

Regular Board Meeting
Monday, September 23, 2024 6:00 PM Central

Central High School
531 Morse Street
Norwood Young America, MN 55368

A. PROCEDURAL ITEMS:

A.1. Call to order

A.2. Roll Call

Pass. This motion, made by Sara Eischens and seconded by Shelby Erickson, Carried.

Sara Eischens: Yea, Shelby Erickson: Yea, Josh Kroells: Yea, Sarah Lehrke: Yea, Emily Perlbachs: Yea, Connor Smith: Yea, Kyle Strickfaden: Yea

Yea: 7, Nay: 0

A.3. Pledge of Allegiance

passed. This motion, made by Sara Eischens and seconded by Shelby Erickson, Carried.

Sara Eischens: Yea, Shelby Erickson: Yea, Josh Kroells: Yea, Sarah Lehrke: Yea, Emily Perlbachs: Yea, Connor Smith: Yea, Kyle Strickfaden: Yea

Yea: 7, Nay: 0

A.4. Approval of Agenda

Move to approve the agenda as presented/amended:passed. This motion, made by Sara Eischens and seconded by Shelby Erickson, Carried.

Sara Eischens: Yea, Shelby Erickson: Yea, Josh Kroells: Yea, Sarah Lehrke: Yea, Emily Perlbachs: Yea, Connor Smith: Yea, Kyle Strickfaden: Yea

Yea: 7, Nay: 0

A.5. Consent Agenda

Move to approve Consent agenda as passed. This motion, made by Sarah Lehrke and seconded by Josh Kroells, Carried.

Sara Eischens: Yea, Shelby Erickson: Yea, Josh Kroells: Yea, Sarah Lehrke: Yea, Emily Perlbachs: Yea, Connor Smith: Yea, Kyle Strickfaden: Yea

Yea: 7, Nay: 0

A.6. Acceptance of Gifts

Move to approve gifts. This motion, made by Josh Kroells and seconded by Connor Smith, Carried.

Sara Eischens: Yea, Shelby Erickson: Yea, Josh Kroells: Yea, Sarah Lehrke: Yea, Emily Perlbachs: Yea, Connor Smith: Yea, Kyle Strickfaden: Yea

Yea: 7, Nay: 0

B. PUBLIC FORUM

C. INFORMATIONAL ITEMS: MONTHLY REPORTS

C.1. Student Council

C.2. Student Representative

C.3. Superintendent

C.4. Board

D. DISCUSSION ITEMS

D.1. Andrea Kolstad: Curriculum and Staff Development Update

D.2. Joe Kley: Central Activities Update

E. OPERATIONAL ITEMS

E.1. Consideration of the FY25 Levy Certification

Approved. This motion, made by Sara Eischens and seconded by Shelby Erickson, Carried.

Sara Eischens: Yea, Shelby Erickson: Yea, Josh Kroells: Yea, Sarah Lehrke: Yea,
Emily Perlbachs: Yea, Connor Smith: Yea, Kyle Strickfaden: Yea
Yea: 7, Nay: 0

E.2. Second Reading of Policies

MN School Board Association's Requirements and Recommendations

Required

524 - Internet, Technology, and Cell Phone Acceptable Use

Legal Requirements

204 - Board Minutes

414 - Mandated Reporting of Child Neglect or Physical or Sexual Abuse

415 - Mandated Reporting of Maltreatment of Vulnerable Adults

416 - Drug and Alcohol Testing

420 - Communicable Diseases and Infections

503 - Student Attendance

528 - Student, Parental, Family, Marital Nondiscrimination

530 - Immunization Requirements

608 - Instructional Services – Special Education

611 - Home Schooling

614 - School District Testing Plan & Procedure

619 - Staff Development for Standards

701 - Establishment and Adoption of School District Budget

702 - Accounting

703 - Annual Audit

705 - Investments

706 - Acceptance of Gifts

801 - Equal Access to School Facilities

805 - Waste Reduction and Recycling

907 - Rewards

Passed. This motion, made by Sara Eischens and seconded by Josh Kroells,
Carried.

Sara Eischens: Yea, Shelby Erickson: Yea, Josh Kroells: Yea, Sarah Lehrke: Yea,
Emily Perlbachs: Yea, Connor Smith: Yea, Kyle Strickfaden: Yea
Yea: 7, Nay: 0

F. NEXT BOARD MEETING

G. ADJOURNMENT

Passed. This motion, made by Connor Smith and seconded by Emily Perlbachs,
Carried.

Sara Eischens: Yea, Shelby Erickson: Yea, Josh Kroells: Yea, Sarah Lehrke: Yea,

Emily Perlbachs: Yea, Connor Smith: Yea, Kyle Strickfaden: Yea
Yea: 7, Nay: 0

Regular Board Meeting
Monday, August 12, 2024 6:00 PM Central

Central High School
531 Morse Street
Norwood Young America, MN 55368

A. PROCEDURAL ITEMS:

A.1. Call to order

A.2. Roll Call

A.3. Pledge of Allegiance

A.4. Approval of Agenda

Move to approve the agenda as presented/amended: Carried. This motion, made by Sarah Lehrke and seconded by Connor Smith, Carried.

Sara Eischens: Yea, Shelby Erickson: Yea, Josh Kroells: Yea, Sarah Lehrke: Yea, Emily Perlbachs: Yea, Connor Smith: Yea, Kyle Strickfaden: Yea
Yea: 7, Nay: 0

A.5. Consent Agenda

Move to approve Consent agenda as presented. This motion, made by Sara Eischens and seconded by Josh Kroells, Carried.

Sara Eischens: Yea, Shelby Erickson: Yea, Josh Kroells: Yea, Sarah Lehrke: Yea, Emily Perlbachs: Yea, Connor Smith: Yea, Kyle Strickfaden: Yea
Yea: 7, Nay: 0

A.6. Acceptance of Gifts

B. PUBLIC FORUM

C. INFORMATIONAL ITEMS: MONTHLY REPORTS

C.1. Student Council

C.2. Student Representative

C.3. Superintendent

C.4. Board

D. DISCUSSION ITEMS

D.1. First Reading of Policies

MN School Board Association's Requirements and Recommendations

Required

524 - Internet, Technology, and Cell Phone Acceptable Use

Legal Requirements

204 - Board Minutes

414 - Mandated Reporting of Child Neglect or Physical or Sexual Abuse

415 - Mandated Reporting of Maltreatment of Vulnerable Adults

416 - Drug and Alcohol Testing

420 - Communicable Diseases and Infections

503 - Student Attendance
528 - Student, Parental, Family, Marital Nondiscrimination
530 - Immunization Requirements
608 - Instructional Services – Special Education
611 - Home Schooling
614 - School District Testing Plan & Procedure
619 - Staff Development for Standards
701 - Establishment and Adoption of School District Budget
702 - Accounting
703 - Annual Audit
705 - Investments
706 - Acceptance of Gifts
801 - Equal Access to School Facilities
805 - Waste Reduction and Recycling
907 - Rewards

E. OPERATIONAL ITEMS

E.1. Board organizational meeting

Approved. This motion, made by Connor Smith and seconded by Sara Eischens, Carried.
Sara Eischens: Yea, Shelby Erickson: Yea, Josh Kroells: Yea, Sarah Lehrke: Yea, Emily Perlbachs: Yea, Connor Smith: Yea, Kyle Strickfaden: Yea
Yea: 7, Nay: 0

E.2. Consideration of school and department handbooks

Approved. This motion, made by Sara Eischens and seconded by Shelby Erickson, Carried.
Sara Eischens: Yea, Shelby Erickson: Yea, Josh Kroells: Yea, Sarah Lehrke: Yea, Emily Perlbachs: Yea, Connor Smith: Yea, Kyle Strickfaden: Yea
Yea: 7, Nay: 0

E.3. Consideration of Raider Field House Use Guidelines

Approved. This motion, made by Connor Smith and seconded by Sarah Lehrke, Carried.
Sara Eischens: Yea, Shelby Erickson: Yea, Josh Kroells: Yea, Sarah Lehrke: Yea, Emily Perlbachs: Yea, Connor Smith: Yea, Kyle Strickfaden: Yea
Yea: 7, Nay: 0

E.4. Consideration of Superintendent Evaluation and Goals

Approved. This motion, made by Shelby Erickson and seconded by Connor Smith, Carried.
Sara Eischens: Yea, Shelby Erickson: Yea, Josh Kroells: Yea, Sarah Lehrke: Yea, Emily Perlbachs: Yea, Connor Smith: Yea, Kyle Strickfaden: Yea
Yea: 7, Nay: 0

F. NEXT BOARD MEETING

G. ADJOURNMENT

Approved. This motion, made by Sara Eischens and seconded by Emily Perlbachs, Carried.
Sara Eischens: Yea, Shelby Erickson: Yea, Josh Kroells: Yea, Sarah Lehrke: Yea, Emily Perlbachs: Yea, Connor Smith: Yea, Kyle Strickfaden: Yea
Yea: 7, Nay: 0

Norwood-Young America School

Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp	Code	Rcd	Vendor	Tax Class	Pay/Void				Amount
										Print	Recon	Void	Date	
GEN1	p50231	58337		Wire	1	04034		PERA		No	Yes	No	08/05/2024	4,237.55
GEN1	p50231	58338		Wire	1	04035		TEACHERS RETIREMENT ASSOC		No	Yes	No	08/05/2024	39,178.70
GEN1	p50231	58339		Wire	1	05255		DEPTARTMENT OF THE TREASURY		No	Yes	No	08/05/2024	47,892.54
GEN1	p50231	58340		Wire	1	06027		COMMISSIONER OF REVENUE		No	Yes	No	08/05/2024	7,343.62
GEN1	p50231	58341		Wire	1	3785		EDUCATORS FINANCIAL SERVICES		No	Yes	No	08/05/2024	9,113.27
GEN1	p50231	58342		Wire	1	6821		WEX Health Inc.		No	Yes	No	08/05/2024	330.00
GEN1	P50226	58368		Wire	1	00061		CITY OF NORWOOD YOUNG AMERICA		No	Yes	No	08/15/2024	1,864.05
GEN1	P50226	58369		Wire	1	01606		CENTERPOINT ENERGY		No	Yes	No	08/15/2024	491.25
GEN1	P50226	58370		Wire	1	5002		WASTE MANAGEMENT OF WI-MN		No	Yes	No	08/15/2024	2,976.40
GEN1	P50226	58371		Wire	1	6821		WEX Health Inc.		No	Yes	No	08/15/2024	273.50
GEN1	p50232	58416		Wire	1	04034		PERA		No	Yes	No	08/20/2024	4,479.71
GEN1	p50232	58417		Wire	1	04035		TEACHERS RETIREMENT ASSOC		No	Yes	No	08/20/2024	42,145.55
GEN1	p50232	58418		Wire	1	05255		DEPTARTMENT OF THE TREASURY		No	Yes	No	08/20/2024	63,700.75
GEN1	p50232	58419		Wire	1	06027		COMMISSIONER OF REVENUE		No	Yes	No	08/20/2024	10,202.49
GEN1	p50232	58420		Wire	1	1439		DELTA DENTAL PLAN OF MN		No	Yes	No	08/20/2024	6,407.92
GEN1	p50232	58421		Wire	1	2260		AFLAC		No	Yes	No	08/20/2024	100.29
GEN1	p50232	58422		Wire	1	3785		EDUCATORS FINANCIAL SERVICES		No	Yes	No	08/20/2024	9,185.25
GEN1	p50232	58423		Wire	1	5699		MN PUBLIC EMPLOYEES INSURANCE PF		No	Yes	No	08/20/2024	69,931.46
GEN1	p50232	58424		Wire	1	6821		WEX Health Inc.		No	Yes	No	08/20/2024	5,187.12
GEN1	P50226	58425		Wire	1	04035		TEACHERS RETIREMENT ASSOC		No	Yes	No	08/29/2024	19.12
GEN1	P50226	58426		Wire	1	09609		XCEL ENERGY		No	No	No	08/29/2024	25,250.25
GEN1	P50226	58427		Wire	1	2728		BREMER BANK, NA28		No	Yes	No	08/29/2024	163.50
GEN1	P50226	58428		Wire	1	6605		ELEYO	S Corporation	No	Yes	No	08/29/2024	3,118.69
GEN1	P50226	58429		Wire	1	7133		METRONET		No	No	No	08/29/2024	69.95
GEN1	p50331	58487		Wire	1	04034		PERA		No	No	No	09/05/2024	3,750.02
GEN1	p50331	58488		Wire	1	04035		TEACHERS RETIREMENT ASSOC		No	No	No	09/05/2024	39,918.82
GEN1	p50331	58489		Wire	1	05255		DEPTARTMENT OF THE TREASURY		No	No	No	09/05/2024	60,662.87
GEN1	p50331	58490		Wire	1	06027		COMMISSIONER OF REVENUE		No	No	No	09/05/2024	10,049.65
GEN1	p50331	58491		Wire	1	3785		EDUCATORS FINANCIAL SERVICES		No	No	No	09/05/2024	9,529.84
GEN1	p50331	58492		Wire	1	6821		WEX Health Inc.		No	No	No	09/05/2024	15,705.00
GEN1	P50226	58493		Wire	1	2468	R2	MASTERCARD - HARRIS BANK		No	No	No	08/31/2024	12,138.86
GEN1	P50226	58494		Wire	1	4091		MASTERCARD - HARRIS BANK		No	No	No	08/31/2024	2,101.22
GEN1	P50326	58495		Wire	1	01606		CENTERPOINT ENERGY		No	No	No	09/13/2024	324.97
GEN1	P50326	58496		Wire	1	09609		XCEL ENERGY		No	No	No	09/13/2024	68.37
GEN1	P50326	58497		Wire	1	5002		WASTE MANAGEMENT OF WI-MN		No	No	No	09/13/2024	2,958.74
GEN1	P50326	58498		Wire	1	6821		WEX Health Inc.		No	No	No	09/13/2024	272.50
GEN1	P50126	58336	43685	Check	1	7181		SCHAD-TRACY SIGNS		Yes	Yes	No	07/31/2024	30,090.23
GEN1	P50226	58367	43686	Check	1	7261		ADVANCED CONCRETE SAWING INC.		Yes	Yes	No	08/12/2024	1,600.00
GEN1	P50226	58344	43687	Check	1	4946		BSN SPORTS LLC		Yes	Yes	No	08/12/2024	75,611.53
GEN1	P50226	58356	43688	Check	1	6987		CHAPPELL CENTRAL		Yes	Yes	No	08/12/2024	7,175.16
GEN1	P50226	58358	43689	Check	1	6999		CULINEX		Yes	Yes	No	08/12/2024	6,584.25
GEN1	P50226	58349	43690	Check	1	6928		DAVIS MECHANICAL SYSTEMS, INC.		Yes	Yes	No	08/12/2024	47,464.72
GEN1	P50226	58348	43691	Check	1	6855	1	EDUCATION ON BUDGET	Ind/Sole Proprietor	Yes	Yes	No	08/12/2024	6,000.00
GEN1	P50226	58345	43692	Check	1	5964		ENVIRONMENTAL TESTING & INSPECTIO		Yes	Yes	No	08/12/2024	1,580.40
GEN1	P50226	58362	43693	Check	1	7101		FLOW DYNAMIC BALANCING, LLC		Yes	Yes	No	08/12/2024	11,400.00
GEN1	P50226	58359	43694	Check	1	7007		FREEDOM SECURITY AND SURVEILLANC		Yes	Yes	No	08/12/2024	54,097.97
GEN1	P50226	58360	43695	Check	1	7049		GAG SHEET METAL, INC.		Yes	Yes	No	08/12/2024	5,493.77
GEN1	P50226	58365	43696	Check	1	7259		GAGE BROTHERS CAULKING		Yes	No	No	08/12/2024	2,772.00
GEN1	P50226	58363	43697	Check	1	7254		JACKSON & ASSOCIATES, LLC		Yes	Yes	No	08/12/2024	106,685.00
GEN1	P50226	58350	43698	Check	1	6929		KELLINGTON CONSTRUCTION, INC.		Yes	Yes	No	08/12/2024	2,585.35
GEN1	P50226	58347	43699	Check	1	6809		LAKETOWN ELECTRIC CORPORATION		Yes	Yes	No	08/12/2024	149,266.44
GEN1	P50226	58364	43700	Check	1	7258		MASTER TECHNOLOGY GROUP INC.		Yes	Yes	No	08/12/2024	862.03
GEN1	P50226	58353	43701	Check	1	6965		MCDOWALL COMPANY		Yes	Yes	No	08/12/2024	46,892.95
GEN1	P50226	58352	43702	Check	1	6943		NORTHLAND CONCRETE & MASONRY		Yes	Yes	No	08/12/2024	1,662.50
GEN1	P50226	58354	43703	Check	1	6966		PIETSCH CONSTRUCTION		Yes	Yes	No	08/12/2024	47,407.85
GEN1	P50226	58366	43704	Check	1	7260		PROTRIM OF CENTRAL MN, INC.		Yes	Yes	No	08/12/2024	18,505.00
GEN1	P50226	58346	43705	Check	1	6808		RACHEL CONTRACTING, LLC		Yes	Yes	No	08/12/2024	6,803.00
GEN1	P50226	58343	43706	Check	1	4284		ROCHON CORPORATION		Yes	Yes	No	08/12/2024	66,964.72
GEN1	P50226	58355	43707	Check	1	6976		SUPER SET TILE & STONE		Yes	Yes	No	08/12/2024	3,508.83
GEN1	P50226	58351	43708	Check	1	6941		TWIN CITY ACOUSTICS		Yes	Yes	No	08/12/2024	66,755.55
GEN1	P50226	58361	43709	Check	1	7081		UNITED GLASS INC.		Yes	Yes	No	08/12/2024	31,326.25
GEN1	P50226	58357	43710	Check	1	6994		VELOCITY TECH SOLUTIONS		Yes	Yes	No	08/12/2024	2,560.00
GEN1	P50226	58394	43711	Check	1	6020		ADVANCED ELECTRICAL SERVICES, INC.	S Corporation	Yes	Yes	No	08/15/2024	1,350.00
GEN1	P50226	58406	43712	Check	1	7262		ANDERSON, CODY		Yes	Yes	No	08/15/2024	7.44
GEN1	P50226	58396	43713	Check	1	6412		AVIBEN		Yes	Yes	No	08/15/2024	138.40
GEN1	P50226	58401	43714	Check	1	6973		BIFFS, INC.		Yes	Yes	No	08/15/2024	732.00
GEN1	P50226	58390	43715	Check	1	4946		BSN SPORTS LLC		Yes	Yes	No	08/15/2024	2,995.54
GEN1	P50226	58380	43716	Check	1	01698		CARVER COUNTY PARKS		Yes	Yes	No	08/15/2024	2,538.50
GEN1	P50226	58379	43717	Check	1	01606		CENTERPOINT ENERGY		Yes	Yes	No	08/15/2024	1,695.78
GEN1	P50226	58381	43718	Check	1	1118		CENTRAL BOOSTER CLUB		Yes	No	No	08/15/2024	160.00
GEN1	P50226	58403	43719	Check	1	7150		CESO COMMUNICATIONS, LLC		Yes	Yes	No	08/15/2024	3,900.00
GEN1	P50226	58410	43720	Check	1	7266		COACHCOMM, LLC		Yes	Yes	No	08/15/2024	3,535.00

Norwood-Young America School

Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp	Code	Rcd	Vendor	Tax Class	Pay/Void				Amount
										Print	Recon	Void	Date	
GEN1	P50226	58411	43721	Check	1	7267		COUNTRY IMPRESSIONS LANDSCAPING		Yes	Yes	No	08/15/2024	7,499.50
GEN1	P50226	58412	43722	Check	1	7268		COUNTRYSIDE CUSTOM APPAREL		Yes	Yes	No	08/15/2024	381.00
GEN1	P50226	58386	43723	Check	1	2721		DASHIR MANAGEMENT SERVICES INC		Yes	Yes	No	08/15/2024	24,571.84
GEN1	P50226	58399	43724	Check	1	6791		DIVERSIFIED PLUMBING & HEATING		Yes	Yes	No	08/15/2024	171.00
GEN1	P50226	58377	43725	Check	1	00666		ECOLAB PEST ELIMINATION DIVISION		Yes	Yes	No	08/15/2024	145.92
GEN1	P50226	58398	43726	Check	1	6468		GARCIA-SANCHEZ, FLORMIRA		Yes	Yes	No	08/15/2024	165.00
GEN1	P50226	58372	43727	Check	1	00182		HOME SOLUTIONS UNLIMITED		Yes	Yes	No	08/15/2024	365.32
GEN1	P50226	58382	43728	Check	1	1442		IMPERIAL DADE		Yes	Yes	No	08/15/2024	14,249.14
GEN1	P50226	58400	43729	Check	1	6840		INCUBATE TO INNOVATE, LLC		Yes	Yes	No	08/15/2024	4,050.00
GEN1	P50226	58375	43730	Check	1	00505		LANO EQUIPMENT		Yes	Yes	No	08/15/2024	503.67
GEN1	P50226	58389	43731	Check	1	4316		MCDOWELL AGENCY, INC.		Yes	Yes	No	08/15/2024	237.60
GEN1	P50226	58376	43732	Check	1	00572		MENARDS INC		Yes	Yes	No	08/15/2024	131.46
GEN1	P50226	58392	43733	Check	1	5423		MINNESOTA HISTORICAL SOCIETY		Yes	Yes	No	08/15/2024	2,100.00
GEN1	P50226	58404	43734	Check	1	7201		MINNESOTA SECRETARY OF STATE - NO		Yes	Yes	No	08/15/2024	120.00
GEN1	P50226	58383	43735	Check	1	1982		MN CLAY USA		Yes	Yes	No	08/15/2024	363.60
GEN1	P50226	58388	43736	Check	1	3506		NEUBARTH, RICH		Yes	No	No	08/15/2024	11.00
GEN1	P50226	58407	43737	Check	1	7263		NYSTROM PUBLISHING COMPANY INC.		Yes	Yes	No	08/15/2024	7,109.19
GEN1	P50226	58395	43738	Check	1	6037	R1	ROBERT W. BAIRD & CO. INC.		Yes	Yes	No	08/15/2024	2,575.00
GEN1	P50226	58408	43739	Check	1	7264		ROSEVILLE AREA SCHOOLS		Yes	Yes	No	08/15/2024	1,300.00
GEN1	P50226	58397	43740	Check	1	6432		SCHOLASTIC		Yes	Yes	No	08/15/2024	985.71
GEN1	P50226	58378	43741	Check	1	00797		SCHOOL SPECIALTY INC		Yes	Yes	No	08/15/2024	301.76
GEN1	P50226	58373	43742	Check	1	00374		SMITH OIL CO.		Yes	Yes	No	08/15/2024	290.11
GEN1	P50226	58384	43743	Check	1	2193		SOUTHWEST CHRISTIAN HIGH SCHOOL		Yes	Yes	No	08/15/2024	400.00
GEN1	P50226	58391	43744	Check	1	5287		SOUTHWEST METRO INTERMEDIATE DIS		Yes	Yes	No	08/15/2024	3,740.32
GEN1	P50226	58374	43745	Check	1	00388		SUPREME SCHOOL SUPPLY COMPANY		Yes	Yes	No	08/15/2024	39.56
GEN1	P50226	58385	43746	Check	1	2325		TAHER, INC. - BIN# 135092		Yes	Yes	No	08/15/2024	14,627.00
GEN1	P50226	58387	43747	Check	1	3272	1099A	THIEL, CHARLES A.		Yes	Yes	No	08/15/2024	188.00
GEN1	P50226	58405	43748	Check	1	7214		TOP NOTCH TURF		Yes	Yes	No	08/15/2024	3,270.14
GEN1	P50226	58393	43749	Check	1	5728		TRUSTED COACHES		Yes	Yes	No	08/15/2024	375.00
GEN1	P50226	58402	43750	Check	1	7009		WACTOWN PROPERTIES		Yes	Yes	No	08/15/2024	1,941.44
GEN1	P50226	58409	43751	Check	1	7265		WRIGHT COUNTY CONFERENCE		Yes	Yes	No	08/15/2024	5,284.00
GEN1	p50232	58414	43752	Check	1	01140		MADISON NAT'L LIFE INS CO INC.		Yes	Yes	No	08/20/2024	1,270.15
GEN1	p50232	58415	43753	Check	1	3796		NATIONAL INSURANCE SERVICES OF WI		Yes	Yes	No	08/20/2024	353.40
GEN1	p50232	58413	43754	Check	1	00808		NCBERS Group Life Ins.		Yes	Yes	No	08/20/2024	16.00
GEN1	P50226	58457	43755	Check	1	5123		ANDERSON, STEVEN		Yes	No	No	08/29/2024	459.45
GEN1	P50226	58478	43756	Check	1	7013		BASH, MIKE		Yes	No	No	08/29/2024	95.00
GEN1	P50226	58449	43757	Check	1	3626		BATTERIES PLUS BULBS		Yes	No	No	08/29/2024	208.67
GEN1	P50226	58469	43758	Check	1	6728		BLUUM OF MINNESOTA, LLC	LLC - C Corp	Yes	No	No	08/29/2024	69,722.04
GEN1	P50226	58447	43759	Check	1	3620		BRAUN, REBECCA		Yes	No	No	08/29/2024	360.00
GEN1	P50226	58456	43760	Check	1	4946		BSN SPORTS LLC		Yes	No	No	08/29/2024	15,840.93
GEN1	P50226	58446	43761	Check	1	3488		CARVER CO. 4-H FEDERATION		Yes	No	No	08/29/2024	462.00
GEN1	P50226	58444	43762	Check	1	3213		CENTURYLINK		Yes	No	No	08/29/2024	136.21
GEN1	P50226	58440	43763	Check	1	2382		CITY OF COLOGNE		Yes	No	No	08/29/2024	58.84
GEN1	P50226	58465	43764	Check	1	6616		COLOGNE FIRE DEPT. RELIEF ASSOCIAT		Yes	No	No	08/29/2024	270.00
GEN1	P50226	58442	43765	Check	1	2721		DASHIR MANAGEMENT SERVICES INC		Yes	No	No	08/29/2024	24,655.04
GEN1	P50226	58475	43766	Check	1	6928		DAVIS MECHANICAL SYSTEMS, INC.		Yes	No	No	08/29/2024	2,900.00
GEN1	P50226	58472	43767	Check	1	6827		DEGLER, WADE		Yes	No	No	08/29/2024	69.75
GEN1	P50226	58438	43768	Check	1	1956	R1	ERIC ARMIN INC		Yes	No	No	08/29/2024	129.19
GEN1	P50226	58430	43769	Check	1	00112		ERPENBACH, RON		Yes	No	No	08/29/2024	416.92
GEN1	P50226	58477	43770	Check	1	6998		FORSTER, SUE		Yes	No	No	08/29/2024	360.00
GEN1	P50226	58473	43771	Check	1	6850		GROSCHEN, AMY		Yes	Yes	No	08/29/2024	360.00
GEN1	P50226	58486	43772	Check	1	7275		H&B SPECIALIZED PRODUCTS, INC.		Yes	No	No	08/29/2024	1,176.05
GEN1	P50226	58453	43773	Check	1	4547		HALPAUS, ADAM		Yes	No	No	08/29/2024	94.63
GEN1	P50226	58485	43774	Check	1	7274		HANSON, JEANNE	Ind/Sole Proprietor	Yes	No	No	08/29/2024	150.00
GEN1	P50226	58467	43775	Check	1	6624	1099A	HARTONG, WILLEM SEBASTIAN	Ind/Sole Proprietor	Yes	No	No	08/29/2024	600.00
GEN1	P50226	58468	43776	Check	1	6722		HEARTLAND BUSINESS SYSTEMS, LLC.		Yes	No	No	08/29/2024	8,620.64
GEN1	P50226	58451	43777	Check	1	3750		HENDEL, ANN		Yes	No	No	08/29/2024	16.26
GEN1	P50226	58441	43778	Check	1	2439		HENDRYCKS, PHIL		Yes	No	No	08/29/2024	360.00
GEN1	P50226	58464	43779	Check	1	6598		HOEN, MICHELLE		Yes	No	No	08/29/2024	169.20
GEN1	P50226	58448	43780	Check	1	3624		HONKOMP, ANGIE		Yes	No	No	08/29/2024	228.34
GEN1	P50226	58466	43781	Check	1	6620		IDEAL ENERGIES SOLAR LEASING 2021 I LLC - Partnership		Yes	No	No	08/29/2024	450.75
GEN1	P50226	58437	43782	Check	1	1442		IMPERIAL DADE		Yes	No	No	08/29/2024	2,306.69
GEN1	P50226	58482	43783	Check	1	7271		KAHMEYER, TROY		Yes	No	No	08/29/2024	95.00
GEN1	P50226	58484	43784	Check	1	7273		KLEIN, THOMAS	Ind/Sole Proprietor	Yes	No	No	08/29/2024	95.00
GEN1	P50226	58470	43785	Check	1	6774		LARSON, RICHARD		Yes	Yes	No	08/29/2024	360.00
GEN1	P50226	58483	43786	Check	1	7272		LARSON, ROBERT		Yes	No	No	08/29/2024	95.00
GEN1	P50226	58443	43787	Check	1	3185		MARCO TECHNOLOGIES, LLC	LLC - Partnership	Yes	No	No	08/29/2024	396.00
GEN1	P50226	58479	43788	Check	1	7058		MERLINO, RORY	Ind/Sole Proprietor	Yes	No	No	08/29/2024	95.00
GEN1	P50226	58474	43789	Check	1	6865		MIDAMERICA ADMINISTRATIVE & RETIREME		Yes	No	No	08/29/2024	84.00
GEN1	P50226	58433	43790	Check	1	01194		MN ASSOC OF SCHOOL ADMIN.		Yes	No	No	08/29/2024	1,345.00
GEN1	P50226	58463	43791	Check	1	6560		MN HIGHWAY SAFETY & RESEARCH CEN		Yes	No	No	08/29/2024	296.00
GEN1	P50226	58455	43792	Check	1	4854		MPS		Yes	No	No	08/29/2024	5,136.27

