

Work Session

Tuesday, August 15, 2023 6:30 PM

Fridley Community Center, 6085 7th Street NE, Fridley, MN 55432

A.	Signing Required Documents	Presenter: Dr. Brenda Lewis
B.	<u>GOVERNANCE AND POLICY</u>	
B.1. One Reading Needed and Adoption of Policies		
B.1.a.	Policy 102 Equal Education Opportunity	Presenter: Dr. Brenda Lewis
B.1.b.	Policy 418 Drug Free Workplace / Drug Free School	Presenter: Laura Seifert-Hertling
B.1.c.	Policy 419 Tobacco-Free Environment	Presenter: Laura Seifert-Hertling
B.1.d.	Policy 507 Corporal Punishment and Prone Restraint	Presenter: Laura Seifert-Hertling
B.1.e.	Policy 514 Bullying Prohibition	Presenter: Laura Seifert-Hertling
B.1.f.	Policy 532 Use of Peace Officers and Crisis Teams	Presenter: Laura Seifert-Hertling
B.1.g.	Policy 534 School Meals Policy	Presenter: Craig Wieber
B.1.h.	Policy 708 Transportation of Nonpublic School Students	Presenter: Craig Wieber
B.1.i.	Policy 709 Student Transportation Safety	Presenter: Craig Wieber
B.1.j.	Policy 806 Crisis Management	Presenter: Dr. Brenda Lewis
C.	<u>OVERSIGHT OF OPERATIONS</u>	
C.1. Legal, Staffing and Personnel Update		
C.1.a.	New Contracts, Amendments, Leaves of Absence, Terminations, Resignations, and Retirements	Presenter: S. Ike Isaacson
C.2. Finance and Operations Update		
C.2.a.	Revised Long Term Facility Maintenance (LTFM) Plan	Presenter: Craig Wieber
C.2.b.	Contract with Frontier for Transportation Services	
D.	<u>BOARD GOVERNANCE POLICY</u>	
D.1. School Board Possible Vacancy		
		Presenter: Board Chair
D.2. School Board/City Council Meeting		
		Presenter: Board Chair
E.	<u>INFORMATIONAL ITEMS</u>	
E.1. At the Next Work Session - NO September work session on Sept 5 (First Day of School)		
		Presenter: Dr. Brenda Lewis
E.2. Important School Board Dates		
		Presenter: Board Chair

E.2.a. Back to School Resource Fair
August 26, 2023 10am-12:30pm
FHS Parking Lot

E.2.b. Opening Workshop with Staff
August 28, 2023 8-10AM
FHS Auditorium

F. **PUBLIC FORUM**

Presenter: Board
Chair



FRIDLEY PUBLIC SCHOOLS

Fridley Public Schools Policies Presented for Legislative Changes August 15, 2023

#	Policy Name	Change/Revision
102	Equal Educational Opportunity	Adds equal athletic opportunity paragraph
418	Drug Free Workplace / Drug Free School	Reflects marijuana legalization
419	Tobacco-Free Environment	Adds loose tobacco/tribal ritual exception
507	Corporal Punishment and Prone Restraint	Add Prohibitions article; prone restraint prohibition
514	Bullying Prohibition Policy	Adds malicious and sadistic conduct prohibition; updates General Policy Statement and Notice
532	Use of Peace Officers and Crisis Teams	Adds reasonable force provision
534	School Meals Policy	Updates policy to reflect new free meals laws
708	Transportation of Nonpublic School Students	Allows written plan for nonpublic pupil transportation
709	Student Transportation Safety	Adds active transportation safety training requirements; adds Type II bus change
806	Crisis Management	Adds active shooter drill requirements

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102 Equal Educational Opportunity for Students

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

A. The policy of the school district is to provide equal educational opportunity for all students. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation including gender identity and expression, or age. The school district also makes reasonable accommodations for students with disabilities.

B. The school district prohibits harassment and discrimination of any individual based on any of the protected classifications listed above. For information about the types of conduct that constitute violation of the school district's policy on harassment and violence and the school district's procedures for addressing such complaints, refer to the school district's policy on harassment and violence (Policy 413).

C. The school district prohibits discrimination of students with a disability, within the intent of Section 504 of the Rehabilitation Act of 1973 ("Section 504"), who need services, accommodations, or programs in order to receive a free appropriate public education. For information as to protections that may apply pursuant to Section 504 and the school district's corresponding procedures for addressing disability discrimination complaints, refer to the school district's policy on student disability nondiscrimination (Policy 521).

D. The school district prohibits sexual harassment discrimination of any individual on the basis of sex in its education programs or activities. For information as to the protections that may apply pursuant to Title IX and school district's corresponding procedures and processes for addressing sexual harassment and discrimination, refer to the school district's policy on Title IX sex nondiscrimination (Policy 522).

E. The school district shall provide equal opportunity for members of each sex and to members of all races and ethnicities to participate in its athletic program. In determining whether equal opportunity to participate in athletic programs is available for the purposes of this law, at least the following factors shall be considered to the extent that they are applicable to a given situation: whether the opportunity for males and females to participate in the athletic program reflects the demonstrated interest in athletics of the males and females in the student body of the educational institution; whether the opportunity for members of all races and ethnicities to participate in the athletic program reflects the demonstrated interest in athletics of members of all races and ethnicities in the student body of the educational institution; whether the variety and selection of sports and levels of competition effectively accommodate the demonstrated interests of members of each sex; whether the variety and selection of sports and levels of competition effectively accommodate the demonstrated interests of members of all races and ethnicities; the provision of



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equipment and supplies; scheduling of games and practice times; assignment of coaches; provision of locker rooms; practice and competitive facilities; and the provision of necessary funds for teams of one sex.

E.F. This policy applies to all areas of education including academics, coursework, co-curricular and extracurricular activities, or other rights or privileges of enrollment.

F.G. Every school district employee shall be responsible for complying with this policy.

G.H. Any student, parent or guardian having any questions regarding this policy should discuss it with the appropriate building principal or administrator. As an alternative, any inquiry or a complaint can be referred to the superintendent of schools.

Legal References:

Minn. Stat § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)

Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)

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

20 U.S.C. §1681 *et seq.* (Title IX of the Education Amendments of 1972)

42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)

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

Cross References:

MSBA/MASA Model Policy 402 (Disability Nondiscrimination)

MSBA/MASA Model Policy 413 (Harassment and Violence)

MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process)

School Board Action:

Adopted December 21, 1999

Revised May 17, 2016

Revised August 21, 2018

Revised July 12, 2022

Revised August 15, 2023



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418 DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL

I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment for employees and students by prohibiting the use of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, ~~(including edible cannabinoid products)~~, and controlled substances without a physician's prescription.

II. GENERAL STATEMENT OF POLICY

- A. Use or possession of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, ~~(including edible cannabinoid products)~~, and controlled substances before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.
- B. It shall be a violation of this policy for any student, teacher, administrator, other school district personnel, or member of the public to use alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, ~~(including edible cannabinoid products)~~, or controlled substances in any school location.
- C. An individual may not use or possess cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public school, as defined in Minnesota Statutes, section 120A.05, subdivisions 9, 11, and 13, including all facilities, whether owned, rented, or leased, and all vehicles that the school district owns, leases, rents, contracts for, or controls.
- ~~D.~~ The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

III. DEFINITIONS

- A. "Alcohol" includes any alcoholic beverage containing more than one-half of one percent of alcohol by volume.
- B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code section 812, including analogues and look-alike drugs.

- C. “Edible cannabinoid product” means any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in combination with food ingredients, and is not a drug.
- D. “Nonintoxicating cannabinoid” means substances extracted from certified hemp plants that do not produce intoxicating effects when consumed by injection, inhalation, ingestion, or by any other immediate means, any route of administration.
- E. “Medical cannabis” means any species of the genus cannabis plant, or any mixture of preparation of them, including whole plant extracts and resins, and is delivered in the form of: (1) liquid, including, but not limited to, oil; (2) pill; (3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; (4) combustion with use of dried raw cannabis; or (5) any other method approved by the commissioner.
- F. “Possess” means to have on one’s person, in one’s effects, or in an area subject to one’s control.
- G. “School location” includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.
- H. “Sell” means to sell, give away, barter, deliver, exchange, distribute or dispose of to another, or to manufacture; or to offer or agree to perform such an act, or to possess with intent to perform such an act.
- I. “Toxic substances” includes: (1) glue, cement, aerosol paint, containing toluene, benzene, xylene, amyl nitrate, butyl nitrate, nitrous oxide, or containing other aromatic hydrocarbon solvents, but does not include glue, cement, or paint contained in a packaged kit for the construction of a model automobile, airplane, or similar item; (2) butane or a butane lighter; or (3) any similar substance declared to be toxic to the central nervous system and to have a potential for abuse, by a rule adopted by the commissioner of health.
- J. “Use” means to sell, buy, manufacture, distribute, dispense, be under the influence of, or consume in any manner, including, but not limited to, consumption by injection, inhalation, ingestion, or by any other immediate means, includes to sell, buy, manufacture, distribute, dispense, possess, use, or be under the influence of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids (including edible cannabinoid products), and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.

IV. EXCEPTIONS

- A. ~~It shall not be a~~ violation of this policy ~~does not occur for when~~ a person to brings onto a school location, for such person's own use, a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.
- B. ~~It shall not be a violation of this policy for a person to possess~~A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minnesota Statutes, section 624.701, subdivision 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).
- C. A violation of this policy does not occur when a person uses or possesses a toxic substance unless they do so with the intent of inducing or intentionally aiding another in inducing intoxication, excitement, or stupefaction of the central nervous system, except under the direction and supervision of a medical doctor.

V. PROCEDURES

- A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, must comply with the school district's student medication policy.
- B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.
- C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.
- D. Employees are subject to the school district's drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances, intoxicating cannabinoids, or edible cannabinoid products in a school location except with the express permission of the superintendent.

- F. No person is permitted to possess or use medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any child care facility. This prohibition includes (1) vaporizing or combusting medical cannabis on any form of public transportation where the vapor or smoke could be inhaled by a minor child or in any public place, including indoor or outdoor areas used by or open to the general public or place of employment; and (2) operating, navigating, or being in actual physical control of any motor vehicle or working on transportation property, equipment or facilities while under the influence of medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products.
- G. Possession of alcohol on school grounds pursuant to the exceptions of Minnesota Statutes, section 624.701, subdivision 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

VI. SCHOOL PROGRAMS

- A. Starting in the 2026-2027 school year, the school district must implement a comprehensive education program on cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, for students in middle school and high school. The program must include instruction on the topics listed in Minnesota Statutes, section 120B.215, subdivision 1 and must:
1. respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl; and
 2. refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, and treatment for a substance use disorder.
- B. School district efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with Minnesota Statutes, sections 120B.10 and 120B.11.
- C. Notwithstanding any law to the contrary, the school district shall have a procedure for a parent, a guardian, or an adult student 18 years of age or older to review the content of the instructional materials to be provided to a minor child or to an adult student pursuant to this article. The district must allow a parent or adult student to opt out of instruction under this article with no academic or other penalty for the student and must inform parents and adult students of this right to opt out.



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VII. ENFORCEMENT

A. Students

1. Students may be required to participate in programs and activities that provide education against the use of alcohol, tobacco, marijuana, smokeless tobacco products, electronic cigarettes, and nonintoxicating cannabinoids ~~_(including edible and edible cannabinoid products),~~
2. Students may be referred to drug or alcohol assistance or rehabilitation programs; school based mental health services, mentoring and counseling, including early identification of mental health symptoms, drug use and violence and appropriate referral to direct individual or group counselling service. which may be provide by school based mental health services providers; and/or referral to law enforcement officials when appropriate.
3. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.

B. Employees

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

C. The Public



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

Legal References:

[Minn. Stat. § 120B.215 \(Education on Cannabis Use and Substance Use\)](#)

Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)

Minn. Stat. § 121A.40-§ 121A.56 (Pupil Fair Dismissal Act)

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

[Minn. Stat. § 152.01, Subd. 15a \(Definitions\)](#)

[Minn. Stat. § 152.0264 \(Cannabis Sale Crimes\)](#)

Minn. Stat. § 152.22, subd. 6 (Definitions; Medical Cannabis;)

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

[Minn. Stat. § 169A.31 \(Alcohol-Related School Bus or Head Start Bus Driving\)](#)

Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)

Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)

[Minn. Stat. § 342.09 \(Personal Adult Use of Cannabis\)](#)

[Minn. Stat. § 342.56 \(Limitations\)](#)

Minn. Stat. § 609.684 (Abuse of Toxic Substances)

Minn. Stat. § 624.701 (Alcohol in Certain Buildings or Grounds)

20 U.S.C. § 7101-7165 (Student Support and Academic Enrichment Grants)

21 U.S.C. § 812 (Schedules of Controlled Substances)

41 U.S.C. §§ 701-707 (Drug-Free Workplace Act)

21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)

34 C.F.R. Part 85 (Government-Wide Requirements for Drug-Free Workplace)

Cross References:

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

MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)

MSBA/MASA Model Policy 417 (Chemical Use and Abuse)

MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction)

MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 516 (Student Medication)

Adopted as Policy 11.40 June 25, 1985

Revised July 9, 1991

Revised as Policy 418 October 16, 2007

Reviewed August 20, 2013

Revised November 21, 2017

Revised October 18, 2022

[Revised August 15, 2023](#)



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419 TOBACCO-FREE ENVIRONMENT: Possession and use of tobacco, tobacco-related devices, and electronic delivery devices

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. “Electronic delivery device” means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption through inhalation of aerosol or vapor from the product. Electronic delivery device includes but is not limited to devices manufactured, marketed or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- B. “Heated tobacco product” means tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.
- C. “Tobacco” means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in a pipe or other tobacco-related devices. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- D. “Tobacco-related devices” means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- E. “Smoking” means inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking also includes carrying or using an activated electronic delivery device.

- F. “Vaping” means using an activated electronic delivery device or heated tobacco product.

IV. EXCEPTIONS

- A. A violation of this policy does not occur when an American Indian adult lights tobacco on school district property as a part of a traditional American Indian spiritual or cultural ceremony. An American Indian Student may carry a medicine pouch containing loose tobacco intended as observance of traditional spiritual or cultural practices. An American Indian is a person who is a member of an American Indian tribe as defined under Minnesota law.
- B. A violation of this policy does not occur when an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off-campus events sponsored by the school district.

V. VAPING PREVENTION INSTRUCTION

- A. The school district must provide vaping prevention instruction at least once to students in grades 6 through 8.
- B. The school district may use instructional materials based upon the Minnesota Department of Health’s school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the school district’s locally developed health standards.

VI. ENFORCEMENT

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.
- C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.



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

VII. DISSEMINATION OF POLICY

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

Legal References:

Minn. Stat. § 120B.238 (Vaping Awareness and Prevention)
Minn. Stat. § 144.411-144.417 (Minnesota Clean Indoor Air Act)
Minn. Stat. § 609.685 (Sale of Tobacco to Persons Under Age 21)
2007 Minn. Laws Ch. 82 Freedom to Breathe Act of 2007)

Cross References:

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 506 (Student Discipline)

School Board Action:

Adopted as Policy 11.404 December 20, 1988
Revised as Policy 419 March 16, 2004
Revised July 15, 2008
Revised July 19, 2011
Revised December 20, 2011
Revised February 17, 2015
Revised September 18, 2018



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Revised October 15, 2019

Revised July 20, 2021

Revised May 17, 2022

Revised August 15, 2023

Only ONE Reading Needed



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507 Corporal Punishment and ~~Use of Force~~Prone Restraint

I. Purpose

The purpose of this policy is to describe ~~prohibitions-limitations~~ on use of corporal punishment and prone restraint upon a ~~of students and to authorize reasonable use of force to restrain students in certain school situations.~~

II. General Statement of Policy

No employee or agent of the school district ~~shall inflict corporal punishment or use prone restraint upon a student, shall cause corporal punishment to be inflicted upon a student as a means to reform unacceptable conduct or as a penalty for unacceptable conduct. As used in this policy, the term "corporal punishment" means conduct involving hitting or spanking a person with or without an object, or unreasonable physical force that causes bodily harm or substantial emotional harm. MN Statutes specifically prohibit the application of corporal punishment for students in schools, subject to limited exceptions.~~

III. DEFINITIONS

1. "Corporal punishment" means conduct involving:
 - a. hitting or spanking a person with or without an object; or
 - b. unreasonable physical force that causes bodily harm or substantial emotional harm.
2. "Prone restraint" means placing a child in a face-down position.

IV. PROHIBITIONS

1. An employee or agent of a district shall not inflict corporal punishment or cause corporal punishment to be inflicted upon a pupil to reform unacceptable conduct or as a penalty for unacceptable conduct.
2. An employee or agent of a district, including a school resource officer, security personnel, or police officer contracted with a district, shall not use prone restraint.
3. An employee or agent of a district, including a school resource officer, security personnel, or police officer contracted with a district, shall not inflict any form of physical holding that restricts or impairs a pupil's ability to breathe; restricts or impairs a pupil's ability to communicate distress; places pressure or weight on a



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pupil's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a pupil's torso.

4. Conduct that violates this Article is not a crime under Minnesota Statutes, section 645.241, but may be a crime under Minnesota Statutes, chapter 609 if the conduct violates a provision of Minnesota Statutes, chapter 609. Conduct that violates IV.1 above is not per se corporal punishment under the statute. Nothing in this Minnesota Statutes, section 121A.58 or 125A.0941 precludes the use of reasonable force under Minnesota Statutes, section 121A.582.

III.V. Exceptions for Reasonable Force

School district employees may use reasonable force under the conditions set forth in Policy 506 (Student Discipline). ~~when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.~~

IV.VI. Violation

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

Legal References:

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

Cross References:

Policy 403 Discipline, Suspension, and Dismissal of School District Employees
Policy 414 Mandated Reporting of Child Neglect or Physical or Sexual Abuse
Policy 415 Mandated Reporting of Maltreatment of Vulnerable Adults
Policy 506 Student Discipline

SCHOOL BOARD ACTION:

Adopted on June 18, 2002
Revised March 19, 2019
Revised August 15, 2023

514 BULLYING PROHIBITION POLICY

I. PURPOSE

A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships. Bullying, like other violent or disruptive behavior, is conduct that interferes with a student's ability to learn and/or a teacher's ability to educate students in a safe environment. The school district cannot monitor the activities of students at all times and eliminate all incidents of bullying between students, particularly when students are not under the direct supervision of school personnel. However, to the extent such conduct affects the educational environment of the school district and the rights and welfare of its students and is within the control of the school district in its normal operations, the school district intends to prevent bullying and to take action to investigate, respond to, and to remediate, and discipline for those acts of bullying which have not been successfully prevented. The purpose of this policy is to assist the school district in its goal of preventing and responding to acts of bullying, intimidation, violence, reprisal, retaliation, and other similar disruptive and detrimental behavior.

II. GENERAL STATEMENT OF POLICY

A. An act of bullying, by either an individual student or a group of students, is expressly prohibited:

1. on school premises, on school district property at school functions or activities, or on school transportation;
2. by the use of electronic technology and communications on the school premises, during the school functions or activities, on the school transportation, or on the school computers, networks, forums, and mailing lists; or
3. by the use of electronic technology and communications off the school premises to the extent such use substantially and materially disrupts student learning or the school environment.

