

General Meeting of the Board
Thursday, September 12, 2024 6:30 PM

Boardroom / Teleconference
1820 Xenium Ln N
Minneapolis, MN 55441-3790

Agenda

1. **CALL TO ORDER** (*Action*)
2. **APPROVAL OF GENERAL MEETING AGENDA** (*Action*)
3. **AUDIENCE OPPORTUNITY TO SPEAK** (*Information*)
4. **APPROVAL OF CONSENT AGENDA** (*Action*)
 - 4.1. General Board Meeting Minutes from August 22, 2024
 - 4.2. Approval of Authorization of Issuance of Individual Procurement Cards (P-Cards)
5. **SHARE THE SUCCESS & RECOGNITION - (10 minutes)** (*Information*)
 - 5.1. Welcome Back Staff & First Day of School Video
6. **SUPERINTENDENT'S REPORT - (15 minutes)** (*Information*)
 - 6.1. Introduction of New School and Department Leaders
7. **INSTRUCTIONAL REPORT - None**
8. **BUSINESS SERVICES & LABOR RELATIONS REPORT - (15 minutes)** (*Information*)
 - 8.1. Facilities Report - None
 - 8.2. Financial Report - None
 - 8.3. Human Resource Report
 - 8.3.1. 2024-2025 District Staffing
9. **BOARD BUSINESS - (25 minutes)**
 - 9.1. Policy Review & Revision
 - 9.1.1. 903 Visitor to School District Sites (*Action*)
 - 9.1.2. 721 Uniform Grant Guidance Policy (*Action*)
 - 9.1.2.1. 721 Uniform Grant Guidance Resolution (*Resolution*)
 - 9.1.3. 506 Student Discipline Policy (*Information*)
 - 9.1.4. 418 Drug-Free Workplace/Schools Policy (*Information*)
 - 9.1.5. 413 Harassment & Violence Policy (*Information*)
 - 9.1.6. 406 Public and Private Personnel Data Policy (*Information*)
 - 9.1.7. 419 Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction (*Information*)
 - 9.2. Board Reports
 - 9.2.1. Chair Report
 - 9.2.1.1. Superintendent Contract (*Action*)
 - 9.2.1.2. AMSD Report (*Information*)
 - 9.2.1.2.1. September 2024 AMSD Connections Newsletter
 - 9.3. District News
 - 9.3.1. School Board Calendars 2024 & 2025
 - 9.3.2. September 12, 2024, Board Event Calendar
 - 9.3.3. 2024-2025 Get on the Bus/Local 2209 & Board Meeting Schedule
 - 9.4. Once Around the Table

10. ADJOURNMENT

DISTRICT 287 GENERAL MEETING OF THE BOARD
Intermediate District 287
August 22, 2024
MINUTES

1. CALL TO ORDER

Board Chair Brakke called the general meeting to order at 6:32 PM in the District Service Center Boardroom and by the use of District 287 Teleconferencing. Superintendent Doud recited Intermediate District 287 mission statement: "The mission of Intermediate District 287 is to be the premier provider of innovative specialized services to ensure that each member district can meet the unique learning needs of its students."

A Roll Call was taken, and a quorum was declared with 10 member districts represented and the following Board members in attendance:

286	Brooklyn Center	Ruthie Dallas
272	Eden Prairie	Kim Ross
273	Edina	Michael Birdman
278	Orono	Karen Orcutt
279	Osseo	Jackie Mosqueda-Jones
281	Robbinsdale	ReNae Bowman
280	Richfield	Crystal Brakke
283	St. Louis Park	Anne Casey
284	Wayzata	Dan Ginestra
279	Westonka	Heidi Marty

Absent: 270/Andreson and 276/Remucal

Guests:

287 Administration: Superintendent Doud, Melissa Brateng, Camille Helgeson, Dr. Elisabeth Lodges Rogers, Brian Schultz, Kevin Witherspoon, Kiarra Zackery, and Wauneen Denson-Mgeni

287 Staff Members: Shawn Garvey

2. APPROVAL OF GENERAL MEETING AGENDA

The general meeting agenda was presented for approval. *Motion by Ruthie Dallas, seconded by Heidi Marty, approve the meeting agenda. All in favor. No votes against. Motion carried.*

3. OPEN FORUM FOR COMMUNITY COMMENTS - None

4. APPROVAL OF CONSENT AGENDA

The Consent Agenda was presented for approval. The Consent Agenda included the general meeting minutes from the General Meeting of the Board Minutes from June 27, 2024, Routine Human Resources Activities for August 22, 2024, Approval of Monthly Financial Report - May 2024, Approval of Hennepin Technical College (HTC) Facility Use Agreement, Approval of Plan for District-Wide Compensatory Education Revenue Utilization FY 2024-2025, Approval of Employee Recognition Program, and the Approval of Authorization of Issuance of Individual Procurement Cards (P-Cards). *Motion by Jackie Mosqueda-Jones, seconded by Kim Ross, to approve the Consent Agenda as presented. All in favor. Motion carried unanimously.*

5. SHARE THE SUCCESS & RECOGNITIONS - None

6. SUPERINTENDENT'S REPORT

Superintendent Doud, Camille Hepola, Director of Communication & Public Relations, Dr. Elisabeth Lodge Rogers, Assistant Superintendent, and Kiarra Zackery, Director of Equity & Inclusion provided an update on the [Strategic Plan](#).

7. INSTRUCTIONAL REPORT - None

8. BUSINESS SERVICES & LABOR RELATIONS REPORTS

Facilities Report – None

Financial Report

Brian Schultz, Executive Director of Business Services and Operations, presented the monthly financial report for June 2024. *Motion by Dan Ginestra, seconded by Ruthie Dallas, to approve the monthly financial reports as presented. All in favor. Motion carried unanimously.*

Human Resources Report – None

9. BOARD BUSINESS

Policy Review & Revision

Superintendent Doud presented the 903 Visitors to School District Buildings and Sites Policy as a first read.

Superintendent Doud presented the 721 Uniform Grant Guidance Policy Regarding Federal Revenue Sources as a first read.

AMSD Report

Board Chair Brakke announced that she will no longer be on the AMSD Executive/Legislative Committee.

Once Around the Table

Chair Report

CLOSED SESSION - Negotiations

At the recommendation of Board Chair Brakke, a motion was made by Jackie Mosqueda-Jones, seconded by Heidi Marty; the school board may hold a closed meeting to consider a strategy for labor negotiations, pursuant to Minn. Stat. §13D.03. All in favor. Motion carried unanimously. The meeting was closed to the public at 7:34 PM. A motion was made by Jackie Mosqueda-Jones, seconded by Heidi Marty, to reopen the general meeting. All in favor. Motion carried unanimously. The general meeting reopened at 8:00 PM.

10. ADJOURNMENT

Motion was heard and seconded to adjourn the meeting. Meeting adjourned at 8:01 PM.

The next general meeting will be held on September 12, 2024, at 6:30 PM in the District Service Center Boardroom and by Teleconference.

Submitted by
Wauneen Mgeni
Secretary to the Board

Signed: Chair _____

Clerk _____

Date _____

Date _____

CONSENT AGENDA - RECOMMENDATION

Intermediate District 287
RESPONSIVE. INNOVATIVE. SOLUTIONS.

Authorization of Issuance of Individual Procurement Cards (P-Cards)

September 12, 2024

Author

Nicole Quigley, Purchasing

Summary

The administration recommends the issuance of a Procurement Card to the following employee, per Minnesota Statute 123B.02, subd 23:

- Shana Jones, Admin Support
- Tanisha Winter, Admin Support
- Ciera Brooks, Admin Support
- Ann Bremer Education
- Equity and Inclusion/ Communication
- Student Support

With the addition of these cards, the district will have 55 active p-cards in operation.

Recommendation

Approve and Authorize Issuance of Individual Procurement Cards (P-Cards).

Staffing Update: 2024-2025

Presenter:
Kevin Witherspoon, Ed.D., Director of Human Resources

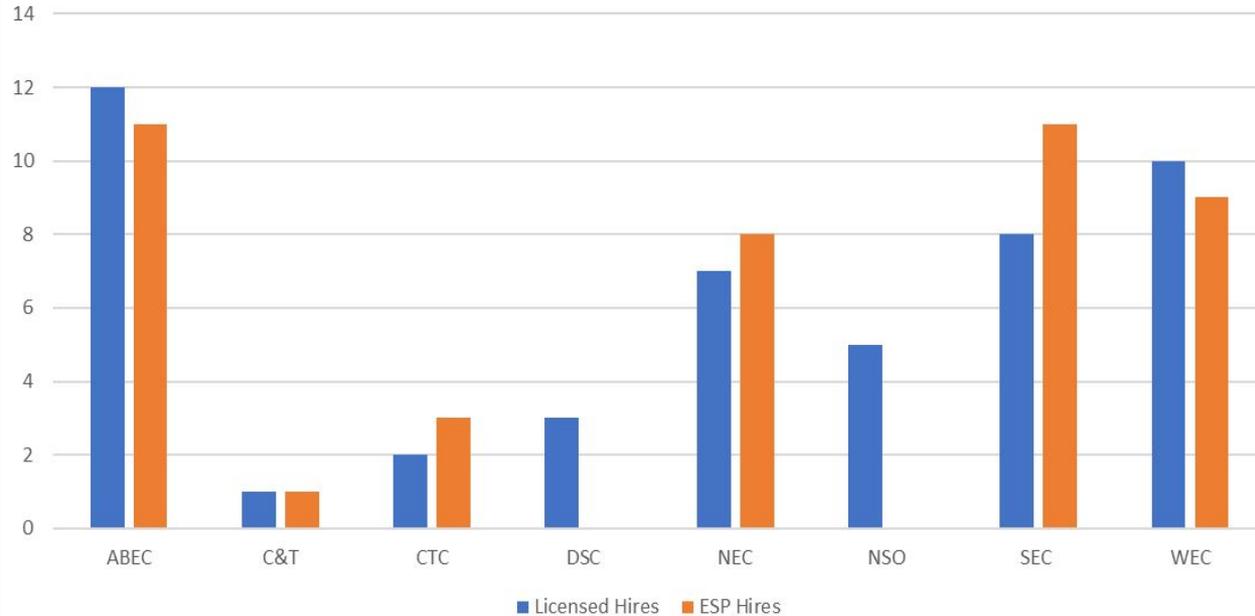


Intermediate District 287
Responsive. Innovative. Solutions.

Hired staff for 2024-2025 school year

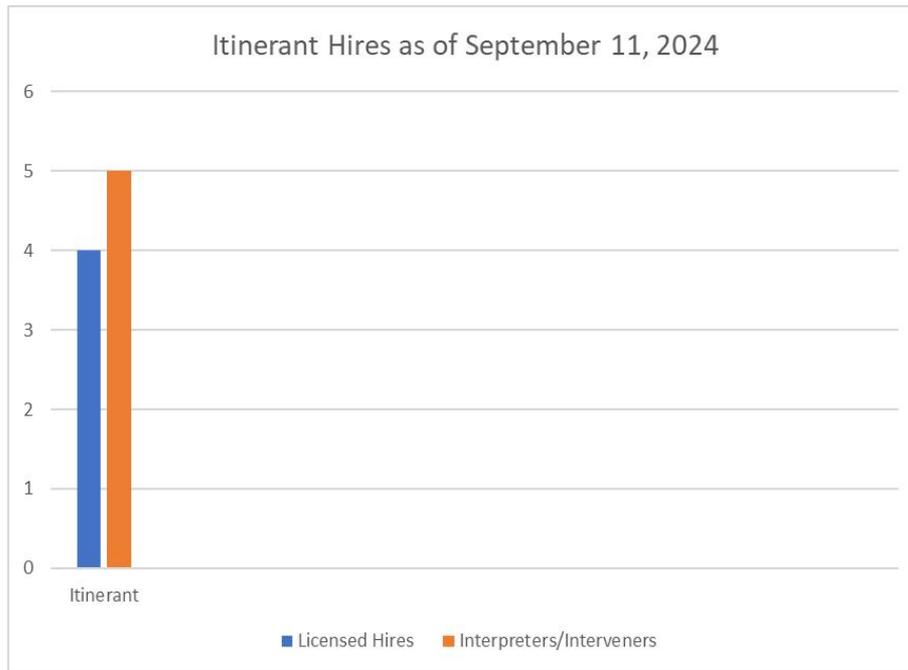
Local 2209 Hires

Local 2209 Hires as of September 11, 2024



Hired staff for
2024-2025
school year

Local 2209 Hires Itinerant



**Hired staff for
2024-2025
school year**

Principals & Assistant Principals

- **Ann Bremer Education Center**
 - **Principal = 1**
 - **Assistant Principals = 2**
- **Northern Star Online = 1 Assistant Principal**
- **South Education Center = 2 Assistant Principals**
- **West Education Center = 1 Assistant Principal**

**Hired staff for
2024-2025
school year**

Local 284

- **Administrative Support = 5**
- **Custodial = 1**
- **Food Service = 1**

**Hired staff for
2024-2025
school year**

Administrator & Unaffiliated

- **Director of Student Supports**
- **Equity & Inclusion Coordinator**
- **Manager of Curriculum & Instruction**
- **Manager of Student & Staff Safety**
- **Program Analyst**



Questions?

Intermediate District 287

RESPONSIVE. INNOVATIVE. SOLUTIONS.

DISTRICT POLICY

Second Read

POLICY SERIES: School District - Community Relations

BOARD APPROVED:

REVISION DATE:

903 VISITORS TO SCHOOL DISTRICT BUILDINGS AND SITES

I. PURPOSE

The purpose of this policy is to inform the school community and the general public of the position of the school board on visitors to school buildings and other school property.

II. GENERAL STATEMENT OF POLICY

A. The school board encourages interest on the part of parents, guardians, and community members in school programs and student activities. The school board welcomes visits to school buildings and school property by parents, guardians, and community members provided the visits are consistent with the health, education and safety of students and employees and are conducted within the procedures and requirements established by the school district.

B. The school board reaffirms its position on the importance of maintaining a school environment that is safe for students and employees and free of activity that may be disruptive to the student learning process or employee working environment.

III. POST-SECONDARY ENROLLMENT OPTIONS STUDENTS

A. A student enrolled in a post-secondary enrollment options course may remain at the school site during regular school hours in accordance with established procedures.

B. A student enrolled in a post-secondary enrollment options course may be provided with reasonable access, during regular school hours, to a computer and other technology resources that the student needs to complete coursework for a post-secondary enrollment course in accordance with established procedures.

IV. RESPONSIBILITY

A. The school district administration shall present recommended visitor and post-secondary enrollment options, student procedures and requirements to the school board for review and approval. The procedures should reflect input from employees, students and advisory groups, and shall be communicated to the school community and the general public. Upon approval by the school board, such procedures and requirements shall be an addendum to this policy.

- B. The superintendent shall be responsible for providing coordination that may be needed throughout the process and providing for periodic school board review and approval of the procedures.

V. VISITOR LIMITATIONS

- A. An individual, post-secondary enrollment options student, or group may be denied permission to visit a school or school property or such permission may be revoked if the visitor(s) does not comply with the school district procedures and regulations or if the visit is not in the best interest of students, employees or the school district.
- B. Visitors, including post-secondary enrollment options students, are authorized to park vehicles on school property at times and in locations specified in the approved visitor procedures and requirements which are an addendum to this policy or as otherwise specifically authorized by school officials. When unauthorized vehicles of visitors are parked on school property, school officials may:
 - 1. move the vehicle or require the driver or other person in charge of the vehicle to move it off school district property; or
 - 2. if unattended, provide for the removal of the vehicle, at the expense of the owner or operator, to the nearest convenient garage or other place of safety off of school property.
- C. An individual, post-secondary enrollment options student, or group who enters school property without complying with the procedures and requirements may be guilty of criminal trespass and thus subject to criminal penalty. Such persons may be detained by the school principal or a person designated by the school principal in a reasonable manner for a reasonable period of time pending the arrival of a police officer.
- D. Please see Visitor Procedures for safety practices when entering a District 287 owned sites.

Legal References: [Minn. Stat. § 123B.02 \(General Powers of Independent School Districts\)](#)
[Minn. Stat. § 124D.09 \(Postsecondary Enrollment Options Act\)](#)
[Minn. Stat. § 128C.08 \(Assaulting a Sports Official Prohibited\)](#)
[Minn. Stat. § 609.605, Subd. 4 \(Trespass\)](#)

Cross References: [None](#)

Intermediate District 287

RESPONSIVE. INNOVATIVE. SOLUTIONS.

