DISTRICT EMPLOYEES

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

The disciplinary process described herein is designed to utilize progressive steps, where appropriate, to produce positive corrective action. While the school district intends that in most cases progressive discipline will be administered, the specific form of discipline chosen in a particular case and/or the decision to impose discipline in a manner otherwise, is solely within the discretion of the school district. All employees are required to follow district policies and state and federal statutes. However, language in the contracts of bargaining units supersedes this policy

III. DISCIPLINE

A. Violation of School Laws and Rules

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

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

B. Substandard Performance

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

C. Misconduct

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

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

IV. FORMS OF DISCIPLINE

A. The forms of discipline that may be imposed by the school district include, but are not limited to:

1. oral warning;
2. written warning or reprimand;
3. probation;
4. disciplinary suspension, demotion or leave of absence with pay;
5. disciplinary suspension, demotion or leave of absence without pay; and

6. dismissal/termination or discharge from employment.
- B. Other forms of discipline, including any combination of the forms described in Paragraph A., above, may be imposed if, in the judgment of the administration, another form of discipline will better accomplish the school district's objective of stopping or correcting the offending conduct and improving the employee's performance.

V. PROCEDURES FOR ADMINISTERING POLICY

- A. In an instance where any form of discipline is imposed, the employee's supervisor will:
1. Advise the employee of any inadequacy, deficiency or conduct which is the cause of the discipline, either orally or in writing. If given orally, the supervisor will document the fact that an oral warning was given to the employee specifying the date, time and nature of the oral warning.
 2. Provide directives to the employee to correct the conduct or performance.
 3. Forward copies of all writings to the administrator in charge of personnel for filing in the employee's personnel file.
 4. Allow a reasonable period of time, when appropriate, for the employee to correct or remediate the performance or conduct.
 5. Specify the expected level of performance or modification of conduct to be required from the employee.
- B. The school district retains the right to immediately discipline, terminate or discharge an employee as appropriate, subject to relevant governing law and collective bargaining agreements where applicable.

Legal References: Minn. Stat. § 122A.40 (Teachers – Employment; Contracts; Termination)
 Minn. Stat. § 122A.41 (Teacher Tenure)
 Minn. Stat. § 122A.44 (Contracting with Teachers)
 Minn. Stat. § 122A.58 (Coaches)
 Minn. Stat. § 123B.02, Subd. 14 (Employees; Contracts for Services)
 Minn. Stat. § 123B.143 (Superintendent)
 Minn. Stat. § 123B.147 (Principals)
 Minn. Stat. § 197.46 *et seq.* (Veterans Preference Act)

Cross References: MSBA Service Manual, Chapter 3, Employees



Second Reading: July 13, 2015

Revised: 4/11/02; 9/14/00; 2/6/97; 4/11/96

Adopted: 6/9/94

404 EMPLOYMENT BACKGROUND CHECKS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. PROCEDURES

- A. Normally an individual will not commence employment or provide services until the school district receives the results of the criminal history background check.

The school district may conditionally hire an applicant or allow an individual to provide services pending completion of the background check, but shall notify the individual that the individual's employment or opportunity to provide services may be terminated based on the result of the background check. Background checks will be performed by the Minnesota Bureau of Criminal Apprehension (BCA). The BCA shall conduct the background check by retrieving criminal history data as defined in Minn. Stat. § 13.87. The school district reserves the right to also have criminal history background checks conducted by other organizations or agencies.

- B. In order for an individual to be eligible for employment the individual must sign a criminal history consent form, which provides permission for the school district to conduct a criminal history background check, and provide a money order or check payable to either the BCA or to the school district, at the election of the school district, in an amount equal to the actual cost to the BCA and the school district of conducting the criminal history background check. The cost of the criminal history background check is the responsibility of the individual, unless the school district decides to pay the costs for a volunteer, an independent contractor, or a student employee. If the individual fails to provide the school district with a signed Informed Consent Form and fee at the time the individual receives a job offer, or permission to provide services, the individual will be considered to have voluntarily withdrawn the application for employment or request to provide services.
- C. The school district, in its discretion, may elect not to request a criminal history background check on an individual who holds an initial entrance license issued by the state board of teaching or the commissioner of education within the 12 months preceding an offer of employment or permission to provide services.
- D. The school district may use the results of a criminal background check conducted at the request of another school hiring authority if:
1. the results of the criminal background check are on file with the other school hiring authority or otherwise accessible;
 2. the other school hiring authority conducted a criminal background check within the previous 12 months;
 3. the individual executes a written consent form giving the school district access to the results of the criminal background check; and
 4. there is no reason to believe that the individual has committed an act subsequent to the criminal background check that would disqualify the individual for employment or provision of services.
- E. For all nonstate residents who are offered employment, the school district shall request a criminal history background check on such individuals from the superintendent of the BCA and from the government agency performing the same function in the resident state or, if no government entity performs the same function in the resident state, from the Federal Bureau of Investigation. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by the school district that an individual's criminal history does not preclude the individual from employment with, or provision of services to, the school district. Such individuals must provide an executed criminal history consent

form.

- F. When required, individuals must provide fingerprints to assist in a criminal history background check. If the fingerprints provided by the individual are unusable, the individual will be required to submit another set of prints.
- G. The individual will be informed of the results of the criminal background check(s) to the extent required by law.
- H. If the criminal history background check precludes employment with, or provision of services to, the school district, the individual will be so advised.
- I. The school district may apply these procedures to other volunteers, independent contractors, or student employees.
- J. Additional background checks may be required at the discretion of the school district.

Legal References: Minn. Stat. § 13.04, Subd. 4 (Inaccurate or Incomplete Data)
 Minn. Stat. § 13.87, Subd. 1 (Criminal History Data)
 Minn. Stat. § 123B.03 (Background Check)
 Minn. Stat. §§ 299C.60-299C.64 (Minnesota Child Protection Background Check Act)
 Minn. Stat. § 364.09(b) (Exception for School Districts)



Second Reading: July 13, 2015

Adopted: _____

405 VETERAN'S PREFERENCE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The school district's policy is to comply with the VPA regarding veteran's preference rights and mandated preference points to veterans and spouses of deceased veterans or disabled veterans.
- B. The school district's policy is also to comply with the VPA requirement that no covered veteran may be removed from public employment except for incompetency or misconduct shown after a hearing upon due notice and in writing. This paragraph does not apply to the position of teacher.
- C. Veteran's preference points will be applied pursuant to applicable law as follows:
 - 1. A credit of ten points shall be added to the competitive open examination rating of a non-disabled veteran, who so elects, provided that the veteran obtained a passing rating on the examination without the addition of the credit points.
 - 2. A credit of fifteen points shall be added to the competitive open examination rating of a disabled veteran, who so elects, provided that the veteran obtained a passing rating on the examination without the addition of the credit points.
 - 3. A credit of five points shall be added to the competitive promotional examination rating of a disabled veteran, who so elects, provided that (a) the veteran obtained a passing rating on the examination without the addition of the credit points and (b) the veteran is applying for a first promotion after securing public employment.

4. A preference may be used by the surviving spouse of a deceased veteran and by the spouse of a disabled veteran who, because of the disability, is unable to qualify.
- D. Eligibility for and application of veteran's preference, the definition of a veteran, and the definition of a disabled veteran for purposes of this policy will be pursuant to the VPA.
 - E. When notifying applicants that they have been accepted into the selection process, the school district shall notify applicants that they may elect to use veteran's preference.
 - F. The school district's policy is to use a 100-point hiring system to enable allocation of veteran's preference points. The school district may or may not use a 100-point hiring system for filling teaching positions. If a 100-point hiring system is not used for filling a teaching position, preference points will not be added, but all veteran applicants who have proper licensure for the teaching position will be granted an interview for the position.
 - G. If the school district rejects a member of the finalist pool who has claimed veteran's preference, the school district shall notify the finalist in writing of the reasons for the rejection and file the notice with the school district's personnel officer.
 - H. In accordance with the VPA, no honorably discharged veteran shall be removed from a position of employment except for incompetency, misconduct, or good faith abolishment of position.
 1. Incompetency or misconduct must be shown after a hearing, upon due notice, upon stated charges, in writing.
 2. A veteran must irrevocably elect to be governed either by the VPA or by arbitration provisions set forth in a collective bargaining agreement in the event of a discharge.
 - I. The VPA and the provisions of this policy do not apply to the position of private secretary, superintendent, head of a department, or any person holding a strictly confidential relation to the school board or school district. The VPA and the provisions of this policy apply to teachers only with respect to the hiring process, as set forth in Paragraph F., above.

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

Cross References: Policy 401 (Equal Employment Opportunity)



Second Reading: July 15, 2015

Revised: _____

Adopted: 5/8/97

406 PUBLIC AND PRIVATE PERSONNEL DATA

I. PURPOSE

The purpose of this policy is to provide guidance to school district employees as to the data the school district collects and maintains regarding its personnel.

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. “Public” means that the data is available to anyone who requests it.
- B. “Private” means the data is available to the subject of the data and to school district staff who need it to conduct the business of the school district.
- C. “Confidential” means the data is not available to the subject.
- D. “Parking space leasing data” means the following government data on an application for, or lease of, a parking space: residence address, home telephone number, beginning and ending work hours, place of employment, location of parking space, and work telephone number.
- E. “Personnel data” means government data on individuals maintained because they are or were employees of the school district, applicants for employment, or volunteers or independent contractors for the school district, or members of or applicants for an advisory board or commission.
- F. “Finalist” means an individual who is selected to be interviewed for a position.

- G. “Protected health information” means individually identifiable health information transmitted in electronic form by a school district acting as a health care provider. “Protected health information” excludes health information in education records covered by FERPA and employment records held by a school district in its role as employer.
- H. “Public official” means business manager, human resource director, and an individual defined as superintendent, principal, or director who is employed in a position requiring an administrative license.

IV. PUBLIC PERSONNEL DATA

- A. The following information on employees, including volunteers and independent contractors, is public:
1. name;
 2. employee identification number, which may not be the employee’s social security number;
 3. actual gross salary;
 4. salary range;
 5. terms and conditions of employment relationship;
 6. contract fees;
 7. actual gross pension;
 8. the value and nature of employer-paid fringe benefits;
 9. the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary;
 10. job title;
 11. bargaining unit;
 12. job description;
 13. education and training background;
 14. previous work experience;
 15. date of first and last employment;
 16. the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action;
 17. the final disposition of any disciplinary action, as defined in 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 school district;
 18. the complete terms of any agreement settling any dispute arising out of the employment relationship, including superintendent buyout agreements, except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money, and such agreement may not have the purpose or effect of limiting access to or disclosure of personnel data or limiting the discussion of information or opinions related to personnel data;
 19. work location;
 20. work telephone number;

21. badge number;
 22. work-related continuing education;
 23. honors and awards received; and
 24. payroll time sheets or other comparable data that are used only to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.
- B. The following information on applicants for employment is public:
1. veteran status;
 2. relevant test scores;
 3. rank on eligible list;
 4. job history;
 5. education and training; and
 6. work availability.
- C. Names of applicants are private data except when certified as eligible for appointment to a vacancy or when they become finalists for an employment position.
- D. Applicants for appointment to a public body.
1. Data about applicants for appointment to a public body are private data on individuals except that the following are public:
 - a. name;
 - b. city of residence, except when the appointment has a residency requirement that requires the entire address to be public;
 - c. education and training;
 - d. employment history;
 - e. volunteer work;
 - f. awards and honors;
 - g. prior government service;
 - h. any data required to be provided or that are voluntarily provided in an application for appointment to a multimember agency pursuant to Minn. Stat. § 15.0597; and
 - i. veteran status.
 2. Once an individual is appointed to a public body, the following additional items of data are public:
 - a. residential address;
 - b. either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee;
 - c. first and last dates of service on the public body;
 - d. the existence and status of any complaints or charges against an appointee; and

- e. upon completion of an investigation of a complaint or charge against an appointee, the final investigative report is public, unless access to the data would jeopardize an active investigation.
3. Notwithstanding paragraph 2., any electronic mail address or telephone number provided by a public body for use by an appointee shall be public. An appointee may use an electronic mail address or telephone number provided by the public body as the designated electronic mail address or telephone number at which the appointee can be reached.
- E. Regardless of whether there has been a final disposition as defined in Minn. Stat. § 13.43, Subd. 2(b), upon completion of an investigation of a complaint or charge against a public official, as defined in Minn. Stat. § 13.43, Subd. 2(e), or if a public official resigns or is terminated from employment while the complaint or charge is pending, all data relating to the complaint or charge are public, unless access to the data would jeopardize an active investigation or reveal confidential sources.
 - F. Data relating to a complaint or charge against a public official is public only if: (1) the complaint or charge results in disciplinary action or the employee resigns or is terminated from employment while the complaint or charge is pending; or (2) potential legal claims arising out of the conduct that is the subject of the complaint or charge are released as part of a settlement agreement with another person. Data that is classified as private under another law is not made public by this provision.

V. PRIVATE PERSONNEL DATA

- A. All other personnel data are private and will only be shared with school district staff whose work requires such access. Private data will not be otherwise released unless authorized by law or by the employee's informed written consent.
- B. Data pertaining to an employee's dependents are private data on individuals.
- C. Data created, collected or maintained by the school district to administer employee assistance programs are private.
- D. Parking space leasing data are private.
- E. Personnel data may be disseminated to labor organizations to the extent the school district determines it is necessary for the labor organization to conduct its business or when ordered or authorized by the Commissioner of the Bureau of Mediation Services.
- F. The school district may display a photograph of a current or former employee to prospective witnesses as part of the school district's investigation of any complaint or charge against the employee.
- G. The school district may, if the responsible authority or designee reasonably determines that the release of personnel data is necessary to protect an employee

from harm to self or to protect another person who may be harmed by the employee, release data that are relevant to the concerns for safety to:

1. The person who may be harmed and to the attorney representing the person when the data are relevant to obtaining a restraining order;
 2. A pre-petition screening team conducting an investigation of the employee under Minn. Stat. § 253B.07, Subd. 1; or
 3. A court, law enforcement agency, or prosecuting authority.
- H. Private personnel data or confidential investigative data on employees may be disseminated to a law enforcement agency for the purpose of reporting a crime or alleged crime committed by an employee, or for the purpose of assisting law enforcement in the investigation of such a crime or alleged crime.
- I. A complainant has access to a statement provided by the complainant to the school district in connection with a complaint or charge against an employee.
- J. When allegations of sexual or other types of harassment are made against an employee, the employee shall not have access to data that would identify the complainant or other witnesses if the school district determines that the employee's access to that data would:
1. threaten the personal safety of the complainant or a witness; or
 2. subject the complainant or witness to harassment.
- If a disciplinary proceeding is initiated against the employee, data on the complainant or witness shall be available to the employee as may be necessary for the employee to prepare for the proceeding.
- K. The school district shall make any report to the board of teaching or the state board of education as required by Minn. Stat. § 122A.20, Subd. 2, and shall, upon written request from the licensing board having jurisdiction over a teacher's license, provide the licensing board with information about the teacher from the school district's files, any termination or disciplinary proceeding, and settlement or compromise, or any investigative file in accordance with Minn. Stat. § 122A.20, Subd. 2.
- L. Private personnel data shall be disclosed to the department of economic security for the purpose of administration of the unemployment insurance program under Minn. Stat. Ch. 268.
- M. When a report of alleged maltreatment of a student in a school is made to the Commissioner of Education, data that are relevant and collected by the school about the person alleged to have committed maltreatment must be provided to the Commissioner on request for purposes of an assessment or investigation of the maltreatment report.

- N. The school district shall release to a requesting school district or charter school private personnel data on a current or former employee related to acts of violence toward or sexual contact with a student, if an investigation conducted by or on behalf of the school district or law enforcement affirmed the allegations in writing prior to release and the investigation resulted in the resignation of the subject of the data.
- O. The identity of an employee making a suggestion as part of an organized self-evaluation effort by the school district to cut costs, make the school district more efficient, or to improve school district operations is private.
- P. Health information on employees is private unless otherwise provided by law. To the extent that the school district transmits protected health information, the school district will comply with all privacy requirements.
- Q. Personal home contact information for employees may be used by the school district and shared with another government entity in the event of an emergency or other disruption to ensure continuity of operation for the school district or government entity.
- R. The personal telephone number, home address, and electronic mail address of a current or former employee of a contractor or subcontractor maintained as a result of a contractual relationship between the school district and a contractor or subcontractor entered on or after August 1, 2012, are private data. These data must be shared with another government entity to perform a function authorized by law. The data also must be disclosed to a government entity or any person for prevailing wage purposes.

VI. MULTIPLE CLASSIFICATIONS

If data on individuals are classified as both private and confidential by Minn. Stat. Ch. 13, or any other state or federal law, the data are private.

VII. CHANGE IN CLASSIFICATIONS

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

VIII. RESPONSIBLE AUTHORITY

The school district has designated the Human Resources Supervisor as the authority responsible for personnel data. If you have any questions, contact the Human Resources Supervisor at (651) 407-2000.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 13.02 (Definitions)
Minn. Stat. § 13.37 (General Nonpublic Data)
Minn. Stat. § 13.39 (Civil Investigation Data)
Minn. Stat. § 13.43 (Personnel Data)
Minn. Stat. § 122A.20, Subd. 2 (Mandatory Reporting)
P.L. 104-191 (HIPAA)
45 C.F.R. Parts 160 and 164 (HIPAA Regulations)

Cross References: Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)
Policy 515 (Protection and Privacy of Pupil Records)
MSBA Service Manual, Chapter 13, School Law Bulletin “I” (School Records – Privacy – Access to Data)



Second Reading: July 13, 2015

Revised: _____

Adopted: 5/8/97

407 EMPLOYEE RIGHT TO KNOW – EXPOSURE TO HAZARDOUS SUBSTANCES

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

It is the policy of this school district to provide information and training to employees who may be routinely exposed to a hazardous substance, harmful physical agent, or infectious agent.