Norwood-Young America School

Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp	Code	Rcd	Vendor	Tax Class	Pay/Void				Amount
										Print	Recon	Void	Date	
GEN1	P50226	58454	43793	Check	1	4724		MUELLER, MISSY		Yes	No	No	08/29/2024	37.95
GEN1	P50226	58461	43794	Check	1	6454		NAAKTGEBOREN, RUSS		Yes	No	No	08/29/2024	150.00
GEN1	P50226	58445	43795	Check	1	3468		PETERSON, LYNN		Yes	Yes	No	08/29/2024	360.00
GEN1	P50226	58436	43796	Check	1	1313		POHLMIEIER, RICH		Yes	No	No	08/29/2024	150.00
GEN1	P50226	58476	43797	Check	1	6930		REGION 2A		Yes	No	No	08/29/2024	900.00
GEN1	P50226	58434	43798	Check	1	05638		RIDDELL ALL AMERICAN SPORTS CORP.		Yes	No	No	08/29/2024	276.15
GEN1	P50226	58460	43799	Check	1	5987		RIVERSIDE INSIGHTS		Yes	No	No	08/29/2024	180.00
GEN1	P50226	58450	43800	Check	1	3694		ROCHESTER 100 INC.		Yes	No	No	08/29/2024	76.00
GEN1	P50226	58459	43801	Check	1	5927		SCHOCHENMAIER, TIM		Yes	No	No	08/29/2024	360.00
GEN1	P50226	58458	43802	Check	1	5287		SOUTHWEST METRO INTERMEDIATE DIS		Yes	No	No	08/29/2024	2,889.15
GEN1	P50226	58452	43803	Check	1	4380		STACKEN, REID		Yes	No	No	08/29/2024	240.00
GEN1	P50226	58431	43804	Check	1	00388		SUPREME SCHOOL SUPPLY COMPANY		Yes	No	No	08/29/2024	20.00
GEN1	P50226	58439	43805	Check	1	2325		TAHER, INC. - BIN# 135092		Yes	No	No	08/29/2024	10,345.04
GEN1	P50226	58462	43806	Check	1	6520		THALMANN, ERIC	Ind/Sole Proprietor	Yes	No	No	08/29/2024	95.00
GEN1	P50226	58435	43807	Check	1	1157		UHL COMPANY		Yes	No	No	08/29/2024	1,425.00
GEN1	P50226	58471	43808	Check	1	6799		VERICH, KAIA	Ind/Sole Proprietor	Yes	No	No	08/29/2024	150.00
GEN1	P50226	58480	43809	Check	1	7080		WACONIA PATRIOT		Yes	No	No	08/29/2024	57.80
GEN1	P50226	58481	43810	Check	1	7089		WOOD MACHINERY SYSTEMS		Yes	No	No	08/29/2024	218.72
GEN1	P50226	58432	43811	Check	1	01105		WOODBURN PRESS		Yes	No	No	08/29/2024	97.45
GEN1	P50326	58509	43812	Check	1	1540		AIM ELECTRONICS, INC		Yes	No	No	09/13/2024	12,218.00
GEN1	P50326	58568	43813	Check	1	7294		ALBRECHT, DAVID	Ind/Sole Proprietor	Yes	No	No	09/13/2024	110.00
GEN1	P50326	58524	43814	Check	1	5123		ANDERSON, STEVEN		Yes	No	No	09/13/2024	181.62
GEN1	P50326	58529	43815	Check	1	6412		AVIBEN		Yes	No	No	09/13/2024	138.40
GEN1	P50326	58517	43816	Check	1	3626		BATTERIES PLUS BULBS		Yes	No	No	09/13/2024	27.79
GEN1	P50326	58531	43817	Check	1	6461		BEHRENS, CHUCK		Yes	No	No	09/13/2024	100.00
GEN1	P50326	58544	43818	Check	1	6973		BIFFS, INC.		Yes	No	No	09/13/2024	763.50
GEN1	P50326	58539	43819	Check	1	6728		BLUUM OF MINNESOTA, LLC	LLC - C Corp	Yes	No	No	09/13/2024	3,312.85
GEN1	P50326	58523	43820	Check	1	4946		BSN SPORTS LLC		Yes	No	No	09/13/2024	1,427.34
GEN1	P50326	58542	43821	Check	1	6856		CENTURY FENCE COMPANY		Yes	No	No	09/13/2024	1,665.00
GEN1	P50326	58549	43822	Check	1	7267		COUNTRY IMPRESSIONS LANDSCAPING		Yes	No	No	09/13/2024	3,640.00
GEN1	P50326	58566	43823	Check	1	7292		CYBER ADVISORS		Yes	No	No	09/13/2024	170.69
GEN1	P50326	58515	43824	Check	1	2721		DASHIR MANAGEMENT SERVICES INC		Yes	No	No	09/13/2024	24,571.84
GEN1	P50326	58503	43825	Check	1	00853		DATA RECOGNITION CORPORATION	S Corporation	Yes	No	No	09/13/2024	470.76
GEN1	P50326	58540	43826	Check	1	6791		DIVERSIFIED PLUMBING & HEATING		Yes	No	No	09/13/2024	413.50
GEN1	P50326	58558	43827	Check	1	7284		DJ SOUND PRODUCTIONS & ENTERTAIN	Ind/Sole Proprietor	Yes	No	No	09/13/2024	895.00
GEN1	P50326	58548	43828	Check	1	7074		ELLING, KELLY	Ind/Sole Proprietor	Yes	No	No	09/13/2024	150.00
GEN1	P50326	58567	43829	Check	1	7293		EMERY, MADELYNN	Ind/Sole Proprietor	Yes	No	No	09/13/2024	110.00
GEN1	P50326	58504	43830	Check	1	01124		FLINN SCIENTIFIC INC		Yes	No	No	09/13/2024	115.17
GEN1	P50326	58532	43831	Check	1	6468		GARCIA-SANCHEZ, FLORMIRA		Yes	No	No	09/13/2024	560.00
GEN1	P50326	58563	43832	Check	1	7289		GOTHMANN, AARON	Ind/Sole Proprietor	Yes	No	No	09/13/2024	160.00
GEN1	P50326	58561	43833	Check	1	7287		HABCHANE, SAID	Ind/Sole Proprietor	Yes	No	No	09/13/2024	95.00
GEN1	P50326	58514	43834	Check	1	2694		HECKERT, LISA		Yes	No	No	09/13/2024	60.85
GEN1	P50326	58525	43835	Check	1	5155		HEINEMANN PUBLISHING		Yes	No	No	09/13/2024	6,300.00
GEN1	P50326	58552	43836	Check	1	7278		HELMINICK, MARK	Ind/Sole Proprietor	Yes	No	No	09/13/2024	130.00
GEN1	P50326	58555	43837	Check	1	7281		HEUER, KATELYN		Yes	No	No	09/13/2024	12.98
GEN1	P50326	58554	43838	Check	1	7280		HOFSCHULTE, JANICE	Ind/Sole Proprietor	Yes	No	No	09/13/2024	797.82
GEN1	P50326	58534	43839	Check	1	6510		HOFSTEDT, JASON	Ind/Sole Proprietor	Yes	No	No	09/13/2024	95.00
GEN1	P50326	58499	43840	Check	1	00182		HOME SOLUTIONS UNLIMITED		Yes	No	No	09/13/2024	76.10
GEN1	P50326	58508	43841	Check	1	1442		IMPERIAL DADE		Yes	No	No	09/13/2024	1,624.87
GEN1	P50326	58519	43842	Check	1	4471		ISD #2905 TRI-CITY UNITED PUBLIC SCH		Yes	No	No	09/13/2024	200.00
GEN1	P50326	58513	43843	Check	1	2646		ISD #345 NEW LONDON-SPICER SCHOO		Yes	No	No	09/13/2024	125.00
GEN1	P50326	58543	43844	Check	1	6927		KLEY, JOE		Yes	No	No	09/13/2024	93.80
GEN1	P50326	58520	43845	Check	1	4528		KOLSTAD, ANDREA		Yes	No	No	09/13/2024	515.90
GEN1	P50326	58564	43846	Check	1	7290		KOSTE, BRIAN		Yes	No	No	09/13/2024	160.00
GEN1	P50326	58521	43847	Check	1	4808		KROELLS, JOSH		Yes	No	No	09/13/2024	160.84
GEN1	P50326	58562	43848	Check	1	7288		LAMPON, BEN	Ind/Sole Proprietor	Yes	No	No	09/13/2024	150.00
GEN1	P50326	58527	43849	Check	1	5404		LEARNING WITHOUT TEARS		Yes	No	No	09/13/2024	1,165.45
GEN1	P50326	58526	43850	Check	1	5312		LIFELINE		Yes	No	No	09/13/2024	1,416.00
GEN1	P50326	58535	43851	Check	1	6545		MARCO TECHNOLOGIES LLC	LLC - Partnership	Yes	No	No	09/13/2024	2,584.32
GEN1	P50326	58518	43852	Check	1	4316		MCDOWELL AGENCY, INC.		Yes	No	No	09/13/2024	35.20
GEN1	P50326	58507	43853	Check	1	05234		MCGRAW-HILL SCHOOL EDUCATION HOI		Yes	No	No	09/13/2024	396.94
GEN1	P50326	58502	43854	Check	1	00823		MEEKER & WRIGHT SP ED COOP #938		Yes	No	No	09/13/2024	82.62
GEN1	P50326	58553	43855	Check	1	7279		MINITAB, LLC		Yes	No	No	09/13/2024	400.00
GEN1	P50326	58511	43856	Check	1	1982		MN CLAY USA		Yes	No	No	09/13/2024	290.00
GEN1	P50326	58536	43857	Check	1	6560		MN HIGHWAY SAFETY & RESEARCH CEN		Yes	No	No	09/13/2024	220.00
GEN1	P50326	58500	43858	Check	1	00278		MN STATE HIGH SCHOOL LEAGUE		Yes	No	No	09/13/2024	1,100.00
GEN1	P50326	58505	43859	Check	1	01530		MUSIC MART		Yes	No	No	09/13/2024	358.37
GEN1	P50326	58547	43860	Check	1	7055		NEUBARTH, PHYLLIS		Yes	No	No	09/13/2024	8.60
GEN1	P50326	58559	43861	Check	1	7285		PEREZ CANALES, HUGO	Ind/Sole Proprietor	Yes	No	No	09/13/2024	95.00
GEN1	P50326	58516	43862	Check	1	3068		RAIDER TOUCHDOWN CLUB		Yes	No	No	09/13/2024	3,787.04
GEN1	P50326	58569	43863	Check	1	7295		RAPID RIBBONS & AWARDS		Yes	No	No	09/13/2024	720.66
GEN1	P50326	58565	43864	Check	1	7291		RICHARD, PHIL	Ind/Sole Proprietor	Yes	No	No	09/13/2024	150.00

Norwood-Young America School
Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp	Code	Rcd	Vendor	Tax Class	Pay/Void				Amount
										Print	Recon	Void	Date	
GEN1	P50326	58556	43865	Check	1	7282		ROWAN, ADAM	Ind/Sole Proprietor	Yes	No	No	09/13/2024	95.00
GEN1	P50326	58528	43866	Check	1	6406		SAVVAS LEARNING COMPANY LLC		Yes	No	No	09/13/2024	278.64
GEN1	P50326	58530	43867	Check	1	6432		SCHOLASTIC		Yes	No	No	09/13/2024	439.34
GEN1	P50326	58501	43868	Check	1	00374		SMITH OIL CO.		Yes	No	No	09/13/2024	336.29
GEN1	P50326	58557	43869	Check	1	7283		STUEDEMANN, MIKE	Ind/Sole Proprietor	Yes	No	No	09/13/2024	95.00
GEN1	P50326	58560	43870	Check	1	7286		STYER, ADAM	Ind/Sole Proprietor	Yes	No	No	09/13/2024	95.00
GEN1	P50326	58512	43871	Check	1	2325		TAHER, INC. - BIN# 135092		Yes	No	No	09/13/2024	14,353.03
GEN1	P50326	58538	43872	Check	1	6636		TCI		Yes	No	No	09/13/2024	2,795.60
GEN1	P50326	58546	43873	Check	1	7050		TERRAZZO DESIGNS, LLC		Yes	No	No	09/13/2024	8,800.00
GEN1	P50326	58550	43874	Check	1	7269		THE MATH LEARNING CENTER		Yes	No	No	09/13/2024	7,128.00
GEN1	P50326	58533	43875	Check	1	6472		TRAINING HAUS		Yes	No	No	09/13/2024	16,159.20
GEN1	P50326	58541	43876	Check	1	6799		VERICH, KAIA	Ind/Sole Proprietor	Yes	No	No	09/13/2024	150.00
GEN1	P50326	58551	43877	Check	1	7277		VITAL SIGNS		Yes	No	No	09/13/2024	780.00
GEN1	P50326	58545	43878	Check	1	7009		WACTOWN PROPERTIES		Yes	No	No	09/13/2024	1,941.44
GEN1	P50326	58522	43879	Check	1	4922		WEBER, JASON	Ind/Sole Proprietor	Yes	No	No	09/13/2024	150.00
GEN1	P50326	58510	43880	Check	1	1870		WIGFIELD DESIGN		Yes	No	No	09/13/2024	460.00
GEN1	P50326	58537	43881	Check	1	6590		WILSON LANGUAGE TRAINING CORP		Yes	No	No	09/13/2024	3,983.04
GEN1	P50326	58506	43882	Check	1	05220		ZION LUTHERAN SCHOOL		Yes	No	No	09/13/2024	494.72

Bank Total: \$1,718,831.03

Report Total: \$1,718,831.03

August 5-2024 PAYROLL

GROSS PAY	\$256,179.34
FEDERAL TAX	(10,879.22)
MN STATE TAX	(7,343.62)
OASDI	(14,998.91)
MEDICARE	(3,507.75)
PERA	(1,967.44)
TRA	(18,402.10)
ANNUITIES	(4,779.72)
FLEX	(14,110.30)
VOLUNTARIES	(1,300.42)
NET PAYROLL	<u><u>\$178,889.86</u></u>

August 20-2024 PAYROLL

GROSS PAY	\$300,576.00
FEDERAL TAX	(19,884.31)
MN STATE TAX	(10,202.49)
OASDI	(17,755.59)
MEDICARE	(4,152.63)
PERA	(2,079.86)
TRA	(19,795.60)
ANNUITIES	(4,815.59)
FLEX	(14,146.44)
VOLUNTARIES	(1,300.42)
NET PAYROLL	<u><u>\$206,443.07</u></u>

September 5-2024 PAYROLL

GROSS PAY	\$276,100.79
FEDERAL TAX	(20,520.77)
MN STATE TAX	(10,049.65)
OASDI	(16,266.77)
MEDICARE	(3,804.28)
PERA	(1,741.07)
TRA	(18,749.77)
ANNUITIES	(5,239.25)
FLEX	(13,732.94)
VOLUNTARIES	(1,300.42)
NET PAYROLL	<u><u>\$184,695.87</u></u>

September 20-2024 PAYROLL

GROSS PAY	\$310,923.06
FEDERAL TAX	(23,595.19)
MN STATE TAX	(11,285.16)
OASDI	(18,425.82)
MEDICARE	(4,309.22)
PERA	(2,377.25)
TRA	(19,886.85)
ANNUITIES	(5,647.59)
FLEX	(13,732.94)
VOLUNTARIES	(1,437.20)
NET PAYROLL	<u><u>\$210,225.84</u></u>

Finance Committee Report



September 23, 2024

Purpose

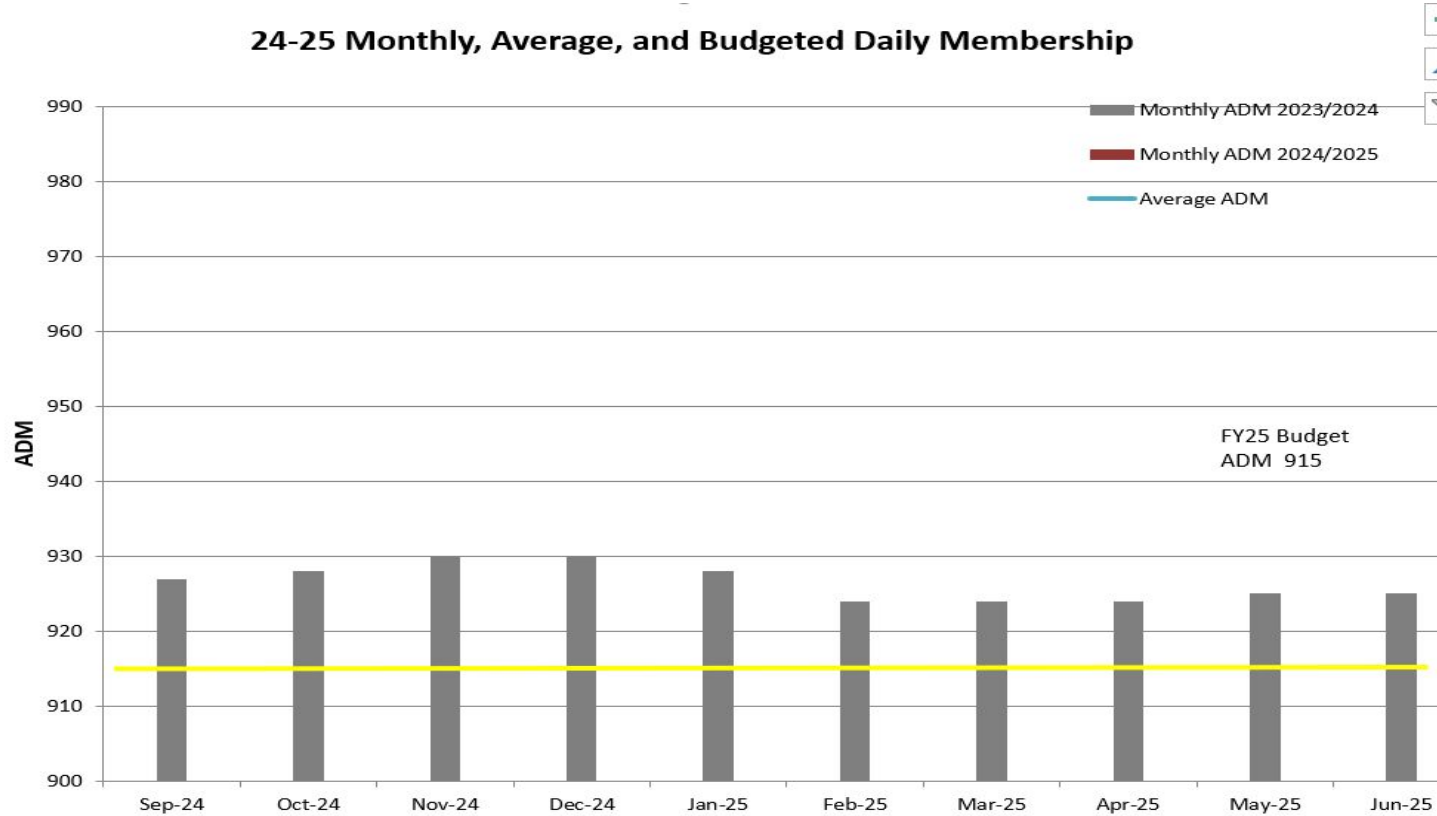


- Provide an overview of the previous months revenue, expense, and enrollment.
- Review significant changes

Enrollment by Month



24-25 Monthly, Average, and Budgeted Daily Membership



Monthly Revenue/Expense



August 2024 Data

Using FY25 Budget

YTD Revenues						
	24-25 Revenue Budget	24-25 Revenue to Date	% of Budget	23-24 Revenue Budget	23-24 Revenue to Date	% of Budget
General Fund	\$ 13,403,756	\$ 1,709,287	12.8%	\$ 13,617,282	\$ 812,527	6.0%
Food Services	\$ 675,200	\$ 14,893	2.2%	\$ 670,550	\$ 4,882	0.7%
Community Services	\$ 930,717	\$ 185,117	19.9%	\$ 880,913	\$ 105,180	11.9%
Debt Services	\$ 3,297,170	\$ 366,550	11.1%	\$ 2,930,801	\$ 269,336	9.2%
Scholarships	\$ 6,000	\$ -	0.0%	\$ 6,000	\$ -	0.0%
Student Activities	\$ 66,150	\$ 9,146	13.8%	\$ 69,775	\$ 5,887	0.0%
Total Revenue	\$ 18,378,993	\$ 2,284,994	12.4%	\$ 18,175,321	\$ 1,197,811	6.6%
YTD Expenses						
	24-25 Expense Budget	24-25 Expenses to Date	% of Budget	23-24 Expense Budget	23-24 Expenses to Date	% of Budget
General Fund	\$ 13,294,106	\$ 856,354	6.4%	\$ 14,211,210	\$ 760,230	5.3%
Food Services	\$ 638,700	\$ 15,848	2.5%	\$ 629,400	\$ 11,746	1.9%
Community Services	\$ 923,519	\$ 114,544	12.4%	\$ 1,106,479	\$ 96,677	8.7%
Debt Services	\$ 3,187,213	\$ 802,357	25.2%	\$ 2,538,762	\$ 595,658	23.5%
Scholarships	\$ 6,000	\$ -	0.0%	\$ 6,000	\$ -	0.0%
Student Activities	\$ 71,948	\$ 2,323	3.2%	\$ 80,165	\$ 7,553	0.0%
Total Expenses	\$ 18,049,538	\$ 1,791,426	9.9%	\$ 18,491,851	\$ 1,471,864	8.0%
Favorable/(Unfavorable)	\$ 329,455	\$ 493,568	149.81%	\$ (316,530)	\$ (274,053)	86.6%

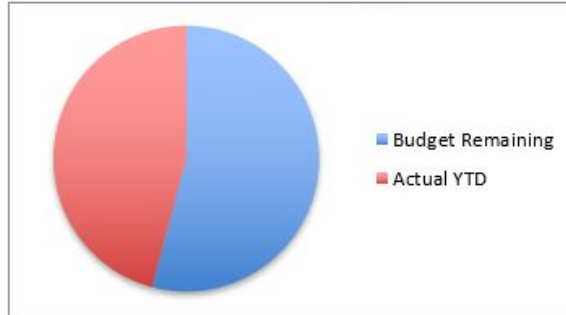
24-25 Fund Balance					
	*Unaudited Fund Balance 7/1/24	24-25 Revenues to Date	24-25 Expenses to Date	Fund Balance 6/30/23	Favorable/(Unfavorable)
General Fund	\$ 1,688,013	\$ 1,709,287	\$ 856,354	\$ 2,540,946	\$ 852,933
Food Services	\$ 152,610	\$ 14,893	\$ 15,848	\$ 151,655	\$ (955)
Community Services	\$ (5,931)	\$ 185,117	\$ 114,544	\$ 64,642	\$ 70,573
Debt Services	\$ 618,330	\$ 366,550	\$ 802,357	\$ 182,524	\$ (435,807)
Scholarships	\$ 31,211	\$ -	\$ -	\$ 31,211	\$ -
Student Activities	\$ 66,003	\$ 9,146	\$ 2,323	\$ 72,826	\$ 6,823
Total Fund Balance	\$ 2,550,236	\$ 2,284,994	\$ 1,791,426	\$ 3,043,804	\$ 493,568

ISD 108 Promise to Voters



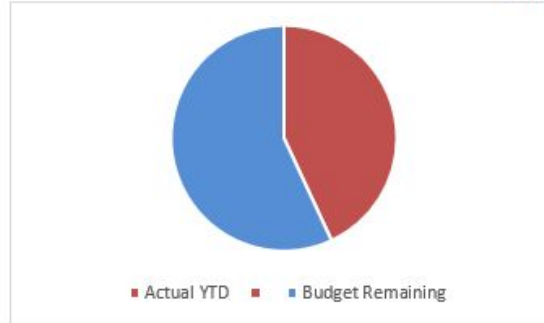
Q1 Curriculum

Budget Remaining 85,000
Actual YTD 72,000



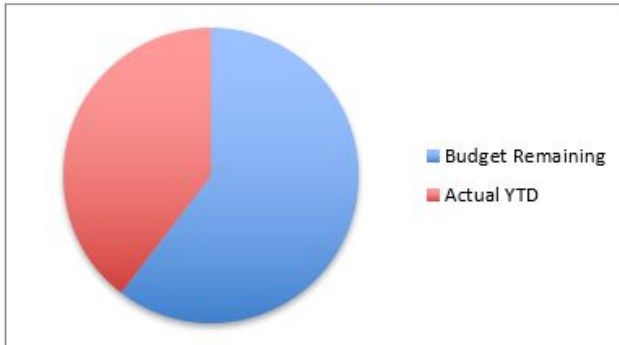
Q1 Staff Development

Actual YTD 28,000
Budget Remaining 37,000



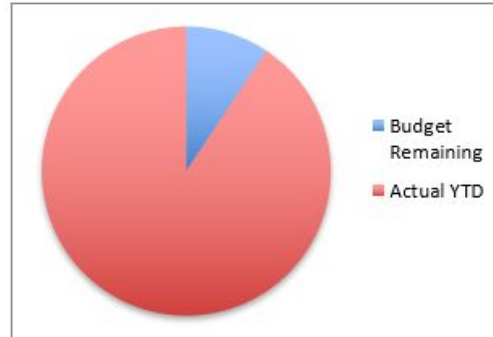
Q2 Tech Levy

Budget Remaining 319,000
Actual YTD 209,000



Q1 Maintain Class Size

Budget Remaining 29,782
Actual YTD 287,990



Curriculum Updates

Monday, September 23, 2024

Andrea Kolstad



NEXT On Curriculum Review Cycle...