DISTRICT POLICY

Second Read

POLICY SERIES: Business Operations

BOARD APPROVED: September 2024

REVISION DATE:

721 UNIFORM GRANT GUIDANCE POLICY REGARDING FEDERAL REVENUE SOURCES

I. PURPOSE

The purpose of this policy is to ensure compliance with the requirements of the federal Uniform Grant Guidance regulations by establishing uniform administrative requirements, cost principles, and audit requirements for federal grant awards received by the school district.

II. DEFINITIONS

A. Grants

1. "State-administered grants" are those grants that pass through a state agency such as the Minnesota Department of Education (MDE).
2. "Direct grants" are those grants that do not pass through another agency such as MDE and are awarded directly by the federal awarding agency to the grantee organization. These grants are usually discretionary grants that are awarded by the U.S. Department of Education (DOE) or by another federal awarding agency.

B. "Non-federal entity" means a state, local government, Indian tribe, institution of higher education, or nonprofit organization that carries out a federal award as a recipient or subrecipient.

C. "Federal award" has the meaning, depending on the context, in either paragraph 1. or 2. of this definition:

1. a. The federal financial assistance that a non-federal entity receives directly from a federal awarding agency or indirectly from a pass-through entity, as described in 2 Code of Federal Regulations section 200.101 (Applicability); or

- b. The cost-reimbursement contract under the federal Acquisition Regulations that a non-federal entity receives directly from a federal awarding agency or indirectly from a pass-through entity, as described in 2 Code of Federal Regulations section 200.101 (Applicability).
 2. The instrument setting forth the terms and conditions. The instrument is the grant agreement, cooperative agreement, other agreement for assistance covered in paragraph (b) of 2 Code of Federal Regulations section 200.40 (Federal Financial Assistance), or the cost-reimbursement contract awarded under the federal Acquisition Regulations.
 3. "Federal award" does not include other contracts that a federal agency uses to buy goods or services from a contractor or a contract to operate federal-government-owned, contractor-operated facilities.
- D. "Contract" means a legal instrument by which a non-federal entity purchases property or services needed to carry out the project or program under a federal award. The term, as used in 2 Code of Federal Regulations Part 200, does not include a legal instrument, even if the non-federal entity considers it a contract, when the substance of the transaction meets the definition of a federal award or subaward.
- E. Procurement Methods
1. "Procurement by micro-purchase" is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold, which is \$25,000.
 2. "Procurement by small purchase procedures" are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than \$175,000 (periodically adjusted for inflation).
 3. "Procurement by sealed bids (formal advertising)" is a publicly solicited and a firm, fixed-price contract (lump sum or unit price) awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price.
 4. "Procurement by competitive proposals" is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. Competitive proposals are generally used when conditions are not appropriate for the use of sealed bids.
 5. "Procurement by noncompetitive proposals" is procurement through solicitation of a proposal from only one source.

- F. "Equipment" means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or \$5,000.
- G. "Compensation for personal services" includes all remuneration, paid currently or accrued, for services of employees rendered during the period of performance under the federal award, including, but not necessarily limited to, wages and salaries. Compensation for personal services may also include fringe benefits which are addressed in 2 Code of Federal Regulations section 200.431 (Compensation - Fringe Benefits).
- H. "Post-retirement health plans" refer to costs of health insurance or health services not included in a pension plan covered by 2 Code of Federal Regulations section 200.431(g) for retirees and their spouses, dependents, and survivors.
- I. "Severance pay" is a payment in addition to regular salaries and wages by the non-federal entities to workers whose employment is being terminated.
- J. "Direct costs" are those costs that can be identified specifically with a particular final cost objective, such as a federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.
- K. "Relocation costs" are costs incident to the permanent change of duty assignment (for an indefinite period or for a stated period not less than 12 months) of an existing employee or upon recruitment of a new employee.
- L. "Travel costs" are the expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of the school district.

III. CONFLICT OF INTEREST

- A. Employee Conflict of Interest. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The employees, officers, and agents of the school district may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, the school district may set standards for situations in which the financial interest is not substantial or the gift is an

unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by employees, officers, or agents of the school district.

- B. Organizational Conflicts of Interest. The school district is unable or appears to be unable to be impartial in conducting a procurement action involving the related organization because of relationships with a parent company, affiliate, or subsidiary organization.
- C. Disclosing Conflicts of Interest. The school district must disclose in writing any potential conflict of interest to MDE in accordance with applicable federal awarding agency policy.

IV. ACCEPTABLE METHODS OF PROCUREMENT

- A. General Procurement Standards. The school district must use its own documented procurement procedures which reflect applicable state laws, provided that the procurements conform to the applicable federal law and the standards identified in the Uniform Grant Guidance.
- B. The school district must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
- C. The school district's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach.
- D. The school district must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.
- E. The school district must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement; selection of the contract type; contractor selection or rejection; and the basis for the contract price.
- F. The school district alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the school district of any contractual responsibilities under its contracts.

- G. The school district must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
- H. Methods of Procurement. The school district must use one of the following methods of procurement:
1. Procurement by micro-purchases. To the extent practicable, the school district must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the school district considers the price to be reasonable.
 2. Procurement by small purchase procedures. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.
 3. Procurement by sealed bids (formal advertising).
 4. Procurement by competitive proposals. If this method is used, the following requirements apply:
 - a. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
 - b. Proposals must be solicited from an adequate number of qualified sources;
 - c. The school district must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;
 - d. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
 - e. The school district may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method where price is not used as a selection factor can only be used in procurement of A/E professional services; it cannot be used to purchase other types of services, though A/E firms are a potential source to perform the proposed effort.

5. Procurement by noncompetitive proposals. Procurement by noncompetitive proposals may be used only when one or more of the following circumstances apply:
 - a. The item is available only from a single source;
 - b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - c. The DOE or MDE expressly authorizes noncompetitive proposals in response to a written request from the school district; or
 - d. After solicitation of a number of sources, competition is determined inadequate.
- I. Competition. The school district must have written procedures for procurement transactions. These procedures must ensure that all solicitations:
 1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When making a clear and accurate description of the technical requirements is impractical or uneconomical, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and
 2. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.
- J. The school district must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the school district must not preclude potential bidders from qualifying during the solicitation period.
- K. Non-federal entities are prohibited from contracting with or making subawards under "covered transactions" to parties that are suspended or debarred or whose principals are suspended or debarred. "Covered transactions" include procurement contracts for goods and services awarded under a grant or cooperative agreement that are expected to equal or exceed \$25,000.

- L. All nonprocurement transactions entered into by a recipient (i.e., subawards to subrecipients), irrespective of award amount, are considered covered transactions, unless they are exempt as provided in 2 Code of Federal Regulations section 180.215.

V. MANAGING EQUIPMENT AND SAFEGUARDING ASSETS

- A. Property Standards. The school district must, at a minimum, provide the equivalent insurance coverage for real property and equipment acquired or improved with federal funds as provided to property owned by the non-federal entity. Federally owned property need not be insured unless required by the terms and conditions of the federal award.

The school district must adhere to the requirements concerning real property, equipment, supplies, and intangible property set forth in 2 Code of Federal Regulations sections 200.311, 200.314, and 200.315.

- B. Equipment

Management requirements. Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part under a federal award, until disposition takes place will, at a minimum, meet the following requirements:

1. Property records must be maintained that include a description of the property; a serial number or other identification number; the source of the funding for the property (including the federal award identification number (FAIN)); who holds title; the acquisition date; the cost of the property; the percentage of the federal participation in the project costs for the federal award under which the property was acquired; the location, use, and condition of the property; and any ultimate disposition data, including the date of disposition and sale price of the property.
2. A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.
3. A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated.
4. Adequate maintenance procedures must be developed to keep property in good condition.
5. If the school district is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

VI. FINANCIAL MANAGEMENT REQUIREMENTS

A. Financial Management. The school district's financial management systems, including records documenting compliance with federal statutes, regulations, and the terms and conditions of the federal award, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the federal statutes, regulations, and the terms and conditions of the federal award.

B. Payment. The school district must be paid in advance, provided it maintains or demonstrates the willingness to maintain both written procedures that minimize the time elapsing between the transfer of funds and disbursement between the school district and the financial management systems that meet the standards for fund control.

Advance payments to a school district must be limited to the minimum amounts needed and timed to be in accordance with the actual, immediate cash requirements of the school district in carrying out the purpose of the approved program or project. The timing and amount of advance payments must be as close as is administratively feasible to the actual disbursements by the non-federal entity for direct program or project costs and the proportionate share of any allowable indirect costs. The school district must make timely payment to contractors in accordance with the contract provisions.

C. Internal Controls. The school district must establish and maintain effective internal control over the federal award that provides reasonable assurance that the school district is managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. These internal controls should be in compliance with guidance in "Standards for Internal Control in the Federal Government," issued by the Comptroller General of the United States, or the "Internal Control Integrated Framework," issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

The school district must comply with federal statutes, regulations, and the terms and conditions of the federal award.

The school district must also evaluate and monitor the school district's compliance with statutes, regulations, and the terms and conditions of the federal award.

The school district must also take prompt action when instances of noncompliance are identified, including noncompliance identified in audit findings.

The school district must take reasonable measures to safeguard protected personally identifiable information considered sensitive consistent with

applicable federal and state laws regarding privacy and obligations of confidentiality.

VII. ALLOWABLE USE OF FUNDS AND COST PRINCIPLES

- A. Allowable Use of Funds. The school district administration and board will enforce appropriate procedures and penalties for program, compliance, and accounting staff responsible for the allocation of federal grant costs based on their allowability and their conformity with federal cost principles to determine the allowability of costs.
- B. Definitions
1. "Allowable cost" means a cost that complies with all legal requirements that apply to a particular federal education program, including statutes, regulations, guidance, applications, and approved grant awards.
 2. "Education Department General Administrative Regulations (EDGAR)" means a compilation of regulations that apply to federal education programs. These regulations contain important rules governing the administration of federal education programs and include rules affecting the allowable use of federal funds (including rules regarding allowable costs, the period of availability of federal awards, documentation requirements, and grants management requirements). EDGAR can be accessed at: <http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.html>.
 3. "Omni Circular" or "2 Code of Federal Regulations Part 200s" or "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" means federal cost principles that provide standards for determining whether costs may be charged to federal grants.
 4. "Advance payment" means a payment that a federal awarding agency or passthrough entity makes by any appropriate payment mechanism, including a predetermined payment schedule, before the non-federal entity disburses the funds for program purposes.
- C. Allowable Costs. The following items are costs that may be allowable under the 2 Code of Federal Regulations Part 200s under specific conditions:
1. Advisory councils;
 2. Audit costs and related services;
 3. Bonding costs;
 4. Communication costs;
 5. Compensation for personal services;

6. Depreciation and use allowances;
7. Employee morale, health, and welfare costs;
8. Equipment and other capital expenditures;
9. Gains and losses on disposition of depreciable property and other capital assets and substantial relocation of federal programs;
10. Insurance and indemnification;
11. Maintenance, operations, and repairs;
12. Materials and supplies costs;
13. Meetings and conferences;
14. Memberships, subscriptions, and professional activity costs;
15. Security costs;
16. Professional service costs;
17. Proposal costs;
18. Publication and printing costs;
19. Rearrangement and alteration costs;
20. Rental costs of building and equipment;
21. Training costs; and
22. Travel costs.

D. Costs Forbidden by Federal Law. 2 Code of Federal Regulations Part 200s and EDGAR identify certain costs that may never be paid with federal funds. The following list provides examples of such costs. If a cost is on this list, it may not be supported with federal funds. The fact that a cost is not on this list does not mean it is necessarily permissible. Other important restrictions apply to federal funds, such as those items detailed in the 2 Code of Federal Regulations Part 200s; thus, the following list is not exhaustive:

1. Advertising and public relations costs (with limited exceptions), including promotional items and memorabilia, models, gifts, and souvenirs;
2. Alcoholic beverages;
3. Bad debts;
4. Contingency provisions (with limited exceptions);
5. Fundraising and investment management costs (with limited exceptions);
6. Donations;

7. Contributions;
8. Entertainment (amusement, diversion, and social activities and any associated costs);
9. Fines and penalties;
10. General government expenses (with limited exceptions pertaining to Indian tribal governments and Councils of Government (COGs));
11. Goods or services for personal use;
12. Interest, except interest specifically stated in 2 Code of Federal Regulations section 200.441 as allowable;
13. Religious use;
14. The acquisition of real property (unless specifically permitted by programmatic statute or regulations, which is very rare in federal education programs);
15. Construction (unless specifically permitted by programmatic statute or regulations, which is very rare in federal education programs); and
16. Tuition charged or fees collected from students applied toward meeting matching, cost sharing, or maintenance of effort requirements of a program.

E. Program Allowability

1. Any cost paid with federal education funds must be permissible under the federal program that would support the cost.
2. Many federal education programs detail specific required and/or allowable uses of funds for that program. Issues such as eligibility, program beneficiaries, caps or restrictions on certain types of program expenses, other program expenses, and other program specific requirements must be considered when performing the programmatic analysis.
3. The two largest federal K-12 programs, Title I, Part A, and the Individuals with Disabilities Education Act (IDEA), do not contain a use of funds section delineating the allowable uses of funds under those programs. In those cases, costs must be consistent with the purposes of the program in order to be allowable.

F. Federal Cost Principles

1. The Omni Circular defines the parameters for the permissible uses of federal funds. While many requirements are contained in the Omni Circular, it includes five core principles that serve as an important guide

for effective grant management. These core principles require all costs to be:

- a. Necessary for the proper and efficient performance or administration of the program.
- b. Reasonable. An outside observer should clearly understand why a decision to spend money on a specific cost made sense in light of the cost, needs, and requirements of the program.
- c. Allocable to the federal program that paid for the cost. A program must benefit in proportion to the amount charged to the federal program – for example, if a teacher is paid 50% with Title I funds, the teacher must work with the Title I program/students at least 50% of the time. Recipients also need to be able to track items or services purchased with federal funds so they can prove they were used for federal program purposes.
- d. Authorized under state and local rules. All actions carried out with federal funds must be authorized and not prohibited by state and local laws and policies.
- e. Adequately documented. A recipient must maintain proper documentation so as to provide evidence to monitors, auditors, or other oversight entities of how the funds were spent over the lifecycle of the grant.

G. Program Specific Fiscal Rules. The Omni Circular also contains specific rules on selected items of costs. Costs must comply with these rules in order to be paid with federal funds.

1. All federal education programs have certain program specific fiscal rules that apply. Determining which rules apply depends on the program; however, rules such as supplement, not supplant, maintenance of effort, comparability, caps on certain uses of funds, etc., have an important impact when analyzing whether a particular cost is permissible.
2. Many state-administered programs require local education agencies (LEAs) to use federal program funds to supplement the amount of state, local, and, in some cases, other federal funds they spend on education costs and not to supplant (or replace) those funds. Generally, the “supplement, not supplant” provision means that federal funds must be used to supplement the level of funds from non-federal sources by providing additional services, staff, programs, or materials. In other words, federal funds normally cannot be used to pay for things that would otherwise be paid for with state or local funds (and, in some cases, with other federal funds).
3. Auditors generally presume supplanting has occurred in three situations:

- a. School district uses federal funds to provide services that the school district is required to make available under other federal, state, or local laws.
 - b. School district uses federal funds to provide services that the school district provided with state or local funds in the prior year.
 - c. School district uses Title I, Part A, or Migrant Education Program funds to provide the same services to Title I or Migrant students that the school district provides with state or local funds to nonparticipating students.
4. These presumptions apply differently in different federal programs and also in schoolwide program schools. Staff should be familiar with the supplement not supplant provisions applicable to their program.

H. Approved Plans, Budgets, and Special Conditions

1. As required by the Omni Circular, all costs must be consistent with approved program plans and budgets.
2. Costs must also be consistent with all terms and conditions of federal awards, including any special conditions imposed on the school district's grants.

I. Training

1. The school district will provide training on the allowable use of federal funds to all staff involved in federal programs.
2. The school district will promote coordination between all staff involved in federal programs through activities, such as routine staff meetings and training sessions.

- J. Employee Sanctions. Any school district employee who violates this policy will be subject to discipline, as appropriate, up to and including the termination of employment.

VIII. COMPENSATION – PERSONAL SERVICES EXPENSES AND REPORTING

A. Compensation – Personal Services

Costs of compensation are allowable to the extent that they satisfy the specific requirements of the Uniform Grant Guidance and that the total compensation for individual employees:

1. Is reasonable for the services rendered and conforms to the established written policy of the school district consistently applied to both federal and non-federal activities; and

2. Follows an appointment made in accordance with a school district's written policies and meets the requirements of federal statute, where applicable.