III. DEFINITIONS

- A. “Commissioner” means the Commissioner of Labor and Industry.
- B. “Routinely exposed” means that there is a reasonable potential for exposure during the normal course of assigned work or when an employee is assigned to work in an area where a hazardous substance has been spilled.
- C. “Hazardous substance” means a chemical or substance, or mixture of chemicals and substances, which:
 1. is regulated by the Federal Occupational Safety and Health Administration under the Code of Federal Regulations; or
 2. is either toxic or highly toxic; an irritant; corrosive; a strong oxidizer; a strong sensitizer; combustible; either flammable or extremely flammable; dangerously reactive; pyrophoric; pressure-generating; compressed gas; carcinogen; teratogen; mutagen; reproductive toxic agent; or that otherwise, according to generally accepted documented medical or scientific evidence, may cause substantial acute or chronic personal injury or illness during or as a direct result of any customary or reasonably foreseeable accidental or intentional exposure to the chemical or substance; or
 3. is determined by the commissioner as a part of the standard for the chemical

or substance or mixture of chemicals and substances to present a significant risk to worker health and safety or imminent danger of death or serious physical harm to an employee as a result of foreseeable use, handling, accidental spill, exposure, or contamination.

- D. “Harmful physical agent” means a physical agent determined by the commissioner as a part of the standard for that agent to present a significant risk to worker health or safety or imminent danger of death or serious physical harm to an employee. This definition includes but is not limited to radiation, whether ionizing or nonionizing.
- E. “Infectious agent” means a communicable bacterium, rickettsia, parasites, virus, or fungus determined by the commissioner by rule, with approval of the commissioner of health, which according to documented medical or scientific evidence causes substantial acute or chronic illness or permanent disability as a foreseeable and direct result of any routine exposure to the infectious agent. Infectious agent does not include an agent in or on the body of a patient before diagnosis.
- F. “Blood borne pathogens” means pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

IV. TARGET JOB CATEGORIES

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

V. TRAINING SCHEDULE

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

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

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

Cross References: Policy 420 (Students and Employees with Sexually Transmitted Infections and Diseases and Certain Other Communicable Diseases and Infectious Conditions)



Second Reading: July 13, 2015

Revised: _____

Adopted: 5/8/97

408 SUBPOENA OF A SCHOOL DISTRICT EMPLOYEE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DATA CLASSIFICATION

A. Educational Data

1. State Law

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

2. Federal Law

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

B. Personnel Data

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

IV. APPLICATION AND PROCEDURES

- A. Any employee who receives a subpoena for any purpose related to employment is to inform the building administrator or designated supervisor when the employee receives the subpoena. The building administrator or designated supervisor shall immediately inform the superintendent or designee that the employee has received a subpoena.
- B. No employee may release educational data, personnel data, or any other data of any kind without consultation in advance with the school district official who is designated as the authority responsible for the collection, use and dissemination of data.
- C. Payment for attendance at judicial or administrative proceedings and the retention of witness and mileage fees is to be determined in accordance with the applicable school board policies and collective bargaining agreements.
- D. The administration shall not release any information except in strict compliance with state and federal law and this policy. Recognizing that an unauthorized release may expose the school district or its employees to civil or criminal penalties or loss of employment, the administration shall confer with school district legal counsel prior to release of such data.

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

Cross References: Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee, or Student)
 Policy 515 (Protection and Privacy of Pupil Records)
 MSBA Service Manual, Chapter 13, School Law Bulletin “T” (School Records – Privacy – Access to Data)



Second Reading: July 13, 2015

Revised: _____

Adopted: 5/8/97

409 EMPLOYEE PUBLICATIONS, INSTRUCTIONAL MATERIALS, INVENTIONS, AND CREATIONS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. NOTICE OF POLICY

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

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



Second Reading: July 13, 2015

Adopted: _____

412 EXPENSE REIMBURSEMENT

I. PURPOSE

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

II. AUTHORIZATION

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

III. 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.

IV. 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. § 15.435 (Airline Travel Credit)
Minn. Stat. § 471.665 (Mileage Allowances)
Minn. Op. Atty. Gen. 1035 (Aug. 23, 1999) (Retreat Expenses)
Minn. Op. Atty. Gen. 161b-12 (Aug. 4, 1997) (Transportation Expenses)
Minn. Op. Atty. Gen. 161B-12 (Jan. 24, 1989) (Operating Expenses of Car)
- Cross References:** Policy 214 (Out-of-State Travel by School Board Members).



Second Reading: July 13, 2015

Adopted: _____

416 DRUG AND ALCOHOL TESTING

I. PURPOSE

- A. The school board recognizes the significant problems created by drug and alcohol use in society in general, and the public schools in particular. The school board further recognizes the important contribution that the public schools have in shaping the youth of today into the adults of tomorrow.
- B. The school board believes that a work environment free of drug and alcohol use will be not only safer, healthier, and more productive but also more conducive to effective learning. Therefore, to provide such an environment, the purpose of this policy is to provide authority so that the school board may require all employees and/or job applicants to submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in federal law and Minn. Stat. §§ 181.950-181.957.

II. GENERAL STATEMENT OF POLICY

- A. All school district employees and job applicants whose positions require a commercial driver's license will be required to undergo drug and alcohol testing in accordance with federal law and the applicable provisions of this policy. The school district also may request or require that drivers submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957.
- B. The school district may request or require that any school district employee or job applicant, other than an employee or applicant whose position requires a commercial driver's license, submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957.
- C. The use, possession, sale, purchase, transfer, or dispensing of any drugs not medically prescribed is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of drugs which are not medically

prescribed is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of drugs which are not medically prescribed are prohibited from entering or remaining on school district property.

- D. The use, possession, sale, purchase, transfer, or dispensing of alcohol is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of alcohol is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of alcohol are prohibited from entering or remaining on school district property.
- E. Any employee who violates this section shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge.

III. DRUG AND ALCOHOL TESTING FOR OTHER EMPLOYEES

The school district may request or require drug and alcohol testing for other school district personnel, i.e., employees who are not school bus drivers, or job applicants for such positions. The school district does not have a legal duty to request or require any employee or job applicant to undergo drug and alcohol testing as authorized in this policy, except for school bus drivers and other drivers of CMVs who are subject to federally mandated testing. If a school bus driver is requested or required to submit to drug or alcohol testing beyond that mandated by federal law, the provisions of Section III. of this policy will be applicable to such testing.

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

1. General Limitations

- a. The school district will not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug or alcohol testing, unless the testing is done pursuant to this drug and alcohol testing policy; and is conducted by a testing laboratory which participates in one of the programs listed in Minn. Stat. § 181.953, Subd. 1.
- b. The school district will not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing on an arbitrary and capricious basis.

2. Job Applicant Testing

The school district may request or require any job applicant whose position

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

3. Random Testing

The school district may request or require employees to undergo drug and alcohol testing on a random selection basis only if they are employed in safety-sensitive positions.

4. Reasonable Suspicion Testing

The school district may request or require any employee to undergo drug and alcohol testing if the school district has a reasonable suspicion that the employee:

- a. is under the influence of drugs or alcohol;
- b. has violated the school district's written work rules prohibiting the use, possession, sale, or transfer of drugs or alcohol while the employee is working or while the employee is on the school district's premises or operating the school district's vehicles, machinery, or equipment;
- c. has sustained a personal injury, as that term is defined in Minn. Stat. § 176.011, Subd. 16, or has caused another employee to sustain a personal injury; or
- d. has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.

5. Treatment Program Testing

The school district may request or require any employee to undergo drug and alcohol testing if the employee has been referred by the school district for chemical dependency treatment or evaluation or is participating in a chemical dependency treatment program under an employee benefit plan, in which case the employee may be requested or required to undergo drug and alcohol testing without prior notice during the evaluation or treatment period and for a period of up to two (2) years following completion of any prescribed chemical dependency treatment program.

6. Routine Physical Examination Testing

The school district may request or require any employee to undergo drug and alcohol testing as part of a routine physical examination provided the drug or alcohol test is requested or required no more than once annually and the employee has been given at least two weeks' written notice that a drug or alcohol test may be requested or required as part of the physical examination.

B. No Legal Duty to Test

The school district does not have a legal duty to request or require any employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing.

C. Definitions

1. "Drug" means a controlled substance as defined in Minnesota Statutes.
2. "Drug and alcohol testing," "drug or alcohol testing," and "drug or alcohol test" mean analysis of a body component sample according to the standards established under one of the programs listed in Minn. Stat. § 181.953, Subd. 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested.
3. "Other Employees" means any persons, independent contractors, or persons working for an independent contractor who perform services for the school district for compensation, either full time or part time, in whatever form, except for persons whose positions require a commercial driver's license, and includes both professional and nonprofessional personnel. To the extent that the drug and alcohol testing of persons whose positions require a commercial driver's license is not mandated by federal law and regulations, such testing shall be governed by Section III. of this policy and the drivers shall fall within this definition of "other employees."
4. "Job applicant" means a person, independent contractor, or person working for an independent contractor who applies to become an employee of the school district in a position that does not require a commercial driver's license, and includes a person who has received a job offer made contingent on the person's passing drug or alcohol testing.
5. "Positive test result" means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minn. Stat. § 181.953, Subd. 1.
6. "Random selection basis" means a mechanism for selection of employees that:

- a. results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected; and
- b. does not give the school district discretion to waive the selection of any employee selected under the mechanism.

7. “Reasonable suspicion” means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.
8. “Safety-sensitive position” means a job, including any supervisory or management position, in which an impairment caused by drug or alcohol usage would threaten the health or safety of any person.

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

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

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

2. Consequences of an Employee’s Refusal to Undergo Drug and Alcohol Testing

Any employee in a position that does not require a commercial driver’s license who refuses to undergo drug and alcohol testing in the circumstances set out in the Random Testing, Reasonable Suspicion Testing, and Treatment Program Testing provisions of this policy may be subject to disciplinary action, up to and including immediate discharge.

3. Consequences of a Job Applicant’s Refusal to Undergo Drug and Alcohol Testing

Any job applicant for a position which does not require a commercial driver’s license who refuses to undergo drug and alcohol testing pursuant to the Job Applicant Testing provision of this policy shall not be employed.

E. Reliability and Fairness Safeguards

1. Pretest Notice

Before requesting an employee or job applicant whose position does not require a commercial driver’s license to undergo drug or alcohol testing, the

school district shall provide the employee or job applicant with a Pretest Notice on which to acknowledge that the employee or job applicant has received the school district's drug and alcohol testing policy.

2. Notice of Test Results

Within three (3) working days after receipt of a test result report from the testing laboratory, the school district shall inform in writing an employee or job applicant who has undergone drug or alcohol testing of a negative test result on an initial screening test or of a negative or positive test result on a confirmatory test.

3. Notice of and Right to Test Result Report

Within three (3) working days after receipt of a test result report from the testing laboratory, the school district shall inform in writing, an employee or job applicant who has undergone drug or alcohol testing of the employee or job applicant's right to request and receive from the school district a copy of the test result report on any drug or alcohol test.

4. Notice of and Right to Explain Positive Test Result

a. If an employee or job applicant has a positive test result on a confirmatory test, the school district shall provide him or her with notice of the test results and, at the same time, written notice of the right to explain the results and to submit additional information.

b. The school district may request that the employee or job applicant indicate any over-the-counter or prescription medication that the individual is currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result.

c. Within three (3) working days after notice of a positive test result on a confirmatory test, an employee or job applicant may submit information (in addition to any information already submitted) to the school district to explain that result.

5. Notice of and Right to Request Confirmatory Retests

a. If an employee or job applicant has a positive test result on a confirmatory test, the school district shall provide him or her with notice of the test results and, at the same time, written notice of the right to request a confirmatory retest of the original sample at his or her expense.

b. An employee or job applicant may request a confirmatory retest of the original sample at his or her own expense after notice of a

positive test result on a confirmatory test. Within five (5) working days after notice of the confirmatory test result, the employee or job applicant shall notify the school district in writing of his or her intention to obtain a confirmatory retest. Within three (3) working days after receipt of the notice, the school district shall notify the original testing laboratory that the employee or job applicant has requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under Minn. Stat. § 181.953, Subd. 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that appropriate chain-of-custody procedures are followed during transfer of the sample to the other laboratory. The confirmatory retest must use the same drug or alcohol threshold detection levels as used in the original confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against the employee or job applicant.

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

F. Discharge and Discipline of Employees Whose Positions Do Not Require a Commercial Driver's License

1. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.
2. In the case of a positive test result on a confirmatory test, the employee shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge, pursuant to the provisions of this policy.
3. The school district may not discharge an employee for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test requested by the school district, unless the following conditions have been met:
 - a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with a certified chemical abuse counselor or a physician trained in the diagnosis and treatment of chemical dependency; and

- b. The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program.
4. Notwithstanding Paragraph 1., the school district may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the school district believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.
5. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information revealed to the school district, unless the employee was under an affirmative duty to provide the information before, upon or after hire.
6. An employee must be given access to information in his or her personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

G. Withdrawal of Job Offer for an Applicant for a Position That Does Not Require a Commercial Driver's License

If a job applicant has received a job offer made contingent on the applicant's passing drug and alcohol testing, the school district may not withdraw the offer based on a positive test result from an initial screening test that has not been verified by a confirmatory test. In the case of a positive test result on a confirmatory test, the school district may withdraw the job offer.

H. Chain-of-Custody Procedures

The school district has established its own reliable chain-of-custody procedures to ensure proper record keeping, handling, labeling, and identification of the samples to be tested. The procedures require the following:

1. Possession of a sample must be traceable to the employee from whom the sample is collected, from the time the sample is collected through the time the sample is delivered to the laboratory;
2. The sample must always be in the possession of, must always be in view of, or must be placed in a secure area by a person authorized to handle the sample;

3. A sample must be accompanied by a written chain-of-custody record; and
4. Individuals relinquishing or accepting possession of the sample must record the time the possession of the sample was transferred and must sign and date the chain-of-custody record at the time of transfer.

I. Privacy, Confidentiality and Privilege Safeguards

1. Privacy Limitations

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

2. Confidentiality Limitations

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

3. Exceptions to Privacy and Confidentiality Disclosure Limitations

Notwithstanding Paragraphs 1. and 2., evidence of a positive test result on a confirmatory test may be: (1) used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under Minn. Stat. Ch. 43A or other applicable state or local law, or a judicial proceeding, provided that information is relevant to the hearing or proceeding; (2) disclosed to any federal agency or other unit of the United States government as required under federal law, regulation or order, or in accordance with compliance requirements of a federal government contract; and (3) disclosed to a substance abuse treatment facility for the purpose of evaluation or treatment of the employee.

4. Privilege

Positive test results from the school district drug or alcohol testing program may not be used as evidence in a criminal action against the employee or job applicant tested.

J. Notice of Testing Policy to Affected Employees

The school district shall provide written notice of this drug and alcohol testing policy to all affected employees upon adoption of the policy, to a previously non-affected employee upon transfer to an affected position under the policy, and to a job applicant upon hire and before any testing of the applicant if the job offer is made contingent on the applicant's passing drug and alcohol testing. Affected

employees and applicants will acknowledge receipt of this written notice in the form of Attachment G to this policy.

IV. POSTING

This policy shall be posted on the school district's website.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 43A (State Personnel Management)
Minn. Stat. §§ 181.950-181.957 (Drug and Alcohol Testing in the Workplace)
Minn. Stat. § 221.031 (Motor Carrier Rules)
49 U.S.C. § 31306 (Omnibus Transportation Employee Testing Act of 1991)
49 U.S.C. § 521(b) (Civil and Criminal Penalties for Violations)
49 C.F.R. Parts 40 and 382 (Department of Transportation Rules Implementing Omnibus Transportation Employee Testing Act of 1991)

Cross-References: Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
Policy 406 (Public and Private Personnel Data)
Policy 417 (Chemical Use and Abuse)
Policy 418 (Drug-Free Workplace/Drug-Free School)



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Revised: _____

Adopted: 10/8/09

417 CHEMICAL USE AND ABUSE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. “Chemical abuse” means use of any psychoactive or mood-altering chemical substance, without compelling medical reason, in a manner that induces mental, emotional, or physical impairment and causes socially dysfunctional or socially disordering behavior, to the extent that the student’s normal function in academic, school, or social activities is chronically impaired.
- B. “Chemicals” includes but is not limited to alcohol, toxic substances, and controlled substances as defined in the school district’s Drug-Free Workplace/Drug-Free School policy.
- C. “Use” includes to sell, buy, manufacture, distribute, dispense, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration.
- D. “School location” includes any school building or on any school premises; on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off-school property at any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.

IV. STUDENTS

- A. Instruction
 - 1. Every school shall provide an instructional program in chemical abuse and the prevention of chemical dependency. The school district may involve parents, students, health care professionals, state department staff, and members of the community in developing the curriculum.
 - 2. Each school shall have age-appropriate and developmentally based activities that:
 - a. address the consequences of violence and the illegal use of drugs, as appropriate;
 - b. promote a sense of individual responsibility;
 - c. teach students that most people do not illegally use drugs;
 - d. teach students to recognize social and peer pressure to use drugs illegally and the skills for resisting illegal drug use;
 - e. teach students about the dangers of emerging drugs;
 - f. engage students in the learning process; and
 - g. incorporate activities in secondary schools that reinforce prevention activities implemented in elementary schools.

3. Each school shall have activities that involve families, community sectors (which may include appropriately trained seniors), and a variety of drug and violence prevention providers in setting clear expectations against violence and illegal use of drugs and appropriate consequences for violence and illegal use of drugs.
4. Each school shall disseminate drug and violence prevention information within the school and to the community.
5. Each school shall have professional development and training for, and involvement of, school personnel, student services personnel, parents, and interested community members in prevention, education, early identification and intervention, mentoring, or rehabilitation referral, as related to drug and violence prevention.
6. Each school shall have drug and violence prevention activities that may include the following:
 - a. Community-wide planning and organizing activities to reduce violence and illegal drug use, which may include gang activity prevention.
 - b. The hiring and mandatory training, based on scientific research, of school security personnel who interact with students in support of youth drug and violence prevention activities under this policy that are implemented in the school.
 - c. Conflict resolution programs, including peer mediation programs that educate and train peer mediators and a designated faculty supervisor, and youth anti-crime and anti-drug councils and activities.
 - d. Counseling, mentoring, referral services, and other student assistance practices and programs, including assistance provided by qualified school-based mental health services providers and the training of teachers by school-based mental health services providers in appropriate identification and intervention techniques for students at risk of violent behavior and illegal use of drugs.
 - e. Programs that encourage students to seek advice from, and to confide in, a trusted adult regarding concerns about violence and illegal drug use.