B. A school-aged child who voluntarily participates in a public school activity, such as a cocurricular or extracurricular activity, is subject to the policy provisions applicable to the public school students participating in the activity.

C. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission

or operations of the school district or the safety or welfare of the student or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources. This policy also applies to sexual exploitation.

D. Malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status with regard to public assistance, disability, religion, sexual harassment, and sexual orientation and gender identity as defined in Minnesota Statutes, chapter 363A is prohibited. This prohibition applies to students, independent contractors, teachers, administrators, and other school personnel.

Malicious and sadistic conduct and sexual exploitation by a school district or school staff member, independent contractor, or enrolled student against a staff member, independent contractor, or student that occurs as described in Article II.A above is prohibited.

B-E. No teacher, administrator, contracted staff, other employee, or volunteer of the school district shall permit, condone, or tolerate bullying.

F. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.

G. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.

H. False accusations or reports of bullying against another student are prohibited.

I. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures. The school district may take into account the following factors:

1. The developmental ages and maturity levels of the parties involved;
2. The levels of harm, surrounding circumstances, and nature of the behavior;
3. Past incidences or past or continuing patterns of behavior;
4. The relationship between the parties involved; and
5. The context in which the alleged incidents occurred.



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Consequences for students who commit prohibited acts of bullying may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion. The school district shall employ research-based developmentally appropriate best practices that include preventative and remedial measures and effective discipline for deterring violations of this policy, apply throughout the school district, and foster student, parent, and community participation.

Consequences for employees who permit, condone, or tolerate bullying or engage in an act of reprisal or intentional false reporting of bullying may result in disciplinary action up to and including termination or discharge.

Consequences for other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from school district property and events.

GJ. The school district will act to investigate all complaints of bullying reported to the school district and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

III. DEFINITIONS

For purposes of this policy, the definitions included in this section apply.

- A. “Bullying” means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:
1. An actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern: or
 2. Materially and substantially interferes with a student’s educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

The term, “bullying,” specifically includes cyberbullying—, malicious and sadistic conduct, and sexual exploitationas defined in this policy.

- B. “Cyberbullying” means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network, Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on school district property, at school functions or activities, on school transportation, or on school computers, networks, forums, and



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mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.

C. “Immediately” means as soon as reasonably possible.

D. “Intimidating, threatening, abusive, or harming conduct” means, but is not limited to, conduct that does the following:

1. Causes physical harm to a student or student’s property or causes a student to be in reasonable fear of harm to person or property;
2. Under Minnesota common law, violates a student’s reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or
3. Is directed at any student or students, including those based on a person’s actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defined the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.

E. “Malicious and sadistic conduct” means creating a hostile learning environment by acting with the intent to cause harm by intentionally injuring another without just cause or reason or engaging in extreme or excessive cruelty or delighting in cruelty.

F. “On school premises, on school district property, at school- functions” or activities, or on school transportation means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student’s walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.

~~FG.~~ “Prohibited conduct” means bullying, ~~or cyberbullying as defined in this policy,~~ malicious and sadistic conduct, sexual exploitation, or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying prohibited conduct.



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G.H. “Remedial response” means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.

H.I. “Student” means a student enrolled in a public school or a charter school.

IV. REPORTING PROCEDURE

A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available in the school district office, but oral reports shall be considered complaints as well.

C. The building principal, the principal’s designee or the building supervisor (hereinafter the “building report taker”) is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or any other prohibited conduct directly to a school district human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters. The building report taker or a third party designated by the school district shall be responsible for the investigation. The building report taker shall provide information about available community resources to the target or victim of the bullying or other prohibited conduct, the perpetrator, and other affected individuals as appropriate.

D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately.

- E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.
- F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, work assignments, or educational or work environment.
- G. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

V. SCHOOL DISTRICT ACTION

- A. Within three days of the receipt of a complaint or report of bullying or other prohibited conduct, the school district shall undertake or authorize an investigation by the building report taker or a third party designated by the school district.
- B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.
- C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of an investigation that determines that bullying or other prohibited conduct has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy (Policy 506 Student Discipline) and other applicable school district policies; and applicable regulations.



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- E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident, of the remedial action taken, to the extent permitted by law.
- F. In order to prevent or respond to bullying or other prohibited conduct committed by or directed against a child with a disability, the school district shall, when determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not engage in bullying or other prohibited conduct.

VI. RETALIATION OR REPRISAL

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who commits and act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged bullying or prohibited conduct, who provides information about bullying or prohibited conduct, who testifies, assists, or participates in an investigation or alleged bullying or prohibited conduct, or who testifies, assists, or participates in a proceeding or hearing relating to such bullying or prohibited conduct. Retaliation includes, but is not limited to, any form of intimidation, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy.

VII. TRAINING AND EDUCATION

- A. The school district shall discuss this policy with school personnel and volunteers and provide appropriate training to school district personnel regarding this policy. The school district shall establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district. The school district or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training materials, and publications on school rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.

- B. The school district shall require ongoing professional development, consistent with Minnesota Statutes section 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to the following:
1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
 2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
 3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
 4. The incidence and nature of cyberbullying; and
 5. Internet safety and cyberbullying.
- C. The school district annually will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.
- D. The administration of the school district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.
- E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.

The administration must establish strategies for creating a positive school climate and use evidence-based social-emotional learning to prevent and reduce discrimination and other improper conduct.

The administration is encouraged, to the extent practicable, to take such actions as it may deem appropriate to accomplish the following:



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1. Engage all students in creating a safe and supportive school environment;
 2. Partner with parents and other community members to develop and implement prevention and intervention programs;
 3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
 4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
 5. Teach students to advocate for themselves and others;
 6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and
 7. Foster student collaborations that, in turn, foster a safe and supportive school climate.
- F. The school district may implement violence prevention and character development education programs to prevent or reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.
- G. The school district shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy in the student handbook.

VIII. NOTICE

- A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.
- B. This policy ~~or a summary thereof~~ must be conspicuously posted throughout each school building, in the administrative offices of the school district, and in the office of each school.

- C. This policy must be ~~given distributed~~ to each school district or school employee and independent contractor at the time of hiring or contracting, who regularly interacts with students at the time of initial employment with the school district.
- D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy distributed to parents at the beginning of each school year.
- E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the school district's or a school's website.
- F. Each school must develop a process for discussing this policy with students, parents of students, independent contractors, and school employees.

~~F.G.~~ The school district shall provide an electronic copy of its most recently amended policy to the Minnesota Commissioner of Education.

IX. POLICY REVIEW

To the extent practicable, the School Board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with Minn. Statutes sections ~~§ 121A.031~~ and 121A.0312 and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120A.05, Subds. 8, 11, 13, and 17 (Definition of Public School)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.03 (Sexual, Religious and Racial Harassment and Violence)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.0312 (Malicious and Sadistic Conduct)
Minn. Stat. § 121A.0311 (Notice of Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)
Minn. Stat. Ch. 124E (Charter School)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20. U.S.C. § 1232g et seq. (Family Educational Rights and Privacy Act)
34 C.F. R. §§ 99.1-99.67 (Family Educational Rights and Privacy)

Cross References:

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 413 (Harassment and Violence)



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- MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
- MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
- MSBA/MASA Model Policy 423 (Employee-Student Relationships)
- MSBA/MASA Model Policy 501 (School Weapons Policy)
- MSBA/MASA Model Policy 506 (Student Discipline)
- MSBA/MASA Model Policy 507 (Corporal Punishment)
- MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
- MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
- MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Policy)
- MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
- MSBA/MASA Model Policy 525 (Violence Prevention)
- MSBA/MASA Model Policy 526 (Hazing Prohibition)
- MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior by Students)
- MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
- MSBA/MASA Model Policy 711 (Videotaping on School Buses)
- MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

School Board Action:

- Adopted as Policy 514 Bullying, November 27, 2007
- Revised July 15, 2014
- Revised June 15, 2021
- Revised May 17, 2022
- [Revised August 15, 2023](#)

Annual Review:

<u>Month</u>	<u>Year</u>	<u>Notes</u>
May	2022	Reviewed / Updated
<u>August</u>	<u>2023</u>	<u>Reviewed / Updated</u>

Bullying Incident Report Form

“Bullying” means any written, verbal or electronic communication, or any physical act or gesture, which causes distress to one or more students and which substantially interferes with another student’s educational benefits, opportunities, or performance. Independent School District 14 maintains a firm policy prohibiting bullying in all forms.

Your name: _____ Today’s Date _____

Name of the person who bullied you: _____

Incident Details: Date _____ Time _____

Place _____

Reported to: _____ Date: _____

Describe what happened as clearly as possible, including exactly what was said or done by everyone involved. _____

(Continue on the back of this form if necessary.)

Names of witnesses:



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532 Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

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

III. DEFINITIONS

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

- A. "Student with an IEP" or "the student" means a student who is eligible to receive special education and related services pursuant to the terms of an IEP or an individual interagency intervention plan (IIIP).
- B. "Peace officer" means an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the Board of Peace Officer Standards and Training, charged with the prevention and detection of crime and the enforcement of general criminal laws of the state and who has the full power of arrest.



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

IV. REMOVAL OF STUDENTS WITH IEPs FROM SCHOOL GROUNDS

A. Removal By Crisis Team

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

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

B. Removal By Police Liaison Officer or Peace Officer



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

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

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

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

C. Reasonable Force Permitted

1. In removing a student with an IEP from school grounds, a school principal, other crisis team members, or the police liaison officer or other agents of the school district, whether or not members of a crisis team, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
2. In removing a student with an IEP from school grounds, police liaison officers and school district personnel are further prohibited from engaging in the following conduct:
 - a. ~~1.~~ Corporal punishment prohibited by Minnesota Statutes section 121 A.58e;

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- b. ~~2.~~ Requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;
 - c. ~~3.~~ Totally or partially restricting a child's senses as punishment;
 - d. ~~4.~~ Denying or restricting a child's access to equipment and devices such as walkers, wheel chairs, hearing aids, and communication boards that facilitate the child's functioning except when temporarily removing the equipment or device is needed to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible;
 - e. ~~5.~~ Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under Minnesota Statutes Chapter 260E;
 - f. ~~6.~~ Physical holding (as defined in Minnesota Statutes section 125A.0941) that restricts or impairs a child's ability to breathe, restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso;
 - g. ~~7.~~ Withholding regularly scheduled meals or water; and/or
 - h. ~~8.~~ Denying a child access to toilet facilities.
- ~~3.~~ Any reasonable force used under Minnesota Statutes, sections 121A.582; 609.06, subdivision 1; and 609.379 which intends to hold a child immobile or limit a child's movement where body contact is the only source of physical restraint or confines a child alone in a room from which egress is barred shall be reported to the Minnesota Department of Education as a restrictive procedure, including physical holding or seclusion used by an unauthorized or untrained staff person

D. Parental Notification

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

E. Continued Removals; Review of IEP

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

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



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Fridley Public Schools is committed to creating a welcoming, respectful environment that provides an equitable and inclusive education for each student, staff and community member by ensuring that opportunities, access, and resources are aligned to support the growth and academic achievement of each student.

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

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

G. Reporting to the Minnesota Department of Education (MDE)

Annually, stakeholders may recommend, as necessary, to the Commissioner of MDE (Commissioner) specific and measurable implementation and outcome goals for reducing the use of restrictive procedures. The Commissioner must submit to the Legislature a report on districts' progress in reducing the use of restrictive procedures that recommends how to further reduce these procedures and eliminate the use of seclusion. By January 15, April 15, July 15, and October 15 of each year, districts must report, in a form and manner determined by the Commissioner, about individual students who have been secluded. By July 15 each year, districts must report summary data. The summary data must include information on the use of restrictive procedures for the prior school year, July 1 through June 30, including the use of reasonable force by school personnel that is consistent with the definition of physical holding or seclusion of a child with a disability.

Legal References:

- Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
- Minn. Stat. §§ 121A.40-121A.56 (Minnesota Pupil Fair Dismissal Act)
- Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
- Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)
- Minn. Stat. § 121A.67(Removal by Police Officer)
- Minn. Stat. § 125A.094-125A.0942 (Restrictive Procedures for Children with Disabilities)
- Minn. Stat. § 609.06 (Authorized Use of Force)
- Minn. Stat. § 609.379 (Permitted Actions)
- 20 U.S.C. 1232g *et seq.* (Family Educational Rights and Privacy (FERPA))
- 20 U.S.C. § 1415(k) (6) (Individuals with Disabilities Education Act)
- 34 C.F.R. § 300.535 (Referral to and Action by Law Enforcement and Judicial Authorities)

Cross References



Fridley Public Schools is committed to creating a welcoming, respectful environment that provides an equitable and inclusive education for each student, staff and community member by ensuring that opportunities, access, and resources are aligned to support the growth and academic achievement of each student.

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

School Board Action:

Adopted as Policy 532 March 16, 2004

Revised April 17, 2007

Revised August 16, 2011

Revised September 17, 2013

Revised June 21, 2016

Revised October 15, 2019

Revised March 15, 2022

Revised December 20, 2022

Revised August 15, 2023



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534 School Meals Policy

I. PURPOSE

The purpose of this policy is to ensure that students receive healthy and nutritious meals through the school district's nutrition program and that school district employees, families, and students have a shared understanding of expectations regarding meal charges. The policy of the school district is to provide meals to students in a respectful manner and to maintain the dignity of students by prohibiting lunch shaming or otherwise ostracizing the student. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day and minimize identification of students with insufficient funds to pay for ~~school~~ a la carte items or second meals as well as to maintain the financial integrity of the school nutrition program.

II. PAYMENT OF MEALS

A. Fridley Public Schools utilizes student meal accounts and it is the parents or guardian's responsibility to keep adequate funds in the accounts for al la carte items or second meals. Parents or guardians can add money online via Infinite Campus Parent Portal. At the Elementary Schools, cash or check can be turned in to the student's teacher or at the school's main office. At the Middle School, cash or check can be turned in to the main office. At the High School, cash or check can be turned in to the Nutritional Services Department in the district office.

~~B. If the school district receives school lunch aid under Minnesota Statutes section 124D.111, it must make lunch available without charge to all participating students who qualify for free or reduced price meals regardless of account balance. A school that participates in the United States Department of Agriculture National School Lunch program and has an Identified Student Percentage at or above the federal percentage determined for all meals to be reimbursed at the free rate must participate in the federal Community Eligibility Provision in order to participate in the free school meals program.~~

C. Each school that participates in the free school meals program must:

(1) participate in the United States Department of Agriculture School Breakfast Program and the United States Department of Agriculture National School Lunch Program; and

(2) provide to all students at no cost up to two federally reimbursable meals per school day, with a maximum of one free breakfast and one free lunch.

B-D.

~~A student with an outstanding meal charge debt will be allowed to purchase a meal if the student pays for the meal when it is received.~~

~~A student who has been determined to be eligible for free and reduced-price lunch must always be served a reimbursable meal even if the student has an outstanding debt.~~

Once a meal has been placed on a student's tray or otherwise served to a student, the meal may not be subsequently withdrawn from the student by the cashier or other school official, whether or not the student has an outstanding meals balance.

~~If a student account has insufficient funds to pay for meals, the student will only be allowed to charge a standard reimbursable meal. Alternative meals will not be provided.~~

~~C.E.~~ When a student has a negative account balance, the student will not be allowed to charge an ala carte or snack item.

~~D.F.~~ If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.

III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION

- A. The school district will make reasonable efforts to notify families when meal account balances are low or fall below zero.
- B. Families will be notified of negative balance once the negative balance reaches \$6.00. Families will be notified by automated Campus Messenger emails and phone calls. The phone calls and emails are sent out weekly.
- C. Reminders for payment of outstanding student meal balances will not demean or stigmatize any student participating in the school lunch program, including, but not limited to, dumping meals, withdrawing a meal that has been served, announcing or listing students' names publicly, providing alternative meals not specifically related to dietary needs; providing non reimbursable meals; or affixing stickers, stamps, or pins.

IV. UNPAID MEAL CHARGES

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free ~~and-or~~ reduced-price meals for their children.

- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$10.00, not paid prior to the end of the school year will be turned over to the superintendent or superintendent's designee for collection. The Nutritional Services Department may contact school administrators and Deans to assist in collecting unpaid meal balances. In some instances, the school district does use a collection agency to collect unpaid school meal debts after reasonable efforts first have been made by the school district to collect the debt. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- E. The school district will not impose any other restriction prohibited under Minnesota Statutes section 123B.37 due to unpaid student meal balances. The school district will not limit a student's participation in any school activities, graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities or access to materials, technology, or other items provided to students due to an unpaid student meal balance.

V. COMMUNICATION OF POLICY

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

Legal References:



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Minn. Stat. § 123B.37 (Prohibited Fees)

Minn. Stat. § 124D.111 (Lunch Aid; Food Service Accounting)

42 U.S.C. § 1751 *et seq.* (Healthy and Hunger-Free Kids Act)

7 C.F.R. § 210 *et seq.* (School Lunch Program Regulations)

7 C.F.R. § 220.8 (School Breakfast Program Regulations)

USDA Policy Memorandum SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies (2016)

USDA Policy Memorandum SP 47-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments (2016)

USDA Policy Memorandum SP 23-2017, Unpaid Meal Charges: Guidance and Q&A

Cross References:

None

School Board Action:

Adopted as Policy 534 on May 17, 2022

Revised August 15, 2023

Only ONE Reading Needed

708 TRANSPORTATION OF NONPUBLIC SCHOOL STUDENTS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. ELIGIBILITY

- A. The school district shall provide equal transportation within the district for all students to any school when transportation is deemed necessary by the school district because of distance or traffic conditions in like manner and form as provided in Minnesota State Statutes 123B.88 and 123B.02 when applicable.
- B. Upon the request of a parent or guardian, the school district must provide school bus transportation to the school district boundary for students residing in the school district at least the same distance from a nonpublic school actually attended in another school district as public school students are transported in the transporting school district. Such transportation must be provided whether or not there is another nonpublic school within the transporting school district, if the transportation is to schools maintaining grades or departments not maintained in the school district or if the attendance of such students at school can more safely, economically, or conveniently be provided for by such means.
- C. The school district may provide school bus transportation to a nonpublic school in another school district for students residing in the school district and attending that school, whether there is or is not another nonpublic school within the transporting school district, if the transportation is to schools maintaining grades or departments not maintained in the school district or if the attendance of such students at school can more safely, economically, or conveniently be provided for by such means. If the school district transports students to a nonpublic school located in another school district, the nonpublic school shall pay the cost of such transportation provided outside the school district boundaries.
- D. The school district must provide the necessary transportation within school district boundaries between the nonpublic school and a public school or neutral site for nonpublic school students who are provided pupil support services, if the school district elects to provide pupil support services at a site other than a nonpublic school.

