

Work Session

Tuesday, October 24, 2023 5:30 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 Policies for Legislative Changes	
B.1.a.	Policy 515 Protection and Privacy of Student Records	Presenter: Josh Collins
B.1.b.	Policy 624 Online Instruction	Presenter: Dr. Jason Bodey
B.2.	First Reading of Policies	
B.2.a.	Policy 902 Use of School District Facilities	Presenter: Stephen Keeler
B.2.b.	Policy 904 Distribution of Materias	Presenter: Josh Collins
C.	<u>OVERSIGHT OF OPERATIONS</u>	
C.1.	Legal, Staffing and Personnel Update	Presenter: S. Ike Isaacson
C.1.a.	New Contracts, Amendments, Leaves of Absence, Terminations, Resignations, and Retirements	
C.1.b.	Lane Changes	
C.1.c.	MOA for Stevenson Specialist Teachers 2023-2024	
C.2.	Overnight Field Trip - FHS Baseball March 24-30, 2024	Presenter: Dr. Brenda Lewis
D.	<u>INFORMATIONAL ITEMS</u>	
D.1.	Teamworks Presentation: Strategic Planning	Presenter: Teamworks: Ray Queener & Sheri Allen
D.2.	At the Next Work Session - No Work Session in November (Election Day) - Canceling Work Sessions on December 5 and February 6 due to FMS concert conflicts	Presenter: Dr. Brenda Lewis
D.3.	Important School Board Member Dates	Presenter: Ross Meisner
D.3.a.	Northeast Metro 916 Intermediate School District (Board Retreat) - Jones November 1, 2023 6:00 PM Bellaire School	
D.3.b.	Association of Metropolitan School Districts - Meisner November 3, 2023 7:30 AM Quora Education Center	
D.3.c.	NWSISD Joint Powers Board Meeting - Dr. Adam November 15, 2023 6:00 PM	

NWSISD District Office

D.3.d. Schools for Equity in Education - Auna

December 15, 2023 9:30AM

DoubleTree Hotel - Roseville

E. **PUBLIC FORUM**

Presenter: Board
Chair



FRIDLEY PUBLIC SCHOOLS

Fridley Public Schools Policies Presented for Legislative Changes October 24, 2023

#	Policy Name	Change/Revision
515	Protection and Privacy of Student Records	Legislative Changes to directory information
624	Online Instruction	New policy on online instruction



515 PROTECTION AND PRIVACY OF PUPIL RECORDS

I. Purpose

The school district recognizes its responsibility in regard to the collection, maintenance and dissemination of pupil records and the protection of the privacy rights of students as provided in federal law and state statutes. The purpose of this policy is to establish requirements for the protection and privacy of student records.

II. General Statement of Policy

The following procedures and policies regarding the protection and privacy of parents and students are adopted by the school district, pursuant to the requirements of state and federal law. Copies of this policy may be obtained by parents and eligible students online.

III. Definitions

- A. "Authorized representative" means any entity or individual designated by the school district, state, or an agency headed by an official of the Comptroller of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or state and local educational authorities to conduct, with respect to federal or state supported education programs, any audit or evaluation or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.
- B. "Biometric record," as referred to in "Personally Identifiable," means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual (e.g., fingerprints, retina and iris patterns, voice prints, DNA sequence, facial characteristics, and handwriting).
- C. "Dates of attendance," as referred to in Directory Information, means the period of time during which a student attends or attended a school or schools in the school district. The term does not include specific daily records of a student's attendance at a school or schools in the school district.
- D. Directory Information

- ~~E.~~ 1. "Directory Information," under federal law, means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. ~~For purposes of this policy, directory information includes, but is not limited to: It includes the student's name; address; telephone listing; electronic mail address;~~

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photograph; date and place of birth; major field of study; dates of attendance; grade level; enrollment status (i.e., full-time or part-time); participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended. It also includes the name, address, and telephone number of the student's
~~the student's name, date and place of birth, class designation or grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, photograph, and the most recent previous educational agency or institution attended. Directory information does not include data which references religion, race, color, social position or nationality. Data collected from nonpublic school students, other than those who receive shared time educational services, shall not be designated as directory information unless written consent is given by the student's parent or guardian. Directory information does not include:~~

a. a student's social security number;

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

2. c. a student ID or other unique personal identifier that is displayed on a student ID badge if the identifier can be used to gain access to educational records when used in conjunction with one or more factors that authenticate the student's identity, such as a PIN, password, or other factor known or possessed only by the student;

3. d. personally identifiable data which references religion, race, color, social position, or nationality; or

4. e. data collected from nonpublic school students, other than those who receive shared time educational services, unless written consent is given by the student's parent or guardian.

2. Under Minnesota law, a school district may not designate a student's home address, telephone number, email address, or other personal contact information as "directory information."

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3. For the purposes of this policy, Fridley Public Schools considers “directory information” to include: the student’s name, school of attendance or grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, diploma and awards received, photograph and the most recent previous educational agency or institution attended. It also includes the name of the student’s designated guardian.

F.E. “Education Records”

1. What constitutes “education records.” “Education records” means those records that are: (1) directly related to a student; and (2) maintained by the school district or by a party acting for the school district.
2. What does not constitute “education records.” The term “education records” does not include:
 - a. Records of instructional, supervisory and administrative personnel and educational personnel which:
 - i. kept in the sole possession of the maker of the record; and
 - ii. used only as a personal memory aid;
 - iii. are not accessible or revealed to any other individual except a temporary substitute; and
 - iv. are destroyed at the end of the school year.
 - b. Records of a law enforcement unit of the school district, provided educational records maintained by the school district are not disclosed to the unit, and the law enforcement records are:
 - i. maintained separately from education records;
 - ii. maintained solely for law enforcement purposes; and
 - iii. disclosed only to law enforcement officials of the same jurisdiction.
 - c. Records relating to an individual, including a student, who is employed by the school district that:
 - i. are made and maintained in the normal course of business;

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- ii. relate exclusively to the individual in that individual's capacity as an employee; and
- iii. are not available for use for any other purpose.

However, records relating to an individual in attendance at the school district who is employed as a result of his or her status as a student are education records.

- d. Records relating to an eligible student, or a student attending an institution of post-secondary education, which are:
 - i. made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity or assisting in that capacity;
 - ii. made, maintained, or used only in connection with the provision of treatment to the student; and
 - iii. disclosed only to individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are a part of the program of instruction within the school district.
- e. Records created or received by the school district after an individual is no longer a student at the school district.
- f. Grades on peer-related papers before the papers are collected and recorded by a teacher.

F. Education Support Services Data

"Education support services data" means data on individuals collected, created, maintained, used, or disseminated relating to programs administered by a government entity or entity under contract with a government entity designed to eliminate disparities and advance equities in educational achievement for youth by coordinating services available to participants, regardless of the youth's involvement with other government services. Education support services data does not include welfare data under Minnesota Statutes, section 13.46.

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Unless otherwise provided by law, all education support services data are private data on individuals and must not be disclosed except according to Minnesota Statutes, section 13.05 or a court order.

