

# Regular School Board Meeting

Monday, December 2, 2024 6:30 PM

LS-H MS/HS Media Center, 901 Ferry St., Le Sueur, MN 56058

## 1. CALL TO ORDER

## 2. PLEDGE OF ALLEGIANCE

## 3. MISSION AND VISION STATEMENTS

## 4. STRATEGIC PLAN REVIEW

## 5. APPROVAL OF AGENDA

## 6. OPEN FORUM

## 7. LE SUEUR-HENDERSON SCHOOL DISTRICT RECOGNIZES

7.1. Donations & Grants Received

7.2. October Students of the Month

## 8. REPORTS

### 8.1. Committee Reports

8.1.1. Finance **Presenter:** Director Matt Hathaway

8.1.2. Negotiations **Presenter:** Director Brigid Tuck

8.1.3. SW Metro **Presenter:** Director Steve Cross

8.1.4. Human Resource **Presenter:** Director Kelsey Schwartz

8.1.5. Policy **Presenter:** Director Gretchen Rehm

8.1.6. Buildings & Grounds **Presenter:** Director Matt Hathaway

8.1.7. Community Ed Council **Presenter:** Director Brigid Tuck

### 8.2. Student Report

### 8.3. Superintendent Report

8.3.1. Community Education Update

8.3.2. M/HS Principal Report

8.3.3. Elementary Principal Report

## 9. CONSENT AGENDA

### 9.1. Approval of District Office Consent Items

9.1.1. Minutes of Regular School Board Meeting held on 11/4/2024

9.1.2. Minutes of Special School Board Meeting  
held on 11/14/2024

9.2. Approval of Business Office Consent Items

9.3. Approval of Personnel Consent Items

9.3.1. Hirings

9.3.2. Resignations

9.3.3. Requests

9.3.4. Retirements

10. **PURCHASES ABOVE \$5,000**

11. **OLD BUSINESS**

11.1. Approve final of three readings to adopt  
policy 701.1

12. **NEW BUSINESS**

12.1. Approve first & final readings to update  
policies 706, 707, 710, 711, 712, 713, 714, 720,  
721, 410, 413, 414, 415, 506, 514, 524, 616, 806.

12.2. Approve first of three readings to update  
policies, 708, 709, 722.

12.3. Approve combined polling place for 2025

12.4. Approve Proposed Facility Use Policy

13. **BOARD MEMBER COMMUNICATIONS / IDEAS EXCHANGE**

14. **NEXT MEETING INFORMATION**

14.1. Schedule of Upcoming Meetings

15. **CLOSED SESSION**

15.1. Approve to enter into closed session.

16. **OPEN SESSION**

16.1. Approve reopening the regular school  
board meeting.

17. **ADJOURN**

**RESOLUTION TO ACCEPT GRANTS AND DONATIONS  
TO THE LE SUEUR-HENDERSON SCHOOL DISTRICT**

**WHEREAS**, the Le Sueur-Henderson School District Board encourages the support of the district's educational programs through the funding and support of grant opportunities and donations that meet the goals and objectives of the school district;

**WHEREAS**, the school district will control and maintain all grants and donations to ensure that the interests of all students are met;

**WHEREAS**, the grants and donations listed below have been reviewed and approved by the administration of the Le Sueur-Henderson School District;

**THEREFORE, BE IT RESOLVED**, by the School Board of Independent School District No. 2397, to accept the following grants and donations for the purposes intended:

- Scheels - \$500 for cross country and track activities,
- Class of 1977 - \$349.74 for elementary activities,
- Value Inspired Products & Service (ViPS) - \$500 for athletics,
- United Methodist Church of Le Sueur - \$1,000 for elementary student needs,
- Anonymous Donor - Electric Yamaha Clavinova Piano with rolling cart for elementary music room valued at \$2,700.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed:

\_\_\_\_\_  
School Board Chair, Brigid Tuck

Attest:

\_\_\_\_\_  
School Board Clerk, Kelsey Schwartz



# Le Sueur-Henderson Public Schools

## October Students of the Month

Elementary		MS/HS	
Student Name	Grade	Student Name	Grade
Memphis Haller Chudier Jock	K	Brynn Fredrickson	6
Jacob Griep Dawson Braun	1	Finley Hollnagel	7
Mariah Mercado Carlos Carcamo	2	Bella Bemmels	8
Julianna Vrklan Eli Nielson	3	Liberty Genelin	9
Gideon Romano Madelyn Thelemann	4	Jack Thelemann	10
Tucker Vrklan Julia Stene	5	Joe Lewis	11
		Jesus Carrillo Martinez	12

## **Community Education Update**

Date: November 19, 2026

### **New Space:**

For the first time, our community ed staff is housed in the same building. This has made communication and working together so much easier! Preschool Teachers have unpacked and organized their classrooms, and preschool staff have set up various stations, such as art, sensory, and science.

### **Early Childhood:**

Mark your calendars for breakfast with Santa! On Saturday, December 14, we'll have pancakes and sausage for families with young children. The cost is \$5 per person or \$15 per family. We'll also have several activities for the kids and an opportunity to take pictures with Santa.

### **Preschool Teacher Resignation:**

With the resignation of our recently hired preschool teacher, who taught a Tues/Thursday class as well as a Mon/Wed/Fri class, we will be moving the Tues/Thurs class into an existing preschool class. Catherine Goettl, our Early Childhood Coordinator, will be teaching the Mon/Wed/Fri class until we can hire a teacher. We've posted the position and will be conducting interviews the 1st week in December and hope to hire a candidate for a start date of January 2nd.

### **Adult Education:**

Our Gaylord site has seen an increase in attendance, with 15 regular ESL and GED students. At the Ziebarth site in Le Sueur, we've begun our second year of ESL classes with five regular attendees.

Since last spring, we have seen an increase in adults wanting to obtain their GEDs. Last year, we had two students who received their GED through our program, and this year, we already have six.

### **Kids Club:**

We are acclimating well to the new building, and the kids have been loving the flex space to explore and play. Our numbers for after-school care are down, which is okay for ease of supervision; however, our numbers for childcare during the day are up compared to last year at this time.

### **General Community Ed:**

Our trip to: "Over the River and Through the Woods" production at Sidekick Theater was a hit, with a waitlist! While trips are popular among our residents, interest from partners in Belle Plaine, Jordan, New Prague, and TCU is waning. We plan to create some standalone trips for the winter/spring catalog.

### **Facility Policy Update:**

We have updated the district's facility policy and rental rates. The advisory council has reviewed the policy and is making recommendations for the school board's consideration.

Our Winter Catalog is due to the printer on December 13, and the catalog will hit mailboxes the first week of the New Year. We will offer a couple of opportunities for residents to enjoy the new gym. Walkers will be able to use the gym before school starts in the morning from 6:00-7:30 a.m. on Tuesdays and Thursdays and in the evenings from 8:00-10:00 p.m. on Mondays and Wednesdays. The cost is free when purchasing a security fob. Additionally, we'll host an open gym on Saturdays, 1:00-3:00 p.m. We will charge admission for open gyms to cover the cost of the building supervisor.

Thank you for your continued support of our community education efforts!