- E. When transportation is provided, the scheduling of routes, manner and method of transportation, control and discipline of students and any other matter relating thereto shall be within the sole discretion, control and management of the school district. A nonpublic or charter school student transported by the school district shall comply with school district student bus conduct and student bus discipline policies.
- F. F. The school board and a nonpublic school may mutually agree to a written plan for the board to provide nonpublic pupil transportation to nonpublic school students. The school district must report the number of nonpublic school students transported and the nonpublic pupil transportation expenditures incurred in the form and manner specified by the Minnesota Commissioner of Education.
- G. If the school board provides pupil transportation through the school's employees, the school board may transport nonpublic school students according to the plan and retain the nonpublic pupil transportation aid attributable to that plan. A nonpublic school may make a payment to the school district to cover additional transportation services agreed to in the written plan for nonpublic pupil transportation services not required under Minnesota Statutes, sections 123B.84 to 123B.87.
- H. A school board that contracts for pupil transportation services may enter into a contractual arrangement with a school bus contractor according to the written plan adopted by the school board and the nonpublic school to transport nonpublic school students and retain the nonpublic pupil transportation aid attributable to that plan for the purposes of paying the school bus contractor. A nonpublic school may make a payment to the school district to cover additional transportation services agreed to in the written plan for nonpublic pupil transportation services included in the contract that are not required under Minnesota Statutes, sections 123B.84 to 123B.87.
- I. Additional transportation to and from a nonpublic school may be provided at the expense of the school district when such services are provided in the discretion of the school district.

IV. STUDENTS WITH DISABILITIES

- A. If a resident student with a disability attends a nonpublic school located within the school district, the school district must provide necessary transportation for the student within the school district between the nonpublic school and the educational facility where special instruction and services are provided on a shared-time basis. If a resident student with a disability attends a nonpublic school located in another school district and if no agreement exists for the provision of special instruction and services on a shared time basis to that student by the school district of attendance and where the special instruction and services are provided within the school district, the school district shall provide necessary transportation for that student between the school district boundary and the educational facility. The school district may provide necessary transportation for that

- student between its boundary and the nonpublic school attended, but the nonpublic school shall pay the cost of transportation provided outside the school district boundary. School districts may make agreements for who provides transportation. Parties serving students on a shared time basis have access to the due process hearing system and the complaint system under state and federal law.
- B. When the disabling conditions of a student with a disability are such that the student cannot be safely transported on the regular school bus and/or school bus route and/or when the student is transported on a special route for the purpose of attending an approved special education program, the student shall be entitled to special transportation at the expense of the school district. The school district shall determine the type of vehicle used to transport students with a disability on the basis of the disabling conditions and applicable laws. This section shall not be applicable to parents who transport their own child under a contract with the school district.
- C. Each driver and aide assigned to a vehicle transporting students with a disability must (1) be instructed in basic first aid and procedures for the students under their care; (2) within one month after the effective date of assignment, participate in a program of in-service training on the proper methods of dealing with the specific needs and problems of students with disabilities; (3) assist students with disabilities on and off the bus when necessary for their safe ingress and egress from the bus; and (4) ensure that proper safety devices are in use and fastened properly.
- D. Each driver and aide assigned to a vehicle transporting students with a disability shall have available to them the following information in hard copy or immediately accessible through a two-way communication system: (1) the student's name and address; (2) the nature of the student's disabilities; (3) emergency health care information; and (4) the names and telephone numbers of the student's physician, parents, guardians, or custodians, and some person other than the student's parents or custodians who can be contacted in case of an emergency.
- E. Any parent of a student with a disability who believes that the transportation services provided for that child are not in compliance with the applicable law may utilize the alternative dispute resolution and due process procedures provided for in Minnesota State Statutes chapter 125A.

V. APPLICATION OF GENERAL POLICY

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

Legal References:

Updated July 2011

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

Minn. Stat. § 123B.84 (Policy)



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- Minn. Stat. § 123B.86 (Equal Treatment)
- Minn. Stat. § 123B.88 (Independent School Districts, Transportation)
- Minn. Stat. § 123B.91, Subd. 1a (School District bus Safety Requirements)
- Minn. Stat. § 123B.92 (Transportation Aid Entitlement)
- Minn. Stat. Ch. 125A (Children With a Disability)
- Minn. Stat. Ch. 125A.18 (Special Instruction; Nonpublic Schools)
- Minn. Rules Part 7470.1600 (Transporting Pupils with Disability)
- Minn. Rules 7470.1700 (Drivers and Aides for Pupils with Disabilities)
- 34 C.F.R. §§ 300.600-300.662 (Monitoring, Enforcement, Confidentiality, and Program Information)
- Americans United, Inc. as Protestants and Other Am. United for Separation of Church and State, et al. v. Independent Sch. Dist. No. 622, et al.*, 288 Minn. 1996, 179 N.W.2d 146 (Minn. 1970)
- Eldredge v. Independent Sch. Dist. No. 625*, 422 N.W.2d 319 (Minn. Ct. App. 1988)
- Healy v. Independent Sch. Dist. No. 625*, 962 F.2d 1304 (8th Cir. 1992)
- Minn. Op. Atty. Gen. 166a-7 (June 3, 1983)
- Minn. Op. Atty. Gen. 166a-7 (Sept. 14, 1981)
- Minn. Op. Atty. Gen. 166a-7 (July 15, 1976)
- Minn. Op. Atty. Gen. 166a-7 (July 17, 1970)
- Minn. Op. Atty. Gen. 166a-7 (Oct. 3, 1969)
- Minn. Op. Atty. Gen. 166a-7 (Sept. 12, 1969)

Cross References:

Updated July 2011

MSBA/MASA Model Policy 707 (Transportation of Public School Students)

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

School Board Action:

Adopted as Policy 10.209 March 15, 1983

Revised as Policy 708 February 19, 2008

Revised July 15, 2008

Revised October 16, 2018

Revised December 20, 2022

Revised August 15, 2023

709 STUDENT TRANSPORTATION SAFETY POLICY

I. PURPOSE

The purpose of this policy is to provide safe transportation for students and to educate students on safety issues and the responsibilities of school bus ridership.

II. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING

A. School Bus Safety Week

The school district may designate a school bus safety week. The National School Bus Safety Week is the third week in October.

B. Student School Bus Safety Training

1. The school district shall provide students enrolled in grades kindergarten (K) through 10 with age-appropriate school bus safety training of the following concepts:
 - a. transportation by school bus is a privilege, not a right;
 - b. school district policies for student conduct and school bus safety;
 - c. appropriate conduct while on the bus;
 - d. the danger zones surrounding a school bus;
 - e. procedures for safely boarding and leaving a school bus;
 - f. procedures for safe vehicle lane crossing; and
 - g. school bus evacuation and other emergency procedures.
2. All students in grades K through 6 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training by the end of the third week of school. All students in grades 7 through 10 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training or receive bus safety instruction materials by the end of the sixth week of school, if they have not previously received school bus training. Students in grades K through 10 who enroll in a school after the second week of school, are transported by school bus, and have not

received training in their previous school districts shall undergo school bus safety training or receive bus safety instructional materials within four weeks of their first day of attendance.

3. The school district and a nonpublic school with students transported by school bus at public expense must provide students enrolled in grades K through 3 school bus safety training twice during the school year.
4. Students taking driver's training instructional classes must receive training in the laws and proper procedures for operating a motor vehicle in the vicinity of a school bus as required by Minnesota Statutes section 169.446, subdivision 2.
5. The school district and a nonpublic school with students transported by school bus at public expense must conduct a school bus evacuation drill at least once during the school year.
6. The school district will make reasonable accommodations in training for students known to speak English as a second language and students with disabilities.
7. The school district may provide kindergarten students with school bus safety training before the first day of school.
- ~~8. The school district may provide student safety education for bicycling and pedestrian safety for students in grades K through 5.~~
89. The school district shall adopt and make available for public review a curriculum for transportation safety education.
910. Nonpublic school students transported by the school district will receive school bus safety training by their nonpublic school. The nonpublic schools may use the school district's school transportation safety education curriculum. Upon request by the school district superintendent, the nonpublic school must certify to the school district's school transportation safety director that all students enrolled in grades K through 10 have received the appropriate training.

C. Active Transportation Safety Training

1. Training required

- a. The school district must provide public school pupils enrolled in kindergarten through grade 3 with age-appropriate active transportation safety training. At a minimum, the training must include pedestrian safety, including crossing roads.
- b. The school district must provide pupils enrolled in grades 4 through 8 with age-appropriate active transportation safety training. At a minimum, the training must include:
 - (1) pedestrian safety, including crossing roads safely using the searching left, right, left for vehicles in traffic technique; and
 - (2) bicycle safety, including relevant traffic laws, use and proper fit of protective headgear, bicycle parts and safety features, and safe biking techniques.

2. Deadlines.

- a. Students under subdivision 1, paragraph (a), who are enrolled during the first or second week of school and have not previously received active transportation safety training specified in that paragraph must receive the safety training by the end of the third week of school.
- b. Students under subdivision 1, paragraph (b), who are enrolled during the first or second week of school and have not previously received active transportation safety training specified in that paragraph must receive the safety training by the end of the sixth week of school.
- c. Students under subdivision 1, paragraph (a) or (b), who enroll in a school after the second week of school and have not received the appropriate active transportation safety training in their previous school district must undergo the training or receive active transportation safety instructional materials within four weeks of the first day of attendance.
- d. The school district and a nonpublic school may provide kindergarten pupils with active transportation safety training before the first day of school.

3. Instruction

- a. The school district may provide active transportation safety training through distance learning.
- b. The district and a nonpublic school must make reasonable accommodations for the active transportation safety training of pupils known to speak English as a second language and pupils with disabilities.

III. CONDUCT ON SCHOOL BUSES AND CONSEQUENCES FOR MISBEHAVIOR

- A. Riding the school bus is a privilege, not a right. The school district's general student behavior rules are in effect for all students on school buses; including nonpublic and charter school students.
- B. Consequences for school bus/bus stop misconduct will be imposed by the school district under adopted administrative discipline procedures. In addition, all school bus/bus stop misconduct will be reported to the school district's transportation safety director. Serious misconduct may be reported to local law enforcement.
 - 1. School Bus and Bus Stop Rules: The school district school bus safety rules are to be posted on every bus. If these rules are broken, the school district's discipline procedures are to be followed. In most circumstances, consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the school district's transportation director/school office.
 - 2. Rules at the Bus Stop
 - a. Get to your bus stop five minutes before your scheduled pick up time. The school bus driver will not wait for late students.
 - b. Respect the property of others while waiting at your bus stop.
 - c. Keep your arms, legs and belongings to yourself.
 - d. Use appropriate language.
 - e. Stay away from the street, road or highway when waiting for the bus.

- f. Wait until the bus stops before approaching the bus.
 - g. After getting off the bus, move away from the bus.
 - h. If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
 - i. No fighting, harassment, intimidation or horseplay.
 - j. No use of alcohol, tobacco or drugs.
3. Rules on the Bus
- a. Immediately follow the directions of the driver.
 - b. Sit in your seat facing forward.
 - c. Talk quietly and use appropriate language.
 - d. Keep all parts of your body inside the bus.
 - e. Keep your arms, legs and belongings to yourself.
 - f. No fighting, harassment, intimidation or horseplay.
 - g. Do not throw any object.
 - h. No eating, drinking, or use of alcohol, tobacco, or drugs.
 - i. Do not bring any weapons or dangerous objects on the school bus.
 - j. Do not damage the school bus.
4. Consequences
- a. Consequences for school bus/bus stop misconduct will apply to all regular and late routes and all forms of school provided transportation, hereafter referred to as “bus.” Decisions regarding a student’s ability to ride the bus in connection with cocurricular and extracurricular events (for example, field trips or competitions) will be in the sole discretion of the school district. Parents or guardians will be notified of any suspension of bus privileges. Consequences for misconduct on buses will be assigned based on

the nature of the offense and the severity of a student's conduct. Consequences up to and including suspension or expulsion from school may result from school bus/bus stop misconduct.

- b. Records of school bus/bus stop misconduct will be forwarded to the individual school building and will be retained in the same manner as other student discipline records. Reports of student misbehavior on a school bus or in a bus-loading or unloading area that causes an immediate and substantial danger to the student or surrounding persons or property will be provided by the school district to the state in accordance with state and federal law.
- c. Vandalism/Bus Damage: Students damaging school buses will be responsible for the damages. Failure to pay such damages (or make arrangements to pay) within two weeks may result in the loss of bus privileges until damages are paid.
- d. School bus and bus stop rules and consequences for violations of these rules will be reviewed with students annually and copies of these rules will be made available to students. School bus rules are to be posted on each school bus.
- e. In cases involving criminal conduct (for example: assault, chemical violations, weapons, or vandalism), the appropriate school district personnel and local law enforcement officials will be informed.

IV. PARENT AND GUARDIAN INVOLVEMENT

A. Parent and Guardian Notification

The school district school bus and bus stop rules will be provided to each family. Parents and guardians are asked to review the rules with their children.

B. Parents/Guardians Responsibilities for Transportation Safety

Parents/Guardians are responsible to:

1. Become familiar with school district rules, policies, regulations, and the principles of school bus safety, and thoroughly review them with their children;
2. Support safe riding and walking practices, and recognize that students are responsible for their actions;

3. Communicate safety concerns to their school administrators;
4. Monitor bus stops, if possible;
5. Have their children to the bus stop five minutes before the bus arrives;
6. Have their children properly dressed for the weather; and
7. Have a plan in case the bus is late.

V. SCHOOL BUS DRIVER DUTIES AND RESPONSIBILITIES

- A. Contracted services shall ensure that all school bus drivers have the appropriate, valid driver's license with all necessary endorsements as required by state and federal law for all of the equipment they operate.
- B. A person possessing a valid driver's license, without a school bus endorsement, may drive a vehicle with a seating capacity of 10 or fewer persons used as a school bus, but not outwardly equipped or identified as a school bus as set forth below. Drivers with a valid Class D driver's license, without a school bus endorsement, may operate a "Type III" school bus as set forth below.
- C. As required under federal law, testing for alcohol, marijuana, cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP), is mandatory for all school district employees and job applicants whose positions require a commercial driver's license.
- D. Contracted bus services will be responsible for meeting all state and federal requirements, including but not limited to implementing mandatory drug and alcohol testing. Contracted bus services will be responsible for affirming to the district in writing, as part of the contract, that it is in compliance with all federal and state mandatory drug and alcohol testing requirements and will not hire applicants who test positive.
- E. A person who operates a type III vehicle and who sustains a conviction as described in Section VII.C.1.g. (*i.e.*, driving while impaired offenses), VII.C.1.h. (*i.e.*, felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor), or VII.C.1.i. (multiple moving violations) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the person's employer within ten days of the date of the conviction. The notification

shall be in writing and shall contain all the information set forth in Attachment C accompanying this policy. This provision does not apply to a school district employee whose normal duties do not include operating a type III vehicle.

VI. SCHOOL BUS DRIVER TRAINING

A. Training

1. Contracted bus services will be responsible for ensuring that all new school bus drivers shall be provided with pre-service training, including in-vehicle (actual driving) instruction before transporting students and shall meet the competency testing specified in the Minnesota Department of Public Safety Model School Bus Driver Training Manual. All school bus drivers shall, through contracted services, receive in-service training annually. For purposes of this section, “annually” means at least once every 380 days from the initial or previous evaluation and at least once every 380 days from the initial or previous license verification. Such in-service training sessions shall be scheduled so as not to interfere with daily student transportation. Contracted bus services shall retain on file, and provide to the district upon request, an annual individual school bus driver “evaluation certification” form for each school bus driver as contained in the Model School Bus Driver Training Manual.
2. All bus drivers operating a type III vehicle will be provided with annual training and certification as set forth in Section VII.C.1.b., below, by either the school district or the entity from whom such services are contracted by the school district.

B. Evaluation

1. Through contracted services, school bus drivers with a Class D license will be evaluated annually and all other bus drivers will be assessed periodically for the following competencies:
 - a. Safely operate the type of school bus the driver will be driving;
 - b. Understand student behavior, including issues relating to students with disabilities;
 - c. Ensure orderly conduct of students on the bus and handling incidents of misconduct appropriately;

- d. Know and understand relevant laws, rules of the road and local school bus safety policies;
 - e. Handle emergency situations; and
 - e. Safely load and unload students.
2. The evaluation must include completion of an individual “school bus driver evaluation form” (road test evaluation) as contained in the Model School Bus Driver Training Manual.

VII. OPERATING RULES AND PROCEDURES

A. General Operating Rules

- 1. School buses shall be operated in accordance with state traffic and school bus safety laws and the procedures contained in the Minnesota Department of Public Safety Model School Bus Driver Training Manual.
- 2. Only students assigned to the school bus by the school district shall be transported. The number of students or other authorized passengers transported in a school bus shall not be more than the legal capacity for the bus. No person shall be allowed to stand when the bus is in motion.
- 3. The parent/guardian may designate, pursuant to school district policy, a day care facility, respite care facility, the residence of a relative or the residence of a person chosen by the parent or guardian as the address of the student for transportation purposes. The address must be in the attendance area of the assigned school and meet all other eligibility requirements.
- 4. Bus drivers must minimize, to the extent practical, the idling of school bus engines and exposure of children to diesel exhaust fumes.
- 5. To the extent practical, the school district will designate school bus loading/unloading zones at a sufficient distance from school air-intake systems to avoid diesel fumes from being drawn into the systems.
- 6. A bus driver may not operate a school bus while communicating over, or otherwise operating, a cellular phone for personal reasons, whether hand-held or hands free, when the vehicle is in motion or a part of traffic. For

purposes of this paragraph, “school bus” has the meaning given in Minnesota Statutes section 169.011, subdivision 71. In addition, “school bus” also includes type III vehicles when driven by employees or agents of the school district. “Cellular phone” means a cellular, analog, wireless, or digital telephone capable of sending or receiving telephone or text messages without an access line for service.

B. Type III Vehicles

1. Type III vehicles are restricted to passenger cars, station wagons, vans, and buses having a maximum manufacturer’s rated seating capacity of 10 or fewer people including the driver and a gross vehicle weight rating of 10,000 pounds or less. A van or bus converted to a seating capacity of 10 or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.
2. Type III vehicles must be painted a color other than national school bus yellow.
3. Type III vehicles shall be state inspected in accordance with legal requirements.
4. ~~A type III vehicle cannot be older than 12 years old unless excepted by state and federal law. Vehicles model year 2007 or older must not be used as type III vehicles to transport school children, except those vehicles that are manufactured to meet the structural requirements of federal motor vehicle safety standard 222, Code of Federal Regulations, title 49, part 571.~~
5. If a type III vehicle is school district owned, the school district name will be clearly marked on the side of the vehicle. The type III vehicle must not have the words “school bus” in any location on the exterior of the vehicle or in any interior location visible to a motorist.
6. A “type III vehicle” and “Type III Head Start bus” must not be outwardly equipped and identified as a type A, B, C, or D bus.
7. Eight-lamp warning systems and stop arms must not be installed or used on type III vehicles.
8. Type III vehicles must be equipped with mirrors as required by law.
9. Any type III vehicle may not stop traffic and may not load or unload before making a complete stop and disengaging gears by shifting into

neutral or park. Any type III vehicle used to transport students must not load or unload so that a student has to cross the road, except where not possible or impractical, then the driver or assistant must escort a student across the road. If the driver escorts the student across the road, then the motor must be stopped, the ignition key removed, the brakes set, and the vehicle otherwise rendered immobile.