Unless an arrangement is specifically authorized by a federal awarding agency, a school district must follow its written non-federal, entity-wide policies and practices concerning the permissible extent of professional services that can be provided outside the school district for non-organizational compensation.

B. Compensation – Fringe Benefits

1. During leave.

The costs of fringe benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as for annual leave, family-related leave, sick leave, holidays, court leave, military leave, administrative leave, and other similar benefits, are allowable if all of the following criteria are met:

- a. They are provided under established written leave policies;
 - b. The costs are equitably allocated to all related activities, including federal awards; and
 - c. The accounting basis (cash or accrual) selected for costing each type of leave is consistently followed by the school district.
2. The costs of fringe benefits in the form of employer contributions or expenses for social security; employee life, health, unemployment, and worker's compensation insurance (except as indicated in 2 Code of Federal Regulations section 200.447(d)); pension plan costs; and other similar benefits are allowable, provided such benefits are granted under established written policies. Such benefits must be allocated to federal awards and all other activities in a manner consistent with the pattern of benefits attributable to the individuals or group(s) of employees whose salaries and wages are chargeable to such federal awards and other activities and charged as direct or indirect costs in accordance with the school district's accounting practices.
 3. Actual claims paid to or on behalf of employees or former employees for workers' compensation, unemployment compensation, severance pay, and similar employee benefits (e.g., post-retirement health benefits) are allowable in the year of payment provided that the school district follows a consistent costing policy.
 4. Pension plan costs may be computed using a pay-as-you-go method or an acceptable actuarial cost method in accordance with the written policies of the school district.

5. Post-retirement costs may be computed using a pay-as-you-go method or an acceptable actuarial cost method in accordance with established written policies of the school district.
 6. Costs of severance pay are allowable only to the extent that, in each case, severance pay is required by law; employer-employee agreement; established policy that constitutes, in effect, an implied agreement on the school district's part; or circumstances of the particular employment.
- C. Insurance and Indemnification. Types and extent and cost of coverage are in accordance with the school district's policy and sound business practice.
- D. Recruiting Costs. Short-term, travel visa costs (as opposed to longer-term, immigration visas) may be directly charged to a federal award, so long as they are:
1. Critical and necessary for the conduct of the project;
 2. Allowable under the cost principles set forth in the Uniform Grant Guidance;
 3. Consistent with the school district's cost accounting practices and school district policy; and
 4. Meeting the definition of "direct cost" in the applicable cost principles of the Uniform Grant Guidance.
- E. Relocation Costs of Employees. Relocation costs are allowable, subject to the limitations described below, provided that reimbursement to the employee is in accordance with the school district's reimbursement policy.
- F. Travel Costs. Travel costs may be charged on an actual cost basis, on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used is applied to an entire trip and not to selected days of the trip, and results in charges consistent with those normally allowed in like circumstances in the school district's non-federally funded activities and in accordance with the school district's reimbursement policies.

Costs incurred by employees and officers for travel, including costs of lodging, other subsistence, and incidental expenses, must be considered reasonable and otherwise allowable only to the extent such costs do not exceed charges normally allowed by the school district in its regular operations according to the school district's written reimbursement and/or travel policies.

In addition, when costs are charged directly to the federal award, documentation must justify the following:

1. Participation of the individual is necessary to the federal award; and
2. The costs are reasonable and consistent with the school district's established travel policy.

Legal References: 2 C.F.R. § 200.1 (Definitions: Capital Assets)
2 C.F.R. § 200.112 (Conflict of Interest)
2 C.F.R. § 200.113 (Mandatory Disclosures)
2 C.F.R. § 200.205(d) (Federal Awarding Agency Review of Risk Posed by Applicants)
2 C.F.R. § 200.214 (Suspension and Debarment)
2 C.F.R. § 200.300(b) (Statutory and National Policy Requirements)
2 C.F.R. § 200.302 (Financial Management)
2 C.F.R. § 200.303 (Internal Controls)
2 C.F.R. § 200.305(b)(1) (Federal Payment)
2 C.F.R. § 200.310 (Insurance Coverage)
2 C.F.R. § 200.311 (Federally-owned and Exempt Property)
2 C.F.R. § 200.313(d) (Equipment)
2 C.F.R. § 200.314 (Supplies)
2 C.F.R. § 200.315 (Intangible Property)
2 C.F.R. § 200.318 (General Procurement Standards)
2 C.F.R. § 200.319(c) (Competition)
2 C.F.R. § 200.320 (Methods of Procurement to be Followed)
2 C.F.R. § 200.321 (Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms)
2 C.F.R. § 200.328 (Financial Reporting)
2 C.F.R. § 200.339 (Remedies for Noncompliance)
2 C.F.R. § 200.403(c) (Factors Affecting Allowability of Costs)
2 C.F.R. § 200.430 (Compensation – Personal Services)
2 C.F.R. § 200.431 (Compensation – Fringe Benefits)
2 C.F.R. § 200.447 (Insurance and Indemnification)
2 C.F.R. § 200.463 (Recruiting Costs)
2 C.F.R. § 200.464 (Relocation Costs of Employees)
2 C.F.R. § 200.474 (Transportation Costs)
2 C.F.R. § 200.475 (Travel Costs)

Cross References: MSBA/MASA Model Policy 208 (Development, Adoption, and Implementation of Policies)
MSBA/MASA Model Policy 210 (Conflict of Interest – School Board Members)

MSBA/MASA Model Policy 210.1 (Conflict of Interest – Charter School Board Members)

MSBA/MASA Model Policy 412 (Expense Reimbursement)

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

MSBA/MASA Model Policy 701.1 (Modification of School District Budget)

MSBA/MASA Model Policy 702 (Accounting)

MSBA/MASA Model Policy 703 (Annual Audit)

EXTRACT OF MINUTES OF MEETING
OF SCHOOL BOARD OF
INTERMEDIATE DISTRICT #287
(PLYMOUTH)
STATE OF MINNESOTA

Pursuant to due call and notice thereof, a School Board meeting of Intermediate District #287, State of Minnesota, was held on September 12, 2024 at 6:30 pm., for the purpose, in part, of approving an increase to the Intermediate District 287's federal Micro-purchase threshold of \$10,000 to \$25,000 to be consistent with Minnesota Stat. § 471.345, subd. 5, as allowed by 2 CFR § 200.320(a)(1)(iv), for the acquisition of property or services under a Federal award.

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION APPROVING THE INCREASE OF THE FEDERAL MICRO-PURCHASE THRESHOLD OF \$10,000 TO \$25,000 TO BE CONSISTENT WITH MINNESOTA STATUTE § 471.345, SUBD. 5, AS ALLOWED BY 2 CFR § 200.320(a)(1)(iv), FOR THE ACQUISITION OF PROPERTY OR SERVICES UNDER A FEDERAL AWARD.

BE IT RESOLVED by the School Board of Intermediate District #287, State of Minnesota, as follows:

WHEREAS, Intermediate District 287 entering into an agreement for the sale or purchase of supplies, materials, equipment or the rental thereof, or the construction, alteration, repair or maintenance of real or personal property must abide by the Minnesota statutes relating to contracting and bidding.

Minn. Stat. § 471.345, the Uniform Municipal Contracting Law, was established to provide dollar limits for all municipalities upon contracts which shall or may be entered into on the basis of competitive bids, quotations, or purchase or sale in the open market. Minn. Stat. § 471.345. Generally, the following thresholds apply:

1. For contracts over \$175,000 – sealed bids, solicited by public notice and subject to the particular requirements of the governmental subdivision.
2. For contracts from \$25,000 to \$175,000 – sealed bids or direct negotiation, with two quotations whenever possible.
3. For contracts of \$25,000 or less – open market or quotations (with at least two contract quotations, if practicable).

WHEREAS, the **Intermediate District 287** must have and use documented procurement procedures, consistent with State, local, and tribal laws and regulations and the standards of this **2 CFR § 200.318**, for the acquisition of property or services required under a Federal award or subaward.

WHEREAS, all procurement transactions for the acquisition of property or services required under a Federal award must be conducted in a manner providing full and open competition consistent with the standards of **2 CFR § 200.319** and **2 CFR § 200.320**.

2 CFR § 200.320 Methods of Procurement to be followed:

1. For contracts over the Simplified Acquisition Threshold, generally defined as \$250,000 in the Federal Acquisition Regulations (FAR) – formal procurement methods such as sealed bids or proposals are appropriate.

2. For contracts determined to be “small purchases”, that is the aggregate dollar amount of which is higher than the micro-purchase threshold and smaller than the Simplified Acquisition Threshold, price or rate quotations must be obtained from an adequate number of qualified sources.
3. For contracts determined to be “Micro-purchases”, currently defined in the Federal Acquisition Regulations (FAR) as \$10,000 or less– Micro-purchases may be awarded without soliciting competitive price or rate quotations if the non-Federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents it files accordingly. Purchase cards can be used for micro-purchases if procedures are documented and approved by the non-Federal entity.

WHEREAS, 2 CFR 200.320 (a)(1)(iv) allows for **Intermediate District 287** to increase their micro-purchase threshold up to \$50,000. Non-Federal entities may establish a threshold higher than the micro-purchase threshold identified in the FAR in accordance with the requirements of this section. The **Intermediate District 287** may self-certify a threshold up to \$50,000 on an annual basis and must maintain documentation to be made available to the Federal awarding agency and auditors in accordance with 2 CFR § 200.334. The self-certification must include a justification, clear identification of the threshold, and supporting documentation of a higher threshold consistent with State law.

THEREFORE; BE IT RESOLVED that the **School Board** approves an increase to the **Intermediate District 287**'s federal Micro-purchase threshold of \$10,000 to \$25,000 to be consistent with Minnesota Stat. § 471.345, subd. 5, as allowed by 2 CFR § 200.320(a)(1)(iv), for the acquisition of property or services under a Federal award.

The motion for the adoption of the foregoing resolution was duly seconded by Member _____ and, upon vote being taken thereon, the following voted in favor thereof:

And the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA

COUNTY OF HENNEPIN

I, the undersigned, being the duly qualified and acting Clerk of Intermediate District #287, State of Minnesota, hereby certify that I have carefully compared the attached and foregoing extract of minutes of a meeting of Intermediate District #287, held on the date therein indicated, with the original of said minutes on file in my office, and the same is a full, true and complete transcript insofar as the same relates to the approval of increasing the federal micro-purchase threshold from \$10,000 to \$25,000 to be consistent with Minnesota Stat. § 471.345, subd. 5, as allowed by 2 CFR § 200.320(a)(1)(iv), for the acquisition of property or services under a Federal award.

WITNESS MY HAND officially as such Clerk this ____ day of _____, 2024.

Clerk
Intermediate District #287

Intermediate District 287

RESPONSIVE. INNOVATIVE. SOLUTIONS.

Policy Summary

Policy 506 Student Discipline

Date: August 22, 2024

Policy Last Reviewed: April 2024

Overview of Recommendations:

This policy requires an annual review by the school board. Since adopting the policy in April 2024, there have been no new recommended changes by MSBA. The AdHoc recommends approving the policy as written.

Summary of Changes:

- None

Cross References and Legal References

- None

Equity Impact:

The AdHoc discuss these questions:

- Who is impacted in these changes/ Who's voice was at the table?
- Who is benefiting from these changes?
- Who is intentionally being marginalized?

Intermediate District 287

RESPONSIVE. INNOVATIVE. SOLUTIONS.

DISTRICT POLICY

First Read

POLICY SERIES: Students

SUBJECT: Student Discipline

BOARD APPROVED: September 2012, October 2014

REVISION DATE: October 2016, April 2024

506 STUDENT DISCIPLINE

I. PURPOSE

This policy's purpose is to ensure that students are aware of and comply with the school district's expectations for student conduct. This policy will enhance the school district's ability to maintain a positive learning environment. The school district will take appropriate disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.

II. GENERAL STATEMENT OF POLICY

The Board is committed to providing innovative educational services that meet the unique needs of its students. To that end, the Board advocates a proactive approach to issues of student conduct and behavior that keeps students in the learning environment.

The District adheres to the use of positive behavioral supports. School environments that are positive, predictable, relevant, and effective are safer, healthier, and more caring, have enhanced learning and teaching outcomes and can provide a continuum of support for all students.

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

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

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

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

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

III. DEFINITIONS

- A. "Nonexclusionary disciplinary policies and practices" means policies and practices that are alternatives to dismissing a pupil from school, including but not limited to evidence-based positive behavior interventions and supports, social and emotional services, school-linked mental health services, counseling services, social work services, academic screening for Title 1 services or reading interventions, and alternative education services. Nonexclusionary disciplinary policies and practices include but are not limited to the policies and practices under sections 120B.12; 121A.575, clauses (1) and (2); 121A.031, subdivision 4, paragraph (a), clause (1); 121A.61, subdivision 3, paragraph (r); and 122A.627, clause (3).
- B. "Pupil withdrawal agreement" means a verbal or written agreement between a school administrator or district administrator and a pupil's parent to withdraw a student from the school district to avoid expulsion or exclusion dismissal proceedings. The duration of the withdrawal agreement cannot be for more than a 12-month period.
- C. "Parent" means the student's guardian/ caregiver, legal guardian, or surrogate guardian identified by the district.

IV. POLICY

- A. The school board must establish uniform criteria for dismissal and adopt written policies and rules to effectuate the purposes of the Minnesota Pupil Fair Dismissal Act. The policies must include nonexclusionary disciplinary policies and practices consistent with Minnesota Statutes, section 121A.41, subdivision 12, and must emphasize preventing dismissals through early detection of problems. The policies must be designed to address students' inappropriate behavior from recurring.
- B. The policies must recognize the continuing responsibility of the school for the education of the pupil during the dismissal period.
- C. The school is responsible for ensuring that alternative educational services, if the pupil wishes to take advantage of them, must be adequate to allow the pupil to make progress toward meeting the graduation standards adopted under Minnesota Statutes, section 120B.02 and help prepare the pupil for readmission in accordance with section Minnesota Statutes, section 121A.46, subdivision 5.
- D. For expulsion and exclusion dismissals and pupil withdrawal agreements as defined in Minnesota Statutes, section 121A.41, subdivision 13:
 - 1. for a pupil who remains enrolled in the school district or is awaiting enrollment in a new district, the school district's continuing responsibility includes reviewing the pupil's schoolwork and grades on a quarterly basis to ensure the pupil is on track for readmission with the pupil's peers. The school district must communicate on a regular basis with the pupil's parent or guardian to ensure that the pupil is completing the work assigned through the alternative educational services as defined in Minnesota Statutes, section 121A.41, subdivision 11. These services are required until the pupil enrolls in another school or returns to the same school;
 - 2. a pupil receiving school-based or school-linked mental health services in the school district under Minnesota Statutes, section 245.4889 continues to be eligible for those services until the pupil is enrolled in a new district; and
 - 3. the school district must provide to the pupil's parent or guardian information on accessing mental health services, including any free or sliding fee providers in the community. The information must also be posted on the school district website.

V. AREAS OF RESPONSIBILITY

- A. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.
- B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students, and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.
- C. Principal. School leaders are responsible for co-creating a school-wide ecosystem where students and adults feel seen, heard, and empowered. They are responsible for monitoring the systems, structures, supports, culture and climate to ensure a culturally responsive learning environment for both educators and students. The school principal is given the responsibility and authority to enforce the expectations, rules, and regulations within the student/family handbook. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of Behavior referrals and shall make use of those agencies appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student to prevent imminent bodily harm or death to the student or another.
- D. Teachers. Educators are responsible for leveraging their sphere of influence with the students and families they serve by co-creating a classroom learning environment that affirms students and families as equal partners. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to restrain a student to prevent imminent bodily harm or death to the student or another.
- E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student to prevent bodily harm or death to the student or another.
- F. Parents or Legal Guardians. Parents/Families play a critical role to ensure students are successful in school and in life. They shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the behavior of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.
- I. Reasonable Force Reports
 1. The school district must report data on its use of any reasonable force used on a student with a disability to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c), as outlined in section 125A.0942, subdivision 3, paragraph (b).