## I. Facility Use Fee Schedule

Groups using school district facilities may be assessed facility use, staffing, and/or equipment use charges according to the categories listed below. Potential user groups not falling into one of these categories will be assessed fees as determined by the Community Education Director and the Superintendent

- Category 1:** School district and affiliated groups will not be charged facility rental fees. Activities such as prom/homecoming dances will need to provide a building supervisor and/or custodian which will be charged to the event sponsor.
- Category 2:** Local organizations that are quasi-public, youth serving organizations, civic and service organizations, fraternal organizations, social agencies, non-profit educational organizations, government entities in Le Sueur County, Sibley County, and religious organizations for non-worship activities will not be charged rental fees. Excludes tournaments or any event when a building supervisor and/or custodial staff are required. Religious organizations using the facilities for worship or instruction along with groups using the district facilities for fundraising events or activities that require admission, collection of money are subject to the category 2 rental rates
- Category 3:** Individuals, private agencies, businesses, companies or vendors who reside within the Le Sueur-Henderson School District, and who use district facilities for commercial purposes or personal profit will be assessed category 3 rental rates
- Category 4:** Religious organizations, individuals, private agencies, businesses, companies or vendors who reside outside the Le Sueur-Henderson School District, and who use district facilities for commercial or personal profit are subject to category 4 rental rates

**For non-charged facility rentals:** Groups will be charged a staffing fee when no custodian is on duty (non-school days, weekends, holidays). If necessary a trained building supervisor and/or custodian may be utilized for groups in category 2 at the discretion of the Community Education Director.

**Proposed changes are in yellow.**

**Facility Rental/Utility Fees**

	Category 2 per hour	Category 3 per hour	Category 4 per hour	Category 2 per day - No longer an option
Permit fee - per reservation	\$10	\$20	\$40	
Classrooms	\$10	\$20	\$40	\$30
Consumer Family Science Lab	\$15	\$30	\$60	\$40
Library/Media Center	\$20	\$40	\$80	\$50
Gym	\$25	\$50	\$100	\$100
Auditorium	\$25	\$50	\$100	\$100
Sound System	\$10	\$20	\$40	\$30
Lighting Board	\$10	\$20	\$40	\$30
Video System	\$10	\$20	\$40	\$30
Cafeteria/Commons	\$20	\$40	\$80	\$80
Conference Room (in library)	\$10	\$20	\$40	\$30
Concession Stand	\$10	\$20	\$40	\$30
Football Stadium and Track	\$50	\$100	\$150	\$120
Locker Rooms	\$10	\$20	\$40	\$30
Tennis courts (4/Rental)	\$15	\$25	\$50	\$75
Elementary Gym (all 3 courts)	\$50	\$100	\$150	

**II. Staffing Charges**

**Custodian Fees:** A charge will be assessed to categories 2, 3, and 4 for special set-up and/or clean up. Categories 2, 3, and 4 will be charged a custodial fee for activities requiring custodial services which are scheduled when facilities are not normally staffed. Category 4 groups will be charged a custodial fee for all activities. The charge for all categories will be \$30-\$40 per hour with a two-hour minimum.

**Food Service Supervisor:** A charge will be assessed to categories 2, 3, and 4 who use the kitchen area of any building. All groups must use a food service supervisor if using district kitchen space. The charge for all categories will be \$35/hour

**Building Supervisor:** A charge will be assessed to categories 2, 3, and 4 per agreement. The charge for all categories will be \$20-\$25 per hour.

**Security and Police Officers/Fire Department:** Groups in categories 2, 3, and 4 may be asked to provided security and/or police officers for certain activities. Events in which high attendance is expected when a large amount of money is to be exchanged, or if valuable property will be used or featured are examples of such activities, the local police and/or fire department will invoice the district, and the charge will be assessed to the user based on the Police/Fire Department's invoice. This charge will be reflected on the final invoice to the user.

**Auditorium Technician:** Groups in categories 2, 3, and 4 will be charged for staffing time, including preparation and restoration. The charge for all categories will be \$25-\$30/hour.

III. **Equipment**

**Equipment** (Daily Charge: School equipment cannot leave school property)

	Category 2	Category 3	Category 4
<b>Television/DVD</b>	10	20	40
<b>LCD Projectors</b>	12	25	50
<b>Microphones</b>	10	20	30
<b>Coffee Maker</b>	5	10	15
<b>Piano</b>	10	20	40
<b>Grand Piano</b>	50	100	200

Other: Determined by the Community Education Director

**Sales Tax:** Athletic Fields, recreational facilities, and equipment will be charged applicable MN State sales tax. Organizations that are tax exempt must have a copy of their tax-exempt certificate on file with the Community Education office before applicable taxes can be waived.

IV. **Additional Facility Use Information**

- a. Any damages that occur during an event to school district property or equipment will be the responsibility of the user group
- b. Groups of 100 or more require a 2 month reservation notice
- c. Facility Request Forms must be turned in at least one week before the reservation date
- d. Groups that cancel 72 hours or less before their event or do not show up for their scheduled event will be charged a \$70 custodial fee.

V. **Practice Time Restrictions**

- a. No practice for elementary students after 8:00 p.m.
- b. No activities for youth (PreK-12) on Wednesdays after 6:15 p.m. September – April.
- c. No practices for youth (PreK-12) before noon on Sundays.
- d. Practices held on weekends must arrange for a school district employee to open and lock the building for practice. If a school employee is not available, the user group will be charged for a building supervisor.



# Le Sueur-Henderson Middle/High School

## Independent School District 2397

### School Board Report December 2024

- **Conferences:** Just over 200 students were represented across grades 6-12. Attendance was up 5% from last year.
- 15 staff members attended the Teen Mental Health First Aid Training last week. All 9th graders will be trained once a week for 7 weeks in the 9th grade American History classes starting in January. See the [link to KARE 11](#) about the program.
- **School Safety:** I recently attended a 2-day training on school safety through HSEM (Homeland Security and Emergency Management). Through this training I received many resources for school safety best practices and guidance on steps needed to improve safety at LSH.
  - The Minnesota School Safety Center offers a School Based Emergency Management Program (SBEM) certificate of completion program for school officials who are tasked with school safety responsibilities. Through the combination of selected online courses, a two-day in person training and completion of two elective opportunities, participants are provided with information on national and state best practices. This learning opportunity is designed to provide a foundation in school-based emergency management. Additionally, this curriculum serves as a conduit to resources for school safety professionals in: physical security, intervention/prevention, and emergency preparedness planning. School safety officials are trained to lead the development and implementation of school safety practices in order to provide safe educational environments.
  - The District Crisis Team will meet this week to evaluate the next course of action.
- Planning for MS Career Day has begun. It is scheduled for Friday, Feb. 7th. The AVID team is recruiting presenters. If you are interested in presenting or know someone who is interested, please contact Mellissa Hollnagel.
- Senior RISE: Upcoming Speaker - Joe Roby
- **MSHSL Leadership Conference:** On November 19th and 20th, selected sophomores from Region 2A gathered at LSH for a Leadership Conference. The event featured motivational speaker Craig Hillier, who led participants through a series of activities designed to develop and strengthen their leadership skills. The conference provided an invaluable opportunity for students to enhance their abilities, collaborate with peers, and gain insights into becoming more effective leaders in their school and local communities.

- **Upcoming Events:**

**December 2:** 7th Grade Guthrie Field Trip

**December 9:** Band Concert 7:00 pm HS Auditorium

**December 11:** 6th Grade Ordway Field Trip

**December 13:** 2 hour Early Release

**December 16:** Choir Concert 7 pm Auditorium

**December 18:** GIANT Support 3:30-5:30 pm



# Le Sueur-Henderson Public Schools

Independent School District 2397

LS-H Elementary

100 Kingsway Drive

Le Sueur, MN 56058

Phone: (507) 665-4700 □ [www.isd2397.org](http://www.isd2397.org)

School Board,

## 1. New Building Update

We are pleased to report that the transition to the new school building has been a resounding success. Staff and students have fully adjusted to the new environment, and we are now operating at full capacity. Initial challenges of navigating the layout have been resolved, and everyone has settled in comfortably. Feedback from staff and students has been overwhelmingly positive, and the new facility is meeting our operational and educational needs effectively.

