

SHAKOPEE PUBLIC SCHOOLS



SCHOOL BOARD AGENDA





October 28, 2019
6:00 PM

1. CALL TO ORDER SCHOOL BOARD BUSINESS MEETING AND ROLL CALL - CHAIR
BOWERMAN

2. PLEDGE OF ALLEGIANCE

3. WE ARE SHAKOPEE SCHOOLS

Please help us congratulate five high school students on being named 2020 National Merit Scholarship semifinalists. In September, the National Merit Scholarship Corporation announced approximately 16,000 semifinalists, which includes the following five Shakopee High School seniors:

*Thomas Bethel

*Cera Mitchum

*Gautham Nair

*Parth Purani

*Samyuktha Ravikumar

The National Merit Scholarship Corporation will notify students who make it to the next phase of the competition in February. Finalists will have the opportunity to compete for scholarships worth more than \$31 million.

Three of our students were also named National Merit Scholarship Commended students.

*Isabelle Hoversten

*Mary Krause

*Elise Weier

Some students recognized in this category become candidates for special scholarships sponsored by corporations and businesses. Please join me in congratulating all of our students on this amazing honor!

4. CONSIDERATION OF AGENDA AS PRESENTED

5. CONSENT ITEMS

5. 1. Personnel Items

5.1.1 Acceptance of Resignations

Last Name, First Name, Position, Location, Effective Date

Andreen, Debra, Program Support Assistant, High School, 10/23/2019

Ball, Patricia, Food Service Worker, High School, 9/25/2019
Listrude, Pamela, Program Support Assistant, Jackson Elementary School,
10/08/2019
Malinski, Emily, HR/Payroll Assistant, District Office, 10/04/2019
Mohamed, Ibrahim, Cultural Liaison, High School, 10/04/2019
Rutherford, Robin, Health Assistant, West Middle School, 10/04/2019
Thomas, Hilaire, Accounts Payable, District Office, 11/01/2019
Young, Joel, TOSA, Dean of Students, West Middle School, 10/20/2019

Recommended Action

Accept the resignations and thank them for their service to the district as presented.

5.1.2 Approval of Terminations

The district is recommending the termination of employment of Renee Gutierrez, Program Support Assistant at Central Family Center. The termination will be effective 9/26/2019.

The district is recommending the termination of employment of Alex Gause, Technology Assistant at the High School. The termination will be effective 9/27/2019.

Recommended Action

Approve the terminations as presented.

5.1.3 Approval of Certified Contracts for the 2019-20 School Year

Last Name, First Name, Position, Location, Grade, Step, FTE, Effective, Salary Annual

Alf, Alexandra, Teacher, Special Services, West Middle School, BA, 3, .80, 8/19/2019, \$31,552.00

Conger, Jennifer, Teacher, Special Services, High School, BA, 12, 1.0, 8/19/2019, \$45,012.00

Kaufhold, Brett, Teacher, Technology Education, High School, BA + 30, 3, 1.0, 8/19/2019, \$45,307.00

LaRosa, Miranda, Speech Language Pathologist, East/West Middle School, Eagle Creek Elementary School, MA, 14, 1.0, 10/09/2019, \$53,025.38 (prorated)

Weber, Marjorie, School Psychologist, West Middle School, MA + 30, 6, .70, 8/19/2019, \$40,309.00

Inz, Nelson, Teacher, Special Services, High School, MA + 30, 15, 1.0, 8/19/2019, \$72,553.00

Seibert, Paige, Teacher, Special Services, High School, BA + 30, 9, 1.0, 8/19/2019, \$53,007.00

Vassar-Kuss, Kimberly, Teacher, Kindergarten, Eagle Creek Elementary School, BA + 30, 7, 1.0, 10/01/2019, \$43,858.26 (prorated)

Zirkle, Jack, Teacher, Social Studies, West Middle School, BA, 5, 1.0, 9/11/2019, \$39,406.27 (prorated)

Recommended Action

Approve certified contracts as presented.

5.1.4 Approval of Long-Term Substitute Contracts

Name LTS, Replacing, Position, Location, Approx. Dates, Grade/Step, FTE, Salary
Erdahl, Karen, Sharpe, Julie (Monday p.m. Class), Teacher, PACE, Central Family Center, 9/09/2019 through approx. 10/28/2019, MA Step 3, .10, \$32.11/hr
Baer, Emma, Otting, Kailey, Teacher, Grade 3, Jackson Elementary School, 1/22/2020 through approx. 6/05/2020, BA Step 3, 1.0, \$214.35/day
Klein, Alyssa, Alovera, Sara, Teacher, High Potential, Eagle Creek Elementary School, 10/01/2019 through approx. 6/05/2020, BA Step 3, 1.0, \$214.35/day
Ta, Ha, N/A, Bi-Lingual Program Support Assistant, Eagle Creek Elementary School, 10/25/2019 through approx. 4-6 weeks, Grade 4 Step 1, .807, \$16.60/hr

Recommended Action

Approve the long-term substitute contracts as presented.

5.1.5 Approval of Non-Certified Contracts for the 2019-20 School Year

Last Name, First Name, Position, Location, Salary, Effective
Barrett, Nicole, Program Support Assistant, Jackson Elementary School, \$14.87/hr, 10/21/2019
Beckrich, Katie, Program Support Assistant, Jackson Elementary School, \$14.59/hr, 10/02/2019
Charter, Susan, Office Assistant, High School, \$16.44/hr, 9/30/2019
Haefs, Steven, Payroll/Human Resources Assistant, District Office, \$18.00/hr, 10/21/2019
LaPlant, Margaret, Program Support Assistant, Jackson Elementary School, \$13.35/hr, 9/25/2019
Larson, Marena, LPN/Health Assistant, West Middle School, \$21.95/hr, 10/21/2019
Pel, Rachel, Program Support Assistant, Eagle Creek Elementary School, \$14.59/hr, 10/21/2019
Tlougan, Stephen, Program Support Assistant, High School, \$14.59/hr, 10/21/2019
Yang, Sheng, Benefit Specialist, (15-month Contract), District Office, \$49,000.00/yr, 11/11/2019

Recommended Action

Approve non-certified contracts as presented.

5.1.6 Approval of Assignment Change

Last Name, First Name, Old Position, New Position, FTE, Salary, Effective
Luce, Bart, Custodian, Program Support Assistant, .813, \$14.59/hr, 10/21/2019

Recommended Action

Approve the assignment change as presented.

5.1.7 Approval of Co-Curricular Assignments

Last Name, First Name, Position Title
Schultz, Heather, Yearbook Advisor
Shampine, Wendy, Yearbook Advisor
Sayer, Samantha, Head Dance Coach
Altringer, Haley, Assistant Dance Coach
Dub, Katelynn, Assistant Dance Coach
Oliver, Tracy, Assistant Dance Coach
Hunt, Erin, Head Girls Hockey
Krmpotich, Colleen, Assistant Girls Hockey
Fish, Joshua, Assistant Girls Hockey
Mahoney, Amanda, Assistant Girls Hockey
Hespenheide, Lauren, Assistant Girls Hockey
Simon, Calvin, Head Boys Hockey
Weber, Jeff, Assistant Boys Hockey
Dammann, Jacob, Head Boys Basketball
Schmitz, Eric, Assistant Boys Basketball
Tlougan, Stephen, Volunteer Boys Basketball
Eicher, Sam, Volunteer Boys Basketball
Lingenfelter, Steven, Assistant Boys Basketball
Flowers, Isaiah, Volunteer Boys Basketball
Olene, Tim, Assistant Boys Basketball
Snell, Brian, Assistant Boys Basketball
Granai, Anthony, Volunteer Boys Basketball
Mitchell, Juan, Head Girls Basketball
Hack, Steven, Assistant Girls Basketball
Russell, Daniel, Assistant Girls Basketball
Tiedens, Scott, Assistant Girls Basketball
Jackson, James, Head Wrestling
LeVesseur, Marcus, Assistant Wrestling
Boos, Dan, Assistant Wrestling
Harwood, Derek, Assistant Wrestling
Slack, Nick, Assistant Wrestling
Trelstad, Jason, Assistant Wrestling
Neu, Mark, Junior High Wrestling
Farmer, William, Junior High Wrestling
Luna, Zabdiel, Junior High Wrestling
Creamier, Nick, Volunteer Wrestling
Peterson, Trom, Volunteer Wrestling
DeVilbiss, Jayden, Volunteer Wrestling
Skattum, Zach, Volunteer Wrestling
Baumgartner, Cole, Volunteer Wrestling
Manville, David, Volunteer Wrestling
Murray, Aaron, Volunteer Wrestling
Hills, Eric, Head Boys Swim & Dive

Chmielewski, Megan, Assistant Boys Swim & Dive
Neuarth, Jared, Assistant Boys Swim & Dive
Nyberg, Kirsten, Cheerleading
Fall, Alyssa, Assistant Cheerleading
Slaughter, Duane, Concessions Manager

Recommended Action

Approve the co-curricular assignments as presented.

5.1.8 Approval of Director of Finance and Operations

Last Name, First Name , Position, Location, Effective, Salary

Menozi, William, Director of Finance and Operations, DistrictWide, 1/13/2020,
\$146,000.00

Recommended Action

Approve the Director of Finance and Operations as presented.

5.1.9 Acceptance of Resignation of School Board Member

Recommended Action

Accept the resignation from School Board Member Reggie Bowerman effective
December 31, 2019 and thank him for his service to the school district.

5. 2. Approval of Minutes of the September 23, 2019 School Board Business Meeting and October 14, 2019 School Board Work Session	11
Recommended Action	
Approve the minutes of the September 23, 2019 School Board Business Meeting and October 14, 2019 School Board Work Session as presented.	
5. 3. Consideration of Bills and Authorization to Pay Same	19
Recommended Action	
Approve the bills and authorize to pay same as presented.	
5. 4. Approval of Wires Reports	34
Recommended Action	
Approve the wires reports as presented.	
6. DISCUSSION	
6. 1. Acceptance of School District Policy Updates for 1st Reading	35
The following School District policy updates will be presented for 1st Reading:	
404 Employment Background Checks	
414 Mandated Reporting of Child Neglect or Physical or Sexual Abuse	
419 Tobacco-Free Environment	
421 Gifts to Employees and School Board Members	
510 School Activities	
516 Student Medication	
524 Internet Acceptable Use and Safety Policy	
534 Unpaid Meal Charges	
613 Graduation Requirements	

703 Annual Audit
707 Transportation of Public School Students
708 Transportation of Nonpublic School Students
802 Disposition of Obsolete Equipment and Material
414FRM Confidential Student Maltreatment Reporting Form
Presenter: Policy Committee Chair Kristi Peterson
Time: 5 minutes

6. 2. Finance Update 102
Director of Finance & Operations Jeff Priess will present a district financial update for the Board.
Presenter: Director of Finance & Operations Jeff Priess
Time: 5 minutes

7. DISCUSSION AND POSSIBLE ACTION

7. 1. Undeveloped Land-Shift of Elementary Attendance Area 103
Red Oak Elementary is currently the elementary school with the lowest student enrollment. Projections continue this enrollment trend. An opportunity exists to possibly shift undeveloped land from the Eagle Creek to the Red Oak Elementary attendance area.
Presenter: Superintendent Mike Redmond
Time: 15 minutes

8. INFORMATION

8. 1. 2020-21 Middle Schools Attendance Areas Update
Assistant Superintendent Dave Orłowsky and Communications Supervisor Ashley McCray will provide a communications update regarding the proposed changes to our Middle School Attendance Areas effective the 2020-21 school year.
Presenter: Assistant Superintendent Dave Orłowsky & Communications Supervisor Ashley McCray
Time: 11 minutes
8. 2. Ford Next Generation Learning Framework 104
Superintendent Mike Redmond will present an update of the framework supporting the Academies of Shakopee. The framework is a revision provided by Ford NGL to elevate and sustain the impact of the career academy model.
Presenter: Superintendent Mike Redmond
Time: 10 minutes

9. ACTION

9. 1. Approval of School District Policy Updates 111
The following policies are being presented for final approval:
205 Open Meeting and Closed Meeting
504 Student Dress and Appearance
506 Student Discipline
509 Enrollment of NonResident Students

513 Student Promotion, Retention, and Program Design
529 Staff Notification of Violent Behavior by Students
530 Immunization Requirements
602 Organization of School Calendar and School Day
624 Online Learning Options
904 Distribution of Materials on School District Property by Nonschool Persons

Recommended Action

Approve the school district policy updates as presented.

Presenter: Policy Committee Chair Kristi Peterson

Time: 10 minutes

9. 2. Approval of Energy Efficiency Project 206

Director of Finance & Operations Jeff Priess will present a recommendation to approve the Energy

Efficiency Program. Program funds necessary improvements that are ineligible LTFM expenditures. The program self-funds and is budget neutral over the 15-year term of financing. Attached presentation provides scope of work, estimated costs and annual utility savings.

Recommended Action

Approve the Energy Efficiency (Guaranteed Savings) Program

Presenter: Director of Finance & Operations Jeff Priess

Time: 5 minutes

10. OTHER

10. 1. Approval of 2020 School Board Meetings

The School Board annually approves the calendar of meetings at the January ReOrganizational Meeting. Until then, additional meeting dates need to be approved.

Recommended Action

Set the following meetings in 2020 as presented.

January 6, 2020 at 6:00PM - School Board ReOrganization Meeting, District Office Board Room

January 11, 2020 at 9:00AM-2:00PM - School Board Retreat, District Office Board Room

January 27, 2020 at 6:00PM - School Board Business Meeting, District Office Board Room

11. RECOGNITION OF VISITORS TO BOARD MEETING

12. COMMITTEE REPORTS

13. UPCOMING MEETINGS AND IMPORTANT DATES

October 15-November 27, 2019 School Board Candidate Application Window

October 28, 2019 5:00PM Finance Committee Meeting District Office Room 202

October 28, 2019 5:00PM Personnel Committee Meeting District Office Room 202

October 28, 2019 6:00PM School Board Business Meeting District Office Boardroom

October 29, 2019 6:00-7:00PM Middle School Attendance Areas Info & Input Session

Shakopee East Middle School - 1137 Marschall Road

(a quorum of the School Board may be present)

November 4, 2019 5:00PM Policy Committee Meeting District Office Room 202

November 7, 2019 6:00-7:00PM Middle School Attendance Areas Info & Input Session

Shakopee West Middle School - 200 10th Ave East

(a quorum of the School Board may be present)

November 18, 2019 5:00PM Finance Committee Meeting District Office Room 202

November 18, 2019 6:00PM School Board Business Meeting District Office

Boardroom

November 20, 2019 5:00PM Facilities Committee Meeting District Office Boardroom

December 2, 2019 5:00PM Policy Committee Meeting District Office Supt Office

December 9, 2019 5:00PM Finance Committee Meeting District Office Room 202

December 9, 2019 6:00PM Truth in Taxation Hearing &

School Board Business Meeting District Office Boardroom

December 11, 2019 5:00PM Facilities Committee Meeting District Office

Boardroom

December 16, 2019 5:00PM Personnel Committee Meeting District Office

Boardroom

December 16, 2019 6:00PM Special School Board Meeting District Office Boardroom

14. ADJOURNMENT

Shakopee Public Schools

October 10, 2019

Dr. Michael Redmond
Superintendent
Shakopee Public Schools
1200 Town Square
Shakopee, MN 55379

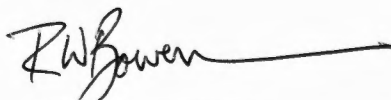
Dr Redmond:

Please accept this formal notification of my resignation as a Shakopee School Board member effective December 31, 2019. This will leave one remaining year of my elected term of office (year 5 of the extended 4-year term). I trust the Board will consider how best to address this vacancy.

It has been my pleasure and privilege to serve on the Board for a cumulative ten calendar years, across one appointed and two elected terms. Shakopee Public Schools are filled with dedicated employees at all levels who are providing an incredible and relevant education to our students. It is an honor to have served alongside each of you. I am supremely confident about and wish you the greatest success in the years to come.

I am and will remain a loyal Saber! GO SHAKO!!

Sincerely,



Reggie Bowerman
Shakopee School Board Chair

Minutes of School Board Regular Business Meeting

School Board Shakopee Public Schools

A School Board Regular Business Meeting of the School Board of Shakopee Public Schools was held Monday, September 23, 2019, beginning at 6:00 PM in the District Office Board Room, 1200 Town Square, Shakopee.

1. CALL TO ORDER SCHOOL BOARD BUSINESS MEETING AND ROLL CALL - CHAIR BOWERMAN

PRESENT: Aldrich, Christiansen, McKeand, Peterson, Tomczik, Tucker and Bowerman

ABSENT:

2. PLEDGE OF ALLEGIANCE

3. WE ARE SHAKOPEE SCHOOLS

3. 1. Recognition of MAFCS's (Minnesota Association of Family and Consumer Sciences) 2020 Teacher of the Year Heather Baumbach

Congratulations to Shakopee High School teacher Heather Baumbach. She has been awarded the MAFCS's (Minnesota Association of Family and Consumer Sciences) 2020 Teacher of the Year. Heather has been instrumental in the growth and curriculum development of the Shakopee Family and Consumer Science Department. She teaches three different levels of culinary classes and has partnered with Valleyfair and other businesses/chefs to help students develop their skills with professionals in the field. "The nomination for MAFCS TOY was a huge surprise," said Baumbach. "I'm so honored to win the award and hope to proudly show the amazing work that all FACS teachers do in MN." Heather will spend this year representing Minnesota in various capacities. She will also apply for AAFCS's (American Association of Family and Consumer Sciences) National Teacher of the Year.

4. CONSIDERATION OF AGENDA AS PRESENTED

McKeand/Peterson moved to approve the agenda as presented; motion passed unanimously.

5. CONSENT ITEMS

McKeand/Peterson moved to approve the consent agenda as presented; motion passed unanimously.

5. 1. Personnel Items

5.1.1 Acceptance of Resignations

Last Name, First Name, Position, Location, Effective Date

Crooks, Darcy, Program Support Assistant, East Middle School, 9/26/2019

Dodoo, Naa, Program Support Assistant, High School, 8/30/2019

Everson, Casey, Program Support Assistant, Sweeney Elementary School, 8/29/2019

Felker, Theresa, Program Support Assistant, Jackson Elementary School, 9/04/2019

Foss, Ben, Program Support Assistant, Jackson Elementary School, 8/28/2019

Holforthy, Joy, Teacher, Special Services, High School, 6/07/2019

Lehn, Leanne, Program Support Assistant, East Middle School, 9/04/2019

McDonald, Lori, Program Support Assistant, Eagle Creek Elementary School, 9/13/2019

Parker, Missy, Teacher, ESL, High School, 6/07/2019

Yang, Vatoua, Technology Assistant, Sun Path Elementary School, 8/30/2019

Recommended Action

Accepted the resignations and thanked them for their service to the district as presented.

5.1.2 Approval of Terminations

The district recommended the termination of employment of Jennifer Ingerson, Program Support Assistant at Jackson Elementary School effective 9/05/2019.

The district is recommending the termination of employment of Beth Shank, Office Assistant at Shakopee High School effective 9/11/2019.

Recommended Action

Approved the terminations as presented.

5.1.3 Approval of Certified Contracts for the 2019-20 School Year

Last Name, First Name, Position, Location, Grade, Step, FTE, Effective, Salary Annual

Appleton, Hannah, Teacher, ESL, High School, MA, 6, 1.0, 8/29/2019, \$50,443.91 (prorated)

Beran, Abigail, Teacher, Intervention, Sun Path Elementary School, BA, 5, 1.0, 8/26/2019, \$41,671.00

Bloom, Elizabeth, Teacher, Special Services, West Middle School, BA, 3, .70, 8/26/2019, \$27,608.00

Leabo, Megan, Teacher, Special Services, Sweeney Elementary School, BA, 4, 1.0, 8/26/2019, \$40,556.00

Nimmer, Kelsey, Teacher, Grade 1, Sun Path Elementary School, BA, 8, 1.0, 8/26/2019, \$44,462.00

O'Fallon, Jolyssa, Teacher, Special Services, West Middle School, BA, 3, 1.0, 8/26/2019, \$39,440.00

Quast, Angela, Teacher, Special Services, Sweeney Elementary School, BA, 3, 1.0, 8/26/2019, \$39,440.00

Rehberger, Jennifer, Teacher, Grade 4, Eagle Creek Elementary School, BA, 6, 1.0, 8/26/2019, \$42,787.00

VanHorn, Alexander, Teacher, Grade 4, Eagle Creek Elementary School, BA, 5, 1.0, 8/26/2019, \$41,671.00

Recommended Action

Approved certified contracts as presented.

5.1.4 Approval of Non-Certified Contracts for the 2019-20 School Year

Last Name, First Name, Position, Location, Salary, Effective

Bloom, James, Custodian, High School, \$16.41/hr, 9/03/2019

Boe, Sjanna, Food Service Worker, Sun Path Elementary School, \$13.32/hr, 9/05/2019

Brady, Krysia, Program Support Assistant, Central Family Center, \$14.87/hr, 9/05/2019

Burrell, Raven, Food Service Worker, Eagle Creek Elementary School, \$13.32/hr, 9/05/2019

Clement, Keith, Program Support Assistant, High School, \$13.35/hr, 9/03/2019

Cole, Amy, Food Service Worker, Jackson Elementary School, \$13.32/hr, 9/03/2019

Englund, Jillian, Program Support Assistant, Central Family Center, \$14.87/hr, 9/11/2019

Fitzgibbons, Melissa, Food Service Worker, High School, \$13.32/hr, 9/16/2019

Fuller, Marta, Food Service Worker, High School, \$13.32/hr, 9/03/2019

Gonzalez, Alondra, Program Support Assistant, East Middle School, \$14.59/hr, 9/03/2019

Gutierrez, Renee, Program Support Assistant, Central Family Center, \$14.59/hr, 9/16/2019

Iyow, Abdi, Technology Assistant, Sun Path Elementary School, \$18.30/hr, 9/16/2019

Jahangir, Robin, Technology Assistant, Sweeney Elementary School, \$17.54/hr, 9/05/2019

Krebsbach, Casey, Program Support Assistant, Red Oak Elementary School, \$14.59/hr, 9/05/2019

Lawson, Sarah, Program Support Assistant, Red Oak Elementary School, \$14.59/hr, 9/05/2019

Link, Cora, Program Support Assistant, Eagle Creek Elementary School, \$14.87/hr, 9/05/2019

Lo, Erika, Program Support Assistant, Sweeney Elementary School, \$14.59/hr, 9/09/2019

McLeod, Tricia, Program Support Assistant, Central Family Center, \$15.78/hr, 9/09/2019

Menden, Kayla, Program Support Assistant, Central Family Center, \$14.59/hr, 9/05/2019

Menden, Nicole, Program Support Assistant, Sweeney Elementary School, \$14.59/hr, 9/05/2019

Norton, Larry, Program Support Assistant, High School, \$15.16/hr, 9/10/2019

Riesgraf, Linda, Program Support Assistant, Sweeney Elementary School, \$13.35/hr, 9/05/2019

Simmons, Spencer, Food Service Worker, High School, \$13.32/hr, 9/03/2019

Sticha, Tressa, Program Support Assistant, Sweeney Elementary School, \$14.87/hr, 9/19/2019

Wegner, Jennifer, Program Support Assistant, Sun Path Elementary School, \$14.87/hr, 9/10/2019
Wilson, Shante, Program Support Assistant, Eagle Creek Elementary School, \$14.59/hr, 9/19/2019

Recommended Action

Approved the non-certified contracts as presented.

5.1.5 Approval of Long-Term Substitute Contracts

Name LTS, Replacing, Position, Location, Approx. Dates, Grade/Step, FTE, Salary

Markovich, Diane, Lund, Julie, Teacher, Music/Band, Jackson Elementary School, 8/26/2019 through approx. 11/28/2019, BA + 30 Step 3, 1.0, \$246.23/day

Mitchell, Lindsey, Rosewall, Amy, Teacher, English, West Middle School, 9/20/2019 through approx. 12/13/2019, BA Step 3, 1.0, \$214.35/day

Recommended Action

Approved long-term substitute contracts as presented.

5.1.6 Approval of Co-Curricular Assignments

Last Name, First Name, Position Title

Culver, Kourtney, Junior High Volleyball Coach

Murray, Aaron, Junior High Volleyball Coach

Recommended Action

Approved the co-curricular assignments as presented.

5.1.7 Request from Crown College to accept Student Teaching Agreement

In order to place student teachers in the Shakopee School District, we need an agreement signed by Shakopee school board members and Crown College. This agreement will be effective from August 21, 2019 through July 31, 2024.

Recommended Action

Approved and signed one copy of the agreement.

5. 2. Approval of Minutes of the August 26, 2019 School Board Business Meeting

Recommended Action

Approved the minutes of the August 26,2019 School Board Business Meeting as presented.

5. 3. Consideration of Bills and Authorization to Pay Same

Recommended Action

Approved the bills and authorize to pay same as presented.

5. 4. Approval of Wires Reports

Recommended Action

Approved the wires reports as presented.

5. 5. Approval of Change Order #33 for the Shakopee High School Additions and Renovations Project

Change Order #33 for the Shakopee High School Additions and Renovations Project in the amount of \$25,517.10 is presented for approval.

Recommended Action

Approved Change Order #33 as presented.

5. 6. Designation of an Identified Official with Authority for Education Identity Access Management

The Minnesota Department of Education (MDE), Professional Educator Licensing Standards Board (PELSB), and Office of Higher Education (OHE) require annual designation of an Identified Official with Authority (IOwA) for each local education agency that uses the Education Identity Access Management (EDIAM) system. The IOwA is responsible for authorizing, reviewing, and recertifying user access for their local education agency in

accordance with the State of Minnesota Enterprise Identity and Access Management Standard, which states that all user access rights to Minnesota state systems must be reviewed and recertified at least annually. The Identified Official with Authority will authorize user access to State of Minnesota Education secure systems in accordance with the user's assigned job duties and will revoke that user's access when it is no longer needed to perform their job duties.

Recommendation Action

Authorized Sarah Koehn, skoehn@shakopee.k12.mn.us, and EDIAM user 0720_Koehn to act as the Identified Official with Authority (IOwA) for LEA Superintendent Mike Redmond and Shakopee Public Schools - ISD#720 as presented; motion passed unanimously.

6. DISCUSSION

6. 1. 2020-21 Middle School Attendance Area Update

Presenter: Assistant Superintendent Dave Orlowsky

7. DISCUSSION AND POSSIBLE ACTION

7. 1. Discussion and Request for a Gymnastics Co-Op with the Prior Lake Public Schools

Athletic Director Matt Hanson presented information and made a request for the district to enter into a co-op gymnastics agreement with the Prior Lake Public Schools.

Recommended Action

Christiansen/McKeand moved to approve a co-op gymnastics agreement with the Prior Lake Public Schools as presented; motion passed unanimously.

8. INFORMATION

8. 1. Community Facilities Task Force Update

School Board ViceChair Judi Tomczik provided an update from the September 18th CFTF Meeting that was held at the Central Family Center.

9. ACTION

9. 1. Certification of Preliminary Levy 2019 Payable 2020

Director of Finance & Operations Jeff Priess presented the Preliminary Levy 2019 Payable 2020 for Board review and approval.

Recommended Action

Tucker/McKeand moved to certify the maximum Preliminary Levy 2019 Payable 2020 as presented; motion passed unanimously.

9. 1. Approval of July 1, 2018-June 30, 2020 Health Assistants Contract

Director of Human Resources Keith Gray presented highlights of the July 1, 2018-June 30, 2020 Health Assistants Contract for board review and approval.

Recommended Action

McKeand/Aldrich moved to approve the July 1, 2018-June 30, 2020 Health Assistants Contract as presented; motion passed unanimously.

9. 2. 1st Reading of School District Policy Updates

The following policies are being presented for 1st Reading:

**2019-09-23 School District Policy Audit 1st Readings

504 Student Dress and Appearance

509 Enrollment of NonResident Students

- 513 Student Promotion, Retention, and Program Design
- 529 Staff Notification of Violent Behavior by Students
- 530 Immunization Requirements
- **MSBA Policy Services Newsletter-September 2019
- 205 Open Meeting and Closed Meeting
- 506 Student Discipline
- 515 Protection and Privacy of Pupil Records
- 602 Organization of School Calendar and School Day
- 624 Online Learning Options
- 904 Distribution of Materials on School District Property by Nonschool Persons

Recommended Action

By consensus, the policies were accepted for 1st reading as presented.

10. OTHER

11. RECOGNITION OF VISITORS TO BOARD MEETING

12. COMMITTEE REPORTS

13. UPCOMING MEETINGS AND IMPORTANT DATES

September 23, 2019	5:00PM	Finance Committee Meeting	District Office Room 202
September 23, 2019	5:00PM	Policy Committee Meeting	District Office Room 202
September 23, 2019	6:00PM	School Board Business Meeting	District Office Board Room
September 25, 2019	5:00PM	Facilities Committee Meeting	District Office Board Room
October 14, 2019	5:00PM	Finance Committee Meeting	District Office Room 202
October 14, 2019	5:00PM	Policy Committee Meeting	District Office Room 202
October 14, 2019	6:00PM	School Board Work Session	District Office Board Room
October 28, 2019	5:00PM	Personnel Committee Meeting	District Office Room 202
October 28, 2019	6:00PM	School Board Business Meeting	District Office Board Room
October 30, 2019	5:00PM	Facilities Committee Meeting	District Office Board Room

14. ADJOURNMENT

At 7:38PM, Christiansen/Peterson moved to adjourn as presented; motion passed unanimously.

Minutes of School Board Work Session

School Board Shakopee Public Schools

A School Board Work Session of the School Board of Shakopee Public Schools was held Monday, October 14, 2019, beginning at 6:00 PM in the District Office Board Room, 1200 Town Square, Shakopee.

1. CALL TO ORDER SCHOOL BOARD WORK SESSION AND ROLL CALL - CHAIR BOWERMAN

PRESENT: Aldrich, Christiansen, McKeand, Peterson, Tomczik, Tucker and Bowerman

ABSENT: None

2. PLEDGE OF ALLEGIANCE

3. CONSIDERATION OF AGENDA AS PRESENTED

Aldrich/Peterson moved to approve the agenda as presented; motion passed unanimously.

4. INFORMATION

4. 1. Community Facilities Task Force Update

School Board Vice Chair Judi Tomczik shared some observations from the CFTF visit to the Pearson building.

5. DISCUSSION

5. 1. Exit Survey

Communications Supervisor Ashley McCray shared the development of a plan to collect information from resident families choosing to enroll student(s) elsewhere.

5. 2. UNESCO Energy Efficiency Project

Administration recommended approval of an Energy Efficiency Program. Program funds necessary improvements that are ineligible LTFM expenditures. The program self-funds and is budget neutral over the 15-year term of financing. Attached presentation provides scope of work, estimated costs and annual utility savings. No action was taken at this time. The school board will review this project again for potential approval at the October 28, 2019 Business Meeting.

6. DISCUSSION AND POSSIBLE ACTION

6. 1. 2020-21 Middle School Attendance Areas

Assistant Superintendent Dave Orlosky presented draft scenarios for 2020-21 Middle School Attendance Areas.

Recommended Action

Peterson/Christiansen moved to accept the draft scenarios (#106 & #107) and direct district staff to proceed to collect public feedback as presented; motion passed unanimously.

7. ACTION

7. 1. Discussion and Selection of School Board Member Replacement Process

With the December 31, 2019 resignation of School Board Member Reggie Bowerman approaching, the School Board will discussion and select a replacement process along with a timeline. Bowerman exited and recused himself from the Board Room for this discussion and possible action.

Options following resignation of a School Board Member (each of the options would also result in a regular election in November 2020 to 'permanently' fill the seat): Leave seat vacant, Fill seat by appointment or Hold Special Election.

Recommended Action

Tucker/Peterson moved to fill the seat vacated by Reggie Bowerman through a process to fill the seat by appointment; roll call was taken: Aldrich, Peterson, McKeand, Tomczik and Tucker voted in favor and Christensen opposed; motion passed 5:1. Bowerman was not present and did not partake in the vote.

Following discussion and other motions; McKeand/Christiansen moved the following summary timeline and process to fill the vacant school board seat by appointment:

- *October 15, 2019 - November 27, 2019 at 4:30PM Candidate application window
- *December 9, 2019 School Board Business Meeting Discussion and selection of candidate finalist(s)
- *December 16, 2019 Special School Board Meeting Candidate finalist(s) interviews
- *January 6, 2020 School Board Business Meeting Selection of person to be appointed to board
- *Followed by 30-day waiting period
- *February 10, 2020 School Board Business Meeting Appointee seated on the Shakopee School Board motion passed as presented. Bowerman was not present and did not partake in the vote.