2. Beginning with the 2024-2025 school year, the school district must report annually by July 15, in a form and manner determined by the MDE Commissioner, data from the prior school year about any reasonable force used on a general education student to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c).
3. Any reasonable force used under Minnesota Statutes, sections 121A.582; 609.06, subdivision 1; and 609.379 which intends to hold a child immobile or limit a child's movement where body contact is the only source of physical restraint or confines a child alone in a room from which egress is barred shall be reported to the Minnesota Department of Education as a restrictive procedure, including physical holding or seclusion used by an unauthorized or untrained staff person.

VI. STUDENT RIGHTS

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

VII. STUDENT RESPONSIBILITIES

All students have the responsibility:

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

VIII. Student Code of Conduct

- A. All students have the responsibility to:
 1. Conduct themselves in an appropriate, respectful, and courteous manner at all times.
 2. Familiarize themselves with the Student Handbook and all District policies and procedures governing student rights, obligations, and responsibilities and act accordingly.
 3. Follow all official notices and directives and comply with reasonable instructions given by an authority.
 4. Attend their program on a regular and consistent basis.
 5. Appropriately use all District property and equipment.
 6. Cooperate fully and truthfully in any inquiry or investigation conducted by the District.

7. Immediately report to District staff any threat, harassment, hazing, bullying, act of intimidation or retaliation, and physical or verbal abuse or assault.
8. Dress appropriately for District activities, so that one's dress, appearance does not interfere with or disrupt the educational process or District activities, or pose a threat to the health or safety of the student or others.

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

1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
2. The use of profanity or obscene language, or the possession of obscene materials;
3. Gambling, including, but not limited to, playing a game of chance for stakes;
4. Violation of the school district's Hazing Prohibition Policy;
5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
6. Violation of the school district's Student Attendance Policy;
7. Opposition to authority using physical force or violence;
8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices Policy; It is not a violation of this policy for an Indigenous adult to light tobacco on District property as part of a traditional Indigenous spiritual or cultural ceremony. An Indigenous person is someone who is a member of an Indian tribe as defined under Minnesota law.
9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;

13. Violation of the school district's Weapons Policy;
14. Violation of the school district's Violence Prevention Policy; 15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school; 19. Violation of any local, state, or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disruptive or disrespectful behavior, defiance of authority, cheating, improper activation of fire alarms, or bomb threats;
21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Use of a cell phone in violation of the school district's Internet Acceptable Use and Safety Policy;
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district's Bullying Prohibition Policy; 30. Student attire which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
35. Words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy;

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

IX. RECESS AND OTHER BREAKS

- A. "Recess detention" means excluding or excessively delaying a student from participating in a scheduled recess period as a consequence for student behavior. Recess detention does not include, among other things, providing alternative recess at the student's choice.
- B. The school district is encouraged to ensure student access to structured breaks from the demands of school and to support teachers, principals, and other school staff in their efforts to use evidence-based approaches to reduce exclusionary forms of discipline.
- C. The school district must not use recess detention unless:
 1. a student causes or is likely to cause serious physical harm to other students or staff;
 2. the student's parent or guardian specifically consents to the use of recess detention; or
 3. for students receiving special education services, the student's individualized education program team has determined that withholding recess is appropriate based on the individualized needs of the student.
- D. The school district must not withhold recess from a student based on incomplete schoolwork.
- E. The school district must require school staff to make a reasonable attempt to notify a parent or guardian within 24 hours of using recess detention.

- F. The school district must compile information on each recess detention at the end of each school year, including the student's age, grade, gender, race or ethnicity, and special education status. This information must be available to the public upon request. The school district is encouraged to use the data in professional development promoting the use of nonexclusionary discipline.
- G. The school district must not withhold or excessively delay a student's participation in scheduled mealtimes. This section does not alter a district or school's existing responsibilities under Minnesota Statutes, section 124D.111 or other state or federal law.

X. Disciplinary Action Options

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

1. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
2. Restorative Practices;
3. Meeting with a school counselor, school psychologist, or school social worker to help determine what kind of additional support is needed;
4. Social Emotional Learning (SEL) skills instruction;
5. Other positive supports that teach needed behavior skills and /or replacement behaviors;
6. Community service in the school;
7. Collaborative and Proactive Solutions (CPS);
8. For students receiving special education services a review of the current Individual Education Plan (IEP) to include the Functional Behavior Assessment (FBA) and Behavior Intervention Plan (BIP);
9. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
10. Parent contact;
11. Parent conference;
12. Removal from class;
13. In-school suspension;
14. Restriction/Loss of privileges;
15. Revised class schedule;
16. Referral to in-school or community support services;
17. Referral to community resources or outside agency services;
18. Referral to police, other law enforcement agencies, or other appropriate authorities;
19. Preparation of an admission or readmission plan;
20. Other disciplinary action as deemed appropriate by the school district.
21. In Extreme Circumstances:
 - a. A suspension or dismissal, under the Pupil Fair Dismissal Act, for a portion of a day may occur and requires approval from the Assistant Superintendent or designee.

- b. A recommendation will be made to the home district regarding any proposed exclusion or expulsion, under the Pupil Fair Dismissal Act, for example, based on weapons possession with willful intent to cause harm.
- c. Police intervention and/or County Crisis team intervention will require notification to the Executive Director and/or Directors of Special Services and Education Programs.

XI. Removing Students From Class

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

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

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

Such removal shall be for at least one (1) activity period or class period of instruction for a given course of study and shall not exceed five (5) such periods.

A student must be removed from class immediately if the student engages in assault or violent behavior. "Assault" is an act done with intent to cause fear in another of immediate bodily harm or death; or the intentional infliction of, or attempt to inflict, bodily harm upon another.

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

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

Authority to remove a student from class shall rest with the staff immediately involved. If removal is for part of one class period simply to provide the student with some time to avoid problems, self-regulated, or due to violent behavior.

The following procedures must be observed:

- A. Students must be sent to another area clearly designated by the building principal.
- B. Staff will provide constant supervision of the student.
- C. Staff will involve the principal and/or other staff if support is needed.
- D. Staff will document the following information:
 1. Specific grounds for removal
 2. Length of period of removal
 3. Conditions of re-entry/re-admission plan

- E. Staff will contact the parent and provide the above information.
- F. Building Administrators will monitor students who are removed from class on a monthly basis and determine support as needed.
- G. Removal from class of students with disabilities must comply with the conditions specified in state and federal laws and rules. The student's special education case manager will be notified of the incident leading to removal from class.

XII. DISMISSAL

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

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

The school district shall not dismiss any student without attempting to use nonexclusionary disciplinary policies and procedures before dismissal proceedings or pupil withdrawal agreements, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

The use of exclusionary practices for early learners, as defined in Minnesota Statutes, section 121A.425, is prohibited. The use of exclusionary practices to address attendance and truancy issues is prohibited.

- B. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:
 - 1. Violation of any reasonable school board regulation, including those found in this policy;
 - 2. Conduct that significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or
 - 3. Conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.

C. Disciplinary Dismissals Prohibited

- 1. A pupil enrolled in the following is not subject to dismissals under the Pupil Fair Dismissal Act:
 - a. a preschool or prekindergarten program, including an early childhood family education, school readiness, school readiness plus, voluntary prekindergarten, Head Start, or other school-based preschool or prekindergarten program; or
 - b. kindergarten through Grade 3.
- 2. This section does not apply to a dismissal from school for less than one school day, except as provided under Minnesota Statutes, chapter 125A and federal law for a student receiving special education services.
- 3. Notwithstanding this section, expulsions and exclusions may be used only after resources outlined under Nonexclusionary discipline have been exhausted, and only in circumstances where there is an ongoing serious safety threat to the child or others.

D. Suspension Procedures

- 1. "Suspension" means an action by the school administration, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education

- instruction during that dismissal period.
2. School administration must allow a suspended pupil the opportunity to complete all school work assigned during the period of the pupil's suspension and to receive full credit for satisfactorily completing the assignments. The school principal or other person having administrative control of the school building or program is encouraged to designate a district or school employee as a liaison to work with the pupil's teachers to allow the suspended pupil to (1) receive timely course materials and other information, and (2) complete daily and weekly assignments and receive teachers' feedback.
 3. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the student's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
 4. The definition of suspension under Minnesota Statutes, section 121A.41, subdivision 10, does not apply to a student's dismissal from school for less than one day, except as provided under federal law for a student with a disability. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.
 5. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6th) consecutive day of suspension or the tenth (10th) cumulative day of suspension has elapsed.
 6. Alternative education services must be provided to a pupil who is suspended for more than five (5) consecutive school days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning

center under Minnesota Statutes, section 123A.05 selected to allow the student to progress toward meeting graduation standards under Minnesota Statutes, section 120B.02, although in a different setting.

7. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
8. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
 - a. strongly encourage a parent or guardian of the student to attend school with the student for one day;
 - b. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
 - c. petition the juvenile court that the student is in need of services under Minnesota Statutes chapter 260C.
9. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference. (See attached sample Notice of Suspension.)
10. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
11. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
12. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) consecutive school days.

E. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent enrollment or re enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.

5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56; describe the nonexclusionary disciplinary practices accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district must advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE) and is posted on its website.
6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.
8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.
10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.
14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the

hearing officer's findings and recommendation provided that neither party presents any evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the Commissioner of the Minnesota Department of Education (Commissioner) of the basis and reason for the decision.

18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minnesota Statutes section 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.
19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

XIII. ADMISSION OR READMISSION PLAN

A school administrator must prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan must include measures to improve the student's behavior, which may include completing a character education program consistent with Minnesota Statutes, section 120B.232, subdivision 1, social and emotional learning, counseling, social work services, mental health services, referrals for special education or 504 evaluation, and evidence-based academic interventions. The plan must include reasonable attempts to obtain parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

XIV. NOTIFICATION OF POLICY VIOLATIONS

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

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

XV. STUDENT DISCIPLINE RECORDS

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

XVI. STUDENTS WITH DISABILITIES

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

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

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

XVII. OPEN ENROLLED STUDENTS

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

XVIII. DISCIPLINE COMPLAINT PROCEDURE

Students, parents and other guardians, and school staff may file a complaint and seek corrective action when the requirements of the Minnesota Pupil Fair Dismissal Act, including the implementation of the local behavior and discipline policies, are not being implemented appropriately or are being discriminately applied.

The Discipline Complaint Procedure must, at a minimum:

1. provide procedures for communicating this policy, including the ability for a parent to appeal a decision under Minnesota Statutes, section 121A.49 that contains explicit instructions for filing the complaint;
2. provide an opportunity for involved parties to submit additional information related to the complaint;
3. provide a procedure to begin to investigate complaints within three school days of receipt, and identify personnel who will manage the investigation and any resulting record and are responsible for keeping and regulating access to any record;
4. provide procedures for issuing a written determination to the complainant that addresses each allegation and contains findings and conclusions;
5. if the investigation finds the requirements of Minnesota Statutes, sections 121A.40 to 121A.61, including any local policies that were not implemented appropriately, contain procedures that require a corrective action plan to correct a student's record and provide relevant staff with training, coaching, or other accountability practices to ensure appropriate compliance with policies in the future; and

6. prohibit reprisals or retaliation against any person who asserts, alleges, or reports a complaint, and provide procedures for applying appropriate consequences for a person who engages in reprisal or retaliation.

XIX. DISTRIBUTION OF POLICY

The school district will notify students and parents of the existence and contents of this policy in such manner as it deems appropriate. Copies of this discipline policy shall be made available to all students and parents at the commencement of each school year and to all new students and parents upon enrollment. This policy shall also be available upon request in each principal's office.

XX. REVIEW OF POLICY

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

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota Students)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.26 (School Preassessment Teams)
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. §§ 121A.60 (Definitions)
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)
Minn. Stat. § 122A.42 (General Control of Schools)
Minn. Stat. § 123A.05 (State-Approved Alternative Program Organization)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.08 (School Boards' Approval to Enroll in Nonresident District; Exceptions) Minn. Stat. Ch. 125A (Special Education and Special Programs)
Minn. Stat. § 152.22, Subd. 6 (Definitions)
Minn. Stat. § 152.23 (Limitations)
Minn. Stat. Ch. 260A (Truancy)
Minn. Stat. Ch. 260C (Juvenile Safety and Placement)
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Act)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

Cross References:

Policy 413 (Harassment and Violence)
Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices)
Policy 501 (School Weapons)
Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
Policy 514 (Bullying Prohibition Policy)
Policy 524 (Internet Acceptable Use and Safety Policy)
Policy 525 (Violence Prevention)
Policy 526 (Hazing Prohibition)

Intermediate District 287

RESPONSIVE. INNOVATIVE. SOLUTIONS.

Policy Summary

Policy 418 Drug-Free Workplace/Schools

Date: August 22, 2024

Policy Last Reviewed: June 2019

Overview of Recommendations:

This policy was updated to align with MSBA's model policy. The AdHoc Committee has reviewed the policy and recommends approval with these language changes.

Summary of Changes:

- Title and Numbering - Changes align with MSBA model policy and structure.
- **I. PURPOSE** - Updated language to include nonintoxicating cannabinoids, edible cannabinoid products
- **II. GENERAL STATEMENT OF POLICY**- updated numbering language to include new regulations on cannabis product and paraphernalia.
- **III. DEFINITIONS** -
 - A. - Added language regarding amount of alcohol
 - Removed C-G. and added new C-I. with new definitions recommended by MSBA
- **IV. EXCEPTIONS** -
 - Removed A. and B.
 - Added A. - D. with recommended MSBA language.
- **V. REQUIREMENTS** - was removed and replaced with **V. PROCEDURES** and recommended MSBA Language.
- **VI. SCHOOL PROGRAMS** - Section and language added due to legislative requirements for 2026-2027 school year
- **VII. ENFORCEMENT** - New numbering, removal of old language and added A. - C per MSBA recommendation..

Cross References and Legal References

- Update on Cross references and legal references.

Equity Impact:

The AdHoc discuss these questions:

- Who is impacted in these changes/ Who's voice was at the table?
- Who is benefiting from these changes?
- Who is intentionally being marginalized?

Staff, special ed. leaders, and administration reviewed the policy. They recommended adding examples of "other school property" to include owned buildings and leased spaces (i.e. CTC). They wanted more

information and more guidance/professional development in the district's procedures around drug testing (student and employee). They expressed concerns regarding some students who use medical cannabis for seizures or other medical reasons.

Intermediate District 287

RESPONSIVE. INNOVATIVE. SOLUTIONS.

DISTRICT POLICY

First Read

POLICY SERIES: ~~Health and Medical~~ **Employee**

SUBJECT: ~~Drug Free Workplace/Drug Free Schools Policy~~

BOARD APPROVED: October 2010

REVISION DATE: September 2014, June 2019

HM140 POLICY 418 DRUG-FREE WORKPLACE/SCHOOLS

I. PURPOSE

The purpose of this policy is to maintain safe and healthy learning and work environments by prohibiting the use of alcohol, toxic substances, medical cannabis, **nonintoxicating cannabinoids, edible cannabinoid products,** and controlled substances without a physician's prescription.

~~The Board recognizes that the illegal use and abuse of drugs can be very harmful to the physical and mental well-being of students and employees. The Board believes that the District can play an important role in educating students about the dangers of chemical use and abuse, and training staff in the best practices for intervention and prevention of such use.~~

II. GENERAL STATEMENT OF POLICY

~~A. The use, possession, sale, manufacture, and/or distribution of controlled substances, toxic substances, and alcohol on District property are strictly prohibited except as otherwise provided in this Policy.~~

Use or possession of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products, and controlled substances before, during, or after school hours, at school or in any other school locations (including bus and all District 287 owned buildings and leased spaces), is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.

~~B. A violation of this policy occurs when any student, teacher, administrator, other District personnel, or member of the public uses or possesses alcohol, toxic substances, ~~controlled substances,~~ or medical cannabis, **nonintoxicating cannabinoids, edible cannabinoid products, or controlled substances in any school or district location.** on District property, except as otherwise provided in this policy.~~

C. An individual may not use or possess cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public school, as defined in Minnesota Statutes, section 120A.05, subdivisions 9, 11, and 13, including all facilities, whether owned, rented, or leased, and all vehicles that the school district owns, leases, rents, contracts for, or controls.

~~CD. The District will discipline or take other appropriate action against any person who is found to have violated this policy.~~

The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

~~DE. The District will provide~~ offer information to students and families about community resources for chemical health information and services.

III. DEFINITIONS

A. "Alcohol" includes any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor containing more than one-half of one percent alcohol by volume.

B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 U.S.C. § 812, including analogues and look-alike drugs.