- G. “Eligible Student” means a student who has attained eighteen (18) years of age or is attending an institution of post-secondary education.
- H. “Juvenile Justice System” includes criminal justice agencies and the judiciary when involved in juvenile justice activities.
- I. “Legitimate Educational Interest” includes an interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, student health and welfare, and the ability to respond to a request for education data. It includes a person’s need to know in order to:
1. Perform an administrative task required in the school or employee’s contract or position description approved by the School Board;
 2. Perform a supervisory or instructional task directly related to the student’s education;
 3. Perform a service or benefit for the student or the student’s family such as health care, counseling, student job placement or student financial aid.
 4. Perform a task directly related to responding to a request for data.
- J. “Parent” means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent of the student in the absence of a parent or guardian. The school district may presume the parent has the authority to exercise the rights provided herein, unless it has been provided with evidence that there is a state law or court order governing such matters as marriage dissolution, separation or child custody, or a legally binding instrument which provides to the contrary.
- K. “Personally identifiable” means that the data or information includes, but is not limited to: (a) a student’s name; (b) the name of the student’s parent or other family member; (c) the address of the student or student’s family; (d) a personal identifier such as the student’s social security number or student number or biometric record; (e) other indirect identifiers, such as the student’s date of birth, place of birth, and mother’s maiden name; (f) other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or (g) information requested by a person who the school district

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reasonably believes knows the identity of the student to whom the education record relates.

L. Record

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

M. Responsible Authority

“Responsible authority” means superintendent or the superintendent’s designee. The school principal is the assigned designee as it relates to this policy.

N. Student

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

O. School Official

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

- ~~1. a person duly elected to the School Board;~~
- ~~2. a person employed by the School Board in an administrative, supervisory, instructional or other professional position;~~
- ~~3. a person employed by the School Board as a temporary substitute in a professional position for the period of his or her performance as a substitute; and~~
- ~~4. a person employed by, or under contract to, the School Board to perform a special task such as a secretary, a clerk, as public information officer or~~



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~~data practices compliance official, an attorney or an auditor for the period of his or her performance as an employee or contractor.~~

P. Summary Data

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

Q. Other Terms and Phrases

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

IV. General Classification

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

V. Statement of Rights

A. Rights of Parents and Eligible Students

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

1. The right to inspect and review the student’s education records;
2. The right to request the amendment of the student’s education records to ensure that they are not inaccurate, misleading or otherwise in violation of the student’s privacy or other rights;
3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that such consent is not required for disclosure pursuant to this policy, state or federal law, or the regulations promulgated thereunder;



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4. The right to refuse release of names, addresses, and home telephone numbers of secondary students to military recruiting officers and post-secondary educational institutions;
5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school district to comply with the federal law and the regulations promulgated thereunder;
6. The right to be informed about rights under the federal law; and
7. The right to obtain a copy of this policy at the superintendent's office, 6000 West Moore Lake Drive, Fridley, MN.

B. Eligible Students

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

C. Students With a Disability

The school district shall follow 34 C.F.R. §§ 300.610-300.617 with regard to the privacy, notice, access, record keeping and accuracy of information related to students with a disability.

VI. Disclosure of Education Records

A. Consent Required for Disclosure

1. The school district shall obtain a signed and dated written informed consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the student, except as provided herein.
2. The written consent required by this subdivision must be signed and dated by the parent of the student or the eligible student giving the consent and shall include:



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

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

6. Eligible Student Consent

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

B. Prior Consent for Disclosure Not Required

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

1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records;
2. To a contractor, consultant, volunteer, or other party to whom the school district has outsourced institutional services or functions provided that the outside party:



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- a. performs an institutional service or function for which the school district would otherwise use employees;
 - b. is under the direct control of the school district with respect to the use and maintenance of education records; and
 - c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made.
3. To officials of other schools, school districts, or post-secondary educational institutions in which the student seeks to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice as described herein, suspension and expulsion information pursuant to the federal Every Student Succeeds Act, 20 U.S.C. § 7917 and district policy, and, if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minnesota state statute 260B.171, unless the data are required to be destroyed under Minnesota state statute 120A.22 Subdivision 7(c) or Section 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records that have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with the Section XV. of this policy;
4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;
5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:
 - a. determine eligibility for the aid;
 - b. determine the amount of the aid;
 - c. determine conditions for the aid; or
 - d. enforce the terms and conditions of the aid.

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

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



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when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed. For purposes of this provision, the term “organizations” includes, but is not limited to, federal, state and local agencies and independent organizations. In the event the Department of Education determines that a third party outside of the school district to whom information is disclosed violates this provision, the school district may not allow that third party access to personally identifiable information from education records for at least five years.

8. To accrediting organizations in order to carry out their accrediting functions;
9. To parents of a student eighteen (18) years of age or older if the student is a dependent of the parents for income tax purposes;
10. To comply with a judicial order or lawfully issued subpoena, provided, however, that the school district makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a federal grand jury subpoena, or any other subpoena issued for law enforcement purposes, and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or the disclosure is in compliance with and ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. § 2332b(g)(5)(B), or an act of domestic or international terrorism as defined in 18 U.S.C. § 2331, or a parent is a party to a court proceeding involving child abuse and neglect or dependency matters, and the order is issued in the context of the proceeding.. If the school district initiates legal action against a parent or student it may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as plaintiff. Also, if a parent or eligible student initiates a legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student’s education records that are relevant for the school district to defend itself.
11. To appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health, including the mental health, or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there



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is an articulable and significant threat to the health or safety of a student or other individuals. In making a determination whether to disclose information under this section, the school district may take into account the totality of the circumstances pertaining to a threat and may disclose information from educational records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other students. A record of this disclosure must be maintained pursuant to Section XIII.E. of this policy. In addition, an educational agency or institution may include in the educational records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and school officials within the school district and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;

12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;
13. Information the school district has designated as “directory information” pursuant to Section VII of this policy;
14. To military recruiting officers and post-secondary educational institutions pursuant to Section XI of this policy;
15. To the parent of a student who is not an eligible student or to the student himself or herself;
16. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;
17. To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students; or
18. To the juvenile justice system, on written request that certifies that the information will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student:

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- a. the following information about a student must be disclosed: a student's full name, home address, telephone number, date of birth; a student's school schedule, daily attendance record, and photographs, if any; and any parents' names, home addresses, and telephone numbers;
- b. the existence of the following information about a student, not the actual data or other information contained in the student's educational record, may be disclosed provided that a request for access must be submitted on the statutory form and it must contain an explanation of why access to the information is necessary to serve the student:
 - i. use of a controlled substance, alcohol, or tobacco;
 - ii. assaultive or threatening conduct that could result in dismissal from school under the Pupil Fair Dismissal Act;
 - iii. possession or use of weapons or look-alike weapons;
 - iv. theft; or
 - v. vandalism or other damage to property.

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

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

19. To the principal where the student attends and to any counselor directly supervising or reporting on the behavior or progress of the student if it is information from a disposition order received by a superintendent under Minnesota state statutes section 260B.171, subdivision 3. The principal must notify the counselor immediately and must place the disposition



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

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



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

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

C. Nonpublic School Students

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



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is:

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

VII. Release of Directory Information

A. ~~Classification~~ Educational Data

Directory information is public except as provided herein.

1. Educational data designated as directory information is public data on individuals to the extent required under federal law. Directory information must be designated pursuant to the provisions of:

- a. Minnesota Statutes, section 13.32, subdivision 5; and

- b. United States Code, title 20, section 1232g, and Code of Federal Regulations, title 34, section 99.37, which were in effect on January 3, 2012.

2. The school district may not designate a student's home address, telephone number, email address, or other personal contact information as directory information under this section.

3. When requested, the school district must share personal contact information and directory information, whether public or private, with the Minnesota Department of Education, as required for federal reporting purposes.

B. Former Students

Unless a former student affirmatively opted out of the release of directory information in his or her last year of attendance, the school district may disclose directory information from the education records generated by it regarding the former student without meeting the requirements of Paragraph C. of this section. In addition, under an explicit exclusion from the definition of an "education record," the school district may release records that only contain information

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about an individual obtained after he or she is no longer a student at the school district and that are not directly related to the individual's attendance as a student (e.g., a student's activities as an alumnus of the school district).