8. OTHER

9. UPCOMING MEETINGS AND IMPORTANT DATES

October 14, 2019	5:00PM	Policy Committee Meeting	District Office Room 202
October 23, 2019	5:00PM	Facilities Committee Meeting	District Office Boardroom
October 28, 2019	5:00PM	Finance Committee Meeting	District Office Room 202
October 28, 2019	5:00PM	Personnel Committee Meeting	District Office Room 202
October 28, 2019	6:00PM	School Board Business Meeting	District Office Boardroom
October 29, 2019	6:00-7:00PM	Middle School Attendance Areas Info & Input Session Shakopee East Middle School - 1137 Marschall Road (a quorum of the School Board may be present)	
November 4, 2019	5:00PM	Policy Committee Meeting	District Office Room 202
November 7, 2019	6:00-7:00PM	Middle School Attendance Areas Info & Input Session Shakopee West Middle School - 200 10th Ave East (a quorum of the School Board may be present)	
November 18, 2019	5:00PM	Finance Committee Meeting	District Office Room 202
November 18, 2019	6:00PM	School Board Business Meeting	District Office Boardroom
November 20, 2019	5:00PM	Facilities Committee Meeting	District Office Boardroom
December 2, 2019	5:00PM	Policy Committee Meeting	District Office Supt Office
December 9, 2019	5:00PM	Finance Committee Meeting	District Office Room 202
December 9, 2019	6:00PM	Truth in Taxation Hearing & School Board Business Meeting	District Office Boardroom
December 11, 2019	5:00PM	Facilities Committee Meeting	District Office Boardroom
December 16, 2019	5:00PM	Personnel Committee Meeting	District Office Boardroom

10. ADJOURN TO CLOSED SESSION

Pursuant to Minnesota Statute 13D.03, a school board may, by majority vote in a public meeting, decide to close a meeting to consider strategy for labor negotiations.

Recommended Action

At 8:40PM, Tomczik/Christiansen moved to enter in to Closed Session as specified; motion passed unanimously.

11. RETURN FROM CLOSED SESSION and WORK SESSION ADJOURNMENT

At 9:33PM, Aldrich/Tucker moved to return from Closed Session; motion passed unanimously. No additional business was conducted. At 9:35PM, Tucker/Peterson moved to adjourn the Work Session as presented; motion passed unanimously.

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
9/26/2019 1:29:36 PM	EDG	105252057	743502	ACCO BRANDS	119.96	Yes	No
9/26/2019 1:29:36 PM	EDG	105252057	743503	ADARA HOME HEALTH	1,495.00	Yes	No
9/26/2019 1:29:36 PM	EDG	105252057	743504	ADVANCED IMAGING SOLUTIONS	104.85	Yes	No
9/26/2019 1:29:36 PM	EDG	105252057	743505	AG IREPAIR	499.00	Yes	No
9/26/2019 1:29:37 PM	EDG	105252057	743506	ALLER, ANDREW	79.00	Yes	No
9/26/2019 1:29:37 PM	EDG	105252057	743507	ALLSTATE SUPPLIES/G SQUARED FUND	404.00	Yes	No
9/26/2019 1:29:37 PM	EDG	105252057	743508	ANCHOR PAPER	8,962.35	Yes	No
9/26/2019 1:29:37 PM	EDG	105252057	743509	ANDERSEN, AL	32.00	Yes	No
9/26/2019 1:29:37 PM	EDG	105252057	743510	MOORE, ANDREW	54.00	Yes	No
9/26/2019 1:29:37 PM	EDG	105252057	743511	ANOKA-HENNEPIN SCHOOL DISTRICT	3,388.32	Yes	No
9/26/2019 1:29:37 PM	EDG	105252057	743512	ARCH LANGUAGE NETWORK INC	440.00	Yes	No
9/26/2019 1:29:37 PM	EDG	105252057	743513	BAKKEN MUSEUM, THE	1,680.00	Yes	No
9/26/2019 1:29:37 PM	EDG	105252057	743514	BAUMGARTNER, SARAH	32.00	Yes	No
9/26/2019 1:29:38 PM	EDG	105252057	743515	BEARCOM WIRELESS WORLDWIDE	2,436.79	Yes	No
9/26/2019 1:29:38 PM	EDG	105252057	743516	BERGANKDV LTD	15,000.00	Yes	No
9/26/2019 1:29:38 PM	EDG	105252057	743517	BERNDT, NANCY	32.00	Yes	No
9/26/2019 1:29:38 PM	EDG	105252057	743518	BERRY COFFEE COMPANY	48.50	Yes	No
9/26/2019 1:29:38 PM	EDG	105252057	743519	BIFFS INC	1,667.64	Yes	No
9/26/2019 1:29:38 PM	EDG	105252057	743520	BIX PRODUCE CO.	4,114.13	Yes	No
9/26/2019 1:29:38 PM	EDG	105252057	743521	BREAKOUT INC	44.00	Yes	No
9/26/2019 1:29:38 PM	EDG	105252057	743522	BTU SERVICES, INC.	899.90	Yes	No
9/26/2019 1:29:38 PM	EDG	105252057	743523	C.G.T. Limited	10,990.44	Yes	No
9/26/2019 1:29:38 PM	EDG	105252057	743524	CANON FINANCIAL SERVICES	2,563.44	Yes	No
9/26/2019 1:29:39 PM	EDG	105252057	743525	CDW GOVERNMENT	1,369.23	Yes	No
9/26/2019 1:29:39 PM	EDG	105252057	743526	CENTER FOR EFFICIENT SCHOOL OPER	7,333.00	Yes	No
9/26/2019 1:29:39 PM	EDG	105252057	743527	CITY OF SHAKOPEE	619.75	Yes	No
9/26/2019 1:29:39 PM	EDG	105252057	743528	COFFEE MILL INC	136.00	Yes	No
9/26/2019 1:29:39 PM	EDG	105252057	743529	CUB FOODS	201.23	Yes	No
9/26/2019 1:29:39 PM	EDG	105252057	743530	DIVERSIFIED SNACK DISTRIBUTORS	6,890.56	Yes	No
9/26/2019 1:29:39 PM	EDG	105252057	743531	DOHERTY, SANDY	92.00	Yes	No
9/26/2019 1:29:39 PM	EDG	105252057	743532	DULUTH PUBLIC SCHOOLS	1,200.00	Yes	No
9/26/2019 1:29:39 PM	EDG	105252057	743533	EARL F. ANDERSON, INC	71.25	Yes	No
9/26/2019 1:29:40 PM	EDG	105252057	743534	ELMI, FARTUN	50.00	Yes	No
9/26/2019 1:29:40 PM	EDG	105252057	743535	ERICKSON, TYRUS BRUCE	54.00	Yes	No

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
9/26/2019 1:29:40 PM	EDG	105252057	743536	FAGER, STEVEN E	79.00	Yes	No
9/26/2019 1:29:40 PM	EDG	105252057	743537	GENERAL PARTS , INC	794.47	Yes	No
9/26/2019 1:29:40 PM	EDG	105252057	743538	HILLYARD / HUTCHINSON	589.06	Yes	No
9/26/2019 1:29:40 PM	EDG	105252057	743539	INFINITE CAMPUS, INC.	750.00	Yes	No
9/26/2019 1:29:40 PM	EDG	105252057	743540	INNOVATIVE GRAPHICS	429.00	Yes	No
9/26/2019 1:29:40 PM	EDG	105252057	743541	INNOVATIVE OFFICE SOLUTIONS	468.86	Yes	No
9/26/2019 1:29:40 PM	EDG	105252057	743542	INTERMEDIATE DISTRICT 287	7,536.80	Yes	No
9/26/2019 1:29:40 PM	EDG	105252057	743543	INTERMEDIATE SCHOOL DIST 917	4,817.70	Yes	No
9/26/2019 1:29:41 PM	EDG	105252057	743544	JOHNSON, CHAD	120.77	Yes	No
9/26/2019 1:29:41 PM	EDG	105252057	743545	KARST, BONNIE	92.00	Yes	No
9/26/2019 1:29:41 PM	EDG	105252057	743546	KEYSTONE INTERPRETING SOLUTION	737.00	Yes	No
9/26/2019 1:29:41 PM	EDG	105252057	743547	KOERNER, TIMOTHY	41.00	Yes	No
9/26/2019 1:29:41 PM	EDG	105252057	743548	KOPPANG, MIKE	79.00	Yes	No
9/26/2019 1:29:41 PM	EDG	105252057	743549	LACH, THEAVY	50.00	Yes	No
9/26/2019 1:29:41 PM	EDG	105252057	743550	LEHN, LEANNE	8.45	Yes	No
9/26/2019 1:29:41 PM	EDG	105252057	743551	LEXIA LEARNING	540.00	Yes	No
9/26/2019 1:29:41 PM	EDG	105252057	743552	LIBERTY MUTUAL INSURANCE	685.00	Yes	No
9/26/2019 1:29:42 PM	EDG	105252057	743553	LICHTENWALTER, KIMBERLY	75.00	Yes	No
9/26/2019 1:29:42 PM	EDG	105252057	743554	LINCOLN NATIONAL LIFE INS CO	24,395.21	Yes	No
9/26/2019 1:29:42 PM	EDG	105252057	743555	LUNCH LADY U, LLC	500.00	Yes	No
9/26/2019 1:29:42 PM	EDG	105252057	743556	MASA/MASE	1,380.00	Yes	No
9/26/2019 1:29:42 PM	EDG	105252057	743557	MEARS, NATE	79.00	Yes	No
9/26/2019 1:29:42 PM	EDG	105252057	743558	MEI TOTAL ELEVATOR SOLUTIONS	85,064.00	Yes	No
9/26/2019 1:29:42 PM	EDG	105252057	743559	MINNEAPOLIS PUBLIC SCHOOLS	73.60	Yes	No
9/26/2019 1:29:42 PM	EDG	105252057	743560	MINNESOTA NATIONAL WRESTLING DU	400.00	Yes	No
9/26/2019 1:29:42 PM	EDG	105252057	743561	MINNESOTA SCHOOL OF BUSINESS	33,849.54	Yes	No
9/26/2019 1:29:42 PM	EDG	105252057	743562	MINNESOTA VIKINGS FOOTBALL LLP	4,601.00	Yes	No
9/26/2019 1:29:43 PM	EDG	105252057	743563	MINNESOTAS BEST PAINTING	6,925.00	Yes	No
9/26/2019 1:29:43 PM	EDG	105252057	743564	MN HARVEST, LLC	1,008.00	Yes	No
9/26/2019 1:29:43 PM	EDG	105252057	743565	MONOPRICE.COM	20.33	Yes	No
9/26/2019 1:29:43 PM	EDG	105252057	743566	MR CUTTING EDGE LLP	28.02	Yes	No
9/26/2019 1:29:43 PM	EDG	105252057	743567	MURPHY CONSTRUCTION SERVICES	3,242.00	Yes	No
9/26/2019 1:29:43 PM	EDG	105252057	743568	NELSON, DENISE	65.00	Yes	No
9/26/2019 1:29:43 PM	EDG	105252057	743569	OFFICE OF MN IT SERVICES	104.25	Yes	No

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
9/26/2019 1:29:43 PM	EDG	105252057	743570	PALMER BUS SERVICES	1,662.80	Yes	No
9/26/2019 1:29:43 PM	EDG	105252057	743571	PAN O GOLD BAKING	2,296.16	Yes	No
9/26/2019 1:29:44 PM	EDG	105252057	743572	PEARSON EDUCATION	297.88	Yes	No
9/26/2019 1:29:44 PM	EDG	105252057	743573	PERFORMANCE FOOD GROUP	4,672.51	Yes	No
9/26/2019 1:29:44 PM	EDG	105252057	743574	PERRONE, JAMES EDWARD	79.00	Yes	No
9/26/2019 1:29:44 PM	EDG	105252057	743575	PITSCO INC	550.00	Yes	No
9/26/2019 1:29:44 PM	EDG	105252057	743576	PREMIUM WATER CO	3.99	Yes	No
9/26/2019 1:29:44 PM	EDG	105252057	743577	SAFELINE MANAGEMENTSERVICES	16,600.00	Yes	No
9/26/2019 1:29:44 PM	EDG	105252057	743578	SAR, CHAKRYA	50.00	Yes	No
9/26/2019 1:29:44 PM	EDG	105252057	743579	SCHOOL NUTRITION ASSOC	55.00	Yes	No
9/26/2019 1:29:44 PM	EDG	105252057	743580	SHAFFER, DONALD	75.00	Yes	No
9/26/2019 1:29:44 PM	EDG	105252057	743581	TDS METROCOM	3,793.95	Yes	No
9/26/2019 1:29:45 PM	EDG	105252057	743582	THATCHER POOLS AND SPAS INC	14,342.08	Yes	No
9/26/2019 1:29:45 PM	EDG	105252057	743583	TIMANUS, KELLEN CHRISTIAN	225.00	Yes	No
9/26/2019 1:29:45 PM	EDG	105252057	743584	TISCHENDORF, MICHAEL	79.00	Yes	No
9/26/2019 1:29:45 PM	EDG	105252057	743585	TOTAL CONSTRUCTION SOLUTIONS, IN	19,672.00	Yes	No
9/26/2019 1:29:45 PM	EDG	105252057	743586	TRIMARK FOODSERVICE EQUIPMEMT	7,194.00	Yes	No
9/26/2019 1:29:45 PM	EDG	105252057	743587	TRIO SUPPLY COMPANY	3,045.66	Yes	No
9/26/2019 1:29:45 PM	EDG	105252057	743588	TWIN CITIES DOTS & POP	831.60	Yes	No
9/26/2019 1:29:45 PM	EDG	105252057	743589	TYSON PREPARED FOODS INC	3,850.72	Yes	No
9/26/2019 1:29:45 PM	EDG	105252057	743590	US FOODS, INC.	68,135.57	Yes	No
9/26/2019 1:29:46 PM	EDG	105252057	743591	VERIZON WIRELESS	2,331.58	Yes	No
9/26/2019 1:29:46 PM	EDG	105252057	743592	YOUTH FRONTIERS INC	2,085.00	Yes	No
9/26/2019 1:29:46 PM	EDG	105252057	743593	ZANDER, JASON	79.00	Yes	No
9/26/2019 1:29:46 PM	EDG	105252057	743594	ZEYEN, DONALD W	79.00	Yes	No

*** Totals

Total Documents: 93

Total Amount: 404,818.90

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
10/4/2019 11:23:04 AM	EDG	105252057	743603	ACTION FENCE INC	13,810.00	Yes	No
10/4/2019 11:23:04 AM	EDG	105252057	743604	ADARA HOME HEALTH	975.00	Yes	No
10/4/2019 11:23:04 AM	EDG	105252057	743605	ADVANCED IMAGING SOLUTIONS	440.00	Yes	No
10/4/2019 11:23:05 AM	EDG	105252057	743606	AIRTECH THERMEX LLC	1,247.00	Yes	No
10/4/2019 11:23:05 AM	EDG	105252057	743607	ALLER, ANDREW	79.00	Yes	No
10/4/2019 11:23:05 AM	EDG	105252057	743608	ANCHOR PAPER	6,376.77	Yes	No
10/4/2019 11:23:05 AM	EDG	105252057	743609	ANDERSEN, AL	32.00	Yes	No
10/4/2019 11:23:05 AM	EDG	105252057	743610	APPLE FORD SHAKOPEE	454.70	Yes	No
10/4/2019 11:23:05 AM	EDG	105252057	743611	BAUMGARTNER, SARAH	32.00	Yes	No
10/4/2019 11:23:05 AM	EDG	105252057	743612	BEARCOM WIRELESS WORLDWIDE	61.79	Yes	No
10/4/2019 11:23:05 AM	EDG	105252057	743613	BERNDT, NANCY	32.00	Yes	No
10/4/2019 11:23:05 AM	EDG	105252057	743614	BERRY COFFEE COMPANY	27.86	Yes	No
10/4/2019 11:23:06 AM	EDG	105252057	743615	BIO CORPORATION	123.00	Yes	No
10/4/2019 11:23:06 AM	EDG	105252057	743616	BISSONETTE, ROBERT	79.00	Yes	No
10/4/2019 11:23:06 AM	EDG	105252057	743617	BIX PRODUCE COMPANY	3,345.47	Yes	No
10/4/2019 11:23:06 AM	EDG	105252057	743618	BORCHERS, WILLIAM	54.00	Yes	No
10/4/2019 11:23:06 AM	EDG	105252057	743619	BRIGHTBILL, THEODORE W	118.00	Yes	No
10/4/2019 11:23:06 AM	EDG	105252057	743620	BSN SPORTS	4,858.30	Yes	No
10/4/2019 11:23:06 AM	EDG	105252057	743621	BUCKEYE CLEANING CENTER	2,060.04	Yes	No
10/4/2019 11:23:06 AM	EDG	105252057	743622	CDW GOVERNMENT	912.82	Yes	No
10/4/2019 11:23:07 AM	EDG	105252057	743623	CENTERPOINT ENERGY SERVICES	7,623.45	Yes	No
10/4/2019 11:23:07 AM	EDG	105252057	743624	CHOICE ELECTRIC, INC	11,141.74	Yes	No
10/4/2019 11:23:07 AM	EDG	105252057	743625	CITY OF SHAKOPEE	260.00	Yes	No
10/4/2019 11:23:07 AM	EDG	105252057	743626	COMMERCIAL KITCHEN SERVICES	2,500.00	Yes	No
10/4/2019 11:23:07 AM	EDG	105252057	743627	COOL AIR MECHANICAL, INC.	366.50	Yes	No
10/4/2019 11:23:07 AM	EDG	105252057	743628	CSTMN	148.84	Yes	No
10/4/2019 11:23:07 AM	EDG	105252057	743629	CTC COFFEE TA CREAM	135.00	Yes	No
10/4/2019 11:23:07 AM	EDG	105252057	743630	CUB FOODS	1,032.42	Yes	No
10/4/2019 11:23:08 AM	EDG	105252057	743631	CURLISS, THERESA	26.50	Yes	No
10/4/2019 11:23:08 AM	EDG	105252057	743632	DIGITAL IMPACT SOLUTIONS LLC	376.00	Yes	No
10/4/2019 11:23:08 AM	EDG	105252057	743633	DISCOUNT SCHOOL SUPPLY	4,004.75	Yes	No
10/4/2019 11:23:08 AM	EDG	105252057	743634	DIVERSIFIED SNACK DISTRIBUTORS	7,719.67	Yes	No
10/4/2019 11:23:08 AM	EDG	105252057	743635	EARL F. ANDERSON, INC	62.80	Yes	No
10/4/2019 11:23:08 AM	EDG	105252057	743636	ERICKSON, TYRUS BRUCE	54.00	Yes	No

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
10/4/2019 11:23:08 AM	EDG	105252057	743637	EXPRESS PRESS, INC.	43.60	Yes	No
10/4/2019 11:23:08 AM	EDG	105252057	743638	FAGER, STEVEN E	79.00	Yes	No
10/4/2019 11:23:08 AM	EDG	105252057	743639	FAIRFIELD GLASS INC	2,239.00	Yes	No
10/4/2019 11:23:09 AM	EDG	105252057	743640	FRAYSETH, DON	19.50	Yes	No
10/4/2019 11:23:09 AM	EDG	105252057	743641	GENERAL PARTS , INC	946.70	Yes	No
10/4/2019 11:23:09 AM	EDG	105252057	743642	GOPHER SPORT	96.90	Yes	No
10/4/2019 11:23:09 AM	EDG	105252057	743643	GROTH MUSIC	521.64	Yes	No
10/4/2019 11:23:09 AM	EDG	105252057	743644	HARDY, RICHARD G	89.00	Yes	No
10/4/2019 11:23:09 AM	EDG	105252057	743645	HILLYARD / HUTCHINSON	2,992.70	Yes	No
10/4/2019 11:23:09 AM	EDG	105252057	743646	HOLIDAY STATION STORES LLC	1,553.04	Yes	No
10/4/2019 11:23:09 AM	EDG	105252057	743647	HORIZON COMMERCIAL POOL SUPPLY	1,121.91	Yes	No
10/4/2019 11:23:09 AM	EDG	105252057	743648	HOUGHTON MIFFLIN HARCOURT	412.65	Yes	No
10/4/2019 11:23:10 AM	EDG	105252057	743649	INDUSTRIAL LUMBER & PLYWOOD, INC	926.91	Yes	No
10/4/2019 11:23:10 AM	EDG	105252057	743650	INDUSTRIAL SHELVING SYSTEM INC	797.50	Yes	No
10/4/2019 11:23:10 AM	EDG	105252057	743651	INFINITE CAMPUS, INC.	318.00	Yes	No
10/4/2019 11:23:10 AM	EDG	105252057	743652	INHARVEST	914.42	Yes	No
10/4/2019 11:23:10 AM	EDG	105252057	743653	INNOVATIONAL CONCEPTS	138.00	Yes	No
10/4/2019 11:23:10 AM	EDG	105252057	743654	INNOVATIVE GRAPHICS	1,182.00	Yes	No
10/4/2019 11:23:10 AM	EDG	105252057	743655	INNOVATIVE OFFICE SOLUTIONS	19,820.45	Yes	No
10/4/2019 11:23:10 AM	EDG	105252057	743656	J&R SCHOOL SUPPLIES	265.00	Yes	No
10/4/2019 11:23:10 AM	EDG	105252057	743657	JAGUAR COMMUNICATIONS INC	3,850.03	Yes	No
10/4/2019 11:23:11 AM	EDG	105252057	743658	JOHN'S SEWER & DRAIN	130.00	Yes	No
10/4/2019 11:23:11 AM	EDG	105252057	743659	JOHNSON CONTROLS	1,610.26	Yes	No
10/4/2019 11:23:11 AM	EDG	105252057	743660	JOSTENS INC	8.69	Yes	No
10/4/2019 11:23:11 AM	EDG	105252057	743661	JUREWICZ, MATT	79.00	Yes	No
10/4/2019 11:23:11 AM	EDG	105252057	743662	KARST, BONNIE	92.00	Yes	No
10/4/2019 11:23:11 AM	EDG	105252057	743663	KL GRAPHIC DESIGN	1,500.00	Yes	No
10/4/2019 11:23:11 AM	EDG	105252057	743664	KNUTSON FLYNN & DEANS	3,986.25	Yes	No
10/4/2019 11:23:11 AM	EDG	105252057	743665	KOEHLER, BRIAN	125.00	Yes	No
10/4/2019 11:23:12 AM	EDG	105252057	743666	KOSHIOL, MINDY	50.00	Yes	No
10/4/2019 11:23:12 AM	EDG	105252057	743667	KRAMER, PAUL	54.00	Yes	No
10/4/2019 11:23:12 AM	EDG	105252057	743668	KUKAR, MAGGIE	252.00	Yes	No
10/4/2019 11:23:12 AM	EDG	105252057	743669	KULLY SUPPLY CO	102.18	Yes	No
10/4/2019 11:23:12 AM	EDG	105252057	743670	LAKESHORE LEARNING MATERIALS	1,428.07	Yes	No

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
10/4/2019 11:23:12 AM	EDG	105252057	743671	LANGSETH, ALAN	122.00	Yes	No
10/4/2019 11:23:12 AM	EDG	105252057	743672	LAURSEN PIANO SERVICE	622.00	Yes	No
10/4/2019 11:23:12 AM	EDG	105252057	743673	LICHTENWALTER, KIMBERLY	75.00	Yes	No
10/4/2019 11:23:12 AM	EDG	105252057	743674	LINCOLN NATIONAL LIFE INS CO	50,815.88	Yes	No
10/4/2019 11:23:13 AM	EDG	105252057	743675	LUNCH LADY U, LLC	400.00	Yes	No
10/4/2019 11:23:13 AM	EDG	105252057	743676	MACKIN EDUCATIONAL RESOURCES	497.87	Yes	No
10/4/2019 11:23:13 AM	EDG	105252057	743677	MADDIO, MICHAEL	89.00	Yes	No
10/4/2019 11:23:13 AM	EDG	105252057	743678	MANN, KEVIN	89.00	Yes	No
10/4/2019 11:23:13 AM	EDG	105252057	743679	MARSHALL, GREG	122.00	Yes	No
10/4/2019 11:23:13 AM	EDG	105252057	743680	MASA/MASE	585.00	Yes	No
10/4/2019 11:23:13 AM	EDG	105252057	743681	MASSP	125.00	Yes	No
10/4/2019 11:23:13 AM	EDG	105252057	743682	MAVO SYSTEMS	6,980.00	Yes	No
10/4/2019 11:23:13 AM	EDG	105252057	743683	MCCANN, WILLIAM	75.00	Yes	No
10/4/2019 11:23:14 AM	EDG	105252057	743684	MCPHERSON, SUSAN	26.50	Yes	No
10/4/2019 11:23:14 AM	EDG	105252057	743685	MEEKER WRIGHT SPCLD COOP #938	138.96	Yes	No
10/4/2019 11:23:14 AM	EDG	105252057	743686	MEETING SERVICES LLC	595.00	Yes	No
10/4/2019 11:23:14 AM	EDG	105252057	743687	JOSTENS INC	2,364.00	Yes	No
10/4/2019 11:23:14 AM	EDG	105252057	743688	MF IRRIGATION SERVICES	151.00	Yes	No
10/4/2019 11:23:14 AM	EDG	105252057	743689	MEGT	1,050.00	Yes	No
10/4/2019 11:23:14 AM	EDG	105252057	743690	MINNEAPOLIS OXYGEN	98.95	Yes	No
10/4/2019 11:23:14 AM	EDG	105252057	743691	MESPA	150.00	Yes	No
10/4/2019 11:23:15 AM	EDG	105252057	743692	MINNESOTA HIGHWAY SAFETY & RESE	396.00	Yes	No
10/4/2019 11:23:15 AM	EDG	105252057	743693	MN HARVEST, LLC	996.00	Yes	No
10/4/2019 11:23:15 AM	EDG	105252057	743694	MTI DISTRIBUTING CO	798.13	Yes	No
10/4/2019 11:23:15 AM	EDG	105252057	743695	MUSIC MART	302.31	Yes	No
10/4/2019 11:23:15 AM	EDG	105252057	743696	NELSON, DENISE	65.00	Yes	No
10/4/2019 11:23:15 AM	EDG	105252057	743697	NEW PIG CORP	183.00	Yes	No
10/4/2019 11:23:15 AM	EDG	105252057	743698	NORTHSTAR AV LLC	702.00	Yes	No
10/4/2019 11:23:15 AM	EDG	105252057	743699	OELFKE, MARK	19.75	Yes	No
10/4/2019 11:23:15 AM	EDG	105252057	743700	OPHOVEN SAW SERVICE	275.90	Yes	No
10/4/2019 11:23:16 AM	EDG	105252057	743701	OutFront Minnesota	300.00	Yes	No
10/4/2019 11:23:16 AM	EDG	105252057	743702	OVERHEAD DOOR CO OF THE	1,052.45	Yes	No
10/4/2019 11:23:16 AM	EDG	105252057	743703	PALMER BUS SERVICES	7,080.35	Yes	No
10/4/2019 11:23:16 AM	EDG	105252057	743704	PAN O GOLD BAKING	1,193.36	Yes	No

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
10/4/2019 11:23:16 AM	EDG	105252057	743705	PERFORMANCE FOOD GROUP	4,550.83	Yes	No
10/4/2019 11:23:16 AM	EDG	105252057	743706	PERMA BOUND	501.50	Yes	No
10/4/2019 11:23:16 AM	EDG	105252057	743707	PETERSON BROS. ROOFING	2,744.26	Yes	No
10/4/2019 11:23:16 AM	EDG	105252057	743708	PINNACLE WALL SYSTEMS	5,194.60	Yes	No
10/4/2019 11:23:16 AM	EDG	105252057	743709	PITNEY BOWES	295.05	Yes	No
10/4/2019 11:23:17 AM	EDG	105252057	743710	PRIOR LAKE-SAVAGE COMMUNITY EDU	67.00	Yes	No
10/4/2019 11:23:17 AM	EDG	105252057	743711	PRO3 SOLUTIONS LLC	840.00	Yes	No
10/4/2019 11:23:17 AM	EDG	105252057	743712	PROCARE THERAPY	5,186.70	Yes	No
10/4/2019 11:23:17 AM	EDG	105252057	743713	Raptor Technologies, LLC	780.00	Yes	No
10/4/2019 11:23:17 AM	EDG	105252057	743714	REED, SCOTT	79.00	Yes	No
10/4/2019 11:23:17 AM	EDG	105252057	743715	REV ROBOTICS LLC	199.73	Yes	No
10/4/2019 11:23:17 AM	EDG	105252057	743716	RIVERA, DAVID	158.00	Yes	No
10/4/2019 11:23:17 AM	EDG	105252057	743717	ROUZEGAR, MIRSAEED	125.00	Yes	No
10/4/2019 11:23:17 AM	EDG	105252057	743718	SANDER, MARK A PSYD, LP, LLC	500.00	Yes	No
10/4/2019 11:23:18 AM	EDG	105252057	743719	SCHOOL SPECIALTY	1,475.58	Yes	No
10/4/2019 11:23:18 AM	EDG	105252057	743720	SHAKOPEE CHAMBER OF COMMERCE	120.00	Yes	No
10/4/2019 11:23:18 AM	EDG	105252057	743721	SHAKOPEE PUBLIC UTILITY COMMIS	155,699.21	Yes	No
10/4/2019 11:23:18 AM	EDG	105252057	743722	SOUTHWEST METRO EDUCATIONAL CO	50.00	Yes	No
10/4/2019 11:23:18 AM	EDG	105252057	743723	SUNBEEB, SUBEL	125.00	Yes	No
10/4/2019 11:23:18 AM	EDG	105252057	743724	SUNBELT STAFFING LLC	6,300.00	Yes	No
10/4/2019 11:23:18 AM	EDG	105252057	743725	TEACHING STRATEGIES	3,300.00	Yes	No
10/4/2019 11:23:19 AM	EDG	105252057	743726	THOUSAND HILLS CATTLE CO	1,872.00	Yes	No
10/4/2019 11:23:19 AM	EDG	105252057	743727	TRIMARK FOODSERVICE EQUIPMEMT	444.44	Yes	No
10/4/2019 11:23:19 AM	EDG	105252057	743728	TRIO SUPPLY COMPANY	3,263.14	Yes	No
10/4/2019 11:23:19 AM	EDG	105252057	743729	TWIN CITY HARDWARE	1,974.88	Yes	No
10/4/2019 11:23:19 AM	EDG	105252057	743730	UNRUH, LISA ANNE BLOMEKE	165.00	Yes	No
10/4/2019 11:23:19 AM	EDG	105252057	743731	US FOODS, INC.	40,213.49	Yes	No
10/4/2019 11:23:19 AM	EDG	105252057	743732	VOYAGER SOPRIS LEARNING	1,239.70	Yes	No
10/4/2019 11:23:19 AM	EDG	105252057	743733	WARD, DENNIS	89.00	Yes	No
10/4/2019 11:23:19 AM	EDG	105252057	743734	ZANDER, JASON	19.75	Yes	No
10/4/2019 11:23:20 AM	EDG	105252057	743735	ZEYEN, DONALD W	19.75	Yes	No