## 2. Winter Music Concert

We are excited to announce the upcoming Winter Music Concert, which will take place on December 12th in the school auditorium. The schedule for the performances is as follows:

- Kindergarten and Grade 1: 10:30 AM – 11:00 AM
- Grades 2 and 3: 11:30 AM – 12:00 PM
- Grades 4 and 5: 1:00 PM – 2:00 PM

The concert promises to showcase the musical talents of our students, and we encourage family members and the community to attend. This event provides an excellent opportunity to celebrate our students' achievements in the arts.

## 3. Stuff the Truck

Our Stuff the Truck initiative was a tremendous success this year! We collected a record amount of goods, demonstrating our school community's commitment to serving others. Three classrooms earned awards for bringing in the most items. This initiative underscores the importance of giving back, and it was heartwarming to see students, staff, and families come together to make a difference for those in need.

## 4. Wreath Sales

The annual wreath sales also went very well this year. Pickup has been completed successfully, and we appreciate everyone who supported this fundraiser.

As we wrap up this busy season, I hope you all had a wonderful Thanksgiving. It won't be long until Christmas is here, and I know the excitement is building among staff and students alike.

Thank you for all you do as School Board Members. Your role in supporting our staff and students should not be underestimated. We are grateful for your ongoing dedication to our school community and look forward to continuing our partnership to ensure success for all.

Respectfully submitted,  
Principal Kern

*Le Sueur-Henderson Public Schools Commits to a Unified Focus on High Student Achievement*

BOARD OF EDUCATION  
INDEPENDENT SCHOOL DISTRICT 2397  
LE SUEUR-HENDERSON PUBLIC SCHOOLS  
MINUTES OF REGULAR SCHOOL BOARD MEETING  
MS/HS MEDIA CENTER  
November 4, 2024

Item 1.0     **Call to Order:** The regular meeting of the Le Sueur-Henderson Board of Education was called to order at 6:30 PM. The board members in attendance are Brigid Tuck, Kelsey Schwartz, Jenny Burns, Marie Walker, Steve Cross, Gretchen Rehm, Matt Hathaway.

Members Absent:

Also in attendance: Superintendent Jim Wagner, Admin. Assist. Rachel Scheffler, Student Rep., Koreyann Straub, AD, Dave Swanberg, LS County News, Carson Hughes.

Item 2.0     **Pledge of Allegiance:** pledge recited

Item 3.0     **Mission and Vision Statements**

Item 4.0     **Strategic Plan Review**

Item 5.0     **Approval of Agenda:** Motion by Schwartz, second by Burns carried 7-0 to approve the meeting agenda.

Item 6.0     **Open Forum**

Item 7.0     **Le Sueur-Henderson School District Recognizes**

Item 7.1 A resolution was presented to accept grants and donations to the Le Sueur - Henderson Public School District. Said resolution is attached hereto and made a part of these minutes. Motion made by Board Member Burns and upon being seconded by Board Member Walker said the resolution was duly adopted by the following roll call vote, carried 7-0 .

Tuck:	Yes	Burns: Yes
Schwartz:	Yes	Walker: Yes
Hathaway:	Yes	Rehm: Yes
Cross:	Yes	

Item 7.2 September Elementary Students of the Month

Item 8.0     **Reports:**

Item 8.1 Committee Reports

- Item 8.1.1 Finance
- Item 8.1.2 Negotiations
- Item 8.1.3 SW Metro
- Item 8.1.4 Human Resource
- Item 8.1.5 Policy
- Item 8.1.6 Buildings & Grounds
- Item 8.1.7 Community Ed Council
- Item 8.2 Student Report
- Item 8.3 Superintendent Report
  - Item 8.3.1 MS/HS Principal report
  - Item 8.3.2 Elementary Principal report
  - Item 8.3.3 AD report
  
- Item 9.0 **Consent Agenda:** Motion by Cross, second by Rehm, carried 7-0 to approve the following consent items:
  - Item 9.1 District Office Consent Items:
    - Item 9.1.1 Minutes of Regular School Board meeting held on 10.7.24
  - Item 9.2 Business Consent Items:
  - Item 9.3 Personnel Consent Items:
    - Item 9.3.1 Hirings
      - Item 9.3.1.1 Teacher - Elizabeth Widmer-Blace
      - Item 9.3.1.2 Playground supervisors - Kristi Strom & Antionette Blythe
      - Item 9.3.1.3 Hispanic Outreach - Dulce Garcia Trejo
      - Item 9.3.1.4 Part-time ABE Teacher - Brent Grossman
      - Item 9.3.1.5 ABE Paraprofessional - Chris Dickenson
      - Item 9.3.1.6 Assistant Girls Hockey Coach - Lindsay Paschke
      - Item 9.3.1.7 Paraprofessional - Carol Sudheimer
      - Item 9.3.1.8 District Wide Licensed sub - Emi Wagner
      - Item 9.3.1.9 Technology Assistant - Jeff Schulz
      - Item 9.3.1.10 Assistant Girls Hockey Coach - Charlie Haugen
    - Item 9.3.2 Resignations
      - Item 9.3.2.1 Preschool Teacher - Larissa York
    - Item 9.3.3 Requests
      - Item 9.3.3.1 Lane Change Appeal - Laura Anderson
  - Item 9.2.4 Retirements
  
- Item 10.0 **Purchases Above \$5,000**
  
- Item 11.0 **Old Business**
  - Item 11.1 Motion by Tuck, second by Schwartz, carried 7-0 to approve second of three readings to adopt Policy 701.1.
  
- Item 12.0 **New Business**
  - Item 12.1A Resolution supporting Form A Application to the MSHSL Foundation. Said Resolution is attached hereto and made a part of these

minutes. Motion made by Board Member Hathaway and upon being seconded

by Board Member Burns said the following roll call vote duly adopted by the following roll call vote, carried 7-0.

Tuck: Yes	Burns: Yes
Schwartz: Yes	Walker: Yes
Hathaway: Yes	Rehm: Yes
Cross: Yes	

Item 12.2 Motion by Schwartz, second by Walker, carried 7-0 to approve application for Coop Sponsorship between LS-H and St. Peter for Girls Gymnastics beginning with the 24-25 school year.

Item 12.3 Motion by Tuck, second by Burns, carried 7-0 to approve LS-H School Board Handbook.

Item 12.4 Resolution requiring the tally of write-in votes only if write-in votes are greater than a ballot candidate's total. Said Resolution is attached hereto and made a part of these minutes. Motion made by Board Member Cross and upon being seconded by Board Member Hathaway said the following roll call vote duly adopted by the following roll call vote, carried 7-0 .

Tuck: yes	Burns: yes
Schwartz: yes	Walker: yes
Hathaway: yes	Rehm: yes
Cross: yes	

Item 12.5 Motion by Tuck, second by Burns, carried 7-0 to approve MOUs outlining terms and conditions of Paraprofessional and Clerical staff who possess a valid American Translators Association (ATA) certificate.

Item 13.0 **Board Member Communications/Ideas Exchange:**

Item 13.1 2025 MSBA Leadership Conference

Item 14.0 **Next Meeting Information**

Item 14.1 Schedule of Upcoming Meetings

Item 15.0 **Adjourn:** Motion by Schwartz, second by Rehm, carried 7-0 to adjourn the meeting at 7:23 PM.

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Board Clerk

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Board Chair

Approved on: December 2, 2024

BOARD OF EDUCATION  
INDEPENDENT SCHOOL DISTRICT 2397  
LE SUEUR-HENDERSON PUBLIC SCHOOLS  
MINUTES OF SPECIAL SCHOOL BOARD MEETING  
MS/HS MEDIA CENTER  
November 14, 2024

Item 1.0     **Call to Order:** The special meeting of the Le Sueur-Henderson Board of Education was called to order at 6:30 PM. Board members in attendance were Brigid Tuck, Kelsey Schwartz, Gretchen Rehm, Steve Cross, Marie Walker, Matt Hathaway, Jenny Burns.