B. Reports of Chemical Use and Abuse

1. In the event that a school district employee knows that a student is abusing, possessing, transferring, distributing or selling chemicals in a school location:

- a. The employee shall immediately either take the student to an administrator or notify an appropriate administrator of the observation and continue to observe the student until the administrator arrives.
 - b. The administrator will notify the student's parents. If there is a medical emergency, the administrator will notify the school nurse and/or outside medical personnel as appropriate.
 - c. The administrator will notify law enforcement officials, the student's counselor, and the chemical preassessment team.
 - d. The administrator and/or law enforcement officials will confiscate the chemicals and/or conduct a search of the student's person, effects, locker, vehicle, or areas within the student's control. Searches by school district officials shall be in accordance with school board policies regarding search and seizure.
 - e. The school district will take appropriate disciplinary action in compliance with the student discipline code. Such discipline may include immediate suspension, initiation of expulsion proceedings, and/or referral to a detoxification center or medical center.
2. If a school district employee has reason to believe that a student is abusing, possessing, transferring, distributing or selling chemicals:
- a. The employee shall notify the building administrator or a member of the preassessment team and shall describe the basis for the suspicion. The building administrator and/or team will determine what action should be taken. Action may include conducting an investigation, gathering data, scheduling a conference with the student or parents, or providing a meeting between a single member of the team and the student to discuss the behaviors that have been reported and attempting to ascertain facts regarding chemical abuse.
 - b. The team may determine there is no chemical abuse. If the team determines there is chemical abuse, the team will select an appropriate course of action, which may include referral to a school counselor; referral to a treatment program; referral for screening, assessment, and treatment planning; participation in support groups; or other appropriate measures.
3. Students involved in the abuse, possession, transfer, distribution or sale of chemicals shall be suspended in compliance with the student discipline policy and the Pupil Fair Dismissal Act, Minn. Stat. §121A.40-121A.56, and proposed for expulsion.

4. Searches by school district officials in connection with the abuse, possession, transfer, distribution or sale of chemicals will be conducted in accordance with school board policies related to search and seizure.

C. Preassessment Team

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

D. Data Practices

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

2. Destruction of Records

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

E. Consent

Any minor may give effective consent for medical, mental and other health services

to determine the presence of or to treat conditions associated with alcohol and other drug abuse, and the consent of no other person is required.

V. EMPLOYEES

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

Legal References: Minn. Stat. § 13.32 (Educational Data)
 Minn. Stat. § 121A.25-121A.29 (Chemical Abuse)
 Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)
 Minn. Stat. § 138.163 (Records Management Act)
 Minn. Stat. § 144.343 (Pregnancy, Venereal Disease, Alcohol or Drug Abuse, Abortion)
 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
 20 U.S.C. §§ 7101-7165 (Safe and Drug-Free Schools and Communities Act)
 41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)
 34 C.F.R. Part 84 (Government-wide Requirements for Drug-Free Workplace)

Cross References: Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
 Policy 416 (Drug and Alcohol Testing)
 Policy 418 (Drug-Free Workplace/Drug Free School)
 Policy 506 (Student Discipline)
 Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
 Policy 515 (Protection and Privacy of Pupil Records)
 Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)



Second Reading: July 13, 2015

Revised: 5/8/97

Adopted: 12/13/90

418 DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL

I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment for employees and students by prohibiting the use of alcohol, toxic substances and controlled substances without a physician's prescription.

II. GENERAL STATEMENT OF POLICY

- A. Use of controlled substances, toxic substances, and alcohol before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.
- B. A violation of this policy occurs when any student, teacher, administrator, other school district personnel, or member of the public uses alcohol, toxic substances, or controlled substances in any school location.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

III. DEFINITIONS

- A. "Alcohol" includes any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor.
- B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 U.S.C. § 812, including analogues and look-alike drugs.
- C. "Toxic substances" includes glue, cement, aerosol paint, or other substances used or possessed with the intent of inducing intoxication or excitement of the central nervous system.

- D. “Use” includes to sell, buy, manufacture, distribute, dispense, possess, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.
- E. “Possess” means to have on one’s person, in one’s effects, or in an area subject to one’s control.
- F. “School location” includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.

IV. EXCEPTIONS

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

V. PROCEDURES

- A. Students who have a prescription from a physician for medical treatment with a controlled substance must comply with the school district’s student medication policy.
- B. Employees who have a prescription from a physician for medical treatment with a controlled substance are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.
- C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.
- D. Employees are subject to the school district’s drug and alcohol testing policies and procedures.

- E. Members of the public are not permitted to possess controlled substances in a school location except with the express permission of the superintendent.
- F. Possession of alcohol on school grounds pursuant to the exceptions of Minn. Stat. § 624.701, Subd. 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

VI. ENFORCEMENT

A. Students

1. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.
2. The student may be referred to a drug or alcohol assistance or rehabilitation program and/or to law enforcement officials when appropriate.

B. Employees

1. As a condition of employment in any federal grant, each employee who is engaged either directly or indirectly in performance of a federal grant shall abide by the terms of this policy and shall notify his or her supervisor in writing of his or her conviction of any criminal drug statute for a violation occurring in any of the places listed above on which work on a school district federal grant is performed, no later than five (5) calendar days after such conviction. "Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
2. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, termination, or discharge as deemed appropriate by the school board.
3. In addition, any employee who violates the terms of this policy may be required to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the school district. Any employee who fails to satisfactorily participate in and complete such a program is subject to nonrenewal, suspension, or termination as deemed appropriate by the school board.
4. Sanctions against employees, including nonrenewal, suspension, termination, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.

C. The Public

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

VII. DISSEMINATION OF POLICY

- A. This policy shall be summarized and referenced in the student handbook.
- B. The school district will develop a method of discussing this policy with students and employees.

Legal References: Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
 Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)
 Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)
 Minn. Stat. § 609.684 (Sale of Toxic Substances to Children; Abuse of Toxic Substances)
 Minn. Stat. § 624.701 (Liquor in Certain Buildings or Grounds)
 20 U.S.C. § 7101-7165 (Safe and Drug-Free Schools and Communities Act)
 21 U.S.C. § 812 (Schedules of Controlled Substances)
 41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)
 21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)
 34 C.F.R. Part 84 (Government-wide Requirements for Drug-Free Workplace)

Cross References: Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
 Policy 416 (Drug and Alcohol Testing)
 Policy 417 (Chemical Use and Abuse)
 Policy 506 (Student Discipline)
 Policy 516 (Student Medication)



Second Reading: July 13, 2015

Revised: 5/8/97

Adopted: 8/1/88

419 TOBACCO-FREE ENVIRONMENT

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the school district, or person smokes or uses tobacco, tobacco-related devices, or electronic cigarettes in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco, tobacco-related device, or electronic cigarette in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.
- D. The school district will not solicit or accept any contributions or gifts of money, curricula, materials, or equipment from companies that directly manufacture and are identified with tobacco products, devices, or electronic cigarettes. The school district will not promote or allow promotion of tobacco products or e-cigarettes on school property or at school-sponsored events.

III. TOBACCO AND TOBACCO-RELATED DEVICES DEFINED

- A. “Electronic cigarette” means any oral device that provides a vapor of liquid nicotine, lobelia, and/or other similar substance, and the use or inhalation of which simulates smoking. The term shall include any such devices, whether they are manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pipes, or under another product name or descriptor.
- B. “Tobacco” means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco.
- C. “Tobacco-related devices” means cigarette papers or pipes for smoking.
- D. “Smoking” means inhaling or exhaling smoke from any lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product. Smoking also includes carrying a lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product intended for inhalation.

IV. EXCEPTIONS

- A. A violation of this policy does not occur when an Indian adult lights tobacco on school district property as a part of a traditional Indian spiritual or cultural ceremony. An Indian is a person who is a member of an Indian tribe as defined under Minnesota law.
- B. A violation of this policy does not occur when an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

V. ENFORCEMENT

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.
- C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.
- D. School district action taken for violation of this policy will be consistent with

requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.

- E. Persons who violate this tobacco-free policy may be referred to the building administration or other school district supervisory personnel responsible for the area or program at which the violation occurred.
- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

VI. DISSEMINATION OF POLICY

- A. This policy shall be summarized and referenced in the student handbook.
- B. The school district will develop a method of discussing this policy with students and employees.

Legal References: Minn. Stat. §§ 144.411-144.417 (Minnesota Clean Indoor Air Act)
 Minn. Stat. § 609.685 (Sale of Tobacco to Children)
 2007 Minn. Laws Ch. 82 (Freedom to Breathe Act of 2007)

Cross References: Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
 Policy 506 (Student Discipline)
 MSBA Service Manual, Chapter 2, Students; Rights, Responsibilities and Behavior



Second Reading: July 13, 2015

Revised: _____

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

A. Students

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

B. Employees

It is the policy of the school board that employees with communicable diseases not be excluded from attending to their customary employment so long as they are physically, mentally, and emotionally able to safely perform tasks assigned to them

and so long as their employment does not create a significant risk of the transmission of illness to students, employees, or others in the school district. If a reasonable accommodation will eliminate the significant risk of transmission, such accommodation will be undertaken unless it poses an undue hardship to the school district.

C. Circumstances and Conditions

1. Determinations of whether a contagious individual's school attendance or job performance creates a significant risk of the transmission of the illness to students or employees of the school district will be made on a case-by-case basis. Such decisions will be based upon the nature of the risk (how it is transmitted), the duration of the risk (how long the carrier is infectious), the severity of the risk (what is the potential harm to third parties), and the probabilities the disease will be transmitted and will cause varying degrees of harm. When a student is disabled, such a determination will be made in consultation with the educational planning team.
2. The school board recognizes that some students and some employees, because of special circumstances and conditions, may pose greater risks for the transmission of infectious conditions than other persons infected with the same illness. Examples include students who display biting behavior, students or employees who are unable to control their bodily fluids, who have oozing skin lesions, or who have severe disorders which result in spontaneous external bleeding. These conditions need to be taken into account and considered in assessing the risk of transmission of the disease and the resulting effect upon the educational program of the student or employment of the employee by consulting with the Commissioner of Health, the physician of the student or employee, and the parent(s)/guardian(s) of the student.

D. Students with Special Circumstances and Conditions

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

E. Extracurricular Student Participation

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

F. Precautions

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

G. Information Sharing

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

H. Reporting

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

I. Prevention

The school district shall, with the assistance of the Commissioners of Health and Education, implement a program to prevent and reduce the risk of sexually transmitted diseases in accordance with Minn. Stat. § 121A.23 which includes:

1. planning materials, guidelines, and other technically accurate and updated information;
2. a comprehensive, developmentally appropriate, technically accurate, and updated curriculum that includes helping students to abstain from sexual activity until marriage;
3. cooperation and coordination among school districts and Service Cooperatives;
4. a targeting of adolescents, especially those who may be at high risk of contracting sexually transmitted diseases and infections, for prevention efforts;
5. involvement of parents and other community members;
6. in-service training for district staff and school board members;

7. collaboration with state agencies and organizations having a sexually transmitted infection and disease prevention or sexually transmitted infection and disease risk reduction program;
8. collaboration with local community health services, agencies and organizations having a sexually transmitted infection and disease risk reduction program; and
9. participation by state and local student organizations.
10. The program must be consistent with the health and wellness curriculum.
11. The school district may accept funds for sexually transmitted infection and disease prevention programs developed and implemented under this section from public and private sources including public health funds and foundations, department professional development funds, federal block grants, or other federal or state grants.

J. Vaccination and Screening

The school district will develop procedures regarding the administration of Hepatitis B vaccinations and Tuberculosis screenings in keeping with current state and federal law.

Legal References: Minn. Stat. § 121A.23 (Health-Related Programs)
 Minn. Stat. § 144.441-442 (Tuberculosis)
 Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
 20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)
 29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
 42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)
Kohl by Kohl v. Woodhaven Learning Center, 865 F.2d 930 (8th Cir.), *cert. denied*, 493 U.S. 892, 110 S.Ct. 239 (1989)
School Board of Nassau County, Fla. v. Arline, 480 U.S. 273, 107 S.Ct. 1123 (1987)
 16 EHLR 712, OCR Staff Memo, April 5, 1990

Cross References: Policy 402 (Disability Nondiscrimination)
 Policy 407 (Employee Right to Know – Exposure to Hazardous Substances)
 Mahtomedi School Board Policy 521 (Student Disability Nondiscrimination)



Second Reading: July 13, 2015

Adopted: _____

421 GIFTS TO EMPLOYEES

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The school district recognizes that students, parents, and others may wish to show appreciation to school district employees. It is the policy of the school district, however, to discourage gift-giving to employees, and to encourage donors instead to write letters and notes of appreciation or to give small tokens of gratitude as memorabilia.
- B. It shall be a violation of this policy for any employee to solicit, accept, or receive either by direct or indirect means, a gift from a student, parent, or other individual or organization for personal gain of insignificant value. The superintendent has discretion to determine what value is “insignificant.”
- C. It shall be a violation of this policy for any employee to solicit, accept, or receive a gift from a person or entity doing business with or seeking to do business with the school district for personal gain. Employees may accept items of insignificant value of a promotional or public relations nature. The superintendent has discretion to determine what value is “insignificant.”
- D. Teachers may accept from publishers free samples of textbooks and related teaching materials.
- E. This policy applies only to gifts given to employees where the donor’s relationship with the employee arises out of the employee’s employment with the school district. It does not apply to gifts given to employees by personal friends, family members, other employees, or others unconnected to the employee’s employment with the school district.

III. DEFINITION

“Gift” means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment, that is given without something of equal or greater value being received in return.

IV. PROCEDURES

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

V. VIOLATIONS

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

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

Cross References: Policy 209 (Code of Ethics)
Policy 210 (Conflict of Interest – School Board Members)
Policy 306 (Administrator Code of Ethics)



Second Reading: July 13, 2015

Adopted: _____

422 POLICIES INCORPORATED BY REFERENCE

I. PURPOSE

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

Policy 102	Equal Educational Opportunity
Policy 103	Complaints – Students, Employees, Parents, Other Persons
Policy 206	Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations
Policy 211	Criminal or Civil Action Against School District, School Board Member, Employee, or Student
Policy 305	Policy Implementation
Policy 505	Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees
Policy 507	Corporal Punishment
Policy 510	Student Activities
Policy 511	Student Fundraising
Policy 517	Student Recruiting
Policy 518	DNR-DNI Orders
Policy 519	Interviews of Students by Outside Agencies
Policy 524	Internet Acceptable Use and Safety Policy
Policy 525	Violence Prevention
Policy 610	Field Trips
Policy 710	Extracurricular Transportation
Policy 711	Video Recording on School Buses
Policy 712	Video Surveillance Other Than on Buses
Policy 802	Disposition of Obsolete Equipment and Material

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



Second Reading: July 13, 2015

Adopted: _____

423 EMPLOYEE-STUDENT RELATIONSHIPS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. This policy applies to all school district employees at all times, whether on or off duty and on or off of school district locations.
- B. At all times, students will be treated by teachers and other school district employees with respect, courtesy, and consideration and in a professional manner. Each school district employee is expected to exercise good judgment and professionalism in all interpersonal relationships with students. Such relationships must be and remain on a teacher-student basis or an employee-student basis.
- C. Teachers and other school district employees hold positions of authority over students of the school district and must be mindful of their authority and influence over students.
- D. Sexual relationships between school district employees and students, without regard to the age of the student, are strictly forbidden and may subject the employee to criminal liability.
- E. Other actions that violate this policy include, but are not limited to, the following:
 - 1. Dating students.
 - 2. Having any interaction/activity of a sexual nature with a student.
 - 3. Committing or attempting to induce students or others to commit an illegal act or act of immoral conduct which may be harmful to others or bring discredit to the school district.

4. Supplying alcohol or any illegal substance to a student, allowing a student access to such substances, or failing to take reasonable steps to prevent such access from occurring.
- F. School district employees shall, whenever possible, employ safeguards against improper relationships with students and/or claims of such improper relationships. Such safeguards may include the following: avoiding or minimizing physical contact; keeping doors open when talking or meeting with students one-on-one; and/or making sure that meetings with a student take place in rooms with windows and/or others nearby.
 - G. Excessive informal and social involvement with individual students is unprofessional, is not compatible with employee-student relationships, is inappropriate and may result in disciplinary action.
 - H. Excessive interaction with individual students via social media is unprofessional, not compatible with employee-student relationships, is inappropriate, and may result in disciplinary action.
 - I. School district employees will adhere to applicable standards of ethics and professional conduct in Minnesota law.

III. REPORTING AND INVESTIGATION

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

IV. SCHOOL DISTRICT ACTION

Upon 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. It also may include reporting to appropriate state or federal authorities, including the Board of Teaching or the appropriate licensing authority and appropriate agencies responsible for investigating reports of maltreatment of minors and/or vulnerable adults. 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.

V. SCOPE OF LIABILITY

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

indemnify the employee for damages in school-related litigation.

Legal References: Minn. Stat. § 13.43, Subd. 16 (School District or Charter School Disclosure of Violence or Inappropriate Sexual Contact)
 Minn. Stat. § 122A.20, Subd 2 (Mandatory Reporting to Minnesota Board of Teaching)
 Minn. Stat. § 122A.40, Subds. 5(b) and 13(b) (Mandatory immediate discharge of teachers with license revocations due to child or sex abuse convictions)
 Minn. Stat. §§ 609.341-609.352 (Defining “intimate parts” and “position of authority” as well as detailing various sex offenses)
 Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)
 Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)
 Minn. Rules Part 3512.5200 (Code of Ethics for School Administrators)
 Minn. Rules Part 8700.7500 (Code of Ethics for Minnesota Teachers)

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 306 (Administrator Code of Ethics)
 Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
 Policy 413 (Harassment and Violence)
 Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
 Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
 Policy 421 (Gifts to Employees)
 Policy 507 (Corporal Punishment)



Second Reading: July 13, 2015

Revised: _____

424 LICENSE STATUS

I. PURPOSE

The purpose of this policy is to ensure that qualified teachers are employed by the school district and to fulfill its duty to ascertain the licensure status of its teachers. A school board that employs a teacher who does not hold a valid teaching license or permit places itself at risk for a reduction in state aid. This policy does not negate a teacher's duty and responsibility to maintain a current and valid teaching license.

II. GENERAL STATEMENT OF POLICY

- A. A qualified teacher is one holding a valid license to perform the particular service for which the teacher is employed by the school district.
- B. No person shall be a qualified teacher until the school district verifies through the Minnesota education licensing system available on the Minnesota Department of Education website that the person is a qualified teacher consistent with state law.
- C. The school district has a duty to ascertain the licensure status of its teachers and ensure that the school district's teacher license files are up to date. The school district shall establish a procedure for annually reviewing its teacher license files to verify that every teacher's license is current and appropriate to the particular service for which the teacher is employed by the school district.