*** Totals

Total Documents: 133

Total Amount: 434,444.84

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
10/11/2019 5:01:32 PM	EDG	105252057	743738	ADARA HOME HEALTH	2,421.25	Yes	No
10/11/2019 5:01:32 PM	EDG	105252057	743739	ADVANCED IMAGING SOLUTIONS	657.00	Yes	No
10/11/2019 5:01:32 PM	EDG	105252057	743740	AIRGAS NATIONAL CARBONATION	115.24	Yes	No
10/11/2019 5:01:32 PM	EDG	105252057	743741	AIRTECH THERMEX LLC	1,391.00	Yes	No
10/11/2019 5:01:32 PM	EDG	105252057	743742	ALLEGRA PRINT & IMAGING	34.95	Yes	No
10/11/2019 5:01:32 PM	EDG	105252057	743743	ANCHOR PAPER	16.58	Yes	No
10/11/2019 5:01:33 PM	EDG	105252057	743744	ANDYMARK INC	340.99	Yes	No
10/11/2019 5:01:33 PM	EDG	105252057	743745	APPLE FORD SHAKOPEE	1,166.09	Yes	No
10/11/2019 5:01:33 PM	EDG	105252057	743746	BISSONETTE, ROBERT	79.00	Yes	No
10/11/2019 5:01:33 PM	EDG	105252057	743747	BIX PRODUCE COMPANY	2,203.57	Yes	No
10/11/2019 5:01:33 PM	EDG	105252057	743748	BOCK, FRED	79.00	Yes	No
10/11/2019 5:01:33 PM	EDG	105252057	743749	BRIGHTBILL, THEODORE W	54.00	Yes	No
10/11/2019 5:01:33 PM	EDG	105252057	743750	BROHOLM, SUE	2,093.30	Yes	No
10/11/2019 5:01:33 PM	EDG	105252057	743751	BSN SPORTS	12,298.70	Yes	No
10/11/2019 5:01:34 PM	EDG	105252057	743752	CAHILL, TED	125.00	Yes	No
10/11/2019 5:01:34 PM	EDG	105252057	743753	CHOICE ELECTRIC, INC	13,220.18	Yes	No
10/11/2019 5:01:34 PM	EDG	105252057	743754	CITY OF SHAKOPEE	298.99	Yes	No
10/11/2019 5:01:34 PM	EDG	105252057	743755	SCHOOL SPECIALTY	375.52	Yes	No
10/11/2019 5:01:34 PM	EDG	105252057	743756	CLEARSOFT WATER CONDITONING	552.72	Yes	No
10/11/2019 5:01:34 PM	EDG	105252057	743757	CUB FOODS	486.11	Yes	No
10/11/2019 5:01:34 PM	EDG	105252057	743758	DELL MARKETING LP	109.59	Yes	No
10/11/2019 5:01:34 PM	EDG	105252057	743759	DICKMAN, KRISTA	10.00	Yes	No
10/11/2019 5:01:35 PM	EDG	105252057	743760	DIGITAL IMPACT SOLUTIONS LLC	44.00	Yes	No
10/11/2019 5:01:35 PM	EDG	105252057	743761	DIVERSIFIED SNACK DISTRIBUTORS	8,322.55	Yes	No
10/11/2019 5:01:35 PM	EDG	105252057	743762	DOMEI,ER, MIKE	122.00	Yes	No
10/11/2019 5:01:35 PM	EDG	105252057	743763	EQUITY ALLIANCE MN	80.00	Yes	No
10/11/2019 5:01:35 PM	EDG	105252057	743764	EAI EDUCATION	168.50	Yes	No
10/11/2019 5:01:35 PM	EDG	105252057	743765	FANCHER, JAMES E	89.00	Yes	No
10/11/2019 5:01:35 PM	EDG	105252057	743766	FERNDALE MARKET LLC	3,573.20	Yes	No
10/11/2019 5:01:35 PM	EDG	105252057	743767	FIRST	5,000.00	Yes	No
10/11/2019 5:01:35 PM	EDG	105252057	743768	GARRETT, SCOTT	122.00	Yes	No
10/11/2019 5:01:36 PM	EDG	105252057	743769	GENERAL PARTS , INC	1,122.94	Yes	No
10/11/2019 5:01:36 PM	EDG	105252057	743770	HECKEL RACHEL	91.00	Yes	No
10/11/2019 5:01:36 PM	EDG	105252057	743771	HEIFORT, MICHAEL	89.00	Yes	No

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
10/11/2019 5:01:36 PM	EDG	105252057	743772	HILLYARD / HUTCHINSON	6,242.32	Yes	No
10/11/2019 5:01:36 PM	EDG	105252057	743773	HINRICHS, KEITH	79.00	Yes	No
10/11/2019 5:01:36 PM	EDG	105252057	743774	INDEPENDENT SCHOOL DIST #625	564.20	Yes	No
10/11/2019 5:01:36 PM	EDG	105252057	743775	INNOVATIVE OFFICE SOLUTIONS	355.30	Yes	No
10/11/2019 5:01:36 PM	EDG	105252057	743776	INTEREUM, INC.	4.32	Yes	No
10/11/2019 5:01:36 PM	EDG	105252057	743777	INTERMEDIATE DISTRICT 287	386.82	Yes	No
10/11/2019 5:01:37 PM	EDG	105252057	743778	JOHNSON CONTROLS	1,849.91	Yes	No
10/11/2019 5:01:37 PM	EDG	105252057	743779	JUREWICZ, MATT	79.00	Yes	No
10/11/2019 5:01:37 PM	EDG	105252057	743780	KAHMEYER, MAX	125.00	Yes	No
10/11/2019 5:01:37 PM	EDG	105252057	743781	KAHMEYER, TROY	125.00	Yes	No
10/11/2019 5:01:37 PM	EDG	105252057	743782	KARST, BONNIE	92.00	Yes	No
10/11/2019 5:01:37 PM	EDG	105252057	743783	KOPPANG, MIKE	89.00	Yes	No
10/11/2019 5:01:37 PM	EDG	105252057	743784	KRAMER, PAUL	54.00	Yes	No
10/11/2019 5:01:37 PM	EDG	105252057	743785	KULLY SUPPLY CO	309.63	Yes	No
10/11/2019 5:01:37 PM	EDG	105252057	743786	LACH, THEAVY	50.00	Yes	No
10/11/2019 5:01:38 PM	EDG	105252057	743787	LAHRARI, KARIM	125.00	Yes	No
10/11/2019 5:01:38 PM	EDG	105252057	743788	LANGE, ROSS	54.00	Yes	No
10/11/2019 5:01:38 PM	EDG	105252057	743789	LANZI, BOB	122.00	Yes	No
10/11/2019 5:01:38 PM	EDG	105252057	743790	LAURSEN PIANO SERVICE	101.00	Yes	No
10/11/2019 5:01:38 PM	EDG	105252057	743791	LEARNING A-Z	4,750.65	Yes	No
10/11/2019 5:01:38 PM	EDG	105252057	743792	LEE, WAI YEE	105.00	Yes	No
10/11/2019 5:01:38 PM	EDG	105252057	743793	LOWES	2,714.06	Yes	No
10/11/2019 5:01:38 PM	EDG	105252057	743794	LUNCH LADY U, LLC	100.00	Yes	No
10/11/2019 5:01:39 PM	EDG	105252057	743795	MACMILLIAN, THOMAS	54.00	Yes	No
10/11/2019 5:01:39 PM	EDG	105252057	743796	MARSH & MCLENNAN	7,963.00	Yes	No
10/11/2019 5:01:39 PM	EDG	105252057	743797	MEI TOTAL ELEVATOR SOLUTIONS	953.33	Yes	No
10/11/2019 5:01:39 PM	EDG	105252057	743798	METRO ECSU	240.00	Yes	No
10/11/2019 5:01:39 PM	EDG	105252057	743799	MINNEAPOLIS OXYGEN	178.20	Yes	No
10/11/2019 5:01:39 PM	EDG	105252057	743800	MESPA	895.00	Yes	No
10/11/2019 5:01:39 PM	EDG	105252057	743801	MN HARVEST, LLC	588.00	Yes	No
10/11/2019 5:01:39 PM	EDG	105252057	743802	MN LUTHERN DISTRICT TEACHERS CO	700.00	Yes	No
10/11/2019 5:01:40 PM	EDG	105252057	743803	MONOPRICE.COM	38.59	Yes	No
10/11/2019 5:01:40 PM	EDG	105252057	743804	MUSIC MART	1,231.45	Yes	No
10/11/2019 5:01:40 PM	EDG	105252057	743805	National Restarant Association Solutions LL	3,531.00	Yes	No

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
10/11/2019 5:01:40 PM	EDG	105252057	743806	NELSON, DENISE	130.00	Yes	No
10/11/2019 5:01:40 PM	EDG	105252057	743807	NEOFUNDS - POSTAGE	3,091.73	Yes	No
10/11/2019 5:01:40 PM	EDG	105252057	743808	NEWS-2-YOU, INC.	2,224.82	Yes	No
10/11/2019 5:01:40 PM	EDG	105252057	743809	PALMER BUS SERVICES	156,640.81	Yes	No
10/11/2019 5:01:40 PM	EDG	105252057	743810	PAN O GOLD BAKING	1,311.82	Yes	No
10/11/2019 5:01:40 PM	EDG	105252057	743811	PEARSON EDUCATION	8,156.43	Yes	No
10/11/2019 5:01:41 PM	EDG	105252057	743812	PEARSON EDUCATION	319.75	Yes	No
10/11/2019 5:01:41 PM	EDG	105252057	743813	PERFORMANCE FOOD GROUP	4,319.76	Yes	No
10/11/2019 5:01:41 PM	EDG	105252057	743814	PETERSON BROS. ROOFING	822.60	Yes	No
10/11/2019 5:01:41 PM	EDG	105252057	743815	REED, SCOTT	79.00	Yes	No
10/11/2019 5:01:41 PM	EDG	105252057	743816	RIVERA, DAVID	79.00	Yes	No
10/11/2019 5:01:41 PM	EDG	105252057	743817	ROCK, KEITH A	125.00	Yes	No
10/11/2019 5:01:41 PM	EDG	105252057	743818	RYAN MECHANICAL INC	2,602.00	Yes	No
10/11/2019 5:01:41 PM	EDG	105252057	743819	SAFELINE MANAGEMENTSERVICES	8,300.00	Yes	No
10/11/2019 5:01:41 PM	EDG	105252057	743820	SATERDALEN, DIANE	28.00	Yes	No
10/11/2019 5:01:42 PM	EDG	105252057	743821	SATIN STITCHES LTD	6,026.20	Yes	No
10/11/2019 5:01:42 PM	EDG	105252057	743822	SCHAEFER, JOHN	89.00	Yes	No
10/11/2019 5:01:42 PM	EDG	105252057	743823	SCHALLER, WESLEY	50.00	Yes	No
10/11/2019 5:01:42 PM	EDG	105252057	743824	SCHOLASTIC , INC	31.87	Yes	No
10/11/2019 5:01:42 PM	EDG	105252057	743825	SCHOLASTIC , INC	571.40	Yes	No
10/11/2019 5:01:42 PM	EDG	105252057	743826	SCHOOL SPECIALTY	375.52	Yes	No
10/11/2019 5:01:42 PM	EDG	105252057	743827	SCOTT COUNTY	3,496.00	Yes	No
10/11/2019 5:01:42 PM	EDG	105252057	743828	SELLE, TERRY	122.00	Yes	No
10/11/2019 5:01:42 PM	EDG	105252057	743829	SHAKOPEE PUBLIC UTILITY COMMIS	1,519.76	Yes	No
10/11/2019 5:01:43 PM	EDG	105252057	743830	SHRED-N-GO, INC.	876.83	Yes	No
10/11/2019 5:01:43 PM	EDG	105252057	743831	SKYWARD	56,655.20	Yes	No
10/11/2019 5:01:43 PM	EDG	105252057	743832	SOUTHWEST METRO EDUCATIONAL CO	1,308.20	Yes	No
10/11/2019 5:01:43 PM	EDG	105252057	743833	SPHERO	1,384.99	Yes	No
10/11/2019 5:01:43 PM	EDG	105252057	743834	STAATS	57.20	Yes	No
10/11/2019 5:01:43 PM	EDG	105252057	743835	STAR TRIBUNE	142.50	Yes	No
10/11/2019 5:01:43 PM	EDG	105252057	743836	STERLING SYSTEMS INC	2,400.00	Yes	No
10/11/2019 5:01:43 PM	EDG	105252057	743837	SUNBEEB, SUBEL	179.00	Yes	No
10/11/2019 5:01:44 PM	EDG	105252057	743838	SUNBELT STAFFING LLC	3,360.00	Yes	No
10/11/2019 5:01:44 PM	EDG	105252057	743839	SWANSON MEATS INC	418.50	Yes	No

**Ultimate EDGE Account's Payable
Check Register**

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
10/11/2019 5:01:44 PM	EDG	105252057	743840	THOMAS, DIYA	86.67	Yes	No
10/11/2019 5:01:44 PM	EDG	105252057	743841	TIERNEY BROTHERS INC	859.85	Yes	No
10/11/2019 5:01:44 PM	EDG	105252057	743842	TISCHENDORF, MICHAEL	579.00	Yes	No
10/11/2019 5:01:44 PM	EDG	105252057	743843	TRAN, TUAN	6.00	Yes	No
10/11/2019 5:01:44 PM	EDG	105252057	743844	TRANG, KRIS	245.00	Yes	No
10/11/2019 5:01:44 PM	EDG	105252057	743845	TRIO SUPPLY COMPANY	1,827.61	Yes	No
10/11/2019 5:01:45 PM	EDG	105252057	743846	TWIN CITY HARDWARE	248.70	Yes	No
10/11/2019 5:01:45 PM	EDG	105252057	743847	UNIVERSAL ATHLETIC SERVICE	203.26	Yes	No
10/11/2019 5:01:45 PM	EDG	105252057	743848	US FOODS, INC.	11,723.48	Yes	No
10/11/2019 5:01:45 PM	EDG	105252057	743849	VERIZON WIRELESS	4,436.72	Yes	No
10/11/2019 5:01:45 PM	EDG	105252057	743850	VU, HIEP	54.00	Yes	No
10/11/2019 5:01:45 PM	EDG	105252057	743851	WASTE MANAGEMENT	5,208.23	Yes	No
10/11/2019 5:01:45 PM	EDG	105252057	743852	WATWOOD, IAN	89.00	Yes	No

*** Totals

Total Documents: 115

Total Amount: 384,665.16

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
10/18/2019 2:43:21 PM	EDG	105252057	743862	ACADEMIC THERAPY PUBLICATIONS	1,580.70	Yes	No
10/18/2019 2:43:21 PM	EDG	105252057	743863	ADARA HOME HEALTH	2,551.25	Yes	No
10/18/2019 2:43:21 PM	EDG	105252057	743864	ADVANCED IMAGING SOLUTIONS	17,508.87	Yes	No
10/18/2019 2:43:21 PM	EDG	105252057	743865	ALTMAN, ADAM	500.00	Yes	No
10/18/2019 2:43:21 PM	EDG	105252057	743866	BEARCOM WIRELESS WORLDWIDE	30.00	Yes	No
10/18/2019 2:43:21 PM	EDG	105252057	743867	BERANAK, MARI	100.00	Yes	No
10/18/2019 2:43:22 PM	EDG	105252057	743868	BERGANKDV LTD	14,000.00	Yes	No
10/18/2019 2:43:22 PM	EDG	105252057	743869	BREAKOUT INC	800.00	Yes	No
10/18/2019 2:43:22 PM	EDG	105252057	743870	CATALYST SOURCING SOLUTIONS	1,211.99	Yes	No
10/18/2019 2:43:22 PM	EDG	105252057	743871	CHRISTIAN FAMILY SOLUTIONS	200.00	Yes	No
10/18/2019 2:43:22 PM	EDG	105252057	743872	COFFEE MILL INC	43.00	Yes	No
10/18/2019 2:43:22 PM	EDG	105252057	743873	CUB FOODS	503.04	Yes	No
10/18/2019 2:43:22 PM	EDG	105252057	743874	CULLIGAN BOTTLED WATER	72.78	Yes	No
10/18/2019 2:43:22 PM	EDG	105252057	743875	DATA MANAGEMENT, INC	90.00	Yes	No
10/18/2019 2:43:22 PM	EDG	105252057	743876	DIGITAL IMPACT SOLUTIONS LLC	44.00	Yes	No
10/18/2019 2:43:23 PM	EDG	105252057	743877	ELMI, FARTUN	50.00	Yes	No
10/18/2019 2:43:23 PM	EDG	105252057	743878	FERRIS HOMESCHOOL	510.54	Yes	No
10/18/2019 2:43:23 PM	EDG	105252057	743879	GROTH MUSIC	277.99	Yes	No
10/18/2019 2:43:23 PM	EDG	105252057	743880	HENNING PROFESSIONAL SERVICES IN	273.75	Yes	No
10/18/2019 2:43:23 PM	EDG	105252057	743881	HYVEE INC	169.61	Yes	No
10/18/2019 2:43:23 PM	EDG	105252057	743882	INNOVATIVE OFFICE SOLUTIONS	615.21	Yes	No
10/18/2019 2:43:23 PM	EDG	105252057	743883	JASPERS MORIARTY & WETHERILLE PA	1,690.99	Yes	No
10/18/2019 2:43:23 PM	EDG	105252057	743884	JW PEPPER	163.48	Yes	No
10/18/2019 2:43:23 PM	EDG	105252057	743885	KOSHIOL, MINDY	120.00	Yes	No
10/18/2019 2:43:24 PM	EDG	105252057	743886	KROELLS KARATE CTR	891.00	Yes	No
10/18/2019 2:43:24 PM	EDG	105252057	743887	LAURSEN PIANO SERVICE	505.00	Yes	No
10/18/2019 2:43:24 PM	EDG	105252057	743888	LIDDELL, KRISTIN OR RYAN	85.09	Yes	No
10/18/2019 2:43:24 PM	EDG	105252057	743889	LIEBL, MICHELLE	100.00	Yes	No
10/18/2019 2:43:24 PM	EDG	105252057	743890	MACKENTHUN, BRONWEN	340.36	Yes	No
10/18/2019 2:43:24 PM	EDG	105252057	743891	MACKIN EDUCATIONAL RESOURCES	5,270.92	Yes	No
10/18/2019 2:43:24 PM	EDG	105252057	743892	MCGEE, ALISHA	75.00	Yes	No
10/18/2019 2:43:24 PM	EDG	105252057	743893	MEYER, JACOB A	178.20	Yes	No
10/18/2019 2:43:25 PM	EDG	105252057	743894	MINNESOTA HIGHWAY SAFETY & RESE	396.00	Yes	No
10/18/2019 2:43:25 PM	EDG	105252057	743895	MUSIC MART	607.00	Yes	No

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
10/18/2019 2:43:25 PM	EDG	105252057	743896	NATIONAL GEOGRAPHIC EXPLORER	600.90	Yes	No
10/18/2019 2:43:25 PM	EDG	105252057	743897	NORCOSTCO	5,056.67	Yes	No
10/18/2019 2:43:25 PM	EDG	105252057	743898	PALMER BUS SERVICES	296,263.78	Yes	No
10/18/2019 2:43:25 PM	EDG	105252057	743899	PARK NICOLLET HEALTH SERVICES	260.00	Yes	No
10/18/2019 2:43:25 PM	EDG	105252057	743900	PETRIKOV, KRISTINA	68.75	Yes	No
10/18/2019 2:43:25 PM	EDG	105252057	743901	PITNEY BOWES PURCHASE POWER	3,279.51	Yes	No
10/18/2019 2:43:26 PM	EDG	105252057	743902	PROVISION MEDIA INC.	320.00	Yes	No
10/18/2019 2:43:26 PM	EDG	105252057	743903	RESPONDUS INC	3,829.00	Yes	No
10/18/2019 2:43:26 PM	EDG	105252057	743904	SAVAGE, TODD A	2,091.02	Yes	No
10/18/2019 2:43:26 PM	EDG	105252057	743905	SCHMITT MUSIC COMPANY	43.19	Yes	No
10/18/2019 2:43:26 PM	EDG	105252057	743906	SCIENCE EXPLORERS	345.00	Yes	No
10/18/2019 2:43:26 PM	EDG	105252057	743907	SCOTT STREBLE PHOTOGRAPHER LLC	1,675.00	Yes	No
10/18/2019 2:43:26 PM	EDG	105252057	743908	SHEVEHENKO, GENNADIY	85.09	Yes	No
10/18/2019 2:43:26 PM	EDG	105252057	743909	SOLARWINDS	3,780.00	Yes	No
10/18/2019 2:43:27 PM	EDG	105252057	743910	SOURCEWELL	750.00	Yes	No
10/18/2019 2:43:27 PM	EDG	105252057	743911	MINNEAPOLIS PUBLIC SCHOOLS	4,351.20	Yes	No
10/18/2019 2:43:27 PM	EDG	105252057	743912	TWIN CITIES CHESS CLUB	975.00	Yes	No
10/18/2019 2:43:27 PM	EDG	105252057	743913	US FOODS, INC.	11,130.07	Yes	No
10/18/2019 2:43:27 PM	EDG	105252057	743914	WATER TO YOU	41.00	Yes	No
10/18/2019 2:43:27 PM	EDG	105252057	743915	WATERLOGIC	149.85	Yes	No
10/18/2019 2:43:27 PM	EDG	105252057	743916	WOITASZEWSKI, SCOTT ALLEN	2,055.68	Yes	No

*** Totals

Total Documents: 55

Total Amount: 388,706.48

Enhanced Data Analysis

All transactions matching your search criteria are listed below

Merchant Group Summary - 07/28/2019 to 08/27/2019

Merchant Group	Merchant Category	With Enhanced Data		Without Enhanced Data	
		Items	Amount	Items	Amount
Automobiles And Vehicles	Automotive Parts, Accessories Stores (5533)	0	0	4	174.36
	Fuel Dispenser, Automated (5542)	0	0	3	192.81
	Gas / Service Stations (5541)	3	369.58	1	52.79
	Miscellaneous Automotive, Aircraft, And Farm I	0	0	1	179
Business Services	Advertising Services (7311)	1	3.18	0	0
	Business Services Not Elsewhere Classified (739	0	0	1	11.8
	Consulting, Management, And Public Relations	0	0	3	1,200.00
Government Services	Government Services Not Elsewhere Classified I	1	724.5	0	0
	Postage Stamps - Government Only (9402)	2	116.4	0	0
Hotels And Motels	Best Western Hotels (3502)	2	1,375.22	0	0
	Doubletree Hotels (3692)	1	-972.24	0	0
	Gaylord Opryland (3608)	1	199.42	0	0
	Hilton Hotels (3504)	3	1,299.54	0	0
Miscellaneous Stores	Book Stores (5942)	133	23,758.53	24	2,351.87
	Camera And Photographic Supply Stores (5946)	0	0	1	95.92
	Computer Software Stores (5734)	4	450.13	5	4,372.31
	Direct Marketing - Catalog Merchants (5964)	3	1,746.63	3	2,322.75
	Direct Marketing - Combination Catalog And Re	0	0	4	603.25
	Direct Marketing - Other Direct Marketers (596	1	1,583.90	8	2,610.65
	Direct Marketing Continuity/Subscription Merc	2	120.99	1	75
	Electronics Sales (5732)	0	0	2	358
	Fabric, Needlework, Piece Goods, And Sewing S	1	375	0	0
	Fast-Food Restaurants (5814)	0	0	3	247.59
	Game, Toy, And Hobby Shops (5945)	0	0	1	19
	Household Appliance Stores (5722)	0	0	1	439.98
	Office, School Supply, And Stationery Stores (55	1	560	2	160.56
Others	Sporting Goods Stores (5941)	0	0	2	2,091.48
	Agricultural Cooperatives (763)	0	0	3	1,732.10

P CARD PURCHASES

	Missing merchant category (0)	0	0	2	-279.13
Personal Service Providers	Photographic Studios (7221)	0	0	4	122.4
Professional Services And Membership Organiz:	Organizations, Charitable And Social Service (83	4	3,434.00	3	2,798.60
	Organizations, Membership (8699)	1	5,089.00	1	220
	Professional Services Not Elsewhere Classified (0	0	2	540
	Schools And Educational Services (8299)	2	698.87	9	3,810.94
Retail Stores	Discount Stores (5310)	0	0	6	407.33
	Glass, Paint, Wallpaper Stores (5231)	11	1,526.30	0	0
	Grocery Stores, Supermarkets (5411)	0	0	5	851.01
	Hardware Stores (5251)	0	0	11	365.97
	Home Supply Warehouse (5200)	23	3,817.44	5	-353.12
	Variety Stores (5331)	0	0	1	39.99
Utilities	Calls Through Use Of Mag Stripe-Reading Telep	0	0	1	654.41
Wholesale Distributors And Manufacturers	Books, Periodicals And Newspapers (5192)	1	105	2	400.5
	Dental/Laboratory/Medical/Ophthalmic (5047)	0	0	1	927
	Durable Goods Not Elsewhere Classified (5099)	1	527.23	2	218.37
	Industrial Supplies Not Elsewhere Classified (50	1	51.38	0	0
	Miscellaneous Publishing And Printing (2741)	0	0	3	5,164.86
	Office And Commercial Furniture (5021)	3	1,601.45	3	2,729.27
	Plumbing And Heating Equipment (5074)	0	0	2	323.74
	Stationery, Office Supplies, Printing (5111)	0	0	2	664.11
	Total	206	48,561.45	138	38,897.47

Bank Account - Wires Out

Date	Description	Amount
9/3/2019	IRS federal tax ACH	513,271.69
9/3/2019	HealthPartners premium	3,548.00
9/4/2019	State of MN taxes ACH	90,299.00
9/4/2019	Payroll voluntary deductions	8,902.43
9/5/2019	403(b) contributions	130,464.55
9/6/2019	TRA ACH	281,381.37
9/6/2019	PERA ACH	50,953.39
9/6/2019	Credit card processing fees	1,411.06
9/6/2019	Miscellaneous service charge	73.40
9/9/2019	Credit card processing fees	1,030.42
9/10/2019	Payroll voluntary deductions	9,089.96
9/11/2019	Food service fees	3,226.04
9/12/2019	Payroll direct deposit	1,440,116.68
9/16/2019	IRS federal tax ACH	505,549.76
9/17/2019	State of MN taxes ACH	87,223.00
9/17/2019	Payroll voluntary deductions	5,367.99
9/17/2019	Miscellaneous service charge	54.60
9/19/2019	TRA ACH	274,884.97
9/19/2019	PERA ACH	65,205.83
9/19/2019	Employee expense reimbursement	10,378.04
9/23/2019	403(b) contributions	132,903.99
9/24/2019	Payroll voluntary deductions	13,518.11
9/26/2019	Payroll direct deposit	1,500,180.63
9/26/2019	Payroll voluntary deductions	67,051.69
9/30/2019	IRS federal tax ACH	518,609.93
9/30/2019	Bank service charge	1,800.63
		5,716,497.16

School District Policy Audit

Policy Number	Policy Title	Summary of Changes	Policy Meeting	1st Reading	2nd Reading
404	Employment Background Checks	These changes reflect updates to the legal and cross references (including changes in statute numbers and/or names, new statutes, rules, or cases), changes to the notes within the policies, changes to accompanying forms, and minor corrections. The substance of the policy language is not affected.	Oct 14	10/28/2019	11/18/2019
414	Mandated Reporting of Child Neglect or Physical or Sexual Abuse	Statutory change adds two crimes under the definition of 'sexual abuse'	Oct 14	10/28/2019	11/18/2019
419	Tobacco-Free Environment	Policy title change; statutory change adding electronic devices and definition of 'smoking'	Oct 14	10/28/2019	11/18/2019
421	Gifts to Employees and School Board Members	Adds definition of "financial interest"	Oct 14	10/28/2019	11/18/2019
510	School Activities	Adds language reflecting 2019 legislative action regarding student activity accounts and deletes outdated reference	Oct 14	10/28/2019	11/18/2019
516	Student Medication	Statutory change adds student possession and use of sunscreen	Oct 14	10/28/2019	11/18/2019
524	Internet Acceptable Use and Safety Policy	Updates social media references and revises references	Oct 14	10/28/2019	11/18/2019
534	Unpaid Meal Charges	Adds 2019 Minnesota Attorney General Opinion language	Oct 14	10/28/2019	11/18/2019
613	Graduation Requirements	Statutory changes revise Graduation Assessment Requirements (Art. V) and Graduation Credit Requirements (Art. VI). Legal References updated	Oct 14	10/28/2019	11/18/2019
703	Annual Audit	Updates Minnesota Legal Compliance Audit Guide title	Oct 14	10/28/2019	11/18/2019
707	Transportation of Public School Students	Changes to the section relative to homeless students.	Oct 14	10/28/2019	11/18/2019
708	Transportation of Nonpublic School Students	Changes to Section IV. Students with Disabilities.	Oct 14	10/28/2019	11/18/2019
802	Disposition of Obsolete Equipment and Material	Statutory change expands potential recipients of surplus school computers and adds option to sell/give surplus school computers to 'qualifying students'	Oct 14	10/28/2019	11/18/2019
414FRM	Confidential Student Maltreatment Reporting Form		Oct 14	10/28/2019	11/18/2019

Adopted: _____

MSBA/MASA Model Policy 404

Orig. 1995

Revised: _____

Rev. ~~2009~~ 2018

404 EMPLOYMENT BACKGROUND CHECKS

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

I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment in the 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 also 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 and all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether any compensation is paid, submit to a criminal history background check. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by the 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 or to provide athletic coaching services or other extracurricular academic coaching services to the school district, except for an enrolled student volunteer, 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.

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

- C. The 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~~ Minnesota Professional Educator Licensing and Standards Board 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 check; and

4. there is no reason to believe that the individual has committed an act subsequent to the check that would disqualify the individual for employment or provision of services.
- E. For all nonstate residents who are offered employment with or the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, 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. Copies of this policy shall be available in the school district's employment office and will be distributed to applicants for employment and individuals who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services upon request. The need to submit to a criminal history background check may be included with the basic criteria for employment or provision of services in the position posting and position advertisements.
- H. The individual will be informed of the results of the criminal background check(s) to the extent required by law.
- I. If the criminal history background check precludes employment with, or provision of services to, the school district, the individual will be so advised.
- J. The school district may apply these procedures to other volunteers, independent contractors, or student employees.
- K. At the beginning of each school year or when a student enrolls, the school district will notify parents and guardians about this policy and identify those positions subject to a background check and the extent of the school district's discretion in requiring a background check. The school district may include this notice in its student handbook, a school policy guide, or other similar communication. A form notice for this purpose is included with this policy.

IV. CRIMINAL HISTORY CONSENT FORM

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

policy.

Legal References: Minn. Stat. § 13.04, Subd. 4 (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)

Cross References:

Adopted: _____

MSBA/MASA Model Policy 414

Orig. 1995

Revised: _____

Rev. ~~2016~~ 2019

414 MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE

[Note: This policy reflects the mandatory law regarding reporting of maltreatment of minors and is not discretionary in nature.]

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. “Accidental” means a sudden, not reasonably foreseeable, and unexpected occurrence or event which:
 - 1. is not likely to occur and could not have been prevented by exercise of due care; and
 - 2. if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the facility are in compliance with the laws and rules relevant to the occurrence of event.
- B. “Child” means one under age 18 and, for purposes of Minn. Stat. Ch. 260C (Child Protection) and Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment), includes an individual under age 21 who is in foster care pursuant to Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18).
- C. “Immediately” means as soon as possible but in no event longer than 24 hours.

- D. “Mandated reporter” means any school personnel who knows or has reason to believe a child is being neglected or physically or sexually abused, or has been neglected or physically or sexually abused within the preceding three years.
- E. “Neglect” means the commission or omission of any of the acts specified below, other than by accidental means:
1. failure by a person responsible for a child’s care to supply a child with necessary food, clothing, shelter, health care, medical care, or other care required for the child’s physical or mental health when reasonably able to do so, including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;
 2. failure to protect a child from conditions or actions that seriously endanger the child’s physical or mental health when reasonably able to do so;
 3. failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors such as the child’s age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for his or her own basic needs or safety or the basic needs or safety of another child in his or her care;
 4. failure to ensure that a child is educated in accordance with state law, which does not include a parent’s refusal to provide his or her child with sympathomimetic medications;
 5. prenatal exposure to a controlled substance used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child’s birth, or medical effects or developmental delays during the child’s first year of life that medically indicate prenatal exposure to a controlled substance or the presence of a fetal alcohol spectrum disorder;
 6. medical neglect as defined by Minn. Stat. § 260C.007, Subd. 4, Clause (5);
 7. chronic and severe use of alcohol or a controlled substance by a parent or person responsible for the care of the child that adversely affects the child’s basic needs and safety; or
 8. emotional harm from a pattern of behavior which contributes to impaired emotional functioning of the child which may be demonstrated by a substantial and observable effect in the child’s behavior, emotional response, or cognition that is not within the normal range for the child’s age and stage of development, with due regard to the child’s culture.

Neglect does not include spiritual means or prayer for treatment or care of disease where the person responsible for the child’s care in good faith has selected and

depended on those means for treatment or care of disease, except where the lack of medical care may cause serious danger to the child's health.

- F. "Nonmaltreatment mistake" means: (1) at the time of the incident, the individual was performing duties identified in the center's child care program plan required under Minn. Rules Part 9503.0045; (2) the individual has not been determined responsible for a similar incident that resulted in a finding of maltreatment for at least seven years; (3) the individual has not been determined to have committed a similar nonmaltreatment mistake under this paragraph for at least four years; (4) any injury to a child resulting from the incident, if treated, is treated only with remedies that are available over the counter, whether ordered by a medical professional or not; and (5) except for the period when the incident occurred, the facility and the individual providing services were both in compliance with all licensing requirements relevant to the incident. This definition only applies to child care centers licensed under Minn. Rules Ch. 9503.
- G. "Physical abuse" means any physical injury, mental injury, or threatened injury, inflicted by a person responsible for the child's care other than by accidental means; or any physical or mental injury that cannot reasonably be explained by the child's history of injuries or any aversive or deprivation procedures, or regulated interventions, that have not been authorized by Minn. Stat. § 125A.0942 or § 245.825.

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

Actions which are not reasonable and moderate include, but are not limited to, any of the following: (1) throwing, kicking, burning, biting, or cutting a child; (2) striking a child with a closed fist; (3) shaking a child under age three; (4) striking or other actions which result in any nonaccidental injury to a child under 18 months of age; (5) unreasonable interference with a child's breathing; (6) threatening a child with a weapon, as defined in Minn. Stat. § 609.02, Subd. 6; (7) striking a child under age one on the face or head; (8) striking a child who is at least age one but under age four on the face or head, which results in an injury; (9) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled substances which were not prescribed for the child by a practitioner, in order to control or punish the child, or giving the child other substances that substantially affect the child's behavior, motor coordination, or judgment or that result in sickness or internal injury, or subject the child to medical procedures that would be unnecessary if the child were not exposed to the substances; (10) unreasonable physical confinement or restraint not permitted under Minn. Stat. § 609.379 including, but not limited to, tying, caging, or chaining; or (11) in a school facility or school zone, an act by a person responsible for the child's care that is a violation under Minn. Stat. § 121A.58.