C. Present Students and Parents

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

~~1. When conducting the directory information designation and notice process required by federal law, the school district shall give parents and students notice of the right to refuse to let the district designate specified data about the student as directory information.~~

~~2. Annually The school district shall give public-annual notice by any means that are reasonably likely to inform the parents and eligible students of:~~

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

~~3. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the school district, in writing, that any or all of the information so designated should not be disclosed without the parent's or eligible student's prior written consent, except as provided in Section VI of this policy.~~

~~4. A parent or eligible student may not opt out of the directory information disclosures to:~~

- a. prevent the school district from disclosing or requiring the student to disclose the student's name, ID, or school district e-mail address in a class in which the student is enrolled; or

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- b. prevent the school district from requiring a student to display publicly, or to disclose a student ID card or badge that exhibits information that may be designated as directory information and that has been properly designated by the school district as directory information.

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

D. Procedure for Obtaining Nondisclosure of Directory Information

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

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

E. Duration

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

VIII. Disclosure of Private Records

A. Private Records

For the purposes herein, education records are records which are classified as private data on individuals by state law and which are accessible only to the student who is the subject of the data and the student's parent if the student is not an eligible student. The school district may not disclose private records or their



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contents except as summary data, or except as provided in Section VI of this policy, without the prior written consent of the parent or the eligible student. The school district will use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other party to whom personally identifiable information from education records is disclosed.

B. Private Records Not Accessible to Parent

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

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

C. Private Records Not Accessible to Student

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

IX. Disclosure of Confidential Records

A. Confidential Records

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

B. Reports Under the Maltreatment of Minors Reporting Act

Pursuant to Minnesota Statutes Chapter 260E, written copies of reports pertaining to a neglected and/or physically and/or sexually abused child shall be accessible only to the appropriate welfare and law enforcement agencies. In respect to other parties, such data shall be confidential and will not be made available to the parent or the subject individual by the school district. The subject individual, however, may obtain a copy of the report from either the local welfare agency, county sheriff or the local police department subject to the provisions of Minnesota Statutes Chapter 260E.

Regardless of whether a written report is made under Minnesota Statutes Chapter 260E, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.

C. Investigative Data

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

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



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

D. Chemical Abuse Records

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

X. Disclosure of School Records Prior to Exclusion or Expulsion Hearing

At a reasonable time prior to any exclusion or expulsion hearing, the student and the student’s parent or guardian or representative shall be given access to all school district



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records pertaining to the student, including any tests or reports upon which the action proposed by the school district may be based, pursuant to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §121A.40, *et seq.*

XI. Disclosure of Data to Military Recruitment Officers and Post-Secondary Educational Institutions

- A. The school district will release the names, addresses, electronic mail address (which shall be the electronic mail addresses provided by the school district, if available, that may be released to military recruiting officers only), and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request unless a parent or eligible student has refused in writing to release this data pursuant to Paragraph C. below. ~~The School District will release the names, addresses, and home telephone numbers of secondary students to military recruiting officers within sixty (60) days after the date of the request unless a parent or eligible student has refused in writing to release this data to military recruiters pursuant to Paragraph C. below.~~
- B. Data released to military recruiting officers under this provision:
1. may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military; and
 2. cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces.
 3. Copying fees shall not be imposed
- C. A parent or eligible student has the right to refuse the release of the name, address, electronic mail addresses (which shall be the electronic mail addresses provided by the school, if available, that may be released to military recruiting officers only) or home telephone number to military recruiting officers and post-secondary educational institutions ~~or home telephone number to military recruiting officers.~~ To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the building principal in writing, by September 30th, each year. The written request must include the following information:
1. Name of student and parent, as appropriate;
 2. Home address;



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3. Student's grade level;
 4. School presently attended by student;
 5. Parent's legal relationship to student, if applicable;
 6. Specific category or categories of information which are not to be released to military recruiters; and
 7. Specific category or categories of information which are not to be released to the public, including military recruiters and post-secondary educational institutions.
- D. Annually, the school district will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse to release the names, addresses, and home phone numbers of students in grades 11 and 12~~secondary students~~ without prior consent.
- E. A parent or eligible student's refusal to release the above information to military recruiting officers and post-secondary educational institutions ~~does~~ does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, phone number, and grade level of students as directory information, absent a request from a parent or eligible student not to release such data, this information will be public data and accessible to members of the public, including military recruiting officers and post-secondary educational institutions.

XII. Limits on Redisclosure

A. Redisclosure

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



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B. Redisclosure Not Prohibited

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

C. Classification of Disclosed Data

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

D. Notification

The school district shall inform the party to whom a disclosure is made of the requirements set forth in this section, except for disclosures made pursuant to court orders or lawfully issued subpoenas, disclosure of directory information under Section VII of this policy, disclosures to a parent or student, or disclosures to parents of a dependent student. In the event that the Family Policy Compliance Office determines that a state or local educational authority, a federal agency headed by an official listed in 34 C.F.R. § 99.31(a)(3), or an authorized representative of a state or local educational authority or a federal agency headed by an official listed in § 99.31(a)(3), or a third party improperly rediscloses personally identifiable information from education records or fails to provide notification required under this section of this policy, the educational agency or institution may not allow that third party access to personally identifiable information from education records for at least five years.



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XIII. Responsible Authority, Record Security; and Record Keeping

A. Responsible Authority

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

B. Record Security

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

C. Plan for Securing Student Records

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

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

D. Review of Written Plan for Securing Student Records

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

E. Record Keeping

1. The principal shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record with the education records of the student that indicates:



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- a. the parties who have requested or received personally identifiable information from the education records of the student;
 - b. the legitimate interests these parties had in requesting or obtaining the information; and
 - c. the names of the state and local educational authorities and federal officials and agencies listed in Section VI.B.4 of this policy that may make further disclosures of personally identifiable information from the student's education records without consent.
2. In the event the school district discloses personally identifiable information from an education record of a student pursuant to Paragraph B. of Section XII.B. of this policy, the record of disclosure required under this section shall also include:
 - a. the names of the additional parties to which the receiving party may disclose the information on behalf of the school district; and
 - b. the legitimate interests under Section VI. of this policy which each of the additional parties has in requesting or obtaining the information.
 - c. a copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 C.F.R. § 99.32 and to whom the school district disclosed information from an educational record. The school district shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to whom education records were disclosed upon a request from a parent or eligible student to review the record of requests for disclosure.
3. Section XIII.E.1. does not apply to requests by or disclosure to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other school officials under Section VI.B1 of this policy, to requests for disclosures of directory information under Section VII of this policy, or to a party seeking or receiving the records as directed by a Federal grand jury or other law enforcement subpoena and the issuing court or agency has ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an ~~aAssistant~~Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18. U.S.C. § 232b(g)(5)(B) or an act of domestic or international



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

XIV. Right to Inspect and Review Education Records

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

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

- B. Response to Request for Access

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

- C. Right to Inspect and Review

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

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

D. Form of Request

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

E. Collection of Student Records

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

F. Records Containing Information on More Than One Student

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

G. Authority to Inspect or Review

The school district may presume that either parent of the student has authority to inspect or review the education records of a student unless the school district has been provided with evidence that there is a legally binding instrument or a state



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law or court order governing such matters as marriage dissolution, separation or custody which provides to the contrary.

H. Fees for Copies of Records

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



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XV. Request to Amend Records; Procedures to Challenge Data

A. Request to Amend Education Records

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

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

B. Right to a Hearing

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

1. If, as a result of the hearing, the school district decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall amend the education records of the student accordingly and so inform the parent of the student or the eligible student in writing.
2. If, as a result of the hearing, the school district decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the



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contested information in the record or stating why he or she disagrees with the decision of the school district, or both.