III. PROCEDURE

- A. The human resources supervisor shall establish a schedule for the annual review of teacher licenses.
- B. Where it is discovered that a teacher's license will expire within one year from the date of the annual review, the superintendent or the superintendent's designee will advise the teacher in writing of the approaching expiration and that the teacher must complete the renewal process and file the license with the superintendent prior to the expiration of the current license. However, failure to provide this notice does not relieve a teacher from his/her duty and responsibility of ensuring that his/her teaching license is valid, current and appropriate to his/her teaching assignment.

- C. If it is discovered that a teacher's license has expired, the superintendent will immediately investigate the circumstances surrounding the lack of license and will take appropriate action. The teacher shall be advised that the teacher's failure to have the license reinstated will constitute gross insubordination, inefficiency and willful neglect of duty which are grounds for immediate discharge from employment.
- D. The duty and responsibility of maintaining a current and valid teaching license appropriate to the teaching assignment as required by this policy shall remain with the teacher, notwithstanding the superintendent's failure to discover a lapsed license or license that does not support the teaching assignment. A teacher's failure to comply with this policy may be grounds for the teacher's immediate discharge from employment.

Legal References: Minn. Stat. § 122A.16 (Highly Qualified Teacher Defined)
 Minn. Stat. § 122A.22 (District Verification of Teacher Licenses)
 Minn. Stat. § 122A.40, Subd. 13 (Employment; Contracts; Termination – Immediate Discharge)
 Minn. Stat. § 127A.42 (Reduction of Aid for Violation of Law)
Vettleson v. Special Sch. Dist. No. 1, 361 N.W.2d 425 (Minn. App. 1985)
Lucio v. School Bd. of Independent Sch. Dist. No. 625, 574 N.W.2d 737 (Minn. App. 1998)
In the Matter of the Proposed Discharge of John R. Statz (Christine D. VerPloeg), June 8, 1992, *affirmed*, 1993 WL 129639 (Minn. App. 1993)



Second Reading: July 13, 2015

Adopted: _____

427 WORKLOAD LIMITS FOR CERTAIN SPECIAL EDUCATION TEACHERS

I. PURPOSE

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

II. DEFINITIONS

A. Special Education Staff; Special Education Teacher

“Special education staff” and “special education teacher” both mean a teacher employed by the school district who is licensed under the rules of the Minnesota Board of Teaching to instruct children with specific disabling conditions.

B. Direct Services

“Direct services” means special education services provided by a special education teacher when the services are related to instruction, including cooperative teaching.

C. Indirect Services

“Indirect services” means special education services provided by a special education teacher which include ongoing progress reviews; cooperative planning; consultation; demonstration teaching; modification and adaptation of the environment, curriculum, materials, or equipment; and direct contact with children with disabilities to monitor and observe.

D. Workload

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

III. GENERAL STATEMENT OF POLICY

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

IV. COLLECTIVE BARGAINING AGREEMENT UNAFFECTED

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

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

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



Second Reading: July 13, 2015

Revised: _____

Adopted: 1/3/83

399 ADMINISTRATOR PERFORMANCE APPRAISAL

I. PHILOSOPHY

The school board recognizes the importance of personnel evaluation for the improvement of professional services rendered by school administrators in the school district. The administrator evaluation process should stimulate professional growth and improvement, thus encouraging more effective performance on the part of the individual. Performance appraisal is not a separate and distinct function from the overall system of management, but an important part of the process of managing. An effective evaluation system discriminates strengths and weaknesses of individual role incumbents, determines job/performance responsibilities, and improves supervision. Participative planning is essential to the process wherein both appraisee and appraiser cooperate in determining performance priorities and derive benefit from their accomplishment.

II. PURPOSE

The purpose of the evaluation process is to assist the administrator in achieving exemplary standards with regard to assigned responsibilities and providing effective leadership to the educational program of the school district. The evaluation documents provide a means of assessing effectiveness and professional behaviors. The instruments and procedures should be viewed as aids in carrying out a continuous program of professional improvement. They serve as valuable guides in assessing professional strengths, as well as for the purpose of improving professional growth. Specifically, administrator performance appraisal is intended to:

- A. Describe clearly the duties and responsibilities of each administrator.
- B. Establish mutually identified standards of performance for specific administrative positions.
- C. Identify both areas of strength and weakness in the administrator's performance.
- D. Improve communication between the administrator and his/her supervisor.

- E. Provide the means by which improvement needs can be met.
- F. Foster a high trust level between the administrator and his/her supervisor.
- G. Enable the School Board to hold administration accountable for implementing its policies and responding to its priorities.
- H. Make evaluation relevant to on-going job performance.
- I. Identify effective administrative performance in order to better serve the instructional and program needs of students.

III. PROCEDURE

The superintendent shall plan and implement an administrative performance appraisal system in cooperation with the school district's administrative staff. Performance evaluation should be based upon major areas of responsibility outlined in the description for each position, specific job goals for a given year, and commonly accepted characteristics of general administrative performance. The opportunity for self-appraisal and assessment of performance of supervisees of the administrator should be included when deemed desirable. Periodic supervisory conferences should be incorporated within the system and appropriate instruments developed to document the process. Evaluation reports shall be placed on file in accordance with statute and recommended personnel procedures.

Mahtomedi Public Schools

Independent School District #832

1520 Mahtomedi Avenue

Mahtomedi, MN 55115

Regular Meeting - Board of Education

Date: July 13, 2015

Agenda Item # 10. A.

TOPIC: Approval of Health and Safety Program Budget

PURPOSE OF PRESENTATION: Per Minnesota Statute 123B.57

To receive School Board approval of Health and Safety Budgets

ACTION RECOMMENDED: Review and Approval of Health & Safety Budgets for 2014-15, 2015-2016 and 2016-2017


Submitted By: _____

Julie Osterbauer

Name

Coordinator of Health & Safety

Title

Concurrence By: _____



Dr. Mark Larson

Superintendent of Schools

Health and Safety Budgets

Finance code	Description	Non reconciled		
		Actual FY 13/14	Budget FY 14/15	Budget FY 15/16
347	Physical Hazard Control	15,054.78	12,239.43	20,750.00
349	Hazardous Substance	4,242.25	4,929.31	9,500.00
352	Environmental, Health and Safety Management	70,042.78	69,988.29	60,000.00
358	Asbestos	140,334.25	1,360.85	2,500.00
363	Fire and Life Safety	14,717.07	35,204.75	20,000.00
366	Indoor Air Quality	0.00	0.00	0.00
Budget Totals		244,391.13	123,722.63	112,750.00

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

Regular Meeting - Board of Education

Date: July 13, 2015

Agenda Item # 10. B.

TOPIC: Approval of Northeast Metropolitan Intermediate School District No. 916's Health and Safety Program Budget Resolution for FY 2015-2016.

PURPOSE OF PRESENTATION: Annual resolution approving 832's share of the Northeast Metro 916 Health and Safety Budget. This approves levy authority of \$1,607.95 for our share of the total levy. The health and safety projects for FY15-16 are roughly half of the prior year budget when our share of the levy was \$3,750.

ACTION RECOMMENDED: Approval.

Submitted By:

Concurrence By:

Rochel Manders

Mark Larson

Name

Dr. Mark Larson

Director of Business Services

Superintendent of Schools

Title

EXTRACT OF MINUTES OF MEETING
OF SCHOOL BOARD OF
INDEPENDENT SCHOOL DISTRICT #832
(Mahtomedi)
STATE OF MINNESOTA

Pursuant to due call and notice thereof, a _____ meeting of School Board of Independent School District No. 832, State of Minnesota, was held on _____, 2015, at _____o'clock __m., for the purpose, in part, of approving the Northeast Metropolitan Intermediate School District No. 916's health and safety program budget and authorizing the inclusion of a proportionate share of Intermediate School District's health and safety projects in the district's application for health and safety revenue.

Member _____ introduced the following resolution and moved its adoption:

**RESOLUTION APPROVING NORTHEAST METROPOLITAN
INTERMEDIATE SCHOOL DISTRICT NO. 916'S HEALTH AND
SAFETY PROGRAM BUDGET AND AUTHORIZING THE INCLUSION
OF A PROPORTIONATE SHARE OF THOSE PROJECTS IN THE
DISTRICT'S APPLICATION FOR HEALTH AND SAFETY REVENUE**

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

1. The school board of Northeast Metropolitan Intermediate School District No. 916 has approved a health and safety program budget for its facilities for the 2015-2016 school year in the amount of \$39,525. The various components of this program budget are attached as EXHIBIT A hereto and are incorporated herein by reference. Said budget is hereby approved.

2. Minnesota Statutes, Section 123B.57, Subdivision 1, as amended, provides that if an intermediate school district's health and safety budget is approved by the school boards of each of the intermediate school district's member school districts, each member district may include its proportionate share of the costs of the intermediate school district program in its health and safety revenue application.

3. The proportionate share of the costs of the intermediate school district's health and safety program for each member school district to be included in its application shall be determined by utilizing a blended rate where half of the rate is determined by multiplying the total cost of the intermediate school district health and safety program times the ratio of the member school district's net tax capacity to the total net tax capacity of the intermediate school district and half of the rate is determined by multiplying the total cost of the intermediate school district health and safety program times the ratio of ADM utilization by district to the total ADM utilization. The inclusion of this proportionate share in the district's health and safety revenue application for fiscal year

2016 is hereby approved, subject to approval by the Commissioner of the Minnesota Department of Education.

4. Upon receipt of the proportionate share of health and safety revenue attributable to the intermediate school district program, the district shall promptly pay to the intermediate school district the applicable aid or levy proceeds.

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 the same:

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA

COUNTY OF _____

I, the undersigned, being the duly qualified and acting Clerk of Independent School District No. 832, State of Minnesota, hereby certify that I have carefully compared the attached and foregoing extract of minutes of a meeting of Independent School District No. 832 held on the date therein indicated, with the original of said minutes on file in my office, and the same is a full, true and complete transcript insofar as the same relates to the approval of Northeast Metropolitan Intermediate School District No. 916's health and safety program budget and authorizing the inclusion of a proportionate share of the Intermediate School District's health and safety projects in the district's application for health and safety revenue.

WITNESS MY HAND officially as such Clerk this ___ day of _____, 2015.

Clerk
Independent School District No. 832

EXHIBIT A
Northeast Metro 916
Health and Safety Levy
June 2, 2015

<u>Health and safety category</u>	<u>FY16</u>	<u>FY17</u>
347 Physical hazard control	\$ 5,000	\$ 5,000
349 Hazardous substance	\$ 600	\$ 600
352 H&S management	\$ 32,925	\$ 32,925
363 Fire and life safety	\$ 1,000	\$ 1,000
	\$ 39,525	\$ 39,525

Northeast Metro 916
Health and Safety Levy
2015-2016 School Year

<u>District Name</u>	<u>Weighted Average*</u>
Centennial	\$ 2,518.75
Columbia Heights	\$ 2,267.52
Fridley	\$ 1,177.41
Forest Lake	\$ 1,994.08
Mahtomedi	\$ 1,607.95
Mounds View	\$ 3,548.07
North St. Paul	\$ 6,980.32
Roseville	\$ 3,255.91
South Washington County	\$ 6,657.25
Spring Lake Park	\$ 3,128.18
Stillwater	\$ 2,938.01
White Bear Lake	\$ 3,451.55
	\$ 39,525.00

Health and safety category: Finance code

Physical Hazard Control	347	5,000.00
Hazardous Substance	349	600.00
H&S Management	352	32,925.00
Asbestos	358	-
Fire and Life Safety	363	1,000.00
Indoor air quality	366	-
		39,525.00

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

Regular Meeting - Board of Education

Date: July 13, 2015

Agenda Item #10. C. 1-27

TOPIC: Second 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 Meetings and Data Privacy Considerations
- 207-Public 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-State 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 looked at each of the proposed policies in detail, brought them to the full Board for a first reading on May 14 and a second reading on June 11. The changes had been incorporated and the policies are unchanged since the second reading.

ACTION RECOMMENDED: Approval.

Submitted By:

Mark Larson

Name

Superintendent of Schools

Title

Concurrence By:

Mark Larson

Dr. Mark Larson

Superintendent of Schools



Revised: 7/13/15 (MSBA Policy Review); 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



Revised: 7/13/15 (MSBA Policy Review); 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



Adopted: 7/13/15

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)



Revised: 7/13/15 (MSBA Policy Review); 1/12/06

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)



Revised: 7/13/15 (MSBA Policy Review); 1/12/06

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)



Revised: 6/11/15 (MSBA Policy Review); 1/12/06

Adopted: 11/5/98

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)



Revised: 7/13/15 (MSBA Policy Review); 1/12/06

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)



Revised: 7/13/15 (MSBA Policy Review); 3/8/07

Adopted: 11/5/98

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, whether adopted or defeated, and a listing of how each member present voted on the motion for roll call votes. 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



Revised: 7/13/15 (MSBA Policy Review); 1/12/06

Adopted: 11/5/98

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)



Adopted: 7/13/15

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)



Adopted: 7/13/15

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)



Revised: 7/13/15(MSBA Policy Review); 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)



Revised: 7/13/15 (MSBA Policy Review); 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



Revised: 7/13/15 (MSBA Policy Review); 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



Adopted: 7/13/15

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)

Dyppress 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)



Adopted: 7/13/15

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)



Revised: 7/13/15 (MSBA Policy Review)

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)



Revised: 7/13/15 (MSBA Policy Review)

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)



Revised: 7/13/15 (MSBA Policy Review)

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)



Revised: 7/13/15 (MSBA Policy Review); 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)



Adopted: 7/13/15

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



Adopted: 7/13/15

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



Adopted: 7/13/15

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



Adopted: 7/13/15

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)



Adopted: 7/13/15

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)



Adopted: 7/13/15

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)



Revised: 7/13/15 (MSBA Policy Review)

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.

For substantial gifts (monetary or impactful), the superintendent shall be responsible for providing more detailed procedures when deemed necessary, including administrator, teacher, and community involvement, early and on-going communication to the board, and other aspects deemed important and in the best interest of the district.

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: July 13, 2015

Agenda Item #10. D. 1-5

TOPIC: Approval to Repeal Policies

- 511.1-Student Fundraising Guidelines
- 541-Preschool Children with Developmental Delay
- 542-Tobacco Use and Penalties
- 543-Procedures for and Prevention of Communicable Diseases
- 545-Student Classroom Placement

BACKGROUND: The policies listed above have been recommended by MSBA to be repealed. The policies have been presented to the Policy Committee who share the recommendation that these be repealed.

ACTION RECOMMENDED: Approval.

Submitted By:



Name

Superintendent of Schools

Title

Concurrence By:



Dr. Mark Larson

Superintendent of Schools

511.1 - STUDENT FUND-RAISING GUIDELINES

The School Board of Independent School District #832 recognizes that school sponsored clubs, student groups, classes or sections desire to enrich their experiences and learning opportunities beyond the existing level of financial support and find a need to raise additional financing by engaging in fund-raising activities. The School Board authorizes such fund-raising consistent with the following guidelines:

1. The purpose(s) for which a fund-raising activity is going to be undertaken must first be approved by the building administrator. Fund-raising activities will be allowed for the purchase of goods or services that directly support the curricular or extracurricular program of the school.
2. All fund-raising projects must have prior approval of the building administrator before any commitment is made by the club or organization. The administrator shall inform the teacher/advisor supervising the fund-raising activity of the contents of this policy and transmit a copy of this policy to said teacher/advisor.
3. Forms requesting a fund raising activity shall be available in the principal's office. Principals shall provide the Superintendent with a copy of all requests for fund-raising activities for the purpose of controlling the number of such activities and eliminating conflicts. Fund-raising involving door-to-door solicitations and/or purchase of goods will generally be limited to one per year for each club or organization.
4. In undertaking any fund-raising activity by students the teacher in charge of the activity is responsible for:
 - A. Providing any information that students will need in order to carry out the fund-raising activity. All sales persons, agents or promoters are prohibited from contacting students directly.
 - B. Sales persons may contact faculty on school property upon the invitation of the respective staff member and/or principal.
 - C. Final scheduling of fund-raising activities is the responsibility of the principals who will minimize conflicts by coordinating through the Administrative Team. When possible, fund-raising activities will be limited to outside of school hours.

- D. Student participation in the fund-raising activity must be on a voluntary basis. No student is to be denied full participation in a school activity, nor have a grade affected by his/her failure or refusal to participate in fund-raising campaigns related to that activity.
5. House-to-house selling of commodities by the students/personnel of District #832 for any school-sponsored program or organization is prohibited unless such canvassing or selling is specifically authorized by the building principal. Use of specific name of District #832 Mahtomedi Public Schools by an unapproved fund-raising activity is prohibited.
6. Fund-raising by groups closely associated with the school district must be approved by the building principal if the fund-raising activity involves presentations or interactions with students at school during the school day or requires support and facilitation by the district's staff members.
7. All money raised must be reported to the principal, Director of Business Services, and deposited in activity accounts according to procedures established by the Director of Business Services.

*ADOPTED - BOARD OF EDUCATION
January 11, 1988*

541 - PRESCHOOL CHILDREN WITH DEVELOPMENTAL DELAY

I. PURPOSE

The purpose of this policy is to clarify the school district's position with regard to the federal Individuals with Disabilities Education Act (IDEA) and Minnesota State Board rule.

II. GENERAL STATEMENT OF POLICY

It is the policy of the Mahtomedi Public Schools that every child from birth to age seven who has a substantial delay or has an identifiable physical or mental condition known to hinder normal development as defined by the standards of the state board shall continue to be a child with a disability and shall receive appropriate special education and related services.

III. DEFINITIONS

Early Childhood Special Education

Early childhood special education pupils from birth to seven years of age are those who have a substantial delay or disorder in development or have an identifiable sensory, physical, mental or social emotional condition or impairment known to hinder normal development and need special education.

Legal Reference: Minnesota Statute 3525.1356
Federal Rules and Regulations 300.530-300.534

ADOPTED – November 5, 1998

542 - TOBACCO USE AND PENALTIES

District Policy

Independent School District No. 832 is committed to promoting a healthy lifestyle for its students. The school district recognizes that the use of tobacco is a health risk and, therefore, is an issue of concern for parents, community and law enforcement officials and needs cooperation, support and effort by all groups.