~~C. "District property" means any building, campus, or vehicle which is owned, rented or leased by the District. It includes school sponsored or school approved activities, events or functions, such as a field trip or community outing, where students are under the jurisdiction of the District or employees are supervising students on behalf of the District or otherwise engaged in District business.~~

~~D. "Medical cannabis" means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of: (1) liquid, including but not limited to, oil; (2) pill; (3) vaporized delivery method with use of liquid but which does not require the use of dried leaves or plant form; or (4) any other method, including smoking, approved by the Commissioner of Health.~~

~~E. "Possess" means to have on one's person, among one's personal effects, or in an area subject to one's control.~~

~~F. "Toxic substances" includes glue, cement, aerosol paint, or other substances used or possessed with the intent of inducing intoxication or excitement of the central nervous system.~~

~~G. "Use" includes selling, buying, manufacturing, distributing, dispensing, possessing, using or being under the influence of alcohol and/or controlled or toxic substances, whether or not for the purpose of receiving remuneration or consideration.~~

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

IV. EXCEPTIONS

It is not a violation of this policy for:

~~A. A person to bring onto District property, for such person's own use, a controlled substance, except medical cannabis, which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with all relevant provisions of this policy.~~

~~B. District staff or administrators who are in possession of controlled or toxic substances or alcohol solely as a result of having confiscated those items in the course of their duties as educational professionals and supervisors are not in violation of this policy.~~

A. A violation of this policy does not occur when a person brings onto a school location, for such person's own use, a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.

B. A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minnesota Statutes, section 624.701, subdivision 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).

C. A violation of this policy does not occur when a person uses or possesses a toxic substance unless they do so with the intent of inducing or intentionally aiding another in inducing intoxication, excitement, or stupefaction of the central nervous system, except under the direction and supervision of a medical doctor.

D. The school district may not refuse to enroll or otherwise penalize a patient or person enrolled in the Minnesota Patient Registry Program as a pupil solely because the patient or person is enrolled in the registry program, unless failing to do so would violate federal law or regulations or cause the school to lose a monetary or licensing-related benefit under federal law or regulations.

V. REQUIREMENTS

~~A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, must comply with the District's Administration of Medication Procedure.~~

~~B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, are permitted to possess such controlled substances and associated necessary paraphernalia, such as an inhaler or syringe. The employee must keep the controlled substance secured in an area students cannot access. The employee may be required to provide a copy of the prescription.~~

~~C. Members of the public are not permitted to possess controlled substances on District property except with the express permission of the Superintendent.~~

V. PROCEDURES

- A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, must comply with the school district's student medication policy.
- B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.
- C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.
- D. Employees are subject to the school district's drug and alcohol testing policies and procedures, which can be found on the [district website](#).
- E. Members of the public are not permitted to possess controlled substances, intoxicating cannabinoids, or edible cannabinoid products in a school location except with the express permission of the superintendent.
- F. No person is permitted to possess or use medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any child care facility. This prohibition includes (1) vaporizing or combusting medical cannabis on any form of public transportation where the vapor or smoke could be inhaled by a minor child or in any public place, including indoor or outdoor areas used by or open to the general public or place of employment; and (2) operating, navigating, or being in actual physical control of any motor vehicle or working on transportation property, equipment or facilities while under the influence of medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products.

VI. SCHOOL PROGRAMS

- A. Starting in the 2026-2027 school year, the school district must implement a comprehensive education program on cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, for students in middle school and high school. The program must include instruction on the topics listed in Minnesota Statutes, section 120B.215, subdivision 1 and must:

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

VII. ENFORCEMENT

- ~~A. A student who violates the terms of this policy shall be subject to discipline or other appropriate action in accordance with the District's Student Conduct and Discipline Policy. The student may be referred to a drug or alcohol assistance or rehabilitation program and/or law enforcement when appropriate.~~
- ~~B. An employee who violates this Policy is subject to disciplinary action or other appropriate action, including non-renewal, suspension, or termination as deemed appropriate by the School Board. All such actions shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and District policies and procedures.~~
- ~~C. A member of the public who violates this Policy shall be informed of the Policy and asked to leave. If necessary or appropriate, law enforcement officials will be notified.~~
- A. Students
1. Students may be required to participate in programs and activities that provide education regarding the use of alcohol, tobacco, marijuana, smokeless tobacco products, electronic cigarettes, and nonintoxicating cannabinoids, and edible cannabinoid products.
 2. Students may be referred to drug or alcohol assistance or rehabilitation programs; school based mental health services, mentoring and counseling, including early identification of mental health symptoms, drug use and violence and appropriate referral to direct individual or group counseling service. which may be provided by school based mental health services providers; and/or referral to law enforcement officials when appropriate.

3. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension.

B. Employees

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

C. The Public

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

Legal References:

[Minn. Stat. §121A.22 \(Administration of Drugs and Medicine\)](#)

[Minn. Stat. §152.22 \(Medical Cannabis; Definitions\)](#)

[Minn. Stat. §152.23 \(Medical Cannabis; Limitations\)](#)

[Minn. Stat. §609.684 \(Sale of Toxic Substances to Children; Abuse of Toxic Substances\)](#) [Minn. Stat. §624.701 \(Alcohol in Certain Buildings or Grounds\)](#)

[20 U.S.C. §§7101-7165 \(Safe and Drug Free Schools and Communities Act\)](#)

[21 U.S.C. §812 \(Schedules of Controlled Substances\)](#)

~~41 U.S.C. §§8101-8106 (Drug-Free Workplace Act)~~

~~21 CFR §§1308.11-1308.15 (Controlled Substances)~~

~~34 CFR Part 84 (Government-wide Requirements for Drug-Free Workplace)~~

Minn. Stat. § 120B.215 (Education on

Cannabis Use and Substance Use)

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

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

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

Minn. Stat. § 152.01, Subd. 15a (Definitions)

Minn. Stat. § 152.0264 (Cannabis Sale Crimes)

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

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

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

Minn. Stat. § 340A.101 (Definitions; Alcoholic Beverage)

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

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

Minn. Stat. § 342.09 (Personal Adult Use of Cannabis)

Minn. Stat. § 342.56 (Limitations)

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

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

20 U.S.C. § 7101-7122 (Student Support and Academic Enrichment Grants)

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

41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)

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

34 C.F.R. Part 84 (Government-Wide Requirements for Drug-Free Workplace)

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

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

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

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

MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 516 (Student Medication)

Intermediate District 287

RESPONSIVE. INNOVATIVE. SOLUTIONS.

Policy Summary

Policy 413 Harassment and Violence

Date: August 22, 2024

Policy Last Reviewed: December 2019

Overview of Recommendations:

This policy was updated to align with MSBA's model policy. This policy also requires annual review. The AdHoc Committee has reviewed the policy and recommends approval with these language changes.

Summary of Changes:

- Title and Numbering - Changes align with MSBA model policy and structure.
- **I. PURPOSE** - Updated language per MSBA.
- **II. GENERAL STATEMENT OF POLICY**- updated A. - D. language per MSBA
- **III. DEFINITIONS** -
 - Removed A. - H.
 - Added definitions A. - H., which aligns with new regulations and MSBA model
- **IV. REPORTING** -
 - Updated A. with new language.
 - B. strike program and keep as administrator and Naming Human Rights Officer.
 - Removed C. - N. and added C. - O. with updated MSBA language
- **V. DISCIPLINE** - removed
- **Added**
 - **V. SCHOOL DISTRICT ACTION,**
 - **VI. RETALIATION OR REPRISAL,**
 - **VII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES,**
 - **VIII. HARASSMENT OR VIOLENCE AS ABUSE,**
 - **IX. DISSEMINATION OF POLICY AND TRAINING**

Cross References and Legal References

- Update on Cross references and legal references.

Equity Impact:

The AdHoc discuss these questions:

- Who is impacted in these changes/ Who's voice was at the table?
- Who is benefiting from these changes?
- Who is intentionally being marginalized?

Staff and administration reviewed the policy. They recommended adding the name, address, and phone

number of the Human Rights Officer. Administration would like more training on investigations and many discussed the onboarding process and the need to review this policy and others.

Intermediate District 287

RESPONSIVE. INNOVATIVE. SOLUTIONS.

DISTRICT POLICY

FIRST READ

POLICY SERIES: ~~Equity & Nondiscrimination~~ **Employee**

SUBJECT: ~~Harassment & Violence~~

BOARD APPROVED: October 2012, June 2017

REVISION DATE: December 2019

~~END120-~~ **Policy 413** Harassment & Violence

I. PURPOSE

~~The purpose of this policy is to assist the District in maintaining learning and working environments that are free from harassment and violence. To that end, the Board advocates vigilance in preventing, reporting and addressing harassment and violence.~~

~~Additionally, the Board is committed to providing innovative educational services that meet the unique needs of its students. The Board advocates a proactive approach to any student or staff behavior that may lead to harassment and violence with the goal of maintaining a safe, productive learning and working environment.~~

The purpose of this policy is to maintain a learning and working environment free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, gender identity and expression, or disability (Protected Class based on MN Human Rights Act).

II. GENERAL STATEMENT OF POLICY

~~A. The District prohibits any form of harassment and violence based upon actual or perceived race, color, creed, religion, sex, gender, gender identity/expression, sexual orientation, disability, national origin, immigration status, familial or marital status, status with regard to public assistance, and/or age.~~

~~B. It shall be a violation of this policy for any student or for District personnel to harass a student or other District personnel through conduct or communication(s) based upon actual or perceived race, color, creed, religion, sex, gender identity/expression, sexual orientation, disability, national origin, immigration status, familial or marital status, status with regard to public assistance, and/or age. (For purposes of this policy, District personnel includes Board members, District employees, agents, volunteers, contractors or persons otherwise subject to the supervision and control of the District.)~~

~~C. It shall be a violation of this policy for any student District personnel to inflict, threaten to inflict, or attempt to inflict violence upon any student or District personnel based upon actual or perceived race, color, creed, religion, sex, gender, gender identity/expression, sexual orientation, disability, national origin, immigration status, familial or marital status, status with regard to public assistance, and/or age.~~

~~D. The District will investigate all complaints of harassment or violence based upon actual or perceived race, color, creed, religion, sex, gender, gender identity/expression, sexual orientation, disability, national origin, immigration~~

~~status, familial or marital status, status with regard to public assistance, and/or age, and will discipline or take appropriate action against any student or District personnel who is found to have violated this policy.~~

- A. The policy of the school district is to maintain a learning and working environment free from harassment and violence on the basis of Protected Class. The school district prohibits any form of harassment or violence on the basis of Protected Class.
- B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's Protected Class, as defined by this policy. (For purposes of this policy, school district personnel include school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)
- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's Protected Class.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's Protected Class, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel found to have violated this policy.

III. DEFINITIONS

A. Sexual Harassment

- 1. ~~Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:~~
 - a. ~~submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education; or~~
 - b. ~~submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or~~
 - c. ~~that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile or offensive employment or educational environment.~~
- 2. ~~Sexual harassment may include but is not limited to:~~
 - a. ~~unwelcome verbal harassment or abuse;~~
 - b. ~~unwelcome pressure for sexual activity;~~
 - c. ~~unwelcome, sexually motivated or inappropriate patting, pinching or physical contact, other than necessary restraint of student(s) by teachers, administrators or other school personnel to avoid physical harm to persons or property;~~
 - d. ~~unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;~~

- e. ~~unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or~~
- f. ~~unwelcome behavior or words directed at an individual because of gender.~~

B. ~~Racial Harassment~~

~~Racial harassment consists of physical or verbal conduct relating to an individual's race when the conduct:~~

- 1. ~~has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment;~~
- 2. ~~has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or~~
- 3. ~~otherwise adversely affects an individual's employment or academic opportunities.~~

C. ~~Religious Harassment~~

~~Religious harassment consists of physical or verbal conduct which is related to an individual's religion when the conduct:~~

- 1. ~~has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment;~~
- 2. ~~has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or~~
- 3. ~~otherwise adversely affects an individual's employment or academic~~

~~opportunities.~~ D. ~~Sexual Violence~~

~~Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minn. Stat. § 609.341, includes the primary genital area, groin, inner thigh, buttocks or breast, as well as the clothing covering these areas.~~

~~Sexual violence may include, but is not limited to:~~

- 1. ~~touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;~~
- 2. ~~coercing, forcing or attempting to coerce or force the touching of anyone's intimate parts;~~
- 3. ~~coercing, forcing or attempting to coerce or force sexual intercourse or a sexual act on another; or~~
- 4. ~~threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.~~

E. ~~Racial Violence~~

~~Racial violence is a physical act of aggression or assault upon another because of, or in a manner related to, race.~~

F. ~~Religious Violence~~

~~Religious violence is a physical act of aggression or assault upon another because of, or in a manner related to, religion.~~

G. ~~Assault~~

Assault is:

1. an act done with intent to cause fear in another of immediate bodily harm or death; or
2. the intentional infliction of or attempt to inflict bodily harm upon another.

~~H. Gender, Gender Identity/Expression, Sexual Orientation, Disability, National Origin, Age, Familial or Marital Status, Status with Regard to Public Assistance and/or Immigration Status Harassment~~

~~Gender, gender identity/expression, sexual orientation, disability, national origin, age, familial or marital status, status with regard to public assistance, and/or immigration status harassment shall mean any conduct, comment or communication within the educational or work environment which is reasonably related to an individual or a group of individuals or a class of individuals based on their gender, gender identity/expression, sexual orientation, disability, national origin, age, familial or marital status, status with regard to public assistance and/or immigration status when:~~

1. The conduct has the purpose or effect of creating an intimidating, hostile or offensive workplace or educational environment; or
2. The conduct has the purpose or effect of substantially or unreasonably interfering with an individual's workplace or educational performance; or
3. The conduct otherwise adversely affects an individual's employment or academic opportunities.

A. "Assault" is:

1. an act done with intent to cause fear in another of immediate bodily harm or death;
2. the intentional infliction of or attempt to inflict bodily harm upon another; or
3. the threat to do bodily harm to another with present ability to carry out the threat.

B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, when the conduct:

1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. otherwise adversely affects an individual's employment or academic opportunities.

C. "Immediately" means as soon as possible but in no event longer than 24 hours.

D. Some Protected Classifications; Definitions

1. "Disability" means, with respect to an individual who

- a. a physical sensory or mental impairment that materially limits one or more major life activities of such individual;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
 2. “Familial status” means the condition of one or more minors having legal status or custody with:
 - a. the minor’s parent or parents or the minor’s legal guardian or guardians; or
 - b. the designee of the parent or parents or guardian or guardians with the written permission of the parent or parents or guardian or guardians. Familial status also means residing with and caring for one or more individuals who lack the ability to meet essential requirements for physical health, safety, or self-care because the individual or individuals are unable to receive and evaluate information or make or communicate decisions. The protections afforded against harassment or discrimination on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
 3. “Marital status” means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment or discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
 4. “National origin” means the place of birth of an individual or of any of the individual’s lineal ancestors.
 5. “Sex” includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
 6. “Sexual orientation” means to whom someone is, or is perceived of as being, emotionally, physically, or sexually attracted to based on sex or gender identity. A person may be attracted to men, women, both, neither, or to people who are genderqueer, androgynous, or have other gender identities.
 7. “Status with regard to public assistance” means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. “Remedial response” means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect,

support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.

F. Sexual Harassment: Definition

1. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:
 - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
 - b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
 - c. that conduct or communication has the purpose or effect of substantially interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
2. Sexual harassment may include, but is not limited to:
 - a. unwelcome verbal harassment or abuse;
 - b. unwelcome pressure for sexual activity;
 - c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
 - d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
 - e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
 - f. unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.

G. Sexual Violence: Definition

1. Sexual violence is a physical act of aggression or force or the threat thereof that involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minnesota Statutes, section 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
2. Sexual violence may include, but is not limited to:

- a. touching, patting, grabbing, or pinching another person's intimate parts
- b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
- c. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
- d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

H. Violence; Definition

Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to an individual's Protected Class.