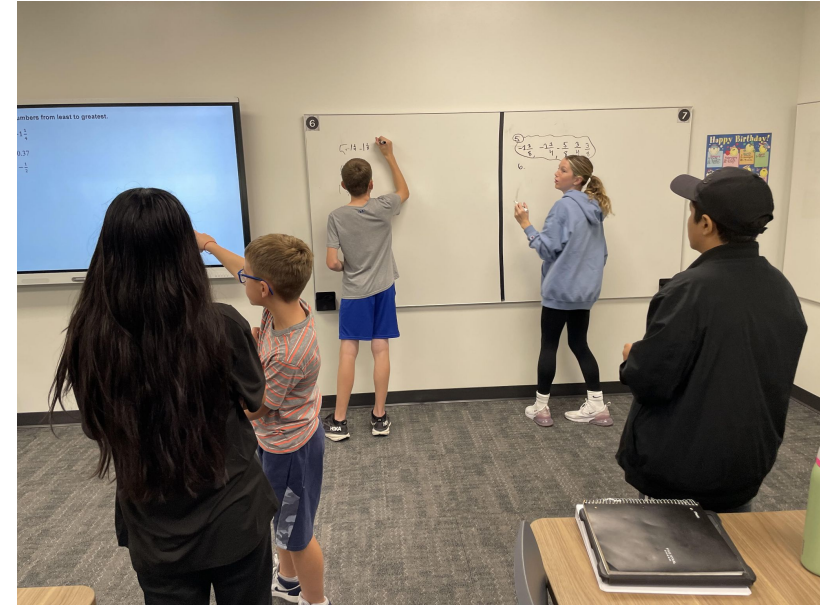
Math Resource Adoption

These K-12 academic standards in mathematics need to be implemented in the 2027-28 school year.

Focusing efforts on *training* 2024-2025, *purchasing* 2025-2026 per recommendation from MDE and Minnesota Council of Teachers of Mathematics (MCTM.)

Over the summer, teachers were trained in:

- Understanding K-12 Data Science Progression (Anchor Standard 1)
- Cognitively Guided Instruction (CGI)
- Math Rigor and Depth of Knowledge
- Building Thinking Classrooms



SQUARE ROOT EXPRESSION 2

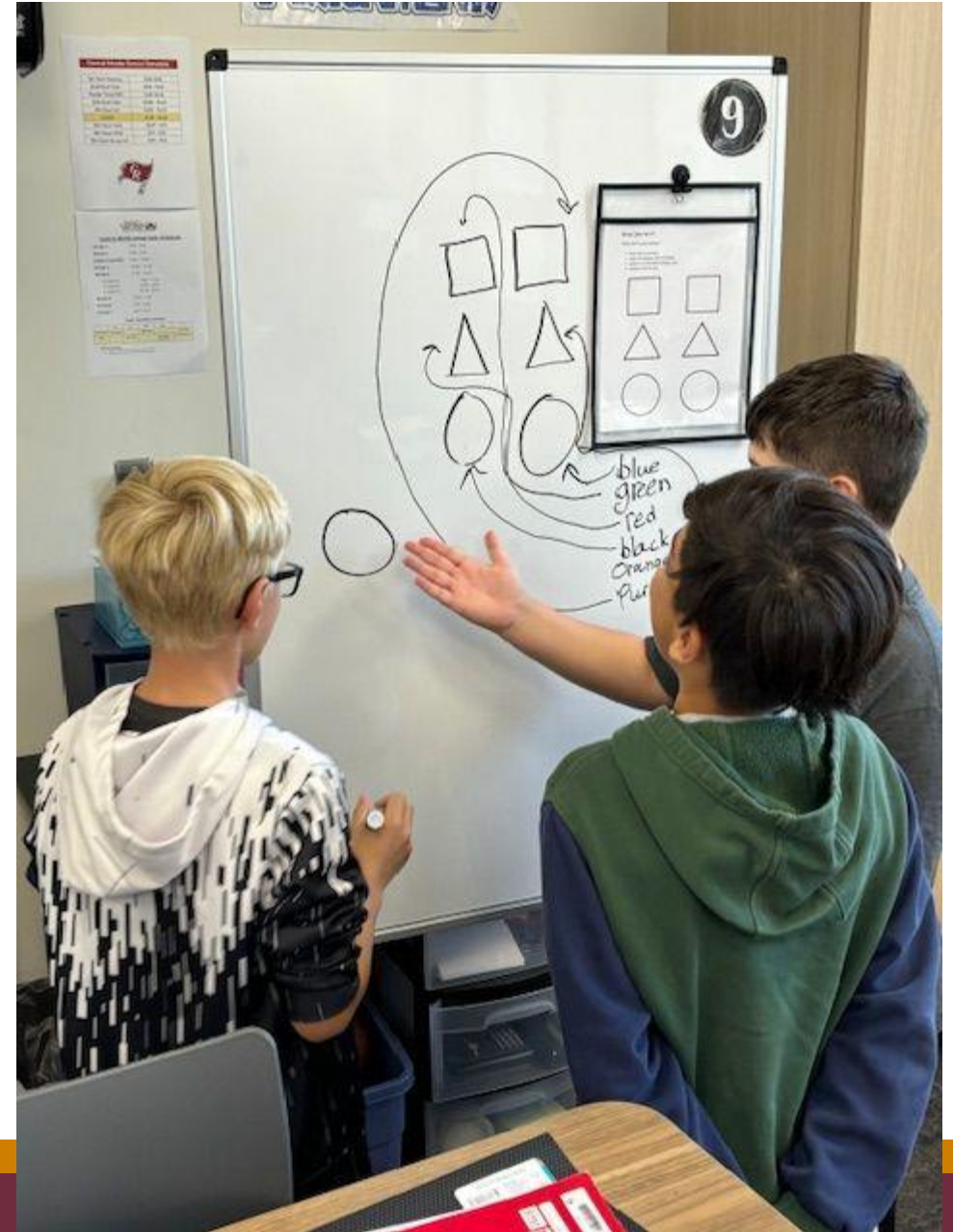
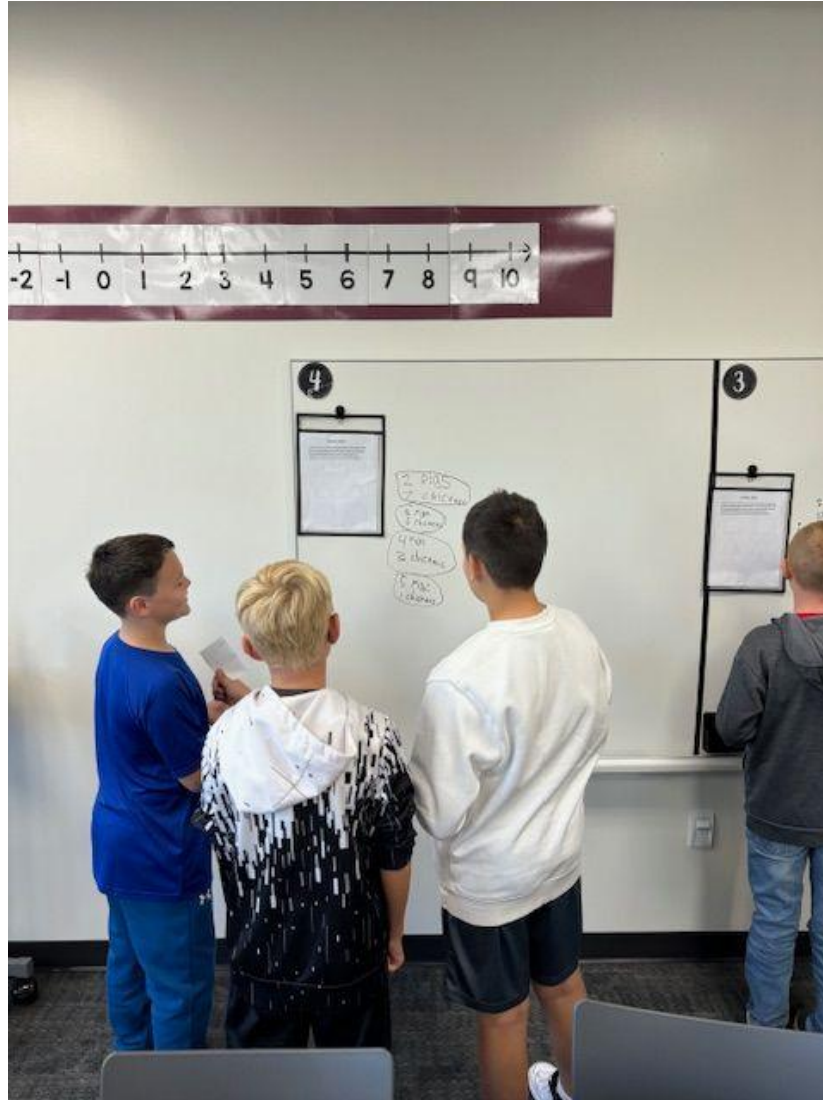
Directions: Using the digits 0 to 9 at most one time each, place a digit in each box to create a true equation.

$$\sqrt{\boxed{}\boxed{}} - \sqrt{\boxed{}\boxed{}} = \sqrt{\boxed{}\boxed{}}$$

Hint

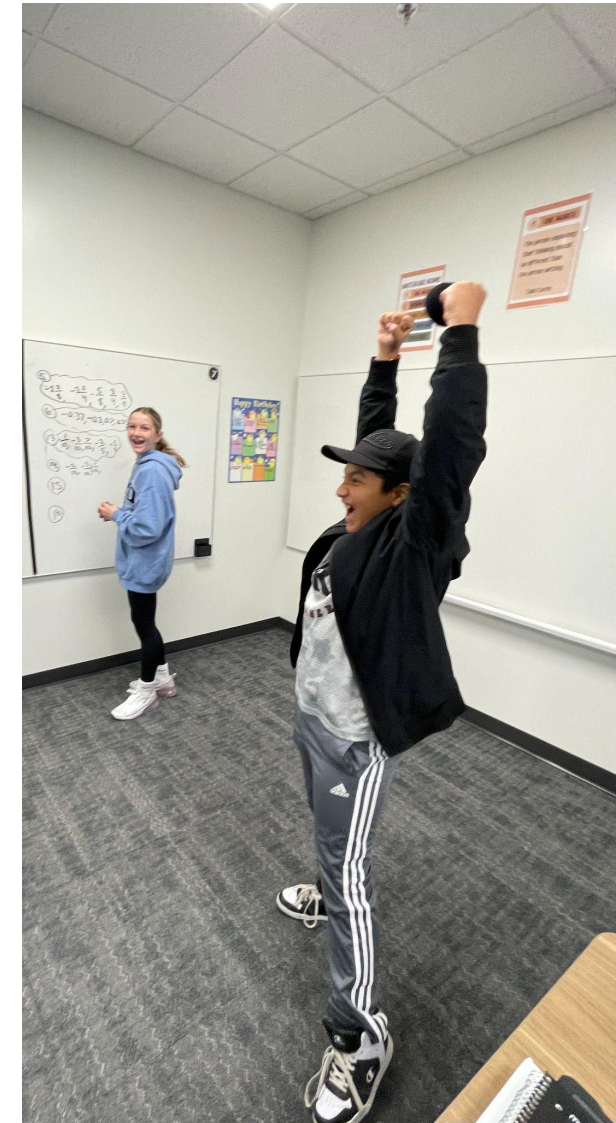
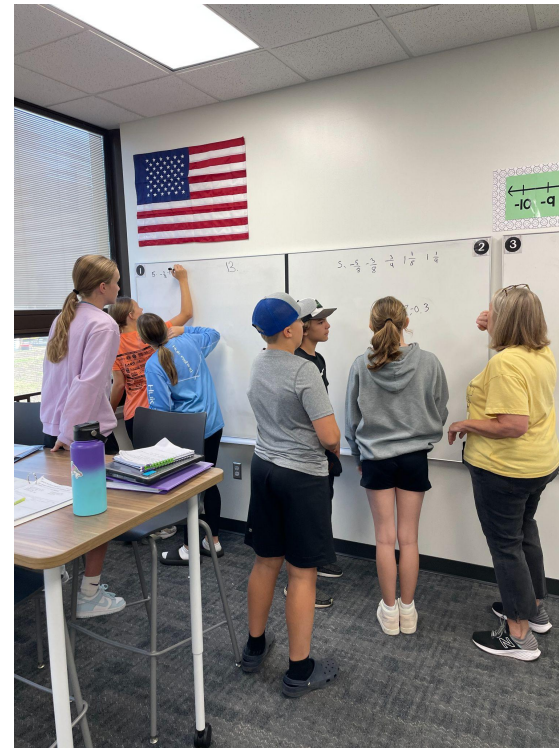
“My students are super engaged during work time. It is so fun to see all the math that happens during the hour!!”

Jodi Curson,
Grade 6



"I can't believe all of the math talk happening in my classroom. Students are working together, struggling though difficult concepts as a team. I am very proud of them! I would also like to thank Central's administration and school board for supporting us in this endeavor. I would not have known about or bought into Building a Thinking Classroom if the math department had not attended the MCTM conference last spring. Also, my classroom is exactly what a Thinking Classroom should look like. I am so grateful for the support and encouragement!"

Melissa Fuhrman, Grades 7 & 8



“Thinking Classrooms have changed the whole atmosphere of my classes. Students are no longer sitting and mimicking what I write on the board; they are standing up, in groups of three, working together to complete the day's task. The amount of math talk that happens in my thinking classrooms is ELECTRIFYING. The room sounds and looks like a math classroom where all students are more engaged and solving difficult problems. A few students are still getting used to this new format of learning math. Honestly, I need to get used to the adjustment just as much as they do! Teaching in this format requires more planning time and more backward-design thinking, but the benefits students get from this teaching method are obvious. I cannot wait to continue to perfect my new teaching style and help students truly learn math content!”

Taylor Gustafson, Grades 8 & 10



Additional Focus Areas for 2024-2025:

Early Childhood/PreK

- EC LETRS
- Curriculum and Assessment Work

Elementary

- LETRS
- Math Intervention- Special Education
- Visual Arts- training for generalists (Part of CAPP work)

Secondary

- LETRS
- Math Intervention- Special Education
- Organizing standards into Scope and Sequences and Unit Pacing Guides

Unit Pacing Guide



Class	English
Teacher	Mrs. Wroge
Days Spent	Quarter 1

Unit 1: Everyone Loves a Mystery

Genre Focus: Fiction

[Essential Standards](#)

Unit Topic/Essential Question: What attracts us to the mysterious?

Identity (Understanding and (re)making a sense of positive selfhood)

How does this unit of study connect to my way of being, learning, and knowing?

Learning Process	Formative Assessments (FEEDBACK):	Summative Assessments(Demonstration of Learning):
Read & Annotate Note Taking (story diagram/Cornell) Vocabulary Study Text Talk/TPS Questions	- Short answer writing - Analysis - Text evidence - Collaborative conversations	Reading Comprehension with Writing Component Test Vocabulary Test

Week 3: Sept. 25-29			
Monday	Independent Reading ☐ I can independently read and comprehend complex literary and informational texts from multiple sources representing various perspectives of identities. Unit 1 - Mystery ☐ I can examine the impact of vocabulary, including words	Due Benchmark - Grade 8 - Form 1 Unit 1 - Mystery 1. Introduce Unit 1 a. Learning Targets b. Unit Guide 2. Vocabulary introduction a. Study i. Rate words ii. Read word and definition	<i>StudySync</i> Under <i>Mystery Unit</i> in Classroom Unit 1 Guide • Unit 1 Vocabulary • Unit 1 - Mystery Slides presentation

	and phrases, on content, style and meaning of complex literary texts.	Independent Reading 3. Read IR book H.W. None	
Tuesday	Independent Reading ☐ I can independently read and comprehend complex literary and informational texts from multiple sources representing various perspectives of identities. Unit 1 - Mystery ☐ I can work collaboratively enriching my	Due Vocabulary & Your Turn Questions for each skill: annotation, context clue, and reading strategy Analogy Instruction & Practice #2 Vocabulary Study 1. Rate words and study with group. Unit 1 - Mystery 2. Skill: Annotation	Under <i>Classwork Tab</i> in Classroom • Analogy Practice & Apply <i>In StudySync Assignments</i> • Annotation • Context Clue • Reading Comprehension Under <i>Mystery Unit</i> • Annotations

District Wide

Incubate to Innovate (i2i)- inviting families in
for a closer look





Future-Ready Education: From Renovation to Innovation

Welcome to our comprehensive plan for revolutionizing education. We're embarking on an exciting journey to create innovative learning experiences for our students. This presentation outlines our key initiatives and their implementation timelines.

**by Andrea Kolstad, Chris Gibbs, and
Timothy Schochenmaier**

Ready, Set, Thrive!

Central Public Schools promises to build a vibrant environment that embraces every student, energizing them to learn the vital skills necessary to adapt and **thrive** with resilience and compassion.

OUR FOUR KEY STRATEGIC DIRECTIONS





quality STAFF

Promote the inclusive, supportive, and competitive features of our District to new and potential staff members.

Be recognized as an outstanding District that attracts and supports highly-qualified and engaging staff members.



well-managed resources and FACILITIES

Explore funding solutions, seek outside partners, and engage community members to develop a master facilities plan that supports our Districtwide needs.

Receive State/Board approval for a 10-year facility improvement plan that helps our District thrive.



destination DISTRICT

Integrate hands-on, project-based learning and develop a unique experience for every learner. Promote the *Central Experience* in and around our District as well as surrounding communities.

Increase the number of resident families that choose Central Public Schools.



improved ACHIEVEMENT

Partner with the community to identify and expand academic, art, and athletic opportunities relevant to student growth at all levels.

Increase overall student performance (at or above grade level), and **foster** community partnerships with proven impacts on student growth.



High School of the Future: Phase I

1

October 2024

Initiate community-centric planning with first stakeholder workshop on October 10.

2

November 2024 - March 2025

Continue with 2-4 additional stakeholder workshops to gather diverse perspectives.

3

April 2025

Conclude Phase I with final community input and prepare for concept development.



High School of the Future: Phase II

June 2025

Begin vetting process for ideas generated in Phase I.

July - September 2025

Develop detailed concepts based on community input and educational best practices.

October 2025

Finalize concept development and prepare for implementation planning.



Middle School Learning Immersion: Planning

September 2024

Initiate curriculum development for immersive learning experiences.

1

2

January 2025

Mid-point review and adjustment of curriculum plans.

August 2025

Finalize curriculum and prepare for implementation.

3

Middle School Learning Immersion: Implementation

1

September 18, 2025

Kick-off implementation during prep time.

2

October 8, 2025

Continue implementation during 6th hour (1:40 PM).

3

November 4, 2025

Full-day professional development for teachers.





Middle School Learning Immersion: Phased Rollout

1

2025-26 School Year

6th Grade implementation (6-9 weeks)

2

2026-27 School Year

6th and 7th Grade implementation (6-9 weeks)

3

2027-28 School Year

5th, 7th, and 8th Grade implementation (6-9 weeks)

Multi-Curricular Pilot Projects



Interdisciplinary Learning

Pilot projects will integrate multiple subjects, encouraging holistic understanding and critical thinking.



Hands-on Experience

Projects will emphasize practical application of knowledge across various disciplines.



Continuous Evaluation and Improvement

1

Data-Driven Decision Making

Regularly collect and analyze data on student performance and program effectiveness.

2

Stakeholder Feedback

Conduct surveys and focus groups with students, parents, and teachers.

3

Iterative Refinement

Use insights to continuously improve and adapt our educational initiatives.



Questions?



School Board Update

Monday, September 23th, 2024

Presented by Joe Kley



Conference Update

Wright County Conference

- Official Placement took effect this fall
 - Offers 27 Total Activities
 - We will compete in 17 of them -
 - No Swimming, Tennis, Lacrosse, Hockey, Skiing, Dance
- **WCC West includes (9):** Annandale, Dassel Cokato, Glencoe Silver Lake, Howard Lake Waverly Winsted, Litchfield, New London Spicer, Rockford, Watertown Mayer, and Central
- **WCC East includes (6):** Delano, Holy Family, Hutchinson, Jordan, Mound Westonka, Southwest Christian
- Will be in the scheduled rotation starting next year for Fall Sports
 - This year we plugged in wherever we could fit since schedule was complete and we were placed late...
- In the schedule for all other activities we compete in.
- New banners for the gym are in! - One banner for all schools involved

Conference Update

Wright County Conference - West

- Officially the smallest enrollment in the conference
- Getting more games at the lower levels than in years past
 - means more workers needed - this has been a struggle
 - means more officials needed - tough to find at times
- Scheduling can change based on sport and level
 - two divisions or one - VB is different than Soccer
 - JH in pods for travel consideration - not East or West
 - Field house has been crucial to being able to host events
- Leadership conference was a success
 - Hutchinson HS - 10 students from each school
 - Craig Hillier was the guest speaker

Online Ticket Sales

Vanco Events

- Year two is off to a good start
 - All teams in the conference have online ticketing options
 - Card readers have been a huge help
- Interested in finding a way to track Student attendance and Golden Age Passes so our counts are more accurate.
- Wifi outside would be an added bonus instead of running hot spots

Hudl

- Live Streaming to Hudl Fan site - Currently 6 teams using
 - looking at ways for baseball/softball to use this site
- Now able to stream outside events with second camera at the Stadium
 - possible sponsorship opportunity in the near future

Online Ticket Sales

MSHSL Updates

- 9th grade governance
 - Moving to make all 9th grade activities governed by MSHSL
 - all in all a good thing
 - currently only some sports affected by this
 - Member school vote coming in October
 - 2 questions - yes or no, and if yes then updating language
- Re-classification year
 - 2 year cycle - Section playoffs (April 3rd) and Football Districts (June 3rd)
 - MSHSL enrollment is determined by the schools Minnesota Department of Education enrollment in year one in grades 9 – 12 minus 40 percent of their educational benefit (free and reduced lunch).
 - Classification:
 - A member school's MSHSL enrollment determines classification. Schools have the option to both opt up or appeal, if they qualify, down in team sports every two years.

Ready, Set, Thrive!

Questions??