The school district has a responsibility to comply with Minnesota Statute 144.411 to 144.47, the Minnesota Clean Indoor Air Act and Minnesota Statute 609.685 governing the sale of tobacco to and use by minors and will, therefore, act to regulate smoking in concert with Minnesota law. Penalties for infractions will be administered according to the Pupil Fair Dismissal Act, Minnesota Statute 127.27, Subdivision 10.

Penalties

1. Smoking, chewing, use, or possession of tobacco in any form at school, on a school bus or on school property is prohibited.
2. Violations shall be accumulative during the students' attendance in each building.
3. Penalties to be imposed for students found to be in violation of the above resolution are as follows:

A. Possession

1. First Violation

- a. Penalty: verbal reprimand
confiscate tobacco product
parent contact

2. Second Violation

- a. Penalty: verbal reprimand
confiscate tobacco product
in-house or out-of-school suspension for one (1) day
parent conference

3. Third Violation

- a. Penalty: verbal reprimand
confiscate tobacco product
in-house or out-of-school suspension for two (2) days
parent conference

4. Fourth Violation

- a. Penalty: verbal reprimand
confiscate tobacco product
in-house or out-of-school suspension for three (3) days
parent conference
other discipline which may include in- or out-of-school suspension, police referral, or a recommendation for expulsion

B. Use of Tobacco

1. First Violation

- a. Penalty: The student will be placed on in-house or out-of-school suspension for two (2) school days. Infraction by minors will be reported to Washington County using a "smoking ticket." Prior to her or his reinstatement to classes, the student must participate in a conference at school with a parent and an administrator.
- b. Supportive Requirement: The student will participate in the "KNOW SMOKE" computer program or a similar program acceptable to both the parent and administration and confer with a counselor/administrator at school. Failure to complete the supportive requirement will result in a recommendation for expulsion.

2. Second Violation

- a. Penalty: The student will be placed on in-house or out-of-school suspension for three (3) school days. Infraction by minors will be reported to Washington County using a "smoking ticket." Students who are not minors will be reported to the appropriate authorities for violation of the Minnesota Clean Indoor Air Act. Prior to his or her reinstatement to classes, the student must participate in a conference at school involving a parent and an administrator.
- b. Supportive Requirement: The student must attend a smoking cessation program offered at school or outside of the school setting through the American Cancer Society or similar organization. The student must be registered for the program before he/she is readmitted to school. Immediate dismissal from school will occur if he/she misses a session without prior approval. At the end of the program the student must present a certificate of completion to an administrator. Failure to

complete the supportive requirement will result in a recommendation for expulsion.

3. Third Violation

- a. Penalty: The student will be placed on out-of-school suspension for a minimum of five (5) school days. Infractions by minors will be reported to Washington County using a "smoking ticket." Students who are not minors will be reported to the appropriate authorities for violation of the Minnesota Clean Indoor Air Act. The school administrator will make a recommendation for expulsion from school for the remainder of the semester. If the suspension exceeds five (5) school days, the student will be provided with homebound instruction.
- b. Superintendent or Designee Action: The recommendation to expel the student will be forwarded by the Superintendent to the School Board unless an alternative plan is developed. That is, the Superintendent, or designee, will offer to meet with the student and parent in a conference to determine whether to proceed with expulsion or by mutual agreement, to repeat a smoking therapy program, transfer attendance to the Area Learning Center, arrange an alternative education program, or initiate a school transfer process. If agreement on an alternative program is reached, the recommendation to expel will be postponed.

4. Fourth Violation

- a. Penalty: If a fourth violation occurs, the recommendation to expel the student for the rest of the semester will be forwarded to the School Board for immediate consideration.

ADOPTED – August 11, 1986
REVISED – July 19, 1990; June 9, 1994

543 - PROCEDURES FOR AND PREVENTION OF COMMUNICABLE DISEASES

INTRODUCTION

Public concern that children of the school district be able to attend the schools of the district without being infected with serious communicable diseases, such as Acquired Immuno Deficiency Syndrome (AIDS), Hepatitis B, Cytomegalovirus (CMV), Herpes Simplex Virus (HSV), and HSV related diseases such as Chickenpox, Shingles, and Infectious Mononucleosis requires that the School Board adopt procedures effectively responding to these health concerns while respecting the rights of all students and employees, including those who are so infected. The development, in-service and administration of the procedures inherent to this policy are the responsibility of the Assistant Superintendent.

SCHOOL DISTRICT POLICY

Students

It is the policy of the School Board that students with communicable diseases be permitted to attend school in their regular classrooms so long as their attendance does not create a substantial risk of the transmission of illness to children or employees of Independent School District No. 832. Procedures for minimizing interruptions to learning resulting from communicable diseases, including exclusion from class, will consider the educational implications for the student and others with whom he or she comes into contact, recommendations from the Minnesota Department of Public Health and the Minnesota Department of Children, Families and Learning.

Employees

It is the policy of the School Board that employees with communicable diseases be permitted to continue their customary employment so long as they are physically, mentally and emotionally able to perform tasks assigned to them and so long as their employment does not create a substantial risk of the transmission of the illness to students or employees of Independent School District No. 832.

Special Circumstances and Conditions

The School Board recognizes that some students and/or employees, because of special conditions, may pose greater risks for the transmission of infectious conditions than other persons infected with the same illness. Examples include but are not limited to: children who display biting behavior, students and employees who are unable to control their bodily fluids, and/or students or employees who have uncovered, oozing wounds. These conditions need to be taken into account and considered in assessing the risk of transmission of the disease and the resulting affect upon the educational program of the student or employment of the employee.

PROCEDURES

The following procedure is based upon suggested guidelines of the Minnesota Department of Children, Families and Learning and the recommendations of the Center for Disease Control of the United States Department of Health and Human Services:

1. In all cases in which the school district becomes aware that a student or employee of the district has contracted or is suspected of having a communicable disease, the Superintendent or her/his designee will take the following steps:
 - a. The parent(s) or guardian(s) of the child, or in the case of an employee, the employee or his/her family will be contacted in order to discuss the situation and determine whatever facts are available.
 - b. Upon receiving written consent from the parent(s) or guardian(s) of a student or, in the case of an employee, the employee or her/his family, the Superintendent or his/her designee will confer with the treating physician, if any, in order to determine any significant medical facts concerning the diagnosis of the disease or factors affecting the possible transmission of the disease.
 - c. In the event of a suspected but unconfirmed case of a communicable disease, the Assistant Superintendent may, after consultation with the school nurse, request that the student or employee provide medical certification that the communicable disease is not present.
 - d. If the medical condition of a student or staff member threatens public health, as per established guidelines from Public Health, the school district's Nurse will report the condition to the Commissioner of Health.
 - e. The school district's Nurse will advise professional and paraprofessional employees having direct responsibility for the student.
 - f. When students with AIDS or HIV have conditions such as oozing skin lesions or spontaneous external bleeding, the school district will notify the Commissioner of Health and request that an advisory committee be convened to evaluate the student and assist the school district with a determination of proper educational placement for the student. Such advisory committee shall include, whenever possible, the following members:
 1. The State Epidemiologist

2. Department of Children, Families and Learning representative
3. Student or employee's personal physician
4. Superintendent of Schools or designee
5. Building principal
6. Primary teacher in the case of a student
7. Additional members at the request of the parent or the Superintendent of Schools

The committee will weigh risks and benefits to the AIDS or HIV infected student and to others, consider the least restrictive appropriate educational placement, and arrange for periodic reevaluation as deemed necessary by the state epidemiologist. The risks to the infected immune-suppressed student shall be determined by the student's physical.

2. Procedures Regarding Attendance.
 - a. The School Board recognizes its responsibility to ensure continuing education of school-age students with health related conditions.
 - b. Any students who require homebound instruction, or other students whose safety may be in jeopardy due to participation in some aspect of the regular educational program, will be required to provide a medical certification concerning their health status.
 - c. The Assistant Superintendent has the responsibility to develop alternative educational programs for any student whose profound physical handicaps and/or health-related needs prevent participation in the adopted curriculum and course requirements.
3. Precautions
 - a. Universal precautions, good hygiene and infection control prescribed by the school district adopted procedures for the containment of blood borne pathogens are to be followed at all times when handling blood or other bodily fluids of any child or employee. These procedures shall be reviewed annually and modified in accord with recommendations of the Minnesota Department of Health, the Minnesota Department of Children, Families and Learning and OSHA Regulations 29CFR1910.1030 Occupational Exposure to Blood Borne Pathogens.
 - b. Teachers and other employees who may be expected to have contact with a student or employee under circumstances giving rise to a risk of transmission of a serious illness will be informed about

the condition of the child or fellow employee, instructed regarding the possible modes of transmission of the disease and provided any special supplies, such as disposable gloves, which medical advisors deem to be appropriate.

4. Information Sharing

- a. Employee and student health information shall be shared within the school district only with those whose jobs require such information and with those who have a legitimate educational (including health and safety) need to know and shall be shared only to the extent required to accomplish legitimate educational goals and to comply with employees' right to know requirements.
- b. Employee and student health data shall be shared outside the school district only in accordance with state and federal law and with the school district's policies on employee and student records and data.
- c. Health data regarding employees is private data, M. S. 13.43, Subdivision 2, and school district Policy 509, and may not be released to the public nor to fellow employees without strict observance of data privacy rights of public employees, M. S. 13.43. Knowledge that an employee has a communicable disease will be limited to those persons determined by the Superintendent to have a direct need to know.

5. Staff and Student Education

- a. The School Board recognizes that the education of its residents, staff and students regarding the risks involved in the spread of infectious diseases in the school setting will help to minimize the probability of undue concern and/or the risk of transmission to other students and employees while protecting the rights of infected students and employees.
 1. All school district employees will receive instruction regarding this policy, appropriate hygienic practices for use in all school settings, precautions to be employed where contagious diseases may be encountered and knowledge of community resources for referral and information.
 2. Students in grades K-12 will receive appropriate instruction as defined in the adopted health curriculum, including specific age-appropriate information about communicable diseases including prevention and access to community resources.
- b. The school district shall, with the assistance of the Commissioners of Health and Education, develop or adopt a program to prevent and reduce the risk of Acquired Immune Deficiency Syndrome in accordance with Minnesota Statute 121.203 which includes:

1. planning materials, guidelines and other technically accurate and updated information;
2. a comprehensive, technically accurate and updated curriculum;
3. cooperation and coordination among school districts and regional educational agencies;
4. a targeting of adolescents, especially those who may be at high risk of contracting AIDS, for prevention efforts;
5. involvement of parents and other community members;
6. in-service training for appropriate school district staff and school board members;
7. collaboration with state agencies and organizations having an AIDS prevention or AIDS risk reduction program;
8. collaboration with local community health services, agencies, and organizations having an AIDS prevention or AIDS risk reduction program; and
9. participation by state and local student organizations.

ADOPTED – May 21, 1986

REVISED – March 21, 1996; August 14, 1997

545 - STUDENT CLASSROOM PLACEMENT

I. Purpose

The purpose of this policy is to provide direction to school administrators in preparing classroom lists for students in grades K-5.

II. General Statement of Policy

This policy is to assure that the educational needs of all learners are considered in developing elementary classroom placements. Building administrators will seek and consider input from teachers and parents regarding student learning styles and other qualities that should be used to develop the most appropriate classroom placement for all students.

The ultimate decision on classroom placements is the responsibility of the building principal.

ADOPTED – August 14, 1997

INDEPENDENT SCHOOL DISTRICT #832

MAHTOMEDI, MINNESOTA

TREASURER'S REPORT

MONTH ENDING 5/31/15

	CLOSING BALANCE 4/30/15	RECEIPTS	A/P DISBURSEMENT	PAYROLL DISBURSEMENTS	JOURNAL ENTRY TRANSFERS	BALANCE AS OF 05/31/15
GENERAL FUND (01)	4,833,617.49	4,476,156.17	(1,397,413.53)	(1,048,707.62)	(354,209.08)	6,509,443.43
FOOD SERVICE FUND (02)	615,402.55	138,292.78	(118,795.44)	0.00	0.00	634,899.89
COMMUNITY EDUCATION FUND (04)	671,514.86	196,074.33	(58,245.42)	(50,763.76)	(13,286.90)	745,293.11
DEBT SERVICE FUND (07)	1,137,030.93	1,214,875.88	0.00	0.00	0.00	2,351,906.81
INTERNAL FUND (20)	707,822.51	8,252.00	(365,184.16)	0.00	363,452.63	714,342.98
DONATIONS (25)	829,710.96	21,644.27	(35,051.69)	0.00	(1,110.10)	815,193.44
ACTIVITIES (50)	220,005.12	55,769.45	(28,658.03)	0.00	(679.84)	246,436.70
OPEB TRUST FUND (45)	2,274,412.21	0.00	0.00	0.00	(20.83)	2,274,391.38
OPEB DEBT SERV (47)	41,808.11	85,749.42	0.00	0.00	0.00	127,557.53
	11,331,324.74	6,196,814.30	(2,003,348.27)	(1,099,471.38)	(5,854.12)	14,419,465.27
BANK	BANK STATEMENT	OUTSTANDING (-) CHECKS	OUTSTANDING (+) DEPOSITS	OUTSTANDING WIRES	BANK BALANCE 05/31/15	
MSDLAF Acct# 1289	919,109.80		25,362.82	(157,541.39)	786,931.23	
MSDLAF Acct# 1521 checking	415,811.08	(279,912.91)			135,898.17	
MN TRUST-OPERATING (30822-101)	11,222,244.49				11,222,244.49	
					0.00	
					0.00	
					0.00	
					0.00	
					0.00	
MN TRUST-OPEB TRUST (30822-301) 45-101-00	2,274,391.38				2,274,391.38	
TOTAL	14,831,556.75	(320,452.91)	32,419.27	(157,541.39)	14,419,465.27	

FY15 JUN 2015 CHECK REGISTER - BANK 02

Bank	Date	Check #	Ck Amt	Vendor #	Addr	Description	Status
2	06/04/2015	388099	264.65	00009	0	AAA AWARDS	Cleared
2	06/04/2015	388100	525.00	10534	0	ADVANCED GRAPHICS INC	Void
2	06/04/2015	388101	2,140.00	00109	0	AMERICAN SECURITY LLC	Cleared
2	06/04/2015	388102	347.20	10483	0	AMERICAN SOLUTIONS FOR BUSINESS	Cleared
2	06/04/2015	388103	51,540.00	05639	0	AP EXAMS	Cleared
2	06/04/2015	388104	76.50	10531	0	ARIS CLINIC	Cleared
2	06/04/2015	388105	60.00	08859	1	AWS SERVICE CENTER	Cleared
2	06/04/2015	388106	720.00	10530	0	BACKUPIFY INC	Cleared
2	06/04/2015	388107	320.00	00284	0	BIRDIE MARKETING	Cleared
2	06/04/2015	388108	10,675.36	03340	0	BIX PRODUCE CO LLC	Cleared
2	06/04/2015	388109	130.00	00330	0	BRANSON ELECTRONICS	Cleared
2	06/04/2015	388110	110.00	06661	0	BW T&F ENTERPRISES LLP	Cleared
2	06/04/2015	388111	10.12	00427	0	CASH	Cleared
2	06/04/2015	388112	967.50	10527	0	CHAO KHANG-LEE	Cleared
2	06/04/2015	388113	10,020.00	00527	0	COMSTOCK & SONS INC	Cleared
2	06/04/2015	388114	530.94	00594	0	CYNMAR CORPORATION	Cleared
2	06/04/2015	388115	445.00	09009	0	D & J QUALITY SOURCING LLC	Cleared
2	06/04/2015	388116	825.00	00678	0	DOMINO'S PIZZA	Cleared
2	06/04/2015	388117	891.45	00679	0	DONATELLI'S	
2	06/04/2015	388118	838.00	00714	0	EAGLE SCREEN PRINTING	Cleared
2	06/04/2015	388119	1,442.86	06030	1	EARTHGRAINS CO.INC/ BIMBO BAKERIES	Cleared
2	06/04/2015	388120	508.40	05986	0	EDUCATORS BENEFITS CONSULTANTS,LLC	Cleared
2	06/04/2015	388121	17.90	03087	0	ERIKA HAMMERSCHMIDT	Cleared
2	06/04/2015	388122	125,186.63	06819	0	FIRST STUDENT	Cleared
2	06/04/2015	388123	962.00	00952	0	GIBBS MUSEUM OF PIONEER AND DA	Cleared
2	06/04/2015	388124	400.00	10059	0	GLEN EVERHART	Cleared
2	06/04/2015	388125	3,604.00	10533	0	GRAND RAPID PUBLIC SCHOOLS	Cleared
2	06/04/2015	388126	665.00	03081	0	GRAY SEEVER	Cleared
2	06/04/2015	388127	34,609.72	01096	1	HEALTHPARTNERS	Cleared
2	06/04/2015	388128	190.00	01156	0	HOMeward BOUND THEATRE COMPANY	Cleared
2	06/04/2015	388129	282.00	10532	0	IRIS MYERS	Cleared
2	06/04/2015	388130	1,687.00	09968	0	JANET BERRYHILL/ YOGA & CRANIO SACRAL THERAPY	Cleared
2	06/04/2015	388131	263.52	03141	0	JOAN STAHLMANN	Cleared
2	06/04/2015	388132	350.02	08077	1	JOHN DEERE LANDSCAPES/ LESCO	Cleared
2	06/04/2015	388133	715.26	03819	0	KAYLA SCHILTGEN	Cleared
2	06/04/2015	388134	1,500.95	08806	0	LANDS BEST FOODS	Cleared
2	06/04/2015	388135	2,660.00	07149	0	LINDA PFEFFER	Cleared
2	06/04/2015	388136	192.00	07073	0	LOFFLER	Cleared
2	06/04/2015	388137	5,961.25	03182	1	MADISON NATIONAL LIFE INS CO INC	Cleared
2	06/04/2015	388138	2,121.47	07061	0	MAEF-MAHTOMEDI AREA EDUCATION FOUNDATION	Void
2	06/04/2015	388139	44.55	01557	0	MAHTOMEDI AUTO SERVICE	Cleared
2	06/04/2015	388140	709.99	01684	0	MENARDS OAKDALE CASHWAY LUMBER	Cleared
2	06/04/2015	388141	40.00	10529	0	MICHELLE COMMANDER-EK	
2	06/04/2015	388142	580.80	03723	0	MINNESOTA COACHES	Cleared
2	06/04/2015	388143	245.00	07224	0	MINNESOTA TIMBERWOLVES	
2	06/04/2015	388144	92.57	01780	5	MN DEPT OF HUMAN SERVICES	Cleared
2	06/04/2015	388145	750.00	01862	0	MUSIC CONNECTION INC	Cleared
2	06/04/2015	388146	1,002.89	08739	0	NAC MECHANICAL & ELECTRICAL SERVICE	Cleared
2	06/04/2015	388147	3,977.69	01888	0	NATIONAL INSURANCE SERVICES OF WI INC	Cleared