3. Any statement placed in the education records of the student under Subdivision B. of this section shall:
 - a. be maintained by the school district as part of the education records of the student so long as the record or contested portion thereof is maintained by the school district; and
 - b. if the education records of the student or the contested portion thereof is disclosed by the school district to any party, the explanation shall also be disclosed to that party.

C. Conduct of Hearing

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

D. Appeal

The final decision of the designated hearing officer may be appealed in accordance with the applicable provisions of the Minnesota state statute relating to contested cases.



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XVI. Problems Accessing Data

- A. The data practices compliance official is the designated employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.

B. Data practices compliance officials

Type of Data Requested	Name	Position	Address	Fax Number
Human Resources and Personnel Data	Ike Isaacson	Director of Human Resources	6000 West Moore Lake Drive, Fridley, MN 55432	763-502-5045
Student Cumulative File & Student Disciplinary Records	Dr. Jason Bodey	Director of Teaching & Learning	6000 West Moore Lake Drive, Fridley, MN 55432	763-502-5040
Student Special Education Records	Laura Seifert-Hertling	Director of Special Services	6000 West Moore Lake Drive, Fridley, MN 55432	763-502-5040

- C. Any request by an individual with a disability for reasonable modifications of the school district's policies or procedures for purposes of accessing records shall be made to the data practices compliance official.

XVII. Complaints for Noncompliance with FERPA

A. Where to File Complaints

Complaints regarding alleged violations of rights accorded parents and eligible students shall be submitted in writing to the Family Policy Compliance Office, U.S. Department of Education, Student Privacy Policy Office, 400 Maryland Avenue, S.W., Washington, D.C. 20202-8520.

B. Content of Complaint

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

XVIII. Waiver

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

XIX. Annual Notification of Rights



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A. Contents of Notice

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

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;
2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records;
3. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosure without consent;
4. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of state and federal law, and the rules promulgated thereunder;
5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing education records to other school officials whom the school district has determined to have legitimate educational interests; and
6. That the school district forwards education records on request to a school in which a student seeks or intends to enroll including suspension and expulsion records pursuant to the federal Every Student Succeeds Act and, if applicable, a student's history of violent behavior.

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

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

C. Notification to Parents or Eligible Students Who Are Disabled

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

XX. Destruction and Retention of Records

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

XXI. Copies of Policy

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

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
[Minn. Stat. § 13.32, Subd. 5 \(Directory Information\)](#)
 Minn. Stat. § 13.393 (Attorneys)
 Minn. Stat. Ch. 14 (Administrative Procedures Act)
 Minn. Stat. § 120A.22 (Compulsory Instruction)
 Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)
 Minn. Stat. § 121A.75 (Receipt of Records; Sharing)
 Minn. Stat. § 127A.852 (Military-Connected Youth Identifier)
 Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)
 Minn. Stat. Ch. 256B (Medical Assistance for Needy Persons)
 Minn. Stat. Ch. 256L (MinnesotaCare)
 Minn. Stat. § 260B.171, subds. 3 and 5 (Disposition Order and Peace Officer Records of Children)
 Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
 Minn. Stat. § 363A.42 (Public Records; Accessibility)
 Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)
 10 U.S.C. § 503(b) and (c) Enlistments: Recruiting Campaigns; compilation of Directory Information)
 18 U.S.C. § 2331 (Definitions)
 18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)
 20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
 20 U.S.C. § 6301 *et seq.* (Every Student Succeeds Act)
 20 U.S.C. § 7908 (Armed Forces Recruiting Information)
 20 U.S.C. § 7917 (Transfer of School Disciplinary Records)
 25 U.S.C. § 5304 (Definitions – Tribal Organization)
 26 U.S.C. §§ 151 and 152 (Internal Revenue Code)
 42 U.S.C. § 1711 *et seq.* (Child Nutrition Act)
 42 U.S.C. § 1751 *et seq.* (Richard B. Russell National School Lunch Act)
 34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)
 34 C.F.R. § 300.610-300.627 (Confidentiality of Information)
 42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records)
Gonzaga University v. Doe, 536 U.S. 273, 309 (2002)



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Cross References:

MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
MSBA/MASA Model Policy 520 (Student Surveys)
MSBA/MASA Model Policy 711 (Videotaping on School Buses)
MSBA/MASA Model Policy 722 (Public Data Requests)
MSBA/MASA Model Policy 906 (Community Notification of Predatory Offenders)
MSBA School Law Bulletin "I" (School Records – Privacy – Access to Data)

School Board Action:

Adopted as Policy 8.402 August 19, 1975
Revised as Policies 8.000 and 8.402 April 18, 1978
Revised as Policy 515 June 18, 2002
Revised July 15, 2008
Revised July 19, 2011
Revised July 17, 2012
Revised September 17, 2013
Revised March 18, 2014
Revised February 16, 2016
Revised January 15, 2019
Revised May 17, 2022

Fridley Public Schools Directory Information Opt-Out Form

District Policy 515 gives parents and families certain rights with respect to their child's education records and personal information. [Per Minnesota Statutes, directory information may be released to the public without permission of the student, parent/guardian. If you want to prohibit the release of student directory information, a parent/guardian must complete this form each school year. You only need to complete this form if you choose to prohibit the release of student directory information.](#)

STUDENT DIRECTORY INFORMATION

Directory Information includes: the student's name, [school of attendance or grade level, date and place of birth, class designation Fridley School District or grade level](#), participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, photograph, and the most recent previous educational agency or institution attended. [It also includes the name of the student's designated guardian.](#) Directory information does not include [a student's home address, telephone number, email address or other personal contact information, or data which references religion, race, color, social position or nationality.](#)

Directory information is most often shared in school publications such as yearbooks, special event or sports programs, honor rolls, newsletters, etc. Directory information is also shared, upon request, with member of the public such as the media, college recruiters, or military recruiters. Parents/guardians may refuse to have any or all directory information made public by checking the box below.

☐ **I DO NOT** give permission to the district to release directory information regarding my child.

FOR HIGH SCHOOL JUNIORS AND SENIORS ONLY The names, addresses and home phone numbers of students in grades 11 and 12 may be shared with military and college recruiters, per federal law. Parents/guardians may refuse the release of this information for recruitment purposes by checking the box below.

☐ **I DO NOT** give permission to the district to release directory information to military or college recruiters.

1. **Date of request:**
2. **Name of person requesting Directory Information Opt Out:**
3. **Name of Student:**
4. **Home Address:**
5. **School presently attended by student:**
6. **Legal relationship to student:**
7. **Specific categories of directory information to be made non-public without the parent's or eligible student's prior written consent:**

NOTE: This request is only applicable for the current school year.

Signature of requester: _____ Date: _____

ONLY ONE READING NEEDED

(NEW**) 624 ONLINE INSTRUCTION**

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The school district shall not prohibit an enrolled student from applying to enroll in online instruction.
- B. The school district shall grant academic credit for completing the requirements of an online instruction course or program.

III. DEFINITIONS

- A. "Blended instruction" means a form of digital instruction that occurs when a student learns part time in a supervised physical setting and part time through online instruction under paragraph (E).
- B. "Digital instruction" means instruction facilitated by technology that offers students an element of control over the time, place, path, or pace of learning and includes blended and online instruction.
- C. "Enrolling district" means the school district in which a student is enrolled under Minnesota Statutes, section 120A.22, subdivision 4.
- D. "Online course syllabus" means a written document that identifies the state academic standards taught and assessed in a supplemental online course under paragraph (I); course content outline; required course assessments; instructional methods; communication procedures with students, guardians, and the enrolling district under paragraph (C); and supports available to the student.
- E. "Online instruction" means a form of digital instruction that occurs when a student learns primarily through digital technology away from a supervised physical setting.