FY25 Preliminary Levy Certification



September 23, 2024

Purpose



- Provide an overview of the proposed, preliminary, property tax levy for Payable 2025
- Review significant changes

Key Messages



- Preliminary certification is a component of the overall levy process
- Adjustments to the levy by the Minnesota Dept of Education are still being made which may slightly change the amount
- Certifying the “Maximum” allows for greater flexibility
- The board will have one more chance to act on the 2025 property tax levy
- –December 16 certification – Truth in Taxation Hearing

Factors Impacting Tax Change

- **Issues Driven by State Level Decisions**

- Change in levies determined by state formula
- Change in sales ratio (Impacting ANTC)
- Laws mandating code compliance

- **Issues Determined by District Voters**

- Voter approved bond referendum
- Voter approved excess levy referendum
- Voter approved capital projects levy

- **Local Factors**

- Inflationary pressure on real estate market
- Abatements
- Property improvements not previously taxed
- Change in individual assessed market value
- Possible change in classification (i.e.. homestead to rental)

Levy Process



Certified in 2024

School Board approves
Preliminary Levy in
September 2024 and Adopts
Final Levy in December 2024

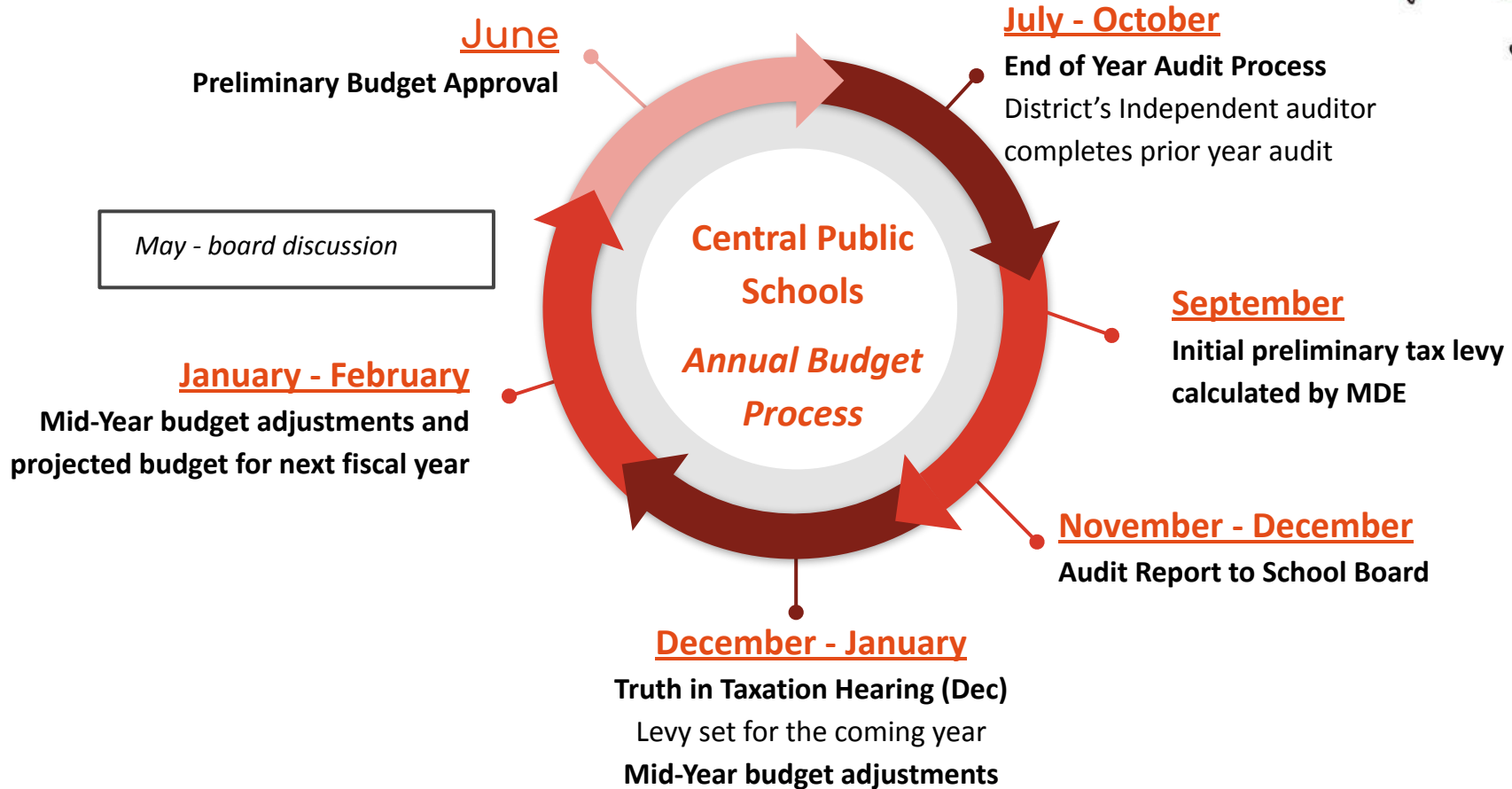
PAY

Property Owners pay taxes in
May 2025 and October 2025
based on amounts approved by
the school board

2025 For FY26

School district recognizes
revenue from collection of taxes
from Calendar Year 2025 in Fiscal
year 2025-26.

Budget Process



Summary of Funds



FUND	2022-2023 Revenue for FY24	2023-2024 Revenue for FY25	2024-2025 Revenue for FY26	INCREASE (DECREASE)	PERCENT CHANGE
General	2,860,415	2,820,585	2,786,651	-33,935	-1.20%
Community Service	125,391	168,221	156,713	-11,508	-6.84%
Debt Service	2,853,943	3,073,481	3,218,330	144,849	4.71%
Total	5,491,594	6,062,287	6,161,693	99,406.10	1.64%

Next Steps



- Administration recommends the school board adopt a “Maximum” proposed 2025 property tax levy at the September 23, 2024 board meeting
- School board will act on final levy certification on December 16, 2024
- Taxpayers will have an opportunity to provide input during the Truth in Taxation meeting

204 SCHOOL BOARD MEETING MINUTES

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. MAINTENANCE OF MINUTES AND RECORDS

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

B. Recordings of Closed Meetings

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

2. Recordings of closed meetings shall be preserved by the school district for the following time periods:

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

b. The basis upon which the meeting was closed (i.e.: labor negotiations strategy, purchase or sale of real property, educational data, etc.); and

c. The classification of the data.

6. Recordings of closed meetings related to labor negotiations strategy and the purchase or sale of property shall be maintained and monitored in a manner that reclassifies the recording as public upon the occurrence of an event reclassifying that data as set forth in Section III.B.3. above.

IV. PUBLICATION OF OFFICIAL PROCEEDINGS

A. The school board shall cause its official proceedings to be published once in the official newspaper of the school district within thirty (30) days of the meeting at which the proceedings occurred; however, if the school board conducts regular meetings not more than once every thirty (30) days, the school board need not publish the minutes until ten (10) days after they have been approved by the school board.

Under Chapter 115 (2024), the Minnesota legislature enacted the following:

(a) Notwithstanding any law to the contrary, when a qualified newspaper designated by a school district ceases to exist for any reason except consolidation with another newspaper, the school district may publish its proceedings on the school district's website instead of publishing the proceedings in a newspaper. The school district must also request that the same information be posted at each public library located within the school district for the notice's publication period. This section expires August 1, 2026.

(b) If, before August 1, 2026, there is a newspaper located within a school district's boundaries that is qualified to be designated as the school district's official newspaper pursuant to Minnesota Statutes, section 331A.04, then the exemption provided in this section shall not apply, provided that the qualified newspaper's legal rate is not more than ten percent above the rate charged by the school district's previous official newspaper and the qualified newspaper provides some coverage of the activities of the school district that is publishing the notice.

B. The proceedings to be published shall be sufficiently full to fairly set forth the proceedings. They must include the substance of all official actions taken by the school board at any regular or special meeting, and at minimum must include the subject matter of a motion, the persons making and seconding the motion, a listing of how each member present voted on the motion, the character of resolutions offered including a brief description of their subject matter and whether adopted or defeated. The minutes and permanent records of the school board may include more detail than is required to be published with the official proceedings. If the proceedings have not yet been approved by the school board, the proceedings to be published may reflect that fact.

C. The proceedings to be published may be a summary of the essential elements of the proceedings, and/or of resolutions and other official actions of the school board. Such a summary shall be written in a clear and coherent manner and shall, to the extent possible, avoid the use of technical or legal terms not generally familiar to the public. When a summary is published, the publication shall clearly indicate that the published material is only a summary and that the full text is available for public inspection at the administrative offices of the school district and that a copy of the proceedings, other than attachments to the minutes, is available without cost at the offices of the school district or by means of standard or electronic mail.

Legal References:

Minn. Stat. § 13D.01, Subds. 4-6 (Meetings Must be Open to the Public; ExceptionsOpen Meeting Law)

Minn. Stat. § 123B.09, Subd. 10 (Boards of Independent School Districts)

Minn. Stat. § 123B.14, Subd. 7 (Officers of Independent School Districts)

Minn. Stat. § 331A.01 (Definitions)

Minn. Stat. § 331A.05, Subd. 8 (Form of Public Notices)

Minn. Stat. § 331A.08, Subd. 3 (Computation of Time)

Op. Atty. Gen. 161-a-20, December 17, 1970

Ketterer v. Independent School District No. 1, 248 Minn. 212, 79 N.W.2d 428 (1956)

Cross References: MSBA/MASA Model Policy 205 (Open Meetings and Closed Meetings)

Adopted: February 15, 1995

Revised: June 2019

Revised: September 2024

414 MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

A. The policy of the school district is to fully comply with Minnesota Statutes chapter 260E 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 that:

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 Minnesota Statutes chapter 260C (Juvenile Safety and Placement) and Minnesota Statutes chapter 260D (Child in Voluntary Foster Care for Treatment), includes an individual under age 21 who is in foster care pursuant to Minnesota Statutes chapter 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 maltreated or has been maltreated within the preceding three years.

E. “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.

F. “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, or other care required for the child’s physical or mental health when reasonably able to do so;

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, 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;

3. failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors as the child’s age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for the child’s 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 as defined in state law 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, 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 Minnesota Statutes section 260C.007, subdivision. 6, clause (5);

7. chronic and severe use of alcohol or a controlled substance by a 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 that 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 occur solely because the child's parent, guardian, or other person responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child in lieu of medical care.

G. "Nonmaltreatment mistake" occurs when: (1) at the time of the incident, the individual was performing duties identified in the center's child care program plan required under Minnesota 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 Minnesota Rules chapter 9503.

H. "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 employee or agent, 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.

I. "Physical abuse" means any physical injury, mental injury (under subdivision 13), or threatened injury (under subdivision 23), inflicted by a person responsible for the child's care on a child 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 Minnesota Statutes section 125A.0942 or 245.825.

Abuse does not include reasonable and moderate physical discipline of a child administered by a parent or legal guardian that 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 Minnesota Statutes section 121A.582.

Actions that 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 that 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 Minnesota Statutes section 609.02, subdivision 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 that were not prescribed for the child by a practitioner, in order to control or punish the child, or other substances that substantially affect the child's behavior, motor coordination, or judgment, or that result in sickness or internal injury, or that 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 Minnesota Statutes section 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 Minnesota Statutes section 121A.58.

J. "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 maltreatment of a child and contains sufficient content to identify the child and any person believed to be responsible for the maltreatment, if known.

K. "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.

L. "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 Minnesota Statutes section 609.341, subdivision 15), or by a person in a current or recent position of authority (as defined in Minnesota Statutes section 609.341, subdivision 10) to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual penetration, 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 that 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 that requires registration under Minnesota Statutes section 243.166, Subd. 1b(a) or (b).

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 (1) subjected the child to, or failed to protect a child from, an overt act or condition that constitutes egregious harm; (2) been found to be palpably unfit; (3) committed an act that resulted in an involuntary termination of parental rights; (4) , or committed an act that resulted in the involuntary transfer of permanent legal and physical custody of a child to a relative.

IV. REPORTING PROCEDURES

A. A mandated reporter shall immediately report the information to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, tribal social services agency, or tribal police department. The reporter will include his or her name and address in the report.

B. An oral report shall be made immediately 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 assessing or investigating the report. Any report shall be of sufficient content to identify the child, any person believed to be responsible for the maltreatment of the child if the person is known, the nature and extent of the maltreatment, 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 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 custodial or 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. An employer of a mandated reporter shall not retaliate against the person for reporting in good faith maltreatment against a child with respect to whom a report is made, because of the report.

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, plus costs and reasonable attorney fees. Knowingly or recklessly making a false report also may result in discipline.

[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 assessing or investigating reports of suspected maltreatment rests with the appropriate state, county, or local agency or agencies. The agency responsible for assessing or investigating reports of maltreatment has the authority to interview the child, the person or persons responsible for the child's care, the alleged offender, and any other person with knowledge of the maltreatment for the purpose of gathering 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 the alleged offender or parent, legal guardian, or 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 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 an interview on school property.

C. Except where the alleged offender 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 offender 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, Minnesota Statutes chapter 13, and the Family Educational Rights and Privacy Act, 20 United States Code section 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. 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. Ch. 260E (Reporting of Maltreatment of Minors)
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)
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)

415 MANDATED REPORTING OF MALTREATMENT OF VULNERABLE ADULTS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

A. The policy of the school district is to comply fully with Minnesota Statutes section 626.557 requiring school personnel to report suspected maltreatment of vulnerable adults.

B. A violation of this policy occurs when any school personnel fails to report suspected maltreatment of vulnerable adults when the school personnel has reason to believe that a vulnerable adult is being or has been maltreated, or has knowledge that a vulnerable adult has sustained a physical injury which is not reasonably explained.

III. DEFINITIONS

A. "Abuse" means:

1. An act against a vulnerable adult that constitutes a violation of, an attempt to violate, or aiding and abetting a violation of: (1) assault in the first through fifth degrees as defined in Minnesota Statutes sections 609.221 to 609.224; (2) the use of drugs to injure or facilitate crime as defined in Minnesota Statutes section 609.235; (3) the solicitation, inducement, and promotion of prostitution as defined in Minnesota Statutes section 609.322; and (4) criminal sexual conduct in the first through fifth degrees as defined in Minnesota Statutes sections 609.342 to 609.3451. A violation includes any action that meets the elements of the crime, regardless of whether there is a criminal proceeding or conviction.

2. Conduct which is not an accident or therapeutic conduct as defined in Minnesota Statutes section 626.5572 which produces or could reasonably be expected to produce physical pain or injury or emotional distress including, but not limited to, the following: (1) hitting, slapping, kicking, pinching, biting, or corporal punishment of a vulnerable adult; (2) use of repeated or malicious oral, written, or gestured language toward a vulnerable adult or the treatment of a vulnerable adult which would be considered by a reasonable person to be disparaging, derogatory, humiliating, harassing, or threatening; (3) use of any aversive or deprivation procedure, unreasonable confinement, or involuntary seclusion, including the forced separation of the vulnerable adult from other

persons against the will of the vulnerable adult or the legal representative of the vulnerable adult; and (4) use of any aversive or deprivation procedures for persons with developmental disabilities or related conditions not authorized under Minnesota Statutes section 245.825.

3. Any sexual contact or penetration as defined in Minn. Stat. § 609.341 between a facility staff person or a person providing services in the facility and a resident, patient, or client of that facility.

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

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

B. "Caregiver" means an individual or facility who has responsibility for the care of a vulnerable adult as a result of a family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, by contract, or by agreement.

C. "Common entry point" means the entity responsible for receiving reports of alleged or suspected maltreatment of a vulnerable adult and designated by the Commissioner of the Minnesota Department of Human Services as the MN Adult Abuse Reporting Center (MAARC).

D. "Financial Exploitation" means a breach of a fiduciary duty by an actor's unauthorized expenditure of funds entrusted to the actor for the benefit of the vulnerable adult or by an actor's failure to provide food, clothing, shelter, health care, therapeutic conduct or supervision, the failure of which results or is likely to result in detriment to the vulnerable adult. Financial exploitation also includes: the willful use, withholding or disposal of funds or property of a vulnerable adult; the obtaining of services for wrongful profit or advantage which results in detriment to the vulnerable adult; the acquisition of a vulnerable adult's funds or property through undue influence, harassment, duress, deception or fraud; and the use of force, coercion, or enticement to cause a vulnerable adult to perform services against the vulnerable adult's will for the profit or advantage of another.

E. "Immediately" means as soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received.

F. "Mandated reporter" means a professional or professional's delegate while engaged in education.

G. "Maltreatment" means the neglect, abuse, or financial exploitation of a vulnerable adult.

H. "Neglect" means the failure or omission by a caregiver to supply a vulnerable adult with care or services, including but not limited to, food, clothing, shelter, health care, or supervision which is: (1) reasonable and necessary to obtain or maintain the vulnerable adult's physical or mental health or safety, considering the physical and mental capacity or dysfunction of the vulnerable adult; and (2) which is not the result of an accident or therapeutic conduct.

I. Neglect also means the absence or likelihood of absence of care or services, including but not limited to, food, clothing, shelter, health care, or supervision necessary to maintain the physical and mental health of the vulnerable adult which a reasonable person would deem essential to obtain or maintain the vulnerable adult's health, safety, or comfort considering the physical or mental capacity or dysfunction of the vulnerable adult. Neglect does not include actions specifically excluded by Minnesota Statutes section 626.5572, Subd. 17.

J. "School personnel" means professional employees or their delegates of the school district engaged in providing health, educational, social, psychological, law enforcement, or other caretaking services of vulnerable adults.

K. "Vulnerable adult" means any person 18 years of age or older who: (1) is a resident or inpatient of a facility; (2) receives services required to be licensed under Minnesota Statutes chapter 245A, except as excluded under Minnesota Statutes section 626.5572, Subd. 21(a)(2); (3) receives services from a licensed home care provider or person or organization that offers, provides, or arranges for personal care assistance services under the medical assistance program; or (4) regardless of residence or whether any type of service is received, possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction that impairs the individual's ability to provide adequately for the individual's own care without assistance or supervision and, because of the dysfunction or infirmity and need for care or services, has an impaired ability to protect the individual's self from maltreatment.

IV. REPORTING PROCEDURES

A. A mandated reporter as defined herein shall immediately report the suspected maltreatment to the common entry point responsible for receiving reports.

B. Whenever a mandated reporter, as defined herein, knows or has reason to believe that an individual made an error in the provision of therapeutic conduct to a vulnerable adult which results in injury or harm, which reasonably requires the care of a physician, such information shall be reported immediately to the designated county agency. The mandated reporter also may report a belief that the error did not constitute neglect and why the error does not constitute neglect.

C. The report shall, to the extent possible, identify the vulnerable adult, the caregiver, the nature and extent of the suspected maltreatment, any evidence of previous maltreatment, the name and address of the reporter, the time, date, and location of the incident, and any other information that the reporter believes might be helpful in investigating the suspected abuse or neglect. A mandated reporter may disclose not public data, as defined under Minnesota Statutes section 13.02, to the extent necessary to comply with the above reporting requirements.

D. A person mandated to report suspected maltreatment of a vulnerable adult who negligently or intentionally fails to report is liable for damages caused by the failure. A negligent or intentional failure to report may result in discipline. A mandatory reporter who intentionally fails to make a report, who knowingly provides false or misleading information in reporting, or who intentionally fails to provide all the material circumstances surrounding the reported incident may be guilty of a misdemeanor.

E. Retaliation against a person who makes a good faith report under Minnesota law and this policy, or against vulnerable adult who is named in a report is prohibited.

F. Any person who intentionally makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury. The intentional making of a false report may result in discipline.

V. INVESTIGATION

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

VI. DISSEMINATION OF POLICY AND TRAINING

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

Legal References: Minn. Stat. § 13.02 (Government Data Practices; Definitions)

Minn. Stat. Ch. 245A (Human Services Licensing)

Minn. Stat. § 245.825 (Aversive and Deprivation Procedures; Licensed Facilities and Services)

Minn. Stat. §§ 609.221-609.224 (Assault)

Minn. Stat. § 609.232 (Crimes Against Vulnerable Adults; Definitions)

Minn. Stat. § 609.235 (Use of Drugs to Injure or Facilitate Crime)

Minn. Stat. § 609.322 (Solicitation, Inducement, and Promotion of Prostitution; Sex Trafficking)

Minn. Stat. § 609.341 (Definitions)

Minn. Stat. §§ 609.342-609.3451 (Criminal Sexual Conduct)

Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)

Minn. Stat. § 626.5572 (Definitions)

In re Kleven, 736 N.W.2d 707 (Minn. App. 2007)

Cross References: MSBA/MASA Model Policy 103 (Complaints – Students, Employees, Parents, Other Persons)

MSBA/MASA Model Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee, or Student)

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)

MSBA/MASA Model Policy 406 (Public and Private Personnel Data)

MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)

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

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

A. Students

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

B. Employees

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

C. Circumstances and Conditions

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

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

D. Students with Special Circumstances and Conditions

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

E. Extracurricular Student Participation

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

F. Precautions

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

G. Information Sharing

1. Employee and student health information shall be shared within the school district only with those whose jobs require such information and with those who have a legitimate educational interest (including health and safety) in such information and shall be shared only to the extent required to accomplish legitimate educational goals and to comply with employees' right to know requirements.

2. Employee and student health data shall be shared outside the school district only in accordance with state and federal law and with the school district's policies on employee and student records and data.

H. Reporting

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

I. Prevention

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

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

J. Vaccination and Screening

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

Legal References: Minn. Stat. § 121A.23 (Programs to Prevent and Reduce the Risks of Sexually Transmitted Infections and Diseases)

Minn. Stat. § 144.441 (Tuberculosis Screening in Schools)

Minn. Stat. § 142 (Testing in School Clinics)

Minn. Stat. Ch. 363A (Minnesota Human Rights Act)

20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act)

29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)

42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

29 C.F.R. 1910.1030 (Bloodborne Pathogens)

Kohl by Kohl v. Woodhaven Learning Center, 865 F.2d 930 (8th Cir.), *cert. denied*, 493 U.S. 892 (1989)

School Board of Nassau County, Fla. v. Arline, 480 U.S. 273 (1987)

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

Cross References: MSBA/MASA Model Policy 402 (Disability Nondiscrimination)

MSBA/MASA Model Policy 407 (Employee Right to Know – Exposure to Hazardous Substances)

MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

416 DRUG, ALCOHOL, AND CANNABIS TESTING

I. PURPOSE

A. The school board recognizes the significant problems created by drug, alcohol, and cannabis use in society in general, and the public schools in particular. The school board further recognizes the important contribution that the public schools have in shaping the youth of today into the adults of tomorrow.

B. The school board believes that a work environment free of drug, alcohol, and cannabis use will be not only safer, healthier, and more productive but also more conducive to effective learning. To provide such an environment, the purpose of this policy is to provide authority so that the school board may require all employees and/or job applicants to submit to drug, alcohol, and cannabis testing in accordance with the provisions of this policy and as provided in federal law and Minnesota Statutes, sections 181.950-181.957.

II. GENERAL STATEMENT OF POLICY

A. All school district employees and job applicants whose positions require a commercial driver's license will be required to undergo drug and alcohol testing and cannabis testing in accordance with federal law and the applicable provisions of this policy. The school district also may request or require that drivers submit to drug and alcohol testing and cannabis testing in accordance with the provisions of this policy and as provided in Minnesota Statutes, sections 181.950-181.957.

B. The school district may request or require that any school district employee or job applicant, other than an employee or applicant whose position requires a commercial driver's license, submit to drug and alcohol testing and cannabis testing in accordance with the provisions of this policy and as provided in Minnesota Statutes, sections 181.950-181.957.

C. The use, possession, sale, purchase, transfer, or dispensing of any drugs not medically prescribed, including medical cannabis, whether or not it has been prescribed for the employee, is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of drugs that are not medically prescribed, including medical cannabis, whether or not it has been prescribed for the employee, is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of drugs that are not medically prescribed are prohibited from entering or remaining on school district property.

D. The use, possession, sale, purchase, transfer, or dispensing of alcohol or cannabis is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of alcohol or cannabis is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of alcohol or cannabis are prohibited from entering or remaining on school district property.

E. Any employee who violates this section shall be subject to discipline that includes, but is not limited to, immediate suspension without pay and immediate discharge.

F. The school district may discipline, discharge, or take other adverse personnel action against an employee for cannabis flower, cannabis product, lower-potency hemp edible, or hemp-derived consumer product use, possession, impairment, sale, or transfer while an employee is working, on school district premises, or operating a school district vehicle, machinery, or equipment as follows:

1. if, as the result of consuming cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product, the employee does not possess that clearness of intellect and control of self that the employee otherwise would have;
2. if cannabis testing verifies the presence of cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product following a confirmatory test;
3. as provided in the school district's written work rules for cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products and cannabis testing, provided that the rules are in writing and in a written policy that contains the minimum information required by Minnesota Statutes, section 181.952; or
4. as otherwise authorized or required under state or federal law or regulations, or if a failure to do so would cause the school district to lose a monetary or licensing-related benefit under federal law or regulations.

III. FEDERALLY MANDATED DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS

A. General Statement of Policy

All persons subject to commercial driver's license requirements shall be tested for alcohol, cannabis (including medical cannabis), cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP), pursuant to federal law. Drivers who test positive for alcohol or drugs shall be subject to disciplinary action, which may include termination of employment.

B. Definitions

1. "Actual Knowledge" means actual knowledge by the school district that a driver has used alcohol or controlled substances based on: (a) direct observation of the employee's use (not observation of behavior sufficient to warrant reasonable suspicion testing); (b) information provided by a previous employer; (c) a traffic citation; or (d) an employee's admission, except when made in connection with a qualified employee self-admission program.
2. "Alcohol Screening Device" (ASD) means a breath or saliva device, other than an Evidential Breath Testing Device (EBT), that is approved by the National Highway Traffic Safety Administration and placed on its Conforming Products List for such devices.
3. "Breath Alcohol Technician" (BAT) means an individual who instructs and assists individuals in the alcohol testing process and who operates the EBT.
4. "Commercial Motor Vehicle" (CMV) includes a vehicle that is designed to transport 16 or more passengers, including the driver.
5. "Designated Employer Representative" (DER) means an employee authorized by the school district to take immediate action to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation process. The DER receives test results and other communications for the school district.
6. "Department of Transportation" (DOT) means United States Department of Transportation.
7. "Direct Observation" means observation of alcohol or controlled substances use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing.
8. "Driver" is any person who operates a CMV, including full-time, regularly employed drivers, casual, intermittent, or occasional drivers, leased drivers, and independent owner-operator contractors.
9. "Evidential Breath Testing Device" (EBT) means a device approved by the National Highway Traffic Safety Administration for the evidentiary testing of breath for alcohol concentration and placed on its Conforming Products List for such devices.

10. "Licensed Medical Practitioner" means a person who is licensed, certified, and/or registered, in accordance with applicable Federal, State, local, or foreign laws and regulations, to prescribe controlled substances and other drugs.

11. "Medical Review Officer" (MRO) means a licensed physician responsible for receiving and reviewing laboratory results generated by the school district's drug testing program and for evaluating medical explanations for certain drug tests.

12. "Refusal to Submit" (to an alcohol or controlled substances test) means that a driver: (a) fails to appear for any test within a reasonable time, as determined by the school district, consistent with applicable DOT regulations, after being directed to do so; (b) fails to remain at the testing site until the testing process is complete; (c) fails to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test; (d) fails to permit the observation or monitoring of the driver's provision of a specimen in the case of a directly observed or monitored collection in a drug test; (e) fails to provide a sufficient breath specimen or sufficient amount of urine when directed and a determination has been made that no adequate medical explanation for the failure exists; (f) fails or declines to take an additional test as directed by the school district or the collector; (g) fails to undergo a medical examination or evaluation, as directed by the MRO or the DER; (h) fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector, fails to sign the certification on the forms); (i) fails to follow the observer's instructions, in an observed collection, to raise the driver's clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the driver has any type of prosthetic or other device that could be used to interfere with the collection process; (j) possesses or wears a prosthetic or other device that could be used to interfere with the collection process; (k) admits to the collector or MRO that the driver adulterated or substituted the specimen; or (l) is reported by the MRO as having a verified adulterated or substituted test result. An applicant who fails to appear for a pre-employment test, who leaves the testing site before the pre-employment testing process commences, or who does not provide a urine specimen because he or she has left before it commences is not deemed to have refused to submit to testing.