Members Absent:

Also in attendance: Superintendent Jim Wagner, Admin Assist, Rachel Scheffler, Brooke Wentzlaff

Item 2.0     **Pledge of Allegiance:**

Item 3.0     **Approval of Agenda:** Motion by Cross, second by Burns, carried 7-0, to approve the meeting agenda.

Item 4.0     **New Business:**

Item 4.1 Oath of Office administered to canvassing board members by Supt. Wagner.

Item 4.2 Canvass the results of the 2024 School Board General Election.

Item 4.3 A Resolution Canvassing Returns of Votes of School District General Election was presented. Said Resolution is attached hereto and made a part of these minutes. Motion made by Board Member Hathaway and upon being seconded by Board Member Burns, said resolution was duly adopted by the following roll call votes 7-0.

Tuck: yes	Burns: yes
Schwartz: yes	Walker: yes
Hathaway: yes	Rehm:yes
Cross: yes	

Item 5.0     **Adjourn:** Motion by Burns, second by Walker, carried 7-0, to adjourn the meeting at 6:34 pm.

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Board Clerk

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Board Chair

Approved on: December 2, 2024

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 701.1

Orig. 1996

Revised: \_\_\_\_\_

Rev. 2000

## **701.1 MODIFICATION OF SCHOOL DISTRICT BUDGET**

***[Note: The provisions of this policy substantially reflect the requirements of Minnesota Statutes.]***

### **I. PURPOSE**

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

### **II. GENERAL STATEMENT OF POLICY**

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

### **III. REQUIREMENT**

- A. The school district's adopted expenditure budget shall be considered the school board's expenditure authorization for that school year.
- B. If revisions or modifications in the adopted expenditure budget are determined to be advisable by the administration, the superintendent shall recommend the proposed changes to the school board. The proposed changes shall be accompanied by sufficient and appropriate background information on the revenue and policy issues involved to allow the school board to make an informed decision. A school board member may also propose modifications on that board member's own motion, provided, however, the school board member is encouraged to review the proposed modifications with the superintendent prior to their being proposed so that the administration may prepare necessary background materials for the school board prior to its consideration of those proposed modifications.
- C. If sufficient funds are not included in the expenditure budget in a particular fund to allow the proposed expenditure, funds for this purpose may not be expended from that fund prior to the adoption of an expenditure budget amendment by the school board to authorize that expenditure for that school year. An amended expenditure shall not exceed the projected revenues available for that purpose in that fund.
- D. The school district's revenue budget shall be amended from time to time during a fiscal year to reflect updated or revised revenue estimates. The superintendent shall make recommendations to the school board for appropriate revisions. If necessary, the school board shall also make necessary revisions in the expenditure budget if it appears that expenditures would otherwise exceed revenues and fund balances in a fund.

**Legal References:** Minn. Stat. § 123B.77 (Accounting, Budgeting, and Reporting Requirement)

**Cross References:** MSBA/MASA Model Policy 701 (Establishment and Adoption of School District Budget)

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 701.1

Orig. 1996

Revised: \_\_\_\_\_

Rev. 202200

## **701.1 MODIFICATION OF SCHOOL DISTRICT BUDGET**

***[Note: The provisions of this policy substantially reflect the requirements of Minnesota Statutes.]***

### **I. PURPOSE**

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### **II. GENERAL STATEMENT OF POLICY**

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### **III. REQUIREMENT**

- A. The school district's adopted expenditure budget shall be considered the school board's expenditure authorization for that school year.
- B. If revisions or modifications in the adopted expenditure budget are determined to be advisable by the administration, the superintendent shall recommend the proposed changes to the school board. The proposed changes shall be accompanied by sufficient and appropriate background information on the revenue and policy issues involved to allow the school board to make an informed decision. A school board member may also propose modifications on that board member's own motion, provided, however, the school board member is encouraged to review the proposed modifications with the superintendent prior to their being proposed so that the administration may prepare necessary background materials for the school board prior to its consideration of those proposed modifications.
- C. If sufficient funds are not included in the expenditure budget in a particular fund to allow the proposed expenditure, funds for this purpose may not be expended from that fund prior to the adoption of an expenditure budget amendment by the school board to authorize that expenditure for that school year. An amended expenditure shall not exceed the projected revenues available for that purpose in that fund.
- D. The school district's revenue budget shall be amended from time to time during a fiscal year to reflect updated or revised revenue estimates. The superintendent shall make recommendations to the school board for appropriate revisions. If necessary, the school board shall also make necessary revisions in the expenditure budget if it appears that expenditures would otherwise exceed revenues and fund balances in a fund.

**Legal References:** Minn. Stat. § 123B.77 (Accounting, Budgeting, and Reporting Requirement)

**Cross References:** MSBA/MASA Model Policy 701 (Establishment and Adoption of School District Budget)  
~~MSBA Service Manual, Chapter 7~~

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 709

Orig. 1995

Revised: \_\_\_\_\_

Rev. 2024

## 709 STUDENT TRANSPORTATION SAFETY POLICY

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

### I. PURPOSE

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

### II. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING

#### A. School Bus Safety Week

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

#### B. Student School Bus Safety Training

1. The school district shall provide students enrolled in grades kindergarten (K) through 10 with age-appropriate school bus safety training of the following concepts:
  - a. transportation by school bus is a privilege, not a right;
  - b. school district policies for student conduct and school bus safety;
  - c. appropriate conduct while on the bus;
  - d. the danger zones surrounding a school bus;
  - e. procedures for safely boarding and leaving a school bus;
  - f. procedures for safe vehicle lane crossing; and
  - g. school bus evacuation and other emergency procedures.
2. All students in grades K through 6 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training by the end of the third week of school. All students in grades 7 through 10 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training or receive bus safety instruction materials by the end of the sixth week of school, if they have not previously received school bus training. Students in grades K through 10 who enroll in a school after the second week of school, are transported by school bus, and have not received training in their previous school districts shall undergo school bus safety training or receive bus safety instructional materials within 4 weeks of their first day of attendance.
3. The school district and a nonpublic school with students transported by school bus at public expense must provide students enrolled in grades K through 3 school bus safety training twice during the school year.

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

C. Active Transportation Safety Training

1. Training required

- a. The school district must provide public school pupils enrolled in kindergarten through grade 3 with age-appropriate active transportation safety training. At a minimum, the training must include pedestrian safety, including crossing roads.
- b. The school district must provide pupils enrolled in grades 4 through 8 with age-appropriate active transportation safety training. At a minimum, the training must include:
  - (1) pedestrian safety, including crossing roads safely using the searching left, right, left for vehicles in traffic technique; ~~and~~
  - (2) bicycle safety, including relevant traffic laws, use and proper fit of protective headgear, bicycle parts and safety features, and safe biking techniques; ~~and~~
  - (3) electric-assisted bicycle safety, including that a person under the age of 15 is not allowed to operate an electric-assisted bicycle.

**[NOTE: The 2024 Minnesota legislature enacted this provision.]**

2. Deadlines.

- a. Students under subdivision 1, paragraph (a), who are enrolled during the first or second week of school and have not previously received active

transportation safety training specified in that paragraph must receive the safety training by the end of the third week of school.