- H. "Report" means any communication received by the local welfare agency, police

department, county sheriff, or agency responsible for child protection pursuant to this section that describes neglect or physical or sexual abuse of a child and contains sufficient content to identify the child and any person believed to be responsible for the neglect or abuse, if known.

- I. “School personnel” means professional employee or professional’s delegate of the school district who provides health, educational, social, psychological, law enforcement, or child care services.
- J. “Sexual abuse” means the subjection of a child by a person responsible for the child’s care, by a person who has a significant relationship to the child (as defined in Minn. Stat. § 609.341, Subd. 15), or by a person in a current or recent position of authority (as defined in Minn. Stat. § 609.341, Subd. 10) to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual penetration, ~~as well as~~ sexual contact, solicitation of children to engage in sexual conduct, and communication of sexually explicit materials to children. Sexual abuse also includes any act involving a minor which constitutes a violation of Minnesota statutes prohibiting prostitution or use of a minor in a sexual performance. Sexual abuse includes all reports of known or suspected child sex trafficking involving a child who is identified as a victim of sex trafficking. Sexual abuse includes threatened sexual abuse which includes the status of a parent or household member who has committed a violation which requires registration under Minn. Stat. § 243.166, Subd. 1b(a) or (b) (Registration of Predatory Offenders).

~~*[Note: The inclusion of sex trafficking becomes effective on May 29, 2017.]*~~

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

IV. REPORTING PROCEDURES

- A. A mandated reporter as defined herein shall immediately report the neglect or physical or sexual abuse, which he or she knows or has reason to believe is happening or has happened within the preceding three years, to the local welfare agency, police department, county sheriff, tribal social services, or tribal police department. The reporter will include his or her name and address in the report.
- B. If the immediate report has been made orally, by telephone or otherwise, the oral report shall be followed by a written report within 72 hours (exclusive of weekends and holidays) to the appropriate police department, the county sheriff, local welfare agency, or agency responsible for assisting or investigating maltreatment. The written report shall identify the child, any person believed to be responsible for the abuse or neglect of the child if the person is known, the nature and extent of the abuse or neglect and the name and address of the reporter.
- C. Regardless of whether a report is made, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident has occurred **and that** may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.
- D. A mandated reporter who knows or has reason to know of the deprivation of parental rights or the kidnapping of a child shall report the information to the local police department or the county sheriff.
- E. With the exception of a health care professional or a social service professional who is providing the woman with prenatal care or other health care services, a mandated reporter shall immediately report to the local welfare agency if the person knows or has reason to believe that a woman is pregnant and has used a controlled substance for a nonmedical purpose during the pregnancy, including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive.
- F. A person mandated by Minnesota law and this policy to report who fails to report may be subject to criminal penalties and/or discipline, up to and including termination of employment.
- G. Submission of a good faith report under Minnesota law and this policy will not adversely affect the reporter's employment, or the child's access to school.
- H. Any person who knowingly or recklessly makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, and the reckless making of a false report may result in discipline. The court may also award attorney's fees.

[Note: The Minnesota Department of Education (MDE) is responsible for assessing or investigating allegations of child maltreatment in schools. Although a report may be made to any of the agencies listed in Section IV. A., above, and there is no requirement to file more than one report, if the initial report is not made to MDE, it would be helpful to MDE if schools also report to MDE.]

V. INVESTIGATION

- A. The responsibility for investigating reports of suspected neglect or physical or sexual abuse rests with the appropriate county, state, or local agency or agencies. The agency responsible for assessing or investigating reports of child maltreatment has the authority to interview the child, the person or persons responsible for the child's care, the alleged perpetrator, and any other person with knowledge of the abuse or neglect for the purpose of gathering the facts, assessing safety and risk to the child, and formulating a plan. The investigating agency may interview the child at school. The interview may take place outside the presence of a school official. The investigating agency, not the school, is responsible for either notifying or withholding notification of the interview to the parent, guardian or person responsible for the child's care. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded.
- B. When the investigating agency determines that an interview should take place on school property, written notification of intent to interview the child on school property will be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school property.
- C. Except where the alleged perpetrator is believed to be a school official or employee, the time and place, and manner of the interview on school premises shall be within the discretion of school officials, but the local welfare or law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place, and manner of the interview set by the school officials shall be reasonable and the interview shall be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school officials and the local welfare or law enforcement agency. Every effort must be made to reduce the disruption of the educational program of the child, other students, or school employees when an interview is conducted on school premises.
- D. Where the alleged perpetrator is believed to be a school official or employee, the school district shall conduct its own investigation independent of MDE and, if involved, the local welfare or law enforcement agency.

- E. Upon request by MDE, the school district shall provide all requested data that are relevant to a report of maltreatment and are in the possession of a school facility, pursuant to an assessment or investigation of a maltreatment report of a student in school. The school district shall provide the requested data in accordance with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE

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

VII. PHYSICAL OR SEXUAL ABUSE AS SEXUAL HARASSMENT OR VIOLENCE

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

VIII. DISSEMINATION OF POLICY AND TRAINING

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 121A.58 (Corporal Punishment)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)
Minn. Stat. § 243.166, Subd. 1b(a)(b) (Registration of Predatory Offenders)

Minn. Stat. § 245.825 (Use of Aversive or Deprivation Procedures)
Minn. Stat. § 260C.007, Subd. 4 6, Clause (5) (Child in Need of Protection)
Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18)
Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment)
Minn. Stat. § 609.02, Subd. 6 (Definitions – Dangerous Weapon)
Minn. Stat. § 609.341, Subd. 10 (Definitions – Position of Authority)
Minn. Stat. § 609.341, Subd. 15 (Definitions – Significant Relationship)
Minn. Stat. § 609.379 (Reasonable Force)
Minn. Stat. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)
Minn. Stat. § 626.5561 (Reporting of Prenatal Exposure to Controlled Substances)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

Cross References: MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)

Confidential Student Maltreatment Reporting Form

Date Submitted: _____

MDE File #: _____ (MDE staff use only)

REPORTER (name of person completing form) Reporter is confidential under Minnesota Statutes, section 626.556.

Name: _____ Title: _____ Phone: _____ Mandated Reporter: Yes ___ No ___

Address: _____ City: _____ State: _____ Zip: _____

SCHOOL INFORMATION

ISD #: _____ School District: _____ Program Name: _____

School Name: _____ Address: _____ City: _____ Zip: _____

Principal/Director: _____ Phone: _____ (Ext): _____

Transportation Company (if necessary): Contact: _____ Phone: _____

ALLEGED VICTIM (Complete one reporting form for each alleged victim)

Name: _____ Address: _____ City: _____ State: _____ Zip: _____

Parent/Guardian: _____ Phone: _____ Alternate Phone: _____

Gender: Male ___ Female ___ DOB: _____ Grade: _____ Ethnicity: _____

Special Education: Yes ___ No ___ Disability Description: _____ State Student ID: _____

ALLEGED OFFENDER

Name: _____ Position: _____ DOB: _____ Gender: Male ___ Female ___

Address: _____ City: _____ State: _____ Zip: _____

Ethnicity: _____ Phone: _____ Alternate Phone: _____

Licensed: Yes ___ No ___ If licensed, name of licensing board: _____ Folder #: _____

INCIDENT

Date: _____ Time: _____ Location (i.e. - bus, classroom): _____

Address (if different than school): _____ County: _____

Witness Contact Information: _____

Police Notified: Yes ___ No ___ Police Department: _____

Police Contact: _____ Phone: _____ Case No.: _____

Alleged Maltreatment: Physical Abuse ___ Sexual Abuse ___ Neglect ___ Unknown ___ **Injury:** Yes ___ No ___ Unknown ___

Description of Incident and Injury: (please attach additional page if needed).

Adopted: _____

MSBA/MASA Model Policy 419

Orig. 1995

Revised: _____

Rev. ~~2017~~ 2019

419 TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES

[Note: School districts are not required by statute to have a policy addressing these issues. However, Minn. Stat. § 144.416 requires that entities that control public places must make reasonable efforts to prevent smoking in public places, including the posting of signs or any other means which may be appropriate.]

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 carries or uses an activated electronic cigarette delivery device 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 devices, or electronic cigarette delivery devices 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.

[Note: The following language is not required by law but is recommended by MSBA for inclusion in 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, tobacco-related devices, or electronic e-cigarettes delivery devices. The school district will not promote or allow promotion of tobacco products or e-cigarettes electronic delivery devices on school property or at school-sponsored events.

III. TOBACCO AND TOBACCO-RELATED DEVICES DEFINED

- A. ~~“Electronic e-cigarette delivery device” means any oral device that provides a vapor of liquid nicotine, lobelia, and/or other similar substance intended for human consumption, 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~~ means any product containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of vapor from the product. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device does not include any product that has been approved or certified 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 marketed and sold for such an approved purpose.
- 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, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco.
- C. “Tobacco-related devices” means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- D. “Smoking” means inhaling, ~~or~~ exhaling, smoke from burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated ~~tobacco or plant~~ product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking ~~also~~ includes carrying or using an activated electronic delivery device, a lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product intended for inhalation and the use of electronic cigarettes, including the inhaling and exhaling of vapor from any electronic delivery device.

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. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off-campus events sponsored by the school district.

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

Adopted: _____

MSBA/MASA Model Policy 421

Orig. 1995

Revised: _____

Rev. ~~2017~~ 2019

421 GIFTS TO EMPLOYEES AND SCHOOL BOARD MEMBERS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The school district recognizes that students, parents, and others may wish to show appreciation to school district employees. The policy of the school district, however, is to discourage gift-giving to employees and to encourage donors instead to write letters and notes of appreciation or to give small tokens of gratitude as memorabilia.
- B. A violation of this policy occurs when any employee solicits, accepts, or receives, either by direct or indirect means, a gift from a student, parent, or other individual or organization of greater than nominal value.
- C. A violation of this policy occurs when any employee solicits, accepts, or receives a gift from a person or entity doing business with or seeking to do business with the school district. Employees may accept items of insignificant value of a promotional or public relations nature or a plaque with a resale value of \$5 or less with an inscription recognizing an individual for an accomplishment. The 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.
- F. An elected or appointed member of a school board, a school superintendent, a school principal, or a district school officer, including the school business official, may not accept a gift from an interested person.

III. DEFINITIONS

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

IV. PROCEDURES

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

V. VIOLATIONS

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

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

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

Adopted: _____

MSBA/MASA Model Policy 510

Orig. 1995

Revised: _____

Rev. ~~2000~~ 2019

510 SCHOOL ACTIVITIES

I. PURPOSE

The purpose of this policy is to impart to students, employees, and the community the school district's policy related to the student activity program.

II. GENERAL STATEMENT OF POLICY

School activities provide additional opportunities for students to pursue special interests that contribute to their physical, mental, and emotional well-being. They are of secondary importance in relationship to the formal instructional program; however, they complement the instructional program in providing students with additional opportunities for growth and development.

III. RESPONSIBILITY

- A. The school board expects all students who participate in school-sponsored activities to represent the school and community in a responsible manner. All rules pertaining to student conduct and student discipline extend to school activities.
- B. The school board expects all spectators at school sponsored activities, including parents, employees, and other members of the public, to behave in an appropriate manner at those activities. Students and employees may be subject to discipline and parents and other spectators may be subject to sanctions for engaging in misbehavior or inappropriate, illegal, or unsportsmanlike behavior at these activities or events.
- C. The superintendent shall be responsible for disseminating information needed to inform students, parents, staff, and the community of the opportunities available within the school activity program and the rules of participation.
- D. Those students who participate in Minnesota State High School League (MSHSL) activities must also abide by the league rules. Those employees who conduct MSHSL activities shall be responsible for familiarizing students and parents with all applicable rules, penalties, and opportunities.
- E. The superintendent shall be responsible for conducting an annual evaluation of school activity programs and presenting the results and any recommendations to the school board.

F. The school board will ensure that any funds raised for extracurricular activities will be spent only on extracurricular activities.

Legal References: Minn. Stat. § 123B.49 (Extracurricular Activities; Insurance)

Cross References: MSBA/MASA Model Policy 503 (Student Attendance)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 713 (Student Activity Accounting)
~~MSBA Service Manual, Chapter 5, Various Educational Programs~~

Adopted: _____

MSBA/MASA Model Policy 516

Orig. 1995

Revised: _____

Rev. ~~2015~~ 2019

516 STUDENT MEDICATION

[Note: The necessary provisions for complying with Minn. Stat. §§ 121A.22, Administration of Drugs and Medicine, 121A.221, Possession and Use of Asthma Inhalers by Asthmatic Students, and 121A.222, Possession and Use of Nonprescription Pain Relievers by Secondary Students are included in this policy. The statutes do not regulate administration of drugs and medicine for students age 18 and over or other nonprescription medications. Please note that §121A.22 does not require school districts to apply the administration of medication rule to drugs or medicine used off school grounds, drugs or medicines used in connection with athletics or extra-curricular activities, and drugs and medicines that are used in connection with activities that occur before or after the regular school day.]

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

The school district acknowledges that some students may require prescribed drugs or medication during the school day. The school district's licensed school nurse, trained health clerk, principal, or teacher will administer prescribed medications, except any form of medical cannabis, in accordance with law and school district procedures.

III. REQUIREMENTS

- A. The administration of prescription medication or drugs at school requires a completed signed request from the student's parent. An oral request must be reduced to writing within two school days, provided that the school district may rely on an oral request until a written request is received.
- B. An "Administering Prescription Medications" form must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs. Prescription medication as used in this policy does not include any form of medical cannabis as defined in Minn. Stat. § 152.22, Subd. 6.
- C. Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with law, and must be administered in a manner consistent with the instructions on the label.
- D. The school nurse may request to receive further information about the prescription, if needed, prior to administration of the substance.

- E. Prescription medications are not to be carried by the student, but will be left with the appropriate school district personnel. Exceptions to this requirement are: prescription asthma medications self-administered with an inhaler (See Part J.5. below), and medications administered as noted in a written agreement between the school district and the parent or as specified in an IEP (individualized education program), Section 504 plan, or IHP (individual health plan).
- F. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student's prescription medication administration. A new medical authorization or container label with new pharmacy instructions shall be required immediately as well.
- G. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.
- H. The school nurse, or other designated person, shall be responsible for the filing of the Administering Prescription Medications form in the health records section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.
- I. Procedures for administration of drugs and medicine at school and school activities shall be developed in consultation with a school nurse, a licensed school nurse, or a public or private health organization or other appropriate party (if appropriately contracted by the school district under Minn. Stat. § 121A.21). The school district administration shall submit these procedures and any additional guidelines and procedures necessary to implement this policy to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy.
- J. Specific Exceptions:
 - 1. Special health treatments and health functions such as catheterization, tracheostomy suctioning, and gastrostomy feedings do not constitute administration of drugs and medicine;
 - 2. Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy;
 - 3. 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;
 - 4. Drugs or medicines used at school in connection with services for which a minor may give effective consent are not governed by this policy;
 - 5. Drugs or medicines that are prescription asthma or reactive airway disease

medications can be self-administered by a student with an asthma inhaler if:

- a. the school district has received a written authorization from the pupil's parent permitting the student to self-administer the medication;
- b. the inhaler is properly labeled for that student; and
- c. the parent has not requested school personnel to administer the medication to the student.

The parent must submit written authorization for the student to self-administer the medication each school year. In a school that does not have a school nurse or school nursing services, the student's parent or guardian must submit written verification from the prescribing professional which documents that an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.

If the school district employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers;

6. Medications:

- a. that are used off school grounds;
- b. that are used in connection with athletics or extracurricular activities; or
- c. that are used in connection with activities that occur before or after the regular school day

are not governed by this policy.

[Note: The provisions of paragraph 6 are optional and the school board may choose to include or exclude any of the provisions specified.]

7. Nonprescription Medication. A secondary student may possess and use nonprescription pain relief in a manner consistent with the labeling, if the school district has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The school district may

revoke a student's privilege to possess and use nonprescription pain relievers if the school district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients. Except as stated in this paragraph, only prescription medications are governed by this policy.

[Note: School districts should consult with licensed medical and nursing personnel to address whether nonprescription medications will be allowed at elementary schools and whether and under what conditions school personnel will participate in storing or administering nonprescription medications.]

8. At the start of each school year or at the time a student enrolls in school, whichever is first, a student's parent, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an individualized written health plan for a student who is prescribed epinephrine auto-injectors that enables the student to:
 - a. possess epinephrine auto-injectors; or
 - b. if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to epinephrine auto-injectors in close proximity to the student at all times during the instructional day.

The plan must designate the school staff responsible for implementing the student's health plan, including recognizing anaphylaxis and administering epinephrine auto-injectors when required, consistent with state law. This health plan may be included in a student's § 504 plan.

9. A student may possess and apply a topical sunscreen product during the school day while on school property or at a school-sponsored event without a prescription, physician's note, or other documentation from a licensed health care professional. School personnel are not required to provide sunscreen or assist students in applying sunscreen.

- K. "Parent" for students 18 years old or older is the student.
- L. Districts and schools may obtain and possess epinephrine auto-injectors to be maintained and administered by school personnel 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 this section is not the practice of medicine.

A district or school 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 a school's supply of epinephrine auto-injectors.

- 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 Epinephrine Auto-Injectors; Model Policy)
Minn. Stat. § 121A.2207 (Life-Threatening Allergies in Schools; Stock Supply of Epinephrine Auto-Injectors)
[Minn. Stat. § 121A.223 \(Possession and Use of Sunscreen\)](#)
Minn. Stat. § 151.212 (Label of Prescription Drug Containers)
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
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:*** MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)

Adopted: _____

MSBA/MASA Model Policy 524

Orig. 1996

Revised: _____

Rev. 2014 2019

524 INTERNET ACCEPTABLE USE AND SAFETY POLICY

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

I. PURPOSE

The purpose of this policy is to set forth policies and guidelines for access to the school district computer system and acceptable and safe use of the Internet, including electronic communications.

II. GENERAL STATEMENT OF POLICY

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

III. LIMITED EDUCATIONAL PURPOSE

The school district is providing students and employees with access to the school district computer system, which includes Internet access. The purpose of the system is more specific than providing students and employees with general access to the Internet. The school district system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the school district and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network.

IV. USE OF SYSTEM IS A PRIVILEGE

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

employment; or civil or criminal liability under other applicable laws.

V. UNACCEPTABLE USES

- A. The following uses of the school district system and Internet resources or accounts are considered unacceptable:
1. Users will not use the school district system to access, review, upload, download, store, print, post, receive, transmit, or distribute:
 - a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
 - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
 - d. information or materials that could cause damage or danger of disruption to the educational process;
 - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
 2. Users will not use the school district system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
 3. Users will not use the school district system to engage in any illegal act or violate any local, state, or federal statute or law.
 4. Users will not use the school district system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
 5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.
 6. Users will not use the school district system to post private information

about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message. *[Note: School districts should consider the impact of this paragraph on present practices and procedures, including, but not limited to, practices pertaining to employee communications, school or classroom websites, and student/employee use of social networking websites. Depending upon school district policies and practices, school districts may wish to add one or more of the following clarifying paragraphs.]*

- a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
- b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
 - (1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or
 - (2) such information is not classified by the school district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

In addition, prior to posting any personal contact or personally identifiable information on a school-related webpage, employees shall obtain written approval of the content of the postings from the building administrator.

- c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or

another individual on social networks, including, but not limited to, social networks such as ~~“MySpace” and “Facebook.”~~ “Twitter,” “Instagram,” “Snapchat,” and “Reddit,” and similar websites or applications.

7. Users must keep all account information and passwords on file with the designated school district official. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person’s account, or use computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities.
 8. Users will not use the school district system to violate copyright laws or usage licensing agreements, or otherwise to use another person’s property without the person’s prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.
 9. Users will not use the school district system for conducting business, for unauthorized commercial purposes, or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district official.
 10. Users will not use the school district system to engage in bullying or cyberbullying in violation of the school district’s Bullying Prohibition Policy (MSBA/MASA Model Policy 514). This prohibition includes using any technology or other electronic communication off school premises to the extent that student learning or the school environment is substantially and materially disrupted.
- B. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations include, but are not limited to, situations where the school district system is compromised or if a school district employee or student is negatively impacted. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.

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

VI. FILTER

[Note: Pursuant to state law, school districts are required to restrict access to inappropriate materials on school computers with Internet access. School districts which seek technology revenue pursuant to Minn. Stat. § 125B.26 or certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children's Internet Protection Act, effective in 2001. Those districts are required to comply with additional standards in restricting possible access to inappropriate materials. Therefore, school districts should select one of the following alternative sections depending upon whether the school district is seeking such funding and the type of funding sought.]

ALTERNATIVE NO. 1

For a school district which does not seek either state or federal funding in connection with its computer system, the following language should be adopted. It reflects a mandatory requirement under state law, Minn. Stat. § 125B.15.

All computers equipped with Internet access and available for student use at each school site will be equipped to restrict, by use of available software filtering technology or other effective methods, all student access to materials that are reasonably believed to be obscene, child pornography or harmful to minors under state or federal law. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

[Note: The purchase of filtering technology is not required by state law if the school site would incur more than incidental expense in making the purchase. In the absence of filtering technology, school sites still are required to use "other effective methods" to restrict student access to such materials.]

ALTERNATIVE NO. 2

Technology revenue is available to school districts that meet the additional condition of also restricting adult access to inappropriate materials. School districts that seek such state technology revenue may adopt or retain the following language. However, the school district is not required to do so.

- A. All school district computers with Internet access and available for student use will be equipped to restrict, by use of available software filtering technology or other effective methods, all student access to materials that are reasonably believed to be obscene, child pornography or harmful to minors under state or federal law.
- B. All school district computers with Internet access, not just those accessible and available to students, will be equipped to restrict, by use of available software filtering technology or other effective methods, adult access to materials that are reasonably believed to be obscene or child pornography under state or federal law.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

ALTERNATIVE NO. 3

School districts which receive certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children’s Internet Protection Act, effective in 2001. This law requires school districts to adopt an Internet safety policy which contains the provisions set forth below. Also, the Act requires such school districts to provide reasonable notice and hold at least one public hearing or meeting to address the proposed Internet safety policy prior to its implementation. School districts that do not seek such federal financial assistance need not adopt the alternative language set forth below nor meet the requirements with respect to a public meeting to review the policy. The following alternative language for school districts that seek such federal financial assistance satisfies both state and federal law requirements.

- A. With respect to any of its computers with Internet access, the school district will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:
 - 1. Obscene;
 - 2. Child pornography; or
 - 3. Harmful to minors.
- B. The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:
 - 1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
 - 2. Depicts, describes, or represents, in a patently offensive way with respect

to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and

3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.
- D. An administrator, supervisor, or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.
- E. The school district will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

[Note: Although school districts are not required to adopt the more restrictive provisions contained in either Alternative No. 2 or No. 3 if they do not seek state or federal funding, they may choose to adopt the more restrictive provisions as a matter of school policy.]

VII. CONSISTENCY WITH OTHER SCHOOL POLICIES

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

VIII. LIMITED EXPECTATION OF PRIVACY

- A. By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school district system.
- B. Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.
- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.
- D. Parents have the right at any time to investigate or review the contents of their child's files and e-mail files. Parents have the right to request the termination of their child's individual account at any time.
- E. School district employees should be aware that the school district retains the right at any time to investigate or review the contents of their files and e-mail files. In

addition, school district employees should be aware that data and other materials in files maintained on the school district system may be subject to review, disclosure or discovery under Minn. Stat. Ch. 13 (the Minnesota Government Data Practices Act).

- F. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

IX. INTERNET USE AGREEMENT

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

X. LIMITATION ON SCHOOL DISTRICT LIABILITY

Use of the school district system is at the user's own risk. The system is provided on an "as is, as available" basis. The school district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage, or unavailability of data stored on school district diskettes, tapes, hard drives, or servers, or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. The school district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school district system. The school district will not be responsible for financial obligations arising through unauthorized use of the school district system or the Internet.

XI. USER NOTIFICATION

- A. All users shall be notified of the school district policies relating to Internet use.
- B. This notification shall include the following:
 - 1. Notification that Internet use is subject to compliance with school district policies.
 - 2. Disclaimers limiting the school district's liability relative to:

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

XII. PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE

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

resources/accounts to access the Internet and that the school district will provide parents the option to request alternative activities not requiring Internet access. This notification should include:

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

XIII. IMPLEMENTATION; POLICY REVIEW

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

Legal References: 15 U.S.C. § 6501 *et seq.* (Children's Online Privacy Protection Act)
17 U.S.C. § 101 *et seq.* (Copyrights)
47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))
47 C.F.R. § 54.520 (FCC rules implementing CIPA)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 125B.15 (Internet Access for Students)
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
United States v. Amer. Library Assoc., 539 U.S. 194, 123 S.Ct. 2297, 56 L.Ed.2d 221 (2003)

Doninger v. Niehoff, 527 F.3d 41 (2nd Cir. 2008)
R.S. v. Minnewaska Area Sch. Dist. No. 2149, No. 12-588, 2012 WL 3870868 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), *aff'd* on other grounds 816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee's Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)
Kowalski v. Berkeley County Sch., 652 F.3d 656 565 (4th Cir. 2011)
Layshock v. Hermitage Sch. Dist., 650 F.3d 205 (3rd Cir. 2011)
Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)
~~*J.S. v. Bethlehem Area Sch. Dist.*, 807 A.2d 847 (Pa. 2002)~~

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)
MSBA/MASA Model Policy 603 (Curriculum Development)
MSBA/MASA Model Policy 604 (Instructional Curriculum)
MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)
MSBA/MASA Model Policy 806 (Crisis Management Policy)
MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)

Adopted: _____

MSBA/MASA Model Policy 534

Orig. 2017

Revised: _____

Rev. 2019

534 UNPAID MEAL CHARGES

[Note: United States Department of Agriculture (USDA) Policy Memorandum SP 46-2016 requires all School Food Authorities (i.e., school districts) operating federal school meal programs to have a written and clearly communicated system to address unpaid meal charges by July 1, 2017. USDA Policy Memorandum SP 23-2017 clarified that school districts could adopt a “policy” or “standard practice.” Although this document is styled as a “policy,” school districts may establish and implement a set of written procedures instead of a policy, provided that the written document explains how the school district will handle situations where students eligible to receive reduced-price or paid meals do not have money in their account or in hand to cover the cost of their meals at the time of service. The policy or standard practice must be implemented throughout the school district.]

[Note: This MSBA/MASA model policy is drafted to be consistent for all grade levels. However, local school districts may vary the meal charge policy for elementary, middle, and high schools.]

[Note: School districts must follow appropriate debt collection practices when attempting to recover unpaid meal charges.]

I. PURPOSE

The purpose of this policy is to ensure that students receive healthy and nutritious meals through the school district’s nutrition program and that school district employees, families, and students have a shared understanding of expectations regarding meal charges. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day and minimize identification of students with insufficient funds to pay for school meals as well as to maintain the financial integrity of the school nutrition program.

II. PAYMENT OF MEALS

[Note: Payment systems and procedures will likely vary from school district to school district. The school district should select one of the following options and delete the remaining options.]

- A. [OPTION 1: All meal purchases are to be prepaid before meal service begins. [Insert description for how families may add money to students’ accounts (e.g., electronic payment options, pay at the school office, etc.).] A student who does not have sufficient funds will not be allowed to charge meals or a la carte items until additional money is deposited in the student’s account.]

[OPTION 2: *Students have use of a meal account. When the balance reaches zero, a student may charge no more than \$[insert amount] or [insert number of meals] to this account. When an account reaches this limit, a student shall not be allowed to charge further meals or a la carte items until the negative account balance is paid. [Insert description for how families may add money to students' accounts (e.g., electronic payment options, pay at the school office, etc.).]*

[OPTION 3: *Insert a school district-specific process for payment of meals.*]

- B. If the school district receives school lunch aid under Minn. Stat. § 124D.111, it must make lunch available without charge to all participating students who qualify for free or reduced-price meals regardless of account balance.
- C. A student with an outstanding meal charge debt will be allowed to purchase a meal if the student pays for the meal when it is received.
- D. The school district may provide an alternate meal that meets federal and state requirements to a student who does not have sufficient funds in the student's account or cannot pay cash for a meal. The school district will accommodate special dietary needs with respect to alternate meals. The cost of the alternative meal (*\$[insert amount]*) will be charged to the student's account or otherwise charged to the student.
- E. When a student has a negative account balance, the student will not be allowed to charge a snack item.
- F. If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.

III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION

- A. The school district will make reasonable efforts to notify families when meal account balances are low or fall below zero.
- B. Families will be notified of an outstanding negative balance once the negative balance reaches *\$[insert amount] or [insert number of meals]*. Families will be notified by *[insert the method used to notify families (e.g., automated calling system, email, letters sent home)]*.
- C. Reminders for payment of outstanding student meal balances will not demean or stigmatize any student participating in the school lunch program.

IV. UNPAID MEAL CHARGES

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free and reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$[insert amount], not paid prior to [enter time period (e.g., end of the month, end of the semester, end of the school year)], will be turned over to the superintendent or superintendent's designee for collection. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- E. The school district may not deny any student the opportunity to participate in graduation ceremonies or other commencement activities due to unpaid meal charges.

V. COMMUNICATION OF POLICY

- A. This policy and any pertinent supporting information shall be provided in writing (i.e., mail, email, back-to-school packet, student handbook, etc.) to:
 - 1. all households at or before the start of each school year;
 - 2. students and families who transfer into the school district, at the time of enrollment; and
 - 3. all school district personnel who are responsible for enforcing this policy.
- B. The school district may post the policy on the school district's website, in addition to providing the required written notification described above.

Legal References: Minn. Stat. § 124D.111, Subd. 4
42 U.S.C. § 1751 *et seq.* (Healthy and Hunger-Free Kids Act)
7 C.F.R. § 210 *et seq.* (School Lunch Program Regulations)
7 C.F.R. § 220.8 (School Breakfast Program Regulations)
USDA Policy Memorandum SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies (2016)
USDA Policy Memorandum SP 47-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments (2016)

USDA Policy Memorandum SP 23-2017, Unpaid Meal Charges:
Guidance and Q&A
[Minn. Op. Atty. Gen. 169j \(May 14, 2019\) \(Letter to Ricker\)](#)

Adopted: _____

MSBA/MASA Model Policy 613

Orig. 1997

Revised: _____

Rev. ~~2017~~ 2019

613 GRADUATION REQUIREMENTS

[Note: The requirements set forth in this policy govern the graduation standards that Minnesota public schools must require for a high school diploma for all students.]

I. PURPOSE

The purpose of this policy is to set forth requirements for graduation from the school district.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is that all students entering grade 8 in the 2012-2013 school year and later must demonstrate, as determined by the school district, their satisfactory completion of the credit requirements and their understanding of academic standards. The school district must adopt graduation requirements that meet or exceed state graduation requirements established in law or rule.

III. DEFINITIONS

- A. “Academic standard” means: (1) a statewide adopted expectation for student learning in the content areas of language arts, mathematics, science, social studies, physical education, or the arts, or (2) a locally adopted expectation for student learning in health, the arts, career and technical education, or world languages.
- B. “Credit” means a student’s successful completion of an academic year of study or a student’s mastery of the applicable subject matter, as determined by the school district.
- C. “Section 504 Accommodation” means the defined appropriate accommodations or modifications that must be made in the school environment to address the needs of an individual student with disabilities.
- D. “Individualized Education Program” or “IEP” means a written statement developed for a student eligible by law for special education and services.
- E. “English language learners” or “ELL” student means an individual whose first language is not English and whose test performance may be negatively impacted by lack of English language proficiency.

~~F. “GRAD” means the graduation required assessment for diploma that measures the reading, writing, and mathematics proficiency of high school students.~~

IV. DISTRICT ASSESSMENT COORDINATOR

(Position Title) shall be named the District Assessment Coordinator. Said person shall be in charge of all test procedures and shall bring recommendations to the school board annually for approval.