13. "Safety-Sensitive Functions" are on-duty functions from the time the driver begins work or is required to be in readiness to work until relieved from work and all responsibility for performing work, and include such functions as driving, loading and unloading vehicles, or supervising or assisting in the loading or unloading of vehicles, servicing, repairing, obtaining assistance to repair, or remaining in attendance during the repair of a disabled vehicle.

14. "Screening Test Technician" (STT) means anyone who instructs and assists individuals in the alcohol testing process and operates an ASD.

15. "Stand Down" means the practice of temporarily removing an employee from performing safety-sensitive functions based only upon a laboratory report to the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test before the MRO completes the verification process.

16. "Substance Abuse Professional" (SAP) means a qualified person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

C. Policy and Educational Materials

1. The school district shall provide a copy of this policy and procedures to each driver prior to the start of its alcohol and drug testing program and to each driver subsequently hired or transferred into a position requiring driving of a CMV.

2. The school district shall provide to each driver information required under Title 49 of the Code of Federal Regulations, including information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or controlled substance problem (the driver's or a coworker's); and available methods of intervening when an alcohol or controlled substance problem is suspected, including confrontation, referral to an employee assistance program, and/or referral to management.

3. The school district shall provide written notice to representatives of employee organizations that the information described above is available.

4. The school district shall require each driver to sign a statement certifying that the driver received a copy of the policy and materials. This statement should be in the form of Attachment A to this policy. The school district will maintain the original signed certificate and will provide a copy to the driver if the driver so requests.

D. Alcohol and Controlled Substances Testing Program Manager

1. The program manager will coordinate the implementation, direction, and administration of the alcohol and controlled substances testing policy for bus drivers. The program manager is the principal contact for the collection site, the testing laboratory, the MRO, the BAT,

the SAP, and the person submitting to the test. Employee questions concerning this policy shall be directed to the program manager.

2. The school district shall designate a program manager and provide written notice of the designation to each driver along with this policy.

E. Specific Prohibitions for Drivers

1. Alcohol Concentration. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. Drivers who test greater than 0.04 will be taken out of service and will be subject to evaluation by a professional and retesting at the driver's expense.

2. Alcohol Possession. No driver shall be on duty or operate a CMV while the driver possesses alcohol.

3. On-Duty Use. No driver shall use alcohol while performing safety-sensitive functions.

4. Pre-Duty Use. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.

5. Use Following an Accident. No driver required to take a post-accident test shall use alcohol for eight (8) hours following the accident, or until the driver undergoes a post-accident alcohol test, whichever occurs first.

6. Refusal to Submit to a Required Test. No driver shall refuse to submit to an alcohol or controlled substances test required by post-accident, random, reasonable suspicion, return-to-duty, or follow-up testing requirements. A verified adulterated or substituted drug test shall be considered a refusal to test.

7. Use of Controlled Substances. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to instructions (which have been presented to the school district) from a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that the substance does not adversely affect the driver's ability to safely operate a CMV. Controlled substance includes medical cannabis, regardless of whether the driver is enrolled in the state registry program.

8. Positive, Adulterated, or Substituted Test for Controlled Substance. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive for controlled

substances, including medical cannabis, or has adulterated or substituted a test specimen for controlled substances.

9. General Prohibition. Drivers are also subject to the general policies and procedures of the school district that prohibit possession, transfer, sale, exchange, reporting to work under the influence of drugs or alcohol, and consumption of drugs or alcohol while at work or while on school district premises or operating any school district vehicle, machinery, or equipment.

F. Other Alcohol-Related Conduct

No driver found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall perform safety-sensitive functions for at least twenty-four (24) hours following administration of the test. The school district will not take any action under this policy other than removal from safety-sensitive functions based solely on test results showing an alcohol concentration of less than 0.04 but may take action otherwise consistent with law and the policies of the school district.

G. Prescription Drugs/Cannabinoid Products

A driver shall inform the driver's supervisor if at any time the driver is using a controlled substance pursuant to a physician's prescription. The physician's instructions shall be presented to the school district upon request. Use of a prescription drug shall be allowed if the physician has advised the driver that the prescribed drug will not adversely affect the driver's ability to safely operate a CMV. Use of medical cannabis is prohibited notwithstanding the driver's enrollment in the patient registry. Use of nonintoxicating cannabinoids or edible cannabinoid products is not a legitimate medical explanation for a confirmed positive test result for cannabis. MROs will verify a drug test confirmed as positive, even if a driver claims to have only used nonintoxicating cannabinoids or edible cannabinoid product.

H. Testing Requirements

1. Pre-Employment Testing

a. A driver applicant shall undergo testing for [alcohol and] controlled substances, including medical cannabis, before the first time the driver performs safety-sensitive functions for the school district.

b. Tests shall be conducted only after the applicant has received a conditional offer of employment.

c. To be hired, the applicant must test negative and must sign an agreement in the form of Attachment B to this policy, authorizing former employers to release to the school district all information on the applicant's alcohol tests with results of blood alcohol concentration of 0.04 or higher, or verified

positive results for controlled substances, including medical cannabis, or refusals to be tested (including verified adulterated or substituted drug test results), or any other violations of DOT agency drug and alcohol testing regulations, or, if the applicant violated the testing regulations, documentation of the applicant's successful completion of DOT return-to-duty requirements (including follow-up tests), within the preceding two (2) years.

d. The applicant also must be asked whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee, during the last two (2) years, applied for, but did not obtain, safety-sensitive transportation work covered by DOT testing rules.

e. Before employing a driver subject to controlled substances and alcohol testing, the school district must conduct a full pre-employment query of the federal Commercial Driver's License (CDL) Drug and Alcohol Clearinghouse ("Clearinghouse") to obtain information about whether the driver (1) has a verified positive, adulterated, or substituted controlled substances test result; (2) has an alcohol confirmation test with a concentration of 0.04 or higher; (3) has refused to submit to a test in violation of federal law; or (4) that an employer has reported actual knowledge that the driver used alcohol on duty, before duty, or following an accident in violation of federal law or used a controlled substance in violation of federal law. The applicant must give specific written or electronic consent for the school district to conduct the Clearinghouse full query (see Attachment C to this policy). The school district shall retain the consent for three (3) years from the date of the query.

2. Post-Accident Testing

a. As soon as practicable following an accident involving a CMV, the school district shall test the driver for alcohol and controlled substances, including medical cannabis, if the accident involved the loss of human life or if the driver receives a citation for a moving traffic violation arising from an accident which results in bodily injury or disabling damage to a motor vehicle.

b. Drivers should be tested for alcohol use within two (2) hours and no later than eight (8) hours after the accident.

c. Drivers should be tested for controlled substances, including medical cannabis, no later than thirty-two (32) hours after the accident.

d. A driver subject to post-accident testing must remain available for testing, or shall be considered to have refused to submit to the test.

e. If a post-accident alcohol test is not administered within two (2) hours following the accident, the school district shall prepare and maintain on file a record stating the reasons the test was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours.

f. If a post-accident alcohol test is not administered within eight (8) hours following the accident or a post-accident controlled substances test is not administered within thirty-two (32) hours following the accident, the school district shall cease attempts to administer the test, and prepare and maintain on file a record stating the reasons for not administering the test.

g. The school district shall report drug and alcohol program violations to the Clearinghouse as required under federal law.

3. Random Testing

a. The school district shall conduct tests on a random basis at unannounced times throughout the year, as required by the federal regulations.

b. The school district shall test for alcohol at a minimum annual percentage rate of 10% of the average number of driver positions, and for controlled substances, including medical cannabis, at a minimum annual percentage of 50%.

c. The school district shall adopt a scientifically valid method for selecting drivers for testing, such as random number table or a computer-based random number generator that is matched with identifying numbers of the drivers. Each driver shall have an equal chance of being tested each time selections are made. Each driver selected for testing shall be tested during the selection period.

d. Random tests shall be unannounced. Dates for administering random tests shall be spread reasonably throughout the calendar year.

e. Drivers shall proceed immediately to the collection site upon notification of selection; provided, however, that if the driver is performing a safety-sensitive function, other than driving, at the time of notification, the driver shall cease to perform the function and proceed to the collection site as soon as possible.

4. Reasonable Suspicion Testing

a. The school district shall require a driver to submit to an alcohol test and/or controlled substances, including medical cannabis, test when a supervisor or school district official, who has been trained in accordance with the regulations, has reasonable suspicion to believe that the driver has used alcohol and/or controlled substances, including medical cannabis, on duty, within four (4) hours before coming on duty, or just after the period of the work day. The test shall be done as soon as practicable following the observation of the behavior indicative of the use of controlled substances or alcohol.

b. The reasonable suspicion determination must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech, or body odors. The required observations for reasonable suspicion of a controlled substances violation may include indications of the chronic and withdrawal effects of controlled substances.

c. Alcohol testing shall be administered within two (2) hours following a determination of reasonable suspicion. If it is not done within two (2) hours, the school district shall prepare and maintain a record explaining why it was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours. If an alcohol test is not administered within eight (8) hours following the determination of reasonable suspicion, the school district shall cease attempts to administer the test and state in the record the reasons for not administering the test.

d. The supervisor or school district official who makes observations leading to a controlled substances reasonable suspicion test shall make and sign a written record of the observations within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

5. Return-To-Duty Testing.

A driver found to have violated this policy shall not return to work until an SAP has determined the employee has successfully

complied with prescribed education and/or treatment and until undergoing return-to-duty tests indicating an alcohol concentration of less than 0.02 and a confirmed negative result for the use of controlled substances. The school district is not required to return a driver to safety-sensitive duties because the driver has met these conditions; this is a personnel decision subject to collective bargaining agreements or other legal requirements.

6. Follow-Up Testing.

When an SAP has determined that a driver is in need of assistance in resolving problems with alcohol and/or controlled substances, the driver shall be subject to unannounced follow-up testing as directed by the SAP for up to sixty (60) months after completing a treatment program.

7. Refusal to Submit and Attendant Consequences

a. A driver or driver applicant may refuse to submit to drug and alcohol testing.

b. Refusal to submit to a required drug or alcohol test subjects the driver or driver applicant to the consequences specified in federal regulations as well as the civil and/or criminal penalty provisions of 49 United States Code section 521(b). In addition, a refusal to submit to testing establishes a presumption that the driver or driver applicant would test positive if a test were conducted and makes the driver or driver applicant subject to discipline or disqualification under this policy.

c. A driver applicant who refuses to submit to testing shall be disqualified from further consideration for the conditionally offered position.

d. An employee who refuses to submit to testing shall not be permitted to perform safety-sensitive functions and will be considered insubordinate and subject to disciplinary action, up to and including dismissal. If an employee is offered an opportunity to return to a DOT safety-sensitive duty, the employee will be evaluated by an SAP and must submit to a return-to-duty test prior to being considered for reassignment to safety-sensitive functions.

e. Drivers or driver applicants who refuse to submit to required testing will be required to sign Attachment D to this policy.

I. Testing Procedures

1. Drug Testing

a. Drug testing is conducted by analyzing a donor's urine specimen. Split urine samples will be collected in accordance with federal regulations. The donor will provide a urine sample at a designated collection site. The collection site personnel will then pour the sample into two sample bottles, labeled "primary" and "split," seal the specimen bottles, complete the chain of custody form, and prepare the specimen bottles for shipment to the testing laboratory for analysis. The specimen preparation shall be conducted in sight of the donor.

b. If the donor is unable to provide the appropriate quantity of urine, the collection site person shall instruct the individual to drink up to forty (40) ounces of fluid distributed reasonably through a period of up to three (3) hours to attempt to provide a sample. If the individual is still unable to provide a complete sample, the test shall be discontinued and the school district notified. The DER shall refer the donor for a medical evaluation to determine if the donor's inability to provide a specimen is genuine or constitutes a refusal to test. For pre-employment testing, the school district may elect to not have a referral made, and revoke the employment offer.

c. Drug test results are reported directly to the MRO by the testing laboratory. The MRO reports the results to the DER. If the results are negative, the school district is informed and no further action is necessary. If the test result is confirmed positive, adulterated, substituted, or invalid, the MRO shall give the donor an opportunity to discuss the test result. The MRO will contact the donor directly, on a confidential basis, to determine whether the donor wishes to discuss the test result. The MRO shall notify each donor that the donor has seventy-two (72) hours from the time of notification in which to request a test of the split specimen at the donor's expense. No split specimen testing is done for an invalid result.

d. If the donor requests an analysis of the split specimen within seventy-two (72) hours of having been informed of a confirmed positive test, the MRO shall direct, in writing, the laboratory to provide the split specimen to another Department of Health and Human Services – SAMHSA certified laboratory for analysis. If the donor has not contacted the MRO within seventy-two (72) hours, the donor may present the MRO information documenting that serious illness, injury, inability to contact the MRO, lack of actual notice of the confirmed positive test, or other circumstances unavoidably prevented the donor from timely making contact. If the MRO

concludes that a legitimate explanation for the donor's failure to contact him/her within seventy-two (72) hours exists, the MRO shall direct the analysis of the split specimen. The MRO will review the confirmed positive test result to determine whether an acceptable medical reason for the positive result exists. The MRO shall confirm and report a positive test result to the DER and the employee when no legitimate medical reason for a positive test result as received from the testing laboratory exists.

e. If, after making reasonable efforts and documenting those efforts, the MRO is unable to reach the donor directly, the MRO must contact the DER who will direct the donor to contact the MRO. If the DER is unable to contact the donor, the donor will be suspended from performing safety-sensitive functions.

f. The MRO may confirm the test as a positive without having communicated directly with the donor about the test results under the following circumstances:

(1) The donor expressly declines the opportunity to discuss the test results;

(2) The donor has not contacted the MRO within seventy-two (72) hours of being instructed to do so by the DER; or

(3) The MRO and the DER, after making and documenting all reasonable efforts, have not been able to contact the donor within ten (10) days of the date the confirmed test result was received from the laboratory.

2. Alcohol Testing

a. The federal alcohol testing regulations require testing to be administered by a BAT using an EBT or an STT using an ASD. EBTs and ASDs can be used for screening tests but only EBTs can be used for confirmation tests.

b. Any test result less than 0.02 alcohol concentration is considered a "negative" test.

c. If the donor is unable to provide sufficient saliva for an ASD, the DER will immediately arrange to use an EBT. If the donor attempts and fails to provide an adequate amount of breath, the school district will direct the donor to obtain a written evaluation from a licensed physician to determine if the

donor's inability to provide a breath sample is genuine or constitutes a refusal to test.

d. If the screening test results show alcohol concentration of 0.02 or higher, a confirmatory test conducted on an EBT will be required to be performed between fifteen (15) and thirty (30) minutes after the completion of the screening test.

e. Alcohol tests are reported directly to the DER.

J. Driver/Driver Applicant Rights

1. All drivers and driver applicants subject to the controlled substances testing provisions of this policy who receive a confirmed positive test result for the use of controlled substances have the right to request, at the driver's or driver applicant's expense, a confirming retest of the split urine sample. If the confirming retest is negative, no adverse action will be taken against the driver, and a driver applicant will be considered for employment.

2. The school district will not discharge a driver who, for the first time, receives a confirmed positive drug or alcohol test UNLESS:

a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with the SAP; and

b. The employee refuses to participate in the recommended program, or fails to successfully complete the program as evidenced by withdrawal before its completion or by a positive test result on a confirmatory test after completion of the program.

c. This limitation on employee discharge does not bar discharge of an employee for reasons independent of the first confirmed positive test result.

K. Testing Laboratory

A testing laboratory for controlled substances will be provided by the district which is a laboratory certified by the Department of Health and Human Services – SAMHSA to perform controlled substances testing pursuant to federal regulations.

L. Confidentiality of Test Results

All alcohol and controlled substances test results and required records of the drug and alcohol testing program are considered confidential information under federal law and private data on individuals as that phrase is defined in Minnesota Statutes, chapter 13. Any information concerning the individual's test results and records shall not be released without written permission of the individual, except as provided for by regulation or law.

M. Recordkeeping Requirements and Retention of Records

1. The school district shall keep and maintain records in accordance with the federal regulations in a secure location with controlled access.

2. The required records shall be retained for the following minimum periods:

Basic records	5 years
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"Basic records" includes records of: (a) alcohol test results with concentration of 0.02 or greater; (b) verified positive drug test results; (c) refusals to submit to required tests (including substituted or adulterated drug test results); (d) SAP reports; (e) all follow-up tests and schedules for follow-up tests; (f) calibration documentation; (g) administration of the testing programs; and (h) each annual calendar year summary.

Information obtained from previous employers	3 years
Alcohol and controlled substance collection procedures	2 years
Negative and cancelled controlled substance tests	1 year
Alcohol tests with less than 0.02 concentration	1 year
Education and training records	indefinite

"Education and training records" must be maintained while the individuals perform the functions which require training and for the two (2) years after ceasing to perform those functions.

3. Personal Information

Personal information about all individuals who undergo any required testing under this policy will be shared with the U.S. DOT Drug & Alcohol Clearinghouse ("Clearinghouse") as required under federal law, including:

- a. The name of the person tested;
- b. Any verified positive, adulterated, or substituted drug test result;
- c. Any alcohol confirmation test with a BAC concentration of 0.04 or higher;
- d. Any refusal to submit to any test required hereunder;

e. Any report by a supervisor of actual knowledge of use as follows

- i. Any on-duty alcohol use;
- ii. Any pre-duty alcohol use;
- iii. Any alcohol use following an accident; and
- iv. Any controlled substance use.

f. Any report from a substance abuse professional certifying successful completion of the return-to-work process;

g. Any negative return-to-duty test; and

h. Any employer's report of completion of follow-up testing.

N. Training

The school district shall ensure all persons designated to supervise drivers receive training. The designated employees shall receive at least sixty (60) minutes of training on alcohol misuse and at least sixty (60) minutes of training on controlled substances use. The training shall include physical, behavioral, speech, and performance indicators of probable misuse of alcohol and use of controlled substances. The training will be used by the supervisors to make determinations of reasonable suspicion.

O. Consequences of Prohibited Conduct and Enforcement

1. Removal.

The school district shall remove a driver who has engaged in prohibited conduct from safety-sensitive functions. A driver shall not be permitted to return to safety-sensitive functions until and unless the return-to-duty requirements of federal DOT regulations have been completed.

2. Referral, Evaluation, and Treatment

a. A driver or driver applicant who has engaged in prohibited conduct shall be provided a listing of SAPs readily available to the driver or applicant and acceptable to the school district.

b. If the school district offers a driver an opportunity to return to a DOT safety-sensitive duty following a violation, the driver must be evaluated by an SAP and the driver is required to successfully comply with the SAP's evaluation recommendations (education, treatment, follow-up evaluation(s), and/or ongoing

services). The school district is not required to provide an SAP evaluation or any subsequent recommended education or treatment.

c. Drivers are responsible for payment for SAP evaluations and services unless a collective bargaining agreement or employee benefit plan provides otherwise.

d. Drivers who engage in prohibited conduct also are required to comply with follow-up testing requirements.

3. Disciplinary Action

a. Any driver who refuses to submit to post-accident, random, reasonable suspicion, or follow-up testing not only shall not perform or continue to perform safety-sensitive functions, but also may be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.

b. Drivers who test positive with verification of a confirmatory test or are otherwise found to be in violation of this policy or the federal regulations shall be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.

c. Nothing in this policy limits or restricts the right of the school district to discipline or discharge a driver for conduct which not only constitutes prohibited conduct under this policy but also violates the school district's other rules or policies.

P. Other Testing

The school district may request or require that drivers submit to cannabis testing or drug and alcohol testing other than that required by federal law. For example, drivers may be requested or required to undergo cannabis testing or drug and alcohol testing on an annual basis as part of a routine physical examination. Such additional testing of drivers will be conducted only in accordance with the provisions of this policy and as provided in Minnesota Statutes, sections 181.950-181.957. For purposes of such additional, non-mandatory testing, drivers fall within the definition of "other employees" covered by Section IV. of this policy.

Q. Report to Clearinghouse

The school district shall promptly submit to the Clearinghouse any record generated of an individual who refuses to take an alcohol or controlled substance test required under Title 49, Code of Federal Regulations, tests positive for alcohol or a controlled substance in violation of federal regulations, or violates subpart B of Part 382 of Title 49, Code of Federal Regulations (or any subsequent corresponding regulations).

R. Annual Clearinghouse Query

1. The school district must conduct a query of the Clearinghouse record at least once per year for information for all employees subject to controlled substance and alcohol testing related to CMV operation to determine whether information exists in the Clearinghouse about those employees. In lieu of a full query, the school district may obtain the individual driver's consent to conduct a limited query to satisfy the annual query requirement. The limited query will tell the employer whether there is information about the driver in the Clearinghouse but will not release that information to the employer. If the limited query shows that information exists in the Clearinghouse about the driver, the school district must conduct a full query within twenty-four (24) hours or must not allow the driver to continue to perform any safety-sensitive function until the employee conducts the full query and the results confirm the driver's Clearinghouse record contains no prohibitions showing the driver has a verified positive, adulterated or substitute controlled substance test, no alcohol confirmation test with a concentration of 0.04 or higher, refuses to submit to a test, or was reported to have used alcohol on duty, before duty, following an accident or otherwise used a controlled substance in violation of the regulations except where the driver completed the SAP evaluation, referral and education/treatment process as required by the regulations. The school district shall comply with the query requirements set forth in 49 Code of Federal Regulations 382.701.

2. The school district may not access an individual's Clearinghouse record unless the school district (1) obtains the individual's prior written or electronic consent for access to the record; and (2) submits proof of the individual's consent to the Clearinghouse. The school district must retain the consent for three (3) years from the date of the last query. The school district shall retain for three (3) years a record of each request for records from the Clearinghouse and the information received pursuant to the request.

3. The school district shall protect the individual's privacy and confidentiality of each Clearinghouse record it receives. The school district shall ensure that information contained in a Clearinghouse record is not divulged to a person or entity not directly involved in assessing and evaluating whether a prohibition applies with respect to the individual to operate a CMV for the school district.

4. The school district may use an individual's Clearinghouse record only to assess and evaluate whether a prohibition applies with respect to the individual to operate a CMV for the school district.

IV. CANNABIS TESTING OR DRUG AND ALCOHOL TESTING FOR OTHER EMPLOYEES

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

A. Definitions

1. "Cannabis testing" means the analysis of a body component sample according to the standards established under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1, for the purpose of measuring the presence or absence of cannabis flower, as defined in Minnesota Statutes, section 342.01, subdivision 16, cannabis products, as defined in section 342.01, subdivision 20, lower-potency hemp edibles as defined in section 342.01, subdivision 50, hemp-derived consumer products as defined in section 342.01, subdivision 37, or cannabis metabolites in the sample tested. The definitions in this section apply to cannabis testing unless stated otherwise.
2. "Confirmatory test" and "confirmatory retest" mean a drug or alcohol test that uses a method of analysis allowed under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.
3. "Drug" means a controlled substance as defined in Minnesota Statutes, section 152.01, subdivision 4, but does not include marijuana, tetrahydrocannabinols, cannabis flower as defined in section 342.01, subdivision 16, cannabis products as defined in section 342.01, subdivision 20, lower-potency hemp edibles as defined in section 342.01, subdivision 50, and hemp-derived consumer products as defined in section 342.01, subdivision 37.
4. "Drug and Alcohol Testing," "Drug or Alcohol Testing," and "Drug or Alcohol Test" mean analysis of a body component sample by a testing laboratory that meets one of the criteria listed in Minnesota Statutes, section 181.953, subdivision 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested. "Drug and alcohol testing," "drug or alcohol testing," and "drug or alcohol test" do not include cannabis or cannabis testing, unless stated otherwise.
5. "Employee" means a person, independent contractor, or person working for an independent contractor who performs services for compensation, in whatever form, for an employer.

6. "Initial screening test" means a drug or alcohol test or cannabis test which uses a method of analysis under one of the programs listed in Minnesota Statutes, section [181.953, subdivision 1](#).

7. "Job Applicant" means a person, independent contractor, or person working for an independent contractor who applies to become an employee of the school district in a position that does not require a commercial driver's license, and includes a person who has received a job offer made contingent on the person's passing drug or alcohol testing. Job applicants for positions requiring a commercial driver's license are governed by the provisions of the school district's drug and alcohol testing policy relating to school bus drivers (Section III.).

8. "Oral fluid test" means analysis of a saliva sample for the purpose of measuring the presence of the same substances as drug and alcohol testing and cannabis testing that:

a. can detect drugs, alcohol, cannabis, or their metabolites in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1; and

b. does not require the services of a testing laboratory under section 181.953, subdivision 1.

9. "Other Employees" means any persons, independent contractors, or persons working for an independent contractor who perform services for the school district for compensation, either full time or part time, in whatever form, except for persons whose positions require a commercial driver's license, and includes both professional and nonprofessional personnel. Persons whose positions require a commercial driver's license are primarily governed by the provisions of the school district's drug and alcohol testing policy relating to school bus drivers (Section III.). To the extent that the drug and alcohol testing of persons whose positions require a commercial driver's license is not mandated by federal law and regulations, such testing shall be governed by Section IV. of this policy and the drivers shall fall within this definition of "other employees."

10. "Positive Test Result" means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.

11. "Random Selection Basis" means a mechanism for selection of employees that:

a. results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected; and

b. does not give the school district discretion to waive the selection of any employee selected under the mechanism.

12. "Reasonable Suspicion" means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.

13. "Safety-Sensitive Position" means a job, including any supervisory or management position, in which an impairment caused by drug, alcohol, or cannabis usage would threaten the health or safety of any person.