- b. Students under subdivision 1, paragraph (b), who are enrolled during the first or second week of school and have not previously received active transportation safety training specified in that paragraph must receive the safety training by the end of the sixth week of school.
  - c. Students under subdivision 1, paragraph (a) or (b), who enroll in a school after the second week of school and have not received the appropriate active transportation safety training in their previous school district must undergo the training or receive active transportation safety instructional materials within four weeks of the first day of attendance.
  - d. The school district and a nonpublic school may provide kindergarten pupils with active transportation safety training before the first day of school.
3. Instruction
- a. The school district may provide active transportation safety training through distance learning.
  - b. The district and a nonpublic school must make reasonable accommodations for the active transportation safety training of pupils known to speak English as a second language and pupils with disabilities.

### **III. CONDUCT ON SCHOOL BUSES AND CONSEQUENCES FOR MISBEHAVIOR**

- A. Riding the school bus is a privilege, not a right. The school district's general student behavior rules are in effect for all students on school buses, including nonpublic and charter school students.
- B. Consequences for school bus/bus stop misconduct will be imposed by the school district under adopted administrative discipline procedures. In addition, all school bus/bus stop misconduct will be reported to the school district's transportation safety director. Serious misconduct may be reported to local law enforcement.

#### **1. School Bus and Bus Stop Rules**

The school district school bus safety rules are to be posted on every bus. If these rules are broken, the school district's discipline procedures are to be followed. In most circumstances, consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the school district's Transportation Office/School Office.

#### **2. Rules at the Bus Stop**

- a. Get to your bus stop 5 minutes before your scheduled pick up time. The school bus driver will not wait for late students.
- b. Respect the property of others while waiting at your bus stop.
- c. Keep your arms, legs, and belongings to yourself.
- d. Use appropriate language.

- e. Stay away from the street, road, or highway when waiting for the bus.
  - f. Wait until the bus stops before approaching the bus.
  - g. After getting off the bus, move away from the bus.
  - h. If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
  - i. No fighting, harassment, intimidation, or horseplay.
  - j. No use of alcohol, tobacco, or drugs.
3. Rules on the Bus

- a. Immediately follow the directions of the driver.
- b. Sit in your seat facing forward.
- c. Talk quietly and use appropriate language.
- d. Keep all parts of your body inside the bus.
- e. Keep your arms, legs, and belongings to yourself.
- f. No fighting, harassment, intimidation, or horseplay.
- g. Do not throw any object.
- h. No eating, drinking, or use of alcohol, tobacco, or drugs.
- i. Do not bring any weapons or dangerous objects on the school bus.
- j. Do not damage the bus.

4. Consequences

- a. Consequences for school bus/bus stop misconduct will apply to all regular and late routes. Decisions regarding a student's ability to ride the bus in connection with cocurricular and extracurricular events (for example, field trips or competitions) will be in the sole discretion of the school district. Parents or guardians will be notified of any suspension of bus privileges.

(1) Elementary (K-6)

1st offense – warning

2nd offense – 3 school-day suspension from riding the bus

3rd offense – 5 school-day suspension from riding the bus

4th offense – 10 school-day suspension from riding the bus/meeting with parent

Further offenses – individually considered. Students may be suspended for longer periods of time, including the remainder of the school year.

(2) Secondary (7-12)

- 1st offense – warning
- 2nd offense – 5 school-day suspension from riding the bus
- 3rd offense – 10 school-day suspension from riding the bus
- 4th offense – 20 school-day suspension from riding the bus/meeting with parent
- 5th offense – suspended from riding the bus for the remainder of the school year

**[NOTE: When any student goes 60 transportation days without a report, the student’s consequences may start over at the first offense.]**

(3) Other Discipline

Based on the severity of a student’s conduct, more serious consequences may be imposed at any time. Depending on the nature of the offense, consequences such as suspension or expulsion from school also may result from school bus/bus stop misconduct.

(4) Records

Records of school bus/bus stop misconduct will be forwarded to the individual school building and will be retained in the same manner as other student discipline records. Reports of student misbehavior on a school bus or in a bus-loading or unloading area that are reasonably believed to cause an immediate and substantial danger to the student or surrounding persons or property shall be provided by the school district to local law enforcement and the Department of Public Safety in accordance with state and federal law.

(5) Vandalism/Bus Damage

Students damaging school buses will be responsible for the damages. Failure to pay such damages (or make arrangements to pay) within 2 weeks may result in the loss of bus privileges until damages are paid.

(6) Notice

School bus and bus stop rules and consequences for violations of these rules will be reviewed with students annually and copies of these rules will be made available to students. School bus rules are to be posted on each school bus.

(7) Criminal Conduct

In cases involving criminal conduct (for example, assault, weapons, drug possession, or vandalism), the appropriate school district personnel and local law enforcement officials will be informed.

**IV. PARENT AND GUARDIAN INVOLVEMENT**

A. Parent and Guardian Notification

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

B. Parents/Guardians Responsibilities for Transportation Safety

Parents/Guardians are responsible to:

1. Become familiar with school district rules, policies, regulations, and the principles of school bus safety, and thoroughly review them with their children;
2. Support safe riding and walking practices, and recognize that students are responsible for their actions;
3. Communicate safety concerns to their school administrators;
4. Monitor bus stops, if possible;
5. Have their children to the bus stop 5 minutes before the bus arrives;
6. Have their children properly dressed for the weather; and
7. Have a plan in case the bus is late.

**V. SCHOOL BUS DRIVER DUTIES AND RESPONSIBILITIES**

- A. School bus drivers shall have a valid Class A, B, or C Minnesota driver's license with a school bus endorsement. A person possessing a valid driver's license, without a school bus endorsement, may drive a type III vehicle set forth in Sections VII.B. and VII.C., below. Drivers with a valid Class D driver's license, without a school bus endorsement, may operate a "type A-I" school bus as set forth in Section VII.D., below.
- B. The school district shall conduct mandatory drug and alcohol testing of all school district bus drivers and bus driver applicants in accordance with state and federal law and school district policy.
- C. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of a criminal offense, a serious traffic violation, or of violating any other state or local law relating to motor vehicle traffic control, other than a parking violation, in any type of motor vehicle in a state or jurisdiction other than Minnesota, shall notify the Minnesota Division of Driver and Vehicle Services (Division) of the conviction within 30 days of the conviction. For purposes of this paragraph, a "serious traffic violation" means a conviction of any of the following offenses:
  1. excessive speeding, involving any single offense for any speed of 15 miles per hour or more above the posted speed limit;
  2. reckless driving;
  3. improper or erratic traffic lane changes;
  4. following the vehicle ahead too closely;

5. a violation of state or local law, relating to motor vehicle traffic control, arising in connection with a fatal accident;
  6. driving a commercial vehicle without obtaining a commercial driver's license or without having a commercial driver's license in the driver's possession;
  7. driving a commercial vehicle without the proper class of commercial driver's license and/or endorsements for the specific vehicle group being operated or for the passengers or type of cargo being transported;
  8. a violation of a state or local law prohibiting texting while driving a commercial vehicle; and
  9. a violation of a state or local law prohibiting the use of a hand-held mobile telephone while driving a commercial vehicle.
- D. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of violating, in any type of motor vehicle, a Minnesota state or local law relating to motor vehicle traffic control, other than a parking violation, shall notify the person's employer of the conviction within 30 days of conviction. The notification shall be in writing and shall contain all the information set forth in Attachment A accompanying this policy.
- E. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a Minnesota commercial driver's license suspended, revoked, or cancelled by the state of Minnesota or any other state or jurisdiction and who loses the right to operate a commercial vehicle for any period or who is disqualified from operating a commercial motor vehicle for any period shall notify the person's employer of the suspension, revocation, cancellation, lost privilege, or disqualification. Such notification shall be made before the end of the business day following the day the employee received notice of the suspension, revocation, cancellation, lost privilege, or disqualification. The notification shall be in writing and shall contain all the information set forth in Attachment B accompanying this policy.
- F. A person who operates a type III vehicle and who sustains a conviction as described in Section VII.C.1.g. (i.e., driving while impaired offenses), VII.C.1.h. (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor), or VII.C.1.i. (multiple moving violations) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the person's employer within 10 days of the date of the conviction. The notification shall be in writing and shall contain all the information set forth in Attachment C accompanying this policy.