FY15 JUN 2015 CHECK REGISTER - BANK 02

Bank	Date	Check #	Ck Amt	Vendor #	Addr	Description	Status
2	06/04/2015	388148	1,112.00	10451	0	NEWMIND GROUP	Cleared
2	06/04/2015	388149	125.00	01974	0	NORTHERN ELECTRIC- ELECTRICAL CONTRACTORS	Cleared
2	06/04/2015	388150	17,590.00	10020	0	NOW MICRO	Cleared
2	06/04/2015	388151	175.00	02043	0	ON SITE SANITATION INC	Cleared
2	06/04/2015	388152	4,368.12	05985	0	PAMS LUNCHROOM LLC	Cleared
2	06/04/2015	388153	315.00	10422	0	PINO'S PIZZA/ROSANERO FOOD	Cleared
2	06/04/2015	388154	284.00	10431	0	PINZ OAKDALE INC	Cleared
2	06/04/2015	388155	74.66	02161	0	POPP.COM INC	Cleared
2	06/04/2015	388156	265,164.21	08212	0	PREFERRED ONE	Cleared
2	06/04/2015	388157	397.80	02180	0	PRESS PUBLICATIONS	Cleared
2	06/04/2015	388158	200.00	02231	0	RAMSEY COUNTY ARENAS PARKS & RECREATI	Cleared
2	06/04/2015	388159	3,290.00	02252	0	REGION 4AA	Cleared
2	06/04/2015	388160	2.98	07113	0	SAM'S CLUB	Cleared
2	06/04/2015	388161	920.00	02413	0	SCHOLASTIC BOOK CLUBS INC	Cleared
2	06/04/2015	388162	1,986.00	02581	0	ST CROIX BOAT & PACKET CO	Cleared
2	06/04/2015	388163	11,260.00	02581	0	ST CROIX BOAT & PACKET CO	Cleared
2	06/04/2015	388164	884.80	00553	3	STAPLES ADVANTAGE	Cleared
2	06/04/2015	388165	722.26	04176	0	SUNBURST CHEMICALS, INC.	Cleared
2	06/04/2015	388166	100.00	05172	0	TARTAN HIGH SCHOOL	Cleared
2	06/04/2015	388167	859.44	02745	1	THYSSENKRUPP ELEVATOR	Cleared
2	06/04/2015	388168	14,986.40	02748	0	TIES	Cleared
2	06/04/2015	388169	85.00	08784	0	TRUSTED EMPLOYEES	Cleared
2	06/04/2015	388170	349.00	02165	1	U S POST OFFICE	Cleared
2	06/04/2015	388171	30,149.15	06934	0	US FOODSERVICE INC	Cleared
2	06/04/2015	388172	28.00	02936	0	WHITE BEAR AREA CHAMBER OF COM	Cleared
2	06/04/2015	388173	234.00	02941	0	WHITE BEAR GLASS INC	Cleared
2	06/05/2015	388174	68.16	00094	0	AMERICAN FAMILY ASSURANCE	Cleared
2	06/05/2015	388175	790.00	01556	0	MAHTOMEDI AREA EDUC.FOUNDATION	Cleared
2	06/05/2015	388176	9.90	01888	0	NATIONAL INSURANCE SERVICES OF WI INC	Cleared
2	06/05/2015	388177	320.00	01740	0	NCPERS MINNESOTA-179220	Cleared
2	06/05/2015	388178	704.75	02017	0	OFFICE & PROFESSIONAL	Cleared
2	06/05/2015	388179	932.46	02048	0	OPERATING ENGINEERS LOCAL #70	Cleared
2	06/05/2015	388180	700.00	04342	0	WISCONSIN SCTF	Cleared
2	06/05/2015	388181	65.00	04342	0	WISCONSIN SCTF	Cleared
2	06/10/2015	388182	1,075.00	10537	0	MSHSBCA-MN STATE HS BASEBALL COACHES ASSN	Cleared
2	06/11/2015	388183	149.20	00009	0	AAA AWARDS	Cleared
2	06/11/2015	388184	8,893.50	00039	1	ACT	Cleared
2	06/11/2015	388185	25.00	10534	0	ADVANCED GRAPHICS INC	Cleared
2	06/11/2015	388186	13,395.11	09416	0	AGROPUR	Cleared
2	06/11/2015	388187	1,930.82	00109	0	AMERICAN SECURITY LLC	Cleared
2	06/11/2015	388188	1,532.00	03636	1	APPLE INC	Cleared
2	06/11/2015	388189	120.00	10524	0	AUDRA RICHARDS	
2	06/11/2015	388190	47,800.00	01214	0	AUL	Cleared
2	06/11/2015	388191	3,432.44	08859	1	AWS SERVICE CENTER	Cleared
2	06/11/2015	388192	80.00	09326	0	BAILEY ANDERSON	Cleared
2	06/11/2015	388193	1,409.01	03340	0	BIX PRODUCE CO LLC	Cleared
2	06/11/2015	388194	2,888.50	07031	0	CARRIE ARDITO	Cleared
2	06/11/2015	388195	500.00	09690	0	CHAD OLSON	
2	06/11/2015	388196	150.00	10560	0	CHRISTOPHER PETERSON	Cleared

FY15 JUN 2015 CHECK REGISTER - BANK 02

Bank	Date	Check #	Ck Amt	Vendor #	Addr	Description	Status
2	06/11/2015	388197	786.91	10436	0	CLIMATE MAKERS	Cleared
2	06/11/2015	388198	204.00	00527	0	COMSTOCK & SONS INC	Cleared
2	06/11/2015	388199	1,410.03	00558	1	COURAGE KENNY REHABILITATION INSTITUTE	Cleared
2	06/11/2015	388200	2,012.60	00599	0	DALCO	Cleared
2	06/11/2015	388201	809.92	03328	0	DIVERSIFIED SNACK DIVISION	Cleared
2	06/11/2015	388202	705.00	00678	0	DOMINO'S PIZZA	Cleared
2	06/11/2015	388203	233.30	06030	1	EARTHGRAINS CO.INC/ BIMBO BAKERIES	Cleared
2	06/11/2015	388204	80.00	10159	0	ELIZABETH GREGORY	Cleared
2	06/11/2015	388205	80.00	10157	0	EMILY BRUNNER	Cleared
2	06/11/2015	388206	335.73	00787	0	ERICKSON OIL PRODUCTS INC	Cleared
2	06/11/2015	388207	200.00	10519	0	ERIK TVEDTEN	Cleared
2	06/11/2015	388208	80.00	07044	0	ERIN MARTINSON	Cleared
2	06/11/2015	388209	1,077.84	00803	0	EXPRESS SERVICES INC	
2	06/11/2015	388210	509.70	10513	0	FERRAZZO RETAIL LLC	Cleared
2	06/11/2015	388211	4,450.00	10263	0	FIREFLY COMPUTERS	Cleared
2	06/11/2015	388212	22,729.13	06819	0	FIRST STUDENT	Cleared
2	06/11/2015	388213	336.00	08883	0	GINA BOOGREN	
2	06/11/2015	388214	194.44	00987	0	GRAINGER	Cleared
2	06/11/2015	388215	456.16	01133	1	HOBART SERVICE	Cleared
2	06/11/2015	388216	120.00	09682	0	JAMES HONSA	Cleared
2	06/11/2015	388217	60.00	07456	0	JASON WELKE	Cleared
2	06/11/2015	388218	80.00	10526	0	JESSA WARNER	Cleared
2	06/11/2015	388219	885.39	08077	1	JOHN DEERE LANDSCAPES/ LESCO	Cleared
2	06/11/2015	388220	80.00	10522	0	JORDAN LUTZ	
2	06/11/2015	388221	110.87	10449	0	K&J CATERING INC	Cleared
2	06/11/2015	388222	11,284.99	08458	0	K12 TRANSPORTATION MANAGEMENT SERVICES INC	Cleared
2	06/11/2015	388223	80.00	09318	0	KATHERINE LINDQUIST	
2	06/11/2015	388224	34,971.27	03378	0	KELLY SERVICES, INC	Cleared
2	06/11/2015	388225	40.00	10521	0	KENNEDY MASON	Cleared
2	06/11/2015	388226	80.00	09414	0	KYLE OLSON	Cleared
2	06/11/2015	388227	126.20	08806	0	LANDS BEST FOODS	Cleared
2	06/11/2015	388228	774.82	03195	0	LASERPLUS, LLC	Cleared
2	06/11/2015	388229	120.00	08796	0	LEAH HENNES	Cleared
2	06/11/2015	388230	225.00	07606	1	LOFFLER COMPANY INC/KONICA MINOLTA PREMIER FI	Cleared
2	06/11/2015	388231	1,799.00	07606	1	LOFFLER COMPANY INC/KONICA MINOLTA PREMIER FI	Cleared
2	06/11/2015	388232	8.85	10535	0	LORAJEAN WEITNAUER	Cleared
2	06/11/2015	388233	1,841.48	07061	0	MAEF-MAHTOMEDI AREA EDUCATION FOUNDATION	Cleared
2	06/11/2015	388234	609.84	07908	1	MAILFINANCE	Cleared
2	06/11/2015	388235	1,900.00	10286	1	MARK BROWN /REACH COMMUNICATIONS	Cleared
2	06/11/2015	388236	500.00	09689	0	MATTHEW MULLENBACH	Cleared
2	06/11/2015	388237	40.00	05344	0	MATY MUSTAR	
2	06/11/2015	388238	80.00	09680	0	MEGAN LAUZON	Cleared
2	06/11/2015	388239	35.67	01683	0	MENARDS	Cleared
2	06/11/2015	388240	70.21	01684	0	MENARDS OAKDALE CASHWAY LUMBER	Cleared
2	06/11/2015	388241	2,948.00	10004	0	METRO EAST CONFERENCE	Cleared
2	06/11/2015	388242	428.55	03384	0	MID CITY SERVICES-INDUSTRIAL LAUNDRY	Cleared
2	06/11/2015	388243	30.00	03723	0	MINNESOTA COACHES	Cleared
2	06/11/2015	388244	80.00	10158	0	MOLLY ALLEN	Cleared
2	06/11/2015	388245	2,984.00	10451	0	NEWMIND GROUP	Cleared

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Bank	Date	Check #	Ck Amt	Vendor #	Addr	Description	Status
2	06/11/2015	388246	40.00	09519	0	NOAH KIRKLAND	Cleared
2	06/11/2015	388247	48,704.25	01971	1	NORTHEAST METRO 916	Cleared
2	06/11/2015	388248	999.00	10020	0	NOW MICRO	Cleared
2	06/11/2015	388249	750.00	09662	0	NUTRISLICE INC	Cleared
2	06/11/2015	388250	1,005.50	03699	0	OAK GLEN COUNTRY CLUB	Cleared
2	06/11/2015	388251	1,135.00	02043	0	ON SITE SANITATION INC	Cleared
2	06/11/2015	388252	80.00	10520	0	PAIGE WELSH	Cleared
2	06/11/2015	388253	34.25	10422	0	PINO'S PIZZA/ROSANERO FOOD	Cleared
2	06/11/2015	388254	348.08	02151	0	PLUNKETTS PEST CONTROL INC	Cleared
2	06/11/2015	388255	116.89	06012	1	PREMIUM WATERS INC	Cleared
2	06/11/2015	388256	85.00	02231	0	RAMSEY COUNTY ARENAS PARKS & RECREATI	Cleared
2	06/11/2015	388257	150.00	08578	0	RON KRUSCHWITZ	Cleared
2	06/11/2015	388258	40.00	08195	0	SAMANTHA MAIXNER	Cleared
2	06/11/2015	388259	67.00	10536	0	SEAMUS MCGIVERN	Cleared
2	06/11/2015	388260	395.30	02473	0	SHERWIN-WILLIAMS CO	Cleared
2	06/11/2015	388261	190.00	02552	0	SOUTHPAW ENTERPRISES INC	Cleared
2	06/11/2015	388262	80.00	09574	0	SPENCER KRAMER	
2	06/11/2015	388263	111.80	02603	2	STAR TRIBUNE	Cleared
2	06/11/2015	388264	80.00	10523	0	TA'KENDRA ELBERT	Cleared
2	06/11/2015	388265	98.00	03689	1	TEACHERS DISCOVERY	Cleared
2	06/11/2015	388266	154.00	04551	0	THE GOODPRINTER	Cleared
2	06/11/2015	388267	571.32	03507	0	THE UPS STORE	Cleared
2	06/11/2015	388268	324.54	02748	1	TIES/ TIES DEPOT	Cleared
2	06/11/2015	388269	250.00	10579	0	TOM JOHNSON	Cleared
2	06/11/2015	388270	80.00	10525	0	TYLER ZAPPA	Cleared
2	06/11/2015	388271	112.98	09693	0	UNIVERSAL ATHLETIC	Cleared
2	06/11/2015	388272	450.00	02807	0	US BANK TRUST N A	Cleared
2	06/11/2015	388273	450.00	02807	0	US BANK TRUST N A	Cleared
2	06/11/2015	388274	100.00	05875	1	WHITE BEAR LAKE HIGH SCHOOL	Cleared
2	06/18/2015	388275	110.55	00009	0	AAA AWARDS	Cleared
2	06/18/2015	388276	696.21	09140	0	AFFINETY SOLUTIONS INC	Cleared
2	06/18/2015	388277	24.65	10571	0	ALAN & CATHERINE SCHMIT	Cleared
2	06/18/2015	388278	7.05	06527	0	ANDREW OGREN	Cleared
2	06/18/2015	388279	29.70	02407	0	ANDREW SCHMITT	Cleared
2	06/18/2015	388280	5.55	10539	0	ANNETTE ALBRECHT	
2	06/18/2015	388281	17.10	08686	0	ARNIE FUNKENBUSCH	
2	06/18/2015	388282	1,975.00	09969	0	BALFOUR MINNESOTA INC	Cleared
2	06/18/2015	388283	37.85	10543	0	BARBARA COMSTOCK	
2	06/18/2015	388284	1,488.00	05341	2	BEST WESTERN WHITE BEAR COUNTRY INN	Cleared
2	06/18/2015	388285	55.05	08691	0	BRADLEY INGBERG	Cleared
2	06/18/2015	388286	544.89	09448	1	BSN SPORTS	Cleared
2	06/18/2015	388287	156.22	09046	0	BUSINESS IMPACT GROUP	Cleared
2	06/18/2015	388288	1,133.00	10583	0	BY THE YARD INC	Cleared
2	06/18/2015	388289	66.55	10566	0	CAROL LUDINGTON	
2	06/18/2015	388290	13.05	09729	0	CHARLES GARCIA	
2	06/18/2015	388291	30.25	07374	0	CHRIS CAMPBELL	Cleared
2	06/18/2015	388292	210.00	07266	0	COMPUTER EXPLORERS	
2	06/18/2015	388293	343.30	03897	0	CONCORDIA ACADEMY	
2	06/18/2015	388294	175.00	03898	0	CONVENT OF THE VISITATION SCHOOL	Cleared

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2	06/18/2015	388295	509.50	03899	0	CRETIN-DERHAM HALL	
2	06/18/2015	388296	85.00	09009	0	D & J QUALITY SOURCING LLC	Cleared
2	06/18/2015	388297	58.50	00599	0	DALCO	Cleared
2	06/18/2015	388298	13.50	10563	0	DAVID KITTLESON	Cleared
2	06/18/2015	388299	2,209.19	10493	0	DAWN SIGN PRESS	Cleared
2	06/18/2015	388300	49.40	10540	0	DONALD AMBLI	
2	06/18/2015	388301	65.35	00679	0	DONATELLI'S	
2	06/18/2015	388302	37.30	07295	0	DOUG MULDER	
2	06/18/2015	388303	50.50	10577	0	DUANE WAGNER	
2	06/18/2015	388304	226.60	05986	0	EDUCATORS BENEFITS CONSULTANTS,LLC	Cleared
2	06/18/2015	388305	6.40	10575	0	ERIC STRANDQUIST	
2	06/18/2015	388306	15.55	09723	0	ERIC ERICKSON	
2	06/18/2015	388307	26.30	10541	0	ERIK AUNAN	
2	06/18/2015	388308	6.60	10558	0	ERIN HOLMQUIST	
2	06/18/2015	388309	285.00	00856	0	FOLLETT SCHOOL SOLUTIONS, INC	
2	06/18/2015	388310	15.05	10548	0	FRANK FERNANDEZ	
2	06/18/2015	388311	506.60	06697	0	FRATTALLONE'S ACE HARDWARE STORES	Cleared
2	06/18/2015	388312	2,975.00	06809	0	GARY FORD/METRO TESTING MECHANICAL LLC	Cleared
2	06/18/2015	388313	12.55	10556	0	GARY HALONEN	Cleared
2	06/18/2015	388314	122.55	09232	0	GLENN BUTTERMANN	Cleared
2	06/18/2015	388315	40.89	06146	1	GOPHER	Cleared
2	06/18/2015	388316	130.00	03081	0	GRAY SEEVER	Cleared
2	06/18/2015	388317	10.65	10553	0	GREGORY GUNDERSON	Cleared
2	06/18/2015	388318	1,750.00	03729	0	HILL MURRAY SCHOOL	Cleared
2	06/18/2015	388319	57,982.50	03248	0	I.S.D # 834 STILLWATER	Cleared
2	06/18/2015	388320	12.55	09255	0	JAMES JERNBERG	
2	06/18/2015	388321	37.55	06323	0	JANE STRAUMAN	
2	06/18/2015	388322	29.35	10545	0	JANET DOTTE	Cleared
2	06/18/2015	388323	15.45	10557	0	JEFF HARLOW	
2	06/18/2015	388324	6.00	05033	0	JEFF LEDERMANN	
2	06/18/2015	388325	9.85	10561	0	JEFFERY JOHNSON	
2	06/18/2015	388326	11.85	08112	0	JEFFREY TAYLOR	
2	06/18/2015	388327	23.35	03925	0	JENNIFER FORBES	
2	06/18/2015	388328	5.30	10574	0	JENNIFER SCOTT	
2	06/18/2015	388329	23.65	10542	0	JERRY BUCHMAN	
2	06/18/2015	388330	6.10	09260	0	JOEL KAISER	
2	06/18/2015	388331	14.15	10547	0	JOHN EVANS	
2	06/18/2015	388332	8.95	07553	0	JOHN SCHWIETERS	
2	06/18/2015	388333	38.90	10550	0	JONATHAN FLECK	Cleared
2	06/18/2015	388334	33.85	05868	0	JULIO FESSER	
2	06/18/2015	388335	25.55	10565	0	KATHY NELSON-KIRKLAND	
2	06/18/2015	388336	69.55	10552	0	KAY GUNDERSON	Cleared
2	06/18/2015	388337	87.66	03819	0	KAYLA SCHILTGEN	Cleared
2	06/18/2015	388338	32.00	10581	0	KELLY UNGER	
2	06/18/2015	388339	27.70	09240	0	KIM ERICKSON	
2	06/18/2015	388340	424.56	01372	0	KNOWLAN'S SUPER MARKETS	Void
2	06/18/2015	388341	21.38	07375	0	KRISTINE NOEL	Cleared
2	06/18/2015	388342	28.85	07518	0	KYLE ANDERSON	
2	06/18/2015	388343	259.94	03195	0	LASERPLUS, LLC	Cleared