10. Any type III vehicle used to transport students must carry emergency equipment including:
 - a. Fire extinguisher. A minimum of one 10BC rated dry chemical type fire extinguisher is required. The extinguisher must be mounted in a bracket, and must be located in the driver's compartment and be readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.
 - b. First aid kit and body fluids cleanup kit. A minimum of a ten-unit first aid kit and a body fluids cleanup kit is required. They must be contained in removable, moisture- and dust-proof containers mounted in an accessible place within the driver's compartment and must be marked to indicate their identity and location.
 - d. Passenger cars and station wagons may carry a fire extinguisher, a first aid kit, and warning triangles in the trunk or trunk area of the vehicle if a label in the driver and front passenger area clearly indicates the location of these items.
11. Students will not be regularly transported in private vehicles that are not state inspected as type III vehicles. Only emergency, unscheduled transportation may be conducted in vehicles with a seating capacity of 10 or fewer without meeting the requirements for a type III vehicle. Also, parents may use a private vehicle to transport their own children under a contract with the district. The school district has no system of inspection for private vehicles.
12. All drivers of type III vehicles will be licensed drivers and will be familiar with the use of required emergency equipment. The school district will not knowingly allow a person to operate a type III vehicle if the person has been convicted of an offense that disqualifies the person from operating a school bus.

13. Type III vehicles will be equipped with child passenger restraints, and child passenger restraints will be utilized to the extent required by law.
- C. Type III Vehicle Driven by Employees with a Driver’s License Without a School Bus Endorsement
1. The holder of a Class A, B, C, or D driver’s license, without a school bus endorsement, may operate a type III vehicle, described above, under the following conditions:
 - a. The operator is an employee of the entity that owns, leases, or contracts for the school bus, which may include the school district.
 - b. The operator’s employer, which may include the school district, has adopted and implemented a policy that provides for annual training and certification of the operator in:
 - (1) safe operation of a type III vehicle;
 - (2) understanding student behavior, including issues relating to students with disabilities;
 - (3) encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately;
 - (4) knowing and understanding relevant laws, rules of the road, and local school bus safety policies;
 - (5) handling emergency situations;
 - (6) proper use of seat belts and child safety restraints;
 - (7) performance of pretrip vehicle inspections;
 - (8) safe loading and unloading of students, including, but not limited to:
 - (a) utilizing a safe location for loading and unloading students at the curb, on the nontraffic side of the roadway, or at off-street loading areas, driveways, yards, and other areas to enable the student to avoid hazardous conditions;

- (b) refraining from loading and unloading students in a vehicular traffic lane, on the shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane;
 - (c) avoiding a loading or unloading location that would require a student to cross a road, or ensuring that the driver or an aide personally escort the student across the road if it is not reasonably feasible to avoid such a location; and
 - (d) placing the type III vehicle in “park” during loading and unloading; and
 - (e) escorting a student across the road under clause c only after the motor is stopped, the ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile; and
- (9) compliance with paragraph V.F concerning reporting convictions to the employer within ten days of the date of conviction.
- c. A background check or background investigation of the operator has been conducted that meets the requirements under Minnesota Statutes section 122A.18, Subdivision 8, or Minnesota Statutes section 123B.03 for school district employees; Minnesota Statutes section 144.057 or Minnesota Statutes chapter 245C for day care employees; or Minnesota Statutes section 171.321, subdivision. 3, for all other persons operating a type A or type III vehicle under this section.
 - d. Operators shall submit to a physical examination as required by Minnesota Statutes section 171.321, subdivision 2.
 - e. The operator’s employer requires preemployment drug and alcohol testing of applicants for operator positions. Current operators must comply with the employer’s policy under Minnesota Statutes section 181.951, subdivisions 2, 4, and 5. Notwithstanding any law to the contrary, the operator’s employer may use a breathalyzer or similar device to fulfill random alcohol testing requirements.

- f. The operator's driver's license is verified annually by the entity that owns, leases, or contracts for the type III vehicle as required by Minnesota Statutes section 171.321, subdivision 5.
 - g. A person who sustains a conviction, as defined under Minnesota Statutes section 609.02, of violating Minnesota Statutes sections 169A.25, 169A.26, 169A.27 (driving while impaired offenses), or 169A.31 (alcohol-related school bus driver offenses), or whose driver's license is revoked under Minnesota Statutes sections 169A.50 to 169A.53 of the implied consent law, or who is convicted of violating or whose driver's license is revoked under a similar statute or ordinance of another state, is precluded from operating a type III vehicle for five years from the date of conviction.
 - h. A person who has ever been convicted of a disqualifying offense as defined in Minnesota Statutes section 171.3215, subdivision 1(c), (*i.e.*, felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor) may not operate a type III vehicle.
 - i. A person who sustains a conviction, as defined under Minnesota Statutes section 609.02, of a moving offense in violation of Minnesota Statutes chapter 169 within three years of the first of three other moving offenses is precluded from operating a type III vehicle for one year from the date of the last conviction or does not meet requirements from district's insurance carrier.
 - j. Students riding the type III vehicle must have training required under Minnesota Statutes section 123B.90, subdivision. 2 (See Section II.B. above).
 - k. Documentation of meeting the requirements listed in this section must be maintained under separate file at the business location for each type III vehicle operator. The school district or any other entity that owns, leases, or contracts for the type III vehicle operating under this section is responsible for maintaining these files for inspection.
2. The type III vehicle must bear a current certificate of inspection issued under Minnesota Statutes section 169.451.

3. An employee of the school district who is not employed for the sole purpose of operating a type II vehicle may, in the discretion of the school district, be exempt from paragraphs, VII.C.1.d. (physical examination), and VII.C.1.e. (drug testing), above.
- D. Type A-I “Activity” Buses Driven by Employees with Driver’s License Without a School Bus Endorsement
1. The holder of a Class D driver’s license, without a school bus endorsement, may operate a type III school bus or a Multifunctional School Activity Bus (MFSAB) under the following conditions:
 - a. The operator is an employee of the school district or an independent contractor with whom the school district contracts for the school bus and is not solely hired to provide transportation services under this paragraph.
 - b. The operator drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.
 - c. The operator is prohibited from using the eight-light system if the vehicle is so equipped.
 - d. The operator has submitted to a background check and physical examination as required by Minnesota state statute.
 - e. The operator has a valid driver’s license and has not sustained a conviction of a disqualifying offense as set forth in Minnesota state statute.
 - f. The operator has been trained in the proper use of child safety restraints as set forth in the National Highway Traffic Safety Administration’s “Guideline for the Safe Transportation of Pre-school Age Children in School Buses” if child safety restraints are used by passengers, in addition to the training required above.
 2. The school district shall maintain annual certification of the requirements listed in this section for each Class D license operator.
 3. A school bus operated under this section must bear a current certificate of inspection.

4. The word “School” on the front and rear of the bus must be covered by a sign that reads “Activities” when the bus is being operated under authority of this section.

VIII. SCHOOL DISTRICT EMERGENCY PROCEDURES

- A. If possible, school bus drivers or their supervisors shall call “911” or the local emergency phone number in the event of a serious emergency.
- B. School bus drivers shall meet the emergency training requirements contained in Unit III “Crash & Emergency Preparedness” of the Minnesota Department of Public Safety Model School Bus Driver Training Manual. This includes procedures in the event of a crash (accident).
- C. School bus drivers and bus assistants for special education students requiring special transportation service because of their handicapping condition shall be trained in basic first aid procedures, shall within one month after the effective date of assignment participate in a program of in-service training on the proper methods for dealing with the specific needs and problems of students with disabilities, assist students with disabilities on and off the bus when necessary for their safe ingress and egress from the bus; and ensure that protective safety devices are in use and fastened properly.
- D. Emergency Health Information shall be maintained on the school bus for students requiring special transportation service because of their handicapping condition. The information shall state:
 1. the student’s name and address;
 2. the nature of the student’s disabilities;
 3. emergency health care information; and
 4. the names and telephone numbers of the student’s physician, parents, guardians, or custodians, and some person other than the student’s parents or custodians who can be contacted in case of an emergency.

IX. SCHOOL DISTRICT VEHICLE MAINTENANCE STANDARDS

Contracted bus services shall ensure that:

- A. All school vehicles are maintained in safe operating conditions through a systematic preventive maintenance and inspection program adopted or approved by the school district.
- B. All school vehicles are state inspected in accordance with legal requirements.
- C. A copy of the current daily pre-trip inspection report is carried in the bus. Daily pre-trip inspections are maintained on file in accordance with the school district's record retention schedule. Prompt reports of defects to be immediately corrected will be submitted.
- D. Daily post-trip inspections are performed to check for any children or lost items remaining on the bus and for vandalism.

X. TRANSPORTATION COORDINATOR

The School Board has designated the transportation coordinator to serve as the school district's school transportation safety coordinator. The school transportation safety coordinator shall have day-to-day responsibility for student transportation safety, including transportation of nonpublic school children when provided by the school district. The school transportation safety coordinator will assure that this policy is periodically reviewed to ensure that it conforms to law. Contracted transportation services must maintain and supply upon demand, records verifying that each school bus driver meets the school bus driver training competencies required by Minnesota Statutes section 171.321, Subdivision 4. The transportation safety coordinator also shall annually verify or ensure that the private contractor utilized by the school has verified the validity of the driver's license of each employee who regularly transports students for the school district in a type A, B, C, or D school bus or type III vehicle or MFSAB with the National Driver's Register or the Department of Public Safety. Upon request of the school district superintendent or the superintendent of the school district where nonpublic students are transported, the school transportation safety director also shall certify to the superintendent that students have received school bus safety training in accordance with state law. The name, address and telephone number of the school transportation safety coordinator are on file in the school district office. Any questions regarding student transportation or this policy may be addressed to the school transportation safety coordinator.

Legal References:

Minn. Stat. § 122A.18, Subd. 8 (Board to Issue Licenses)

Minn. Stat. § 123B.03 (Background Check)

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

Minn. Stat. § 123B.88 (Independent School Districts; Transportation)
Minn. Stat. § 123B.885 (Diesel School Buses; Operation of Engine; Parking)
Minn. Stat. § 123B.90 (School Bus Safety Training)
Minn. Stat. § 123B.91 (School District Bus Safety Responsibilities)
[Minn. Stat. § 123B.935 \(Active Transportation Safety Training\)](#)
Minn. Stat. § 144.057 (Background Studies on Licensees and Other Personnel)
Minn. Stat. Ch. 169 (Traffic Regulations)
Minn. Stat. § 169.011, Subds. 15, 16, and 71 (Definitions)
Minn. Stat. § 169.02 (Scope)
Minn. Stat. § 169.443 (Safety of School Children; Bus Driver's Duties)
Minn. Stat. § 169.446, Subd. 2 (Safety of School Children; Training and Education Rules)
Minn. Stat. § 169.451 (Inspecting School and Head Start Buses; Rules; Misdemeanor)
Minn. Stat. § 169.454 (Type III Vehicle Standards)
Minn. Stat. § 169.4582 (Reportable Offense on School Buses)
Minn. Stat. §§ 169A.25-169A.27 (Driving While Impaired)
Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)
Minn. Stat. §§ 169A.50-169A.53 (Implied Consent Law)
Minn. Stat. § 171.02, Subds. 2, 2a, and 2b (Licenses; Types, Endorsements, Restrictions)
Minn. Stat. § 171.168 (Notice of Violation by Commercial Driver)
Minn. Stat. § 171.169 (Notice of Commercial License Suspension)
Minn. Stat. § 171.321 (Qualifications of School Bus Driver and Type III Vehicle Drivers)
Minn. Stat. § 171.3215, Subd. 1(c) (Canceling Bus Endorsement for Certain Offenses)
Minn. Stat. § 181.951 (Authorized Drug and Alcohol Testing)
Minn. Stat. Ch. 245C (Human Services Background Studies)
Minn. Stat. § 609.02 (Definitions)
Minn. Rules Parts 7470.1000-7470.1700 (School Bus Inspection)
49 C.F.R. Part 383 (Commercial Driver's License Standards; Requirements and Penalties)
49 C.F.R. § 383.31 (Notification of Convictions for Driver Violations)
49 C.F.R. § 383.33 (Notification of Driver's License Suspensions)
49 C.F.R. § 383.5 (Transportation Definitions)
49 C.F.R. § 383.51 (Disqualification of Drivers)
[49 C.F.R. Part 571 \(Federal Motor Vehicle Safety Standards\)](#)

Cross References:

MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 707 (Transportation of Public Students)
MSBA/MASA Model Policy 708 (Transportation of Nonpublic Students)
MSBA/MASA Model Policy 710 (Extracurricular Transportation)

School Board Action:

Adopted as Policy 10.75 October 18, 1994



Fridley Public Schools is committed to creating a welcoming, respectful environment that provides an equitable and inclusive education for each student, staff and community member by ensuring that opportunities, access, and resources are aligned to support the growth and academic achievement of each student.

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Only ONE Reading Needed

806 CRISIS MANAGEMENT POLICY

I. PURPOSE

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

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

II. GENERAL INFORMATION

A. The Policy and Plans

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

The school district's administration and/or the administration of each building shall present tailored building-specific crisis management plans to the School Board for review and approval along with the district Emergency Crisis Management Guide. Upon approval by the School Board, such crisis management plans shall be an addendum to this Crisis Management Policy. The Policy and the plans will be maintained and updated on an annual basis.

B. Elements of the District Crisis Management Policy

1. **General Crisis Procedures:** The Crisis Management Policy includes general crisis procedures for securing buildings, classroom evacuation, building evacuation, campus evacuation, and sheltering. The Policy designates the individual(s) who will determine when these actions will be taken. These district-wide procedures may be modified by building administrators when creating the building-specific crisis management plans. A communication system will be in place to enable the designated individual to be contacted at all times in the event of a potential crisis

setting forth the method to contact the designated individual, the provision of at least two designees when the contact person is unavailable, and the method to convey contact information to the appropriate staff persons. The alternative designees may include members of the Building Crisis Response Team. A secondary method of communication should be included when the primary method of communication is inoperable. Each building will have access to an Emergency Crisis Management Guide to assist in the development of the building-specific crisis management plans. Finally, all general crisis procedures will address specific procedures for children with special needs such as physical, sensory, motor, developmental, and mental health challenges.

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

sponsored events and functions. These district-wide procedures are designed to enable building administrators to tailor response procedures when creating building-specific crisis management plans.

3. Building Crisis Response Teams

- a. **Composition.** The building administrator in each school building will select a building crisis response team that will be trained to respond to emergency situations. All building crisis response team members will receive on-going training to carry out the building's crisis management plans and will have knowledge of procedures, evacuation routes, and safe areas. For purposes of student safety and accountability, to the extent possible, building crisis response teams will not have direct responsibility for the supervision of students. Team members must be willing to be actively involved in the resolution of crises and be available to assist in any crisis situation as deemed necessary by the building administrator. Each building will maintain a current list of building crisis response team members which will be updated annually. The building administrator and alternative designees will know the location of that list in the event of a school emergency. A copy of the list will be kept on file in the school district office.
- b. **Leaders.** The building administrator or designee will serve as the leader of the building crisis response team and will be the primary contact for the emergency response officials. In the event the primary designee is unavailable, the designee list should include more than one alternative designee and may include members of the building crisis response team. When emergency response officials are present, they may elect to take command and control of the crisis. It is critical in this situation that school officials assume a resource role and be available as necessary to emergency response officials.

III. PREPARATION BEFORE AN EMERGENCY

A. Communication

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

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

B. Planning and Preparation for Fire

1. Designate a safe area at least 50 feet away from the building to enable students and staff to evacuate. The safe area should not interfere with emergency responders or responding vehicles and should not be in an area where evacuated persons are exposed to any products of combustion.
2. Each building's facility diagram and site plan shall be available in appropriate areas of the building and shall identify the most direct evacuation routes to the designated safe areas both inside and outside of the building. The facility diagram and site plan must identify the location of the fire alarm control panel, fire alarms, fire extinguishers, hoses, water spigots, and utility shut offs.
3. Teachers and staff will receive training on the location of the primary emergency evacuation routes and alternate routes from various points in the building. During fire drills, students and staff will practice situations using primary evacuation and alternate routes.
4. Certain employees, such as those who work in hazardous areas in the building will receive training on the locations and proper use of fire extinguishers and protective clothing and equipment.
5. Fire drills will be conducted periodically without warning at various times of the day and under different circumstances. State law requires a minimum of five drills each school year.
6. A record of fire drills conducted at the building will be maintained in the building administrator's office.
7. The school district will have prearranged sites for emergency sheltering and transportation as needed.
8. The school district will determine which staff will remain in the building to perform essential functions if safe to do so (e.g. receptionist, head custodian, etc.). The school district also will designate an administrator or designee to meet local fire or law enforcement agents upon their arrival.

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- C. **Facility Diagrams and Site Plans:** All school buildings will have a facility diagram and site plan that includes the location of primary and secondary evacuation routes, exits, designated safe areas inside and outside of the building, and the location of fire alarm control panel, fire alarms, fire extinguishers, hoses, water spigots, and utility shut offs. All facility diagrams and site plans will be regularly updated and whenever a major change is made to a building. Facility diagrams and site plans will be maintained by the building administrator and on file in the school district office. Facility diagrams and site plans will be provided to first responders, such as fire and law enforcement personnel.
- D. **Emergency Telephone Numbers:** Each building will maintain a current list of emergency telephone numbers and the names and addresses of local, county, and state personnel who may be involved in a crisis situation. The list will include telephone numbers for local police, fire, ambulance, hospital, the Poison Control Center, county and state emergency management agencies, local public works departments, local utility companies, the public health nurse, mental health/suicide hotlines, and the county welfare agency. A copy of this list will be on file in the Emergency Crisis Management Guide and will be updated annually.

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

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

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

It shall be the responsibility of the building principal to inform students and employees of the system and the means by which the system is used to identify a specific crisis or emergency situation. Each building-specific crisis management plan will include the method and frequency of dissemination of the warning system information to students and employees.

- F. **Early School Closure Procedures:** The superintendent will make decisions about closing schools or buildings as early in the day as possible. The early school closure procedures will set forth the criteria for each school closure (e.g. weather-related, utility failure, or a crisis situation), will specify how closure decisions will be communicated to staff,

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students, families, and the school community (designated broadcast media, local authorities, e-mail, or district or school building web sites), and will discuss the factors to be considered in closing and reopening a school or building.

Early school closure procedures also will include a reminder to parents and guardians to check the district website, social media, and local TV stations for school closing announcements, where possible.