V. GRADUATION ASSESSMENT REQUIREMENTS

For students enrolled in grade 8 in the 2012-2013 school year and later, students' state graduation requirements, based on a longitudinal, systematic approach to student education and career planning, assessment, instructional support, and evaluation, include the following:

~~A. encouragement to participate on a nationally normed college entrance exam in grade 11 or grade 12;~~

~~B A. a~~Achievement and career and college readiness ~~tests~~ in mathematics, reading, and writing, as measured against. ~~The tests must have~~ a continuum of empirically derived, clearly defined benchmarks focused on students' attainment of knowledge and skills so that students, their parents, and teachers know how well students must perform to have a reasonable chance to succeed in a career or college without the need for postsecondary remediation. ~~In addition, the tests must ensure that the foundational knowledge and skills for students' successful performance in postsecondary employment or education and articulated series of possible targeted interventions are clearly identified and satisfy Minnesota's postsecondary admission requirements. To the extent available, the tests should:~~ and which facilitates the

~~1. monitoring of~~ students' continuous development of and growth in requisite knowledge and skills; analyze analysis of students' progress and performance levels, identifying identification of students' academic strengths and diagnosing diagnosis of areas where students require curriculum or instructional adjustments, targeted interventions, or remediation; and

~~2. based on analysis of students' progress and performance data, determine~~ determination of students' learning and instructional needs and the instructional tools and best practices that support academic rigor for the student based on analysis of students' progress and performance data; and

~~C B. c~~Consistent with this paragraph and Minn. Stat. § 120B.125 (*see Policy 604, Section II.H.*), age-appropriate exploration and planning activities and career assessments to encourage students to identify personally relevant career interests and aptitudes and help students and their families develop a regularly reexamined transition plan for postsecondary education or employment without need for postsecondary remediation.

- ~~D~~ C. Based on appropriate state guidelines, students with an IEP may satisfy state graduation requirements by achieving an individual score on the state-identified alternative assessments.
- ~~E~~ D. Students meeting the state graduation requirements under this section must receive targeted, relevant, academically rigorous, and resourced instruction which may include a targeted instruction and intervention plan focused on improving the student's knowledge and skills in core subjects so that the student has a reasonable chance to succeed in a career or college without need for postsecondary remediation.
- ~~F~~ E. Students meeting the state graduation requirements under this section and who are students in grade 11 or 12 and who are identified as academically ready for a career or college ~~must be~~ are actively encouraged by the school district to participate in courses and programs awarding college credit to high school students. Students are not required to achieve a specified score or level of proficiency on an assessment ~~under this subdivision~~ to graduate from high school.
- ~~G~~ F. A student's progress toward career and college readiness must be recorded on the student's high school transcript.

VI. GRADUATION CREDIT REQUIREMENTS

Students beginning 8th grade in the 2012-2013 school year and later must successfully complete, as determined by the school district, the following high school level credits for graduation:

- A. Four credits of language arts sufficient to satisfy all academic standards in English language arts;
- B. Three credits of mathematics, including an algebra II credit or its equivalent; ~~geometry, statistics and probability, or its equivalent~~, sufficient to satisfy all of the academic standards in mathematics;
- C. ~~Students in the graduation class of 2015 and beyond must complete an~~ An algebra I credit by the end of 8th grade sufficient to satisfy all of the 8th grade standards in mathematics;
- D. Three credits of science, including at least: (a) one credit of biology; (b) one credit of chemistry or physics; and (c) one elective credit of science. The combination of credits must be sufficient to satisfy (i) all of the academic standards in either chemistry or physics and (ii) all other academic standards in science;
- E. Three and one-half credits of social studies, encompassing at least United States history, geography, government and citizenship, world history, and economics sufficient to satisfy all of the academic standards in social studies;

- F. One credit in the arts sufficient to satisfy all of the state or local academic standards in the arts; and
- G. A minimum of seven elective credits.
- H. Credit equivalencies
 - 1. A one-half credit of economics taught in a school's agriculture education or business department may fulfill a one-half credit in social studies under Paragraph E., above, if the credit is sufficient to satisfy all of the academic standards in economics.
 - 2. An agriculture science or career and technical education credit may fulfill the elective science credit required under Paragraph D., above, if the credit meets the state physical science, life science, earth and space science, chemistry, or physics academic standards or a combination of these academic standards as approved by the school district. An agriculture or career and technical education credit may fulfill the credit in chemistry or physics required under Paragraph D., above, if the credit meets the state chemistry or physics academic standards as approved by the school district. A student must satisfy either all of the chemistry or physics academic standards prior to graduation. An agriculture science or career and technical education credit may not fulfill the required biology credit under Paragraph D., above.
 - 3. A career and technical education credit may fulfill a mathematics or arts credit requirement under Paragraph B. or Paragraph F., above.
 - 4. A computer science credit may fulfill a mathematics credit requirement under Paragraph B., above, if the credit meets state academic standards in mathematics.
 - 5. A Project Lead the Way credit may fulfill a mathematics or science credit requirement under Paragraph B. or Paragraph D., above, if the credit meets the state academic standards in mathematics or science.

VII. GRADUATION STANDARDS REQUIREMENTS

- A. All students must demonstrate their understanding of the following academic standards:
 - 1. School District Standards, Health (K-12);
 - 2. School District Standards, Career and Technical Education (K-12); and
 - 3. School District Standards, World Languages (K-12).
- B. Academic standards in health, world languages, and career and technical

education will be reviewed on an annual basis.* A school district must use the current world languages standards developed by the American Council on the Teaching of Foreign Languages.

* Reviews are required to be conducted on a periodic basis. Therefore, this time period may be changed to accommodate individual school district needs.

- C. All students must satisfactorily complete the following required Graduation Standards in accordance with the standards developed by the Minnesota Department of Education (MDE):
 - 1. Minnesota Academic Standards, English Language Arts K-12;
 - 2. Minnesota Academic Standards, Mathematics K-12;
 - 3. Minnesota Academic Standards, Science K-12;
 - 4. Minnesota Academic Standards, Social Studies K-12; and
 - 5. Minnesota Academic Standards, Physical Education K-12.
- D. State standards in the Arts K-12 are available, or school districts may choose to develop their own standards.
- E. The academic standards for language arts, mathematics, and science apply to all students except the very few students with extreme cognitive or physical impairments for whom an IEP team has determined that the required academic standards are inappropriate. An IEP team that makes this determination must establish alternative standards.

VIII. EARLY GRADUATION

Students may be considered for early graduation, as provided for within Minn. Stat. § 120B.07, upon meeting the following conditions:

- A. All course or standards and credit requirements must be met;
- B. The principal or designee shall conduct an interview with the student and parent or guardian, familiarize the parties with opportunities available in post-secondary education, and arrive at a timely decision; and
- C. The principal's decision shall be in writing and may be subject to review by the superintendent and school board.

Legal References: Minn. Stat. § 120B.02 (Educational Expectations for Minnesota's Students)
Minn. Stat. § 120B.018 (Definitions)
Minn. Stat. § 120B.021 (Required Academic Standards)

Minn. Stat. § 120B.023 (Benchmarks)
 Minn. Stat. § 120B.024 (Graduation Requirements; Course Credits)
 Minn. Stat. § 120B.07 (Early Graduation)
 Minn. Stat. § 120B.11 (School District Process)
 Minn. Stat. § 120B.125 (Planning for Students' Successful Transition to Postsecondary Education and Employment; Involuntary Career Tracking Prohibited)
 Minn. Stat. § 120B.30 (Statewide Testing and Reporting System)
 Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)
 Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
 Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)
 Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)
~~Minn. Rules Parts 3501.1000-3501.1190 (Graduation Required Assessment for Diploma) (repealed Minn. L. 2013, Ch. 116, Art. 2, § 22)~~
 Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)
 Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)
 20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

Cross References: MSBA/MASA Model Policy 104 (School District Mission Statement)
 MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)
 MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)
 MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
 MSBA/MASA Model Policy 616 (School District System Accountability)

Adopted: _____

MSBA/MASA Model Policy 703

Orig. 1995

Revised: _____

Rev. ~~2000~~ 2019

703 ANNUAL AUDIT

[Note: The provisions of this policy reflect the applicable statutes and are not discretionary in nature.]

I. PURPOSE

The purpose of this policy is to provide for an annual audit of the books and records of the school district in order to comply with law, to provide a permanent record of the financial position of the school district, and to provide guidance to the school district to correct any errors and discrepancies in its practices.

II. GENERAL STATEMENT OF POLICY

The policy of this school district is to comply with all laws relating to the annual audit of the books and records of the school district.

III. REQUIREMENT

- A. The school board shall appoint independent certified public accountants to audit, examine, and report upon the books and records of the school district. The school board may enter into a contract with a person or firm to provide the agreed upon services.
- B. After the close of each fiscal year, the books, records, and accounts of the school district shall be audited by said independent certified public accountants in accordance with applicable standards and legal requirements. The superintendent and members of the administration shall cooperate with the auditors.
- C. The school district shall, prior to September 15 of each year, submit unaudited financial data for the preceding year to the Commissioner of Education (Commissioner) on forms prescribed by the Commissioner. The report shall also include those items required by Minn. Stat. § 123B.14, Subd. 7.
- D. The school district shall, prior to November 30 of each year, provide to the Commissioner audited financial data for the preceding fiscal year. The school district shall, prior to December 31 of each year, provide to the Commissioner and the State Auditor an audited financial statement in a form that will allow comparison with and correction of material differences in the unaudited data. The audited financial statement must also provide a statement of assurance pertaining to compliance with uniform financial accounting and reporting standards and a copy of the management letter submitted to the school district by its auditor.

- E. The audit must be conducted in compliance with generally accepted governmental auditing standards, the Federal Single Audit Act and the Minnesota Legal Compliance [Audit](#) Guide issued by the Office of the State Auditor.
- F. The school board must approve the audit report by resolution or require a further or amended report.
- G. The administration shall report to the school board regarding any actions necessary to correct any deficiencies or exceptions noted in the audit.
- H. The accounts and records of the school district shall also be subject to audit and inspection by the State Auditor to the extent provided in Minn. Stat. Ch. 6.

Legal References: Minn. Stat. Ch. 6 (State Auditor)
Minn. Stat. § 123B.02 (School District Powers)
Minn. Stat. § 123B.09 (School Board Powers)
Minn. Stat. § 123B.14, Subd. 7 (Duties of School Board Clerk)
Minn.Stat. § 123B.77, Subds. 2 and 3 (Audited Financial Statements;
Statement for Comparison and Correction)

Cross References: MSBA/MASA Model Policy 702 (Accounting)
MSBA Service Manual, Chapter 7, Education Funding

Adopted: _____

MSBA/MASA Model Policy 707

Orig. 1995

Revised: _____

Rev. ~~2015~~ 2017

707 TRANSPORTATION OF PUBLIC SCHOOL STUDENTS

[Note: The obligations stated in this policy are largely governed by statute. Statutory references are included throughout the policy. A school district may choose to add obligations to the model policy.]

I. PURPOSE

The purpose of this policy is to provide for the transportation of students consistent with the requirements of law.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to provide for the transportation of students in a manner which will protect their health, welfare, and safety.
- B. The school district recognizes that transportation is an essential part of the school district services to students and parents but further recognizes that transportation by school bus is a privilege and not a right for an eligible student.

III. DEFINITIONS

- A. “Child with a disability” includes every child identified under federal and state special education law as deaf or hard of hearing, blind or visually impaired, deafblind, or having a speech or language impairment, a physical impairment, other health disability, developmental cognitive disability, an emotional or behavioral disorder, specific learning disability, autism spectrum disorder, traumatic brain injury, or severe multiple impairments, and who needs special education and related services, as determined by the rules of the Commissioner of Education. A licensed physician, an advanced practice nurse, or a licensed psychologist is qualified to make a diagnosis and determination of attention deficit disorder or attention deficit hyperactivity disorder for purposes of identifying a child with a disability. In addition, every child under age three, and at the school district’s discretion from age three to seven, who needs special instruction and services, as determined by the rules of the Commissioner, because the child has a substantial delay or has an identifiable physical or mental condition known to hinder normal development is a child with a disability. A child with a short-term or temporary physical or emotional illness or disability, as determined by the rules of the Commissioner, is not a child with a disability. (Minn. Stat. § 125A.02)
- B. “Home” is the legal residence of the child. In the discretion of the school district, “home” also may be defined as a licensed day care facility, school day care

facility, a respite care facility, the residence of a relative, or the residence of a person chosen by the student's parent or guardian as the home of a student for part or all of the day, if requested by the student's parent or guardian, or an afterschool program for children operated by a political subdivision of the state, if the facility, residence, or program is within the attendance area of the school the student attends. Unless otherwise specifically provided by law, a homeless student is a resident of the school district if enrolled in the school district. (Minn. Stat. § 123B.92, Subd. 1(b)(1); Minn. Stat. § 127A.47, Subd. 2)

- C. "Homeless student" means a student, including a migratory student, who lacks a fixed, regular, and adequate nighttime residence and includes: students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; are awaiting foster care placement; have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings, and migratory children who qualify as homeless because they are living in any of the preceding listed circumstances. (42 U.S.C. § 11434a)
- D. "Nonpublic school" means any school, church, or religious organization, or home school wherein a resident of Minnesota may legally fulfill the compulsory instruction requirements of Minn. Stat. §120A.22, which is located within the state, and which meets the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d, *et seq.*). (Minn. Stat. §123B.41, Subd. 9)
- E. "Nonresident student" is a student who attends school in the school district and resides in another district, defined as the "nonresident district." In those instances when the divorced or legally separated parents or parents residing separately share joint physical custody of a student and the parents reside in different school districts, the student shall be a resident of the school district designated by the student's parents. When parental rights have been terminated by court order, the legal residence of a student placed in a residential or foster facility for care and treatment is the district in which the student resides. (Minn. Stat. § 123B.88, Subd. 6; Minn. Stat. § 125A.51; Minn. Stat. § 127A.47, Subd. 3)
- F. "Pupil support services" are health, counseling, and guidance services provided by the public school in the same district where the nonpublic school is located. (Minn. Stat. § 123B.41, Subd. 4)
- G. "School of origin," for purposes of determining the residence of a homeless student, is the school that the student attended when permanently housed or the school in which the student was last enrolled. (42 U.S.C. § 11432(g)(3)(G))
- H. "Shared time basis" is a program where students attend public school for part of the regular school day and who otherwise fulfill the requirements of Minn. Stat. §

120A.22 by attendance at a nonpublic school. (Minn. Stat. § 126C.01, Subd. 8)

- I. “Student” means any student or child attending or required to attend any school as provided in Minnesota law and who is a resident or child of a resident of Minnesota. (Minn. Stat. § 123B.41, Subd. 11)

IV. ELIGIBILITY

- A. Upon the request of a parent or guardian, the school district shall provide transportation to and from school, at the expense of the school district, for all resident students who reside two miles or more from the school, except for those students whose transportation privileges have been revoked or have been voluntarily surrendered by the student’s parent or guardian. (Minn. Stat. § 123B.88, Subd. 1)
- B. The school district may, in its discretion, also provide transportation to any student to and from school, at the expense of the school district, for any other purpose deemed appropriate by the school board.

[Note: In this section, school districts may wish to outline those discretionary areas where they intend to provide transportation. For example, some school districts may provide that transportation shall be provided for all resident elementary students who reside one mile or more from the school.]

- C. In the discretion of the school district, transportation along regular school bus routes may also be provided, where space is available, to any person where such use of a bus does not interfere with the transportation of students. The cost of providing such transportation must be paid by those individuals using these services or some third-party payor. Bus transportation also may be provided along school bus routes when space is available for participants in early childhood family education programs and school readiness programs if these services do not result in an increase in the school district’s expenditures for transportation. (Minn. Stat. § 123B.88, Subd. 10, 11, 12, and 13)
- D. For purposes of stabilizing enrollment and reducing mobility, the school district may, in its discretion, establish a full-service school zone and may provide transportation for students attending a school in that full-service school zone. A full-service school zone may be established for a school that is located in an area with higher than average crime or other social and economic challenges and that provides education, health or human services, or other parental support in collaboration with a city, county, state, or nonprofit agency.

V. TRANSPORTATION OF NONRESIDENT STUDENTS

- A. If requested by the parent of a nonresident student, the school district shall provide transportation to a nonresident student within its borders at the same level of service that is provided to resident students. (Minn. Stat. § 124D.04, Subd. 7; Minn. Stat. § 123B.92, Subd. 3)

- B. If the school district decides to transport a nonresident student within the student's resident district, the school district will notify the student's resident district of its decision, in writing, prior to providing transportation. (Minn. Stat. § 123B.88, Subd. 6)
- C. When divorced or legally separated parents or parents residing separately reside in different school districts and share physical custody of a student, the parents shall be responsible for the transportation of the student to the border of the school district during those times when the student is residing with the parent in the nonresident school district. (Minn. Stat. § 127A.47, Subd. 3(b))
- D. The school district may provide transportation to allow a student who attends a high-need English language learner program and who resides within the transportation attendance area of the program to continue in the program until the student completes the highest grade level offered by the program. (Minn. Stat. § 123B.92, Subd. 3(b))

VI. TRANSPORTATION OF RESIDENT STUDENTS TO NONDISTRICT SCHOOLS

- A. In general, the school district shall not provide transportation between a resident student's home and the border of a nonresident district where the student attends school under the Enrollment Options Program. A parent may be reimbursed by the nonresident district for the costs of transportation from the pupil's residence to the border of the nonresident district if the student is from a family whose income is at or below the poverty level, as determined by the federal government. The reimbursement may not exceed the pupil's actual cost of transportation or 15 cents per mile traveled, whichever is less. Reimbursement may not be paid for more than 250 miles per week. (Minn. Stat. § 124D.03, Subd. 8)
- B. Resident students shall be eligible for transportation to and from a nonresident school district at the expense of the school district, if in the discretion of the school district, inadequate room, distance to school, unfavorable road conditions, or other facts or conditions make attendance in the resident student's own district unreasonably difficult or impracticable. The school district, in its discretion, may also provide for transportation of resident students to schools in other districts for grades and departments not maintained in the district, including high school, for the whole or a part of the year or for resident students who attend school in a building rented or leased by the school district in an adjacent district. (Minn. Stat. § 123B.88, Subds. 1 and 4)
- C. In general, the school district is not responsible for transportation for any resident student attending school in an adjoining state under a reciprocity agreement but may provide such transportation services at its discretion. (Minn. Stat. § 124D.041)

VII. SPECIAL EDUCATION STUDENTS/STUDENTS WITH A DISABILITY/ STUDENTS WITH TEMPORARY DISABILITIES

- A. Upon a request of a parent or guardian, the board must provide necessary transportation, consistent with Minn. Stat. § 123B.92, Subd. 1(b)(4), for a resident child with a disability not yet enrolled in kindergarten for the provision of special instruction and services. Special instruction and services for a child with a disability not yet enrolled in kindergarten include an individualized education program (IEP) team placement in an early childhood program when that placement is necessary to address the child's level of functioning and needs. (Minn. Stat. § 123B.88, Subd. 1)
- B. Resident students with a disability whose handicapped conditions are such that the student cannot be safely transported on the regular school bus and/or school bus route and/or when the student is transported on a special route for the purpose of attending an approved special education program shall be entitled to special transportation at the expense of the school district or the day training and habilitation program attended by the student. The school district shall determine the type of vehicle used to transport students with a disability on the basis of the handicapping condition and applicable laws. This provision shall not be applicable to parents who transport their own child under a contract with the school district. (Minn. Stat. § 123B.88, Subd. 19; Minn. Rules Part 7470.1600)
- C. Resident students with a disability who are boarded and lodged at Minnesota state academies for educational purposes, but who also are enrolled in a public school within the school district, shall be provided transportation, by the school district to and from said board and lodging facilities, at the expense of the school district. (Minn. Stat. § 125A.65)
- D. If a resident student with a disability attends a public school located in a contiguous school district and the school district of attendance does not provide special instruction and services, the school district shall provide necessary transportation for the student between the school district boundary and the educational facility where special instruction and services are provided within the school district. The school district may provide necessary transportation of the student between its boundary and the school attended in the contiguous district, but shall not pay the cost of transportation provided outside the school district boundary. (Minn. Stat. § 125A.12)
- E. When a student with a disability or a student with a short-term or temporary disability is temporarily placed for care and treatment in a day program located in another school district and the student continues to live within the school district during the care and treatment, the school district shall provide the transportation, at the expense of the school district, to that student. The school district may establish reasonable restrictions on transportation, except if a Minnesota court or agency orders the child placed at a day care and treatment program and the school district receives a copy of the order, then the school district must provide transportation to and from the program unless the court or agency orders

otherwise. Transportation shall only be provided by the school district during regular operating hours of the school district. (Minn. Stat. § 125A.15(b); Minn. Stat. § 125A.51(d))

- F. When a nonresident student with a disability or a student with a short-term or temporary disability is temporarily placed in a residential program within the school district, including correctional facilities operated on a fee-for-service basis and state institutions, for care and treatment, the school district shall provide the necessary transportation at the expense of the school district. Where a joint powers entity enters into a contract with a privately owned and operated residential facility for the provision of education programs for special education students, the joint powers entity shall provide the necessary transportation. (Minn. Stat. § 125A.15(c) and (d); Minn. Stat. § 125A.51(e))
- G. Each driver and aide assigned to a vehicle transporting students with a disability will be provided with appropriate training for the students in their care, will assist students with their safe ingress and egress from the bus, will ensure the proper use of protective safety devices, and will be provided with access to emergency health care information as required by law. (Minn. Rules Part 7470.1700)
- H. Any parent of a student with a disability who believes that the transportation services provided for that child are not in compliance with the applicable law may utilize the alternative dispute resolution and due process procedures provided for in Minn. Stat. Ch. 125A. (Minn. Rules Part 7470.1600, Subd. 2)

VIII. HOMELESS STUDENTS

- A. Homeless students shall be provided with transportation services comparable to other students in the school district. (42 U.S.C. § 11432(e)(3)(C)(i)(III)(cc) and (g)(4)(A))
- B. Upon request by the student's parent, guardian, or homeless education liaison, the school district shall provide transportation for a homeless student as follows:
 - 1. A resident student who becomes homeless and is residing in a public or private shelter location or has other non-shelter living arrangements within the school district shall be provided transportation to and from the student's school of origin and the shelter or other non-shelter location ~~if the shelter or non-shelter location is two or more miles from the school of origin and the student's transportation privileges have not been revoked on the same basis as transportation services are provided to other students in the school district.~~ (42 U.S.C. § 11432(g)(1)(J)(iii)(I))
 - 2. A resident student who becomes homeless and is residing in a public or private shelter location or has other non-shelter living arrangements outside of the school district shall be provided transportation to and from the student's school of origin and the shelter or other non-shelter location ~~if the shelter or non-shelter location is two or more miles from the school~~

~~of origin and the student's transportation privileges have not been revoked on the same basis as transportation services are provided to other students in the school district~~, unless the school district and the school district in which the student is temporarily placed agree that the school district in which the student is temporarily placed shall provide transportation. (Minn. Stat. § 125A.51(f); 42 U.S.C. § 11432(g)(1)(J)(iii)(II))

3. If a nonresident student is homeless and is residing in a public or private homeless shelter or has other non-shelter living arrangements within the school district, the school district may provide transportation services between the shelter or non-shelter location and the student's school of origin outside of the school district upon agreement with the school district in which the school of origin is located. (Minn. Stat. § 125A.51(f))
4. A homeless nonresident student enrolled under Minn. Stat. § 124D.08, Subd. 2a, must be provided transportation from the student's district of residence to and from the school of enrollment. (Minn. Stat. § 123B.92, Subd. 3(c)).

IX. AVAILABILITY OF SERVICES

Transportation shall be provided on all regularly scheduled school days or make-up days. Transportation will not be provided during the summer school break. Transportation may be provided for summer instructional programs for students with a disability or in conjunction with a learning year program. Transportation between home and school may also be provided, in the discretion of the school district, on staff development days. (Minn. Stat. § 123B.88, Subd. 21)

X. MANNER OF TRANSPORTATION

The scheduling of routes, establishment of the location of bus stops, manner and method of transportation, control and discipline of school children, the determination of fees, and any other matter relating thereto shall be within the sole discretion, control and management of the school board. The school district may, in its discretion, provide room and board, in lieu of transportation, to a student who may be more economically and conveniently provided for by that means. (Minn. Stat. § 123B.88, Subd. 1)

XI. RESTRICTIONS

Transportation by the school district is a privilege and not a right for an eligible student. A student's eligibility to ride a school bus may be revoked for a violation of school bus safety or conduct policies, or violation of any other law governing student conduct on a school bus pursuant to the school district's discipline policy. Revocation of a student's bus riding privilege is not an exclusion, expulsion, or suspension under the Pupil Fair Dismissal Act. Revocation procedures for a student who is an individual with a disability under 20 U.S.C. § 1415 (Individuals with Disabilities Act), 29 U.S.C. § 794 (the Rehabilitation Act), and 42 U.S.C. § 12132, (Americans with Disabilities Act) are governed by these provisions. (Minn. Stat. § 121A.59)

XII. FEES

- A. In its discretion, the school district may charge fees for transportation of students to and from extracurricular activities conducted at locations other than school, where attendance is optional. (Minn. Stat. § 123B.36, Subd. 1(10))
- B. The school district may charge fees for transportation of students to and from school when authorized by law. If the school district charges fees for transportation of students to and from school, guidelines shall be established for that transportation to ensure that no student is denied transportation solely because of inability to pay. The school district also may waive fees for transportation if the student's parent is serving in, or within the past year has served in, active military service as defined in Minn. Stat. § 190.05. (Minn. Stat. § 123B.36, Subds. 1(11) and 6)
- C. The school district may charge reasonable fees for transportation of students to and from post-secondary institutions for students enrolled under the post-secondary enrollment options program. Families who qualify for mileage reimbursement may use their state mileage reimbursement to pay this fee. (Minn. Stat. § 123B.36, Subd. 1(13))
- D. Where, in its discretion, the school district provides transportation to and from an instructional community-based employment station that is part of an approved occupational experience vocational program, the school district may require the payment of reasonable fees for transportation from students who receive remuneration for their participation in these programs. (Minn. Stat. § 123B.36, Subd. 3)

Legal References: Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.59 (Bus Transportation is a Privilege Not a Right)
Minn. Stat. § 123B.36 (Authorized Fees)
Minn. Stat. § 123B.41 (Educational Aids for Nonpublic School Children; Definitions)
Minn. Stat. § 123B.44 (Provision of Pupil Support Services)
Minn. Stat. § 123B.88 (Independent School Districts, Transportation)
Minn. Stat. § 123B.92 (Transportation Aid Entitlement)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.04 (Enrollment Options Programs in Border States)
Minn. Stat. § 124D.041 (Reciprocity with Adjoining States)
Minn. Stat. § 124D.08 (School Board's Approval to Enroll in Nonresident District)
Minn. Stat. Ch. 125A (Children With a Disability)
Minn. Stat. § 125A.02 (Children With a Disability, Defined)
Minn. Stat. § 125A.12 (Attendance in Another District)
Minn. Stat. § 125A.15 (Placement in Another District; Responsibility)

Minn. Stat. § 125A.51 (Placement of Children Without Disabilities; Education and Transportation)
Minn. Stat. § 125A.515 (Placement of Students; Approval of Education Program)
Minn. Stat. § 125A.65 (Attendance at Academies for the Deaf and Blind)
Minn. Stat. § 126C.01 (General Education Revenue - Definitions)
Minn. Stat. § 127A.47 (Payments to Resident and Nonresident Districts)
Minn. Stat. § 190.05 (Definitions)
Minn. Rules Part 7470.1600 (Transporting Pupils with Disability)
Minn. Rules Part 7470.1700 (Drivers and Aides for Pupils with Disabilities)
20 U.S.C. § 1415 (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 (Rehabilitation Act of 1973, § 504)
42 U.S.C. § 2000d (Prohibition Against Exclusion from Participation in, Denial of Benefits of, and Discrimination under Federally Assisted Programs on Ground of Race, Color, or National Origin)
42 U.S.C. § 11431 *et seq.* (McKinney-Vento Homeless Assistance Act of 2001)
42 U.S.C. § 12132 *et seq.* (Americans With Disabilities Act)

Cross References: MSBA/MASA Model Policy 708 (Transportation of Nonpublic School Students)
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
MSBA/MASA Model Policy 710 (Extracurricular Transportation)
MSBA Service Manual, Chapter 2, Transportation

Adopted: _____

MSBA/MASA Model Policy 708

Orig. 1995

Revised: _____

Rev. ~~2008~~ 2017

708 TRANSPORTATION OF NONPUBLIC SCHOOL STUDENTS

[Note: The obligations stated in this policy are largely governed by statute. Statutory references are included throughout the policy. A school district may choose to add obligations to the model policy.]

I. PURPOSE

The purpose of this policy is to address transportation rights of nonpublic school students and to provide equality of treatment in transporting such students pursuant to law.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is to recognize the rights of nonpublic school students and to provide equal transportation to those students as required by law.

III. ELIGIBILITY

- A. The school district shall provide equal transportation within the school district for all students to any school when transportation is deemed necessary by the school district because of distance or traffic conditions in like manner and form as provided in Minn. Stat. § 123B.88 and § 123B.92 when applicable. (Minn. Stat. § 123B.86, Subd. 1)
- B. Upon the request of a parent or guardian, the school district shall provide school bus transportation to the school district boundary for students residing in the school district at least the same distance from a nonpublic school actually attended in another school district as public school students are transported in the transporting school district. Such transportation shall be provided whether there is or is not another nonpublic school within the transporting school district, if the transportation is to schools maintaining grades or departments not maintained in the school district or if the attendance of such students at school can more safely, economically, or conveniently be provided for by such means. (Minn. Stat. § 123B.86, Subd. 2(a))
- C. The school district may provide school bus transportation to a nonpublic school in another school district for students residing in the school district and attending that school, whether there is or is not another nonpublic school within the transporting school district, if the transportation is to schools maintaining grades or departments not maintained in the school district or if the attendance of such students at school can more safely, economically, or conveniently be provided for by such means. If the school district transports students to a nonpublic school located in another school district, the nonpublic school shall pay the cost of such

transportation provided outside the school district boundaries. (Minn. Stat. § 123B.86, Subd. 2(b))

- D. The school district shall provide the necessary transportation within school district boundaries between the nonpublic school and a public school or neutral site for nonpublic school students who are provided pupil support services if the school district elects to provide pupil support services at a site other than a nonpublic school. (Minn. Stat. § 123B.44, Subd. 1)
- E. When transportation is provided, the scheduling of routes, manner and method of transportation, control and discipline of students, and any other matter relating thereto shall be within the sole discretion, control, and management of the school district. (Minn. Stat. § 123B.86, Subd. 3; Minn. Stat. § 123B.91, Subd. 1a)
- F. Additional transportation to and from a nonpublic school may be provided at the expense of the school district where such services are provided in the discretion of the school district.

IV. ~~SPECIAL EDUCATION/DISABLED~~ STUDENTS WITH DISABILITIES

- A. If a resident student with a disability attends a nonpublic school located within the school district, the school district shall provide necessary transportation for the student within the school district between the nonpublic school and the educational facility where special instruction and services are provided on a shared-time basis. If a resident student with a disability attends a nonpublic school located in another school district and if no agreement exists for the provision of special instruction and services on a shared time basis to that student by the school district of attendance and where the special instruction and services are provided within the school district, the school district shall provide necessary transportation for that student between the school district boundary and the educational facility. The school district may provide necessary transportation for that student between its boundary and the nonpublic school attended, but the nonpublic school shall pay the cost of transportation provided outside the school district. School districts may make agreements for who provides transportation. Parties serving students on a shared time basis have access to a due process hearing system as provided by law. (Minn. Stat. § 125A.18)
- B. ~~Disabled students whose handicapped conditions~~ When the disabling conditions of a student with a disability are such that the student cannot be safely transported on the regular school bus and/or school bus route and/or when the student is transported on a special route for the purpose of attending an approved special education program shall be entitled to special transportation at the expense of the school district or the day training and habilitation program attended by the student. The school district shall determine the type of vehicle used to transport ~~disabled students on the basis of the handicapping condition~~ students with a disability on the basis of the disabling conditions and applicable laws. This section shall not be applicable to parents who transport their own child under a contract with the school district. (Minn. Stat. § 123B.88, Subd. 19; Minn. Rules

Part 7470.1600, Subd. 1)

- C. Each driver and aide assigned to a vehicle transporting students with a disability will be provided with appropriate training for the students in their care, will assist students with their safe ingress and egress from the bus, will ensure the proper use of protective safety devices, and will be provided with access to emergency health care information as required by law. (Minn. Rules Part 7470.1700)
- D. Any parent of a **disabled** student with a disability who believes that the transportation services provided for that child are not in compliance with the applicable law may utilize the alternative dispute resolution and due process procedures provided for in Minn. Stat. Ch. 125A. (Minn. Rules Part 7470.1600, Subd. 2)

V. APPLICATION OF GENERAL POLICY

The provisions of the school district's policy on transportation of public school students [Model Policy 707] shall apply to the transportation of nonpublic school students except as specifically provided herein.