- F. "Online instructional site" means a site that offers courses using online instruction under paragraph (E) and may enroll students receiving online instruction under paragraph (E).
- G. "Online teacher" means an employee of the enrolling district under paragraph (C) or the supplemental online course provider under paragraph (J) who holds the appropriate licensure under Minnesota Rules, chapter 8710, and is trained to provide online instruction under paragraph (E).
- H. "Student" means a Minnesota resident enrolled in a school defined under Minnesota Statutes, section 120A.22, subdivision 4, in kindergarten through grade 12 up to the age of 21.
- I. "Supplemental online course" means an online learning course taken in place of a course provided by the student's enrolling district under paragraph (C).
- J. "Supplemental online course provider" means a school district, an intermediate school district, an organization of two or more school districts operating under a joint powers agreement, or a charter school located in Minnesota that is authorized by the Minnesota Department of Education (MDE) to provide supplemental online courses under paragraph (I).

IV. DIGITAL INSTRUCTION

- A. An enrolling district may provide digital instruction, including blended instruction and online instruction, to the district's own enrolled students. Enrolling districts may establish agreements to provide digital instruction, including blended instruction and online instruction, to students enrolled in the cooperating schools.
- B. When online instruction is provided, an online teacher shall perform all duties of teacher of record under Minnesota Rules, part 8710.0310. Unless the Commissioner of MDE grants a waiver, a teacher providing online instruction shall not instruct more than 40 students in any one online learning course or section.
- C. Students receiving online instruction full time shall be reported as enrolled in an online instructional site.
- D. Curriculum used for digital instruction shall be aligned with Minnesota's current academic standards and benchmarks.
- E. Digital instruction shall be accessible to students under section 504 of the federal Rehabilitation Act and Title II of the federal Americans with Disabilities Act.

- F. An enrolling district providing digital instruction and a supplemental online course provider shall assist an enrolled student whose family qualifies for the education tax credit under Minnesota Statutes, section 290.0674 to acquire computer hardware and educational software so they may participate in digital instruction. Funds provided to a family to support digital instruction or supplemental online courses may only be used for qualifying expenses as determined by the provider. Nonconsumable materials purchased with public education funds remain the property of the provider. Records for any funds provided must be available for review by the public or MDE.
- G. An enrolling district providing digital instruction shall establish and document procedures for determining attendance for membership and keep accurate records of daily attendance under Minnesota Statutes, section 120A.21.

V. SUPPLEMENTAL ONLINE COURSES

- A. Notwithstanding Minnesota Statutes, sections 124D.03 and 124D.08 and Minnesota Statutes, chapter 124E, procedures for applying to take supplemental online courses other than those offered by the student's enrolling district are as provided in this subdivision.
- B. Any kindergarten through grade 12 student may apply to take a supplemental online course. The student, or the student's parent or guardian for a student under age 17, must submit an application for the proposed supplemental online course or courses. A student may:
 - 1. apply to take an online course from a supplemental online course provider that meets or exceeds the academic standards of the course in the enrolling district they are replacing;
 - 2. apply to take supplemental online courses for up to 50 percent of the student's scheduled course load; and
 - 3. apply to take supplemental online courses no later than 15 school days after the student's enrolling district's term has begun. An enrolling district may waive the 50 percent course enrollment limit or the 15-day time limit.
- C. A student taking a supplemental online course must have the same access to the computer hardware and education software available in a school as all other students in the enrolling district.

- D. A supplemental online course provider must have a current, approved application to be listed by MDE as an approved provider. The supplemental online course provider must:
1. use an application form specified by MDE;
 2. notify the student, the student's guardian if they are age 17 or younger, and enrolling district of the accepted application to take a supplemental online course within ten days of receiving a completed application;
 3. notify the enrolling district of the course title, credits to be awarded, and the start date of the online course. A supplemental online course provider must make the online course syllabus available to the enrolling district;
 4. request applicable academic support information for the student, including a copy of the IEP, EL support plan, or 504 plan; and
 5. track student attendance and monitor academic progress and communicate with the student, the student's guardian if they are age 17 or younger, and the enrolling district's designated online learning liaison.
- E. A supplemental online course provider may limit enrollment if the provider's school board or board of directors adopts by resolution specific standards for accepting and rejecting students' applications. The provisions may not discriminate against any protected class or students with disabilities.
- F. A supplemental online course provider may request that MDE review an enrolling district's written decision to not accept a student's supplemental online course application. The student may participate in the supplemental online course while the application is under review. Decisions shall be final and binding for both the enrolling district and the supplemental online course provider.
- G. A supplemental online course provider must participate in continuous improvement cycles with MDE.

VI. ENROLLING DISTRICT

- A. An enrolling district may not restrict or prevent a student from applying to take supplemental online courses.
- B. An enrolling district may request an online course syllabus to review whether the academic standards in the online course meet or exceed the academic standards in

the course it would replace at the enrolling district.

- C. Within 15 days after receiving notice of a student applying to take a supplemental online course, the enrolling district must notify the supplemental online course provider whether the student, the student's guardian, and the enrolling district agree that academic standards in the online course meet or exceed the academic standards in the course it would replace at the enrolling district. If the enrolling district does not agree that the academic standards in the online course meet or exceed the academic standards in the course it would replace at the enrolling district, then:
1. the enrolling district must provide a written explanation of the district's decision to the student, the student's guardian, and the supplemental online course provider; and
 2. the online provider must provide a response to the enrolling district explaining how the course or program meets the graduation requirements of the enrolling district.
- D. An enrolling district may reduce the course schedule of a student taking supplemental online courses in proportion to the number of supplemental online learning courses the student takes.
- E. An enrolling district must appoint an online learning liaison who:
1. provides information to students and families about supplemental online courses;
 2. provides academic support information including IEPs, EL support plans, and 504 plans to supplemental online providers; and
 3. monitors attendance and academic progress, and communicates with supplemental online learning providers, students, families, and enrolling district staff.
- F. An enrolling district must continue to provide support services to students taking supplemental online courses as they would for any other enrolled student including support for English learners, case management of an individualized education program, and meal and nutrition services for eligible students.
- G. An online learning student must receive academic credit for completing the requirements of a supplemental online learning course. If a student completes an online learning course that meets or exceeds a graduation standard or the grade

progression requirement at the enrolling district, that standard or requirement is met.

- H. Secondary credits granted to a supplemental online learning student count toward the graduation and credit requirements of the enrolling district. The enrolling district must apply the same graduation requirements to all students, including students taking supplemental online courses.
- I. An enrolling district must provide access to extracurricular activities for students taking supplemental online courses on the same basis as any other enrolled student.

VII. REPORTING

Courses that include blended instruction and online instruction must be reported in the manner determined by the Commissioner of MDE.

LEGAL REFERENCES: Minn. Stat. § 120A.21 (Enrollment of a Student in Foster Care)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 120A.24 (Reporting)
Minn. Stat. § 124D.03 (Enrollment Options Act)
Minn. Stat. § 124D.08 (School Board's Approval to Enroll in Nonresident District; Exceptions)
Minn. Stat. § 124D.094 (Online Instruction Act)
Minn. Stat. Ch. 124E (Charter Schools)
Minn. Rules Ch. 8710 (Teacher and Other School Professional Licensing)

CROSS REFERENCES: MSBA/MASA Model Policy 613 (Graduation Requirements)
MSBA/MASA Model Policy 620 (Credit for Learning)

School Board Action: *Adopted as policy on October 24, 2023*

902 Use of School District Facilities

I. Purpose

The purpose of this policy is to provide guidelines for community use of school facilities.