## **VI. SCHOOL BUS DRIVER TRAINING**

### **A. Training**

1. All new school bus drivers shall be provided with pre-service training, including in-vehicle (actual driving) instruction, before transporting students and shall meet the competency testing specified in the Minnesota Department of Public Safety Model School Bus Driver Training Manual. All school bus drivers shall receive in-service training annually. For purposes of this section, "annually" means at least once every 380 days from the initial or previous evaluation and at least once every 380 days from the initial or previous license verification.

The school district shall retain on file an annual individual school bus driver "evaluation certification" form for each school district driver as contained in the Model School Bus Driver Training Manual.

**[NOTE: The Model School Bus Driver Training Manual is available online through the Minnesota Department of Public Safety State Patrol web page.]**

2. All bus drivers operating a type III vehicle will be provided with annual training and certification as set forth in Section VII.C.1.b., below, by either the school district or the entity from whom such services are contracted by the school district.

B. Evaluation

School bus drivers with a Class D license will be evaluated annually and all other bus drivers will be assessed periodically for the following competencies:

1. Safely operate the type of school bus the driver will be driving;
2. Understand student behavior, including issues relating to students with disabilities;
3. Ensure orderly conduct of students on the bus and handling incidents of misconduct appropriately;
4. Know and understand relevant laws, rules of the road, and local school bus safety policies;
5. Handle emergency situations; and
6. Safely load and unload students.

The evaluation must include completion of an individual "school bus driver evaluation form" (road test evaluation) as contained in the Model School Bus Driver Training Manual.

**[NOTE: The school district may use alternative assessments rather than those set forth in the Model School Bus Driver Training Manual for bus driver training competencies with the approval of the Commissioner of Public Safety. A driver also may receive at least 8 hours of school bus in-service training in any year as an alternative to being assessed for bus driver competencies after the initial year of being assessed for bus driver competencies.]**

## VII. OPERATING RULES AND PROCEDURES

A. General Operating Rules

1. School buses shall be operated in accordance with state traffic and school bus safety laws and the procedures contained in the Minnesota Department of Public Safety Model School Bus Driver Training Manual.

**[NOTE: The Model School Bus Driver Training Manual is available online through the Minnesota Department of Public Safety State Patrol web page.]**

2. Only students assigned to the school bus by the school district shall be transported. The number of students or other authorized passengers

transported in a school bus shall not be more than the legal capacity for the bus. No person shall be allowed to stand when the bus is in motion.

3. The parent/guardian may designate, pursuant to school district policy, a day care facility, respite care facility, the residence of a relative, or the residence of a person chosen by the parent or guardian as the address of the student for transportation purposes. The address must be in the attendance area of the assigned school and meet all other eligibility requirements.
4. Bus drivers must minimize, to the extent practical, the idling of school bus engines and exposure of children to diesel exhaust fumes.
5. To the extent practical, the school district will designate school bus loading/unloading zones at a sufficient distance from school air-intake systems to avoid diesel fumes from being drawn into the systems.

**[NOTE: A school district is not required to comply with Section VII.A.5. if the school board determines that alternative locations block traffic, impair student safety, or are not cost effective.]**

6. A bus driver may not operate a school bus while communicating over, or otherwise operating, a cellular phone for personal reasons, whether hand-held or hands free, when the vehicle is in motion or a part of traffic. For purposes of this paragraph, "school bus" has the meaning given in Minnesota Statutes, section 169.011, subdivision 71. In addition, "school bus" also includes type III vehicles when driven by employees or agents of the school district. "Cellular phone" means a cellular, analog, wireless, or digital telephone capable of sending or receiving telephone or text messages without an access line for service.

B. Type III Vehicles

1. Type III vehicles are restricted to passenger cars, station wagons, vans, and buses having a maximum manufacturer's rated seating capacity of 10 or fewer people including the driver and a gross vehicle weight rating of 10,000 pounds or less. A van or bus converted to a seating capacity of 10 or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.
2. Type III vehicles must be painted a color other than national school bus yellow.
3. Type III vehicles shall be state inspected in accordance with legal requirements.
4. Vehicles model year 2007 or older must not be used as type III vehicles to transport school children, except those vehicles that are manufactured to meet the structural requirements of federal motor vehicle safety standard 222, Code of Federal Regulations, title 49, part 571.
5. If a type III vehicle is school district owned, the school district name will be clearly marked on the side of the vehicle. The type III vehicle must not have the words "school bus" in any location on the exterior of the vehicle or in any interior location visible to a motorist.
6. A "type III vehicle" must not be outwardly equipped and identified as a type

A, B, C, or D bus.

7. Eight-lamp warning systems and stop arms must not be installed or used on type III vehicles.
8. Type III vehicles must be equipped with mirrors as required by law.
9. Any type III vehicle may not stop traffic and may not load or unload before making a complete stop and disengaging gears by shifting into neutral or park. Any type III vehicle used to transport students must not load or unload so that a student has to cross the road, except where not possible or impractical, then the driver or assistant must escort a student across the road. If the driver escorts the student across the road, then the motor must be stopped, the ignition key removed, the brakes set, and the vehicle otherwise rendered immobile.
10. Any type III vehicle used to transport students must carry emergency equipment including:
  - a. Fire extinguisher. A minimum of one 10BC rated dry chemical type fire extinguisher is required. The extinguisher must be mounted in a bracket and must be located in the driver's compartment and be readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.
  - b. First aid kit and body fluids cleanup kit. A minimum of a 10-unit first aid kit and a body fluids cleanup kit is required. They must be contained in removable, moisture- and dust-proof containers mounted in an accessible place within the driver's compartment and must be marked to indicate their identity and location.
  - c. Passenger cars and station wagons may carry a fire extinguisher, a first aid kit, and warning triangles in the trunk or trunk area of the vehicle if a label in the driver and front passenger area clearly indicates the location of these items.
11. Students will not be regularly transported in private vehicles that are not state inspected as type III vehicles. Only emergency, unscheduled transportation may be conducted in vehicles with a seating capacity of 10 or fewer without meeting the requirements for a type III vehicle. Also, parents may use a private vehicle to transport their own children under a contract with the district. The school district has no system of inspection for private vehicles.
12. All drivers of type III vehicles will be licensed drivers and will be familiar with the use of required emergency equipment. The school district will not knowingly allow a person to operate a type III vehicle if the person has been convicted of an offense that disqualifies the person from operating a school bus.
13. Type III vehicles will be equipped with child passenger restraints, and child passenger restraints will be utilized to the extent required by law.