IV. REPORTING

~~A. Any person who believes he or she has been the victim or target of violence or harassment based upon actual or perceived race, color, creed, religion, sex, gender, gender identity/expression, sexual orientation, disability, national origin, immigration status, familial or marital status, status with regard to public assistance, and/or age by a pupil, teacher, administrator or other District personnel, or any person with knowledge or belief of the above conduct toward a student or District personnel should report the alleged acts immediately to an appropriate District official designated by this policy.~~

Any person who believes he or she has been the target or victim of harassment or violence on the basis of Protected Class by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct that may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

B. The District encourages the reporting party or complainant to use the report form available from the ~~program~~ administrator of each building or available from the District office, but oral reports shall be considered complaints as well. Nothing in this policy shall prevent any person from reporting harassment or violence directly to the District human rights officer or to the Superintendent. The Human Rights Officer is

Dr. Kevin Witherspoon
1820 Xenium Lane North
Plymouth, MN 55441
763-550-3133

~~C. The Board hereby designates the Human Resources Director as the District's human rights officer.~~

- ~~D. The human rights officer is to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves the human rights officer, the complaint shall be filed directly with the Superintendent.~~
- ~~E. The name, address, and phone number of the District human rights officer will be conspicuously posted in each building.~~
- ~~F. At the District level, the department head is the responsible authority for receiving reports of harassment or violence prohibited by this policy. Upon receiving any such report, the department head must notify the District human rights officer immediately, in a period of time not to exceed 24 hours. The report must be forwarded without screening or investigation.~~
- ~~G. The program administrator is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any District employee who receives a report of harassment or violence prohibited by this policy shall inform the program administrator immediately.~~
- ~~H. Upon receipt of a report, the program administrator must notify the District human rights officer immediately, without screening or investigating the report. The administrator may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the administrator to the human rights officer. If the report was given verbally, the administrator shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein will result in disciplinary action against the administrator. If the complaint involves the program administrator, the complaint shall be made or filed directly with the Superintendent or the District human rights officer by the reporting party or complainant.~~
- ~~I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades or work assignments.~~
- ~~J. Use of formal reporting forms is not mandatory.~~
- ~~K. The District will respect the privacy of the complainant/victim, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the District's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.~~
- ~~L. It shall be a violation of this policy for the individual(s) against whom the complaint is filed to retaliate against a complainant/victim, other reporter or witnesses of the alleged acts.~~
- ~~M. The District will provide support to the complainant/victim, such as a referral for support services.~~
- ~~N. The District will inform the complainant/victim's parent/guardian whenever appropriate and legally permissible.~~
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the

building supervisor (hereinafter the “building report taker”) is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.

- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
 - F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
 - G. In the District. The school board hereby designates Director of Human Resources as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.¹
 - H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
 - I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter’s future employment, grades, work assignments, or educational or work environment.
 - J. Use of formal reporting forms is not mandatory
 - K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
 - L. The school district will respect the privacy of the complainant(s), the individual(s)
-

against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

Consequences for other individuals engaging in prohibited acts of violence or harassment may include, but not be limited to, exclusion from school district property and events and/or termination of services and/or contracts.

V. DISCIPLINE

- ~~A. The District will discipline or take appropriate action against any student, or District personnel who is/are found to have violated this policy.~~
- ~~B. Such disciplinary action may include, but is not limited to,~~

<input type="checkbox"/> Warning
<input type="checkbox"/> Suspension
<input type="checkbox"/> Exclusion
<input type="checkbox"/> Expulsion
<input type="checkbox"/> Transfer
<input type="checkbox"/> Remediation
<input type="checkbox"/> Demotion
<input type="checkbox"/> Termination

V. SCHOOL DISTRICT ACTION

- A. Upon completion of an investigation that determines a violation of this policy has

occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school district policies and regulations.

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

VI. RETALIATION OR REPRISAL

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

VII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights or another state or federal agency, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

VIII. HARASSMENT OR VIOLENCE AS ABUSE

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minnesota Statutes, chapter 260E may be applicable.
- B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

IX. DISSEMINATION OF POLICY AND TRAINING

- A. This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members.
- B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- C. This policy shall appear in the student handbook.
- D. The school district will develop a method of discussing this policy with students and employees.
- E. The school district may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, resourcefulness, and/or sexual abuse prevention.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

~~Legal References: [Minn. Stat. § 121A.03, Subd. 2 \(Sexual, Religious and Racial Harassment and Violence Policy\)](#)
[Minn. Stat. § 121A.031 \(School Student Bullying Policy\)](#)
[Minn. Stat. Ch. 363A \(Minnesota Human Rights Act\)](#)
[20 U.S.C. §§ 1681-1688 \(Title IX of the Education Amendments\)](#)
[29 U.S.C. § 621 et seq. \(Age Discrimination in Employment Act\)](#)
[29 U.S.C. § 2000d et seq. \(Title VI of the Civil Rights Act\)](#)
[42 U.S.C. § 2000e et seq. \(Title VII of the Civil Rights Act\)](#)
[42 U.S.C. § 12101 et seq. \(Americans with Disabilities Act\)](#)~~

~~Cross References: [NEO 100 Goals Policy](#)~~

~~[NEO 140 Equal Opportunity Policy](#)~~

~~[SRR 120 Student Conduct Policy](#)~~

~~[SRR 140 Bullying Policy](#)~~

~~[SRR 160 Hazing Policy](#)~~

~~[ERR 120 Employee Responsibilities Policy](#)~~

Legal References: Minn. Stat. § 120B.232 (Character Development Education)

Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)

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

Minn. Stat. § 121A.031 (School Student Bullying Policy)

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

Minn. Stat. § 609.341 (Definitions)

Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)

20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)

29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)

29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)

42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

Cross References: MSBA/MASA Model Policy 102 (Equal Educational Opportunity)
MSBA/MASA Model Policy 401 (Equal Employment Opportunity)
MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination, Grievance Procedures and Process)
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)

Intermediate District 287

RESPONSIVE. INNOVATIVE. SOLUTIONS.

Policy Summary

Policy 406 Public and Private Data

Date: August 22, 2024

Policy Last Reviewed: February 2013

Overview of Recommendations:

This policy was updated to align with MSBA's model policy. The AdHoc Committee has reviewed the policy and recommends approval with these language changes.

Summary of Changes:

- Title and Numbering - Changes align with MSBA model policy and structure.
- **I. PURPOSE** - Updated language per MSBA.
- **III. DEFINITIONS** -
 - B. Private -Update the definition of Private
 - D. Parking Space Leasing Data - added new definition
 - E. Personnel Data - new lettering and added independent contractors
 - F. Finalist - relettered
 - G. Protected health Information - relettered and new language
 - H. Public Officials - new language
- **IV. PUBLIC PERSONNEL DATA** -
 - A. new language
 - D. Applicant for appointment to a public body - added new language
 - E. Relettering
- **V. PRIVATE PERSONNEL DATA**
 - A. - added language
 - D. and E.. - added new language
 - F. - updated language
 - G. - N. - relettered
 - O. added new language in 2.
 - Removed old N. - O.
 - Added P. - T.
- **IX. RESPONSIBLE AUTHORITY**
 - Removed name and added title

Cross References and Legal References

- Update on Cross references and legal references.

Equity Impact:

The AdHoc discuss these questions:

- Who is impacted in these changes/ Who's voice was at the table?
- Who is benefiting from these changes?
- Who is intentionally being marginalized?

Staff and administration reviewed the policy. They wondered if we should keep parking space lease data language since at this time we do not lease parking spaces. Some staff expressed a new learning that district emails are public. They also recommended that we add "school Board" to "Applicants for appointment to a public body".

Intermediate District 287

RESPONSIVE. INNOVATIVE. SOLUTIONS.

DISTRICT POLICY

FIRST READ

POLICY SERIES: ~~Data Privacy and Records~~ **Employees**

SUBJECT: ~~Personnel Data Privacy~~

BOARD APPROVED: February 2013

REVISION DATE:

~~DPR120 Personnel Data Privacy Policy~~ **406 Public and Private**

Personnel Data

I. PURPOSE

~~The purpose of this policy is to provide parameters as to the data the District maintains regarding its personnel.~~

The purpose of this policy is to provide guidance to school district employees as to the data the school district collects and maintains regarding its employees, volunteers, independent contractors, and applicants ("personnel").

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. "Public" means that the data is available to anyone who requests it.
- B. "Private" ~~means the data is available to the subject of the data and to District staff who need it to conduct the business of the District.~~
means the data is not public and is accessible only to the following: the subject of the data, as limited by any applicable state or federal law; individuals within the school district whose work assignments reasonably require access; entities and agencies as determined by the responsible authority who are authorized by law to gain access to that specific data; and entities or individuals given access by the express written direction of the data subject.
- C. "Confidential" means the data is not available to the subject.
- D. "Parking space leasing data" means the following government data on an applicant for, or lessee of, a parking space: residence address, home telephone number, beginning and ending work hours, place of employment, location of parking space, and work telephone number.

Ⓓ E. "Personnel data" means government data on individuals maintained because they are or were employees of the District, applicants for employment, volunteers for the District, [independent contractors](#), or members of or applicants for an advisory board or commission. Personnel data include data submitted to the District by an employee as part of an organized self-evaluation effort by the District to request suggestions from all employees on ways to cut costs, make the District more efficient, or to improve District operations. An employee who is identified in a suggestion shall have access to all data in the suggestion except the identity of the employee making the suggestion.

Ⓔ F. "Finalist" means an individual who is selected to be interviewed by the District for a position.

Ⓕ G. ~~"Protected health information," means individually identifiable health information transmitted in electronic form by a school district acting as a health care provider. "Protected health information" excludes health information in education records covered by FERPA and employment records held by the District in its role as employer.~~

[means individually identifiable health information as defined in 45 Code of Federal Regulations, section 160.103, that is transmitted by electronic media, maintained in electronic media, or transmitted or maintained in any other form or medium by a health care provider, in connection with a transaction covered by 45 Code of Federal Regulations, Parts 160, 162 and 164. "Protected health information" excludes individually identifiable health information in education records covered by the Family Educational Rights and Privacy Act, employment records held by a school district in its role as employer; and records regarding a person who has been deceased for more than fifty \(50\) years.](#)

H. ["Public officials" means business managers; human resource directors; athletic directors whose duties include at least fifty \(50\) percent of their time spent in administration, personnel, supervision, and evaluation; chief financial officers; directors; and individuals defined as superintendents and principals and in a charter school, individuals employed in comparable positions.](#)

IV. PUBLIC PERSONNEL DATA

A. The following information on [current and former](#) employees, including volunteers and independent contractors, is public:

1. name;
2. employee identification number, which may not be the employee's social security number;
3. actual gross salary;
4. salary range;
5. terms and conditions of employment relationship;
6. contract fees;
7. actual gross pension;
8. the value and nature of employer-paid fringe benefits;

9. the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary;
10. job title;
11. bargaining unit, as applicable;
12. job description;
13. education and training background;
14. previous work experience;
15. date of first and last employment;
16. the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action;
17. the final disposition of any disciplinary action, as defined in Minn. Stat. § 13.43, Subd. 2(b), together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the District;
18. the complete terms of any agreement settling any dispute arising out of the employment relationship, including superintendent buyout agreements, except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money, and such agreement may not have the purpose or effect of limiting access to or disclosure of personnel data or limiting the discussion of information or opinions related to personnel data;
19. work location;
20. work telephone number;
21. badge number;
22. work-related continuing education;
23. honors and awards received; and
24. payroll time sheets or other comparable data that are used only to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.

B. The following information on [current and former](#) applicants for employment or to an advisory board/ commission is public:

1. veteran status;
2. relevant test scores;
3. rank on eligible list;
4. job history;
5. education and training; and
6. work availability.

C. Names of applicants are private data except when certified as eligible for appointment to a vacancy or when they become finalists for an employment position.

[D. Applicants for appointment to a public body \(school board\).](#)

1. [Data about applicants for appointment to a public body collected by the school district as a result of the applicant's application for employment are private data on individuals except that the following are public:](#)
 - a. [name;](#)

- b. city of residence, except when the appointment has a residency requirement that requires the entire address to be public;
 - c. education and training;
 - d. employment history;
 - e. volunteer work;
 - f. awards and honors;
 - g. prior government service;
 - h. any data required to be provided or that are voluntarily provided in an application for appointment to a multimember agency pursuant to Minnesota Statutes, section 15.0597; and
 - i. veteran status.
2. Once an individual is appointed to a public body, the following additional items of data are public:
- a. residential address;
 - b. either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee;
 - c. first and last dates of service on the public body;
 - d. the existence and status of any complaints or charges against an appointee; and
 - e. upon completion of an investigation of a complaint or charge against an appointee, the final investigative report is public, unless access to the data would jeopardize an active investigation.
3. Notwithstanding paragraph 2., any electronic mail address or telephone number provided by a public body for use by an appointee shall be public. An appointee may use an electronic mail address or telephone number provided by the public body as the designated electronic mail address or telephone number at which the appointee can be reached.

Ø E. Regardless of whether there has been a final disposition as defined in Minn. Stat. § 13.43, Subd. 2(b), upon completion of an investigation of a complaint or charge against a public official, as defined in Minn. Stat. § 13.43, Subd. 2(e), or if a public official resigns or is terminated from employment while the complaint or charge is pending, all data relating to the complaint or charge are public, unless access to the data would jeopardize an active investigation or reveal confidential sources, and only if the complaint or charge results in disciplinary action or the employee resigns or is terminated from employment while the complaint or charge is pending, or potential legal claims arising out of the conduct that is the subject of the complaint or charge are released as part of a settlement agreement with another person.

V. PRIVATE PERSONNEL DATA

- A. All other personnel data [not listed in Section IV](#) are private and will only be shared with District staff whose work requires such access. Private data will not be otherwise released unless authorized by law or by the employee's informed written consent.
- B. Data pertaining to an employee's dependents are private data on individuals.
- C. Data created, collected or maintained by the District to administer employee assistance programs are private.
- D. [Parking space leasing data with regard to data on individuals is private.](#)
- E. [An individual's checking account number is private when submitted to a government entity.](#)

~~DF.~~ Personnel data may be disseminated to labor organizations to the extent the District determines it is necessary for the labor organization to conduct its business or when ordered or authorized by the Commissioner of the Bureau of Mediation Services.

Personnel data must be disseminated to labor organizations to the extent necessary to conduct elections, investigate and process grievances, and implement the provisions of Minnesota Statutes chapters 179 and 179A. Personnel data shall be disseminated to labor organizations and the Bureau of Mediation Services ("BMS") to the extent the dissemination is ordered or authorized by the Commissioner of the BMS. Employee Social Security numbers are not necessary to implement the provisions of Chapter 179 and 179A.

The home addresses, nonemployer issued phone numbers and email addresses, dates of birth, and emails or other communications between exclusive representatives and their members, prospective members, and nonmembers are private data on individuals.

Dissemination of personnel data to a labor organization pursuant to Minnesota Statutes, section 13.43, subdivision 6, shall not subject the school district to liability under Minnesota Statutes, section 13.08.

Personnel data described under Minnesota Statutes, section 179A.07, subdivision 8, must be disseminated to an exclusive representative under the terms of that subdivision.

~~EG.~~ The District may display a photograph of a current or former employee to prospective witnesses as part of the District's investigation of any complaint or charge against the employee.

~~FH.~~ The District may, if the responsible authority or designee reasonably determines that the release of personnel data is necessary to protect an employee from harm to self or to protect another person who may be harmed by the employee, release data that are relevant to the concerns for safety to:

1. The person who may be harmed and to the attorney representing the person when the data are relevant to obtaining a restraining order;
2. A pre-petition screening team conducting an investigation of the employee under Minn. Stat. § 253B.07, Subd. 1; or
3. A court, law enforcement agency, or prosecuting authority.

~~GI.~~ Private personnel data or confidential investigative data on employees may be disseminated to a law enforcement agency for the purpose of reporting a crime or alleged crime committed by an employee, or for the purpose of assisting law enforcement in the investigation of such a crime or alleged crime.

~~HJ.~~ A complainant has access to a statement provided by the complainant to the District in connection with a complaint or charge against an employee.

~~IK.~~ When allegations of sexual or other types of harassment are made against an employee, the employee shall not have access to data that would identify the complainant or other witnesses if the District determines that the employee's access to that data would:

1. threaten the personal safety of the complainant or a witness; or
2. subject the complainant or witness to harassment.

If a disciplinary proceeding is initiated against the employee, data on the complainant or witness shall be available to the employee as may be necessary for the employee to prepare for the proceeding.