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2	06/18/2015	388344	697.70	03916	0	LIBERTY CLASSICAL ACADEMY	Cleared
2	06/18/2015	388345	27.75	10568	0	LISA PALEN	
2	06/18/2015	388346	3,247.66	07606	2	LOFFLER COMPANY INC	Cleared
2	06/18/2015	388347	3,146.46	07606	1	LOFFLER COMPANY INC/KONICA MINOLTA PREMIER FI	Cleared
2	06/18/2015	388348	362.21	07606	1	LOFFLER COMPANY INC/KONICA MINOLTA PREMIER FI	Cleared
2	06/18/2015	388349	27.55	10562	0	LYNN KEATE	Cleared
2	06/18/2015	388350	350.00	03903	0	MAGNUSON CHRISTIAN SCHOOL	Cleared
2	06/18/2015	388351	44.20	01557	0	MAHTOMEDI AUTO SERVICE	Cleared
2	06/18/2015	388352	32.25	04525	0	MARGERET-KATHRYN TEUFERT	
2	06/18/2015	388353	8.75	05779	0	MARK G SCHROEDER	
2	06/18/2015	388354	38.00	10559	0	MARK HOLSTEN	Cleared
2	06/18/2015	388355	16.60	10569	0	MARK PALMQUIST	
2	06/18/2015	388356	6.15	10576	0	MARK SUNDBY	
2	06/18/2015	388357	75.00	03404	0	MARNIE MARONEY	
2	06/18/2015	388358	14.15	10554	0	MARY HACKETT	
2	06/18/2015	388359	126.20	01684	0	MENARDS OAKDALE CASHWAY LUMBER	
2	06/18/2015	388360	74.40	10230	0	MICHAEL VOYTOVICH	Cleared
2	06/18/2015	388361	697.70	07737	0	MINNEHAHA ACADEMY	Cleared
2	06/18/2015	388362	700.00	05841	0	MINNESOTA WALDORF SCHOOL	Cleared
2	06/18/2015	388363	525.00	03902	0	MOUNDS PARK ACADEMY	
2	06/18/2015	388364	1,050.00	03904	0	NEW LIFE ACADEMY	Cleared
2	06/18/2015	388365	525.00	03905	0	NORTH HEIGHTS CHRISTIAN ACADEMY	Cleared
2	06/18/2015	388366	875.00	05826	0	OAK HILL MONTESSORI	
2	06/18/2015	388367	20.89	02043	0	ON SITE SANITATION INC	Cleared
2	06/18/2015	388368	100.00	10582	0	PATRICK FROST	
2	06/18/2015	388369	18.20	10573	0	PATRICK SCOTT	Cleared
2	06/18/2015	388370	16.80	10544	0	PETER CONDO	
2	06/18/2015	388371	41.95	09722	0	PETER ELLIOTT	
2	06/18/2015	388372	77.65	09790	0	PHILLIP WATKINS	
2	06/18/2015	388373	225.00	08212	0	PREFERRED ONE	
2	06/18/2015	388374	5.10	07555	0	RANDALL STONE	
2	06/18/2015	388375	5.55	07986	0	RANDY & HEATHER BACCHUS	
2	06/18/2015	388376	540.33	10435	0	READING HORIZONS	Cleared
2	06/18/2015	388377	50.45	07979	0	REBECCA SOLENSTEN	Cleared
2	06/18/2015	388378	18.30	10179	0	REX CRUMB	
2	06/18/2015	388379	33.45	09772	0	ROBERT OSTLER	Cleared
2	06/18/2015	388380	26.35	10578	0	ROBERT WALSH	Cleared
2	06/18/2015	388381	66.30	08616	0	ROBERT ZINK	
2	06/18/2015	388382	377.77	07113	0	SAM'S CLUB	Cleared
2	06/18/2015	388383	1,203.68	07113	0	SAM'S CLUB	Cleared
2	06/18/2015	388384	10.00	10551	0	SARAH FOSLIEN	Cleared
2	06/18/2015	388385	17.85	10546	0	SCOTT EGGERT	Cleared
2	06/18/2015	388386	173.80	10239	0	SHATTUCK-ST MARY'S SCHOOL	Cleared
2	06/18/2015	388387	877.01	02473	0	SHERWIN-WILLIAMS CO	Cleared
2	06/18/2015	388388	3,850.40	10491	0	SIGN MEDIA INC	
2	06/18/2015	388389	4,361.11	10538	0	SKYLIGHT PUBLISHING	Cleared
2	06/18/2015	388390	109.10	02537	1	SOFTERWARE INC	Cleared
2	06/18/2015	388391	175.00	03906	0	ST AGNES HIGH SCHOOL	
2	06/18/2015	388392	175.00	10240	0	ST CROIX LUTHERAN SCHOOL	Cleared

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2	06/18/2015	388393	175.00	10584	0	ST JOHN LUTHERAN SCHOOL	
2	06/18/2015	388394	2,270.85	02594	0	ST THOMAS ACADEMY	Cleared
2	06/18/2015	388395	1,721.36	00553	3	STAPLES ADVANTAGE	Cleared
2	06/18/2015	388397	8.90	08996	0	STEPHANI ATKINS	
2	06/18/2015	388398	15.60	06709	0	STEPHEN CROOKS	
2	06/18/2015	388399	12.20	10555	0	STEVEN HAGEN	
2	06/18/2015	388400	225.00	08060	0	STILLWATER BASKETBALL	
2	06/18/2015	388401	56.70	09776	0	SUE ELLEN RINGHAM	
2	06/18/2015	388402	9.15	10570	0	SUSAN LAMOTTE	Cleared
2	06/18/2015	388403	16.05	10564	0	SYLVIA MAIETTA	Cleared
2	06/18/2015	388404	274.00	04198	0	TAMS-WITMARK MUSIC LIBRARY INC	Cleared
2	06/18/2015	388405	8,372.71	06048	0	TAYLOR PUBLISHING CO/BALFOUR	Cleared
2	06/18/2015	388406	275.00	02135	0	THE PIANO WORKS	Cleared
2	06/18/2015	388407	125.25	08100	0	THOMAS K.COMFORT	Cleared
2	06/18/2015	388408	15.45	10572	0	THOMAS RYAN	
2	06/18/2015	388409	17.65	04390	0	THOMAS TEFFT	
2	06/18/2015	388410	187.58	02748	0	TIES	Cleared
2	06/18/2015	388411	5.35	04311	0	TIM REIF	
2	06/18/2015	388412	350.00	03910	0	TOTINO-GRACE SCHOOL	Cleared
2	06/18/2015	388413	350.00	05843	0	TRINITY SCHOOL AT RIVER RIDGE	
2	06/18/2015	388414	147.59	03345	0	TRIO SUPPLY CO	Cleared
2	06/18/2015	388415	259.15	02800	0	TWIN CITY FILTER SERVICE INC	Cleared
2	06/18/2015	388416	277.26	00047	0	TYCO INTEGRATED SECURITY LLC	Cleared
2	06/18/2015	388417	256.87	09693	0	UNIVERSAL ATHLETIC	Cleared
2	06/18/2015	388418	1,137.35	03911	0	WHITE BEAR MONTESSORI	Cleared
2	06/18/2015	388419	13.40	10567	0	WILLIAM OLSON JR	
2	06/18/2015	388420	28.85	10549	0	NEAL FILLA	Void
2	06/25/2015	388421	317.76	10587	0	AMANDA GAMMONS	
2	06/25/2015	388422	2,045.47	00109	0	AMERICAN SECURITY LLC	
2	06/25/2015	388423	76,677.07	02558	0	AUL	
2	06/25/2015	388424	51,000.00	02558	0	AUL	
2	06/25/2015	388425	472.80	08859	1	AWS SERVICE CENTER	
2	06/25/2015	388426	1,254.96	03196	0	BF LAUZON ENTERPRISES INC	
2	06/25/2015	388427	5.90	10591	0	CHRISTOPHER HAAK	
2	06/25/2015	388428	187.45	03367	0	CHUCK CORLISS	
2	06/25/2015	388429	577.50	00527	0	COMSTOCK & SONS INC	
2	06/25/2015	388430	365.27	00599	0	DALCO	Cleared
2	06/25/2015	388431	1,990.00	10588	0	DORIAN BUSINESS SYSTEMS INC	
2	06/25/2015	388432	2,079.00	00714	0	EAGLE SCREEN PRINTING	
2	06/25/2015	388433	47.40	10590	0	ERIC JOHNSON	
2	06/25/2015	388434	681.14	00803	0	EXPRESS SERVICES INC	
2	06/25/2015	388435	16.99	10513	0	FERRAZZO RETAIL LLC	
2	06/25/2015	388436	2,824.27	06819	0	FIRST STUDENT	
2	06/25/2015	388437	16.00	00856	0	FOLLETT SCHOOL SOLUTIONS, INC	Cleared
2	06/25/2015	388438	423.83	01105	0	HEJNY RENTALS INC	
2	06/25/2015	388439	16.50	01132	0	HISDAHL INC	
2	06/25/2015	388440	1,990.68	03248	0	I.S.D # 834 STILLWATER	
2	06/25/2015	388441	152.96	10586	0	JENNI BLACK	
2	06/25/2015	388442	2,160.00	10246	0	JOAQUIN IZQUIERDO	

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2	06/25/2015	388443	148.48	08077	1	JOHN DEERE LANDSCAPES/ LESCO	Cleared
2	06/25/2015	388444	10,599.35	08458	0	K12 TRANSPORTATION MANAGEMENT SERVICES INC	
2	06/25/2015	388445	73.50	09963	0	KATHLEEN SIMMER	
2	06/25/2015	388446	3,986.26	01425	0	LANDMARK ENVIRONMENTAL, LLC	
2	06/25/2015	388447	243.97	03195	0	LASERPLUS, LLC	
2	06/25/2015	388448	27.66	07307	0	LISA ROESLER	
2	06/25/2015	388449	853.32	02115	1	MACKIN EDUCATIONAL RESOURCES	
2	06/25/2015	388450	153.10	10421	0	MARK EDWARDS	
2	06/25/2015	388451	60.21	01684	0	MENARDS OAKDALE CASHWAY LUMBER	
2	06/25/2015	388452	3,200.00	01799	1	MN SCHOOL BOARDS ASSOC	
2	06/25/2015	388453	28.85	10549	0	NEAL FILLA	
2	06/25/2015	388454	21,105.90	01971	1	NORTHEAST METRO 916	
2	06/25/2015	388455	120.00	05462	0	OFFICE OF THE SECRETARY OF STATE	
2	06/25/2015	388456	215.00	02043	0	ON SITE SANITATION INC	
2	06/25/2015	388457	111.00	02180	0	PRESS PUBLICATIONS	
2	06/25/2015	388458	672.00	03136	0	RATWIK ROSZAK & MALONEY P A	
2	06/25/2015	388459	998.00	10492	0	ROBOMATTER INC	
2	06/25/2015	388460	169.40	10238	0	SALEM LUTHERAN SCHOOL	
2	06/25/2015	388461	238.32	10146	0	SHANNON KLINT	
2	06/25/2015	388462	1,265.53	02494	0	SIMPLEXGRINNELL LP/ TYCO	
2	06/25/2015	388463	6,355.80	00553	3	STAPLES ADVANTAGE	
2	06/25/2015	388466	48.30	02610	0	STATE SUPPLY CO INC	
2	06/25/2015	388467	34.65	10592	0	TERRY GRANEC	
2	06/25/2015	388468	463.20	05870	0	TESSMAN CO.	
2	06/25/2015	388469	319.00	04551	0	THE GOODPRINTER	
2	06/25/2015	388470	7.00	10589	0	TROY AXELSON	
2	06/25/2015	388471	2,060.00	02842	0	VALLEYFAIR/CEDAR DBA VALLEYFAIR	Cleared
2	06/25/2015	388472	38,435.86	00723	0	XCEL ENERGY	
2	06/29/2015	388473	33.50	05420	1	RENT A CAR TOLLS	
2	06/04/2015	80006222	452.40	03115	0	CHARLES LINDERKAMP	Cleared
2	06/04/2015	80006223	232.70	09832	0	ANDREA MYERS	Cleared
2	06/04/2015	80006224	25.00	99999	1038	Crothers, Patrick	Cleared
2	06/04/2015	80006225	25.00	99999	1039	Kaczorek, Debora	Cleared
2	06/04/2015	80006226	13.00	99999	2149	Kuchar, Sue	Cleared
2	06/04/2015	80006227	55.25	99999	2149	Kuchar, Sue	Cleared
2	06/04/2015	80006228	400.00	99999	2151	Miller, Anne E F	Cleared
2	06/04/2015	80006229	143.06	99999	2216	Trautman, Terry	Cleared
2	06/04/2015	80006230	50.00	99999	2292	Nickleby, Kathe	Cleared
2	06/04/2015	80006231	15.00	99999	2317	Terman, Tamara S	Cleared
2	06/04/2015	80006232	47.94	99999	2346	Akins, John F	Cleared
2	06/04/2015	80006233	20.70	99999	2350	Loos, Kim	Cleared
2	06/04/2015	80006234	105.83	99999	2391	Brunner, Gretchen	Cleared
2	06/04/2015	80006235	26.03	99999	2417	Murphy, Daniel W	Cleared
2	06/04/2015	80006236	22.68	99999	2432	Warren, Jeanna S	Cleared
2	06/04/2015	80006237	12.68	99999	2432	Warren, Jeanna S	Cleared
2	06/04/2015	80006238	63.58	99999	4740	Robinson, Susan	Cleared
2	06/04/2015	80006239	25.00	99999	5043	Anderson, Roy D	Cleared
2	06/04/2015	80006240	50.00	99999	5058	Osterbauer, Julie	Cleared
2	06/04/2015	80006241	25.00	99999	5066	Jensen, James	Cleared

FY15 JUN 2015 CHECK REGISTER - BANK 02

Bank	Date	Check #	Ck Amt	Vendor #	Addr	Description	Status
2	06/04/2015	80006242	25.00	99999	5081	Metz, Leroy R	Cleared
2	06/04/2015	80006243	37.37	99999	5081	Metz, Leroy R	Cleared
2	06/04/2015	80006244	25.00	99999	5125	Albrecht, Daniel	Cleared
2	06/04/2015	80006245	93.73	99999	8080	Poirier, Nicole	Cleared
2	06/04/2015	80006246	38.02	99999	10196	Hering, James P	Cleared
2	06/04/2015	80006247	25.00	99999	10196	Hering, James P	Cleared
2	06/04/2015	80006248	50.00	99999	10224	Viker, Lynne M	Cleared
2	06/04/2015	80006249	143.75	99999	10310	Flesner, Nicole	Cleared
2	06/04/2015	80006250	44.28	99999	10317	Hampel, William	Cleared
2	06/04/2015	80006251	25.00	99999	10323	Kostuch, Tonya M	Cleared
2	06/04/2015	80006252	50.00	99999	10412	Hamre, Mark B	Cleared
2	06/04/2015	80006253	51.16	99999	10488	Comfort, Julie N	Cleared
2	06/04/2015	80006254	50.00	99999	10522	Bouwens, Kirsten	Cleared
2	06/04/2015	80006255	27.60	99999	10556	Wigstrom, Mary	Cleared
2	06/04/2015	80006256	50.00	99999	10639	Larson, Mark	Cleared
2	06/04/2015	80006257	30.92	99999	10668	Giuliani, Lisa	Cleared
2	06/04/2015	80006258	50.00	99999	10686	Neubeck, Michael	Cleared
2	06/04/2015	80006259	45.83	99999	10700	Sorenson, Susan	Cleared
2	06/04/2015	80006260	121.90	99999	10908	Menier, Matthew	Cleared
2	06/04/2015	80006261	105.23	99999	10908	Menier, Matthew	Cleared
2	06/04/2015	80006262	538.78	99999	10908	Menier, Matthew	Cleared
2	06/04/2015	80006263	50.00	99999	10908	Menier, Matthew	Cleared
2	06/04/2015	80006264	210.45	99999	10908	Menier, Matthew	Cleared
2	06/04/2015	80006265	50.00	99999	10910	Wagner, Luanne	Cleared
2	06/04/2015	80006266	65.97	99999	10955	Dolentz, Alicia	Cleared
2	06/04/2015	80006267	50.00	99999	10971	Manders, Rochel	Cleared
2	06/04/2015	80006268	59.00	99999	10988	Kubow, Monica	Cleared
2	06/04/2015	80006269	50.00	99999	11161	Gemuenden, Adam	Cleared
2	06/04/2015	80006270	50.00	99999	11197	Wyland, Catherine	Cleared
2	06/11/2015	80006271	63.25	99999	1038	Crothers, Patrick	Cleared
2	06/11/2015	80006272	159.74	99999	2120	Lodoen, Marilyn	Cleared
2	06/11/2015	80006273	21.93	99999	2230	Mathies, Lisa W	Cleared
2	06/11/2015	80006274	26.00	99999	2268	Brown, Julie M	Cleared
2	06/11/2015	80006275	166.61	99999	2320	McGibbon, Paul	Cleared
2	06/11/2015	80006276	46.01	99999	2332	Connelly, Barbara	Cleared
2	06/11/2015	80006277	223.95	99999	2332	Connelly, Barbara	Cleared
2	06/11/2015	80006278	21.28	99999	2332	Connelly, Barbara	Cleared
2	06/11/2015	80006279	21.85	99999	2332	Connelly, Barbara	Cleared
2	06/11/2015	80006280	8.63	99999	2332	Connelly, Barbara	Cleared
2	06/11/2015	80006281	5.18	99999	2332	Connelly, Barbara	Cleared
2	06/11/2015	80006282	10.64	99999	2332	Connelly, Barbara	Cleared
2	06/11/2015	80006283	13.51	99999	2332	Connelly, Barbara	Cleared
2	06/11/2015	80006284	6.44	99999	2332	Connelly, Barbara	Cleared
2	06/11/2015	80006285	74.45	99999	2332	Connelly, Barbara	Cleared
2	06/11/2015	80006286	14.28	99999	2332	Connelly, Barbara	Cleared
2	06/11/2015	80006287	181.86	99999	2375	Brust, Dee	Cleared
2	06/11/2015	80006288	54.40	99999	2381	Ericson, Suzanne	Cleared
2	06/11/2015	80006289	81.65	99999	2407	Mitchell, Michelle	Cleared
2	06/11/2015	80006290	61.61	99999	2411	Gale, Ann J	Cleared