B. Circumstances Under Which Cannabis Testing or Drug or Alcohol Testing May Be Requested or Required; Exceptions

1. General Limitations

a. The school district may not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug or alcohol testing or cannabis testing, unless the testing is done pursuant to this policy; and either (1) is conducted by a testing laboratory that meets one of the criteria listed in Minnesota Statutes, section 181.953, subdivision 1; or (2) complies with the oral fluid test procedures under section 181.953, subdivision 5a.

b. The school district will not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing or cannabis testing on an arbitrary and capricious basis.

2. Cannabis Testing Exceptions

For the following positions, cannabis and its metabolites are considered a drug and subject to the drug and alcohol testing provisions in Minnesota Statutes, sections 181.950 to 181.957:

a. a safety-sensitive position, as defined in Minnesota Statutes, section 181.950, subdivision 13;

b. a position requiring face-to-face care, training, education, supervision, counseling, consultation, or medical assistance to children;

c. a position requiring a commercial driver's license or requiring an employee to operate a motor vehicle for which state

or federal law requires drug or alcohol testing of a job applicant or an employee;

d. a position of employment funded by a federal grant; or

e. any other position for which state or federal law requires testing of a job applicant or an employee for cannabis.

3. Job Applicant Testing

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

a. The school district must not request or require a job applicant to undergo cannabis testing solely for the purpose of determining the presence or absence of cannabis as a condition of employment unless otherwise required by state or federal law.

b. Unless otherwise required by state or federal law, the school district must not refuse to hire a job applicant solely because the job applicant submits to a cannabis test or a drug and alcohol test authorized by Minnesota law and the results of the test indicate the presence of cannabis.

c. The school district must not request or require an employee or job applicant to undergo cannabis testing on an arbitrary or capricious basis.

d. Cannabis testing authorized under paragraph (d) must comply with the safeguards for testing employees provided in Minnesota Statutes, sections 181.953 and 181.954.

4. Oral fluid testing

a. When drug and alcohol testing or cannabis testing is otherwise authorized under Minnesota Statutes, section 181.951, the school district may request an employee or job applicant to undergo oral fluid testing according to the procedures under Minnesota Statutes, section 181.953, subdivision 5a as an alternative to using the services of a testing laboratory under Minnesota Statutes, section 181.953, subdivision 1.

b. The employee must be informed of the test result at the time of the oral fluid test. Within 48 hours of an oral fluid test that indicates a positive test result or that is inconclusive or invalid, the employee or job applicant may request drug or alcohol testing or cannabis testing at no cost to the employee or job applicant using the services of a testing laboratory under Minnesota Statutes, section 181.953, subdivision 1, and according to the existing laboratory testing standards in subdivisions 1 to 5. The rights, notice, and limitations in Minnesota Statutes, section 181.953, subdivision 6, paragraph (b), and subdivisions 7 to 8 and 10 to 11 apply to an employee or job applicant and a laboratory test conducted pursuant to this paragraph.

c. If the laboratory test under paragraph (b) above indicates a positive result, any subsequent confirmatory retest, if requested by the employee or job applicant, must be conducted following the retest procedures provided in Minnesota Statutes, section 181.953, subdivision 6, paragraph (c), and subdivision 9 at the employee's or job applicant's own expense.

d. Nothing in this subdivision is intended to modify the existing requirements for drug and alcohol testing or cannabis testing in the workplace under Minnesota Statutes, sections 181.950 to 18.957, unless stated otherwise.

5. Random Testing

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

6. Reasonable Suspicion Testing

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

a. is under the influence of cannabis, drugs, or alcohol;

b. has violated the school district's written work rules prohibiting the use, possession, sale, or transfer of drugs or alcohol, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products while the employee is working or while the employee is on the school district's premises or operating the school district's vehicles, machinery, or equipment;

c. has sustained a personal injury, as that term is defined in Minnesota Statutes, section 176.011, subdivision 16, or has caused another employee to sustain a personal injury; or

d. has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.

7. Treatment Program Testing

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

8. Routine Physical Examination Testing

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

C. No Legal Duty to Test

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

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

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

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

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

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

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

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

E. Reliability and Fairness Safeguards

1. Pretest Notice

Before requesting an employee or job applicant whose position does not require a commercial driver's license to undergo drug or alcohol testing or requesting cannabis testing, the school district shall provide the employee or job applicant with a Pretest Notice in the form of Attachment D to this policy on which to acknowledge that the employee or job applicant has received the school district's drug and alcohol testing or cannabis testing policy.

2. Notice of Test Results

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

3. Notice of and Right to Test Result Report

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

4. Notice of and Right to Explain Positive Test Result

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

submit additional information (see Attachment G to this policy).

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

c. The employee may present verification of enrollment in the medical cannabis patient registry or of enrollment in a Tribal medical cannabis program as part of the employee's explanation.

d. Use of nonintoxicating cannabinoids or edible cannabinoid products is not a legitimate medical explanation for a confirmed positive test result for cannabis. MROs will verify a drug test confirmed as positive, even if an employee claims to have only used nonintoxicating cannabinoids or edible cannabinoid product.

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

5. Notice of and Right to Request Confirmatory Retests

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

b. An employee or job applicant may request a confirmatory retest of the original sample at his or her own expense after notice of a positive test result on a confirmatory test. Within five (5) working days after notice of the confirmatory test result, the employee or job applicant shall notify the school district in writing of his or her intention to obtain a confirmatory retest. Within three (3) working days after receipt of the notice, the school district shall notify the original testing laboratory that the employee or job applicant has requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under Minnesota Statutes, section 181.953, subdivision 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that appropriate chain-of-custody procedures are followed during transfer of the sample to the other laboratory. The confirmatory retest must use the same drug, alcohol, or cannabis threshold detection levels as used in the original

confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against the employee or job applicant.

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

Attachments F and G to this policy provide the Notices described in Paragraphs 2. through 6. of this Section E.

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

1. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.

2. In the case of a positive test result on a confirmatory test, the employee shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge, pursuant to the provisions of this policy.

3. The school district may not discharge an employee for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test or cannabis test requested by the school district, unless the following conditions have been met:

a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug, alcohol, or cannabis counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with a certified chemical abuse counselor or a physician trained in the diagnosis and treatment of chemical dependency; and

b. The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program.

4. Notwithstanding Paragraph 1., the school district may temporarily suspend the tested employee or transfer that employee to another

position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the school district believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.

5. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information or the employee's status as a patient enrolled in the medical cannabis registry program revealed to the school district, unless the employee was under an affirmative duty to provide the information before, upon, or after hire, or failing to do so would violate federal law or regulations or cause the school district to lose money or licensing-related benefit under federal law or regulations.

6. The school district may not discriminate against any employee in termination, discharge, or any term of condition of employment or otherwise penalize an employee based upon an employee registered patient's positive drug test for cannabis components or metabolites, unless the employee used, possessed, or was impaired by medical cannabis on school district property during the hours of employment.

7. An employee must be given access to information in the individual's personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process or cannabis testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

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

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

H. Chain-of-Custody Procedures

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

1. Possession of a sample must be traceable to the employee from whom the sample is collected, from the time the sample is collected through the time the sample is delivered to the laboratory;

2. The sample must always be in the possession of, must always be in view of, or must be placed in a secure area by a person authorized to handle the sample;
3. A sample must be accompanied by a written chain-of-custody record; and
4. Individuals relinquishing or accepting possession of the sample must record the time the possession of the sample was transferred and must sign and date the chain-of-custody record at the time of transfer.

I. Privacy, Confidentiality and Privilege Safeguards

1. Privacy Limitations

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

2. Confidentiality Limitations

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

3. Exceptions to Privacy and Confidentiality Disclosure Limitations

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

4. Privilege

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

J. Notice of Testing Policy to Affected Employees

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

V. POSTING

The school district shall post notice in an appropriate and conspicuous location on its premises that it has adopted a drug and alcohol testing policy and that copies of the policy are available for inspection during regular business hours by its employees or job applicants in its personnel office or other suitable locations.

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

Minn. Stat. Ch. 43A (State Personnel Management)

Minn. Stat. § 151.72 (Sale of Certain Cannabinoid Products)

Minn. Stat. § 152.01 (Definitions)

Minn. Stat. § 152.22 (Definitions; Medical Cannabis)

Minn. Stat. § 152.23 (Limitations; Medical Cannabis)

Minn. Stat. § 152.32 (Protections for Registry Program Participation)

Minn. Stat. § 176.011, subd. 16 (Definitions; Personal Injury)

Minn. Stat. §§ 181.950-181.957 (Drug and Alcohol Testing in the Workplace)

Minn. Stat. § 221.031 (Motor Carrier Rules)

49 U.S.C. § 31306 (Omnibus Transportation Employee Testing Act of 1991)

49 U.S.C. 31306a (National Clearinghouse for Controlled Substance and Alcohol Test Results of Commercial Motor Vehicle Operators)

49 U.S.C. § 521(b) (Civil and Criminal Penalties for Violations)

49 C.F.R. Parts 40 (Department of Transportation Rules Implementing Omnibus Transportation Employee Testing Act of 1991)

49 C.F.R. Part 382 (Controlled Substances and Alcohol Use and Testing)

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 417 (Chemical Use and Abuse)

MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)

805 WASTE REDUCTION AND RECYCLING

I. PURPOSE

The purpose of this policy is to establish a resource recovery program to promote the reduction of waste, the separation and recovery of recyclable and reusable commodities, the procurement of recyclable commodities and commodities containing recycled materials, the disposition of waste materials and surplus property, and the establishment of a program of education to develop an awareness of environmentally sound waste management.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is to comply with all state laws relating to waste management and to make resource conservation an integral part of the physical operations and curriculum of the school district.

III. DEFINITIONS

A. "Lamp recycling facility" means a facility operated to remove, recover, and recycle for reuse mercury or other hazardous materials from fluorescent or high intensity discharge lamps

B. "Mixed municipal solid waste" means garbage, refuse, and other solid waste that is aggregated for collection but does not include auto hulks, street sweepings, ash, construction debris, mining waste, sludges, tree and agricultural wastes, tires, lead acid batteries, motor and vehicle fluids and filters, and other materials collected, processed, and disposed of as separate waste streams.

C. "Packaging" means a container and any appurtenant material that provide a means of transporting, marketing, protecting, or handling a product and includes pallets and packing such as blocking, bracing, cushioning, weatherproofing, strapping, coatings, closures, inks, dyes, pigments, and labels.

D. "Postconsumer materials" means a finished material that would normally be discarded as a solid waste having completed its life cycle as a consumer item.

E. "Rechargeable battery" means a sealed nickel-cadmium battery, a sealed lead acid battery, or any other rechargeable battery, except certain dry cell batteries or a battery

exempted by the Commissioner of the Minnesota Pollution Control Agency (PCA) (Commissioner).

F. “Recyclable commodities” means materials, pieces of equipment, and parts which are not reusable but which contain recoverable resources.

G. “Recyclable materials” means materials that are separated from mixed municipal solid waste for the purpose of recycling or composting, including paper, glass, plastics, metals, automobile oil, batteries, source-separated compostable materials, and sole source food waste streams that are managed through biodegradative processes. Refuse-derived fuel or other material that is destroyed by incineration is not a recyclable material.

H. “Recycling” means the process of collecting and preparing recyclable materials and reusing the materials in their original form that do not cause the destruction of recyclable materials in a manner that precludes further use.

I. “Resource conservation” means the reduction in the use of water, energy, and raw materials.

J. “Reusable commodities” means materials, pieces of equipment, parts, and used supplies which can be reused for their original purpose in their existing condition.

K. “Source-separated compostable materials” means materials that:

1. are separated at the source by waste generators for the purpose of preparing them for use as compost;
2. are collected separately from mixed municipal solid waste and are governed by state licensing provisions;
3. are comprised of food wastes, fish and animal waste, plant materials, diapers, sanitary products, and paper that is not recyclable because the Commissioner has determined that no other person is willing to accept the paper for recycling;
4. are delivered to a facility to undergo controlled microbial degradation to yield a humus-like product meeting the PCA's class I or class II, or equivalent, compost standards and where process rejects do not exceed 15 percent by weight of the total material delivered to the facility; and
5. may be delivered to a transfer station, mixed municipal solid waste processing facility, or recycling facility only for the purposes of composting or transfer to a composting facility, unless the Commissioner determines that no other person is willing to accept the materials.

L. "Waste reduction" or "source reduction" means an activity that prevents generation of waste or the inclusion of toxic materials in waste, including:

1. reusing the product in its original form;
2. increasing the lifespan of a product;
3. reducing material or the toxicity of material used in production or packaging; or
4. changing procurement, consumption, or waste generation habits to result in smaller quantities or lower toxicity of waste generated.

IV. WASTE DISPOSAL

A. The school district will attempt to decrease the amount of waste consumable materials by:

1. reduction of the consumption of consumable materials whenever practicable;
2. full utilization of materials prior to disposal;
3. minimization of the use of non-biodegradable products whenever practicable.

B. Each school district facility shall also collect at least three recyclable materials, such as, but not limited to, the following: paper, glass, plastic, and metal.

C. The school district will transfer all recyclable materials collected to a recycler and, to the extent practicable, cooperate with, and participate in, recycling efforts being made by the city and/or county where the school district is located.

D. Prior to entering into a contract for the management of mixed municipal solid waste, the school district will determine whether the disposal method provided for in the contract is equal to or better than the waste management practices currently employed in the county or district plan in the county where the school district is located and whether the contract is consistent with the solid waste plan. If the waste management method provided for in the contract is ranked lower than the waste management practices employed by the county or district, the school district will:

1. determine the potential liability to the school district and its taxpayers for managing waste in this manner;
2. develop and implement a plan for managing the potential liability; and
3. submit the information in (1) and (2) above to the PCA.

If the contract is inconsistent with the county plan or if the school district's waste management activities are inconsistent with the county plan, the school district should obtain the consent of the county prior to entering into a binding contract or developing or implementing inconsistent solid waste management activities.

E. The school district may not knowingly place motor oil, brake fluid, power steering fluid, transmission fluid, motor oil filters, or motor vehicle antifreeze (other than small amounts of antifreeze contained in water used to flush the cooling system of a vehicle after the antifreeze has been drained and does not include de-icer that has been used on the exterior of a vehicle) in or on:

1. solid waste or solid waste management facilities other than a recycling facility or household hazardous waste collection facility;
2. the land unless approved by the PCA; or
3. the waters of the state, an individual sewage treatment system, or in a storm water or waste water collection or treatment system unless:
 - a. permitted to do so by the operator of the system and the PCA;
 - b. the school district generates an annual average of less than 50 gallons of waste motor vehicle antifreeze per month; and
 - c. the school district keeps records of the amount of waste antifreeze generated, maintains these records on site and makes the records available for inspection for a minimum of three years following generation of the waste antifreeze.

F. The school district may not place mercury or a thermostat, thermometer, electric switch, appliance, gauge, medical or scientific instrument, fluorescent or high-intensity discharge lamp, electric relay, or other electrical device from which the mercury has not been removed for reuse or recycling:

1. in solid waste; or
2. in a wastewater disposal system.

G. The school district may not knowingly place mercury or a thermostat, thermometer, electric switch, appliance, gauge, medical or scientific instrument, fluorescent or high-intensity discharge lamp, electric relay, or other electrical device from which the mercury has not been removed for reuse or recycling:

1. in a solid waste processing facility; or

2. in a solid waste disposal facility.

H. The school district will recycle a fluorescent or high-intensity discharge lamp by delivery of the lamp to a lamp recycling facility or to a facility that collects and stores lamps for the purpose of delivering them to a lamp recycling facility, including, but not limited to, a household hazardous waste collection or recycling facility, retailer take-back and utility provider program sites, or other sites designated by an electric utility under Minnesota Statutes section 216B.241, subdivision. 2.

I. The school district may not place a lead acid battery in mixed municipal solid waste or dispose of a lead acid battery. The school district also may not place in mixed municipal solid waste a dry cell battery containing mercuric oxide electrode, silver oxide electrode, nickel-cadmium, or sealed lead-acid that was purchased for use or used by the school district. The school district also may not place in mixed municipal solid waste a rechargeable battery, a rechargeable battery pack, a product with a nonremovable rechargeable battery, or a product powered by rechargeable batteries or rechargeable battery pack, from which all batteries or battery packs have not been removed.

J. The school district may not place yard waste:

1. in mixed municipal solid waste;

2. in a disposal facility;

3. in a resource recovery facility, except for the purposes of reuse, composting, or cocomposting; or

4. in a plastic bag unless exempt as specified in Minnesota Statutes section 115A.931(c), (d), or (e).

K. The school district may not place a telephone directory:

1. in solid waste;

2. in a disposal facility; or

3. in a resource recovery facility, except a recycling facility.

L. The school district may not:

1. place major appliances in mixed municipal solid waste; or

2. dispose of major appliances in or on the land or in a solid waste processing or disposal facility.

M. The school district may not place in mixed municipal solid waste an electronic product containing a cathode-ray tube.

N. The school district, on its own or in cooperation with others, may implement a program to collect, process, or dispose of household batteries. The school district may provide financial incentives to any person, including public or private civic groups, to collect the batteries.

V. PROCUREMENT OF RECYCLED COMMODITIES AND MATERIALS

A. When practicable and when the price of recycled materials does not exceed the price of nonrecycled materials by more than 10 percent, the school district may purchase recycled materials. In order to maximize the quantity and quality of recycled materials purchased, the school district may also use other appropriate procedures to acquire recycled materials at the most economical cost to the school district.

B. When purchasing commodities and services, the school district will apply and promote waste management practices with special emphasis on the reduction of the quantity and toxicity of materials in waste.

C. Whenever practicable, the school district will:

1. purchase uncoated copy paper, office paper, and printing paper unless the coated paper is made with at least 50 percent postconsumer material;

2. purchase recycled content copy paper with at least 30 percent postconsumer material by weight and purchase office and printing paper with at least 10 percent postconsumer material by weight;

3. purchase paper which has not been dyed with colors, excluding pastel colors;

4. purchase recycled content copy, office, and printing paper that is manufactured using little or no chlorine bleach or chlorine derivatives;

5. use reusable binding materials or staples and bind documents by methods that do not use glue;

6. use soy-based inks;

7. purchase printer or duplication cartridges that:

a. have 10 percent post-consumer material; or

- b. are purchased as remanufactured; or
 - c. are backed by a vendor-offered program that will take back the printer cartridges after their useful life, ensure that the cartridges are recycled, and comply with the definition of recycling in Minnesota Statutes section 115A.03, subdivision 25b;
 - 8. produce reports, publications, and periodicals that are readily recyclable;
 - 9. purchase paper which has been made on a paper machine located in Minnesota; and
 - 10. print documents on both sides of the paper where commonly accepted publishing practices allow.
- D. The school district may not use a specified product included on the prohibited products list published in the State Register.
- E. In developing bid specifications, the school district will consider the extent to which a commodity or product is durable, reusable or recyclable, and marketable through applicable local or regional recycling programs and the extent to which the commodity or product contains postconsumer material.
- F. When a project involves the replacement of carpeting, the school district may require all persons who wish to bid on the project to designate a carpet recycling company in their bids.

VI. OTHER

The policy of the school district is to actively advocate, where appropriate, for resource conservation practices to be adopted at the local, regional, and state levels.

Legal References: Minn. Stat. § 16C.073 (Purchase and Use of Paper Stock; Printing)
Minn. Stat. § 115A.03 (Definitions)
Minn. Stat. § 115A.15 (State Government Resource Recovery)
Minn. Stat. § 115A.151 (Recycling Requirements; Public Entities; Commercial Buildings; Sports Facilities))
Minn. Stat. § 115A.46 (Regional and Local Solid Waste Management Plan; Requirements)
Minn. Stat. § 115A.471 (Public Entities; Managing Solid Waste)
Minn. Stat. § 115A.915 (Lead Acid Batteries; Land Disposal Prohibited)
Minn. Stat. § 115A.9155 (Disposing of Certain Dry Cell Batteries)
Minn. Stat. § 115A.9157 (Rechargeable Batteries and Products)
Minn. Stat. § 115A.916 (Motor Vehicle Fluids and Filters; Prohibitions)
Minn. Stat. § 115A.931 (Yard Waste; Prohibition)
Minn. Stat. § 115A.932 (Mercury Prohibition)

Minn. Stat. § 115A.951 (Telephone Directories)

Minn. Stat. § 115A.9561 (Major Appliances)

Minn. Stat. § 115A.9565 (Cathode-Ray Tube Prohibition)

Minn. Stat. § 115A.961, Subd. 3 (Household Batteries; Collection, Processing, and Disposal)

Minn. Stat. § 115A.9651 (Listed Metals in Specified Products;
Enforcement)

Minn. Stat. § 116.93, Subd. 1 (Lamp Recycling Facilities)

Minn. Stat. § 216B.241, Subd. 2 (Public Utilities; Energy Conservation and Optimization)

Minn. Stat. § 458D.07 (Sewage Collection and Disposal)

National Solid Waste Management Ass'n v. Williams, et al., 966 F.Supp. 844 (D. Minn. 1997)

Cross References: None

907 REWARDS

I. PURPOSE

The purpose of this policy is to authorize the school board to offer rewards to persons who provide accurate and reliable information leading to the conviction of a person who has committed or conspired to commit a crime against students or school employees, volunteers, or school board members as a result of their affiliation with the school district, or against school district property.

II. GENERAL STATEMENT OF POLICY

The school board believes that, in certain circumstances, the offering of a reward may lead to the receipt of information that would solve or prevent a crime against students, school employees, volunteers, school board members, or school district property. The school board also believes that the fact that the school board may offer a reward may have a deterrent effect on the commission of such crimes.

III. APPROVAL OF OFFERING OF REWARDS

The school board shall approve the offering of any rewards by the school district. The approval shall specify the amount of the reward and the crime to which it is applicable. The approval may relate to a specific incident or to a continuing category of crime, i.e., assault of a teacher, damage to school property, etc.

IV. ESTABLISHMENT OF PROCEDURES

The superintendent shall develop directives and procedures to address the timing and method of payment of any reward earned by an information provider. The information provided must have led to the conviction of the person who committed or conspired to commit the crime for which the reward was offered.

Legal References: Minn. Stat. § 123B.02, Subd. 22 (General Powers of Independent School Districts)

Cross References: None

801 EQUAL ACCESS TO SCHOOL FACILITIES

I. PURPOSE

The purpose of this policy is to implement the Equal Access Act by granting equal access to secondary school facilities for students who wish to conduct a meeting for religious, political, or philosophical purposes during noninstructional time.

II. GENERAL STATEMENT OF POLICY

A. The policy of the school district is not to deny equal access or a fair opportunity to, or to discriminate against, any students who wish to conduct a meeting, on the basis of the religious, political, philosophical, or other content of the speech at such meetings.

B. The school board has created a limited open forum for students enrolled in secondary schools during which noncurriculum-related student groups shall have equal access and a fair opportunity to conduct meetings during noninstructional time.

C. Student use of facilities under this policy does not imply school district sponsorship, approval, or advocacy of the content of the expression at such meetings.

D. The school district retains its authority to maintain order and discipline on school premises, to protect the well-being of students and faculty, and to assure that attendance of students at meetings is voluntary.

E. In adopting and implementing this equal access policy, the school district will NOT:

1. influence the form or content of any prayer or other religious activity;
2. require any person to participate in prayer or other religious activity;
3. expend public funds beyond the incidental cost of providing the space for student-initiated meetings;
4. compel any school agent or employee to attend a school meeting if the content of the speech at the meeting is contrary to the beliefs of the agent or employee;
5. sanction meetings that are otherwise unlawful;

6. limit the rights of groups of students based on the size of the group;
7. abridge the constitutional rights of any person.

III. DEFINITIONS

- A. "Limited open forum" means that the school grants an offering to or opportunity for one or more noncurriculum related student groups to meet on school premises during noninstructional time.
- B. "Meeting" includes activities of student groups which are permitted under a limited open forum and are not directly related to the school curriculum. Distribution of literature does not constitute a meeting protected by the Equal Access Act.
- C. "Noninstructional time" means time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends, including such other periods that occur during the school day when no classroom instruction takes place.
- D. "Sponsorship" includes the act of promoting, leading, or participating in a meeting. The assignment of a school employee for custodial, observation, or maintenance of order and discipline purposes does not constitute sponsorship of the meeting.
- E. "Secondary school" means any school with enrollment of pupils ordinarily in grades 7 through 12 or any portion thereof.

IV. FAIR OPPORTUNITY CRITERIA

Schools in this school district shall uniformly provide that:

- A. A meeting held pursuant to this policy is voluntary and student-initiated;
- B. There is no sponsorship of the meeting by the school or its agents or employees;
- C. Employees or agents of the school are present at religious meetings only in a nonparticipatory capacity;
- D. The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and
- E. Nonschool persons may not direct, control, or regularly attend activities of student groups.

V. PROCEDURES

A. Any student who wishes to initiate a meeting under this policy shall apply to the principal of the building at least 48 hours in advance of the time of the activity or meeting. The student must agree to the following:

1. All activities or meetings must comply with existing policies, regulations, and procedures that govern operation of school-sponsored activities.
2. The activities or meetings are voluntary and student-initiated. The principal may require assurances of this fact.

B. Student groups meeting under this policy must comply with the following rules:

1. Those attending must not engage in any activity that is illegal, dangerous, or which materially and substantially interferes with the orderly conduct of the educational activities of the school. Such activities shall be grounds for discipline of an individual student and grounds for a particular group to be denied access.
2. The groups may not use the school name, school mascot name, school emblems, the school district name, or any name that might imply school or district sponsorship or affiliation in any activity, including fundraising and community involvement.
3. The groups must comply with school policies, regulations and procedures governing school-sponsored activities.

C. Students applying for use of school facilities under this policy must provide the following information to the principal: time and date of meeting, estimated number of students in attendance, and special equipment needs.

D. The building principal has responsibility to:

1. Keep a log of application information.
2. Find and assign a suitable room for the meeting or activity. The number of students in attendance will be limited to the safe capacity of the meeting space.
3. Note the condition of the facilities and equipment before and after use.
4. Assure proper supervision. Assignment of staff to be present in a supervisory capacity does not constitute school district sponsorship of the meeting or activity.
5. Assure that the meeting or activity does not interfere with the school's regular instructional activities.

E. The school district shall not expend public funds for the benefit of students meeting pursuant to this policy beyond the incidental cost of providing space. The school district will provide no additional or special transportation.

F. Nonschool persons may not direct, conduct, control, or regularly attend meetings and activities held pursuant to this policy.

G. School district employees or agents may not promote, lead, participate in, or otherwise sponsor meetings or activities held pursuant to this policy.