- G. **Media Procedures:** The superintendent has the authority and discretion to notify parents or guardians and the school community in the event of a crisis or early school closure. The superintendent will designate a spokesperson who will notify the media in the event of a crisis or early school closure. The spokesperson shall receive training to ensure that the district is in strict compliance with federal and state law relative to the release of private data when conveying information to the media.
- H. **Behavioral Health Crisis Intervention Procedures:** Short-term behavioral health crisis intervention procedures will set forth the procedure for initiating behavioral health crisis intervention plans. The procedures will utilize available resources including the school psychologist, counselor, community behavioral health crisis intervention, or others in the community. Counseling procedures will be used whenever the superintendent or the building administrator determines it to be necessary, such as after an assault, a hostage situation, shooting or suicide. The behavioral health crisis intervention procedures shall include the following steps:
1. Administrator will meet the relevant persons, including school psychologists and counselors, to determine the level of intervention needed for students and staff.
 2. Designate specific rooms as private counseling areas.
 3. Escort siblings and close friends of any victims as well as others in need of emotional support to the counseling areas.
 4. Prohibit media from interviewing or questioning students or staff.
 5. Provide follow-up services to students and staff who received counseling.
 6. Resume normal school routines as soon as possible.
- I. **Long Term Recovery Intervention Procedures:** Long-term recovery intervention procedures may involve both short-term and long-term recovery planning:
1. Physical/structural recovery
 2. Fiscal recovery
 3. Academic recovery
 4. Social/emotional recovery

IV. ACTIVE SHOOTER DRILL

A. Definitions

1. "Active shooter drill" means an emergency preparedness drill designed to teach students, teachers, school personnel, and staff how to respond in the event of an armed intruder on campus or an armed assailant in the immediate vicinity of the school. An active shooter drill is not an active shooter simulation, nor may an active shooter drill include any sensorial components, activities, or elements which mimic a real life shooting.
2. "Active shooter simulation" means an emergency exercise including full-scale or functional exercises, designed to teach adult school personnel and staff how to respond in the event of an armed intruder on campus or an armed assailant in the immediate vicinity of the school which also incorporates sensorial components, activities, or elements mimicking a real life shooting. Activities or elements mimicking a real life shooting include, but are not limited to, simulation of tactical response by law enforcement. An active shooter simulation is not an active shooter drill.
3. "Evidence-based" means a program or practice that demonstrates any of the following:
 - a. a statistically significant effect on relevant outcomes based on any of the following:
 - i. strong evidence from one or more well designed and well implemented experimental studies;
 - ii. moderate evidence from one or more well designed and well implemented quasi-experimental studies; or
 - iii. promising evidence from one or more well designed and well implemented correlational studies with statistical controls for selection bias; or
 - b. a rationale based on high-quality research findings or positive evaluations that the program or practice is likely to improve relevant outcomes, including the ongoing efforts to examine the effects of the program or practice.
4. "Full-scale exercise" means an operations-based exercise that is typically the most complex and resource-intensive of the exercise types and often

involves multiple agencies, jurisdictions, organizations, and real-time movement of resources.

5. "Functional exercises" means an operations-based exercise designed to assess and evaluate capabilities and functions while in a realistic, real-time environment, however, movement of resources is usually simulated.

B. Criteria

An active shooter drill conducted according to Minnesota Statutes, section 121A.037 with students in early childhood through grade 12 must be:

1. accessible;
2. developmentally appropriate and age appropriate, including using appropriate safety language and vocabulary;
3. culturally aware;
4. trauma-informed; and
5. inclusive of accommodations for students with mobility restrictions, sensory needs, developmental or physical disabilities, mental health needs, and auditory or visual limitations.

C. Student Mental Health and Wellness

Active shooter drill protocols must include a reasonable amount of time immediately following the drill for teachers to debrief with their students. The opportunity to debrief must be provided to students before regular classroom activity may resume. During the debrief period, students must be allowed to access any mental health services available on campus, including counselors, school psychologists, social workers, or cultural liaisons. An active shooter drill must not be combined or conducted consecutively with any other type of emergency preparedness drill. An active shooter drill must be accompanied by an announcement prior to commencing. The announcement must use concise and age-appropriate language and, at a minimum, inform students there is no immediate danger to life and safety.

D. Notice

1. The school district must provide notice of a pending active shooter drill to every student's parent or legal guardian before an active shooter drill is conducted. Whenever practicable, notice must be provided at least 24

hours in advance of a pending active shooter drill and inform the parent or legal guardian of the right to opt their student out of participating.

2. If a student is opted out of participating in an active shooter drill, no negative consequence must impact the student's general school attendance record nor may nonparticipation alone make a student ineligible to participate in or attend school activities.
3. The Commissioner of the Minnesota Department of Education must ensure the availability of alternative safety education for students who are opted out of participating or otherwise exempted from an active shooter drill. Alternative safety education must provide essential safety instruction through less sensorial safety training methods and must be appropriate for students with mobility restrictions, sensory needs, developmental or physical disabilities, mental health needs, and auditory or visual limitations.

E. Participation in Active Shooter Drills

Any student in early childhood through grade 12 must not be required to participate in an active shooter drill that does not meet the Criteria set forth above.

F. Active Shooter Simulations

A student must not be required to participate in an active shooter simulation. An active shooter simulation must not take place during regular school hours if a majority of students are present, or expected to be present, at the school. A parent or legal guardian of a student in grades 9 through 12 must have the opportunity to opt their student into participating in an active shooter simulation.

G. Violence Prevention

1. A school district or charter school conducting an active shooter drill must provide students in middle school and high school at least one hour, or one standard class period, of violence prevention training annually.
2. The violence prevention training must be evidence-based and may be delivered in-person, virtually, or digitally. Training must, at a minimum, teach students the following:
 - a. how to identify observable warning signs and signals of an individual who may be at risk of harming oneself or others;
 - b. the importance of taking threats seriously and seeking help; and

c. the steps to report dangerous, violent, threatening, harmful, or potentially harmful activity.

3. A school district or charter school must ensure that students have the opportunity to contribute to their school's safety and violence prevention planning, aligned with the recommendations for multihazard planning for schools, including but not limited to:

a. student opportunities for leadership related to prevention and safety;

b. encouragement and support to students in establishing clubs and programs focused on safety; and

c. providing students with the opportunity to seek help from adults and to learn about prevention connected to topics including bullying, sexual harassment, sexual assault, and suicide.

H. Board Meeting

At a regularly scheduled school board meeting, a school board of a district that has conducted an active shooter drill must consider the following:

1. the effect of active shooter drills on the safety of students and staff; and

2. the effect of active shooter drills on the mental health and wellness of students and staff.

IV. PROCEDURES INCLUDED IN THIS POLICY

Procedures for the various emergencies listed below are included in the Emergency Crisis Management Guide. After approval by the School Board, these adopted procedures will become an addendum to the Crisis Management Policy.

- A. Assault and Rape
- B. Bomb Threats
- C. Building Security
- D. Bus Accidents
- E. Chemical or Biological Threat
- F. Child Abuse
- G. Childnapping
- H. Civil Defense Alert
- I. Death
- J. Demonstrations/Disturbances
- K. Emergency Phone Numbers



Fridley Public Schools is committed to creating a welcoming, respectful environment that provides an equitable and inclusive education for each student, staff and community member by ensuring that opportunities, access, and resources are aligned to support the growth and academic achievement of each student.

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- L. Evacuation/Relocation
- M. Fight/Disturbance
- N. Fire
- O. Hazardous Material Emergency
- P. Highly Contagious Serious Illness or Pandemic Flu
- Q. Intruder/Hostage
- R. Lock-down
- S. Media Procedures
- T. Medical Emergencies
- U. Phone Threats
- V. Post-crisis
- W. Sex Offenders
- X. School Emergency Response Team
- Y. Shelter-in-place
- Z. Shooting
- AA. Suicide
- BB. Utility Emergencies
- CC. Vandalism/Burglary
- DD. Weapons
- EE. Weather Related Emergencies

VI. MISCELLANEOUS PROCEDURES

A. Chemical Accidents

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

B. Visitors

The school district shall implement procedures mandating visitor sign in for visitors in school buildings (See also Policy 903)

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

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

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

[Note: The Every Student Succeeds Act, 20 U.S.C. § 6301, et seq.; Title IX, 20 U.S.C. § 1681, et seq.; and the Unsafe School Choice Option, 20 U.S.C. § 7912, require school districts to establish such transfer procedures.]



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Legal References:

- Minn. Stat. Ch. 12 (Emergency Management)
- Minn. Stat. Ch. 12A (Natural Disaster; State Assistance)
- Minn. Stat. § 121A.035 (Crisis Management Policy)
- [Minn. Stat. § 121A.038 \(Students Safe at School\)](#)
- Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)
- Minn. Stat. § 299F.30 (Fire Drill in School)
- Minn. Stat. § 326B.02, Subd. 6 (Powers)
- Minn. Stat. § 326B.106 (General Powers of Commissioner of Labor and Industry)
- Minn. Stat. § 609.605, Subd. 4 (Trespasses on School Property)
- Minn. Rules, Ch. 7511 (Fire Safety)
- 20 U.S.C. § 1681, *et seq.* (Title IX)
- 20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)
- 20 U.S.C. § 7912 (Unsafe School Choice Option)
- 42 U.S.C. § 5121 *et seq.* (Disaster Relief and Emergency Assistance)

Cross References:

- Policy 407 (Employee Right to Know - Exposure to Hazardous Substances)
- Policy 413 (Harassment and Violence)
- Policy 501 (School Weapons Policy)
- Policy 506 (Student Discipline)
- Policy 532 (Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds)
- Policy 903 (Visitors to the School District Buildings and Sites)
- <https://dps.mn.gov/divisions/sfm/documents/2011comprehensiveschoolsafetyguide.pdf>
- [Minnesota School Safety Center - Resources \(mn.gov\)](#)

School Board Action:

- Approved September 19, 2000
- Revised June 18, 2002
- Revised August 15, 2006
- Revised December 16, 2008
- Revised August 21, 2012
- Revised May 21, 2019
- Revised June 15, 2021
- Revised May 16, 2023
- [Revised August 15, 2023](#)

Annual Review:

<u>Month</u>	<u>Year</u>	<u>Notes</u>
January	2022	Reviewed / No changes
April/May	2023	Reviewed / Revised
August	2023	Reviewed / Revised



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Personnel Changes 2023-2024

New Contracts and Amendments per Master Agreements (2023-2024)

First Name	Last Name	Assignment	Step/Lane/Salary	School
Ben	Beckman	Head Boys Soccer Coach	Schedule C	FHS
Zackery	Bobick	Head Girls Soccer Coach	Schedule C	FHS
Heather	Cole	Early Childhood Special Ed Teacher	BA+20/Step 3	FCC
Ashton	Enyart	Kindergarten Teacher	BA/Step 5	RLS
Brad	Fisher	Head Girls Cross Country Coach	Schedule C	FHS
Brad	Fisher	Head Boys Cross Country Coach	Schedule C	FHS
Kahnnie	Gbor	Head Cheer Coach	Schedule C	FHS
Melissa	Harms	College & Career Readiness Teacher	MA/Step 11	FMS
Kelly	McConville	Principal of Fridley High School	Step 9	FHS
Madison	Morrissey	Head Girls Swim Coach	Schedule C	FHS
Madison	Morrissey	Reading Intervention Teacher	BA/Step 1	FMS/FHS
Gavin	Nachtigall	Special Ed Teacher	MA/Step 6	FMS
Saralynn	Ness	Track & Field Assistant Coach	Schedule C	FHS
Aaron	Quach	Head Girls Tennis Coach	Schedule C	FHS
Justin	Reese	Head Football Coach	Schedule C	FHS
Renee	Van Gorp	Principal of Alternative Services	Step 6	District
Mindy	Weeks	Head Volleyball Coach	Schedule C	FHS
Kellee	Wolf	Lang & Lit Teacher	BA/Step 2	FMS

Leaves of Absence (2023-2024)

- Cassandra Byrne has requested a leave of absence from her nurse position at Fridley Public Schools from August 28, 2023 through September 22, 2023.
- Laura Carpenter has requested a leave of absence from her teacher position at Stevenson Elementary from August 28, 2023 through October 6, 2023.
- Matthew Ferry has requested a leave of absence from his teacher position at Fridley Middle School from October 9, 2023 through October 18, 2023.
- Brooke Hoiseth has requested a leave of absence from her teacher position at Fridley High School from August 28, 2023 through October 18, 2023.
- Cindy McKay has requested a leave of absence from her transportation coordinator position at Fridley Public Schools from July 24, 2023 through August 25, 2023.
- Christine Nalepka has requested a leave of absence from her teacher position at Fridley High School from August 28, 2023 through June 7, 2024.
- Jessica Stratford has requested a leave of absence from her teacher position at Fridley Middle School from August 28, 2023 through November 22, 2023.
- Samuel Vossler has requested a leave of absence from his teacher position at Fridley High School from October 15, 2023 through November 30, 2023.

Resignations (2023-2024)

- Sandar Myint resigned her Cook position at Stevenson Elementary School effective June 9, 2023.

- Melissa Ringstad resigned her special education paraeducator position at Stevenson Elementary School effective July 20, 2023.
- Mora Slifka resigned her ECFE Teacher position at Fridley Community Center effective August 8, 2023.
- Reuben Thomas resigned his Cook Manager position at Stevenson Elementary effective July 27, 2023.
- Trashonna Thomas resigned her health assistant position at Fridley Middle School effective June 9, 2023.



FY 2025 10 Year Long Term Facilities Maintenance Plan

Additional Documentation – Projects Greater than \$100,000

Asbestos Abatement and Removal

- R.L. Stevenson Elementary School – This project will abate the 9 X 9 vinyl asbestos floor tiles and asbestos-containing adhesive present throughout the building. The total area of flooring to be replaced is roughly 19,000 square feet. Upon completion, the facility will no longer have any asbestos tile. The contractor cost estimate for this was \$185,000 in June of 2023. We are requesting \$196,100 for the project, including a 6% increase for cost inflation between now and when the project will be completed in FY 2025
- Hayes Elementary - This project will abate the existing 9 X 9 vinyl asbestos floor tiles and asbestos-containing adhesive present throughout the building. The total area of flooring to be replaced is roughly 25,000 square feet. Upon completion, the facility will no longer have any asbestos tile. The contractor cost estimate for this was \$251,000 in June of 2023. We are requesting \$266,060 for the project, including a 6% increase for cost inflation between now and when the project will be completed in FY 2026
- Fridley Middle School – This project will abatement the existing 9 X 9 vinyl and 12 X 12 vinyl asbestos floor tile and the associated asbestos-containing adhesive. The total area of flooring to be replaced is roughly 26,000 square feet. Upon completion, the facility will no longer have any asbestos tile. The contractor cost estimate for this was \$312,000 in June of 2023. We are requesting \$330,720 for the project, including a 6% increase for cost inflation between now and when the project will be completed in FY 2027



June 21, 2023



Jonathan Spitzer
Fridley Public Schools
6000 West Moore Lake Drive
Fridley, MN 55432

**RE: Stevenson Elementary School
Asbestos Flooring Replacement Project**

Dear Jonathan,

Based upon the existing AHERA reports, asbestos removal costs associated with the Stevenson Elementary School – Asbestos Flooring Removal Project are estimated to be \$185,000.

The project will impact approximately nineteen thousand (19,000) square feet of asbestos-containing 9” x 9” vinyl asbestos floor tile (5-7% Chrysotile) and associated asbestos-containing black adhesive (10% Chrysotile) located throughout the building. The abatement activities will be conducted by a licensed abatement contractor approved by the district. All abatement activities will follow state and federal requirements for asbestos abatement.

IEA’s asbestos project design and management services include the required renovation inspections, specification design, as well as the required on-site air monitoring for the duration of abatement activities. These management services are conducted as part of the state and federal requirements for asbestos abatement.

If you require additional information regarding this project, please contact me at Mike.Voss@ieasafety.com or by phone at 763-315-7900.

Sincerely,

IEA, Inc.

A handwritten signature in blue ink that reads 'Michael Voss'.

Michael Voss
Senior Project Manager

MV/wb 062123

INSTITUTE FOR ENVIRONMENTAL ASSESSMENT, INC.
www.ieasafety.com

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9201 West Broadway, #600
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800-233-9513

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Mankato, MN 56001
507-345-8818 / FAX 507-345-5301
800-233-9513

ROCHESTER
210 Woodlake Drive SE
Rochester, MN 55904
507-281-6664 / FAX 507-281-6695
800-233-9513

BRAINERD
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800-233-9513

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800-233-9513

VIRGINIA
5525 Emerald Avenue
Mountain Iron, MN 55768
218-410-9521
800-233-9513

June 21, 2023



*Providing Trusted
Health and Safety Solutions*

Jonathan Spitzer
Fridley Public Schools
6000 West Moore Lake Drive
Fridley, MN 55432

**RE: Hayes Elementary School
Asbestos Flooring Replacement Project**

Dear Jonathan,

Based upon the existing AHERA reports, asbestos removal costs associated with the Hayes Elementary School – Asbestos Flooring Removal Project are estimated to be \$244,000.

The project will impact approximately twenty-five thousand (25,000) square feet of asbestos-containing 9” x 9” vinyl asbestos floor tile (1-3% Chrysotile) and associated asbestos-containing black adhesive (10% Chrysotile) located throughout the building. The abatement activities will be conducted by a licensed abatement contractor approved by the district. All abatement activities will follow state and federal requirements for asbestos abatement.

IEA’s asbestos project design and management services include the required renovation inspections, specification design, as well as the required on-site air monitoring for the duration of abatement activities. These management services are conducted as part of the state and federal requirements for asbestos abatement.

If you require additional information regarding this project, please contact me at Mike.Voss@ieasafety.com or by phone at 763-315-7900.

Sincerely,

IEA, Inc.

Michael Voss
Senior Project Manager

MV/wb 062123

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800-233-9513

June 21, 2023



Jonathan Spitzer
Fridley Public Schools
6000 West Moore Lake Drive
Fridley, MN 55432

**RE: Fridley Middle School
Asbestos Flooring Replacement Project**

Dear Jonathan,

Based upon the existing AHERA reports, asbestos removal costs associated with the Fridley Middle School – Asbestos Flooring Removal Project are estimated to be \$312,000.

The project will impact approximately twenty-six thousand (26,000) square feet of asbestos-containing 9” x 9” vinyl asbestos floor tile (1-3% Chrysotile) and associated asbestos-containing black adhesive (10% Chrysotile) and seven thousand (7,000) square feet of non-asbestos 12” x 12” vinyl floor tile and associated asbestos-containing black adhesive (10% Chrysotile) located throughout the building. The abatement activities will be conducted by a licensed abatement contractor approved by the district. All abatement activities will follow state and federal requirements for asbestos abatement.

IEA’s asbestos project design and management services include the required renovation inspections, specification design, as well as the required on-site air monitoring for the duration of abatement activities. These management services are conducted as part of the state and federal requirements for asbestos abatement.

If you require additional information regarding this project, please contact me at Mike.Voss@ieasafety.com or by phone at 763-315-7900.

Sincerely,

IEA, Inc.