- Legal References:**
- Minn. Stat. § 123B.44 (Provision of Pupil Support Services)
 - Minn. Stat. § 123B.84 (Policy)
 - Minn. Stat. § 123B.86 (Equal Treatment)
 - Minn. Stat. § 123B.88 (Independent School Districts, Transportation)
 - Minn. Stat. § 123B.91, Subd. 1a (Compliance by Nonpublic and Charter School Students)
 - Minn. Stat. § 123B.92 (Transportation Aid Entitlement)
 - Minn. Stat. Ch. 125A (Children With a Disability)
 - Minn. Stat. § 125A.18 (Special Instruction; Nonpublic Schools)
 - Minn. Rules Part 7470.1600 (Transporting Pupils with Disability)
 - Minn. Rules Part 7470.1700 (Drivers and Aides for Pupils with Disabilities)
 - Americans United, Inc. as Protestants and Other Am. United for Separation of Church and State, et al. v. Independent Sch. Dist. No. 622, et al.*, 288 Minn. 1996, 179 N.W.2d 146 (Minn. 1970)
 - Eldredge v. Independent Sch. Dist. No. 625*, 422 N.W.2d 319 (Minn. Ct. App. 1988)
 - Healy v. Independent Sch. Dist. No. 625*, 962 F.2d 1304 (8th Cir. 1992)
 - Minn. Op. Atty. Gen. 166a-7 (June 3, 1983)
 - Minn. Op. Atty. Gen. 166a-7 (Sept. 14, 1981)
 - Minn. Op. Atty. Gen. 166a-7 (July 15, 1976)
 - Minn. Op. Atty. Gen. 166a-7 (July 17, 1970)
 - Minn. Op. Atty. Gen. 166a-7 (Oct. 3, 1969)
 - Minn. Op. Atty. Gen. 166a-7 (Sept. 12, 1969)

- Cross References:**
- MSBA/MASA Model Policy 707 (Transportation of Public School Students)

MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
MSBA Service Manual, Chapter 2, Transportation

Adopted: _____

MSBA/MASA Model Policy 802

Orig. 1995

Revised: _____

Rev. ~~2018~~ 2019

802 DISPOSITION OF OBSOLETE EQUIPMENT AND MATERIAL

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

I. PURPOSE

The purpose of this policy is to provide guidelines for the superintendent to assist in timely disposition of obsolete equipment and material.

II. GENERAL STATEMENT OF POLICY

Effective use of school building space, and consideration for safety of personnel, will at times require disposal of obsolete equipment and material.

III. DEFINITIONS

- A. “Contract” means an agreement entered into by the school district for the sale of supplies, materials, or equipment.
- B. “Official newspaper” is a regular issue of a qualified legal newspaper.

IV. MANNER OF DISPOSITION

A. Authorization

The superintendent shall be authorized to dispose of obsolete equipment and materials by selling it at a fair price consistent with the procedures outlined in this policy. Any sale exceeding the minimum amount for which bids are required must first be specifically authorized by the school board. The superintendent shall be authorized to properly dispose of used books, materials, and equipment deemed to have little or no value.

B. Contracts Over \$175,000

1. If the value of the equipment or materials is estimated to exceed \$175,000, sealed bids shall be solicited by two weeks’ published notice in the official newspaper. This notice shall state the time and place of receiving bids and contain a brief description of the subject matter. Additional publication in the official newspaper or elsewhere may be made as the school board shall deem necessary.
2. The sale shall be awarded to the highest responsible bidder, be duly executed in writing, and be otherwise conditioned as required by law.

3. A record shall be kept of all bids, with names of bidders and amounts of bids, and an indication of the successful bid. A bid containing an alteration or erasure of any price contained in the bid which is used in determining the highest responsible bid shall be rejected unless the alteration or erasure is corrected by being crossed out and the correction printed in ink or typewritten adjacent thereto and initialed in ink by the person signing the bid.
4. In the case of identical high bids from two or more bidders, the school board may, at its discretion, utilize negotiated procurement methods with the tied high bidders so long as the price paid does not go below the high tied bid price. In the case where only a single bid is received, the school board may, at its discretion, negotiate a mutually agreeable contract with the bidder so long as the price paid does not fall below the original bid. If no satisfactory bid is received, the board may readvertise.
5. All bids obtained shall be kept on file for a period of at least one year after their receipt. Every contract made without compliance with the foregoing provisions shall be void.
6. Data submitted by a business to a school in response to a request for bids are private until opened. Once opened, the name of the bidder and the dollar amount specified become public; all other data are private until completion of the selection process, meaning the school has completed its evaluation and ranked the responses. After completion of the selection process, all data submitted by all bidders are public except trade secret data. If all responses are rejected prior to completion of the selection process, all data remain private, except the name of the bidder and the dollar amount specified which were made public at the bid opening for one year from the proposed opening date or until resolicitation results in completion of the selection process or until a determination is made to abandon the purchase, whichever occurs sooner, at which point the remaining data becomes public. Data created or maintained by the school district as part of the selection or evaluation process are protected as nonpublic data until completion of the selection or evaluation process. At that time, the data are public with the exception of trade secret data.

C. Contracts From \$25,000 to \$175,000

If the amount of the sale is estimated to exceed \$25,000 but not to exceed \$175,000, the contract may be made either upon sealed bids in the manner directed above or by direct negotiation, by obtaining two or more quotations for the purchase or sale when possible, and without advertising for bids or otherwise complying with the requirements of competitive bidding notice. All quotations obtained shall be kept on file for a period of at least one year after receipt.

D. Contracts \$25,000 or Less

If the amount of the sale is estimated to be \$25,000 or less, the contract may be made either upon quotation or in the open market, in the discretion of the school board. The sale in the open market may be by auction. If the contract is made on quotation, it shall be based, so far as practicable, on at least two quotations which shall be kept on file for a period of at least one year after receipt.

E. Electronic Sale of Surplus Supplies, Materials, and Equipment

Notwithstanding the other procedural requirements of this policy, the school district may contract to sell supplies, materials, and equipment which is surplus, obsolete, or unused through an electronic selling process in which purchasers compete to purchase the supplies, materials, or equipment at the highest purchase price in an open and interactive environment.

F. Notice of Quotation

Notice of procedures to receive quotations shall be given by publication or other means as appropriate to provide reasonable notice to the public.

G. Sales to Employees

No officer or employee of the school district shall sell or procure for sale or possess or control for sale to any other officer or employee of the school district any property or materials owned by the school district unless the property and materials are not needed for public purposes and are sold to a school district employee after reasonable public notice, at a public auction or by sealed response, if the employee is not directly involved in the auction or sale process. Reasonable notice shall include at least one week's published or posted notice. A school district employee may purchase no more than one motor vehicle from the school district at any one auction. This section shall not apply to the sale of property or materials acquired or produced by the school district for sale to the general public in the ordinary course of business. Nothing in this section shall prohibit an employee of the school district from selling or possessing for sale public property if the sale or possession for sale is in the ordinary course of business or the normal course of the employee's duties.

H. Exceptions for Surplus School Computers

1. A school district may bypass the requirements for competitive bidding and is not subject to any other laws relating to school district contracts if it is disposing of surplus school computer and related equipment, including a tablet device, by conveying the property and title to:

1 a. another school district;

2 b. the state department of corrections;

~~3~~ c. the board of trustees of Minnesota State Colleges and Universities;
~~or~~

4 d. the family of a student residing in the district whose total family income meets the federal definition of poverty; ~~or-~~

e. a charitable organization under section 501(c)(3) of the Internal Revenue Code that is registered with the attorney general's office for educational use.

2. If surplus school computers are not disposed of as described in Paragraph 1., upon adoption of a written resolution of the school board, when updating or replacing school computers, including tablet devices, used primarily by students, the school district may sell or give used computers or tablets to qualifying students at the price specified in the written resolution. A student is eligible to apply to the school board for a computer or tablet under this subdivision if the student is currently enrolled in the school and intends to enroll in the school in the year following the receipt of the computer or tablet. If more students apply for computers or tablets than are available, the school must first qualify students whose families are eligible for free or reduced-price meals and then dispose of the remaining computers or tablets by lottery.

Legal References: Minn. Stat. § 13.591 (Business Data)
Minn. Stat. § 15.054 (Public Employees Not to Purchase Merchandise from Governmental Agencies; Exceptions; Penalty)
Minn. Stat. § 123B.29 (Sale of School Building at Auction)
Minn. Stat. § 123B.52 (Contracts)
Minn. Stat. § 471.345 (Uniform Municipal Contracting Law)
Minn. Stat. § 645.11 (Published Notice)

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



**General Fund -
September 30, 2019**

REVENUE & EXPENDITURE
SUMMARY BY SOURCE,
OBJECT SERIES

REVENUE CATEGORIES	6/30/2018	6/30/2019	FY 20 Revised Budget	FY19 Received YTD	Budget Remaining
STATE	76,908,386	77,841,511	79,743,410	15,699,579	64,043,831
FEDERAL	2,279,034	2,344,041	2,258,755	7,854	2,250,901
PROPERTY TAXES	13,957,451	15,758,101	15,379,882	13,694,470	1,685,412
LOCAL (FEES, INTEREST, ETC.)	2,437,477	2,281,038	3,098,977	662,844	2,436,133
TOTALS	92,331,715	98,224,691	100,481,024	30,064,747	70,416,277

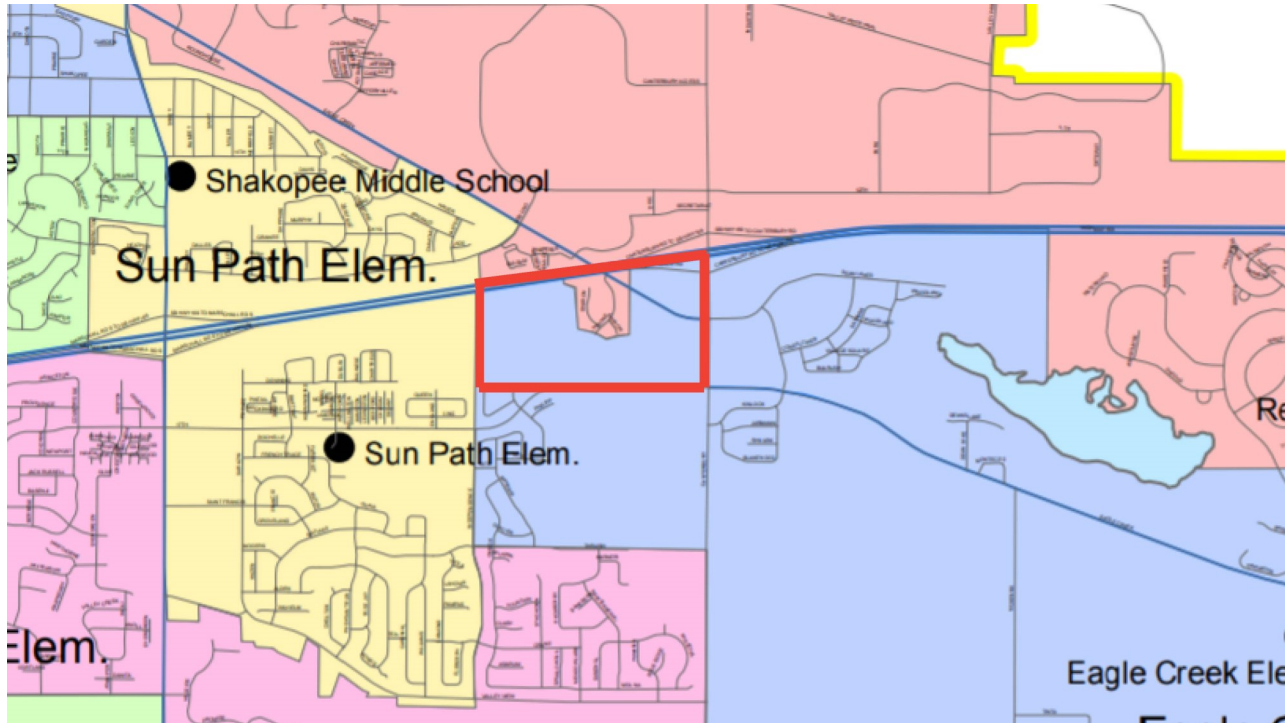
	9/30/2019	9/30/2018	9/30/2017
% Budget Received	19.69%	20.71%	19.77%
% Actuals Received	0.35%	0.01%	0.11%
	89.04%	0.03%	0.00%
	21.39%	24.27%	32.00%
	29.92%	16.98%	17.32%

OBJECT SERIES	6/30/2018	6/30/2019	Revised Budget	Expended YTD	Budget Remaining
SALARIES & WAGES	56,092,989	56,686,039	59,189,690	8,270,484	50,919,206
EMPLOYEE BENEFITS	16,557,655	17,223,246	18,220,423	2,315,031	15,905,392
PURCHASED SERVICES	12,287,716	13,040,604	12,460,713	1,586,564	10,874,149
SUPPLIES	2,734,909	2,544,216	3,007,991	1,101,806	1,906,185
EQUIPMENT	5,405,096	6,124,193	5,732,764	3,478,328	2,254,436
DEBT SERVICE	-	-	-	-	-
OTHER EXPENDITURES	737,601	698,946	673,918	152,741	521,177
TOTALS	93,785,468	96,317,243	99,285,499	16,904,954	82,380,545

	13.97%	14.33%	14.28%
	12.71%	12.83%	13.16%
	12.73%	8.93%	11.23%
	36.63%	36.56%	37.46%
	60.67%	34.76%	63.86%
	22.66%	14.64%	22.78%
	17.03%	15.22%	17.28%

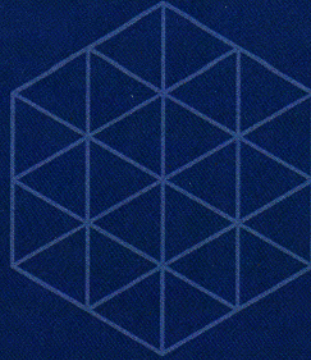
Revenue over (under) Expenditures: 1,907,448 1,195,525

	Actual June 30, 2018	Unaudited 6/30/2019	Projected June 30, 2020
Non Spendable Fund Balance	208,934	245,117	245,117
Restricted Fund Balance	370,113	713,645	1,838,645
Assigned Fund Balance	185,388	267,230	267,230
Unassigned Fund Balance	2,069,198	3,515,089	3,585,614
Total Fund Balance	2,833,633	4,741,081	5,936,606



Revised Framework	Crosswalk with list of 31 Tactics
Ford NGL Principles, Strands and Tactics <i>(Note did not include benefits from Revised Framework)</i>	Note these examples <u>only</u> represent the items on the list of 31, Ford NGL has a more extensive list informed by the network
Strand 1: Transforming the Student Learning Experience	
1.1 Teaching through the lens: Learn essential academics, as well as essential life and workplace competencies, through the lens of a career theme, within high-demand career areas and pathways of interest.	<p>In addressing these tactics, communities employ some of the following examples:</p> <ul style="list-style-type: none"> A. Capstone Experience B. Project Based Learning C. Continuum of work-based learning experiences D. Industry certifications E. Middle School pre-academies <p>Broad Tactics represented by revised Broad Tactics</p> <ul style="list-style-type: none"> 1. College & Career Exploration (Revised 1.2 & 1.3) 2. Development of 21st Century Knowledge, Skills & Dispositions (Revised 1.1, 1.2 & 1.3)
1.2 Work-based learning: Learn in real-world settings and contexts with students, teachers, staff, business mentors, and coaches who share career interests.	
1.3 Learning and work pathways: Learn in themed pathways that extend from high school into postsecondary learning, work, and careers.	
1.4 Credit opportunities: Offer acceleration options for college and work and career ready credentials.	
Strand 2: Transforming the Culture, Systems, and Structures of Secondary Schools	
2.1 Teacher teams: Organize teams of academic and technical teachers and staff who learn and work together with a small learning community of students who learn through the lens of a career theme.	<p>In addressing these tactics, communities employ some of the following examples:</p> <ul style="list-style-type: none"> A. Scheduling B. Freshman Academies C. Teachers work in highly effective academy teams <p>Broad Tactics represented by Revised Broad Tactics</p> <ul style="list-style-type: none"> 1. College & Career Readiness Models (several Revised Tactics in this strand – 2.1, 2.5) 2. Parent & Family Network (Revised Tactic 2.3) 3. School-based Roles (Revised Tactic 2.5) 4. Transformed District Structures, Policies & Practices (Revised 2.5) 5. Transformed Professional Learning and Instructional Practices (Revised 2.2)
2.2 Professional development: Provide an education, training, and support system serving all school leaders, faculty, and staff.	
2.3 Family engagement: Engage parents/families in their childrens’ learning and understanding of the benefits of career academies.	
2.4 Workplace learning: Organize and facilitate student access to out-of-school learning and work and career opportunities.	
2.5 Supportive policies and practices: Organize district policies, funding, roles and practices that support key career academy structures to support school-based transformation.	
2.6 Data systems: Expand data systems to provide information on the desired student graduate and on the benefits to the community.	


Strand 3: Transforming Partnerships Between the Schools and Business, Postsecondary, and Community	
3.1 Three Cs: Establish systems, structures, and practices for deep and sustained communication, collaboration, and coordination among all stakeholders.	<p>In addressing these tactics, communities employ some of the following examples:</p> <ul style="list-style-type: none"> A. Governance Structures and Roles: Convening organization, Steering Committee, Tactic Teams B. CEO Champions Committee C. Industry Councils D. Advisory Boards E. Succession plan F. Marketing and communication plan for all stakeholders <p>Broad Tactics represented by Revised Broad Tactics</p> <ul style="list-style-type: none"> 1. Alignment of Workforce Demands/Trends with District Programs (Revised Tactic 3.3.) 2. Partnerships with Community - Business & Civic. (Revised Tactic 3.2) 3. Partnerships with Post-Secondary (Revised Tactic 3.2) 4. Shared Accountability Through Measurement Practices (Revised 3.4)
3.2 Community learning resources: Organize and expand access to business, postsecondary, and community resources for learning.	
3.3 Stop-start-sustain: Research targeted industries to identify, and keep current, career academy themes based on projected workforce needs.	
3.4 Shared accountability: Employing measurement practices and continuous improvement plans.	
Principles	
Equity: All students, including those furthest from opportunity, must have access to, and support in pursuing learning and work opportunities.	<p>Broad Tactics represented by Principles</p> <ul style="list-style-type: none"> A. Equity, Access and Justice for ALL students
Student Voice: All students must have choice, ownership, and agency in pursuing their learning and career aspirations.	<p>Broad Tactics represented by Principles</p> <ul style="list-style-type: none"> A. Student leadership and voice
Community-Connected Approach: All stakeholders in the community - schools, families, business, postsecondary, and community organizations - share responsibility and accountability for designing, implementing, and sustaining the transformation, including the way they communicate, collaborate, and coordinate around their work.	<p>Broad Tactics represented by Principles</p> <ul style="list-style-type: none"> A. Partnerships with Community - Business & Civic. (Revised Tactic 3.2) B. Partnerships with Post-Secondary (Revised Tactic 3.2)
Passion: All stakeholders will demonstrate a relentless quest for excellence - a blend of mind and heart - in pursuing our goals.	
Innovation: All stakeholders will continually innovate with new forms and ways of preparing young people for success and fulfillment.	



The Ford Next Generation Learning Framework

Ford NGL guides a collaborative network of communities to advance student, community and workforce success by using its proven blueprint (framework and roadmap) to elevate and sustain the impact of the career academy model.



**FORD
NEXT GENERATION
LEARNING** 
Community Connected Learning

OUTCOMES

In its work with communities, Ford NGL is pursuing five outcomes:

1. Increase the number of young people who achieve success in college, careers, lifelong learning, and leadership.
2. Strengthen the talent pipeline for addressing business's workforce needs and opportunities.
3. Increase community prosperity that is shared by all.
4. Increase educational equity and justice for all.
5. Advance learning and practice in the network of Ford NGL communities.

PRINCIPLES

These principles guide our work with communities in achieving the outcomes.

EQUITY

All students, including those furthest from opportunity, must have access to, and support in, pursuing learning and work opportunities.

STUDENT VOICE

All students must have choice, ownership, and agency in pursuing their learning and career aspirations.

COMMUNITY-CONNECTED APPROACH

All stakeholders in the community--schools, families, business, postsecondary, and community organizations--share responsibility and accountability for designing, implementing, and sustaining the transformation, including the way they communicate, collaborate, and coordinate around their work.

PASSION

All stakeholders will demonstrate a relentless quest for excellence—a blend of mind and heart—in pursuing our goals.

INNOVATION

All stakeholders will continually innovate with new forms and ways of preparing young people for success and fulfillment.

STRANDS AND TACTICS

The Ford NGL transformation design has three strands and a set of 14 tactics. Tactics are the specific actions and approaches a community takes to transform teaching and learning (Strand 1), the secondary school experience (Strand 2), and business and civic engagement (Strand 3). Ford NGL tactics are drawn from research and the collective experience of multiple Ford NGL communities. Because the career academy model is integral to Ford NGL transformation, these tactics complement and support implementation of the National Standards of Practice for Career Academies (NSOP).

STRAND 1 Transforming the Student Learning Experience	STRAND 2 Transforming the Culture, Systems, and Structures of Secondary Schools	STRAND 3 Transforming Partnerships Between the Schools and Business, Postsecondary, and Community
TACTICS	TACTICS	TACTICS
<p>1.1 Teaching Through the Lens Learn essential academics, as well as essential life and workplace competencies, through the lens of a career theme, within high-demand career areas and pathways of interest.</p> <p>1.2 Work-based Learning Learn in real-world settings and contexts with students, teachers, staff, business mentors, and coaches who share career interests.</p> <p>1.3 Learning and work pathways Learn in themed pathways that extend from high school into postsecondary learning, work, and careers.</p> <p>1.4 Credit opportunities Offer acceleration options for college and work and career ready credentials.</p>	<p>2.1 Teacher teams Organize teams of academic and technical teachers and staff who learn and work together with a small learning community of students who learn through the lens of a career theme.</p> <p>2.2 Professional development Provide an education, training, and support system serving all school leaders, faculty, and staff.</p> <p>2.3 Family engagement Engage parents/families in their children's' learning and understanding of the benefits of career academies</p> <p>2.4 Workplace learning Organize and facilitate student access to out-of-school learning and work and career opportunities.</p> <p>2.5 Supportive policies and practices Organize district policies, funding, roles and practices that support key career academy structures to support school-based transformation.</p> <p>2.6 Data systems Expand data systems to provide information on the desired student graduate and on the benefits to the community.</p>	<p>3.1 Three Cs Establish systems, structures, and practices for deep and sustained communication, collaboration, and coordination among all stakeholders.</p> <p>3.2 Community learning resources Organize and expand access to business, postsecondary, and community resources for learning.</p> <p>3.3 Stop-start-sustain Research targeted industries to identify, and keep current, career academy themes based on projected workforce needs.</p> <p>3.4 Shared accountability Employing measurement practices and continuous improvement plans.</p>
BENEFITS	BENEFITS	BENEFITS
<p>High levels of student engagement and ownership of their learning.</p> <p>High levels of student and parent/family satisfaction with their schools and programs of study.</p> <p>High levels of participation in peer and professional communities of practice based on their career interests.</p>	<p>High levels of faculty engagement in their learning and work with and for students.</p> <p>High levels of faculty satisfaction with their work.</p> <p>Enhanced community, district, and school capacity and commitment to ongoing renewal.</p>	<p>Shared commitment and ownership of the schools and student satisfaction and success.</p> <p>Increased efficiency and effectiveness in using the community's human and organizational resources.</p>

STRAND 1

Transforming the Student
Learning Experience

STRAND 2

Transforming the Culture, Systems,
and Structures of Secondary Schools

STRAND 3

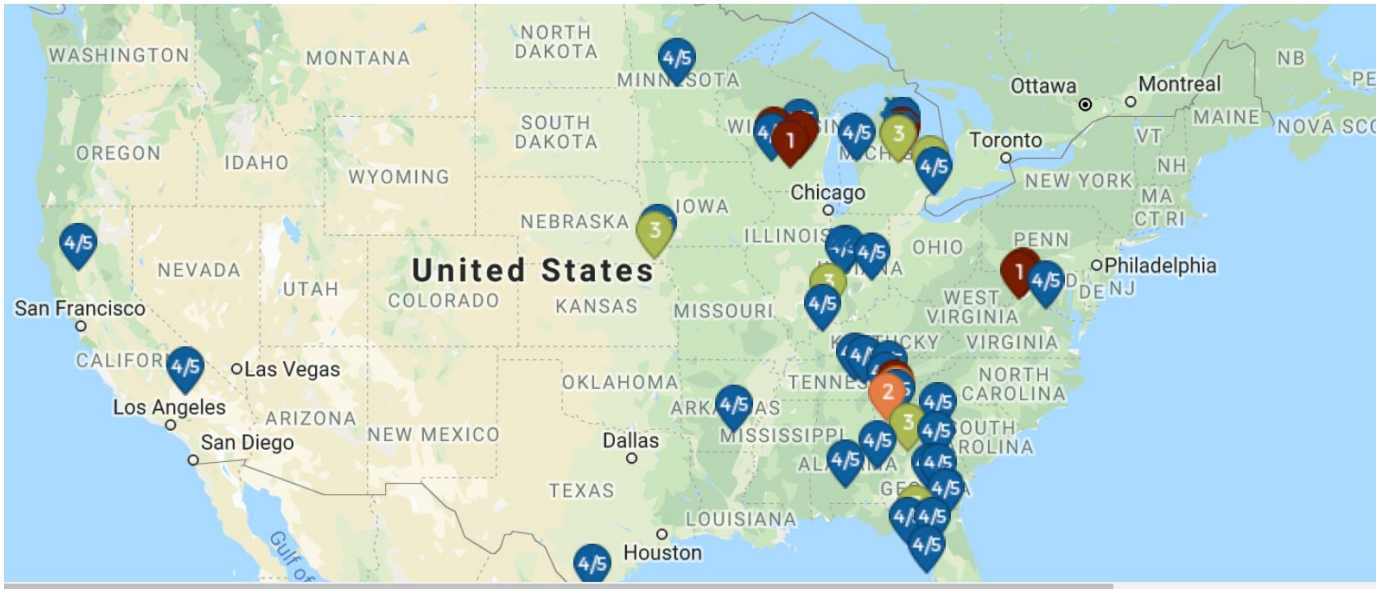
Transforming Partnerships
Between the Schools and Business,
Postsecondary, and Community

CROSS-CUTTING BENEFITS

- Increased number of high school students who are college and/or work ready.
- High levels of student and parent/family satisfaction with their schools and programs of study.
- Increased in student graduates who successfully pursue postsecondary learning or who begin work in jobs that lead to family-sustaining work in their community.
- Increased student social capital.
- Increased number of graduates with college credits and industry certifications.
- Increased number of graduates entering the workforce in high-need, high-opportunity, family sustaining career areas.
- Increased number of employers who report ready access to graduates prepared to enter high-demand career pathways.
- Increased numbers of graduates giving back to their community.
- Shared accountability for preparing all young people for success in pursuing their careers and life-long learning and work.
- Increased community prosperity.
- A continually renewing transformation.
- Increased business employee satisfaction.

www.FordNGL.com

Copyright © 2019, Ford Motor Company Fund, Ford Next Generation Learning



1 Phase 1 Communities

- Beloit, WI
- Center Line, MI
- Chesterfield County, VA
- Dearborn, MI
- Putnam County, GA
- Richmond, VA
- U46/Elgin, IL
- Waukegan, IL

3 Phase 3 Communities

- Belton, MO
- Bowling Green, KY
- Cleveland, OH
- Coffee County, GA
- Pasco County, FL
- Taylor, MI

4/5 Phase 4 and 5 Communities

- Akron, OH
- Barrow County, GA
- Bartow County, GA
- Battle Creek, MI
- Bay County, FL
- Clay County, FL
- Coachella Valley, CA
- Effingham County, GA
- Elk Grove, CA
- Floyd County, GA
- Golden Isles, GA
- Gordon County, GA
- Grady County, GA
- Greater Clark County, IN
- Hampton, VA
- Independence, MO
- Lee County, FL
- Lexington, KY
- Louisville, KY
- Nashville, TN
- Newton County, GA
- Northeast England, UK
- Pinellas County, FL
- Polk County, FL
- Racine, WI
- Rio Grande Valley, TX
- Rockford, IL
- Romeo, MI
- Shakopee, MN
- St. John's County, FL
- Vicksburg, MS
- Volusia County, FL

»»» Powered by Ford STEAM Academies

- Center Line High School, MI
- Cody Detroit Institute of Technology College Prep High School, MI
- Frederick Douglass Academy for Young Men, Detroit, MI
- Henry Ford Early College, Dearborn, MI
- Jeffersontown High School Build Academy, Louisville, KY
- Jeffersontown High School Design Academy, Louisville, KY
- Romeo High School, Romeo, MI
- Spruce Creek High School Academy of Information Technology & Robotics, Volusia, FL
- Utica Center of Science and Industry, Sterling Heights, MI

2 Phase 2 Communities

- Baldwin County, GA
- Bibb County, GA
- Pulaski County, AR

Adopted: _____

MSBA/MASA Model Policy 205

Orig. 1995

Revised: _____

Rev. 2017

205 OPEN MEETINGS AND CLOSED MEETINGS

[Note: The provisions of this policy accurately reflect the Open Meeting Law statute and are not discretionary in nature.]

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 or the use of social media by members of a public body so long as the social media use is limited to exchanges with all members of the general public. For purposes of the Open Meeting Law, social media does not include e-mail.

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.

[Note: While the statute leaves the question to the board of whether the

circumstances require immediate consideration at an emergency meeting, the advisory opinions of the Commissioner of Administration would limit such meetings to responding to natural disasters or health epidemics caused by an event such as an accident or terrorist attack.]

- 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.

8. Meetings Conducted by Interactive Technology

A meeting may be conducted by interactive technology, Skype, or other similar electronic means in compliance with Minn. Stat. § 13D.02.

B. Votes

The votes of school board members shall be recorded in a journal kept for that purpose, and the journal 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 is 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. 19-008 \(May 22, 2019\)](#)
[Dept. of Admin. Advisory Op. No. 19-006 \(April 9, 2019\)](#)
Dept. of Admin. Advisory Op. No. 18-019 (December 28, 2018)
Dept. of Admin. Advisory Op. No. 17-005 (June 22, 2017)
Dept. of Admin. Advisory Op. No. 13-009 (March 19, 2013)
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: MSBA/MASA Model Policy 204 (School Board Meeting Minutes)
MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)
MSBA/MASA Model Policy 207 (Public Hearings)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA Service Manual, Chapter 13, School Law Bulletin “C” (Minnesota’s Open Meeting Law)

Adopted: _____

MSBA/MASA Model Policy 504

Orig. 1995

Revised: _____

Rev. ~~2002~~ 2017

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 MSBA/MASA Model Policy 413.
 5. Any apparel or footwear that would damage school property.
- D. Headgear, including hats or head coverings, Hats are not allowed in the building

except with the approval of the building principal (i.e., student undergoing chemotherapy, medical situations, student religious practice or belief).

- E. The intention of this policy is not 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.
- F. “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)
B.H. ex rel. Hawk v. Easton Area School Dist., 725 F.3d 293 (3rd Cir. 2013)
D.B. ex rel. Brogdon v. Lafon, 217 Fed.Appx. 518 (6th Cir. 2007)
Hardwick v. Heyward, 711 F.3d 426 (4th Cir. 2013)
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: MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 525 (Violence Prevention)

Adopted: _____

MSBA/MASA Model Policy 506

Orig. 1995

Revised: _____

Rev. ~~2017~~ 2019

506 STUDENT DISCIPLINE

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

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

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

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

students of the school district.

III. AREAS OF RESPONSIBILITY

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

regarding the behavior of their children.

- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

IV. STUDENT RIGHTS

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

V. STUDENT RESPONSIBILITIES

All students have the responsibility:

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

indecent or obscene language;

M. To conduct themselves in an appropriate physical or verbal manner; and

N. To recognize and respect the rights of others.

VI. CODE OF STUDENT CONDUCT

A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.

1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
2. The use of profanity or obscene language, or the possession of obscene materials;
3. Gambling, including, but not limited to, playing a game of chance for stakes;
4. Violation of the school district's Hazing Prohibition Policy;
5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
6. Violation of the school district's Student Attendance Policy;
7. Opposition to authority using physical force or violence;
8. Using, possessing, or distributing tobacco, tobacco-related devices,

electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices Policy;

9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district's Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
19. Violation of any local, state, or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper

activation of fire alarms, or bomb threats;

21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district' Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a

school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;

35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy;
37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;
38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
40. Verbal assaults or verbally abusive behavior including, but not limited to, use of words, symbols, acronyms, or language, whether oral or written, that are discriminatory, abusive, obscene, threatening, intimidating, degrading to other people, or threatening to school property;
41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;
43. Violation of the school district's Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees Policy;
44. Violation of the school district's one-to-one device rules and regulations;
45. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
46. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or

employees.

VII. DISCIPLINARY ACTION OPTIONS

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

- A. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
- B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
- C. Parent contact;
- D. Parent conference;
- E. Removal from class;
- F. In-school suspension;
- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;

- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the school district.