H. A copy of this policy and procedures shall be made available to each student who initiates a request to use school facilities.

Legal References: 20 U.S.C. §§ 4071-74 (Equal Access Act)

20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act)

Board of Educ. of Westside Community Schools v. Mergens, 496 U.S. 226 (1990)

Good News Club v. Milford Central School, 533 U.S. 98 (2001)

Child Evangelism Fellowship of Minnesota v. Special Sch. Dist. 1, 690 F.3d 996 (8th Cir. 2012)

Child Evangelism Fellowship of Minnesota v. Elk River Area School Dist. 728, 599 F.Supp. 2d 1136 (D. Minn. 2009)

Cross References: MSBA/MASA Model Policy 902 (Use of School District Facilities and Equipment)

706 ACCEPTANCE OF GIFTS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. ACCEPTANCE OF GIFTS GENERALLY

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

IV. GIFTS OF REAL OR PERSONAL PROPERTY

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

V. ADMINISTRATION IN ACCORDANCE WITH TERMS

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

Legal References: Minn. Stat. § 123B.02, Subd. 6 (General Powers of Independent School Boards)
Minn. Stat. § 465.03 (Gifts to Municipalities)

Cross References:

None

503 STUDENT ATTENDANCE

I. PURPOSE

A. The school board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.

B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher, and administrators. This policy will assist students in attending class.

II. GENERAL STATEMENT OF POLICY

A. Responsibilities

1. Student's Responsibility

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

2. Parent or Guardian's Responsibility

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

3. Teacher's Responsibility

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

4. Administrator's Responsibility

a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to

prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.

b. In accordance with the Minnesota Compulsory Instruction Law, Minnesota Statutes, section 120A.22, the students of the school district are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

B. Attendance Procedures

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

1. Excused Absences

a. A parent, guardian, or other person having control of a child may apply to a school district to have the child excused from attendance for the whole or any part of the time school is in session during any school year. Application may be made to any member of the board, a truant officer, a principal, or the superintendent. A note from a physician or a licensed mental health professional stating that the child cannot attend school is a valid excuse.

b. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school.

c. The board of the district in which the child resides may approve the application under subparagraph (a) above upon a legitimate exception being demonstrated to the satisfaction of that board.

d. Legitimate Exceptions

The following reasons shall be sufficient to constitute excused absences:

(1) that the child's physical or mental health is such as to prevent attendance at school or application to study for the period required, which includes:

(a) child illness, medical, dental, orthodontic, or counseling appointments; including appointments conducted through telehealth

(b) family emergencies;

(c) the death or serious illness or funeral of an immediate family member;

(d) active duty in any military branch of the United States;

(e) the child has a condition that requires ongoing treatment for a mental health diagnosis; or

(f) other exemptions included in this attendance policy.

(2) that the child has already completed state and district standards required for graduation from high school; or

(3) that it is the wish of the parent, guardian, or other person having control of the child, that the child attend for a period or periods not exceeding in the aggregate three hours in any week, instruction conducted by a Tribal spiritual or cultural advisor, or a school for religious instruction conducted and maintained by a church, or association of churches, or any Sunday school association incorporated under the laws of this state, or any auxiliary thereof. This instruction must be conducted and maintained in a place other than a public school building, and it must not, in whole or in part, be conducted and maintained at public expense. A child may be absent from school on days that the child attends upon instruction according to this clause.

c. Consequences of Excused Absences

(1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.

(2) Work missed because of absence must be made up within ____ days from the date of the student's return to school. Any work not completed within this period shall result in "no credit" for the missed assignment. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

2. Unexcused Absences

a. The following are examples of absences which will not be excused:

(1) Truancy. An absence by a student which was not approved by the parent and/or the school district.

(2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.

- (3) Work at home.
- (4) Work at a business, except under a school-sponsored work release program.
- (5) Vacations with family.
- (6) Personal trips to schools or colleges.
- (7) Absences resulting from cumulated unexcused tardies (3 tardies equal one unexcused absence).
- (8) Any other absence not included under the attendance procedures set out in this policy.

b. Consequences of Unexcused Absences

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

C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness.

2. Procedures for Reporting Tardiness

- a. Students tardy at the start of school must report to the school office for an admission slip.
- b. Tardiness between periods will be handled by the teacher.

3. Excused Tardiness

Valid excuses for tardiness are:

- a. Illness.
- b. Serious illness in the student's immediate family.

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

4. Unexcused Tardiness

- a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
- b. Consequences of tardiness may include detention after 3 unexcused tardies. In addition, 3 unexcused tardies are equivalent to one unexcused absence.

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

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

III. RELIGIOUS OBSERVANCE ACCOMMODATION

Reasonable efforts will be made by the school district to accommodate any student who wishes to be excused from a curricular activity for a religious observance. Requests for accommodation should be directed to the building principal.

IV. DISSEMINATION OF POLICY

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

- B. The school district will provide annual notice to parents of the school district's policy relating to a student's absence from school for religious observance.

V. REQUIRED REPORTING

A. Continuing Truant

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

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

B. Reporting Responsibility

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

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

C. Habitual Truant

1. A habitual truant is a child under the age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per 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 per school year and who has not lawfully withdrawn from school.
2. A school district attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minnesota Statutes, chapter 260A.

Legal References:

Minn. Stat. § 120A.05 (Definitions)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 120A.24 (Reporting)
Minn. Stat. § 120A.26 (Enforcement and Prosecution)
Minn. Stat. § 120A.34 (Violations; Penalties)
Minn. Stat. § 120A.35 (Absence from School for Religious Observance)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 260A.02 (Definitions)
Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is a Continuing Truant)
Minn. Stat. § 260C.007, subd. 19 (Habitual Truant Defined)
Minn. Stat. § 260C.201 (Dispositions; Children in Need of Protection or Services or Neglected and in Foster Care)
Goss v. Lopez, 419 U.S. 565 (1975)
Slocum v. Holton Bd. of Educ., 429 N.W.2d 607 (Mich. App. Ct. 1988)
Campbell v. Bd. of Educ. of New Milford, 475 A.2d 289 (Conn. 1984)
Hamer v. Bd. of Educ. of Twp. High Sch. Dist. No. 113, 66 Ill. App.3d 7, 383 N.E.2d 231 (1978)
Gutierrez v. Sch. Dist. R-1, 585 P.2d 935 (Co. Ct. App. 1978)
Knight v. Bd. of Educ., 38 Ill. App. 3d 603, 348 N.E.2d 299 (1976)
Dorsey v. Bale, 521 S.W.2d 76 (Ky. 1975)

Cross References:

MSBA/MASA Model Policy 506 (Student Discipline)

528 STUDENT PARENTAL, FAMILY, AND MARITAL STATUS NONDISCRIMINATION

I. PURPOSE

Students are protected from discrimination on the basis of sex and marital status pursuant to Title IX of the Education Amendments of 1972 and the Minnesota Human Rights Act. This includes discrimination on the basis of pregnancy. The purpose of this school district policy is to provide equal educational opportunity for all students and to prohibit discrimination on the grounds of sex, parental, family, or marital status.

II. GENERAL STATEMENT OF POLICY

A. The school district provides equal educational opportunity for all students, and will not apply any rule concerning a student's actual or potential parental, family, or marital status which treats students differently on the basis of sex.

B. The school district will not discriminate against any student, or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of such students' pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom, unless the student requests voluntarily to participate in a separate portion of the program or activity of the recipient.

C. The school district may require such a student to obtain the certification of a physician that the student is physically and emotionally able to continue participation in the normal education program or activity so long as such a certification is required of all students for other physical or emotional conditions requiring the attention of a physician.

D. The school district will ensure that any separate and voluntary instructional program is comparable to that offered to non-pregnant students.

E. It is the responsibility of every school district employee to comply with this policy.

F. The school board has designated Tim Schochenmaier, tschochenmaier@isd108.org, as its Title IX coordinator. This employee coordinates the school district's efforts to comply with and carry out its responsibilities under Title IX.

G. Any student, parent or guardian having questions regarding the application of Title IX and its regulations and/or this policy should discuss them with the Title IX coordinator. Questions relating solely to Title IX and its regulations may be referred to the Assistant Secretary for Civil Rights of the United States Department of Education. In the absence of a specific designee, an inquiry or complaint should be referred to the superintendent or the school district human rights officer.

H. Any reports of unlawful discrimination under this policy will be handled, investigated, and acted upon in the manner specified in Policy 522.

Legal References:

Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
34 C.F.R. Part 106 (Implementing Regulations of Title IX)

Cross References:

MSBA/MASA Model Policy 102 (Equal Educational Opportunity)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process)

530 IMMUNIZATION REQUIREMENTS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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"), affirming that the student received the immunizations required by law, consistent with medically acceptable standards; or
2. a medical statement 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. 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 signed medical statement 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)

608 INSTRUCTIONAL SERVICES – SPECIAL EDUCATION

I. PURPOSE

The purpose of this policy is to set forth the position of the school board on the need to provide special educational services to some students in the school district.

II. GENERAL STATEMENT OF POLICY

The school board recognizes that some students need special education and further recognizes the importance of providing a free appropriate public education and delivery system for students in need of special education.

III. CHILDREN BIRTH THROUGH AGE SIX EXPERIENCING DEVELOPMENTAL DELAYS

A. "Child with a disability" means a 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 the Minnesota Department of Children, Youth, and Families for children from birth through age two and by the rules of the Commissioner of the Minnesota Department of Education for all other children. A licensed physician, an advanced practice registered nurse, a physician assistant, 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.

B. In addition to Paragraph A, every child under age three and, at local district discretion, every child from age three through age six, who needs special instruction and services, as determined by the rules of the Commissioner of the Minnesota Department of Children, Youth, and Families for children under age three and by the rules of the Commissioner of the Minnesota Department of Education for children ages three through six, because the child has a substantial delay or has a diagnosed physical or mental condition or disorder with a high probability of resulting in developmental delay is a child with a disability.

C. A child with a short-term or temporary physical or emotional illness or disability, as determined by the rules of the Commissioner of the Minnesota Department of Children, Youth, and Families for children from birth through age two and by the rules of the Commissioner of the Minnesota Department of Education for all other children, is not a child with a disability.

IV. RESPONSIBILITIES

A. The school board accepts its responsibility to identify, evaluate, and provide special education and related services for children with a disability who are properly

the responsibility of the school district and who meet the criteria to qualify for special education and related services as set forth in Minnesota and federal law.

B. The school district shall ensure that all qualified children with a disability are provided special education and related services that are appropriate to their educational needs.

C. When such services require or result from interagency cooperation, the school district shall participate in such interagency activities in compliance with applicable federal and state law.

D. The school district may conduct an assessment for developmental adapted physical education, as defined in Minnesota Rules, part 3525.1352, as a stand-alone evaluation without conducting a comprehensive evaluation of the student in accordance with prior written notice provisions in Minnesota Statutes, section 125A.091, subdivision 3a. A parent or guardian may request that the school district conduct a comprehensive evaluation of the parent's or guardian's student.

Legal References:

Minn. Stat. § 124D.03 (Enrollment Options Program)

Minn. Stat. § 125A.02 (Child with a Disability Defined)

Minn. Stat. § 125A.027 (Rulemaking)

Minn. Stat. § 125A.03 (Special Instruction for Children with a Disability)

Minn. Stat. § 125A.08 (Individualized Education Programs)

Minn. Stat. § 125A.15 (Placement in Another District; Responsibility)

Minn. Stat. § 125A.29 (Responsibilities of County Boards and School Boards))

20 U.S.C. § 1400 et seq. (Individuals with Disabilities Education Act)

Cross References:

MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)

MSBA/MASA Model Policy 508 (Extended School Year for Certain Students with Individualized Education Programs)

MSBA/MASA Model Policy 509 (Enrollment of Nonresident Students)

MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

611 HOME SCHOOLING

I. PURPOSE

The purpose of this policy is to recognize and provide guidelines in accordance with state law for parents who wish to have their children receive education in a home school that is an alternative to an accredited public or private school.

II. GENERAL STATEMENT OF POLICY

The Compulsory Attendance Law (Minnesota Statutes section 120A.22) provides that the parent or guardian of a child is primarily responsible for assuring that the child acquires knowledge and skills that are essential for effective citizenship.

III. CONDITIONS FOR HOME SCHOOLING

The person in charge of a home school and the school district must provide instruction and meet the requirements specified in Minnesota Statutes section 120A.22.

IV. IMMUNIZATION

The parent or guardian of a home-schooled child shall submit statements as required by Minnesota Statutes section 121A.15, Subds. 1, 2, 3, 4, and 12, on the appropriate Minnesota Department of Education form, to the superintendent of the school district in which the child resides by October 1 of the first year of home schooling in Minnesota and the grade 7 year.

V. TEXTBOOKS, INSTRUCTIONAL MATERIAL, STANDARD TESTS

Upon formal request, as required by law, the school district will provide textbooks (including a teacher's edition, guide, or other materials that accompany a textbook when the edition, guide, or materials are packaged physically or electronically with textbooks for student use), individualized instructional or cooperative learning materials (including teacher materials that accompany pupil materials), software or other educational technology, and standardized tests and loan or provide them for use by a home-schooled child as provided under state law. The school district is not required to expend any amount for this purpose that exceeds the amount it receives pursuant to state law for this purpose. If curriculum has both physical and electronic components, the school district will, at the request of the student or the student's parent or guardian, make the electronic component accessible to a resident student provided that the school district does not incur more than an incidental cost as a result of providing access electronically.

VI. PUPIL SUPPORT SERVICES

Upon formal request, as required by law, the school district will provide pupil support services in the form of health services and counseling and guidance services to a home-schooled child as provided under state law. The school district is not required to expend an amount for any of these purposes that exceeds the amount it receives pursuant to state law.

VII. EXTRACURRICULAR ACTIVITIES

Resident pupils who receive instruction in a home school (in which five or fewer students receive instruction) may fully participate in extracurricular activities of the school district on the same basis as other public school students.

VIII. SHARED TIME PROGRAMS

Enrollment in class offerings of the school district.

A. A home-schooled child who is a resident of the school district may enroll in classes in the school district as a shared time pupil on the same basis as other nonpublic school students. The provisions of this policy shall not be determinative of whether the school district allows the enrollment of any pupils on a shared-time basis.

B. The school district may limit enrollment of shared-time pupils in such classes based on the capacity of a program, class, grade level, or school building. The school board and administration retain sole discretion and control over scheduling of all classes and assignment of shared time pupils to classes.

IX. OPTIONAL COOPERATIVE ARRANGEMENTS

A. Activities

1. Minnesota State High School League-sponsored activities (in which six or more students receive instruction in the home school or the home school students are not residents of the school district).

A home school that is a member of the Minnesota State High School League may request that the school district enter into a cooperative sponsorship arrangement as provided in Minnesota State High School League bylaws. The approval of such an arrangement shall be at the discretion of the school board.

a. The home school must become a member of the Minnesota State High School League in accordance with the rules of the Minnesota State High School League.

b. The home school is solely responsible for any costs or fees associated with its application for and/or subsequent membership in the Minnesota State High School League.

c. The home school is responsible for any and all costs associated with its participation in a cooperative sponsorship arrangement as well as any school district activity fees associated with the Minnesota State High School League activity.

2. Non-Minnesota State High School League activities in which six or more students receive instruction in the home school.

A home-schooled child may participate in non-Minnesota State High School League activities offered by the school district upon application and approval from the school board to participate in the activity and the payment of any activity fees associated with the activity. However, home school students may

not be charged higher activity fees than other public school students. An approval shall be granted at the discretion of the school board.

B. Transportation Services

1. The school district may provide nonpublic nonregular transportation services to a home-schooled child.

2. The school board of the school district retains sole discretion and control and management of scheduling routes, establishment of the location of bus stops, manner and method of transportation, control and discipline of school children, and any other matter relating to the provision of transportation services.

Legal References:

Minn. Stat. § 120A.22 (Compulsory Instruction)

Minn. Stat. § 120A.24 (Reporting)

Minn. Stat. § 120A.26 (Enforcement and Prosecution)

Minn. Stat. § 121A.15 (Health Standards; Immunizations; School Children)

Minn. Stat. § 123B.36 (Authorized Fees)

Minn. Stat. § 123B.41 (Definitions)

Minn. Stat. § 123B.42 (Textbooks; Individual Instruction or Cooperative Learning Material; Standard Tests)

Minn. Stat. § 123B.44 (Provision of Pupil Support Services)

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

Minn. Stat. § 123B.86 (Equal Treatment - Transportation)

Minn. Stat. § 123B.92 (Transportation Aid Entitlement)

Minn. Stat. § 124D.03 (Enrollment Options Program)

Minn. Rules Ch. 3540 (Nonpublic Schools)

Cross References:

MSBA/MASA Model Policy 509 (Enrollment of Nonresident Students)

MSBA/MASA Model Policy 510 (School Activities)

614 SCHOOL DISTRICT TESTING PLAN AND PROCEDURE

I. PURPOSE

The purpose of this policy is to set forth the school district's testing plan and procedure.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is to implement procedures for testing, test security, documentation, and record keeping.

III. DUTIES OF SCHOOL DISTRICT PERSONNEL REGARDING TEST ADMINISTRATION

A. Superintendent

1. Responsibilities before testing.
 - a. Designate a district assessment coordinator and district technology coordinator.
 - b. The superintendent, or a designee who has been authorized to be the identified official with authority by the school board, pre-authorizes staff access for applicable Minnesota Department of Education (MDE) secure systems.
 - c. Annually review and recertify staff who have access to MDE secure systems.
 - d. Read and complete the *Assurance of Test Security and Non-Disclosure*.
 - e. Establish a culture of academic integrity.
 - f. Fully cooperate with MDE representatives conducting site visits or Minnesota Test of Academic Skills (MTAS) audits during testing.
 - g. Ensure student information is current and accurate.
 - h. Ensure that a current district test security procedure is in place and that all relevant staff have been provided district training on test administration and test security.
 - i. Ensure that a current process is included for tracking which students tested with which test monitors and any other adult(s) who were present in the testing room (e.g., staff providing assistance, paraprofessionals, etc.).

j. Confirm the district assessment coordinator has current information and training specific to test security and the administration of statewide assessments.

k. Confirm the district assessment coordinator completes Pre-test Editing in the Test Web Edit System (WES).

l. Post on the school district website the complete Parent/Guardian Guide and Refusal for Student Participation in Statewide Testing form.

2. Responsibilities after testing.

a. Confirm the district assessment coordinator and Minnesota Automated Reporting Student System (MARSS) coordinator complete Post-test Editing in Test WES.

b. Verify with the district assessment coordinator that all test security issues have been reported to MDE and are being addressed.

c. Confirm the MARSS coordinator has updated all student records for Post-test Editing.

d. Confirm the district assessment coordinator has finalized the district's assessment information prior to the close of Post-test Editing in Test WES.

e. Confirm the district assessment coordinator, or designee, has access to the Graduation Requirements Records (GRR) system and enters necessary information.

f. Discuss assessment results with the district assessment coordinator and school administrators.

B. District Assessment Coordinator

1. Responsibilities before testing.

a. Serve as primary contact with MDE regarding policy and procedure questions related to test administration.

b. Read and complete the *Assurance of Test Security and Non-Disclosure*.

c. Confirm all staff who handle test materials, administer tests, or have access to secure test content have completed the *Assurance of Test Security and Non-Disclosure*.

- (1) Maintain the completed *Assurance of Test Security and Non-Disclosure* for two years after the end of the academic school year in which testing took place.
- d. Review with all staff the *Assurance of Test Security and Non-Disclosure* and their responsibilities thereunder.
- e. Identify appropriate tests for students and ensure student data sent to service providers for testing are correct.
- f. Establish district testing schedule within the testing windows specified by the MDE and service providers.
- g. Prepare testing conditions, including user access to service provider websites, preparing readiness for online testing, preparing a plan for tracking which students test on which computers or devices, ensure accommodations are indicated as necessary, providing students with opportunity to become familiar with test format, item types, and tools prior to test administration; establishing process for inventorying and distributing secure test materials where necessary; preparing procedures for expected and unexpected situations occurring during testing; planning for addressing technical issues while testing; identify staff who will enter student responses from paper accommodated test materials and scores from MTAS administration online.
- h. Train school assessment coordinators, test monitors, MTAS test administrators, and ACCESS (test for English language learners) and Alternate ACCESS test administrators.
 - (1) Provide training on proper test administration and test security (Pearson's Training Management System).
 - (2) Verify staff complete any and all test-specific training.
- i. Maintain security of test content, test materials, and record of all staff involved.
 - (1) Receive secure paper test materials from the service provider and immediately lock them in a previously identified secure area, inventory same, and contact service provider with any discrepancies.
 - (2) Organize secure test materials for online administrations and keep them secure.
 - (3) Define chain of custody for providing test materials to test monitors and administrators. The chain of custody must address the process for providing test materials on the day of testing, distributing test materials to and collecting test materials from students at the time of testing, keeping test

materials secure between testing sessions, and returning test materials after testing is completed.

j. Confirm that all students have appropriate test materials.

2. Responsibilities on testing day(s).

a. Conduct random, unannounced visits to testing rooms to observe staff adherence to test security and policies and procedures.

b. Fully cooperate with MDE representatives conducting site visits or MTAS audits.

c. Contact the MDE assessment contact within 24 hours of a security breach and submit the *Test Security Notification* in Test WES within 48 hours.

d. Address invalidations and test or accountability codes.

3. Responsibilities after testing.

a. Ensure that student responses from paper accommodated test materials and MTAS scores are entered.

b. Arrange for secure disposal of all test materials that are not required to be returned within 48 hours after the close of the testing window.

c. Return secure test materials as outlined in applicable manuals and resources.

d. Collect security documents and maintain them for two years from the end of the academic school year in which testing took place.

e. Review student assessment data and resolve any issues.

f. Distribute Individual Student Reports no later than fall parent/teacher conferences.

g. Enter Graduation Requirements Records in the GRR system.

C. School Principal

1. Responsibilities before testing.

a. Designate a school assessment coordinator and technology coordinator for the building.

b. Be knowledgeable about proper test administration and test security as outlined in manuals and directions.

- c. Read and complete the *Assurance of Test Security and Non-Disclosure*.
- d. Communicate the importance of test security and expectation that staff will keep test content secure and act with honesty and integrity during test administration.
- e. Provide adequate secure storage space for secure test materials before, during, and after testing until they are returned to the service provider or securely disposed of.
- f. Ensure adequate computers and/or devices are available and rooms are appropriately set up for online testing.
- g. Verify that all test monitors and test administrators receive proper training for test administration.
- h. Ensure students taking specified tests have opportunity to become familiar with test format, item types, and tools prior to test administration.
- i. Include the complete Parent/Guardian Guide and Refusal for Student Participation in Statewide Testing form in the student handbook.

2. Responsibilities on testing day(s).

- a. Ensure that test administration policies and procedures and test security requirements in all manuals and directions are followed.
- b. Fully cooperate with MDE representatives conducting site visits or MTAS audits.

3. Responsibilities after testing.

- a. Ensure all secure test materials are collected, returned, and/or disposed of securely as required in any manual.
- b. Ensure requirements for embargoed final assessment results are followed.

D. School Assessment Coordinator

1. Responsibilities before testing.

- a. Implement test administration and test security policies and procedures.
- b. Read and complete the *Assurance of Test Security and Non-Disclosure*.

c. Ensure all staff who handle test materials, administer tests, or have access to secure test content read and complete the *Assurance of Test Security and Non-Disclosure*.

d. Identify appropriate tests for students and ensure student data sent to service providers for testing are correct.

e. Prepare testing conditions, including the following: schedule rooms and computer labs; arrange for test monitors and administrators; arrange for additional staff to assist with unexpected situations; arrange for technology staff to assist with technical issues; develop a plan for tracking which students test on which computers or devices; plan seating arrangements for students; ensure preparations are completed for Optional Local Purpose Assessment (OLPA), Minnesota Comprehensive Assessment (MCA), and ACCESS online testing; ensure accommodations are properly reported; confirm how secure paper test materials will arrive and quantities to expect; address accommodations and specific test administration procedures; determine staff who will enter the student responses from paper accommodated test materials and scores from MTAS administrations online.

f. Train staff, including all state-provided training materials, policies and procedures, and test-specific training.

g. Maintain security of test content and test materials.

(1) Receive secure paper test materials from the service provider and immediately lock them in a previously identified secure area, inventory same, and contact service provider with any discrepancies.

(2) Organize secure test materials for online administrations and keep them secure.

(3) Follow chain of custody for providing test materials to test monitors and administrators. The chain of custody must address the process for providing test materials on the day of testing, distributing test materials to and collecting test materials from students at the time of testing, keeping test materials secure between testing sessions, and returning test materials after testing is completed.

(4) Identify need for additional test materials to district assessment coordinator.

(5) Provide MTAS student data collection forms if necessary.

(6) Distribute applicable ACCESS and Alternate ACCESS *Test Administrator Scripts* and *Test Administration Manuals* to

test administrators so they can become familiar with the script and prepare for test administration.

(7) Confirm that all students taking ACCESS and Alternate ACCESS have appropriate test materials and preprinted student information on the label is accurate.

2. Responsibilities on testing day(s).

a. Distribute materials to test monitors and ACCESS test administrators and ensure security of test materials between testing sessions and that district procedures are followed.

b. Ensure *Test Monitor and Student Directions* and *Test Administrator Scripts* are followed and answer questions regarding same.

c. Fully cooperate with MDE representatives conducting site visits or MTAS audits, as applicable.

d. Conduct random, unannounced visits to testing rooms to observe staff adherence to test security and test administration policies and procedures.

e. Report testing irregularities to district assessment coordinator using the *Test Administration Report*.

f. Report security breaches to the district assessment coordinator as soon as possible.

3. Responsibilities after testing.

a. Ensure that all paper test materials are kept locked and secure and security checklists completed.

b. Ensure that student responses from paper accommodated test materials and MTAS scores are entered.

c. Arrange for secure disposal of all test materials that are not required to be returned within 48 hours after the close of the testing window.

d. Return secure test materials as outlined in applicable manuals and resources.

e. Prepare materials for pickup by designated carrier on designated date(s). Maintain security of all materials.

f. Ensure requirements for embargoed final assessment results are followed.