C. Type III Vehicle Driven by Employees with a Driver's License Without a School Bus Endorsement

1. The holder of a Class A, B, C, or D driver's license, without a school bus endorsement, may operate a type III vehicle, described above, under the following conditions:
  - a. The operator is an employee of the entity that owns, leases, or contracts for the school bus, which may include the school district.
  - b. The operator's employer, which may include the school district, has adopted and implemented a policy that provides for annual training and certification of the operator in:
    - (1) safe operation of a type III vehicle;
    - (2) understanding student behavior, including issues relating to students with disabilities;
    - (3) encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately;
    - (4) knowing and understanding relevant laws, rules of the road, and local school bus safety policies;
    - (5) handling emergency situations;
    - (6) proper use of seat belts and child safety restraints;
    - (7) performance of pretrip vehicle inspections;
    - (8) safe loading and unloading of students, including, but not limited to:
      - (a) utilizing a safe location for loading and unloading students at the curb, on the nontraffic side of the roadway, or at off-street loading areas, driveways, yards, and other areas to enable the student to avoid hazardous conditions;
      - (b) refraining from loading and unloading students in a vehicular traffic lane, on the shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane;
      - (c) avoiding a loading or unloading location that would require a student to cross a road, or ensuring that the driver or an aide personally escort the student across the road if it is not reasonably feasible to avoid such a location;
      - (d) placing the type III vehicle in "park" during loading and unloading;
      - (e) escorting a student across the road under clause (c) only after the motor is stopped, the ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile; and

- (9) compliance with paragraph V.F. concerning reporting convictions to the employer within 10 days of the date of conviction.
- c. A background check or background investigation of the operator has been conducted that meets the requirements under Minnesota Statutes, section 122A.18, subdivision 8, or Minnesota Statutes, section 123B.03 for school district employees; Minnesota Statutes, section 144.057 or Minnesota Statutes, chapter 245C for day care employees; or Minnesota Statutes, section 171.321, subdivision 3, for all other persons operating a type III vehicle under this section.
  - d. Operators shall submit to a physical examination as required by Minnesota Statutes, section 171.321, subdivision 2.
  - e. The operator's employer requires preemployment drug testing of applicants for operator positions. Current operators must comply with the employer's policy under Minnesota Statutes, section 181.951, subdivisions 2, 4, and 5. Notwithstanding any law to the contrary, the operator's employer may use a breathalyzer or similar device to fulfill random alcohol testing requirements.
  - f. The operator's driver's license is verified annually by the entity that owns, leases, or contracts for the type III vehicle as required by Minnesota Statutes, section 171.321, subdivision 5.
  - g. A person who sustains a conviction, as defined under Minnesota Statutes, 609.02, of violating Minnesota Statutes, section 169A.25, 169A.26, 169A.27 (driving while impaired offenses), or 169A.31 (alcohol-related school bus driver offenses), or whose driver's license is revoked under Minnesota Statutes, sections 169A.50 to 169A.53 of the implied consent law, or who is convicted of violating or whose driver's license is revoked under a similar statute or ordinance of another state, is precluded from operating a type III vehicle for 5 years from the date of conviction.
  - h. A person who has ever been convicted of a disqualifying offense as defined in Minnesota Statutes, section 171.3215, subdivision 1(c), (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor) may not operate a type III vehicle.
  - i. A person who sustains a conviction, as defined under Minnesota Statutes, section 609.02, of a moving offense in violation of Minnesota Statutes, chapter 169 within 3 years of the first of 3 other moving offenses is precluded from operating a type III vehicle for 1 year from the date of the last conviction.
  - j. Students riding the type III vehicle must have training required under Minnesota Statutes, section 123B.90, Subd. 2 (See Section II.B., above).
  - k. Documentation of meeting the requirements listed in this section must be maintained under separate file at the business location for each type III vehicle operator. The school district or any other entity that owns, leases, or contracts for the type III vehicle operating under this section

is responsible for maintaining these files for inspection.

2. The Type III vehicle must bear a current certificate of inspection issued under Minnesota Statutes, section 169.451.
3. An employee of the school district who is not employed for the sole purpose of operating a type III vehicle may, in the discretion of the school district, be exempt from paragraphs VII.C.1.d. (physical examination) and VII.C.1.e. (drug testing), above.

D. Type A-I "Activity" Buses Driven by Employees with a Driver's License Without a School Bus Endorsement

1. The holder of a Class D driver's license, without a school bus endorsement, may operate a type A-I school bus or a Multifunction School Activity Bus (MFSAB) under the following conditions:
  - a. The operator is an employee of the school district or an independent contractor with whom the school district contracts for the school bus and is not solely hired to provide transportation services under this paragraph.
  - b. The operator drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.
  - c. The operator is prohibited from using the 8-light system if the vehicle is so equipped.
  - d. The operator has submitted to a background check and physical examination as required by Minnesota Statutes, section 171.321, subdivision 2.
  - e. The operator has a valid driver's license and has not sustained a conviction of a disqualifying offense as set forth in Minnesota Statutes, section 171.02, subdivisions 2a(h) - 2a(j).
  - f. The operator has been trained in the proper use of child safety restraints as set forth in the National Highway Traffic Safety Administration's "Guideline for the Safe Transportation of Pre-school Age Children in School Buses," if child safety restraints are used by passengers, in addition to the training required in Section VI., above.
  - g. The bus has a gross vehicle weight rating of 14,500 pounds or less and is designed to transport 15 or fewer passengers, including the driver.
2. The school district shall maintain annual certification of the requirements listed in this section for each Class D license operator.
3. A school bus operated under this section must bear a current certificate of inspection.
4. The word "School" on the front and rear of the bus must be covered by a sign that reads "Activities" when the bus is being operated under authority of this section.

**VIII. SCHOOL DISTRICT EMERGENCY PROCEDURES**

- A. If possible, school bus drivers or their supervisors shall call "911" or the local emergency phone number in the event of a serious emergency.
- B. School bus drivers shall meet the emergency training requirements contained in Unit III "Crash & Emergency Preparedness" of the Minnesota Department of Public Safety Model School Bus Driver Training Manual. This includes procedures in the event of a crash (accident).

**[NOTE: The Model School Bus Driver Training Manual is available online through the Minnesota Department of Public Safety State Patrol web page.]**

- C. School bus drivers and bus assistants for special education students requiring special transportation service because of their handicapping condition shall be trained in basic first aid procedures, shall within one (1) month after the effective date of assignment participate in a program of in-service training on the proper methods for dealing with the specific needs and problems of students with disabilities, assist students with disabilities on and off the bus when necessary for their safe ingress and egress from the bus; and ensure that protective safety devices are in use and fastened properly.
- D. Emergency Health Information shall be maintained on the school bus for students requiring special transportation service because of their handicapping condition. The information shall state:
  - 1. the student's name and address;
  - 2. the nature of the student's disabilities;
  - 3. emergency health care information; and
  - 4. the names and telephone numbers of the student's physician, parents, guardians, or custodians, and some person other than the student's parents or custodians who can be contacted in case of an emergency.

**IX. SCHOOL DISTRICT VEHICLE MAINTENANCE STANDARDS**

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

**X. SCHOOL TRANSPORTATION SAFETY DIRECTOR**

The school board has designated an individual to serve as the school district's school transportation safety director. The school transportation safety director shall have day-to-day

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

## **XI. STUDENT TRANSPORTATION SAFETY COMMITTEE**

The school board may establish a student transportation safety committee. The chair of the student transportation safety committee is the school district's school transportation safety director. The school board shall appoint the other members of the student transportation safety committee. Membership may include parents, school bus drivers, representatives of school bus companies, local law enforcement officials, other school district staff, and representatives from other units of local government.