II. General Statement of Policy

The School Board encourages maximum use of school facilities by community groups and individuals without decreasing the use of such facilities for school programs and without placing an undue financial burden on the District.

III. Responsibility for Non-Instructional Facility Use

All facility uses for school related activities outside the instructional school day are the responsibility of the administrator in charge of the activity. Schedules of these activities should be entered on the Community Education Department's District master schedule.

The Community Education Department will keep a master schedule of the District's calendar of events.

The Community Education Director is authorized to approve and schedule the use of facilities by non-school groups in accordance with this policy. The Community Education Director is further authorized to resolve any scheduling conflicts involving use of facilities outside of the regular school day.

IV. Scheduling of Activities and Facilities

Individual schools will maintain their building schedules during the school day and during co-curricular hours on days when school is in session.

School/District activities will have complete scheduling priority for the new school year until June 1st of each year. (The school year runs from July 1 to June 30.) School/ District users should enter their proposed activities directly on the Community Education Department's District master schedule. After June 1, the Community Education Department will accept requests from all potential facility users and will attempt to schedule them according to the user classification system.

To schedule District facilities, community users must complete and submit a signed Facility Use Request Form along with a \$10 permit filing fee to the Community Education Department. Requests should be submitted at least 10 days before the first requested date of use. Once the Community Education Department schedules the activity, the Department will issue a permit to the user. The permit will list all dates, times, locations, approved

equipment, and any other necessary information along with the estimate of fees. All required fee payments must be received by the Community Education Department at least seven working days prior to the event to guarantee the reservation. Permit fees are non-refundable. No-shows will be expected to pay the full rental agreement charges.

V. Classification of Community User Groups

First priority for facility use is given to District programs including all Pre-K-12 activities, authorized co-curricular activities, Community Education activities, and authorized staff development activities.

Community user groups will be classified according to the following criteria to determine their priority and fees. User classes are in priority access order starting from the highest level to the lowest.

User class priority does not automatically convey to a higher classified user the right to displace a previously scheduled activity by a lower classified user. Every effort will be made not to displace previously scheduled activities. Once scheduled, an activity will generally have priority over any later request even from higher classified activities.

The District retains the right to cancel or displace any activity.

A. Class I: Governmental Agencies

1. City, county, state and federal governmental units conducting elections.
2. Groups of District residents organized to support a particular Fridley ISD 14 school or District activity shall be considered to be Class I users even if their activities are fundraising in nature.

a. Class I users shall not be required to pay a permit fee or a facility use fee, but they may be required to reimburse the District for staff costs or other expenses directly attributable to the activity.

a.b. The Superintendent or designee may waive fees for school-related groups whose program is considered a part of the district's educational function.

B. Class II: Community Based Not-For-Profit Groups

1. Groups in Class II are community based not-for-profit organizations whose members are mostly District residents (70 percent or more; examples of groups in Class II are Fridley Youth Sports Association, sScouts, University of Minnesota Extension and 4-H programs, community service clubs, and other similar organized groups.)

2. These groups remain in Class II as long as their activities do not require participants to pay admission fees and as long as their activities are not fund-raising in nature.
3. City, county, state and federal governmental units conducting activities primarily serving district residents (70 percent or more).

Class II Notes:

- a) A small fee collected to cover an activity's direct expenses is not considered an admission or fund-raising activity under this policy.
- b) For purposes of this policy, qualifying groups must not discriminate in their membership policies.
- c) The district acknowledges unique relationships with some organizations whose significant purpose is to raise funds and offer support/services for district students. We will establish a rate for this group's use of school facilities each year.
- d) The Superintendent or designee may waive fees for school-related groups whose program is considered a part of the district's educational function.

C. Class III Groups:

1. All Class I or Class II groups holding activities that are fund-raisers or for which admission is charged (except as noted).
2. All Class II groups not containing at least 70 percent Fridley School District residents.
3. Fridley School District residents holding private activities (for which proof of insurance may be required).

Class III Note: Any athletic, academic or fine arts camp run by District staff must operate as a formal Community Education program. Employees are not permitted to rent District space to conduct activities for their own private gain.

D. Class IV Groups:

1. Businesses or for-profit organizations, regardless of whether a fee is charged for admission.
2. Religious organizations.
3. All other groups.

VI. Additional Fees

- In addition to the permit filing fee and the facility use fee, community users of school facilities may be responsible for one or more of the following charges, depending on the activity, as determined by the Community Education Director.

- A. Student Technician: Groups using technology, audio-visual, or other special equipment will be required to pay for student technicians to facilitate their use of the facility and equipment in the auditorium.
- B. Building Supervisor: When a building supervisor is required for an activity, the group will be billed the cost of the employee.
- C. Custodian: If events require special or heavy set-up or clean-up, involve meals, are large enough to require the cleaning of public areas and restrooms, or involve other issues requiring custodial support, a custodian will be assigned and the group will be responsible for the cost.
- D. Auditorium staff: Groups requiring significant set-up in the auditorium or requiring other specialized facility or equipment needs may be required to pay for specialized technical staff members to facilitate their safe use of the building and equipment.
- E. Police or Fire Department Personnel: At the discretion of the Director of Community Education, users may be required to hire appropriate public safety personnel for activities to provide a safe and secure environment for participants and to safeguard the facility. If required, these costs must be paid directly to the appropriate public safety agency.
- F. Special Services: Groups with special needs may be required to pay for additional services necessitated by their activity. This could include such services as additional trash removal, kitchen staff, catering fees, electrician services for special hook-ups, etc.

VII. Payment of Fees

For Class I through IV users, a signed permit request form and permit fee must be submitted to the Community Education office. By signing the permit request form, the user accepts personal responsibility for any and all financial obligations resulting from the activity. The District will provide an itemized list of fees and charges for the event.

Rental fees and labor costs are estimated based on the user's requests stated on the Facility Request Form and payment of the estimated charges may be required one week in advance of the event. Final charges will be increased if the requested times on the permit are exceeded. Actual labor costs will be billed. Contractual minimum costs for personnel or rental fees remain in place even if the actual use is less than scheduled on the permit.

If events are cancelled at least four working days prior to the scheduled activity, any deposits or rental fees paid will be refunded, less any financial obligations or other expenses made on behalf of the group as specified in the permit. Permit fees are non-refundable.

Non-payment of fees within 30 days will result in the cancellation of any subsequent activities until the account is paid in full. Any individual or group having a delinquent balance will not be given additional permits or be allowed to add dates to existing permits until the account is current.

VIII. Community Building Use Expectations

All facility users must abide by district policies and guidelines, including the following:

- A. District 14 buildings and grounds are drug, tobacco, alcohol and weapon free. The permit holder is responsible for ensuring the compliance of the group's members with these policies.
- B. By signing the permit, permit holders accept responsibility for any damage done by their group to the facilities and/or injury to individuals resulting from their use.
- C. District 14 is not responsible for loss, theft or damage to the personal property of users and their participants.
- D. District 14 is not responsible for losses due to the unforeseen cancellation of permits resulting from inclement weather, natural disasters, building mechanical failures, or other unexpected events. In such cases, the District will make every effort to provide an alternate location or reschedule the event.
- E. Inappropriate use of the facilities, use of spaces not authorized on the permit or disruptive behavior may result in additional charges, the cancellation of remaining dates on a permit and/or the denial of future access to District 14 facilities.
- F. Groups conducting athletic activities or events involving large numbers of participants will, at the discretion of the Community Education Director, be required to present a Certificate of Liability Insurance for \$1 million and/or a Liability Waiver Form, with the School District named as the Certificate Holder.
- G. Groups conducting activities involving the sale and serving of food must obtain a certificate of approval from the Anoka County Health Department and the City of Fridley.
- H. Further guidelines and expectations are found in 902P Use of School District Facilities Procedures.