E. Technology Coordinator

1. Ensure that district is prepared for online test administration and provide technical support to district staff.
2. Acquire all necessary user identifications and passwords.
3. Read and complete the *Assurance of Test Security and Non-Disclosure*.
4. Fully cooperate with MDE representatives conducting site visits or MTAS audits.
5. Attend district training and any service provider technology training.
6. Review, use, and be familiar with all service provider technical documentation.
7. Prepare computers and devices for online testing.
8. Confirm site readiness.
9. Provide all necessary accessories for testing, technical support/troubleshooting during test administration and contact service provider help desks as needed.

F. Test Monitor

1. Responsibilities before testing.
 - a. Read and complete the *Assurance of Test Security and Non-Disclosure*.
 - b. Attend trainings related to test administration and security.
 - c. Complete required training course(s) for tests administering.
 - d. Be knowledgeable about how to contact the school assessment coordinator during testing, where to pick up materials on day of test, and plan for securing test materials between test sessions.
 - e. Be knowledgeable regarding student accommodations.
 - f. Remove or cover any instructional posters or visual materials in the testing room.
2. Responsibilities on testing day(s).
 - a. Before test.
 - (1) Receive and maintain security of test materials.

- (2) Verify that all test materials are received.
- (3) Ensure proper number of computers/devices or paper accommodated test materials are present.
- (4) Verify student testing tickets and appropriate allowable materials.
- (5) Assign numbered test books to individual students.
- (6) Complete information as directed.
- (7) Record extra test materials.

b. During test.

- (1) Verify that students are logged in and taking the correct test or using the correct grade-level and tier test booklet for students with paper accommodated test materials.
- (2) Follow all directions and scripts exactly.
- (3) Follow procedures for restricting student access to cell phones and other electronic devices, including wearable electronic devices.
- (4) Stay in testing room and remain attentive during entire test session. Practice active monitoring by circulating throughout the room during testing.
- (5) Be knowledgeable about responding to emergency or unusual circumstances and technology issues.
- (6) Do not review, discuss, capture, email, post, or share test content in any format.
- (7) Ensure all students have been provided the opportunity to independently demonstrate their knowledge.
- (8) Fully cooperate with MDE representatives conducting site visits or MTAS audits.
- (9) Document the students who tested with the test monitor and any other adult(s) who were present in the testing room (e.g., staff providing assistance, paraprofessionals, etc.).
- (10) Document students who require a scribe or translated directions or any unusual circumstances and report to school assessment coordinator.

(11) Report any possible security breaches as soon as possible.

c. After test.

(1) Follow directions and scripts exactly.

(2) Collect all materials and keep secure after each session. Upon completion return to the school assessment coordinator.

(3) Immediately report any missing test materials to the school assessment coordinator.

G. MTAS Test Administrator

1. Before testing.

a. Read and complete the *Assurance of Test Security and Non-Disclosure*.

b. Attend trainings related to test administration and security.

c. Complete required training course(s) for tests administering.

d. Be knowledgeable as to when and where to pick up MTAS materials and the school's plan for keeping test materials secure.

e. Prepare test materials for administration, including objects and manipulatives, special instructions, and specific adaptations for each student.

2. Responsibility on testing day(s).

a. Before the test.

(1) Maintain security of materials.

(2) Confirm appropriate MTAS materials are available and prepared for student.

b. During the test.

(1) Administer each task to each student and record the score.

(2) Be knowledgeable about how to contact the district or school assessment coordinator, if necessary, and responding to emergency and unusual circumstances.

(3) Fully cooperate with MDE representatives conducting site visits or MTAS audits.

(4) Document and report and unusual circumstances to district or school assessment coordinator.

c. After the test.

(1) Keep materials secure.

(2) Return all materials.

(3) Return objects and manipulatives to classroom.

(4) Enter MTAS scores online or return data collection forms to the district or school assessment coordinator.

H. MARSS Coordinator

1. Responsibilities before testing.

a. Confirm all eligible students have unique state student identification (SSID) or MARSS numbers.

b. Ensure English language and special education designations are current and correct for students testing based on those designations.

c. Submit MARSS data on an ongoing basis to ensure accurate student demographic and enrollment information.

2. Responsibilities after testing.

a. Ensure accurate enrollment of students in schools during the accountability windows.

b. Ensure MARSS identifying characteristics are correct, especially for any student not taking an accountability test.

c. Work with district assessment coordinator to edit discrepancies during the Post-test Edit window in Test WES.

I. Any Person with Access to Test Materials

Read and complete the *Assurance of Test Security and Non-Disclosure*.

IV. TEST SECURITY

A. Test Security Procedures will be adopted by school district administration.

B. Students will be informed of the following:

1. The importance of test security;
2. Expectation that students will keep test content secure;
3. Expectation that students will act with honesty and integrity during test administration;
4. Expectation that students will not access cell phones, wearable technology (e.g., smart watches, fitness trackers), or other devices that can electronically send or receive information. The test of a student who wears a device during testing must be invalidated.

If a student completes testing and then accesses a cell phone or other prohibited device (including wearable technology), the school district must take further action to determine if the test should be invalidated, rather than automatically invalidating the test.

5. Availability of the online Test Security Tip Line on the MDE website for reporting suspected incidents of cheating or other improper or unethical behavior.

C. Staff will be informed of the following:

1. Availability of the online Test Security Tip Line on the MDE website for reporting suspected incidents of cheating or other improper or unethical behavior.
2. Other contact information and options for reporting security concerns.

V. REQUIRED DOCUMENTATION FOR PROGRAM AUDIT

A. The school district shall maintain records necessary for program audits conducted by MDE. The records must include documentation consisting of the following:

1. Signed *Assurance of Test Security and Non-Disclosure* forms must be maintained for two years after the end of the academic year in which the testing took place.
2. School district security checklists provided in the test materials shipment must be maintained for two years after the end of the academic school year in which testing took place.
3. School security checklists provided in the test materials shipment must be maintained for two years after the end of the academic school year in which testing took place.
4. Test Monitor Test Materials Security Checklist provided for each group of students assigned to a test monitor must be maintained for two years after the end of the academic school year in which testing took place.

5. School district test monitor tracking documentation must be maintained for two years after the end of the academic year in which the tracking took place.
6. ACCESS and Alternate ACCESS Packing List and Security Checklist provided in the test materials shipment must be maintained for two years after the end of the academic school year in which testing took place.
7. Documentation of school district staff training on test administration and test security must be maintained for two years after the end of the academic school year in which testing took place.
8. *Test Security Notification* must be maintained for two years after the end of the academic school year in which testing took place.
9. *Test Administration Report* must be maintained for one year after the end of the academic school year in which testing took place.
10. Record of staff trainings and test-specific trainings must be maintained for one year after the end of the academic year in which testing took place.

VI. RETALIATION PROHIBITED

An employee who discloses information to the MDE Commissioner or a parent or guardian about service disruptions or technical interruptions related to administering assessments under this section is protected under section 181.932, governing disclosure of information by employees.

Legal References:

Minn. Stat. § 13.34 (Examination Data)
Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum Instruction, and Student Achievement Goals; Striving for Comprehensive Achievement and Civic Readiness)
Minn. Stat. § 120B.30 (Statewide Testing and Reporting System)
Minn. Stat. § 120B.36, Subd. 2 (School Accountability)
Minn. Rules Parts 3501.0660 (Academic Standards for Language Arts)
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
Minn. Rules Parts 3501.0820 (Academic Standards for the Arts)
Minn. Rules Parts 3501.0900-3501.0960 (Academic Standards in Science)
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 601 (School District Curriculum and Instruction Goals)
MSBA/MASA Model Policy 613 (Graduation Requirements)
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)
Minnesota PearsonAccess Next Resources and Forms:
<http://minnesota.pearsonaccessnext.com/policies-and-procedures/>

Adopted: November 28, 2022

Revised: September 2024

619 STAFF DEVELOPMENT FOR STANDARDS

I. PURPOSE

The purpose of this policy is to establish opportunities for staff development which advance the staff's ability to work effectively with the Graduation Assessment Requirements and with students as they progress to achievement of those Graduation Assessment Requirements and meet the requirements of federal law.

II. GENERAL STATEMENT OF POLICY

The school district is committed to developing staff policies and processes for continuous improvement of curriculum, instruction, and assessment to ensure effective implementation of the Graduation Assessment Requirements and federal law at all levels.

III. STANDARDS FOR STAFF DEVELOPMENT

A. The Advisory Committee for Comprehensive Continuous Improvement of Student Achievement (Committee) shall address the needs of all staff in prioritizing staff development which will ensure effective implementation of the Graduation Assessment Requirements and federal law at all levels. The Committee will advise the school board on the planning of staff development opportunities.

B. The school district shall place a high priority on staff development including activities, programs, and other efforts to implement the Graduation Assessment Requirements effectively and to upgrade that implementation continuously.

C. Staff development plans for the school district shall address identified needs for Graduation Assessment Requirements implementation throughout all levels of the school district programs.

D. In service, staff meeting, and district and building level staff development plans and programs shall focus on improving implementation of the Graduation Assessment Requirements at all levels for all students, including those with special needs.

IV. TRAINING AND PROFESSIONAL DEVELOPMENT

A. Paraprofessionals

The school district will provide each paraprofessional who assists a licensed teacher in providing student instruction with initial training. Such training will include training in emergency procedures, confidentiality, vulnerability, reporting obligations, discipline, policies, roles, and responsibilities, and building orientation. Training will be provided within the first 60 days a paraprofessional begins supervising or working with students.

Additionally, with regard to paraprofessionals providing support to special education students, the school district will ensure that annual training opportunities are required to enable the paraprofessional to further develop the knowledge and skills that are specific to the students with whom the paraprofessional works, including understanding disabilities, the unique and individual needs of each student according to the student's disability and how the disability affects the student's education and behavior, following lesson plans, and implementing follow-up instructional procedures and activities.

B. Teachers and Administrators

The school district will provide high quality and ongoing professional development activities as required by state and federal laws.

Legal References:

Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota's Students)
Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement Goals; Striving for Comprehensive Achievement and Civic Readiness)
Minn. Stat. § 120B.363 (Credential for Education Paraprofessionals)
Minn. Stat. § 122A.16 (Qualified Teacher Defined)
Minn. Stat. § 122A.60 (Staff Development Program)
Minn. Rules Parts 3501.0660 (Academic Standards for Language Arts)
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
Minn. Rules Parts 3501.0820 (Academic Standards for the Arts)
Minn. Rules Parts 3501.0900-3501.0960 (Academic Standards in Science)
Minn. Rules Parts 3501.1200-3501.1210 (Academic Standards for English Language Development)
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 613 (Graduation Requirements)
MSBA/MASA Model Policy 616 (School District System Accountability)

701.1 MODIFICATION OF SCHOOL DISTRICT BUDGET

I. PURPOSE

The purpose of this policy is to establish procedures for the modification of the school district's adopted revenue and expenditure budgets.

II. GENERAL STATEMENT OF POLICY

The policy of this school district is to modify its revenue and expenditure budgets in accordance with the applicable provisions of law.

III. REQUIREMENT

A. The school district's adopted expenditure budget shall be considered the school board's expenditure authorization for that school year.

B. If revisions or modifications in the adopted expenditure budget are determined to be advisable by the administration, the superintendent shall recommend the proposed changes to the school board. The proposed changes shall be accompanied by sufficient and appropriate background information on the revenue and policy issues involved to allow the school board to make an informed decision. A school board member may also propose modifications on that board member's own motion, provided, however, the school board member is encouraged to review the proposed modifications with the superintendent prior to their being proposed so that the administration may prepare necessary background materials for the school board prior to its consideration of those proposed modifications.

C. If sufficient funds are not included in the expenditure budget in a particular fund to allow the proposed expenditure, funds for this purpose may not be expended from that fund prior to the adoption of an expenditure budget amendment by the school board to authorize that expenditure for that school year. An amended expenditure shall not exceed the projected revenues available for that purpose in that fund.

D. The school district's revenue budget shall be amended from time to time during a fiscal year to reflect updated or revised revenue estimates. The superintendent shall make recommendations to the school board for appropriate revisions. If necessary, the school board shall also make necessary revisions in the expenditure budget if it appears that expenditures would otherwise exceed revenues and fund balances in a fund.

Legal References:

Minn. Stat. § 123B.77 (Accounting, Budgeting, and Reporting Requirement)

Cross References:

MSBA/MASA Model Policy 701 (Establishment and Adoption of School District Budget)

702 ACCOUNTING

I. PURPOSE

The purpose of this policy is to adopt the Uniform Financial Accounting and Reporting Standards for Minnesota School Districts (UFARS) provided for in guidelines adopted by the Minnesota Department of Education.

II. GENERAL STATEMENT OF POLICY

It is the policy of this school district to comply with the Uniform Financial Accounting and Reporting Standards for Minnesota School Districts.

III. MAINTENANCE OF BOOKS AND ACCOUNTS

The school district shall maintain its books and records and do its accounting in compliance with the Uniform Accounting and Reporting Standards for Minnesota School Districts (UFARS) provided for in the guidelines adopted by the Minnesota Department of Education and in compliance with applicable state laws and rules relating to reporting of revenues and expenditures.

IV. PERMANENT FUND TRANSFERS

Unless otherwise authorized pursuant to Minnesota Statutes section 123B.80, as amended, or any other law, fund transfers shall be made in compliance with UFARS and permanent fund transfers shall only be made in compliance with Minnesota Statutes section 123B.79, as amended, or other applicable statute.

V. REPORTING

The school board shall provide for an annual audit of the books and records of the school district to assure compliance of its records with UFARS. Each year, the school district shall also provide for the publication of the financial information specified in Minnesota Statutes section 123B.10 in the manner specified therein.

Legal References:

Minn. Stat. § 123B.02 (General Powers of Independent School Districts)
Minn. Stat. § 123B.09 (Boards of Independent School Districts)
Minn. Stat. § 123B.10 (Publication of Financial Information)
Minn. Stat. § 123B.14, Subd. 7 (Officers of Independent School Districts)
Minn. Stat. § 123B.75 (Revenue; Reporting)
Minn. Stat. § 123B.76 (Expenditures; Reporting)
Minn. Stat. § 123B.77 (Accounting, Budgeting and Reporting Requirements)
Minn. Stat. § 123B.78 (Cash Flow; School District Revenues; Borrowing for Current Operating Costs; Capital Expenditure Deficits)
Minn. Stat. § 123B.79 (Permanent Fund Transfers)
Minn. Stat. § 123B.80 (Exceptions for Permanent Fund Transfers)

Cross References:

MSBA/MASA Model Policy 703 (Annual Audit)

703 ANNUAL AUDIT

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 Minnesota Commissioner of Education (Commissioner) on forms prescribed by the Commissioner. The report shall also include those items required by Minnesota Statutes section 123B.14, subdivision 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 for School Districts 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 Minnesota Statutes chapter 6.

Legal References:

Minn. Stat. Ch. 6 (State Auditor)

Minn. Stat. § 123B.02 (General Powers of Independent School Districts)

Minn. Stat. § 123B.09 (Boards of Independent School Districts)

Minn. Stat. § 123B.14, Subd. 7 (Officers of Independent School Districts)

Minn. Stat. § 123B.77, Subds. 2 and 3 (Accounting, Budgeting, and Reporting Requirement)

Cross References:

MSBA/MASA Model Policy 702 (Accounting)

705 INVESTMENTS

I. PURPOSE

The purpose of this policy is to establish guidelines for the investment of school district funds.

II. GENERAL STATEMENT OF POLICY

The policy of this school district is to comply with all state laws relating to investments and to guarantee that investments meet certain primary criteria.

III. SCOPE

This policy applies to all investments of the surplus funds of the school district, regardless of the fund accounts in which they are maintained, unless certain investments are specifically exempted by the school board through formal action.

IV. AUTHORITY; OBJECTIVES

A. The funds of the school district shall be deposited or invested in accordance with this policy, Minnesota Statutes chapter 118A and any other applicable law or written administrative procedures.

B. The primary criteria for the investment of the funds of the school district, in priority order, are as follows

1. Safety and Security. Safety of principal is the first priority. The investments of the school district shall be undertaken in a manner that seeks to ensure the preservation of the capital in the overall investment portfolio.

2. Liquidity. The funds shall be invested to assure that funds are available to meet immediate payment requirements, including payroll, accounts payable, and debt service.

3. Return and Yield. The investments shall be managed in a manner to attain a market rate of return through various economic and budgetary cycles, while preserving and protecting the capital in the investment portfolio and taking into account constraints on risk and cash flow requirements.

V. DELEGATION OF AUTHORITY

A. The superintendent of the school district is designated as the investment officer of the school district and is responsible for investment decisions and activities under the direction of the school board. The investment officer shall operate the school district's investment program consistent with this policy. The investment officer may delegate certain duties to a designee or designees but shall remain responsible for the operation of the program.

B. All officials and employees that are a part of the investment process shall act professionally and responsibly as custodians of the public trust and shall refrain from

personal business activity that could conflict with the investment program or which could reasonably cause others to question the process and integrity of the investment program. The investment officer shall avoid any transaction that could impair public confidence in the school district.

VI. STANDARD OF CONDUCT

The standard of conduct regarding school district investments to be applied by the investment officer shall be the "prudent person standard." Under this standard, the investment officer shall exercise that degree of judgment and care, under the circumstances then prevailing, that persons of prudence, discretion, and intelligence would exercise in the management of their own affairs, investing not for speculation and considering the probable safety of their capital as well as the probable investment return to be derived from their assets. The prudent person standard shall be applied in the context of managing the overall investment portfolio of the school district. The investment officer, acting in accordance with this policy and exercising due diligence, judgment, and care commensurate with the risk, shall not be held personally responsible for a specific security's performance or for market price changes. Deviations from expectations shall be reported in a timely manner and appropriate actions shall be taken to control adverse developments.

VII. MONITORING AND ADJUSTING INVESTMENTS

The investment officer shall routinely monitor existing investments and the contents of the school district's investment portfolio, the available markets, and the relative value of competing investment instruments.

VIII. INTERNAL CONTROLS

The investment officer shall establish a system of internal controls which shall be documented in writing. The internal controls shall be reviewed by the school board and shall be annually reviewed for compliance by the school district's independent auditors. The internal controls shall be designed to prevent and control losses of public funds due to fraud, error, misrepresentation, unanticipated market changes, or imprudent actions by officers, employees, or others. The internal controls may include, but shall not be limited to, provisions relating to controlling collusion, separating functions, separating transaction authority from accounting and record keeping, custodial safekeeping, avoiding bearer form securities, clearly delegating authority to applicable staff members, limiting securities losses and remedial action, confirming telephone transactions in writing, supervising and controlling employee actions, minimizing the number of authorized investment officials, and documenting transactions and strategies.

IX. PERMISSIBLE INVESTMENT INSTRUMENTS

The school district may invest its available funds in those instruments specified in Minnesota Statutes sections 118A.04 and 118A.05, as these sections may be amended from time to time, or any other law governing the investment of school district funds. The assets of an other postemployment benefits (OPEB) trust or trust account established pursuant to Minnesota Statutes section 471.6175 to pay postemployment benefits to employees or officers after their termination of service, with a trust administrator other than the Public Employees Retirement Association, may be invested in instruments authorized under Minnesota Statutes chapter 118A or Minnesota Statutes section 356A.06, subdivision 7. Investment of funds in an OPEB trust account under Minnesota Statutes section 356A.06, subdivision 7, as well as the overall asset allocation strategy for OPEB investments, shall be governed by an OPEB

Investment Policy Statement (IPS) developed between the investment officer, as designed herein, and the trust administrator.

X. PORTFOLIO DIVERSIFICATION; MATURITIES

A. Limitations on instruments, diversification, and maturity scheduling shall depend on whether the funds being invested are considered short-term or long-term funds. All funds shall normally be considered short-term except those reserved for building construction projects or specific future projects and any unreserved funds used to provide financial-related managerial flexibility for future fiscal years.

B. The school district shall diversify its investments to avoid incurring unreasonable risks inherent in over-investing in specific instruments, individual financial institutions or maturities.

1. The investment officer shall prepare and present a table to the school board for review and approval. The table shall specify the maximum percentage of the school district's investment portfolio that may be invested in a single type of investment instrument, such as U.S. Treasury Obligations, certificates of deposit, repurchase agreements, banker's acceptances, commercial paper, etc. The approved table shall be attached as an exhibit to this policy and shall be incorporated herein by reference.

2. The investment officer shall prepare and present to the school board for its review and approval a recommendation as to the maximum percentage of the total investment portfolio that may be held in any one depository. The approved recommendation shall be attached as an exhibit or part of an exhibit to this policy and shall be incorporated herein by reference.

3. Investment maturities shall be scheduled to coincide with projected school district cash flow needs, taking into account large routine or scheduled expenditures, as well as anticipated receipt dates of anticipated revenues. Maturities for short-term and long-term investments shall be timed according to anticipated need. Within these parameters, portfolio maturities shall be staggered to avoid undue concentration of assets and a specific maturity sector. The maturities selected shall provide for stability of income and reasonable liquidity.

XI. COMPETITIVE SELECTION OF INVESTMENT INSTRUMENTS

Before the school district invests any surplus funds in a specific investment instrument, a competitive bid or quotation process shall be utilized. If a specific maturity date is required, either for cash flow purposes or for conformance to maturity guidelines, quotations or bids shall be requested for instruments which meet the maturity requirement. If no specific maturity is required, a market trend analysis, which includes a yield curve, will normally be used to determine which maturities would be most advantageous. Quotations or bids shall be requested for various options with regard to term and instrument. The school district will accept the quotation or bid which provides the highest rate of return within the maturity required and within the limits of this policy. Generally, all quotations or bids will be computed on a consistent basis, i.e., a 360-day or a 365-day yield. Records will be kept of the quotations or bids received, the quotations or bids accepted, and a brief explanation of the decision that was made regarding the investment. If the school district contracts with an investment advisor, bids are not required in those circumstances specified in the contract with the advisor.

XII. QUALIFIED INSTITUTIONS AND BROKER-DEALERS

A. The school district shall maintain a list of the financial institutions that are approved for investment purposes.

B. Prior to completing an initial transaction with a broker, the school district shall provide to the broker a written statement of investment restrictions which shall include a provision that all future investments are to be made in accordance with Minnesota statutes governing the investment of public funds. The broker must annually acknowledge receipt of the statement of investment restrictions and agree to handle the school district's account in accordance with these restrictions. The school district may not enter into a transaction with a broker until the broker has provided this annual written agreement to the school district. The notification form to be used shall be that prepared by the State Auditor. A copy of this investment policy, including any amendments thereto, shall be provided to each such broker.

XIII. SAFEKEEPING AND COLLATERALIZATION

A. All investment securities purchased by the school district shall be held in third-party safekeeping by an institution designated as custodial agent. The custodial agent may be any Federal Reserve Bank, any bank authorized under the laws of the United States or any state to exercise corporate trust powers, a primary reporting dealer in United States Government securities to the Federal Reserve Bank of New York, or a securities broker-dealer defined in Minnesota Statutes section 118A.06. The institution or dealer shall issue a safekeeping receipt to the school district listing the specific instrument, the name of the issuer, the name in which the security is held, the rate, the maturity, serial numbers and other distinguishing marks, and other pertinent information.

B. Deposit-type securities shall be collateralized as required by Minnesota Statutes section 118A.03 for any amount exceeding FDIC, SAIF, BIF, FCUA, or other federal deposit coverage.

C. Repurchase agreements shall be secured by the physical delivery or transfer against payment of the collateral securities to a third party or custodial agent for safekeeping. The school district may accept a safekeeping receipt instead of requiring physical delivery or third-party safekeeping of collateral on overnight repurchase agreements of less than \$1,000,000.

XIV. REPORTING REQUIREMENTS

A. The investment officer shall generate daily and monthly transaction reports for management purposes. In addition, the school board shall be provided a monthly report that shall include data on investment instruments being held as well as any narrative necessary for clarification.

B. The investment officer shall prepare and submit to the school board a quarterly investment report that summarizes recent market conditions, economic developments, and anticipated investment conditions. The report shall summarize the investment strategies employed in the most recent quarter and describe the investment portfolio in terms of investment securities, maturities, risk characteristics, and other features. The report shall summarize changes in investment instruments and asset allocation strategy approved by the investment officer for an OPEB trust in the most recent quarter. The report shall explain the quarter's total investment return

and compare the return with budgetary expectations. The report shall include an appendix that discloses all transactions during the past quarter. Each quarterly report shall indicate any areas of policy concern and suggested or planned revisions of investment strategies. Copies of the report shall be provided to the school district's auditor.

C. Within ninety (90) days after the end of each fiscal year of the school district, the investment officer shall prepare and submit to the school board a comprehensive annual report on the investment program and investment activity of the school district for that fiscal year. The annual report shall include 12-month and separate quarterly comparisons of return and shall suggest revisions and improvements that might be made in the investment program.

D. If necessary, the investment officer shall establish systems and procedures to comply with applicable federal laws and regulations governing the investment of bond proceeds and funds in a debt service account for a bond issue. The record keeping system shall be reviewed annually by the independent auditor or by another party contracted or designated to review investments for arbitrage rebate or penalty calculation purposes.

XV. DEPOSITORIES

The school board shall annually designate one or more official depositories for school district funds. The treasurer or the chief financial officer of the school district may also exercise the power of the school board to designate a depository. The school board shall be provided notice of any such designation by its next regular meeting. The school district and the depository shall each comply with the provisions of Minnesota Statutes section 118A.03 and any other applicable law, including any provisions relating to designation of a depository, qualifying institutions, depository bonds, and approval, deposit, assignment, substitution, addition, and withdrawal of collateral.

XVI. ELECTRONIC FUNDS TRANSFER OF FUNDS FOR INVESTMENT

The school district may make electronic fund transfers for investments of excess funds upon compliance with Minnesota Statutes section 471.38.

Legal References:

Minn. Stat. § 118A.01 (Definitions)
Minn. Stat. § 118A.02 (Depositories; Investing; Sales, Proceeds, Immunity)
Minn. Stat. § 118A.03 (When and What Collateral Required)
Minn. Stat. § 118A.04 (Investments)
Minn. Stat. § 118A.05 (Contracts and Agreements)
Minn. Stat. § 118A.06 (Safekeeping; Acknowledgements)
Minn. Stat. § 356A.06, Subd. 7 (Investments; Additional Duties)
Minn. Stat. § 471.38 (Claims)
Minn. Stat. § 471.6175 (Trust for Postemployment Benefits)

Cross References:

MSBA/MASA Model Policy 703 (Annual Audit)

Minnesota Legal Compliance Audit Guide for School Districts Prepared by the Office of the State Auditor