- 3L. The District shall make any report to the board of teaching or the state board of education as required by Minn. Stat. § 122A.20, Subd. 2, and shall, upon written request from the licensing board having jurisdiction over a teacher's license, provide the licensing board with information about the teacher from the District's files, any termination or disciplinary proceeding, and settlement or compromise, or any investigative file in accordance with Minn. Stat. § 122A.20, Subd. 2.
- 4M. Private personnel data shall be disclosed to the department of economic security for the purpose of administration of the unemployment insurance program under Minn. Stat. Ch. 268.
- 4N. When a report of alleged maltreatment of a student in a school is made to the Commissioner of Education, data that are relevant and collected by the school about the person alleged to have committed maltreatment must be provided to the Commissioner on request for purposes of an assessment or investigation of the maltreatment report.
- 4O. The District shall release to a requesting school district or charter school private personnel data on a current or former employee related to acts of violence toward or sexual contact with a student,
 1. if an investigation conducted by or on behalf of the District or law enforcement affirmed the allegations in writing prior to release and the investigation resulted in the resignation of the subject of the data; or
 2. the employee resigned while a complaint or charge involving the allegations was pending, the allegations involved acts of sexual contact with a student, and the employer informed the employee in writing, before the employee resigned, that if the employee resigns while the complaint or charge is still pending, the employer must release private personnel data about the employee's alleged sexual contact with a student to a school district or charter school requesting the data after the employee applies for employment with that school district or charter school and the data remain classified as provided in Minnesota Statutes, chapter 13.

Data that are released under this paragraph must not include data on the student.

- ~~N. The identity of an employee making a suggestion as part of an organized self evaluation effort by the District to cut costs, make the District more efficient, or to improve District operations is private.~~
- ~~O. Health information on employees is private unless otherwise provided by law. To the extent that the District transmits protected health information, the District will comply with all privacy requirements.~~
- ~~P. Personal home contact information for employees may be used by the District and shared with another government entity in the event of an emergency or other disruption to ensure continuity of operation for the District or government entity.~~

- P. Data submitted by an employee to the school district as part of an organized self-evaluation effort by the school district to request suggestions from all employees on ways to cut costs, make the school district more efficient, or improve the school district

operations is private data. An employee who is identified in a suggestion, however, shall have access to all data in the suggestion except the identity of the employee making the suggestion.

- Q. Protected health information, as defined in 45 Code of Federal Regulations, Parts 160 and 164, on employees is private and will not be disclosed except as permitted or required by law.
- R. Personal home contact information for employees may be used by the school district to ensure that an employee can be reached in the event of an emergency or other disruption affecting continuity of school district operations and may be shared with another government entity in the event of an emergency or other disruption to ensure continuity of operation for the school district or government entity.
- S. The personal telephone number, home address, and electronic mail address of a current or former employee of a contractor or subcontractor maintained as a result of a contractual relationship between the school district and a contractor or subcontractor entered on or after August 1, 2012, are private data. These data must be shared with another government entity to perform a function authorized by law. The data also must be disclosed to a government entity or any person for prevailing wage purposes.
- T. When a continuing contract teacher is discharged immediately because the teacher's license has been revoked due to a conviction for child abuse or sexual offenses involving a child as set forth in Minnesota Statutes, section 122A.40, subdivision 13(b), or when the Commissioner of the MDE makes a final determination of child maltreatment involving a teacher under Minnesota Statutes, section 260E.21, subdivision 4, or 260E.35, the school principal or other person having administrative control of the school must include in the teacher's employment record the information contained in the record of the disciplinary action or the final maltreatment determination, consistent with the definition of public data under Minnesota Statutes, section 13.41, subdivision. 5, and must provide PELSB and the licensing division at MDE with the necessary and relevant information to enable PELSB and MDE's licensing division to fulfill their statutory and administrative duties related to issuing, renewing, suspending, or revoking a teacher's license. In addition to the background check required under Minnesota Statutes, section 123B.03, a school board or other school hiring authority must contact PELSB and MDE to determine whether the teacher's license has been suspended or revoked, consistent with the discharge and final maltreatment determinations. Unless restricted by federal or state data practices law or by the terms of a collective bargaining agreement, the responsible authority for a school district must disseminate to another school district private personnel data on a current or former teacher (employee or contractor) of the district, including the results of background investigations, if the requesting school district seeks the information because the subject of the data has applied for employment with the requesting school district.

VI. MULTIPLE CLASSIFICATIONS

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

VII. CHANGE IN CLASSIFICATIONS

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

VIII. DESTRUCTION AND RETENTION OF RECORDS

Destruction and retention of personnel records by the District shall be controlled by state and federal law, as follows:

- A. The District shall comply with the general records retention schedule for school districts approved by the Minnesota Records Disposition Panel.
- B. For data not listed under the retention schedule approved by the Minnesota Records Disposition Panel, the District shall comply with the authority of the proper state or federal agency.
- C. The administration shall develop procedures to assure compliance with state and federal authority on data retention and destruction of records.

IX. RESPONSIBLE AUTHORITY

The Board has designated ~~Sandra Lewandowski~~, [the Superintendent](#), 1820 Xenium Lane North, Plymouth, MN 55441 as the Responsible Authority with overall responsibility for the maintenance and security of personnel data. The Responsible Authority delegates the maintenance and security of personnel data duties to ~~Anne Becker, General Counsel~~ and the Director of Human Resources, 1820 Xenium Lane North, Plymouth, MN 55441.

Legal References:

~~Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)~~ [Minn. Stat. § 13.02 \(Definitions\)](#)

~~Minn. Stat. § 13.37 (General Nonpublic Data)~~

~~Minn. Stat. § 13.39 (Civil Investigation Data)~~

~~Minn. Stat. § 13.43 (Personnel Data)~~

~~Minn. Stat. § 122A.20, Subd. 2 (Mandatory Reporting)~~

~~P.L. 104-191 (HIPAA)~~

~~45 C.F.R. Parts 160 and 164 (HIPAA Regulations)~~

~~Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)~~

~~Minn. Stat. § 13.02 (Definitions)~~

~~Minn. Stat. § 13.03 (Access to Government Data)~~

~~Minn. Stat. § 13.05 (Duties of Responsible Authority)~~

~~Minn. Stat. § 13.37 (General Nonpublic Data)~~

~~Minn. Stat. § 13.39 (Civil Investigation)~~

~~Minn. Stat. § 13.41 (Licensing Data)~~

~~Minn. Stat. § 13.43 (Personnel Data)~~

~~Minn. Stat. § 13.601, subd. 3 (Elected and Appointed Officials)~~

~~Minn. Stat. § 15.0597 (Appointment to Multimember Agencies)~~

~~Minn. Stat. § 122A.20, Subd. 2 (Mandatory Reporting)~~

~~Minn. Stat. § 122A.40, Subds. 13 and 16 (Employment; Contracts; Termination)~~

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

~~Minn. Stat. § 123B.143, subd. 2 (Disclose Past Buyouts)~~

~~Minn. Stat. Ch. 179 (Minnesota Labor Relations Act)~~

~~Minn. Stat. Ch. 179A (Minnesota Public Labor Relations Act)~~

Minn. Stat. § 253B.07 (Judicial Commitment: Preliminary Procedures)
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
Minn. Stat. Ch. 268 (Unemployment Insurance)
Minn. R. Pt. 1205 (Data Practices)
P.L. 104-191 (HIPAA)
45 C.F.R. Parts 160, 162, and 164 (HIPAA Regulations)

Cross References:

MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 722 (Public Data Requests)
MSBA Law Bulletin "I" (School Records – Privacy – Access to Data)

Intermediate District 287

RESPONSIVE. INNOVATIVE. SOLUTIONS.

Policy Summary

Policy 419 Tobacco Free Environment

Date: August 22, 2024

Policy Last Reviewed: December 2019

Overview of Recommendations:

This policy was updated to align with MSBA's model policy. The AdHoc Committee has reviewed the policy and recommends approval with these language changes.

Summary of Changes:

- Title and Numbering - Changes align with MSBA model policy and structure.
- **I. PURPOSE** - Removed old language per MSBA.
- **II. GENERAL STATEMENT OF POLICY**
 - Removed A. - D. old language
 - Added new language in A. - D.
- **III. DEFINITIONS** -
 - Removed A. - B. old language
 - Added new language in A. - c.
- **IV. EXCEPTIONS** -
 - Removed A. - D. old language
 - Added new language in A. - F.
- **Added New Sections** - due to updated legal requirements
 - V. VAPING PREVENTION INSTRUCTIONS
 - VI. ENFORCEMENT
 - VII. DISSEMINATION

Cross References and Legal References

- Update on Cross references and legal references.

Equity Impact:

The AdHoc discuss these questions:

- Who is impacted in these changes/ Who's voice was at the table?
- Who is benefiting from these changes?
- Who is intentionally being marginalized?

Staff and administration reviewed the policy. They recommended using American Indian/ Indigenous language consistently throughout the policy. They also shared that the exemption for American Indian/Indigenous includes being part of an identified tribe, which may be a barrier for some, however this is the current law.

Intermediate District 287

RESPONSIVE. INNOVATIVE. SOLUTIONS.

DISTRICT POLICY

FIRST READ

POLICY SERIES: ~~Health and Medical~~ **Employee**

SUBJECT: Tobacco-Free Schools

BOARD APPROVED: October 2010, September 2014, June 2019

REVISION DATE: December 2019

~~HM160~~ **Policy 419 TOBACCO-FREE SCHOOLS** ~~TOBACCO-~~

FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION

~~TOBACCO-FREE SCHOOLS~~

I. PURPOSE

The purpose of this policy is to maintain a learning and working environment that is tobacco-free. Smoking or the use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. The Board's primary concern is to promote the health of students and employees.

II. GENERAL STATEMENT OF POLICY

- A. ~~No person may smoke, chew, or otherwise ingest or use tobacco or a tobacco product or tobacco related device, or inhale or exhale vapor from, carry, or use an activated electronic delivery device in a public school, including any facilities or vehicles owned, rented, leased, contracted for, or controlled by the District. This prohibition includes all District property and all off-campus events sponsored by the District.~~
- B. ~~No student may possess any type of tobacco, tobacco related devices, or electronic delivery device on District property, including any facilities or vehicles owned, rented, leased, contracted for, or controlled by the District. This prohibition includes all District property and all off-campus events sponsored by the District.~~
- C. ~~The District will act to enforce this Policy, and to discipline or take other appropriate action against any person who is found to have violated this policy.~~
- D. ~~Smoking cessation program information and education about the health benefits of a tobacco free lifestyle will be made available to all students through the School Counselor and/or health and science teachers and to employees through the~~

~~Employee Assistance Program:~~

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

III. DEFINITIONS

- A. ~~"Electronic delivery device" means any product, such as e-cigarettes, e-cigars, or e-pipes, containing or delivering nicotine, lobelia, and/or any other substance intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of vapor from the product. Electronic delivery device includes any component part of a product, whether it is manufactured, distributed, or not marketed or sold separately.~~
- B. ~~"Smoking" means inhaling or exhaling smoke from, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted tobacco or plant or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking also includes carrying a lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product intended for inhalation, carrying, or using an activated electronic delivery device.~~
- C. ~~"Tobacco" means cigarettes and any other product containing, made, or derived from tobacco that is intended for human consumption, whether smoked, chewed,~~

~~absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part or accessory of a tobacco product including, but not limited to: cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps; clippings, cuttings and sweepings of tobacco; and all other kinds and forms of tobacco prepared in such a manner as to be suitable for chewing or smoking in a pipe or other tobacco-related device.~~

~~D. "Tobacco-related devices" means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.~~

A. "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of aerosol or vapor from the product. Electronic delivery devices includes but is not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.

B. "Heated tobacco product" means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.

C. "Tobacco" means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.

D. "Tobacco-related devices" means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.

- E. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.
- F. "Vaping" means using an activated electronic delivery device or heated tobacco product.

IV. EXCEPTIONS

- ~~A. It is not a violation of this policy for an Indigenous adult to light tobacco on District property as part of a traditional Indigenous spiritual or cultural ceremony. An Indigenous person is someone who is a member of an Indian tribe as defined under Minnesota law.~~
- ~~B. It is not a violation of this policy for an adult non student to possess a tobacco or nicotine product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.~~
 - A. A violation of this policy does not occur when an American Indian/ Indigenous adult lights tobacco on school district property as a part of a traditional Indian spiritual or cultural ceremony. An American Indian/ Indigenous student may carry a medicine pouch containing loose tobacco intended as observance of traditional spiritual or cultural practices. An American Indian/ Indigenous is a person who is a member of an Indian tribe as defined under Minnesota law.
 - B. A violation of this policy does not occur when an adult (non student) possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off- campus events sponsored by the school district.
 - C. An American Indian/ Indigenous student or staff member may use tobacco, sage, sweetgrass, and cedar to conduct individual or group smudging in a public school. The process for conducting smudging is determined by the building or site administrator. Smudging must be conducted under the direct supervision of an appropriate staff member, as determined by the building or site administrator.

V. VAPING PREVENTION INSTRUCTION

- A. The school district must provide vaping prevention instruction at least once to students in grades 6 through 8.

- B. The school district may use instructional materials based upon the Minnesota Department of Health's school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the school district's locally developed health standards.

VI. ENFORCEMENT

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

VII. DISSEMINATION OF POLICY

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

~~**Cross References:** Health and Medical Goals Policy
Employee Responsibilities Policy
Student Conduct and Discipline Policy~~

Legal References: Minn. Stat. § 120B.238 (Vaping Awareness and Prevention)
Minn. Stat. § 121A.08 (Smudging Permitted)
Minn. Stat. §§ 144.411-144.417 (Minnesota Clean Indoor Air Act)
Minn. Stat. § 609.685 (Sale of Tobacco to Persons Under Age 21)
2007 Minn. Laws Ch. 82 (Freedom to Breathe Act of 2007)

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

INTERMEDIATE DISTRICT 287
PLYMOUTH, MINNESOTA
BOARD OF EDUCATION

Regular Meeting – September 12, 2024

AGENDA SECTION: BOARD BUSINESS

ITEM: Enter into a New Three-Year Contract with the Superintendent, upon Completion of the Current Contract

PRESENTED BY: Board Chair Brakke

1. Background Information

The current contract with the Superintendent expires June 30, 2025. Assuming satisfactory completion of this contract, the new three-year contract would begin on July 1, 2025, and expire on June 30, 2028.

The total package increases by 3.07% each year.

2. Fiscal Impact/Funding Source: None

3. RECOMMENDED ACTION: The Board approves a new three-year contract effective July 1, 2025, as presented.

Motion by: _____ Yes ____ Passed ____

Second by: _____ Yes ____ Failed ____

Abstentions: _____

September 2024

Volume 21

Number 11

Empowering Future Educators

September 27, 2024 Executive/Legislative Committee Meeting

7:30 a.m. - 9 a.m.

Anderson Center

Bethel University

Arden Hills

October 4, 2024 Board of Directors Meeting

7 a.m. - 9 a.m.

Quora Education Center

NE Metro 916

Little Canada

October 25, 2024 Executive/Legislative Committee Meeting

7:30 a.m. - 9 a.m.

Anderson Center

Bethel University

Arden Hills

November 1, 2024 Board of Directors Meeting

7 a.m. - 9 a.m.

Quora Education Center

NE Metro 916

Little Canada

In a groundbreaking initiative, four Intermediate School Districts in Minnesota — 287, 288, 916 and 917 — are leading a transformative effort alongside Minnesota State University, Mankato to pioneer the state's inaugural Registered Teacher Apprenticeship Program. This collaborative endeavor, under the umbrella of the Intermediate District Teacher Residency Apprenticeship Collaborative (ITRAC), marks a pivotal moment in addressing Minnesota's critical staffing needs within special education.



From left, Intermediate District 288 Supt. Dr. Jeff Horton, Intermediate District 916 Supt. Dr. Val Rae Boe, Intermediate District 287 Supt. Marcy Doud, and Intermediate District 917 Supt. Dr. Michael Favor address the inaugural cohort of apprentices and journeyworkers in the Intermediate District Teacher Residency Apprenticeship Collaborative (ITRAC), Minnesota's first registered teacher apprenticeship program, in Edina on Thursday, Aug. 22, 2024.

Continued on page 2

Twelve AMSD member school districts have important referendum questions on the ballot this fall. In addition, many AMSD member districts have school board elections. The [AMSD Election Guide](#) provides a comprehensive overview of education funding and explains why referendum revenue continues to be a key funding stream for school districts. The guide also provides sample questions to ask legislative candidates and links to see what's on your ballot and find information on the Minnesota Secretary of State's website about how to vote early by mail or in person. Please share the Election Guide with your colleagues and community members and encourage them to get engaged in the electoral process. Thank you for your leadership!

From the AMSD Chair, Laura Oksnevad, St. Anthony-New Brighton Board Member

The Impact of Minnesota's First Registered Teacher Apprenticeship Program

Continued from page 1

"We are grateful for the collaboration between the Department of Labor and Industry, the MN Department of Education, and the four Minnesota Intermediate School Districts to provide the first Registered Teacher Apprenticeship Program in Minnesota," said Marcy Doud, Intermediate District 287 Superintendent. "Together, we look forward to developing exceptional special education teachers for our students and families."