VIII. REMOVAL OF STUDENTS FROM CLASS

- A. The teacher of record shall have the general control and government of the classroom. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions taken by a teacher, principal, or other school district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

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

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

Such removal shall be for at least one (1) activity period or class period of

instruction for a given course of study and shall not exceed five (5) such periods.

A student must be removed from class immediately if the student engages in assault or violent behavior. "Assault" is an act done with intent to cause fear in another of immediate bodily harm or death; or the intentional infliction of, or attempt to inflict, bodily harm upon another. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

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

[Note: The following Sections C. - K. must be developed and inserted by each school district based upon individual district practices, procedures, and preferences.]

C. Procedures for Removal of a Student From a Class.

1. *Specify procedures to be followed by a teacher, administrator or other school district employee to remove a student from a class;*
2. *Specify required approvals necessary;*
3. *Specify paperwork and reporting procedures.*

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

1. *Designation of where student is to go when removed;*
2. *Designation of how student is to get to designated destination;*
3. *Whether student must be accompanied;*
4. *Statement of what student is to do when and while removed;*
5. *Designation of who has control over and responsibility for student after removal from class.*

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

1. *Specification of procedures;*
2. *Actions or approvals required such as notes, conferences, readmission plans.*

F. Procedures for Notification.

1. Specify procedures for notifying students and parents/guardians of violations of the rules of conduct and resulting disciplinary action;
2. Actions or approvals required, such as notes, conferences, readmission plans.

G. Disabled Students; Special Provisions.

1. Procedures for consideration of whether there is a need for further assessment;
2. Procedures for consideration of whether there is a need for a review of the adequacy of the current Individualized Education Program (IEP) of a disabled student who is removed from class or disciplined; and
3. Any procedures determined appropriate for referring students in need of special education services to those services.

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

1. Establishment of a chemical abuse preassessment team pursuant to Minn. Stat. § 121A.26;
- ~~2. Establishment of a school and community advisory team to address chemical abuse problems in the district pursuant to Minn. Stat. § 121A.27; and~~
- ~~3~~ 2. Establishment of teacher reporting procedures to the chemical abuse preassessment team pursuant to Minn. Stat. § 121A.29.

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

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

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

IX. DISMISSAL

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

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

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

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

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

C. Suspension Procedures

1. “Suspension” means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.
2. If a student’s total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student’s parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian’s expense. The purpose of this meeting is to attempt to determine the student’s need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
3. Each suspension action may include a readmission plan. The plan shall

include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.

4. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6th) consecutive day of suspension or the tenth (10th) cumulative day of suspension has elapsed.
5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the student to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.
6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school

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

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

D. Expulsion and Exclusion Procedures

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

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

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

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

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

X. ADMISSION OR READMISSION PLAN

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

XI. NOTIFICATION OF POLICY VIOLATIONS

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

In addition, the school district must report, through the MDE electronic reporting system, each physical assault of a school district employee by a student within thirty (30) days of the assault. This report must include a statement of the alternative educational services or other sanction, intervention, or resolution given to the student in response to the assault and the reason for, the effective date, and the duration of the exclusion or expulsion or other sanction, intervention, or resolution. The report must also include the student's age, grade, gender, race, and special education status.

XII. STUDENT DISCIPLINE RECORDS

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

XIII. DISABLED STUDENTS

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

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

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

XIV. OPEN ENROLLED STUDENTS

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minn. Stat. § 124D.03) or Enrollment in Nonresident District (Minn. Stat. § 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minn. Stat. Ch. 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of seventeen (17) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

XV. DISTRIBUTION OF POLICY

The school district will notify students and parents of the existence and contents of this policy in such manner as it deems appropriate. Copies of this discipline policy shall be

made available to all students and parents at the commencement of each school year and to all new students and parents upon enrollment. This policy shall also be available upon request in each principal's office.

XVI. REVIEW OF POLICY

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.26 (School Preassessment Teams)
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)
Minn. Stat. § 121A.582 (Reasonable Force)
Minn. Stat. §§ 121A.60-121A.61 (Removal from Class)
Minn. Stat. § 122A.42 (General Control of Schools)
Minn. Stat. § 123A.05 (Area Learning Center Organization)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.08 (Enrollment in Nonresident District)
Minn. Stat. Ch.125A (Students with Disabilities)
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
Minn. Stat. Ch. 260A (Truancy)
Minn. Stat. Ch. 260C (Juvenile Court Act)
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

Cross References: MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices)
MSBA/MASA Model Policy 501 (School Weapons)
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
MSBA/MASA Model Policy 503 (Student Attendance)
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety)

Policy)

MSBA/MASA Model Policy 525 (Violence Prevention)

MSBA/MASA Model Policy 526 (Hazing Prohibition)

MSBA/MASA Model Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)

MSBA/MASA Model Policy 610 (Field Trips)

MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)

MSBA/MASA Model Policy 711 (Video Recording on School Buses)

MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

Adopted: _____

MSBA/MASA Model Policy 509

Orig. 1995

Revised: _____

Rev. ~~2016~~ 2017

509 ENROLLMENT OF NONRESIDENT STUDENTS

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

I. PURPOSE

The school district desires to participate in the Enrollment Options Program established by Minn. Stat. § 124D.03. The purpose of this policy is to set forth the application and exclusion procedures used by the school district in making said determination.

II. GENERAL STATEMENT OF POLICY

A. Eligibility. Applications for enrollment under the Enrollment Options (Open Enrollment) Law will be approved provided that acceptance of the application will not exceed the capacity of a program, excluding special education services; class; grade level; or school building as established by school board resolution and provided that:

1. space is available for the applicant under enrollment cap standards established by school board policy or other directive; and
2. in considering the capacity of a grade level, the school district may only limit the enrollment of nonresident students to a number not less than the lesser of: (a) one percent of the total enrollment at each grade level in the school district; or (b) the number of school district resident students at that grade level enrolled in a nonresident school district in accordance with Minn. Stat. § 124D.03.
3. the applicant is not otherwise excluded by action of the school district because of previous conduct in another school district.

B. Standards that may be used for rejection of application. In addition to the provisions of Paragraph II.A., the school district may refuse to allow a pupil who is expelled under Minn. Stat. § 121A.45 to enroll during the term of the expulsion if the student was expelled for:

1. possessing a dangerous weapon, including a weapon, device, instruments, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, with the exception of a pocket knife with a blade less than two and one-half inches in length, at school or a school function;
2. possessing or using an illegal drug at school or a school function;

3. selling or soliciting the sale of a controlled substance while at school or a school function; or
 4. committing a third-degree assault involving assaulting another and inflicting substantial bodily harm.
- C. Standards that may not be used for rejection of application. The school district may not use the following standards in determining whether to accept or reject an application for open enrollment:
1. previous academic achievement of a student;
 2. athletic or extracurricular ability of a student;
 3. disabling conditions of a student;
 4. a student's proficiency in the English language;
 5. the student's district of residence except where the district of residence is directly included in an enrollment options strategy included in an approved achievement and integration program; or
 6. previous disciplinary proceedings involving the student. This shall not preclude the school district from proceeding with exclusion as set out in Section F. of this policy.
- D. Application. The student and parent or guardian must complete and submit a School District Enrollment Options Program application developed by the Minnesota Department of Education ~~(that enrollment form follows this policy).~~ and available on their website (education.mn.gov). Go to "Students and Families," then, under "School Choice," select "Open Enrollment." The form is entitled, "General Statewide Enrollment Options Application for K-12 and Early Childhood Special Education."
- E. Lotteries. If a school district has more applications than available seats at a specific grade level, it must hold an impartial lottery following the January 15 deadline to determine which students will receive seats. ~~Siblings of currently enrolled students, applications related to an approved integration and achievement plan, and children of the school district's staff must receive priority in the lottery. The district must give priority to enrolling siblings of currently enrolled students, students whose applications are related to an approved integration and achievement plan, children of the school district's staff, and students residing in that part of a municipality (a statutory or home rule charter city or town) where:~~
1. the student's resident district does not operate a school building;
 2. the municipality is located partially or fully within the boundaries of at

least five school districts;

3. the nonresident district in which the student seeks to enroll operates one or more school buildings within the municipality; and
4. no other nonresident, independent, special, or common school district operates a school building within the municipality.

The process for the school district lottery must be established by school board policy and posted on the school district's website.

F. Exclusion

1. Administrator's initial determination. If a school district administrator knows or has reason to believe that an applicant has engaged in conduct that has subjected or could subject the applicant to expulsion or exclusion under law or school district policy, the administrator will transmit the application to the superintendent with a recommendation of whether exclusion proceedings should be initiated.
2. Superintendent's review. The superintendent may make further inquiries. If the superintendent determines that the applicant should be admitted, he or she will notify the applicant and the school board chair. If the superintendent determines that the applicant should be excluded, the superintendent will notify the applicant and determine whether the applicant wishes to continue the application process. Although an application may not be rejected based on previous disciplinary proceedings, the school district reserves the right to initiate exclusion procedures pursuant to the Minnesota Pupil Fair Dismissal Act as warranted on a case-by-case basis.

G. Termination of Enrollment

1. The school district may terminate the enrollment of a nonresident student enrolled under an enrollment options program pursuant to Minn. Stat. § 124D.03 or 124D.08 at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy under Minn. Ch. 260A, and the student's case has been referred to juvenile court. A "habitual truant" is a child under 17 years of age who is absent from attendance at school without lawful excuse for seven school days in a school year if the child is in elementary school or for one or more class periods on seven school days in a school year if the child is in middle school, junior high school, or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days in a school year and who has not lawfully withdrawn from school under Minn. Stat. § 120A.22, Subd. 8.

2. The school district may also terminate the enrollment of a nonresident student over 17 years of age if the student is absent without lawful excuse for one or more periods on 15 school days and has not lawfully withdrawn from school under Minn. Stat. § 120A.22, Subd. 8.
 3. A student who has not applied for and been accepted for open enrollment pursuant to this policy and does not otherwise meet the residency requirements for enrollment may be terminated from enrollment and removed from school. Prior to removal from school, the school district will send to the student's parents a written notice of the school district's belief that the student is not a resident of the school district. The notice shall include the facts upon which the belief is based and notice to the parents of their opportunity to provide documentary evidence, in person or in writing, of residency to the superintendent or the superintendent's designee. The superintendent or the superintendent's designee will make the final determination as to the residency status of the student.
- H. Notwithstanding the requirement that an application must be approved by the board of the nonresident district, a student who has been enrolled in a district, who is identified as homeless, and whose parent or legal guardian moves to another district, or who is placed in foster care in another school district, may continue to enroll in the nonresident district without the approval of the board of the nonresident district. The approval of the board of the student's resident district is not required.

Legal References: Minn. Stat. § 120A.22, Subd. 3(e) (Residency Determined)
Minn. Stat. § 120A.22, Subd. 8 (Withdrawal from School)
Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.08 (School Board Approval to Enroll in Nonresident District)
Minn. Stat. § 124D.68 (High School Graduation Incentives Program)
Minn. Ch. 260A (Truancy)
Minn. Stat. § 260C.007, Subd. 19 (Habitual Truant Defined)
Minn. Op. Atty. Gen. 169-f (Aug. 13, 1986)
Indep. Sch. Dist. No. 623 v. Minn. Dept. of Educ., Co. No. A05-361, 2005 WL 3111963 (Minn. Ct. App. 2005) (unpublished)

Cross References: MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 517 (Student Recruiting)
MSBA Service Manual, Chapter 5, Various Educational Programs

Adopted: _____

MSBA/MASA Model Policy 513

Orig. 1995

Revised: _____

Rev. ~~2016~~ 2019

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 process to assess and evaluate 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. All programs will be aligned with creating the World's Best Workforce.

2. The school district will adopt guidelines for assessing and identifying students for participation in gifted and talented programs. The guidelines should include the use of:

- a. multiple objective criteria; and

- b. assessments and procedures that are valid and reliable, fair, and based on current theory and research. Assessments and procedures should be sensitive to under-represented groups, including, but not limited to, low-income, minority, twice-exceptional, and English learners.
- 3. 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.
- 4. The school district will adopt procedures which describe the comprehensive evaluation in cognitive, social, and emotional development domains to help determine a child’s ability to meet kindergarten grade expectations and progress to first grade in the subsequent year for early admission to kindergarten or first grade of gifted and talented learners. The comprehensive evaluation must use valid and reliable instrumentation, be aligned with state kindergarten expectations, and include a parental report and teacher observations of the child’s knowledge, skills, and abilities. The procedures must be sensitive to under-represented groups.

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

Cross References: MSBA/MASA Model Policy 613 (Graduation Requirements)
 MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)
 MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
 MSBA/MASA Model Policy 617 (School District Ensurance of Preparatory and High School Standards)
 MSBA/MASA Model Policy 618 (Assessment of Student Achievement)
 MSBA/MASA Model Policy 620 (Credit for Learning)

Adopted: _____

MSBA/MASA Model Policy 515

Orig. 1995

Revised: _____

Rev. 2013

515 PROTECTION AND PRIVACY OF PUPIL RECORDS

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

A. Authorized Representative

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

B. Biometric Record

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

C. Dates of Attendance

“Dates of attendance,” as referred to in “Directory Information,” means the period of time during which a student attends or attended a school or schools in the school district, including attendance in person or by paper correspondence, satellite, internet or other electronic communication technologies for students who

are not in the classroom, and including the period during which a student is working under a work-study program. The term does not include specific daily records of a student's attendance at a school or schools in the school district.

D. Directory Information

“Directory information” means information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to: the student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, dates of attendance, grade level, enrollment status (i.e., full-time or part-time), participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received, and the most recent educational agency or institution attended. It also includes the name, address, and telephone number of the student's parent(s). Directory information does not include:

1. a student's social security number;
2. a student's identification number (ID), user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems if the identifier may be used to access education records without use of one or more factors that authenticate the student's identity such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user;
3. a student ID or other unique personal identifier that is displayed on a student ID badge if the identifier can be used to gain access to educational records when used in conjunction with one or more factors that authenticate the student's identity, such as a PIN, password, or other factor known or possessed only by the student;
4. personally identifiable data which references religion, race, color, social position, or nationality; or
5. data collected from nonpublic school students, other than those who receive shared time educational services, unless written consent is given by the student's parent or guardian.

[Note: This definition includes all of the types of information specifically referenced by state and federal law as directory information. A school district may choose not to designate some or all of the enumerated information as directory information. A school district also may add to the list of directory information, as long as the added data is not information that generally would be deemed as an invasion of privacy or information that references the student's religion, race, color, social position, or nationality. Federal law now allows a school district to specify that the disclosure of directory information will be limited to specific parties, for specific purposes, or both. The identity of

those parties and/or purposes should be identified. To the extent a school district adds these restrictions, it must then limit its directory information disclosures to those individuals and/or purposes specified in this public notice. Procedures to address how these restrictions will be enforced by the school district are advised. Designation of directory information is an important policy decision for the local school board which must balance not only the privacy interests of the student against public disclosure but also the additional administrative requirements such restrictions on disclosures will place on the school district.]

E. Education Records

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

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

- d. Records relating to an eligible student, or a student attending an institution of post-secondary education, which are:
 - (1) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity or assisting in that capacity;
 - (2) made, maintained, or used only in connection with the provision of treatment to the student; and
 - (3) disclosed only to individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are a part of the program of instruction within the school district.
- e. Records that only contain information about an individual after he or she is no longer a student at the school district and that are not directly related to the individual's attendance as a student.

F. Eligible Student

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

G. Juvenile Justice System

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

H. Legitimate Educational Interest

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

- 1. Perform an administrative task required in the school or employee's contract or position description approved by the school board;
- 2. Perform a supervisory or instructional task directly related to the student's

education; or

3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid.
4. Perform a task directly related to responding to a request for data.

I. Parent

“Parent” means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent of the student in the absence of a parent or guardian. The school district may presume the parent has the authority to exercise the rights provided herein, unless it has been provided with evidence that there is a state law or court order governing such matters as marriage dissolution, separation or child custody, or a legally binding instrument which provides to the contrary.

J. Personally Identifiable

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

K. Record

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

L. Responsible Authority

“Responsible authority” means *[designate title and actual name of individual]*.

M. Student

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

from the school district.

N. School Official

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

[Note: School districts may wish to reference police liaison officers in the definition of a “school official.” Depending on the circumstances of the relationship, this may be added in subpart (d) of the definition or in a new subpart (e). Caution should be used to ensure that police liaison officers are considered “school officials” only when performing duties as a police liaison officer. Consultation with the school district’s legal counsel is recommended.]

O. Summary Data

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

P. Other Terms and Phrases

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

IV. GENERAL CLASSIFICATION

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

V. STATEMENT OF RIGHTS

A. Rights of Parents and Eligible Students

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

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

B. Eligible Students

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

C. Disabled Students

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

VI. **DISCLOSURE OF EDUCATION RECORDS**

A. Consent Required for Disclosure

1. The school district shall obtain a signed and dated written informed consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the

student, except as provided herein.

2. The written consent required by this subdivision must be signed and dated by the parent of the student or the eligible student giving the consent and shall include:
 - a. a specification of the records to be disclosed;
 - b. the purpose or purposes of the disclosure;
 - c. the party or class of parties to whom the disclosure may be made;
 - d. the consequences of giving informed consent; and
 - e. if appropriate, a termination date for the consent.
3. When a disclosure is made under this subdivision:
 - a. if the parent or eligible student so requests, the school district shall provide him or her with a copy of the records disclosed; and
 - b. if the parent of a student who is not an eligible student so requests, the school district shall provide the student with a copy of the records disclosed.
4. A signed and dated written consent may include a record and signature in electronic form that:
 - a. identifies and authenticates a particular person as the source of the electronic consent; and
 - b. indicates such person's approval of the information contained in the electronic consent.
5. If the responsible authority seeks an individual's informed consent to the release of private data to an insurer or the authorized representative of an insurer, informed consent shall not be deemed to have been given unless the statement is:
 - a. in plain language;
 - b. dated;
 - c. specific in designating the particular persons or agencies the data subject is authorizing to disclose information about the data subject;
 - d. specific as to the nature of the information the subject is

authorizing to be disclosed;

- e. specific as to the persons or agencies to whom the subject is authorizing information to be disclosed;
- f. specific as to the purpose or purposes for which the information may be used by any of the parties named in Clause e. above, both at the time of the disclosure and at any time in the future; and
- g. specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for: (i) life insurance or noncancellable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or (ii) medical assistance under Minn. Stat. Ch. 256B or Minnesota Care under Minn. Stat. Ch. 256L, which shall be ongoing during all terms of eligibility, for individualized education program health-related services provided by a school district that are subject to third party reimbursement.

6. Eligible Student Consent

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

B. Prior Consent for Disclosure Not Required

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

- 1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records;
- 2. To a contractor, consultant, volunteer, or other party to whom the school district has outsourced institutional services or functions provided that the outside party:
 - a. performs an institutional service or function for which the school district would otherwise use employees;
 - b. is under the direct control of the school district with respect to the use and maintenance of education records; and

- c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made.
3. To officials of other schools, school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (see Section XIX.), suspension and expulsion information pursuant to section 7917 of the federal Every Student Succeeds Act *[insert the following if the school district has a policy regarding Staff Notification of Violent Behavior by Students]* and, if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minn. Stat. § 260B.171, unless the data are required to be destroyed under Minn. Stat. § 120A.22, Subd. 7(c) or § 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records which have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with Section XV. of this policy;
4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;
5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:
 - a. determine eligibility for the aid;
 - b. determine the amount of the aid;
 - c. determine conditions for the aid; or
 - d. enforce the terms and conditions of the aid.

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

6. To state and local officials or authorities to whom such information is

specifically allowed to be reported or disclosed pursuant to state statute adopted:

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

8. To accrediting organizations in order to carry out their accrediting functions;
9. To parents of a student eighteen (18) years of age or older if the student is a dependent of the parents for income tax purposes;
10. To comply with a judicial order or lawfully issued subpoena, provided, however, that the school district makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a federal grand jury subpoena, or any other subpoena issued for law enforcement purposes, and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or the disclosure is in compliance with an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. § 2332b(g)(5)(B), an act of domestic or international terrorism as defined in 18 U.S.C. § 2331, or a parent is a party to a court proceeding involving child abuse and neglect or dependency matters, and the order is issued in the context of the proceeding. If the school district initiates legal action against a parent or student, it may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as plaintiff. Also, if a parent or eligible student initiates a legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself;
11. To appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health, including the mental health, or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there is an articulable and significant threat to the health or safety of a student or other individuals. In making a determination whether to disclose information under this section, the school district may take into account the totality of the circumstances pertaining to a threat and may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other students. A record of this disclosure must be maintained pursuant to Section XIII.E. of this policy. In addition, an educational agency or institution may include in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and school officials within the

school district and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;

12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;
13. Information the school district has designated as “directory information” pursuant to Section VII. of this policy;
14. To military recruiting officers and post-secondary educational institutions pursuant to Section XI. of this policy;
15. To the parent of a student who is not an eligible student or to the student himself or herself;
16. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;
17. To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students;
18. To the juvenile justice system, on written request that certifies that the information will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student:
 - a. the following information about a student must be disclosed: a student’s full name, home address, telephone number, date of birth; a student’s school schedule, daily attendance record, and photographs, if any; and any parents’ names, home addresses, and telephone numbers;
 - b. the existence of the following information about a student, not the actual data or other information contained in the student’s education record, may be disclosed provided that a request for access must be submitted on the statutory form and it must contain an explanation of why access to the information is necessary to serve the student: (1) use of a controlled substance, alcohol, or tobacco; (2) assaultive or threatening conduct that could result in dismissal from school under the Pupil Fair Dismissal Act; (3) possession or use of weapons or look-alike weapons; (4) theft; or (5) vandalism or other damage to property. Prior to releasing this information, the principal or chief administrative officer of a

school who receives such a request must, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information. If the student's parent or guardian notifies the school official of an objection to the disclosure within ten (10) days of receiving certified notice, the school official must not disclose the information and instead must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the school official must respond to the request for information.

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

19. To the principal where the student attends and to any counselor directly supervising or reporting on the behavior or progress of the student if it is information from a disposition order received by a superintendent under Minn. Stat. § 260B.171, Subd. 3. The principal must notify the counselor immediately and must place the disposition order in the student's permanent education record. The principal also must notify immediately any teacher or administrator who directly supervises or reports on the behavior or progress of the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other school district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individual need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student, outline the offense, and describe any conditions of probation about which the school must provide information if this information is provided in the disposition order. Disposition order information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information may not be further disseminated by the counselor, teacher, administrator, staff member, substitute, or volunteer except as necessary to serve the student, to protect students and staff, or as otherwise required by law, and only to the student or the student's parent or guardian;
20. To the principal where the student attends if it is information from a peace officer's record of children received by a superintendent under Minn. Stat. § 260B.171, Subd. 5. The principal must place the information in the student's education record. The principal also must notify immediately any teacher, counselor, or administrator directly supervising the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may

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

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

21. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more programs authorized under the National School Lunch Act or the Child Nutrition Act of 1966 for which the results will be reported in an aggregate form that does not identify any individual, on the conditions that: (a) any data collected shall be protected in a manner that will not permit the personal identification of students and their parents by other than the authorized representatives of the Secretary; and (b) any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measurements.
22. To an agency caseworker or other representative of a State or local child welfare agency, or tribal organization (as defined in ~~section 450b of Title 25~~ 25 U.S.C. § 5304), who has the right to access a student's case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization

to receive such disclosure and such disclosure is consistent with the State or tribal laws applicable to protecting the confidentiality of a student's education records.

C. Nonpublic School Students

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

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

VII. RELEASE OF DIRECTORY INFORMATION

A. Classification

Directory information is public except as provided herein.

B. Former Students

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

C. Present Students and Parents

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

1. Annually give public notice by any means that are reasonably likely to inform the parents and eligible students of:
 - a. the types of personally identifiable information regarding students and/or parents that the school district has designated as directory information;
 - b. the parent's or eligible student's right to refuse to let the school district designate any or all of those types of information about the student and/or the parent as directory information; and
 - c. the period of time in which a parent or eligible student has to notify the school district in writing that he or she does not want any or all of those types of information about the student and/or the parent designated as directory information.

[Note: Federal law now allows a school district to specify that the disclosure of directory information will be limited to specific parties, for specific purposes, or both. If the school district chooses to impose these limitations, it is advisable to add a new paragraph VII.C.1.d. which specifies that disclosures of directory information will be limited to specific parties and/or for specific purposes and identify those parties and/or purposes. To the extent a school district adds these restrictions, it must then limit its directory information disclosures to those individuals and/or purposes specified in this public notice. Procedures to address how these restrictions will be enforced by the school district are advised. This is an important policy decision for the local school board which must balance not only the privacy interests of the student against public disclosure, but also the additional administrative requirements such restrictions will place on the school district.]

2. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the school district in writing that any or all of the information so designated should not be disclosed without the parent's or eligible student's prior written consent, except as provided in Section VI. of this policy.
3. A parent or eligible student may not opt out of the directory information disclosures to:
 - a. prevent the school district from disclosing or requiring the student to disclose the student's name, ID, or school district e-mail address in a class in which the student is enrolled; or
 - b. prevent the school district from requiring a student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information that may be designated as directory information and that has been properly designated by the school district as directory information.

4. The school district shall not disclose or confirm directory information without meeting the written consent requirements contained in Section VI.A. of this policy if a student's social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student's records.

D. Procedure for Obtaining Nondisclosure of Directory Information

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

1. Name of the student and/or parent, as appropriate;
2. Home address;
3. School presently attended by student;
4. Parent's legal relationship to student, if applicable; and
5. Specific categories of directory information to be made not public without the parent's or eligible student's prior written consent, which shall only be applicable for that school year.

E. Duration

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

VIII. DISCLOSURE OF PRIVATE RECORDS

A. Private Records

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

B. Private Records Not Accessible to Parent

In certain cases state law intends, and clearly provides, that certain information contained in the education records of the school district pertaining to a student be

accessible to the student alone, and to the parent only under special circumstances, if at all.

1. The responsible authority may deny access to private data by a parent when a minor student who is the subject of that data requests that the responsible authority deny such access. The minor student's request must be submitted in writing setting forth the reasons for denying access to the parent and must be signed by the minor. Upon receipt of such request the responsible authority shall determine if honoring the request to deny the parent access would be in the best interest of the minor data subject. In making this determination the responsible authority shall consider the following factors:
 - a. whether the minor is of sufficient age and maturity to be able to explain the reasons for and understand the consequences of the request to deny access;
 - b. whether the personal situation of the minor is such that denying parental access may protect the minor data subject from physical or emotional harm;
 - c. whether there are grounds for believing that the minor data subject's reasons for precluding parental access are reasonably accurate;
 - d. whether the data in question is of such a nature that disclosure of it to the parent may lead to physical or emotional harm to the minor data subject; and
 - e. whether the data concerns medical, dental or other health services provided pursuant to Minn. Stat. §§ 144.341-144.347, in which case the data may be released only if the failure to inform the parent would seriously jeopardize the health of the minor.

C. Private Records Not Accessible to Student

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

IX. DISCLOSURE OF CONFIDENTIAL RECORDS

A. Confidential Records

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

B. Reports Under the Maltreatment of Minors Reporting Act

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

Regardless of whether a written report is made under Minn. Stat. § 626.556, Subd. 7, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.

C. Investigative Data

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

1. The school district may make any data classified as protected non-public or confidential pursuant to this subdivision accessible to any person, agency, or the public if the school district determines that such access will aid the law enforcement process, promote public health or safety, or dispel widespread rumor or unrest.
2. A complainant has access to a statement he or she provided to the school district.
3. Parents or eligible students may have access to investigative data of which the student is the subject, but only to the extent the data is not inextricably intertwined with data about other school district students, school district employees, and/or attorney data as defined in Minn. Stat. § 13.393.
4. Once a civil investigation becomes inactive, civil investigative data becomes public unless the release of the data would jeopardize another pending civil legal action, except for those portions of such data that are classified as not public data under state or federal law. Any civil investigative data presented as evidence in court or made part of a court record shall be public. For purposes of this provision, a civil investigation becomes inactive upon the occurrence of any of the following events:
 - a. a decision by the school district, or by the chief attorney for the

school district, not to pursue the civil legal action. However, such investigation may subsequently become active if the school district or its attorney decides to renew the civil legal action;

- b. the expiration of the time to file a complaint under the statute of limitations or agreement applicable to the civil legal action; or
- c. the exhaustion or expiration of rights of appeal by either party to the civil legal action.

- 5. A “pending civil legal action” for purposes of this subdivision is defined as including, but not limited to, judicial, administrative, or arbitration proceedings.

D. Chemical Abuse Records

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

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

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

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

A. The school district will release the names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request unless a parent or eligible student has refused in writing to release this data pursuant to Paragraph C. below.

B. Data released to military recruiting officers under this provision:

- 1. may be used only for the purpose of providing information to students about military service, state and federal veterans’ education benefits, and other career and educational opportunities provided by the military; and
- 2. cannot be further disseminated to any other person except personnel of the

recruiting services of the armed forces.

- C. A parent or eligible student has the right to refuse the release of the name, address, or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the responsible authority [*designate title of individual, i.e., building principal*] in writing by [*date*] each year. The written request must include the following information:
1. Name of student and parent, as appropriate;
 2. Home address;
 3. Student's grade level;
 4. School presently attended by student;
 5. Parent's legal relationship to student, if applicable;
 6. Specific category or categories of information which are not to be released to military recruiting officers and post-secondary educational institutions; and
 7. Specific category or categories of information which are not to be released to the public, including military recruiting officers and post-secondary educational institutions.
- D. Annually, the school district will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse to release the names, addresses, and home phone numbers of students in grades 11 and 12 without prior consent.
- E. A parent or eligible student's refusal to release the above information to military recruiting officers and post-secondary educational institutions does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII. of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, phone number, and grade level of students as directory information, absent a request from a parent or eligible student not to release such data, this information will be public data and accessible to members of the public, including military recruiting officers and post-secondary educational institutions.

XII. LIMITS ON REDISCLOSURE

- A. Redisclosure

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

B. Redisclosure Not Prohibited

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

[Note: 42 U.S.C. § 14071 was repealed. School districts should retain this statutory reference, however, as it remains a reference in FERPA and the Minnesota Government Data Practices Act and still may apply to individuals required to register prior to the repeal of this law.]

C. Classification of Disclosed Data

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

D. Notification

The school district shall inform the party to whom a disclosure is made of the requirements set forth in this section, except for disclosures made pursuant to court orders or lawfully issued subpoenas, disclosure of directory information

under Section VII. of this policy, disclosures to a parent or student, or disclosures to parents of a dependent student. In the event that the Family Policy Compliance Office determines that a state or local educational authority, a federal agency headed by an official listed in 34 C.F.R. § 99.31(a)(3), or an authorized representative of a state or local educational authority or a federal agency headed by an official listed in § 99.31(a)(3), or a third party outside of the school district improperly rediscloses personally identifiable information from education records or fails to provide notification required under this section of this policy, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.

XIII. RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING

A. Responsible Authority

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

B. Record Security

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

C. Plan for Securing Student Records

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

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

D. Review of Written Plan for Securing Student Records

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

attached to and become a part of this policy.

E. Record Keeping

1. The principal shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record with the education records of the student which indicates:
 - a. the parties who have requested or received personally identifiable information from the education records of the student;
 - b. the legitimate interests these parties had in requesting or obtaining the information; and
 - c. the names of the state and local educational authorities and federal officials and agencies listed in Section VI.B.4. of this policy that may make further disclosures of personally identifiable information from the student's education records without consent.

2. In the event the school district discloses personally identifiable information from an education record of a student pursuant to Section XII.B. of this policy, the record of disclosure required under this section shall also include:
 - a. the names of the additional parties to which the receiving party may disclose the information on behalf of the school district;
 - b. the legitimate interests under Section VI. of this policy which each of the additional parties has in requesting or obtaining the information; and
 - c. a copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 C.F.R. § 99.32 and to whom the school district disclosed information from an education record. The school district shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to whom education records were disclosed upon a request from a parent or eligible student to review the record of requests for disclosure.

3. Section XIII.E.1. does not apply to requests by or disclosure to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other school officials under Section VI.B.1. of this policy, to requests for disclosures of directory information under Section VII. of this policy, or to a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or agency has

ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18. U.S.C. § 2332b(g)(5)(B) or an act of domestic or international terrorism.

[Note: While Section XIII.E.1. does not apply to requests for or disclosures of directory information under Section VII. of this policy, to the extent the school district chooses to limit the disclosure of directory information to specific parties, for specific purposes, or both, it is advisable that records be kept to identify the party to whom the disclosure was made and/or purpose for the disclosure.]