Michael Voss
Senior Project Manager

MV/wb 062123

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 Division of School Finance 400 NE Stinson Blvd Minneapolis, MN 55413		Long-Term Facility Maintenance Ten-Year Expenditure Application (LTFM)										ED - 02478-09	
Instructions: Enter estimated, allowable LTFM expenditures (Fund 01 and/or Fund 06 only) under Minnesota Statutes 2021, section 123B.595, subd. 10. Enter by Uniform Financial and Accounting Reporting Standards (UFARS) finance code and by fiscal year in the cells provided.													
District Info.		Enter Information		District Info.		Enter Information							
District Name:	Fridley Public Schools	Date:	7/18/2023										
District Number:	14	Email:	craig.wieber@fridley.k12.mn.us										
District Contact Name:	Craig Wieber												
Contact Phone #	(763) 502-5004												
Fiscal Year (FY) Ending June 30													
Expenditure Categories		2023 (base year)	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	
Health and Safety - this section excludes project costs in Category 2 of \$100,000 or more for which additional revenue is requested for Finance Codes 358, 363 and 366.													
Finance Code	Category (1)												
347	Physical Hazards	\$23,000	\$5,000	\$38,000	\$38,760	\$38,000	\$38,000	\$38,000	\$38,000	\$38,000	\$39,000	\$40,000	
349	Other Hazardous Materials	\$8,500	\$35,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$0	\$0	
352	Environmental Health and Safety Management	\$27,500	\$12,500	\$80,000	\$84,000	\$85,000	\$85,000	\$85,000	\$85,000	\$85,000	\$85,000	\$85,000	
358	Asbestos Removal and Encapsulation	\$22,000	\$25,000	\$70,000	\$70,000	\$70,000	\$70,000	\$70,000	\$70,000	\$70,000	\$70,000	\$70,000	
363	Fire Safety	\$15,800	\$5,500	\$20,000	\$20,600	\$21,200	\$21,800	\$22,500	\$23,200	\$23,900	\$24,600	\$25,300	
366	Indoor Air Quality	\$3,500	\$17,500	\$40,000	\$41,200	\$42,400	\$43,700	\$45,000	\$46,400	\$47,800	\$49,200	\$50,700	
Total Health and Safety Capital Projects		\$100,300	\$100,500	\$263,000	\$269,560	\$271,600	\$273,500	\$275,500	\$277,600	\$279,700	\$267,800	\$271,000	
Health and Safety - Projects Costing \$100,000 or more per Project/Site/Year													
Finance Code	Category (2)												
358	Asbestos Removal and Encapsulation	\$0	\$0	\$196,100	\$266,060	\$330,720	\$0	\$0	\$0	\$0	\$0	\$0	
363	Fire Safety	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
366	Indoor Air Quality	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Total Health and Safety Capital Projects \$100,000 or More		\$0	\$0	\$196,100	\$266,060	\$330,720	\$0	\$0	\$0	\$0	\$0	\$0	
Remodeling for Approved Voluntary Pre-K under Minnesota Statutes, section 124D.151													
Finance Code	Category 3 (a)												
355	Remodeling for prekindergarten (Pre-K) instruction approved by the commissioner.	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Total Remodeling for Approved Voluntary Pre-K Projects		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Remodeling for Gender-Neutral Single-User Restrooms													
Finance Code	Category 3 (b) LTFM REVENUE EFFECTIVE FY 2025												
UFARS Coding Pending	Remodeling for gender-neutral single user restroom per site.	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Total Remodeling for Gender-Neutral Single User Projects		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Accessibility													
Finance Code	Category (4)												
367	Accessibility	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Total Accessibility Projects		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Deferred Capital Expenditures and Maintenance Projects													
Finance Code	Category (5)												
368	Building Envelope	\$50,700	\$11,189	\$352,000	\$137,000	\$122,000	\$122,000	\$122,000	\$122,000	\$30,000			
369	Building Hardware and Equipment	\$46,919		\$60,750	\$2,700				\$150,000	\$250,000	\$300,000	\$350,000	
370	Electrical	\$42,000	\$47,873			\$65,000							
379	Interior Surfaces	\$2,000	\$1,500	\$116,400	\$122,500	\$166,200	\$170,000	\$172,000	\$400,000	\$400,000			
380	Mechanical Systems	\$1,321,151	\$287,801			\$150,000	\$45,000						
381	Plumbing	\$0	\$381,135	\$20,000	\$287,290	\$20,000	\$20,000	\$20,000	\$20,000	\$400,000	\$400,000	\$800,000	
382	Professional Services and Salary	\$182,072	\$171,250	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000				
383	Roof Systems	\$0	\$20,000	\$10,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000		\$150,000	\$150,000	
384	Site Projects	\$20,837	\$75,900	\$15,000	\$40,000	\$42,400	\$45,000	\$245,000	\$160,000		\$160,000	\$160,000	
Total Deferred Capital Expense and Maintenance		\$1,665,679	\$996,648	\$624,150	\$789,490	\$765,600	\$602,000	\$759,000	\$1,052,000	\$1,080,000	\$1,010,000	\$1,460,000	
Total Annual 10-Year Plan Expenditures		\$1,765,979	\$1,097,148	\$1,083,250	\$1,325,110	\$1,367,920	\$875,500	\$1,034,500	\$1,329,600	\$1,359,700	\$1,277,800	\$1,731,000	

School Board Resolution
Independent School District No. 14 (Fridley Public Schools)
Adopting the School District's Fiscal Year (FY) 2025
Long-Term Facilities Maintenance Ten-Year Plan

WHEREAS, to qualify for Long-Term Facilities Maintenance revenue, Minnesota Statutes 2022, section 123B.595, subd. 4 states a school district or intermediate district must annually adopt and approve a ten-year LTFM facilities plan by July 31 for commissioner approval.

WHEREAS, the school district has developed a ten-year Long-Term Facilities Maintenance plan consistent with this law.

School Board Member _____ moved for resolution adoption and the motion was duly seconded by School Board Member _____ and, upon vote thereon, the following voted in favor of the motion:

And the following voted against:

Therefore, be it revolved that, the School Board of Independent School District No. 14 approves and adopts the attached ten-year Long-Term Facilities Maintenance plan for FY 25 on the 15th day of August, 2023.

School Board Clerk



Fiscal Year (FY) 2025 Application for Long-Term Facilities Maintenance Revenue Statement of Assurances

General Information: Minnesota school districts, intermediate school districts, cooperative districts, joint powers applying for Long-Term Facilities Maintenance revenue (LTFM) under Minnesota Statutes 2022, section 123B.595 must annually complete the Application for Long-Term Facilities Maintenance Revenue – Statement of Assurances (ED-02477). The application must be submitted to the Minnesota Department of Education (MDE) by July 31, 2023. Submit to [Sarah C. Miller](mailto:Sarah.C.Miller@mde.state.mn.us) (MDE.Facilities@state.mn.us) along with other required LTFM documentation. **Do not mail a hard copy. Please email this form with other required documentation.**

Identification Information

Name of District, Intermediate/Cooperative/Joint Powers	District Number and Type:	Date Submitted:
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Statement of Assurances

1. All estimated expenditures included in the attached Ten-Year Plan Expenditure spreadsheet under Health and Safety and entered into the MDE Health and Safety data submission system are for allowed health and safety uses under Minnesota Statutes 2022, section 123B.595, subd. 10, paragraph (a), clause (3), Minnesota Statutes 2022, section 123B.57, subd. 6, and the MDE Long-Term Facilities Maintenance Guide for Allowable Expenditures, Section E, Health and Safety Qualifying Criteria, and Section F, Additional Requirements Regarding Health and Safety. None of the estimated expenditures included in the attached Ten-Year Plan Expenditure spreadsheet under Health and Safety and entered into the MDE Health and Safety System are for uses prohibited under Minnesota Statutes 2022, section 123B.595, subd. 11.
2. All estimated expenditures included in the attached Ten-Year Plan Expenditure spreadsheet under Accessibility and Deferred Maintenance are for allowed uses under Minnesota Statutes 2022, section 123B.595, subd. 10, paragraph (a), clauses (1) and (2), and the MDE Long-Term Facilities Maintenance Guide for Allowable Expenditures, Section C, Deferred Maintenance Qualifying Criteria or Section D, Disabled Access Qualifying Criteria. None of the estimated expenditures included in the attached Ten-Year Plan Expenditure spreadsheet under Accessibility and Deferred Maintenance are for uses prohibited under Minnesota Statutes 2022, section 123B.595, subd. 11.
3. All actual expenditures to be reported in Uniform Financial Accounting and Reporting Standards (UFARS) for FY 2025 under Finance Codes 347, 349, 352, 358, 363 and 366 will be for allowed health and safety uses under Minnesota Statutes 2022, section 123B.595, subd. 10, paragraph (a), clause (3), Minnesota Statutes 2022, section 123B.57, subd. 6, and the MDE Long-Term Facilities Maintenance Guide for Allowable Expenditures, Section E, Health and Safety Qualifying Criteria, and Section F, Additional Requirements Regarding Health and Safety. None of the actual expenditures reported in these finance codes will be for uses prohibited under Minnesota Statutes 2022, section 123B.595, subd. 11.
4. All actual expenditures to be reported in UFARS for FY 2025 under Finance Codes 367, 368, 369, 370, 379, 380, 381, 382, 383 and 384 for Accessibility and Deferred Maintenance will be for allowed uses under Minnesota Statutes 2022, section 123B.595, subd. 10, paragraph (a), clauses (1) and (2), and the MDE Long-Term Facilities Maintenance Guide for Allowable Expenditures, Section C, Deferred Maintenance Qualifying Criteria or Section D, Disabled Access Qualifying Criteria. None of the actual expenditures reported in these finance codes will be for uses prohibited under Minnesota Statutes 2022, section 123B.595, subd. 11.
5. The district will maintain a description of each project funded with long-term facilities maintenance revenue that will provide enough detail for an auditor to determine the cost of the project and if the work qualifies for revenue (Minn. Stat. 127A.41, subd. 3[2022]).
6. The district’s plan includes provisions for implementing a health and safety program that complies with health, safety and environmental regulations and best practices, including indoor air quality management and mandatory lead in water testing, remediation and reporting (Minn. Stat. 121A.335 [2022]). ***The district’s ten-year plan does not include a request for a second-time project cost for: (1) replacement of an existing mechanical ventilation system to the current Minnesota State Mechanical Code/American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) guidelines; or, (2) to provide a level of approximately 15 Cubic Feet per Minute (CFM) per person.***

Certification of Statement of Assurances

Signature – Must be signed by Superintendent or Cooperative Unit Director:	Name – Superintendent or Cooperative Director (Please print)	Date:
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FRIDLEY TRANSPORTATION SERVICE QUOTATION FORM

TO: INDEPENDENT SCHOOL DISTRICT NO.14
 Fridley Public Schools
 6000 West Moore Lake Drive
 Fridley, MN 55432

ATTENTION: Cindy McKay, Transportation Coordinator

1. Regular transportation

Size Range of Units to be supplied	Bus per Day - two route sessions	Cost for bus used only one session per day	# of buses provided if limit
Type III Van	\$275	\$190	Type III Services

2. Midday Transportation

Size Range of Units to be supplied	Cost per Bus per Day	
Type III Van	\$80	

3. Special Transportation

Equipped	Cost per Day	
Lift equipped Type A-D	None	
Bus Para (per hour, 2 hr. min per session)	\$135	

Special Transportation Continued

Type III trip bus service	Base cost	Cost/mile live trip miles
Type III Van / Auto		
Type III Lift/Ramp Van	\$320	

Activity Routes - relating to services described in Section III H

BUS SIZE	Activity Route Charges (per day)
Type III Van	\$240

Extra time bus routes - relating to the services described in Section III G

BUS SIZE	Extra Time Charges (per ¼ hour)
Type III Van	\$17

Charger Field Trip Rates - Relating to the service described in Section III I

Bus Size	Hourly Cost	Min Cost (3 hr)	Cost Per Mile
Type III	\$70	\$210	

INDEPENDENT SCHOOL DISTRICT NO. 14
FRIDLEY PUBLIC SCHOOLS
6000 West Moore Lake Drive, Fridley, MN 55432
Telephone: 763.502.5000

LEGAL NOTICE
INVITATION FOR QUOTATIONS FOR
BUS TRANSPORTATION
Pursuant to Minnesota Statute 123B.52 Sub. 3

TO BE OPENED: Monday, March 21, 2022
10:00 AM., District Board Room, 6000 West Moore Lake Drive, Fridley, MN 55432

INDEPENDENT SCHOOL DISTRICT NO. 14 (Fridley Public Schools) will receive written quotations for transportation of its school children, including disabled and pre-school students, in accordance with the specifications.

Specifications may be obtained from the Director of Finance & Operations, INDEPENDENT SCHOOL DISTRICT NO. 14, 6000 West Moore Lake Drive, Fridley, MN 55432, and will be available on or about February 18, 2022.

A certified check or quoter's bond is required. They should be made out to INDEPENDENT SCHOOL DISTRICT NO. 14, Fridley Public Schools, in the amount of five thousand dollars (\$5,000.00). A satisfactory Performance Bond and a Certificate of Insurance are also required.

Prior to submission of quotations, all interested parties are requested to attend an informational meeting to be held on Wednesday, February 23, 2022, at 10:00 AM. in the Board Room at the District Office. This informational meeting will be held to allow prospective vendors to ask questions about the services desired and the process for submitting quotes.

Quotes are to be addressed to Barbie Roessler, Director of Finance & Operations, INDEPENDENT SCHOOL DISTRICT NO. 14, 6000 West Moore Lake Drive, Fridley, MN 55432, in an envelope marked "**Quote for Transportation Services**".

To be considered, quotes must be received no later than Monday, March 21, 2022, at 10:00 AM, at INDEPENDENT SCHOOL DISTRICT NO. 14 (Fridley Public Schools) at the above address. Quotes will be opened and read aloud in the Board Room. A quote cannot be withdrawn for sixty (60) days after submission without the consent of the School Board.

The School Board reserves the right to accept or reject any or all quotations and to waive any irregularities.

INDEPENDENT SCHOOL DISTRICT NO. 14
Fridley Public Schools
Barbie Roessler, Director of Finance
Anoka County

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SECTION II

QUOTATION INSTRUCTIONS AND GENERAL CONDITIONS

- A. Pursuant to Minnesota Statute 123B.52 Sub. 3, INDEPENDENT SCHOOL DISTRICT NO. 14 (Fridley Public Schools) requests written quotations for transportation of its school children and other authorized riders, including disabled and pre-school students, in accordance with the specifications.
- B. The School District reserves the right to waive technicalities or irregularities; to accept any portion of a quotation when quotations are by items.
- C. The School District reserves the right to reject any or all quotations, and to make arrangements in the best interests of the School District.
- D. The District reserves the right to negotiate on proposed bus service that does not appear to be a part of the accepted quotation.
- E. The School District reserves the right to negotiate any or all portions of the contract directly with any or all vendors at any time following the receipt of the quotation.
- F. Vendors may provide quotes for part of the contract.
- G. Quotations cannot be withdrawn for sixty (60) days from the date of submission.
- H. This contract is not subject to a sealed bid process.

COMPLIANCE WITH LAWS (Local and State)

- I. The quoting Bus Company must provide equipment that complies with State and Federal legal requirements and drivers that meet with the rules and regulations of the State Board of Education, and the Commissioner of Highways.

INTERPRETATION OF SPECIFICATIONS

- J. Any questions concerning the meaning or intent of these specifications must be addressed to the Transportation Coordinator, Fridley Public Schools, 6000 West Moore Lake Drive, Fridley, MN 55432, in writing. Interpretation of specifications will be made only by letter that will be mailed to all prospective vendors. The District assumes no further responsibility for interpreting the intent or meaning of these specifications.

CONTRACT SECURITY

- K. Upon request the contractor shall furnish a security bond satisfactory to the School District in an amount at least equal to \$1,000,000.00 as security for the faithful performance of this contract and for payment of all persons performing labor and furnishing materials in connection with this contract, in accordance with the terms of Section 574.26, Minnesota Statutes, annotated as amended.
- L. This Quotation Specification and the Quotation Form as accepted by the School Board shall be considered an addendum to the Contract negotiated between the Contractor and the School Board and its terms shall be binding between both parties.

SECTION III
TRANSPORTATION SERVICE REQUESTED

PREFACE

This agreement for transportation will involve all bus routes and activity runs scheduled or ordered by District 14 or its staff. In a few instances, whenever possible, District 14 may combine with other districts to provide special transportation using either the District 14 Contract buses or the other Districts' buses. This may include non-residents riding on District 14 buses or District 14 residents riding on other District buses. This type of activity at the Contractor or District level is actively encouraged. However, all such special arrangements must be approved prior to start by the District.

A. REGULAR TRANSPORTATION SPECIFICATIONS

Type of transportation: Regular school bus service to public, and nonpublic schools; and some Midday school service runs partial day programs.

- 1. Actual number of buses required will be determined based on actual student count, during June and July prior to the start of school.**
- 2. District 14 is presently in a period of slow growth in enrollment. Vendors should include this consideration when submitting their quotation.**
- 3. District will attempt to maintain the same proportion of bus sizes from year to year, although contractor is urged to participate in the summer in planning the next year's routes to maintain maximum input and awareness of District plans.**
4. Transportation for students totaling approximately Elementary (k-4): 950 Middle School (5-8): 825 Sr. High (9-12): 850 Nonpublic pupils: 25.
5. In order that competing contractors may more accurately determine the number of buses, etc., in submitting quotations for the coming contract 2021-22 bus utilization is shown below. In the present budget environment, cuts to transportation service will be possible during this contract period.
6. Number of buses in use 26 regular transportation in 2021-22
7. Approximate number of days pupils are to be transported during the year: 177. The contract shall be made for the actual number of days in the adopted school calendar

B. MIDDAY TRANSPORTATION SERVICE

Fridley Public School District provides midday routes for special needs students, early childhood students, and shuttles between buildings. These buses are contracted for a period of two hours. In 2021-22 - 1 midday bus was used.

- C. OUT OF DISTRICT INTEGRATION SERVICE - Fridley Public School District provides bus service from the Northwest Suburban District #6078 to its schools. These trips are operated with regular routes under contract. Afternoon Elementary busing incorporates shuttles off site to combine both elementary schools' students' bus service.**

D. SPECIAL TRANSPORTATION

Special needs programs operated by the Fridley Public School District or others under contract with the District receive service under this portion of the contract.

1. Type III buses are primarily used for this type of service.
 - a. In 2021-22 16 Type III buses provided these services.
 - b. Rates are requested by student and trip, and by daily routes (4 hours)

2. Wheelchair Lift Bus

Serving: Wheelchair or other handicapped High Schools, Middle Schools or Elementary Schools students All buses that are equipped with a lift or a ramp will be equipped with a blanket for emergency evacuation of disabled students.

Times: Regular High Schools and Middle Schools, Special Education sites, and Elementaries, also Midday.

- a. In 2021-22 there are 2 lift buses used in the District.
3. BUS PARAS - Provided when required by special provision to provide safety supervision for fragile or behavior challenged bus riders. The district will provide as much notice as possible with a maximum of one (1) weeks' notice when adding a bus para to the route.
Bus paras will attend all meetings and training as required by the district.
Bus paras will be provided at an hourly cost with a minimum of two hours per session (a.m. or p.m.) regular service, and one hour for midday service
Bus paras may be transferred from any School District route upon request from the School District.
If a bus para is scheduled for a bus route, but is not furnished, the bus company will reimburse the school district the amount contracted for that service. If it occurs more than 10 times in a year, a penalty of \$10 will be added to each subsequent incident.
In 2021-22 - 6 bus paras served district students.

E. DURING DAY SHUTTLES BETWEEN SCHOOLS

Students may be transported between buildings at the start of the school day, at the end of the school day, and during the school day. These are scheduled on regular route buses with extra time as appropriate.