This program, which started in June 2024, targets Educational Support Professionals, providing them with Related Technical Instruction from Minnesota State University, Mankato and job-embedded learning under the mentorship of their district's experienced teachers known as Journeyworkers. This approach not only fulfills licensure requirements for Emotional-Behavioral Disorders (EBD) and Autism Spectrum Disorders (ASD) but also aligns with the [2023 Standards of Effective Practice](#)— a crucial step toward improving educational outcomes. "Northeast Metro 916 is proud to be part of this groundbreaking Apprenticeship Program collaboration. This innovative initiative will assist in developing a highly skilled workforce for our setting IV special education programs and deliver significant and positive outcomes for our students," said Dr. Val Rae Boe, Intermediate District 916 Superintendent.

"This program will help by being a better fit into my everyday life. Being able to have the coursework built into the work we do with the students will help lessen the stress the typical school work puts on working adults," said an Intermediate School District 287 apprentice.

The Registered Teacher Apprenticeship Program, partly funded by the Special Education Pipeline grant and the One-Time Intermediate Apprenticeship funding from the last legislative session, addresses several key challenges facing Minnesota's education system today:

- Recruitment and Retention - By offering a structured pathway into teaching, the program helps fill critical vacancies in special education. This is particularly crucial as teacher shortages persist across the state.
- Diversity in the Workforce - Through targeted recruitment and support, the program aims to diversify the educator workforce, ensuring that classrooms reflect the communities they serve.
- Removing Barriers - The apprenticeship program aims to eliminate financial and systemic obstacles, thus expanding opportunities for individuals who previously considered teaching beyond their reach.
- Meeting Educational Standards - aligning the [2023 Standards of Effective Practice](#) ensures that apprentices graduate fully prepared to meet the needs of diverse learners from day one.



The inaugural cohort of apprentices in Minnesota's first registered teacher apprenticeship program.

"Minnesota State University, Mankato is honored to engage in this unique and transformative Apprenticeship partnership. We have collaborated to create this theory to immediate practice Special Education degree and licensure program that is going to have a positive impact for and with students up to 22 years old," said Teri Preisler, Acting Director of the Center for Educator Partnerships and Student Support for the MSU-Mankato College of Education.

Continued on page 3

Addressing the Complexities of Special Education

Continued from page 2

The collaboration between the four intermediate school districts, Minnesota State University, Mankato, and state agencies demonstrates a commitment to innovative education practices. By nurturing local talent and investing in their professional development, the program not only strengthens individual career paths but also enhances educational outcomes for students with special needs.



An apprentice writes down how they want their apprenticeship to reflect teamwork, one of the Elevate Teaching characteristics.

"I believe this program is important because it helps paras move into a more stable role for the students. Also helps teachers learn new ways of thinking and implementing their ideals in a safe learning environment," said a Intermediate School District 288 apprentice.

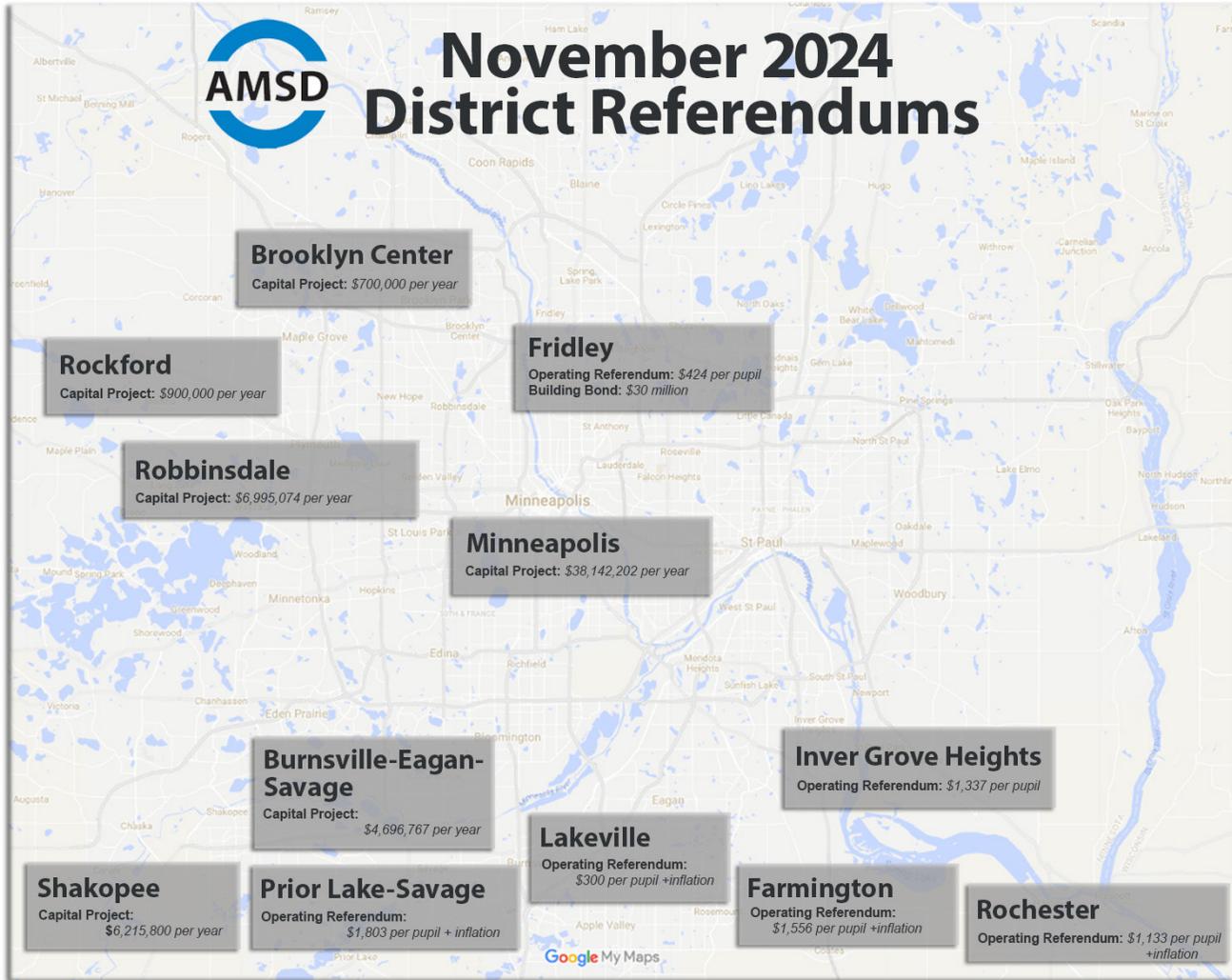
The program is sponsored by [BrightWorks](#).

"We are excited and honored to serve in the Sponsorship role for the first Teacher Apprenticeship program in the state of Minnesota," said Gina Boots, BrightWorks spokesperson. "Educational Service Agencies (ESAs) have a proven record of implementing state-wide initiatives on behalf of the districts we serve. We are fully committed to ensuring a successful implementation of ITRAC, as well as continued development on making this a sustainable model that can be a viable option across the state."

The ITRAC Registered Teacher Apprenticeship Program represents a significant step forward in addressing the complexities of special education. Learn more about each of the intermediate school districts by visiting the [Intermediate District 287](#), [Intermediate District 288](#), [Intermediate District 916](#), and [Intermediate District 917](#) websites.

This month's member feature was submitted by staff from Intermediate District 287, Intermediate District 288, Intermediate District 916, and Intermediate District 917.

Twelve AMSD Districts on the November Ballot with Referendums



Twelve AMSD school districts will have 13 referendum questions on the ballot on Nov. 5 — a significant number that speaks to the financial challenges Minnesota school districts face even after the funding increases approved in the 2023 legislative session.

This year’s ballot questions include operating referendum requests, capital project levy renewals or increases, and a bond question. [A chart on the AMSD website](#) outlines the AMSD member district referendum questions and includes a link to the school district website where detailed information about the referendum questions can be found. Voters are encouraged to contact their local school officials if they have questions about their school district’s referendum.

Why referendums are necessary

While the education bill approved in the 2023 legislative session provided a significant overall funding increase and made important progress toward reducing funding shortfalls in the special education and English learner programs, education funding in Minnesota continues to be a State and local partnership.

The most important source of financial support for school districts comes through the General Education Program. There are several components to the General Education Program with the vast

Continued on page 5

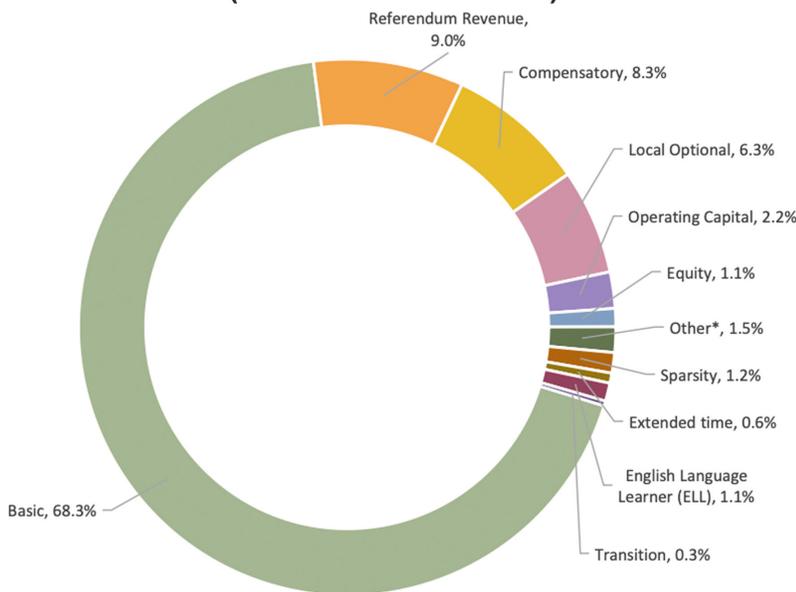
Referendums Provide Critical Resources for Schools

Continued from page 4

majority provided by basic revenue — often referred to as the basic formula. Basic revenue accounts for about 70 percent of general education revenue and is used to pay for employee salaries and benefits, supply costs and other operational costs. While overall education revenue has exceeded inflation since 2003, the basic formula has lagged far behind the rate of inflation. In fact, the basic formula would be \$1,364 per pupil higher today if it has kept pace with inflation since 2003.

The federal government provides a modest share of education funding, and the remaining comes from local property taxes. As illustrated in the graph below, two key local levies, voter approved referendum revenue (9 percent) and local optional revenue (6.3 percent), provide nearly 16 percent of general education revenue. Local optional revenue, like the basic formula, has lost considerable ground to inflation since it went into effect in 2014. If it had simply kept pace with inflation since 2014, it would be \$182 per pupil higher today.

**FY2024 General Education Program Components
(2023-24 School Year)**



*Other includes Declining Enrollment, Small Schools, Gifted & Talented, PSEO, and various other Adjustments.

Source: Minnesota House of Representatives Fiscal Analysis Department, November 2023

A large share of the overall state funding increase provided in 2023 was targeted to specific programs such as universal meals, the READ Act, summer unemployment insurance, professional development, and specific job classifications.

The result is that even with the funding increases approved the last two legislative sessions, districts are struggling to cover inflationary costs and contract settlements with employee groups.

Six of the AMSD districts going to voters this fall are seeking Capital Projects referendums, which are most commonly used to ensure safe and secure school buildings and to provide the technology students need to succeed in our

digital economy. The State does not provide a dedicated funding stream for technology, leaving school districts dependent on local capital project levies.

Major building projects are also funded primarily at the local level. The State provides limited funding for deferred maintenance and equipment purchases but new construction, additions to existing buildings, and major renovations are generally financed by the sale of bonds following the approval of a bond referendum by the voters.

By law each district going out for referendums of any type are required to provide detailed information about the referendums and projects, as well as provide an estimate of costs and the impact on homeowners in the district. The ballot language for the 2024 election is available on the [MN Secretary of State's website](#). Voters can access their sample ballots by entering their address and zip code. Voters are also encouraged to visit their school district website for more specific details and information about their proposed referendums.

Intermediate District 287

RESPONSIVE. INNOVATIVE. SOLUTIONS.

Board Calendar (Second & Fourth Thursday of the Month)

Start Time: 6:30 PM

January 2024 – December 2024	
January 11, 2024 Conflict MSBA Meeting January 25, 2024	
February 8, 2024	February 22, 2024
March 14, 2024	March 28, 2024 Conflict with Spring Break
April 11, 2024	April 25, 2024
May 9, 2024	May 23, 2024
June 13, 2024	June 27, 2024
No July Meeting	
August 22, 2024	
September 12, 2024	September 26, 2024
October 10, 2024	October 24, 2024
November 14, 2024	
December 12, 2024	

Intermediate District 287

RESPONSIVE. INNOVATIVE. SOLUTIONS.

Board Calendar (Second & Fourth Thursday of the Month)

Start Time: 6:30 PM

TENTATIVE

January 2025 – December 2025	
January 9, 2025 <i>(possible conflict MSBA Conference)</i>	January 23, 2025
February 13, 2025	February 27, 2025
March 13, 2025	March 27, 2025 <i>(Conflict with Spring Break)</i>
April 10, 2025	April 24, 2025
May 8, 2025	May 22, 2025
June 12, 2025	June 26, 2025
No July Meeting	
August 28, 2025	
September 11, 2025	September 25, 2025
October 9, 2025	October 23, 2025
November 13, 2025	
December 11, 2025	

INTERMEDIATE DISTRICT 287
September 12, 2024
SCHOOL BOARD CALENDAR

September 2024

12	Thursday	General Meeting of the Board	6:30 PM	DSC
26	Thursday	General Meeting of the Board	6:30 PM	DSC

October 2024

10	Thursday	General Meeting of the Board	6:30 PM	DSC
24	Thursday	General Meeting of the Board	6:30 PM	DSC

November 2024

14	Thursday	General Meeting of the Board	6:30 PM	DSC
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December 2024

12	Thursday	General Meeting of the Board	6:30 PM	DSC
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TENTATIVE

January 2025

09	Thursday	General Meeting of the Board <i>(does not conflict MSBA Conference)</i>	6:30 PM	DSC
23	Thursday	General Meeting of the Board	6:30 PM	DSC

February 2025

13	Thursday	General Meeting of the Board	6:30 PM	DSC
27	Thursday	General Meeting of the Board	6:30 PM	DSC

March 2025

13	Thursday	General Meeting of the Board	6:30 PM	DSC
27	Thursday	General Meeting of the Board <i>(conflict with Spring Break)</i>	6:30 PM	DSC

April 2025

10	Thursday	General Meeting of the Board	6:30 PM	DSC
24	Thursday	General Meeting of the Board	6:30 PM	DSC

May 2025

08	Thursday	General Meeting of the Board	6:30 PM	DSC
22	Thursday	General Meeting of the Board	6:30 PM	DSC

June 2025

12	Thursday	General Meeting of the Board	6:30 PM	DSC
26	Thursday	General Meeting of the Board	6:30 PM	DSC

- ◆ General Board Meeting – Date Change
- ◆ New Event
- ◆ Event Date Change

Intermediate District 287

RESPONSIVE. INNOVATIVE. SOLUTIONS.

Get on the Bus & Local 2209 Breakfast Schedule

2024-2025

Get on the Bus

Tuesday, October 15th
North Education Center
Bus leaves 287 DSC @ 8:30 AM

_____	_____
_____	_____
_____	_____

Tuesday, December 3rd
Career and Technical Center
Bus leaves 287 DSC @ 8:30 AM

_____	_____
_____	_____
_____	_____

Tuesday, February 4th
South Education Center
Bus leaves 287 DSC @ 8:30 AM

_____	_____
_____	_____
_____	_____

Tuesday, April 15th
Itinerant
Bus leaves 287 DSC @ 8:30 AM

_____	_____
_____	_____
_____	_____

Local 2209/Board Meeting

1:00 PM

Tuesday, October 22nd

District Service Center

(3rd Floor – Room 316)

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_____	_____
_____	_____

Tuesday, December 10th

District Service Center

(3rd Floor – Room 316)

_____	_____
_____	_____
_____	_____

Tuesday, February 11th

District Service Center

(3rd Floor – Room 316)

_____	_____
_____	_____
_____	_____

Tuesday, April 22nd

District Service Center

(3rd Floor – Room 316)

_____	_____
_____	_____
_____	_____