FY15 JUN 2015 CHECK REGISTER - BANK 02

Bank	Date	Check #	Ck Amt	Vendor #	Addr	Description	Status
2	06/11/2015	80006291	13.48	99999	4048	Maslowski, Dawn	Cleared
2	06/11/2015	80006292	65.04	99999	4057	Counihan, Lynda	Cleared
2	06/11/2015	80006293	18.40	99999	4549	Lovgren, Dyan L	Cleared
2	06/11/2015	80006294	16.86	99999	10305	Gutmann, Sheila	Cleared
2	06/11/2015	80006295	231.25	99999	10344	Mickelson, Craig	Cleared
2	06/11/2015	80006296	92.00	99999	10404	Vedders, Angela	Cleared
2	06/11/2015	80006297	8.28	99999	10443	Scanlon, Lindsey S	Cleared
2	06/11/2015	80006298	57.80	99999	10767	Hartz, Elizabeth	Cleared
2	06/11/2015	80006299	258.75	99999	10771	Pratt, Jeffrey	Cleared
2	06/11/2015	80006300	15.07	99999	10807	O'Connor, Kimberly	Cleared
2	06/11/2015	80006301	91.13	99999	10909	Rolling, Julie	Cleared
2	06/11/2015	80006302	70.58	99999	10955	Dolentz, Alicia	Cleared
2	06/11/2015	80006303	6.48	99999	11112	Harlane, Hans	Cleared
2	06/18/2015	80006304	129.95	99999	2228	Hei, Mary Jo	Cleared
2	06/18/2015	80006305	219.26	99999	2234	Newman, Keith	Cleared
2	06/18/2015	80006306	138.00	99999	2246	Morreim, Cynthia	Cleared
2	06/18/2015	80006307	194.76	99999	2258	Wald, David	Cleared
2	06/18/2015	80006308	53.12	99999	2391	Brunner, Gretchen	Cleared
2	06/18/2015	80006309	121.00	99999	2393	Ratzloff, Corey	Cleared
2	06/18/2015	80006310	22.04	99999	4075	Zimmerman, Bonny K	Cleared
2	06/18/2015	80006311	5.04	99999	4075	Zimmerman, Bonny K	Cleared
2	06/18/2015	80006312	30.19	99999	4075	Zimmerman, Bonny K	Cleared
2	06/18/2015	80006313	11.00	99999	4740	Robinson, Susan	Cleared
2	06/18/2015	80006314	221.99	99999	8029	Brandt, Laura A	Cleared
2	06/18/2015	80006315	59.76	99999	10182	Rohrig, Joyce L	Cleared
2	06/18/2015	80006316	211.60	99999	10224	Viker, Lynne M	Cleared
2	06/18/2015	80006317	42.78	99999	10245	Dusek, Sara A	Cleared
2	06/18/2015	80006318	96.39	99999	10261	Hurd, Rebecca A	Cleared
2	06/18/2015	80006319	82.49	99999	10525	Laue, Deanna	Cleared
2	06/18/2015	80006320	58.48	99999	10765	Tussey, Laura	Cleared
2	06/18/2015	80006321	150.21	99999	10947	Ruth, Jessica	Cleared
2	06/18/2015	80006322	113.82	99999	11097	McMahon, Megan	Cleared
2	06/18/2015	80006323	9.14	99999	11097	McMahon, Megan	Cleared
2	06/18/2015	80006324	47.86	99999	11097	McMahon, Megan	Cleared
2	06/25/2015	80006325	1,053.36	03057	0	BRAD BERGIE	Cleared
2	06/25/2015	80006326	100.63	99999	1038	Crothers, Patrick	Cleared
2	06/25/2015	80006327	65.75	99999	2122	Brass, Valerie B	Cleared
2	06/25/2015	80006328	104.19	99999	2159	Snedden, Bethany	Cleared
2	06/25/2015	80006329	105.80	99999	2159	Snedden, Bethany	Cleared
2	06/25/2015	80006330	93.08	99999	2159	Snedden, Bethany	Cleared
2	06/25/2015	80006331	42.27	99999	2257	Schmidt, Edie	Cleared
2	06/25/2015	80006332	64.97	99999	7851	Klinkhammer, Pam	Cleared
2	06/25/2015	80006333	27.03	99999	10323	Kostuch, Tonya M	Cleared
2	06/25/2015	80006334	26.16	99999	10323	Kostuch, Tonya M	Cleared
2	06/25/2015	80006335	54.94	99999	10700	Sorenson, Susan	Cleared
2	06/25/2015	80006336	739.81	99999	11129	Israel, Jennifer	Cleared

Total 1,236,394.41

JUN 2015 CHECK REGISTER- BANK 05

Bank	Check Date	Check Number	Check Amount	Vendor Number	ADDR	Vendor Name	Check Status Description
5	06/04/2015	50000301	159.31	02747	0	TIERNEY BROTHERS INC	Cleared
5	06/11/2015	50000302	1,884.61	02227	0	CENTURYLINK	
5	06/11/2015	50000303	112.00	04719	0	DOOR SERVICE CO OF THE TWIN CITIES IN	
5	06/11/2015	50000304	10,105.06	02747	0	TIERNEY BROTHERS INC	
5	06/18/2015	50000305	144.40	02227	0	CENTURYLINK	
5	06/18/2015	50000306	7,800.00	02747	0	TIERNEY BROTHERS INC	
5	06/25/2015	50000307	293.02	02747	0	TIERNEY BROTHERS INC	

Total 20,498.40

**INDEPENDENT SCHOOL DISTRICT #832
WIRE TRANSFER TRANSACTIONS
MONTH OF JUNE 2015**

<u>DATE</u>	<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>	<u>PURPOSE</u>
6/1/15	MN Trust	MSDLAF	\$3,500,000.00	cover checks
6/1/15	US Bank	Preferred One	\$22,628.50	claims payment
6/5/15	Washington County	MN Trust	\$3,262,192.00	direct payment
6/4/15	US Bank	Peoples Bank of Commerce-EBC Flex	\$28,732.11	flex benefits
6/4/15	US Bank	Peoples Bank of Commerce-403-B/457	\$203,554.96	TSA payment/Deferred Comp
6/5/15	MSDLAF	US Bank	\$1,695,290.52	cover checks
6/5/15	US Bank	IRS	\$646,182.83	federal & fica taxes
6/5/15	US Bank	MN Dept of Revenue	\$101,698.12	state payroll taxes
6/5/15	US Bank	Public Emp. Retirement Assoc.	\$25,025.01	pera retirement
6/5/15	US Bank	Mn Teachers Retirement	\$384,635.54	teachers retirement
6/8/15	US Bank	Preferred One	\$408.71	claims payment
6/8/15	US Bank	Preferred One	\$18,685.69	claims payment
6/12/15	US Bank	US Bank Card Services	\$25,596.16	cardmember payment
6/15/15	US Bank	Preferred One	\$952.05	claims payment
6/15/15	US Bank	Preferred One	\$21,436.97	claims payment
6/17/15	US Bank	MN Dept of Revenue	\$570.00	sales tax payment
6/22/15	US Bank	Preferred One	\$1,227.05	claims payment
6/22/15	US Bank	Preferred One	\$13,969.70	claims payment
6/18/15	State of Minnesota	MN Trust	\$38,311.52	direct state payment
6/19/15	State of Minnesota	MN Trust	\$1,156,344.44	direct state payment
6/24/15	MN Trust	MSDLAF	\$1,500,000.00	cover checks
6/24/15	State of Minnesota	MN Trust	\$2,497.69	direct state payment
6/24/15	State of Minnesota	MN Trust	\$28,591.23	direct state payment
6/24/15	State of Minnesota	MN Trust	\$137.37	direct state payment
6/24/15	State of Minnesota	MN Trust	\$547.04	direct state payment
6/29/15	US Bank	Preferred One	\$19,428.83	claims payment
6/29/15	US Bank	Preferred One	\$991.50	claims payment
6/29/15	US Bank	Peoples Bank of Commerce-EBC Flex	\$1,141.69	flex benefits
6/29/15	US Bank	Peoples Bank of Commerce-403-B/457	\$23,503.22	TSA payment/Deferred Comp
6/29/15	US Bank	Central Bank	\$1,568.26	para union dues
6/30/15	MSDLAF	US Bank	\$723,452.85	cover checks
6/30/15	US Bank	IRS	\$200,187.91	federal & fica taxes
6/30/15	US Bank	MN Dept of Revenue	\$23,799.51	state payroll taxes
6/30/15	US Bank	Public Emp. Retirement Assoc.	\$51,817.87	pera retirement
6/30/15	US Bank	Mn Teachers Retirement	\$83,093.88	TRA payment
6/30/15	State of Minnesota	MN Trust	\$1,166.03	direct state payment



1667 Snelling Ave. N., Suite C107
 St. Paul, MN 55108

Invoice

Date	Invoice #
7/1/2015	1072

Bill To Mahtomedi Public Schools
 Rochel Manders, Director of Bus. Servic
 1520 Mahtomedi Ave.
 Mahtomedi, MN 55115

Terms
Net 30

Description	Amount
AMSD Membership Dues 2015-2016	7,657.00
<i>copy</i>	
Total	\$7,657.00

Metro ECSU-Region 11 ISD #920
2 Pine Tree Drive
Suite 101
Arden Hills, MN - 55112

INVOICE:	13566		
CUSTOMER:	46		
INV DATE:	07/01/15	ENT DATE:	00/00/00
CONTACT:			
SANDY GIANCOLA			
612-638-1502			
sandy.giancola@metroecsu.org			

ISD 832
MAHTOMEDI PUBLIC SCHOOLS
1520 MAHTOMEDI AVENUE
MAHTOMEDI MN 55115

TERMS: ** N/A **

THE 2015-2016 GENERAL SERVICE FEE OF THE METRO ECSU IS BASED ON A FLAT RATE OF \$700 PLUS \$.90 PER PUPIL (FY 2014-15 MDE STUDENT ENROLLMENT COUNT BASED ON 10/1/14 SUBMISSION) WITH A MAXIMUM OF \$10,000. TO PROVIDE UNINTERRUPTED SERVICE TO YOUR DISTRICT, PAYMENT BY 7/31/15 WOULD BE APPRECIATED. THANK YOU!

1) MAHTOMEDI ENROLLMENT	3,685.30
3317	
TOTAL	<u>3,685.30</u>

INCLUDE INVOICE NUMBER ON CHECK

Page 01

PLEASE INCLUDE THIS PORTION WITH PAYMENT

CUSTOMER: 46 - ISD 832
INVOICE: 13566
AMOUNT: 3685.30

REMIT TO:
Metro ECSU-Region 11 ISD #920
2 Pine Tree Drive
Suite 101
Arden Hills, MN - 55112

AMOUNT PAID



MSBA
1900 West Jefferson Ave
St. Peter, MN 56082-3015
507-934-2450 or 800-324-4459

INVOICE

ATTN: Accounts Payable
I.S.D. 832
1520 MAHTOMEDI AVE
MAHTOMEDI, MN 55115-1907

Invoice No: 11912R9R2M8
Invoice Date: 7/1/2015
Acct No: 234
Due Date: 11/15/2015
PO Number:

Invoice Item	Qty	Unit Price	Extended
Association Dues (FY 7/1/15 to 6/30/16)	1	\$7,761.00	\$7,761.00
Policy Services Renewal (FY 7/1/15 to 6/30/16)	1	\$625.00	\$625.00
Subtotal:			\$8,386.00
Amount Paid:			
Balance Due:			\$8,386.00

Dues for **ISD #832** are based on 3294.07 "Average Daily Membership of Students Served" for the fiscal year ended June 30, 2014, as provided by the Minnesota Department of Education.

MSBA is not able to accept Credit, Debit, or Procurement Cards as a method of payment of your 2015-16 Dues Invoice. Please remit payment of this invoice to MSBA by CHECK. Thank you for your cooperation.

In accordance with IRS Code Sec. 6113, contributions or gifts (including membership dues) to MSBA are not deductible as charitable contributions for Federal income tax purposes.

MAHTOMEDI PUBLIC SCHOOLS ISD#832
2015-2016 School Calendar

ADOPTED - December 11, 2014
 REVISED - July 13, 2015

July 2015						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

January 2016						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Aug 26-28 New Employee Orientation
 Aug 31 Staff Development
 Sept 1-3 Staff Development
 Sept 4 Non-Duty Day
Sept 7 Labor Day {No School}
 SEPT 8 SCHOOL STARTS, GRADES 1-12
 Sept 8-9 Kindergarten Assessment
 SEPT 10 SCHOOL STARTS, GRADE K
 Sept 14 Curriculum Night 9-12
 Sept 17 Curriculum Night K-2, 6-8
 Sept 24 Curriculum Night 3-5

August 2015						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

February 2016						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

Oct 15-16 Professional Conference {No School}

September 2015						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

March 2016						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Nov 5 End of 1st Quarter (41)
 Nov 5 Evening Conferences 6-12
Nov 6 Staff Development {No School}
 Nov 12 Evening Conferences K-12
Nov 13 Conferences K-12 {No School}
 Nov 17 Evening Conferences K-2
 Nov 19 Evening Conferences 3-5
Nov 25 Staff Development {No School}
Nov 26-27 Thanksgiving Break {No School}

October 2015						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

April 2016						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Dec 24-25 Winter Break {No School}
Dec 28-31 Winter Break {No School}

November 2015						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

May 2016						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Jan 1 Winter Break {No School}
Jan 18 Martin Luther King, Jr. Day {No School}
 Jan 21 End of 2nd Quarter (42)
Jan 22 Staff Development {No School}




December 2015						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

June 2016						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Feb 11 Evening Conferences 6-8
Feb 15 President's Day {No School}
 Feb 18 Evening Conferences K, 6-8
Feb 19 Staff Dev. 1-5, 9-12/Conf. K, 6-8 {No School}
 Feb 23 Evening Conferences K

Student Days = 172

Teacher Days = 185

-  = New Employee Orientation
-  = Teacher Duty Day - No School
-  = No School

Mar 3 Kindergarten Round-Up
Mar 14-18 Spring Break {No School}
Mar 25 {No School}
 Mar 31 End of 3rd Quarter (41)
 Mar 31 Evening Conferences 1-5, 9-12

Apr 1 Staff Dev. K, 6-8 / Conf. 1-5, 9-12 {No School}
 Apr 7 Evening Conferences 1-5, 9-12

May 30 Memorial Day {No School}

June 9 End of 4th Quarter (48)
 June 10 Staff Development
 June 11 Graduation - Aldrich Arena

MAHTOMEDI PUBLIC SCHOOLS ISD#832
2016-2017 School Calendar

ADOPTED - December 11, 2014
 REVISED - July 13, 2015

July 2016						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

January 2017						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

August 2016						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February 2017						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

September 2016						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

March 2017						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

October 2016						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April 2017						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

November 2016						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May 2017						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			




December 2016						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June 2017						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

- Aug 24-26 New Employee Orientation
- Aug 29-31 Staff Development
- Sept 1 Staff Development
- Sept 2 Non-Duty Day
- Sept 5 Labor Day {No School}**
- SEPT 6 SCHOOL STARTS, GRADES 1-12
- Sept 6-7 Kindergarten Assessment
- SEPT 8 SCHOOL STARTS, GRADE K
- Sept 12 Curriculum Night 9-12
- Sept 15 Curriculum Night K-2, 6-8
- Sept 22 Curriculum Night 3-5
- Oct 20-21 Professional Conference {No School}**
- Nov 3 End of 1st Quarter (41)
- Nov 3 Evening Conferences 6-12
- Nov 4 Staff Development {No School}**
- Nov 10 Evening Conferences K-12
- Nov 11 Conferences K-12 {No School}**
- Nov 15 Evening Conferences K-2
- Nov 17 Evening Conferences 3-5
- Nov 23 Staff Development {No School}**
- Nov 24-25 Thanksgiving Break {No School}**
- Dec 23 Winter Break {No School}**
- Dec 26-30 Winter Break {No School}**
- Jan 2 Winter Break {No School}**
- Jan 16 Martin Luther King, Jr. Day {No School}**
- Jan 19 End of 2nd Quarter (42)
- Jan 20 Staff Development {No School}**
- Feb 16 Evening Conferences 6-8
- Feb 20 President's Day {No School}**
- Feb 21 Evening Conferences K
- Feb 23 Evening Conferences K, 6-8
- Feb 24 Staff Dev. 1-5, 9-12/Conf. K, 6-8 {No School}**
- Mar 2 Kindergarten Round-Up
- Mar 13-17 Spring Break {No School}**
- Mar 30 End of 3rd Quarter (42)
- Mar 30 Evening Conferences 1-5, 9-12
- Mar 31 Staff Dev. K, 6-8 / Conf. 1-5, 9-12 {No School}**
- Apr 6 Evening Conferences 1-5, 9-12
- Apr 14 {No School}**
- May 29 Memorial Day {No School}**
- June 8 End of 4th Quarter (47)
- June 9 Staff Development
- June 10 Graduation - Aldrich Arena

Student Days = 172

Teacher Days = 185

-  = New Employee Orientation
-  = Teacher Duty Day - No School
-  = No School