Legal References:

Minn. Stat. 123B.51 (Schoolhouses and Sites; access for Noncurricular Purposes)



A World-Class Community of Learners

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.

Cross References:

MSBA/MASA Model Policy 801 (Equal Access to School Facilities)

MSBA/MASA Model Policy 901 (Community Education)

School Board Action:

Adopted as Policy 9.601

Revised as Policy 11.200 April 20, 1999

Revised as Policy 902 June 18, 2002

Revised May 15, 2007

Revised September 20, 2011

Revised December 20, 2016

Revised May 15, 2018

Revised February 18, 2020

First Reading

904 Distribution Of Materials On School District Property By Nonschool Persons and Organizations

I. Purpose

The purpose of this policy is to provide for distribution of materials appropriate to the school setting by non-staff and non-students on school district property in a reasonable manner that does not disrupt the educational program or interfere with the educational objectives of the school district.

II. General Statement of Policy

A. The school district intends to provide a method for non-school persons and organizations to distribute materials appropriate to the school setting, within the limitations and provisions of this policy.

B. To provide for orderly and nondisruptive distribution of materials, the school board adopts the following guidelines and procedures.

III. Definitions

A. "Distribution" means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, or posting or displaying material.

B. "Materials" includes all materials and objects intended by non-school persons or non-school organizations for distribution. Examples of non-school-sponsored materials include but are not limited to leaflets, brochures, buttons, badges, flyers, petitions, posters, newspapers whether written by students, employees or others, and tangible objects.

C. "Non-school person" means any person who is not currently enrolled as a student in or employed by the school district.

D. "Obscene to minors" means:

1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as

- intimate sexual acts (normal or perverted), masturbation, excretory functions, and lewd exhibition of the genitals; and
3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- E. "Minor" means any person under the age of eighteen (18).
- F. "Material and substantial disruption" of a normal school activity means:
1. Where the normal school activity is an educational program of the school district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
 2. Where the normal school activity is voluntary in nature (including school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.
- In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecast, including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.
- G. "School activities" means any activity sponsored by the school, including but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays, and in-school lunch periods.
- H. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower him or her in the esteem of the community.

IV. Guidelines

- A. Non-school persons and organizations may, within the provisions of this policy, be granted permission to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, materials and objects which are appropriate to the school setting.

B. Permission to distribute materials by non-school persons on school district property is a privilege and not a right. In making decisions regarding permission for such distribution, the administration will consider factors including, but not limited to the following:

1. Whether the material is educationally related;
2. Whether the material is related to extracurricular activities;
3. Whether the material will offer a benefit to the district's overall mission;
4. The extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline or school activities;
5. Whether the materials can be distributed from the office or other isolated location so as to minimize disruption of traffic flow in hallways;
6. The quantity or size of materials to be distributed;
7. Whether distribution would require assignment of school district staff, use of school district equipment or other resources;
8. Whether distribution would require that non-school persons be present on the school grounds;
9. Whether the materials are a solicitation for goods or services not requested by the recipient.
10. Announcements and informational materials relating to programs and activities of the municipalities and community partners served by the Fridley School District, and when appropriate, other governmental bodies and agencies;
11. Unless otherwise provided by law, announcements and informational materials regarding school or youth-related activities, organizations and agencies are clearly known to be non-sectarian, devoted to community interests or child welfare, non-discriminatory and totally committed to equal opportunity, and generally recognized as owning their existence to serving the broad public and general interests of the school community.

C. Requests for distribution of materials will be reviewed by the administration on a case-by-case basis. However, distribution of the following materials is always prohibited. Material that:

1. Is obscene to minors;

2. Is libelous;

3. Openly attempts to recruit students/families to unenroll in Fridley Public Schools;

4. Openly attempts to recruit students/families to participate in outside programs versus participating in district sponsored extracurricular activities to the detriment of the district's overall mission;

3.5. Is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended.

4.6. Advertises any product or service not permitted to minors by law;

5.7. Advocates violence or other illegal conduct;

6.8. Constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religious or ethnic origin);

7.9. Presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.

8.10. Unless otherwise provided by law, announcements or informational materials requested by persons, organizations, groups, agencies which are known or believed to be sectarian groups, discriminatory or not committed to equal opportunity, not devoted to community interests or child welfare, not generally recognized as owning their existence to the broad public and general interests or not aligned with strategic initiatives directed by the School Board.

D. All items to be distributed must include the following statement: "This event, class, activity, program, or matter is not sponsored or endorsed by Fridley Public Schools and is not printed at the District's expense."

V. Time, Place and Manner of Distribution

If permission is granted pursuant to this policy for the distribution of any materials, the time, place and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy.

VI. Violation of Policy

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

VII. Implementation

The school district administration has developed additional guidelines and procedures in 904P PROCEDURE Distribution of Materials on School District Property by Nonschool Persons.

Legal References:

U.S. Constitution, First Amendment.

Hazelwood School District v. Kuhlmeier, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988).

Doe v. South Iron R-1 School District, 498 F.3d 878 (8th Cir. 2007)

Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987)

Cornelius v. NAACP Legal Defense and Educational Fund, Inc., 473 U.S. 788, 105 S.Ct. 3439, 87 L.Ed.2d 567 (1985).

Perry Education Ass'n v. Perry Local Educators' Ass'n, 460 U.S. 37, 103 S.Ct. 948, 74 L.Ed.2d 794 (1983).

Roark v. South Iron R-1 School Dist., 573 F.3d 556 (8th Cir. 2009)

Victory Through Jesus Sports Ministry Foundation v. Lee's Summit R-7 School Dist., 640 F.3d 329 (8th Cir. 2011), cert. denied U.S. 132 S.Ct. 592 (2011)

Cross References:

MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)

MSBA/MASA Model Policy 512 (School-Sponsored Student Publications)

SCHOOL BOARD ACTION:

Adopted as Policy 904 June 18, 2002

Revised December 16, 2008

Revised January 17, 2017

Revised April 17, 2018

Revised February 18, 2020

Reviewed – No Changes January 2023

Personnel Changes 2023-2024

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

First Name	Last Name	Assignment	Step/Lane/Salary	School
Celeste	Acosta	Yearbook Advisor	Schedule C	FMS
Aanika	Anderson	Unified Club Advisor	Schedule C	FHS
Jennifer	Bardenpratt	Robotics Advisor	Schedule C	FHS
Lucia	Barquero-Raivo	WSI/LG	Step 1	FCC
Mary	Becker	Fall Musical Choreographer	Schedule C	FHS
Blair	Berger	Jazz Band Advisor	Schedule C	FMS
Blair	Berger	Builders Club Advisor	Schedule C	FMS
Tasha	Booth	Cook	Step 2	FHS
Brooke	Brose	Head Dance Team Coach	Schedule C	FHS
Melissa	Bryson-Rivera	Event Worker	Schedule C	FHS
Mandi	Burian	Student Council Advisor	Schedule C	FHS
Devohn	Cruz	Volunteer Wrestling Coach	Schedule C	FHS
Chris	Cudnowski	Science Club Advisor	Schedule C	FHS
Ted	Cullen	Chess Club Advisor	Schedule C	FHS
Aaron	Cuthbert	History Day Advisor	Schedule C	FMS
Kahnnie	Gbor	Essence Girls Club Advisor	Schedule C	FHS
Thomas	Gowah	Step Up/Kings Group Advisor	Schedule C	FHS
Courtney	Green	EC Screener/ECFE	BA Step 1	FCC
Kelli	Greenhalgh	Student Council Advisor	Schedule C	FHS
Abigail	Hartzell	Key Club Advisor	Schedule C	FHS
Danielle	Hasbrook	Art Club Advisor	Schedule C	FHS
Brooke	Hoiseth	Art Club Advisor	Schedule C	FHS
Anna	Hron	United Club Advisor	Schedule C	FHS
Hsiao-Hsuan	Huang	Asian Club Advisor	Schedule C	FHS
Jeff	Johnson	Show Choir / Vocal Advisor	Schedule C	FHS
Jeff	Johnson	GSA Club Advisor	Schedule C	FHS
Jeff	Johnson	Fall Musical Choral Director	Schedule C	FHS
Matt	Kiefer	MN Honor Society Advisor	Schedule C	FHS
Tom	Larson	Fall Musical Director	Schedule C	FHS
Donovan	Lewis	Paraeducator	Step 1	HYS
Aisha	Mohamed	ECFE Teacher	MA Step 1	FCC
Andrea	Mulry	Robotics Advisor	Schedule C	FHS
John	Murphy	Paraeducator	Step 1	RLS
Siena	Olson	Jazz Band Advisor	Schedule C	FHS
Siena	Olson	Instrumental Music Advisor	Schedule C	FHS
Siena	Olson	Fall Musical Orchestral Director	Schedule C	FHS
Ahmad	Samadi	Spanish Club Advisor	Schedule C	FHS
Ahmad	Samadi	MN Honor Society Advisor	Schedule C	FHS
Madeline	Sheahan	Assistant Dance Team Coach	Schedule C	FHS
Aloda	Sims	AASU Advisor	Schedule C	FHS
Katie	Sneider	Key Club Advisor	Schedule C	FHS

First Name	Last Name	Assignment	Step/Lane/Salary	School
Katie	Sneider	Link Crew Advisor	Schedule C	FHS
Kelly	Sokolowski	Reading Teacher	MA Step 12	HYS
Dan	Wold	Fall Musical Tech Director	Schedule C	FHS
Dan	Wold	Fall Musical Set Design	Schedule C	FHS
Dan	Wold	Fall Musical Producer	Schedule C	FHS
Markai	Wotoe	Activities Event Worker/Para	Step 2	FHS

Individual Contracts (2023-2024)

First Name	Last Name	Assignment	Step/Lane/Salary	School
Courtney	Green	ECFE Specialist	Individual Contract	FCC
Megan	Woodard	Student Achievement Specialist	Individual Contract	DO
Aisha	Mohamed	ECFE Specialist	Individual Contract	FCC

Lane Changes

First Name	Last Name	Current Lane	New Lane
Jeren	Anderson	MA+10	MA+40
Courtney	Benjamin	BA	BA+40
James	Carlson	BA+30	MA
Ariel	Chang	MA+40	PhD
Heather	Cole	BA+20	BA+30
Madeline	Dale	MA+20	MA+30
Matthew	Ferry	MA+10	MA+20
Steve	Holt	MA	MA+30
Casey	Leasure	BA+10	BA+20
Elizabeth	Mulville	MA	MA+10
Todd	Reiland	MA	MA+20
Sam	Vossler	BA+40	MA+20
Danielle	Ward	MA+30	MA+40
Elizabeth	Winkelman	BA+30	MA
Anna	Zawadski	MA	MA+10

Leaves of Absence (2023-2024)

- Brittany Fleck has requested an intermittent leave of absence from her teacher position at Stevenson Elementary from September 28, 2023 through June 7, 2024.
- Jeanette Grant has requested a leave of absence from her Health Assistant position at Fridley High School from October 16, 2023 through October 20, 2023.
- Cindy McKay requested a leave of absence from her administration position at Fridley Public Schools from July 24, 2024 through September 15, 2023.
- Lindsey Miller has requested a leave of absence from her teacher position at Fridley Community Center from October 10, 2023 through October 20, 2023.
- Bryce Richter requested a leave of absence from his teacher position at Fridley High School from September 11, 2023 through October 6, 2023.
- Charlene Romero has requested a leave of absence from her cook position at Fridley Middle School from October 4, 2023 through October 19, 2023.

Resignations (2023-2024)

- Meadhat Embaby resigned his Cook Manager position at Stevenson Elementary School effective September 29, 2023.
- Anthony Vincent resigned his Custodial position at Fridley Middle School, effective September 30, 2023.

MEMORANDUM OF AGREEMENT

WHEREAS, the Fridley Education Association ("Union") and Independent School District No. 14 ("School District") are parties to the Teachers' Collective Bargaining Agreement ("Collective Bargaining Agreement"); and

WHEREAS, the Union and the School District wish to acknowledge the additional workload of elementary specialist teachers at Stevenson Elementary School when taking on an extra section of class due to the addition of a sixth (6th) section of Kindergarten students during the 2023-2024 schoolyear; and

WHEREAS, the Union and the District do not envision this to be an on-going work-place scenario in the School District; and,

NOW, THEREFORE, the Union and the School District agree as follows:

1. The District will pay an overload assignment based on the following calculation: The overload assignment is .15; this is divided by the 5 teachers taking on the extra section, resulting in an overload assignment of .03 FTE per teacher.
2. This Memorandum of Agreement is retroactive to August 28, 2023 and is effective upon execution by the parties and shall expire on June 30, 2024. It shall have no force or effect thereafter, unless so agreed, in writing by the Union and the School District.
3. This MOA does not constitute a past practice, nor does it establish a precedent.

Dated: 10-12-23

Fridley Education Association

By Phil B.
Its President

Dated: _____

By _____
Its _____

Dated: _____

Independent School District No. 14

By _____
Its _____

By _____
Its _____



School Board Approval of Overnight Field Trip

A World-Class Community of Learners

Any staff requesting an overnight field trip activity for students are required to get advance School Board approval before advertising to students and parents.

Completed by Dan Nalepka		Subject area Baseball	Date of request 10/17/2023
Name of school and staff member(s) planning trip Fridley HS Baseball, Coach Dan Nalepka			
Name and address of outside sponsoring group NA		Name of travel agent selected NA	
List fees or expenses that will be paid by the travel agent to the staff member NA		What are the limits of liability by travel agent? (attach copy of insurance statement) NA	
Number of students on trip 16		Number of school days missed 0	
Educational objectives of proposed trip Spring Training baseball trip to Florida			
Location of trip (city, state, country) Vero Beach, Florida, USA	Dates of trip March 24 th , 2024 to March 30 th , 2024		Events (if any)
Number of staff attending 4	Number of parents attending as chaperones 0		Who pays for staff and parent expenses? Students
Expenses paid by district 0	Will the district provide a substitute? 0		How many days? 0
Cost per student \$1500	Expenses paid by fund-raising or sponsor \$500-750 per kid depending		Expenses paid by students \$750-1000 depending
Special travel and lodging arrangements We will be staying at the Jackie Robinson Training complex in Vero Beach, Florida.		Itinerary (including dates) Flying in on 3/24/24 and returning to Minnesota on 3/30/24.	
Will you include information that will be provided to parents/students for advertising the trip?		Will you complete parent approval for students to receive emergency needed treatment?	
☒ Yes ☐ No ☐ Attached		☒ Yes ☐ No ☐ Attached	
Will be brought to School Board for action on what School Board meeting date?			

Approved by:

Principal	Superintendent
Date	Date