4. The record of requests of disclosures may be inspected by:
 - a. the parent of the student or the eligible student;
 - b. the school official or his or her assistants who are responsible for the custody of the records; and
 - c. the parties authorized by law to audit the record-keeping procedures of the school district.
5. The school district shall record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:
 - a. the articulable and significant threat to the health or safety of a student or other individual that formed the basis for the disclosure; and
 - b. the parties to whom the school district disclosed the information.
6. The record of requests and disclosures shall be maintained with the education records of the student as long as the school district maintains the student's education records.

XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

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

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

B. Response to Request for Access

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

C. Right to Inspect and Review

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

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

D. Form of Request

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

E. Collection of Student Records

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

F. Records Containing Information on More Than One Student

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

G. Authority to Inspect or Review

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

H. Fees for Copies of Records

1. The school district shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the reasonable fee, the school district shall consider the following:
 - a. the cost of materials, including paper, used to provide the copies;
 - b. the cost of the labor required to prepare the copies;
 - c. any schedule of standard copying charges established by the school district in its normal course of operations;
 - d. any special costs necessary to produce such copies from machine based record-keeping systems, including but not limited to computers and microfilm systems; and
 - e. mailing costs.
2. If 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and, instead, the charge shall be no more than 25 cents for each page copied.
3. The cost of providing copies shall be borne by the parent or eligible student.
4. The responsible authority, however, may not impose a fee for a copy of an education record made for a parent or eligible student if doing so would effectively prevent or, in the case of a student with a disability, impair the parent or eligible student from exercising their right to inspect or review the student's education records.

XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA

A. Request to Amend Education Records

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

amend those records.

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

B. Right to a Hearing

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

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

thereof is disclosed by the school district to any party, the explanation shall also be disclosed to that party.

C. Conduct of Hearing

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

D. Appeal

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

XVI. PROBLEMS ACCESSING DATA

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

XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA

A. Where to File Complaints

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

B. Content of Complaint

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

XVIII. WAIVER

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

XIX. ANNUAL NOTIFICATION OF RIGHTS

A. Contents of Notice

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

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;
2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records;
3. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosure without consent;
4. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of FERPA and the rules promulgated thereunder;
5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing

education records to other school officials whom the school district has determined to have legitimate educational interests; and

6. That the school district forwards education records on request to a school in which a student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment or transfer and that such records may include suspension and expulsion records pursuant to the federal Every Student Succeeds Act and, if applicable, a student's history of violent behavior.

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

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

C. Notification to Parents or Eligible Students Who are Disabled

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

XX. DESTRUCTION AND RETENTION OF RECORDS

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

XXI. COPIES OF POLICY

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 14 (Administrative Procedures Act)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)
Minn. Stat. § 121A.75 (Sharing Disposition Order and Peace Officer Records)
Minn. Stat. § 127A.852 (Military-Connected Youth Identifier)
Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)
Minn. Stat. § 260B.171, Subds. 3 and 5 (Disposition Order and Peace Officer Records of Children)
Minn. Stat. § 363A.42 (Public Records; Accessibility)
Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)
10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns; Compilation of Directory Information)
18 U.S.C. § 2331 (Definitions)

18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
20 U.S.C. § 6301 *et seq.* (Every Student Succeeds Act)
20 U.S.C. § 7908 (Armed Forces Recruiting Information)
26 U.S.C. §§ 151 and 152 (Internal Revenue Code)
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)
34 C.F.R. § 300.610-300.627 (Confidentiality of Information)
42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records)
Gonzaga University v. Doe, 536 U.S. 273, 122 S.Ct. 2268, 153 L.Ed. 2d
309 (2002)

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

Adopted: _____

MSBA/MASA Model Policy 529

Orig. 1999

Revised: _____

Rev. ~~2006~~ 2016

529 STAFF NOTIFICATION OF VIOLENT BEHAVIOR BY STUDENTS

[Note: School districts are not required to adopt a policy regarding staff notification of violent behavior by students. State law does, however, require school districts to provide classroom teachers with notice of the placement of students with a history of violent behavior in their classrooms. Thus, school districts may decide the manner in which they provide such notice. In 2003, the Minnesota Legislature required a committee, including a representative from the Minnesota School Boards Association (MSBA), to develop a model policy for schools to notify staff about violent behavior by students. That model policy is available on the Minnesota Department of Administration's website. MSBA has modified the committee-developed policy for consistency with its other model policies and to reflect management perspectives. MSBA recommends this policy.]

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, including any documented physical assault of a school district employee by the student, 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, a school district employee, 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;
2. Perform a supervisory or instructional task directly related to the student’s education; or
3. Perform a service or benefit for the student or the student’s family such as health care, counseling, student job placement, or student financial aid.
4. Perform a task directly related to responding to a request for data.

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.

[Note: School districts may wish to reference other school staff members such as paraprofessionals, bus drivers, occupational therapists, or police liaison officers in the definition of a “school staff member.” However, the definition of a “school staff member” in this policy should be identical to the school district’s definition of a “school official” in Policy 515, Protection and Privacy of Pupil Records.]

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: MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

Adopted: _____

MSBA/MASA Model Policy 530

Orig. 1999

Revised: _____

Rev. ~~2011~~ 2017

530 IMMUNIZATION REQUIREMENTS

[Note: The provisions of this policy substantially reflect statutory 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

All students are required to provide proof of immunization, or appropriate documentation exempting the student from such immunization, and such other data 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 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, advanced practice registered nurse, physician assistant, or a public clinic which provides immunizations (hereinafter "medical statement"), stating affirming that the student received the immunizations required by law, consistent with medically acceptable standards; or
2. a medical statement ~~from a physician or a public clinic which provides immunizations, stating affirming~~ 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 medical statement ~~of a physician or public clinic which administers immunizations~~. If such a statement is substituted, this statement must indicate the month 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.

- 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 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 **medical** statement **stating affirming** 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.

[See Attachments A, B, C, and D.]

- 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 4604.0100-4604.1020 (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:*** MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

Adopted: _____

MSBA/MASA Model Policy 602

Orig. 1995

Revised: _____

Rev. 2017

602 ORGANIZATION OF SCHOOL CALENDAR AND SCHOOL DAY

I. PURPOSE

The purpose of this policy is to provide for a timely determination of the school calendar and school day.

II. GENERAL STATEMENT OF POLICY

The school calendar and schedule of the school day are important to parents, students, employees, and the general public for advance, effective planning of the school year.

III. CALENDAR RESPONSIBILITY

- A. The school calendar shall be adopted annually by the school board. It shall meet all provisions of Minnesota statutes pertaining to minimum number of school days and other provisions of law. The school calendar shall establish student days, workshop days for staff, provide for emergency closings and other information related to students, staff, and parents.

[Note: The annual school calendar must include at least 425 hours of instruction for a kindergarten student without a disability, 935 hours of instruction for a student in grades 1 through 6, and 1,020 hours of instruction for a student in grades 7 through 12, not including summer school. The school calendar for all-day kindergarten must include at least 850 hours of instruction for the school year. If a voluntary prekindergarten program is offered by the school district, a prekindergarten student must receive at least 350 hours of instruction for the school year. A school board's annual calendar must include at least 165 days of instruction for a student in grades 1 through 11 unless a four-day week schedule has been approved by the Commissioner of Education under Minn. Stat. § 124D.126. A school board's annual school calendar may include plans for up to five days of instruction provided through online instruction due to inclement weather. The inclement weather plans must be developed according to Section V., below.]

[Note: To the extent the school board offers K-12 teachers the opportunity for more staff development training under Minn. Stat. § 122A.40, Subds. 7 and 7a, or Minn. Stat. § 122A.41, Subds. 4 and 4a, the school district shall adopt as its school calendar a total of 240 days of student instruction and staff development, of which the total number of staff development days equals the difference between the total number of days of student instruction and 240 days. The school board may schedule additional staff development days throughout the

calendar year.]

- B. Except for learning programs during summer and flexible learning year programs, the school district will not commence an elementary or secondary school year before Labor Day, except as provided in Section III.B.1., III.B.2., or III.B.3. Days devoted to teacher’s workshops may be held before Labor Day.
 - 1. The school district may begin the school year on any day before Labor Day to accommodate a construction or remodeling project of \$400,000 or more affecting a school district school facility.
 - 2. The school district may begin the school year on any day before Labor Day if the school district has agreement under Minn. Stat. § 123A.30, § 123A.32, or § 123A.35 with a school district that qualifies under Section III.B.1.
 - 3. The school district may begin the school year on any day before Labor Day if the school district agrees to the same schedule with a school district in an adjoining state.
- C. Employee and advisory groups shall be provided an opportunity to participate in school calendar considerations through a meet and confer process.

[Note: The provisions of the prior law requiring the school board to adopt the calendar for the next school year by April 1 have been repealed. The school board should still attempt to establish the calendar as early as possible so proper planning can take place by all members of the school community.]

IV. SCHOOL DAY RESPONSIBILITY

- A. The superintendent shall be responsible for developing a schedule for the student day, subject to review by the school board. All requirements and provisions of Minnesota Statutes and Minnesota Department of Education Rules shall be met.
- B. In developing the student day schedule, the superintendent shall consider such factors as school bus schedules, cooperative programs, differences in time requirements at various grade levels, effective utilization of facilities, cost effectiveness, and other concerns deserving of attention.
- C. Proposed changes in the school day shall be subject to review and approval by the school board.

V. E-LEARNING DAYS

- A. An “e-learning day” is a school day where a school offers full access to online instruction provided by students’ individual teachers due to inclement weather.
- B. A school district may designate up to five e-learning days in one school year.

- C. An e-learning day is counted as a day of instruction and included in the hours of instruction pursuant to Section III.A., above.
- D. The e-learning day plan developed by the school district will include accommodations for students without Internet access at home and for digital device access for families without the technology or with an insufficient amount of technology for the number of children in the household. The plan must also provide accessible options for students with disabilities.
- E. The school district must notify parents and students of its e-learning day plan at the beginning of each school year.
- F. When an e-learning day is declared by the school district, notice must be provided to parents and students at least two hours prior to the normal school start time that students will need to follow the e-learning day plan for that day.
- G. On an e-learning day, each student's teacher must be accessible both online and by telephone during normal school hours to assist students and parents.

Legal References: Minn. Stat. § 120A.40 (School Calendar)
Minn. Stat. § 120A.41 (Length of School Year; Days of Instruction)
Minn. Stat. § 120A.414 (E-Learning Days)
Minn. Stat. § 120A.415 (Extended School Calendar)
Minn. Stat. § 120A.42 (Holidays)
Minn. Stat. § 122A.40, Subds. 7 and 7a (Employment; Contracts; Termination)
Minn. Stat. § 122A.41, Subds. 4 and 4a (Teacher Tenure Act; Cities of the First Class; Definitions)
Minn. Stat. § 123A.30 (Agreements for Secondary Education)
Minn. Stat. § 123A.32 (Interdistrict Cooperation)
Minn. Stat. § 123A.35 (Cooperation and Combination)
~~Minn. Stat. § 124D.11, Subd. 9 (Revenue for Results Oriented Charter School)~~
Minn. Stat. § 124D.126 (Powers and Duties of Commissioner; Flexible Learning Year Programs)
Minn. Stat. § 124D.151 (Voluntary Prekindergarten Program)
Minn. Stat. § 124E.25 (Payment of Aids to Charter Schools)
Minn. Stat. § 127A.41, Subd. 7 (Distribution of School Aids; Appropriation)

Cross References: MSBA/MASA Model Policy 425 (Staff Development)

Adopted: _____

MSBA/MASA Model Policy 624

Orig. 2003

Revised: _____

Rev. 2019

624 ONLINE LEARNING OPTIONS

[Note: The provisions of this policy substantially reflect the statutory requirements of Minn. Stat. § 124D.095, the Online Learning Option Act.]

I. PURPOSE

The purpose of this policy is to recognize and govern online learning options of students enrolled in the school district for purposes of compulsory attendance and address enrollment of students with an online learning provider for supplemental or full-time online learning.

II. GENERAL STATEMENT OF POLICY

- A. The school district shall not prohibit an enrolled student from applying to enroll in online learning.
- B. The school district shall grant academic credit for completing the requirements of an online learning course or program.
- C. The school district shall allow an online learning student to have the same access to the computer hardware and education software available in the school district as all other students in the school district. An online learning provider must assist an online learning student whose family qualifies for education tax credit to acquire computer hardware and educational software for online learning purposes.
- D. The school district shall continue to provide non-academic services to online learning students.
- E. Online learning students may participate in the extracurricular activities of the school district on the same basis as other enrolled students.

[Note: The school district may itself offer digital learning to its enrolled students. Such digital learning does not generate online learning funds. To the extent digital learning is offered by the school district only to its enrolled students, it is not subject to the Minnesota Department of Education (MDE) reporting or review requirements unless the school district is a full-time online learning provider. See Minn. Stat. § 124D.095, Subd. 4(d) and (e).]

To the extent the school district provides to resident students curriculum that has both physical and electronic components, the school district must make the electronic component accessible to a resident student in a home school at the request of the home-schooled student or student's parent or guardian, provided that the school

district does not incur more than an incidental cost as a result of providing access electronically. See Minn. Stat. § 123B.42.]

III. DEFINITIONS

- A. “Blended learning” is a form of digital learning that occurs when a student learns part time in a supervised physical setting and part time through digital delivery of instruction, or a student learns in a supervised physical setting where technology is used as a primary method to deliver instruction.
- B. “Digital learning” is learning facilitated by technology that offers students an element of control over the time, place, path, or pace of their learning and includes blended and online learning.
- C. “Enrolling district” means the school district or charter school in which a student is enrolled under Minn. Stat. § 120A.22, Subd. 4, for purposes of compulsory education.
- D. “Full-time online learning provider” means an enrolling school authorized by the Minnesota Department of Education (MDE) to deliver comprehensive public education at any or all of the elementary, middle, or high school levels.
- E. “Online learning course syllabus” is a written document that an online learning provider transmits to the enrolling school district using a format prescribed by the Commissioner of MDE (Commissioner) to identify the state academic standards embedded in an online learning course, the course content outline, required course assessments, expectations for actual teacher contact time, and other student-to-teacher communications, and the academic support available to the online learning student.
- F. “Online learning” is a form of digital learning delivered by an approved online learning provider under Paragraph III.H.
- G. “Online learning student” is a student enrolled in an online learning course or program delivered by an authorized online learning provider.
- H. “Online learning provider” is a school district, an intermediate school district, or an organization of two or more school districts operating under a joint powers agreement, or a charter school located in Minnesota that provides online learning to students and is approved by MDE to provide online learning courses.
- I. “Student” is a Minnesota resident enrolled in a public school, a nonpublic school, church or religious organization, or home school in which a child is provided instruction in compliance with Minn. Stat. §§ 120A.22 and 120A.24.
- J. “Supplemental online learning” means an online learning course taken in place of a course period at a local district school.

IV. PROCEDURES

A. Dissemination and Receipt of Information

1. The school district shall make available information about online learning to all interested people. The school district may utilize the list of approved online learning providers and online learning courses and programs developed, published, and maintained by MDE.
2. The school district will receive and maintain information provided to it by online learning providers.
3. The online learning provider must report or make available information on an individual student's progress and accumulated credit to the student, the student's parent, and the enrolling district in a manner specified by the Commissioner unless the enrolling district and the online learning provider agree to a different form of notice and notify the Commissioner.
4. The enrolling district must designate a contact person to help facilitate and monitor the student's academic progress and accumulated credits toward graduation.

B. Student Enrollment

1. A student may apply for full-time enrollment in an approved online learning program. The student must have the written consent of a parent or guardian to do so if the student is under eighteen (18) years of age.
2. The student and the student's parents must submit an application to the online learning provider and identify the student's reason for enrolling. An online learning provider that accepts a student under this section must notify the student and the enrolling district in writing within ten days if the enrolling district is not the online learning provider. The student and the student's parent must notify the online learning provider of the student's intent to enroll in online learning within ten days of being accepted, at which time the student and the student's parent must sign a statement indicating that they have reviewed the online course or program and understand the expectations of enrolling in online learning. The online learning provider must use a form provided by MDE to notify the enrolling district of the student's application to enroll in online learning.
3. The supplemental online learning notice to the enrolling district when a student applies to the online learning provider will include the courses or program, credits to be awarded, and the start date of the online learning course or program. An online learning provider must make available the supplemental online learning course syllabus to the enrolling district. Within 15 days after the online learning provider makes information in this paragraph available to the enrolling district, the enrolling district must

notify the online learning provider whether the student, the student's parent, and the enrolling district agree or disagree that the course meets the enrolling district's graduation requirements. A student may enroll in a supplemental online learning course up to the midpoint of the school district's term. The school district may waive this requirement for special circumstances with the agreement of the online learning provider.

4. An online learning course or program that meets or exceeds a graduation standard or the grade progression requirement of the enrolling district as described in the provider's online learning course syllabus meets the corresponding graduation requirements applicable to the student in the enrolling district. If the enrolling district does not agree that the course or program meets its graduation requirements, then the enrolling district must make available an explanation of its decision to the student, the student's parent, and the online learning provider; and the online learning provider may make available a response to the enrolling district, showing how the course or program meets the graduation requirements of the enrolling district.
5. An online learning student may enroll in supplemental online learning courses equal to a maximum of 50 percent of the student's full schedule of courses per term during a single school year, and the student may exceed the supplemental online learning registration limit if the enrolling district permits for supplemental online learning enrollment above the limit or if the enrolling district and the online learning provider agree to the instructional services. To enroll in more than 50 percent of the student's full schedule or courses per term in online learning, the student must qualify to exceed the supplemental online learning registration limit or apply to enroll in an approved full-time online learning program consistent with Paragraph IV.B.2. above. Full-time online learning students may enroll in classes at a local school under a contract for instructional services between the online learning provider and the school district.
6. An online learning student may complete course work at a grade level that is different from the student's current grade level.
7. An online learning student may enroll in additional courses with the online learning provider under a separate agreement that includes terms for paying any tuition or course fees.

C. Classroom Membership and Teacher Contact Time

1. The enrolling district may reduce an online learning student's regular classroom instructional membership in proportion to the student's membership in online learning courses.

2. The school district may reduce the course schedule of an online learning student in proportion to the number of online learning courses the student takes from an online learning provider other than the school district.
3. A teacher with a Minnesota license must assemble and deliver instruction to enrolled students receiving online learning from an enrolling district. The delivery of instruction occurs when the student interacts with the computer or the teacher and receives ongoing assistance and assessment of learning. The instruction may include curriculum developed by persons other than a teacher holding a Minnesota license.
4. The online learning provider, other than a digital learning provider offering digital learning to its enrolled students only under Minn. Stat. § 124D.095, Subd. 4(d), must give the Commissioner written assurance that all courses meet state academic standards and the online learning curriculum, instruction, and assessment expectations for actual teacher contact time or other student-teacher communications and academic support meet nationally recognized standards and are described as such in an online learning course syllabus that meets the Commissioner's requirements.

D. Academic Credit; Graduation Standards or Requirements

1. The school district shall apply the same graduation requirements to all students, including online learning students.
2. The school district shall use the same criteria for accepting online learning credits or courses as it does for accepting credits or courses for nonresident transfer students under Minnesota law.
3. The school district may challenge the validity of a course offered by an online learning provider. Such a challenge will be filed with MDE.
4. The school district shall count secondary credits granted to an online learning student toward its graduation and credit requirements.
5. If a student completes an online learning course or program that meets or exceeds a graduation standard or grade progression requirement at the school district, that standard or requirement will be met.
6. Weighted grades will also be applicable if the school district has adopted a policy to offer weighted grades.

Legal References: Minn. Stat. § 120A.22 (Compulsory Instruction)
 Minn. Stat. § 120A.24 (Reporting)
 Minn. Stat. § 123B.42, Subd. 1a (Curriculum; Electronic Components)
 Minn. Stat. § 124D.03 (Enrollment Options Program)

Minn. Stat. § 124D.09 (Post-Secondary Enrollment Options Act)
Minn. Stat. § 124D.095 (Online Learning Option Act)

Cross References: MSBA/MASA Model Policy 509 (Enrollment of Nonresident Students)
MSBA/MASA Model Policy 605 (Alternative Programs)
MSBA/MASA Model Policy 608 (Instructional Services – Special Education)
MSBA/MASA Model Policy 613 (Graduation Requirements)
MSBA/MASA Model Policy 620 (Credit for Learning)

Adopted: _____

MSBA/MASA Model Policy 904

Orig. 1995

Revised: _____

Rev. 2002

904 DISTRIBUTION OF MATERIALS ON SCHOOL DISTRICT PROPERTY BY NONSCHOOL PERSONS

I. PURPOSE

The purpose of this policy is to provide for distribution of materials appropriate to the school setting by nonstaff and nonstudents on school district property in a reasonable time, place, and manner which does not disrupt the educational program nor interfere with the educational objectives of the school district.

II. GENERAL STATEMENT OF POLICY

- A. The school district intends to provide a method for nonschool persons and organizations to distribute materials appropriate to the school setting within the limitations and provisions of this policy.
- B. To provide for orderly and nondisruptive distribution of materials, the school board adopts the following regulations and procedures.

III. DEFINITIONS

- A. "Distribution" means circulation or dissemination of materials by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying materials, or placing materials in internal staff or student mailboxes.
- B. "Materials" includes all materials and objects intended by nonschool persons or nonschool organizations for distribution. Examples of nonschool-sponsored materials include, but are not limited to, leaflets, brochures, buttons, badges, flyers, petitions, posters, underground newspapers whether written by students, employees or others, and tangible objects.
- C. "Nonschool person" means any person who is not currently enrolled as a student in or employed by the school district.
- D. "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, and lewd exhibition of the genitals; and

3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- E. “Minor” means any person under the age of eighteen (18).
- F. “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 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, specific facts must exist 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.

- G. “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, other theatrical productions, and in-school lunch periods.
- H. “Libelous” is a false and unprivileged statement about a specific individual that tends to harm the individual’s reputation or to lower him or her in the esteem of the community.

IV. GUIDELINES

- A. Nonschool persons and organizations may, within the provisions of this policy, be granted permission to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, materials and objects which are appropriate to the school setting.
- B. Requests for distribution of materials will be reviewed by the administration on a case-by-case basis. However, distribution of the following materials is always

prohibited. Material is prohibited that:

1. is obscene to minors;
2. is libelous;
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 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 religion, 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. Permission for nonschool persons to distribute materials on school district property is a privilege and not a right. In making decisions regarding permission for such 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

If permission is granted pursuant to this policy for the distribution of any materials, 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 nonschool person wishing to distribute materials must first submit for approval a copy of the materials to the administration at least five days in advance of desired distribution time, together with the following information:
1. Name and phone number of the person submitting the request.
 2. Date(s) and time(s) of day of requested distribution.
 3. If material is intended for students, the grade(s) of students to whom the distribution is intended.
 4. The proposed method of distribution.
- B. The administration will review the request and render a decision. The administration will assign a location and method of distribution and will inform the persons submitting the request whether nonschool persons may be present to distribute the materials. In the event that permission to distribute the materials is denied or limited, the person submitting the request should be informed in writing of the reasons for the denial or limitation.
- C. 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.
- D. In the event that permission to distribute materials is denied, the nonschool person or organization may request reconsideration of the decision by the superintendent. The request for reconsideration must be in writing and must set forth the reasons why distribution is desirable and in the interest of the school community.

VII. VIOLATION OF POLICY

Any party violating this policy or distributing materials without permission will be directed to leave the school property immediately and, if necessary, the police will be called.

VIII. 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.

[Note: School districts are encouraged to consider additional guidelines which reflect varied local practices relating to this subject matter including addressing the subject of consistency and uniformity for approving or disapproving practices under 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)
Doe v. South Iron R-1 School District, 498 F.3d 878 (8th Cir. 2007)
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987)
Cornelius v. NAACP Legal Defense and Educational Fund, Inc., 473 U.S. 788, 105 S.Ct. 3439, 87 L.Ed.2d 567 (1985)
Perry Education Ass'n v. Perry Local Educators' Ass'n, 460 U.S. 37, 103 S.Ct. 948, 74 L.Ed.2d 794 (1983)
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), cert. denied [565 U.S. 1036](#), 132 S.Ct. 592 (2011)

Cross References: MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 512 (School-Sponsored Student Publications)



Energy Efficiency Program

An Integral Component of the District's
Facilities Maintenance Plan

Today

- Energy Efficiency Program
 - What is it?
 - How does it relate to facility maintenance?
 - How do we fund it?
- Ask for your approval
 - Authorize administration to complete energy efficiency program



Energy Efficiency Program – What Is It?

Integral Component of Facilities Maintenance Initiative

- Funding mechanism for non-eligible (but necessary) LTFM improvements (e.g. lighting upgrades)

Reduces Burden on LTFM Resources

- Energy program will fund approximately \$1.7 million of LTFM improvements

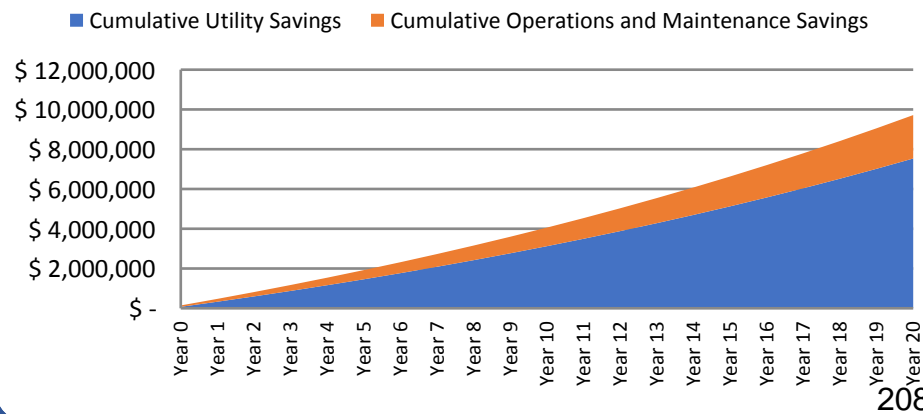
Self-Funding

- Utility and operating efficiency fund the project
- Budget neutral over the 15-year term of financing

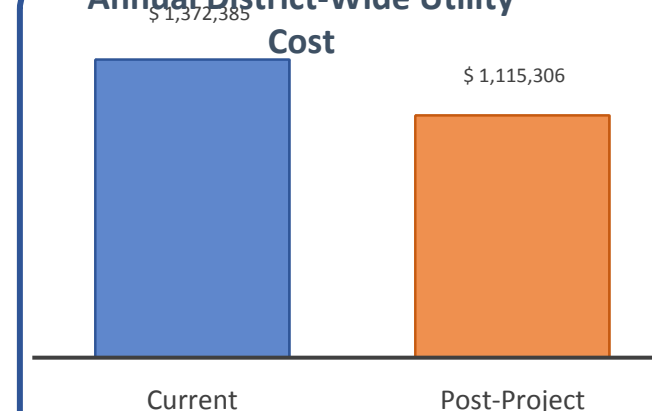
Reduces Operating and Maintenance Expense

- Redirect valuable general fund resources back into education

Savings Over Time



Annual District-Wide Utility



Energy Efficiency Program – Scope of Work

Shakopee Senior High	East Middle School	West Middle School	Eagle Creek Elementary	Jackson Elementary	Pearson Elementary	Red Oak Elementary	Sun Path Elementary	Sweeney Elementary	District-Wide																														
<ul style="list-style-type: none"> •Energy Management and DDC - Data Analytics •Occupancy Control of VAV Boxes •Replace VAV Box Controllers •Lighting Retrofit to LED with Occupancy Controls •Variable Speed Drives/Ventilation Control •Theatre - House Lighting Control System (The theater lighting controls/interface system is obsolete and is wearing out) •Theatre - Dimmer Rack Replacement •Theatre - New LED Cyclorama Lighting 	<ul style="list-style-type: none"> •Energy Management and DDC - Data Analytics •Occupancy Control of VAV Boxes •Lighting Retrofit to LED with Occupancy Controls •Automatic Pool Cover •Boiler Plant Replacement - Hot Water Boilers (Boiler #1 and #2 are original from 1976 and beyond their expected service life) 	<ul style="list-style-type: none"> •Energy Management and DDC - Data Analytics •Occupancy Control of VAV Boxes •Lighting Retrofit to LED with Occupancy Controls •Variable Speed Drives/Ventilation Control •Replace the House Lighting System in the Auditorium. (The band teacher identified the theater lighting console as an immediate replacement need) •New Exterior Doors (Most of the exterior doors throughout the 1965 and 1970 building are original. These doors have inefficient single pane glass and aluminum frames. There are also some steel exterior service doors that could be replaced) •Destratification Fans •Automatic Pool Cover 	<ul style="list-style-type: none"> •Energy Management and DDC - Data Analytics •Occupancy Control of VAV Boxes •Lighting Retrofit to LED with Occupancy Controls •Variable Speed Drives/Ventilation Control 	<ul style="list-style-type: none"> •Energy Management and DDC - Data Analytics •Energy Management and DDC – Complete Allerton Replacement •Occupancy Control of VAV Boxes •Lighting Retrofit to LED with Occupancy Controls •Lighting Control System Replacement 	<ul style="list-style-type: none"> •Energy Management and DDC - Data Analytics •Occupancy Control of VAV Boxes •Lighting Retrofit to LED with Occupancy Controls <div style="background-color: #f4a460; padding: 5px; text-align: center;"> Work in Pearson Elementary is contingent District's decision to reinvest in this facility </div>	<ul style="list-style-type: none"> •Energy Management and DDC - Data Analytics •Occupancy Control of VAV Boxes •Lighting Retrofit to LED with Occupancy Controls •Variable Speed Drives/Ventilation Control •Variable Speed Drives/Pumps 	<ul style="list-style-type: none"> •Energy Management and DDC - Data Analytics •Occupancy Control of VAV Boxes •Lighting Retrofit to LED with Occupancy Controls 	<ul style="list-style-type: none"> •Energy Management and DDC - Data Analytics •Occupancy Control of VAV Boxes •Lighting Retrofit to LED with Occupancy Controls •Domestic Water Fixture Upgrades 1967 	<ul style="list-style-type: none"> •Miscellaneous Operations & Maintenance Repairs •CMMS Upgrade/Expansion - AkitaBox 																														
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Energy Program Costs</th> </tr> <tr> <th>Facility</th> <th>Totals</th> </tr> </thead> <tbody> <tr> <td>Shakopee Senior High</td> <td>\$ 1,167,450</td> </tr> <tr> <td>East Middle School</td> <td>\$ 1,077,900</td> </tr> <tr> <td>West Middle School</td> <td>\$ 1,054,500</td> </tr> <tr> <td>Eagle Creek Elementary</td> <td>\$ 352,000</td> </tr> <tr> <td>Jackson Elementary</td> <td>\$ 1,243,300</td> </tr> <tr> <td>Pearson Elementary</td> <td>\$ 247,500</td> </tr> <tr> <td>Red Oak Elementary</td> <td>\$ 407,600</td> </tr> <tr> <td>Sun Path Elementary</td> <td>\$ 392,700</td> </tr> <tr> <td>Sweeney Elementary</td> <td>\$ 287,900</td> </tr> <tr> <td>Central Family Center</td> <td>\$ -</td> </tr> <tr> <td>District Offices</td> <td>\$ -</td> </tr> <tr> <td>District Wide</td> <td>\$ 334,800</td> </tr> <tr> <td>Totals</td> <td>\$ 6,565,650</td> </tr> </tbody> </table>										Energy Program Costs		Facility	Totals	Shakopee Senior High	\$ 1,167,450	East Middle School	\$ 1,077,900	West Middle School	\$ 1,054,500	Eagle Creek Elementary	\$ 352,000	Jackson Elementary	\$ 1,243,300	Pearson Elementary	\$ 247,500	Red Oak Elementary	\$ 407,600	Sun Path Elementary	\$ 392,700	Sweeney Elementary	\$ 287,900	Central Family Center	\$ -	District Offices	\$ -	District Wide	\$ 334,800	Totals	\$ 6,565,650
Energy Program Costs																																							
Facility	Totals																																						
Shakopee Senior High	\$ 1,167,450																																						
East Middle School	\$ 1,077,900																																						
West Middle School	\$ 1,054,500																																						
Eagle Creek Elementary	\$ 352,000																																						
Jackson Elementary	\$ 1,243,300																																						
Pearson Elementary	\$ 247,500																																						
Red Oak Elementary	\$ 407,600																																						
Sun Path Elementary	\$ 392,700																																						
Sweeney Elementary	\$ 287,900																																						
Central Family Center	\$ -																																						
District Offices	\$ -																																						
District Wide	\$ 334,800																																						
Totals	\$ 6,565,650																																						

Board Approval Requested

- Administration is recommending approving this program, as an integral component of the facility maintenance plan
 - This program self-funds and is budget neutral over the 15-year term of financing
 - This program funds necessary improvements that are ineligible LTFM expenditures (e.g. lighting)
 - This program reduces the burden on LTFM resources (\$1.7 million) by funding needed improvements
 - This program creates general fund savings that can be redirected back into education
- Administration is requesting your authorization to complete the energy efficiency program