F. SUMMER SCHOOL TRANSPORTATION

1. Regular summer school will probably remain at the same level as the last two years.
2. Summer School Transportation for disabled student riders has grown through this period, and it is anticipated that this will continue.
3. Recent practice would indicate the service listed below:
 - a. ESY and Targeted Services run from Mid-June through July.
 - b. District programs operating during the day.
 - c. 4-day weeks Monday through Thursday.
 - d. Special programs operated by other entities may have different schedules.
4. Summer school transportation charge quotations will be requested for the anticipated 2022 Summer School schedules. 2023 Summer School transportation will be based on 2022-23 school year rates and provisions (the present district contract).

5. Other school time systems may be utilized in succeeding years as funding and programs change.
- G. ADDITIONAL CHARGES – extra time
1. Use beyond Normal - Some buses are used more than the contracted period of 4 or 2 hours per day on a regular basis as part of the route. Excess charges will be calculated based on the lesser of the bus's hourly rate (25% of the daily rate) or the quoted excess rate. Excess charges will be calculated based on time used rounded to the nearest minute.
- H. ACTIVITY ROUTES - bus routes to transport students' homes after an extra-curricular activity. 4 buses serve the whole District and NWS area with HS & MS students sharing the buses at 4:45 (tied with route buses). 2 buses serve NWS area at 6:00 PM. These times may be altered from year to year as we adjust our after-school activity profile.
- I. CHARTER BUS SERVICES
- The basic charter rate will be based on 3 hours minimum rate. The applicable charges will be the greater of either the time or mileage charges as quoted. Round trip and one-way charters shall operate under the same rates, based on mileage or time. Mileage for rating purposes will be the live miles that the charter travels, unless there is agreed deadhead built into the charter before it is run. On occasion where quoted charter rates exceed market price or the needed bus is not available, the district may schedule the trip with another bus company.
1. ORDERING - generally the bus company may expect at least one week's notice for charter/activity trip orders. Written notice may be required by Contractor if order forms are furnished and if orders are picked up by the bus company. When orders do not meet the one week minimum, the bus company may deny the request if drivers or equipment are not available. Confirmation or denial of service will be submitted in writing to the District by the bus company if written orders are submitted at least 10 days prior to the service date. Schools may order their own charters or use the district's charter ordering service.
 2. CHARTER RATE TIMES. Charter rates are requested athletic field trips and coeducational field trips
 3. Charter Rates – Charters rates shall be quoted as an hourly rate or mileage rate, with a minimum of three hours as the basic cost. Applicable rates for charters shall be the greater of the hourly rate or mileage rate based upon actual usage.
 4. MINIMUM CHARTER CANCELLATION TIME: FOUR HOURS If minimum cancellation time is not followed for charter orders the District will pay the penalty charge specified; however, weather conditions or Covid health issues which cause late cancellations will not result in charges under this provision.
 5. OVERNIGHT CHARTER TRIPS to educational destinations or to athletic tournaments may occur. A price per bus per day is requested with a \$80.00 per day driver expenses allowed (to be included in quotation, and only if driver stays with party). In addition, individual quotations for specific trips may be requested by District during the contract year.
 6. Charters or field trips may require trailers or lift equipped buses.

7. Depending on annual budget conditions, the total dollar amount of charter trips is subject to change. This may include all forms of charters either field trips or athletic.
8. Present Expenditure Levels: All Finance code 733 - \$90,000 avg 2016-2019

SECTION IV **CONTRACT PROVISIONS**

- A. Assignments or Transfers -The Contractor shall not assign or transfer any part of his obligations and responsibilities in this contract without the prior written approval of the School Board of Independent School District #14.
- B. The district must approve all subcontractors hired or utilized by the Contractor to provide services required by this contract. The use of subcontractors shall in no way reduce the obligations and responsibilities of the Contractor under this contract. Any subcontractor authorized will be subject to the conditions as the primary contractor.
- C. Cancellation, interruption or change of established service shall be made only with the authorization of the School District.
- D. **Should the number of days that transportation is required decrease during the school year, because of weather conditions, strikes, gas shortages, school closing and emergencies, the base contract will be decreased by an amount equal to 25% of the daily contract charge per day decreased.**
- E. Duration of the Contract. The contract provisions shall be for the 2022-23 school year and for the 2023-24 school year, with the second year to be quoted as percentage increase (decrease) of the first-year rates of the contract.
- F. The School Board reserves the right to accept only terms for the first year of a two-year contract offer.
- G. The School Board reserves the right to renew and negotiate the contract for years beyond the 2023-24 school year.
- H. It is further understood that terms and conditions of the contract are to be reviewed each year and brought into conformance with Minnesota Department of Education Regulations or Minnesota or Federal Laws.
- I. Determination of Contract Prices - The correct method for determination of the applicable rate to be charged will be the Type of the Bus
 1. If a bus has special equipment that lowers its passenger capacity, the bus will be charged according to the special rate quoted.
 2. If no rate was quoted for the specific size of a bus, a reasonable prorating or averaging from rates at other sizes will be made.
- J. To ensure that transportation services are continued in a timely manner, the contractor shall have a standby bus in the district and extra buses available at the terminal for emergencies (10% of total use as spares.)
- K. Term of Use: Term of use will commence at the first assigned bus stop.
 1. School buses shall be at the disposal of the district for a period of 4 hours total throughout the school day. The term of use may be split between a morning and afternoon route session. During these times, the district reserves the right to use the contracted buses as it sees fit. There will be no limit for each session, if a bus is used 3 hours in the morning and 1

hours in the afternoon that will constitute a normal bus day with no extra time assessed. Minimum session use for any bus will be one hour.

2. Bus rates are requested for both a full day (2 session) bus and a half day (1 session) bus. Full day bus rates will be for 4 hours of service. Half day bus rates will be for 2 hours of service in one route session.
3. Term of use in the District will start at the first bus stop and end at the last bus stop in a route session.
4. If the school bus route begins or ends at a site outside of the school district, term of use will commence when the bus leaves or enters the district (with no intervening outside revenue producing activities)
5. If a bus or bus aide's term of service varies by days of the week, the contract cost for this service shall be averaged according to the method below.
 - a. Duty time will be determined for each day of the standard week for buses and bus aides
 - b. For the days where the duty time is above 4 hours (2 sessions), or 2 hours (1 session), the excess time shall be the time above the base time.
 - c. For days where duty time is less than 4 or 2 hours, the duty time shall be calculated as if it were for the full duty hours

L. COMPENSATION AND BILLING

Contractor will submit invoice of previous month's transportation to the District by the 10th of the month. The District will make payment of all undisputed sums within 30 calendar days of the invoice. Invoice shall include all charges, all of which will be allocated into the appropriate budget codes.

M. Basic Transportation:

1. Regular To and From, Midday and Specialized Services Transportation
2. District shall pay to Contractor all sums due and owing and calculated in accordance with the rates set forth in the Bus Contract rate sheet.

N. Supplemental Transportation

District shall pay to Contractor all sums due and owing in accordance with the rates set forth in the Bus Contract rate sheet. All other school transportation services, extra-curricular and athletic trips, and activity and field trips.

O. Trips sponsored by District Agencies but arranged through a travel service or other school district are not part of this agreement.

P. Use of District contracted buses within the 4-hour time period by the Contractor for non-district activities is allowed when the District has been notified in writing of such activity, and if it does not result in a conflict with the district functions. If it is necessary, later in the school year, to change a bus route resulting in a reassignment of the non-district function, school district will give us much notice as possible, at a minimum one week.

Q. Non-Performance - any contracted service which is not performed by the contractor may be refunded to the district at the rate which that service is paid in the contract. The District will provide written notice of the intent to collect this refund to the contractor along with documentation of the specifics regarding the service not performed within one month of the occurrence.

**SECTION V
CONTRACTOR RESPONSIBILITIES - GENERAL**

- A. **The Contractor’s first concern shall be to provide safe transportation for students.**
- B. **The Contractor shall furnish equipment, drivers and adequate transportation service that shall meet all State and Federal standards as well as District requirements.**
1. Furnish equipment and personnel that meets specifications listed and are adequate to transport the children for whom he is responsible.
 2. Select proper equipment that meets Federal and State standards and School District requires.
 3. Properly maintain equipment to prevent breakdowns, operational malfunctions, and accidents. (See Vehicle Maintenance Program).
 4. Provide continuous dispatcher coverage in terminal during route times. This to include timely answering of telephone calls and the ability to respond to breakdowns and late bus reports in a timely fashion.
 5. Select, train, supervise and motivate drivers in compliance with Federal and State standards and District requirements (see Section VI, Paragraph C). Allow only qualified persons to drive buses. Inform drivers of their responsibilities as a part of the agreement between Contractor and District.
 6. Each bus used for regular school transportation shall be equipped with a current route schedule and route map. The Transportation Director or his designee may stop a driver to inspect for compliance with transportation and field trip guidelines
 7. Schedules issued by the Transportation Director shall not be altered and added to other routes. Failure to comply may result in billing adjustments.
 8. Transfinder software and student data system will be used for routing and mileage determination. Contractor will assist in the routing and keep the routes up to date with the Transfinder software provided by the school district.
 9. Contractor will be responsible for performing two emergency evacuation drills per school year and have a vehicle available if requested for school bus safety training. These will be coordinated with the school district and performed at no additional cost.
 10. Contractor will be responsible to perform “dry runs” at the routed time for all routes prior to the beginning of the school year.
 11. To remove from the District bus routes, any driver who is unsatisfactory to the School Board.
 12. Cooperate with the Transportation Department and assist in:
 - a. Routing and scheduling of buses
 - b. Changes in routes or scheduling
 - c. Safety programs
 - d. Student training programs.
 13. Notify School District Transportation Department of all general driver meetings and allow participation in these meetings.
 14. Immediately report all accidents involving to the school district and assist Transportation Staff with accident reporting investigation.

15. During the term of this agreement, the Contractor shall comply in every way with all laws, rules of the State Board of Education, the State of Minnesota, and the School District.
16. All drivers assigned to Fridley Public Schools routes will attend all meetings called by the District.
17. Attend up to two county or regional school bus driver's schools of instruction. The School District will notify the contractor of time and place of school.
18. Contractor leadership will attend Minnesota Train the trainer sessions annually.
19. To monitor bus drivers during their routes in the District and to be available for specific requests related to driver safety.
20. To provide direct communications with the dispatch office by telephone, fax, internet or other network connection, and email so that district may provide timely operational information by any of these means.
21. To maintain telephone coverage until all students have been delivered.

C. **Taxes**

The Contractor shall pay all taxes imposed on any equipment, fuel, or service to be furnished so that there will be no liability on the part of the School District for any type of tax assessed thereon.

D. **Insurance Coverage**

The Contractor agrees at its own expense, to procure and keep in force during the entire period of this agreement, public liability, property damage liability insurance and worker's compensation insurance. The insurance will also protect the pupils during loading and unloading. The contractor shall provide a certificate of insurance naming the School District as an "Additional Insured." to the District before the start of school. Copies of insurance policies showing issuance date, coverage, and period in force shall be immediately furnished to Fridley Public School District, Independent School District No. 14. A 30-day cancellation notice shall be shown on the certificate as well. Notice of any incidents or accidents shall be provided to the District immediately.

E. **Required Coverage** Minimum limits of insurance shall be:

	Per Person	Per Accident
Bodily injury and property liability	<u>\$ 500,000</u>	<u>\$1,000,000</u>
Aggregate		<u>\$2,000,000</u>
Uninsured or underinsured motorist		<u>\$1,000,000</u>
Worker's Compensation		<u>Statutory Coverage</u>
Umbrella Liability (All bus types but Type III)		<u>\$10,000,000</u>
Umbrella Liability (Type III buses)		<u>\$4,000,000</u>

F. **Indemnity** The Contractor agrees to indemnify and save the School District harmless from any claims, expenses, or damages, including claims involving personal injury or property damage arising out of, or while providing transportation of assigned pupils.

G. **Fuel Escalator:** If the average price of fuel exceeds the fuel base rate, established at \$3.25 for FY July 1, 2022 - June 30, 2024, ISD14 will reimburse Contractor for fifty percent (50%) of the average per gallon cost over the established base rate. Price shall be calculated without Federal tax.

- a. Calculation of the number of gallons will be based on actual gallons used for service provided to ISD 14 from July 1 through June 30.
- b. Contractor will submit to ISD 14 monthly reports on the fuel purchased and the per gallon price of fuel.
- c. At the end of the year contractor will submit an invoice for the cumulative escalation costs if any.

**SECTION VI
PERSONNEL - BUS DRIVERS**

- A. **Qualifications**
Driver must meet State qualifications as well as conform to Contractor's bus driving rules and regulations and hold a valid school bus driver's license, for the assigned vehicle.
- B. **Conditions of Employment**
The driver must maintain the standards imposed on him/her by the Contractor and is required to attend two county or regional school bus drivers' school of instruction and safety, if required by the School District.
- C. **Bus Driver Training**
All bus drivers operating buses under this contract shall receive according to the standards below.
 1. New drivers not previously licensed to drive a school bus shall receive not less than 12 hours of classroom and 10 hours of in-vehicle (actual driving time) instruction.
 2. New drivers currently licensed to drive a school bus shall receive not less than 8 hours of classroom instruction, and an evaluation of their driving skills with necessary in-bus training to bring their skill levels up to acceptable levels.
 3. Continuing drivers and all new drivers shall also receive training through monthly safety meetings and through School District bus driver meetings which shall total at least 6 hours per year.
 4. The instructional program shall include the subjects listed below.
 - a. School bus driving fundamentals
 - b. Defensive driving techniques
 - c. Human relations - sensitivity to students, parents, and staff
 - d. State/Federal laws
 - e. District policies/procedures
 - f. Bus stop procedures and the law
 - g. Railroad crossings
 - h. Breakdown/accident procedures
 - i. Emergency/preparedness/evacuations/equipment
 - j. Basic first aid
 - k. The in-service training shall include:
 - i. Current safety issues and concerns
 - ii. Local district issues
 - iii. Current weather conditions/driving
 5. Driver shall always show school identity card while driving under the terms of this contract.

D. **Drug Testing/Screening**

1. While serving the School District, school bus drivers may not be under the influence of ability impairing substances. In the effort to keep the possibility of this occurrence to a minimum, the following screening standards are set for bus drivers to be used in the School District.
2. Drug screening by a qualified laboratory or agency upon employment with the company or upon renewal of the school bus endorsement. Any driver with positive substance use test results must be reported in writing to and accepted by the district before driving on a district route.
3. In the case of any accident where there are injuries, and in the opinion of law enforcement officials at the site, the accident was caused by the bus driver, or any accident involving severe injuries or a fatality, or any other activity which raises a reasonable doubt as to the state of the driver's level of mental capacity, the bus company will test the driver for alcohol or other chemical involvement within 2 hours of the report. If there is no test administered, a chemical abuse assessment of the driver by properly qualified personnel or agency must be submitted to the school district prior to the driver's reassignment to a route in the School District.
4. Drivers who receive a prescription of a narcotic or other performance altering medication, will not be allowed to drive in the Fridley Public Schools District during the course of the medication.

E. **Driver Responsibilities** Contractor is to require that District Drivers adhere to the following:

1. To travel over the route and make stops according to the timetable designated by the District.
2. Buses must be at starting points on time. This is imperative for correct functioning of programs. All schedules shall be followed as outlined by the Transportation Director. Any unauthorized deviation may result in billing adjustments.
3. To use the bus and all other property for no other purpose than the transportation of pupils over routes designated without special permission from the School Board and/or Administrative Office.
4. To allow no person to drive the vehicle without proper license.
5. To exercise the utmost care in protecting children from injury or exposure.
6. To be alert and observe all laws and rules relating to travel on the public roads.
7. To observe all operating rules adopted by the State Board of Education, Commissioner of Public Safety, and local School Board.
8. To remain in the bus while it is being loaded or unloaded at school.
9. To always maintain order among the pupils; to allow them to enter and leave the bus only at pupil stops designated by the District and to report all cases of disobedience, improper conduct, speech, and cases of tardiness to the Building Principal where the student is enrolled.
10. To use no profane or indecent language within hearing of the pupils.
11. To abstain from the use of tobacco when driving the bus or on school property and allow no children to use tobacco in any form.
12. To abstain absolutely from the use of intoxicating beverages and illegal drugs on days and/or at least 6 hours before when he/she transports children.

13. Seat belts - all school bus drivers shall be required to always use the driver seat belt when the vehicle is so equipped
14. To keep the conveyance and other property used in transporting pupils clean and always protected when not in actual use and to exercise reasonable care in the use of such equipment.
15. To always monitor the bus company radio and respond when called.

F. **General Operating Rules**

1. Only pupils assigned to the school bus by the District shall be transported at District expense. The number of pupils or other authorized passengers transported in or assigned to a school bus shall not be more than the number of pupils or passengers that can be seated, and no person shall be allowed to stand when the bus is in motion.
 - a. Drivers to enforce the provisions of the Bus Behavior Guidelines as appropriate.
 - b. Pupils may be released from the bus at only two points, the bus stop or at school.
 - c. Students who misbehave may be returned to the school immediately and reported to the Building Principal. Dispatcher to warn school so that the bus is met by school staff.
 - d. Drivers to make timely written reports of all unsafe or unruly behavior to the principal of the school.
2. The driver will not operate any school bus improperly equipped or in an unsafe condition.
3. Buses will avoid traveling on the highways identified below with students on board while on runs to or from school. Exceptions to this rule are: Special Education runs, Integration runs out of district, charters, field trips, Vo-tech shuttles that travel outside of the School District. **Excluded highways: Interstate 694**
4. The driver shall see that no dangerous or objectionable items such as guns, loaded or unloaded, gasoline cans, empty or full, animals, skis, ski poles unguarded, or ice skates unguarded are transported in the school bus when pupils are being conveyed.
5. There shall be no pupils in the bus while the fuel tank is being filled. On leaving the vehicle when children are in the bus, the driver shall stop the bus, remove the ignition key, set the brakes, and otherwise render the bus immobile.
6. Buses shall not be run backwards on the school grounds or any other point if it can be avoided. If it is necessary to run a bus backwards, the driver shall have another responsible person act as a guard flagman behind the bus to keep other persons out of the path and to issue warnings to the driver of approaching traffic. If the bus must back up at a bus stop, all bus riders must be on the bus when the bus is backing.
7. When arriving or leaving the school grounds, the driver must not travel closer than 25 feet from the bus directly in front of him or closer than 500 feet when traveling on the highway.
8. No school bus shall pull any trailer when children are being transported on a regular route to or from school.

9. No school bus shall have a trailer hitch and ball extending beyond the rear bumper of the bus when operating on a regular route to or from school or on a charter where a trailer is not required.
10. In case of an accident or breakdown of the bus where no radio contact is available the driver shall maintain the safety and security of the children on the bus as first priority.
11. Drivers will use no tobacco products while on school property or when operating the bus in accordance with the District's Tobacco Free Policy.
12. The District may adopt such additional operating rules as are deemed necessary to meet local conditions and needs, provided they do not conflict with State laws and regulations.
13. Safety evacuation drills for the pupil-passengers, shall be conducted at least twice a year as scheduled by the School District.

G. **Speed Limits**

1. The driver shall not exceed the posted speed limit or a speed of 50 miles per hour on a regular school bus route to or from school in the District.
2. The driver will not exceed the posted speed limits on extracurricular trips.
3. The driver will not drive a speed that is faster than reasonable under existing conditions.

H. **Lighted Head lamps**

The driver shall always display lighted head lamps (low beam) including daylight hours, when transporting children.

- I. **School Bus Route Number** shall be displayed on both sides of the bus in the first or second window behind the door or driver. Number shall be clearly visible from outside the bus during daylight hours.

J. **Railroad Crossings.**

All school buses, whether carrying passengers or not, are required to stop at all railroad crossings. Red flashing stop signals or alternately flashing amber signals shall not be used at railroad crossings. It is recommended that flashing amber four-way hazard warning signals be used. It is recommended that the driver open the door (8 lights disabled) and window to be able to hear an approaching train.

K. **Use of 8-Light System, Loading or Unloading**

1. In District 14, the 8-light system will be used at all stops except as specifically referenced below (item L).
2. The driver shall actuate the flashing 8 light system of the bus at least 300 feet before stopping to load or unload pupils when outside an incorporate municipality, and 100 feet when operating within an incorporated municipality, and shall not extinguish such lights until loading or unloading is completed and persons who must cross the roadway or highway are safely across.
3. Bring the vehicle to a complete stop in the right-hand lane of the roadway parallel to the center line.
4. Open door, activating red flashing lights and extending the stop arm, to discharge pupils only after all traffic (front and rear) has come to a complete stop.
5. Keep door open and 8-lights operating until all pupils have been loaded or unloaded safely.
6. The driver will not load or unload pupils where the view is obstructed to other motorists for 200 feet in either direction.

7. The driver will not permit pupils to stand or get on or off the bus while it is in motion.
 8. Driver will bring the bus to a full stop and disengage gears by shifting gear shift lever into neutral position or selector into neutral or park position before loading or unloading pupils.
 9. Buses shall load and unload in the right lane of the roadway and only at pupil stations designated by the District on approved bus routes. In no event shall buses load or unload pupils in a DESIGNATED TURN LANE or in a lane immediately adjacent to a DESIGNATED TURN LANE.
- L. **8-Light System exceptions** The driver shall not use 8-light system in the following instances:
1. In designated school bus loading areas where the bus is entirely off the traveled portion of the road.
 2. When a school bus is being used for other purposes, such as charter service (in which event, the school bus signs, front and rear, must be removed or completely concealed).
 3. While loading or unloading students at school.
 4. At a stop where the bus is loading or unloading a student with conditions that require assistance and which would otherwise result in a long delay for traffic. If other students also use the stop, the 8-lights will be used until all students have boarded or debarked the bus and crossed the street as appropriate (District approved.)
 5. At a designated stop when directed in writing by the District.
- M. **Crossing Highways and Streets**
1. In addition to the provisions of Paragraphs K & L, the driver shall be responsible for safely delivering the pupils who must cross the highway or street by one of the following methods:
 2. Pupils shall pass approximately 10 feet in front of the school bus to be seen by the driver and cross the road only upon receiving a hand signal from the driver, or
 3. The pupil shall pass approximately 10 feet in front of the bus to be seen by the driver and be conducted across the road by the school bus patrol, or
 4. The driver shall personally conduct the pupils across the road.
 5. The driver shall visually ascertain that all alighting children whether or not crossing the road shall be a safe distance from the bus before moving the vehicle.

SECTION VIII TERMINAL FACILITIES

1. Facilities should be located near enough to the District to provide service to any part of the School District within 20 minutes.
2. Office facilities required: Office that is always occupied when bus routes are operating, so that messages are received and answered without delay. There shall also be a fax machine in the dispatch office.
3. The terminal shall include a connection to the internet or other network so that the district may communicate problems, route changes and reports electronically to the bus company and vice versa.

SECTION IX EQUIPMENT (SCHOOL BUSES)

- A. Contractor owned buses must meet the standards and specifications of the State and Federal Department of Education and Highway department. They must be clean, neat appearing and always maintain suitable interior temperatures.
- B. All vehicles operated under this contract must have passed required State inspections.
- C. Age of Vehicles
 - 1. Normally buses provided for basic service may be no older than 12 years (2010 models). A bus will be permitted to operate to the age of twelve years providing the unit remains serviceable for the entire period of operation.
 - 2. In general, the average age of buses operating in the District shall be no more than 6 years old throughout the duration of the contract.
- D. List of units proposed for use in the School District showing pupil capacity, type model, manufacture date, license number, bus number, chassis, and body type, must be submitted within one month of route assignment.
- E. Video Student Monitoring: The Contractor agrees to provide a digital video surveillance system for the buses operating under this contract. The system will be approved by the Transportation Department. Seon is the current approved system. Any other system would require approval from the Transportation Department. The system will include three (3) on-board day/night cameras for Types A & B buses, and four (4) on-board day/night cameras for Types C & D. The system will also have a large enough storage capacity for 30 days of data. The Contract Vendor further agrees to maintain the system and replace components as necessary. The Contractor further agrees to provide at least one "reader" at the bus facility and provide 3 "readers" for School District use. The Contractor will comply with the Fridley Video Camera Policy. Any new video equipment will download data over WIFI to provide video access to district and school staff. Finally, the Contractor agrees to properly maintain the equipment and replace any defective systems before returning to route. Wide-angle side view camera on new buses is preferred. Note - the video data is the property of the Fridley Public Schools ISD 14.
- F. **All vehicles operated under this contract shall be equipped with GPS systems (ZONAR standard) allowing monitoring of vehicle location. Such monitoring capability shall be made available to the School District Transportation Office, and compatible with District Bus Routing/Reporting software (Transfinder).**
- G. All Class A, B, C or D buses operated under this contract must be equipped with crossing arms mounted on the front bumper of the bus. The type of units must be approved by state regulations.
- H. All vehicles operated under this contract shall be equipped with two-way radio operating on the company radio frequency and able to communicate with the company from anywhere in the school district.

SECTION X

RECORDS AND REPORTS

- A. General. The Contractor will maintain and provide to the District, records and reports as required by the School District such as accident reports, load counts, route mileage charts, fuel cost and consumption, bus maintenance, route sheets, driver training and qualifications, DMV reports, (twice yearly), vandalism damage, etc.
- B. The contractor will provide such operating information as required for State transportation reports.
- C. All Safety/Discipline reports shall be submitted to the Building Principal in a timely manner.
- D. Route schedules shall be carried in the bus during the operation of that bus on the route.
- E. At the start of October, and January, Contractor shall provide a current list of drivers and buses assigned to each route operated under this contract.
- F. The contractor will respond to the District in writing to all written reports by school district or school of route problems, driver misbehavior, or other complaints within one week of complaint being submitted.
- G. Maintain and report all records required by the Transportation Supervisor and the District:
 - 1. Daily route and run mileage
 - 2. Bus rider counts
 - 3. Bus driver license checks
 - 4. Accidents
 - 5. Drug tests and/or chemical use evaluations
- H. To run a DMV driver license record check on each bus driver who operates a school bus under the District contract, and to provide a copy or the original listing of the report to the District for each driver. This report will be delivered to the District by October 1 and again on January 15 of every year where a contract is signed under the conditions of these specifications.
- I. To immediately inform the District of any driver, who is charged with or convicted of any felony, violent activity, or immoral behavior.
- J. Accidents
 - 1. Provide immediate verbal and written follow-up descriptive and state reports on all accidents in which students are involved in or which injuries of any kind results.
 - 2. The driver must report all accidents, however slight, to the Bus Company. The Bus Company must then report to the District without delay.
- K. The contractor upon completion of the State school bus inspection will provide a list of all buses assigned to the District showing points off, defects, and re-inspection points, if applicable.
- L. Responsibility. The contractor will notify the District in writing of the person responsible for compliance with this section. If there is a change to this assignment, the District shall be immediately notified in writing.

SECTION XI

OPERATION OF TRANSPORTATION

- A. The Contractor shall provide the necessary supervision to adequately provide direction to maintain bus dispatch and driver assignment so that buses will regularly meet the assigned schedules. This includes always keeping a dispatcher in the office when buses are operating regular bus routes for the district.
- B. Standby/breakdown responses. The standard time delay due to vehicle breakdown will be 15 minutes maximum. Contractor will provide standby driver and equipment that will conform to this performance standard.
- C. Responsibility. The contractor will notify the District in writing of the person responsible for compliance with this section. If there is a change to this assignment, the Contractor shall immediately notify the District in writing.
- D. Contractor will provide the District a 2-way radio operating on the frequencies used by contractor to communicate with district bus drivers. This radio must be capable of communicating with all company buses operating in the school district. Said radio will be returned to the contractor at the end of the contract or its renewals.

SECTION XII

VEHICLE MAINTENANCE STANDARDS

- A. All school vehicles shall be maintained in safe operating conditions through a systematic preventive maintenance program.
- B. All school vehicles shall be inspected in accordance with legal requirements.
- C. Daily pre-trip inspections shall be required, and prompt reports submitted of defects to be immediately corrected.
- D. A regular preventive maintenance and inspection program for buses operated under the provisions of this specification shall be submitted and followed during the period that the contract is in force and any extensions of that contract.
- E. On any school day, the District may require that a bus be brought to the District Office for the purpose of review and inspection. This notice may be as short as 30 minutes between the hours of 9:30 am and 2:30 pm.

Enclosures

2022-23 and 2023-24 Calendar
2021 Bus Contract Price List
Bus Usage and times

SECTION XIII

TRANSPORTATION SERVICE QUOTATION FORM

TO: INDEPENDENT SCHOOL DISTRICT NO. 14
 Fridley Public Schools
 6000 West Moore Lake Drive
 Fridley, MN 55432

ATTENTION: Barbie Roessler, Director of Finance

The undersigned hereby provides a transportation quotation per your specifications dated _____.

1. Regular transportation (Relating to transportation service described in Section III, A)

Size Range of Units to be supplied	Bus per Day - two route sessions	Cost for bus used only one session per day	# of buses provided if limit
Type III Van			
Type C, D			
Type A, B			

2. Midday Transportation (Relating to Bus Service Described in Section III, B)

Range of Units* to be supplied	Cost per Bus per Day	
Type III Van		
Type C, D		
Type A, B		

3. Special Transportation (Transportation service described in Section III, D.)

Unless there is need for special equipment, the rates for buses for carrying handicapped pupils should be the same as for regular pupils. In the case where a bus is used over and above the normally allowed time limit, the daily rate will be altered according to the cost per unit per 1/4 hour.

Equipped with	Cost per Day	
Lift equipped Type A-D		
Bus Para (per hour, 2 hr. min per session)		

Special Transportation continued

Type III trip bus service	Base cost	Cost/mile live trip miles
Type III Van/Auto		
Type III Lift /Ramp van		

4. **Summer School and Recreation Charges** Section III F.
- a) Bus operated for two route sessions _____% of standard daily charges
 - b) Bus operated for one route session _____% of standard daily charges
 - c) Lift charges _____% of standard daily charges.
 - d) Bus Para charges are presumed to be at the standard rate agreed in the contract.
5. **Activity Routes** relating to the services described in Section III H.

BUS SIZE	Activity Route Charges (per day)
Type III Van	
Type C, D	

6. **Extra time bus routes.** relating to the services described in Section III G.

BUS SIZE	Extra time Charges (per ¼ hour)
Type III Van	
Type C, D	
Type A, B	

7. **CHARTER/FIELD TRIP RATES** relating to the service described in Section III I.

BUS SIZE	Hourly cost	Min cost (3 hr)		Cost per mile
Type A, B				
Type C, D				
Type III				

LATE CANCELLATION CHARGE _____. (Less than four hours' notice)
 The one-way charter rates will allow up to 65 total miles. Buses will not stay at the destination.

Trailer Charge _____ for charters above.

Additional charge for lift equipped _____ per round trip.

Overnight charter trips _____ per bus per day (\$80.00 driver expenses allowance if bus stays with party.)

Trailer charge per day for overnight trips _____.

8. **Fuel Escalation Clause** (According to the criteria set forth in Section V, G.)
Gasoline and fuel price ceiling \$3.25 per gallon, for 2022-23 school year.

9. **Price Changes for the 2023-24 Contract** (According to the criteria set forth in Section IV, E.)

1. Regular School Bus Service _____ %
2. Midday _____ %
3. Special Education Charges _____ %
4. Charter _____ %
5. Summer School _____ %
6. All other charges and rates _____ %
7. Attach alternative rate schedule or proposal for 2023-24 if 1 - 6 above do not provide an adequate quotation format.

10. Provide any other relevant information about price data to be considered before evaluation of the quotation and during the existence of the contract.

Firm: _____

By: _____

Title: _____

Date: _____

**SECTION XIV
COMPANY OPERATIONAL PROFILE**

Bus Company Reference Data

Name of Company _____

Street Address _____

P.O. Address _____ Zip Code _____

Telephone Number: Area Code No. _____ Phone No. _____

Contractor is a Minnesota Corporation/out-of-state corporation/partnership/sole proprietorship licensed to do business in Minnesota. **(Indicate the correct one)**

NOTE: If accepted, the information submitted in this quotation shall be considered an addendum to the contract negotiated between the Contractor and the School Board and shall be binding between both parties. Contractor will notify School District in writing of changes in these areas

Names and addresses of districts that your company provided transportation service during the last three years.

Name of District/Contact	Address/Phone	No. of Years	No. of Buses	current daily rate per bus*

*Type C or D bus,
if rate is per student, please provide rate per student, # students, and # buses in that contract.

Data relative to number of personnel employed by your company. (Relating to the requirements of section V)

Regular bus drivers _____ Substitute or part-time drivers _____

Dispatchers _____ Supervisory Personnel _____

Office Personnel _____ Garage Mechanics _____

Others _____ Total Personnel _____

Number of Bus Service Supervisory employees to operate District 14 bus service.
Supervisors' Names _____

Ratio of Mechanics to number of contracted buses _____ to be maintained if this contract is awarded to your firm.

Safety Supervisors

Names _____

Responsibility For Compliance

The person (s) in our company who will ensure compliance with the provisions of Sections VI,C and XI,C is (are) _____ positions (s) _____ phone number _____

Brief description of our **driver selection training and supervisory program** in operation at the present time. NOTE: Vendor may wish to submit copies of materials or forms used by the company for their driver selection procedures, or training program, preventative maintenance and mechanical repair program, etc. to supplement this brief description.

Records detailing the most recent state inspection of our fleet:

Average Points Deducted (provide last 3 years data): _____

Other: _____

Brief description of our preventative maintenance and mechanical repair program.

Describe the daily pre-trip inspections made of all our vehicles. (Attach documentation)

Describe what written reports are required of our drivers on vehicle, road conditions, etc. (Attach documentation)

Describe the preventative maintenance and inspection services performed and how often they are performed. (Attach documentation)

Method in use to assure starting of engines in cold weather to maintain route schedules.

Location of garage and maintenance facilities for buses contracted under this quote.

Other information relative to equipment _____

Additional Proposals or Statements.

We further agree to abide by all laws and rules and regulations affecting school bus operation as promulgated by the Minnesota Statutes, the Department of Motor Vehicles, Department of Children, Families and Learning and the School Board. _____ initial to indicate compliance.

Additional proposals, comments or explanations that will reflect favorably on or clarify your quotation (submit additional pages as needed).

Firm: _____

By: _____

Title: _____

Date: _____

Agreement to Perform Transportation Services

Services Performed for:

Fridley Public Schools
6000 West Moore Lake Drive
Fridley, MN 55432

Services Performed by:

Frontier Transportation Services, LLC
1935 County Road B2 W Suite 228
Roseville, MN 55113

Dates of Contract

The Services shall commence on July 1, 2022 and shall continue through June 30, 2024.

Contract for Services

This contract is entered into by and between Independent School District 14 – Fridley Public Schools (hereinafter "the District") and Frontier Transportation Services, LLC (hereinafter "Bus Company" an Independent contractor for School Transportation Services for students attending school in District 14.

Now, therefore, in consideration of the mutual promise and benefits contained herein, the parties agree as follows:

1. Bus Company Services: Bus Company is an independent contractor and shall:
 - a. Provide services and comply with all terms and conditions described in the attached School Bus Contract Specifications, 2022-2024 attached hereto as Exhibit 1 (and incorporate by reference), the Transportation Quotation Form – United attached hereto as Exhibit 2 with agreed changes, the Bus Price Information Sheet United, attached here to as Exhibit 3 and the United Transportation Service Daily Fee Rates, attached hereto as Exhibit 4. In the event of any conflict between the provisions of this Contract, and Exhibit 1, this contract shall prevail.
2. Bus Company's Obligations:
 - a. Bus Company agrees that Bus Company will not contract for or accept employment for the performance of any work or services with any individual, business, partnership, corporation, government, governmental unit, or any other organization that would create a conflict of interest in the performance of its obligations under this Contract.
 - b. Bus Company has obtained all necessary licenses or permits required to provide Bus Company's work under this Contract; and
 - c. Bus Company agrees to abide by applicable state and federal laws and the District policies, including but not limited to, the Minnesota Government Data Practices Act, Minn. Stat. ch. 13, Minn. Stat. § 16C.05, subd. 5, and Minn. Stat. § 181.59.
3. Term of Contract: This Contract shall be for the term described above, unless earlier terminated by law or according to the provisions herein. The parties may change the duration of this Contract in accordance with Section IV, E-G of Exhibit 1.
4. Consideration and Terms of Payment:

- a. Bus Company shall provide all services under this Contract to the satisfaction of the Superintendent or its Authorized Agent (hereinafter "Director of Finance") and no payment shall be made for services not performed or performed in a manner not satisfactory to the Superintendent or Director of Finance. For the purposes of this Contract, the Authorized Agent is the Director of Finance. Transportation Services.
 - b. The District shall compensate Bus Company in accordance with Exhibit 1 at the rates agreed to in Exhibit 2.
5. **Cancellation:** This Contract may be canceled by the District for cause if Bus Company fails to cure any default after reasonable notice and an opportunity to cure. A default by Bus Company is defined as a material breach of the terms of this Contract. In the event of such cancellation, the Bus Company shall be entitled to any payment due, determined on a pro rata basis, for work or services satisfactorily performed up to the time of the notice of cancellation. Bus Company shall cease to perform services under this Contract upon receipt of notice of cancellation from the District.
6. **Indemnification and Insurance:** Unless waived by the District in writing, the following provisions apply. The District may waive any of the provisions in this paragraph only in cases where Bus Company provides services of a limited nature such as a one- time workshop or training.
- a. Except as provided otherwise expressly in writing, Bus Company and the District each shall be responsible for its own legal representation and costs.
 - b. In accordance with Section V, F of Exhibit 1, Bus Company agrees to indemnify the District and its Agents.
 - c. Bus Company shall, at its own expense, maintain comprehensive general liability insurance in accordance with Section V, D- E of Exhibit 1. In the event the tort liability limits established by Minn. Stat. § 466.04, subd.1 are amended, the Bus Company shall increase its coverage to reflect the limits established by that law.

The Bus Company, by signing, warrants that it has reviewed and agrees to all terms incorporated in this Contract and is authorized by law to execute this Contract, intending to be legally bound thereon.

APPROVED:

School District

Bus Company -Frontier Transportation Services, LLC

Title _____

Title _____

Date _____

Date _____

Attachments

Exhibit 1 School Bus Contract Specifications

Exhibit 2 - Transportation Quotation Form - Frontier Transportation Services, LLC

Exhibit 3 – Bus Price Information Sheet Frontier Transportation Services, LLC