**Legal References:** Minn. Stat. § 122A.18, Subd. 8 (Board to Issue Licenses)  
Minn. Stat. § 123B.03 (Background Check)  
Minn. Stat. § 123B.42 (Textbooks; Individual Instruction or Cooperative Learning Material; Standard Tests)  
Minn. Stat. § 123B.88 (Independent School Districts; Transportation)  
Minn. Stat. § 123B.885 (Diesel School Buses; Operation of Engine; Parking)  
Minn. Stat. § 123B.90 (School Bus Safety Training)  
Minn. Stat. § 123B.91 (School District Bus Safety Responsibilities)  
Minn. Stat. § 123B.935 (Active Transportation Safety Training)  
Minn. Stat. § 144.057 (Background Studies on Licensees and Other Personnel)  
Minn. Stat. Ch. 169 (Traffic Regulations)  
Minn. Stat. § 169.011, Subds. 15, 16, and 71 (Definitions)  
Minn. Stat. § 169.02 (Scope)  
Minn. Stat. § 169.443 (Safety of School Children; Bus Driver's Duties)  
Minn. Stat. § 169.446, Subd. 2 (Safety of School Children; Training and Education Rules)  
Minn. Stat. § 169.451 (Inspecting School and Head Start Buses; Rules; Misdemeanor)  
Minn. Stat. § 169.454 (Type III Vehicle Standards)  
Minn. Stat. § 169.4582 (Reportable Offense on School Buses) Minn. Stat. §§ 169A.25-169A.27 (Driving While Impaired)  
Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)  
Minn. Stat. §§ 169A.50-169A.53 (Implied Consent Law)  
Minn. Stat. § 171.02, Subds. 2, 2a, and 2b (Licenses; Types, Endorsements, Restrictions)  
Minn. Stat. § 171.168 (Notice of Violation by Commercial Driver)  
Minn. Stat. § 171.169 (Notice of Commercial License Suspension)  
Minn. Stat. § 171.321 (Qualifications of School Bus and Type III Vehicle Drivers)  
Minn. Stat. § 171.3215, Subd. 1(c) (Canceling Bus Endorsement for Certain Offenses)

Minn. Stat. § 181.951 (Authorized Drug and Alcohol Testing)  
Minn. Stat. Ch. 245C (Human Services Background Studies)  
Minn. Stat. § 609.02 (Definitions)  
Minn. Rules Parts 7470.1000-7470.1700 (School Bus Inspection)  
49 C.F.R. Part 383 (Commercial Driver's License Standards; Requirements and Penalties)  
49 C.F.R. § 383.31 (Notification of Convictions for Driver Violations)  
49 C.F.R. § 383.33 (Notification of Driver's License Suspensions)  
49 C.F.R. § 383.5 (Transportation Definitions)  
49 C.F.R. § 383.51 (Disqualification of Drivers)  
49 C.F.R. Part 571 (Federal Motor Vehicle Safety Standards)

***Cross References:***

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

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 708

Orig. 1995

Revised: \_\_\_\_\_

Rev. 2024

## **708 TRANSPORTATION OF NONPUBLIC SCHOOL STUDENTS**

**[NOTE: The obligations stated in this policy are largely governed by statute. A school district may choose to add obligations to the model policy.]**

### **I. PURPOSE**

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

### **II. GENERAL STATEMENT OF POLICY**

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

### **III. ELIGIBILITY**

- A. The school district shall provide equal transportation within the district for all students to any school when transportation is deemed necessary by the school district because of distance or traffic conditions in like manner and form as provided in Minnesota Statutes, sections 123B.88 and 123B.92 when applicable.
- B. Upon the request of a parent or guardian, the school district must provide school bus transportation to the school district boundary for students residing in the school district at least the same distance from a nonpublic school actually attended in another school district as public school students are transported in the transporting school district. Such transportation must be provided whether or not there is another nonpublic school within the transporting school district, if the transportation is to schools maintaining grades or departments not maintained in the school district or if the attendance of such students at school can more safely, economically, or conveniently be provided for by such means.
- C. The school district may provide school bus transportation to a nonpublic school in another school district for students residing in the school district and attending that school, whether there is or is not another nonpublic school within the transporting school district, if the transportation is to schools maintaining grades or departments not maintained in the school district or if the attendance of such students at school can more safely, economically, or conveniently be provided for by such means. If the school district transports students to a nonpublic school located in another school district, the nonpublic school ~~must~~ shall pay the cost of such transportation provided outside the school district boundaries.
- D. The school district must provide the necessary transportation within school district boundaries between the nonpublic school and a public school or neutral site for nonpublic school students who are provided pupil support services if the school district elects to provide pupil support services at a site other than a nonpublic school.
- E. When transportation is provided, the scheduling of routes, manner and method of transportation, control and discipline of students, and any other matter relating thereto shall be within the sole discretion, control, and management of the school district. A nonpublic or charter school student transported by the school district shall comply with

school district student bus conduct and student bus discipline policies.

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

#### **IV. STUDENTS WITH DISABILITIES**

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

- C. Each driver and aide assigned to a vehicle transporting students with a disability must (1) be instructed in basic first aid and procedures for the students under their care; (2) within one month after the effective date of assignment, participate in a program of in-service training on the proper methods of dealing with the specific needs and problems of students with disabilities; (3) assist students with disabilities on and off the bus when necessary for their safe ingress and egress from the bus; and (4) ensure that proper safety devices are in use and fastened properly.
- D. Each driver and aide assigned to a vehicle transporting students with a disability shall have available to them the following information in hard copy or immediately accessible through a two-way communication system: (1) the student's name and address; (2) the nature of the student's disabilities; (3) emergency health care information; and (4) the names and telephone numbers of the student's physician, parents, guardians, or custodians, and some person other than the student's parents or custodians who can be contacted in case of an emergency.
- E. Any parent of a student with a disability who believes that the transportation services provided for that child are not in compliance with the applicable law may utilize the due process procedures provided for in Minnesota Statutes chapter 125A.

#### **V. APPLICATION OF GENERAL POLICY**

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

#### **Legal References:**

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

#### **Cross References:**

MSBA/MASA Model Policy 707 (Transportation of Public School Students)  
 MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 722

Orig. 2017

Revised: \_\_\_\_\_

Rev. 2022

## 722 PUBLIC DATA AND DATA SUBJECT REQUESTS

***[Note: School districts are required by statute to establish procedures consistent with the Minnesota Government Data Practices Act for public data requests and data subject requests.]***

### I. PURPOSE

The school district recognizes its responsibility relative to the collection, maintenance, and dissemination of public data as provided in state statutes.

### II. GENERAL STATEMENT OF POLICY

The school district will comply with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13 (MGDPA), and Minnesota Rules parts 1205.0100-1205.2000 in responding to requests for public data.

### III. DEFINITIONS

#### A. Confidential Data on Individuals

Data made not public by statute or federal law applicable to the data and are inaccessible to the individual subject of those data.

#### B. Data on Individuals

All government data in which any individual is or can be identified as the subject of that data, unless the appearance of the name or other identifying data can be clearly demonstrated to be only incidental to the data and the data are not accessed by the name or other identifying data of any individual.

#### C. Data Practices Compliance Officer

The data practices compliance official is the designated employee of the school district to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems. The responsible authority may be the data practices compliance official.

#### D. Government Data

All data collected, created, received, maintained or disseminated by any government entity regardless of its physical form, storage media or conditions of use.

#### E. Individual

"Individual" means a natural person. In the case of a minor or an incapacitated person as defined in Minnesota Statutes section 524.5-102, subdivision 6, "individual" includes a parent or guardian or an individual acting as a parent or guardian in the absence of a parent or guardian, except that the responsible authority shall withhold data from parents or guardians, or individuals acting as parents or guardians in the absence of parents or guardians, upon request by the minor if the responsible authority determines that withholding the data would be in the best interest of the minor.

F. Inspection

“Inspection” means the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the school district, unless printing a copy is the only method to provide for inspection of the data. For data stored in electronic form and made available in electronic form on a remote access basis to the public by the school district, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public’s own computer equipment.

G. Not Public Data

Any government data classified by statute, federal law, or temporary classification as confidential, private, nonpublic, or protected nonpublic.

H. Nonpublic Data

Data not on individuals made by statute or federal law applicable to the data: (a) not accessible to the public; and (b) accessible to the subject, if any, of the data.

I. Private Data on Individuals

Data made by statute or federal law applicable to the data: (a) not public; and (b) accessible to the individual subject of those data.

J. Protected Nonpublic Data

Data not on individuals made by statute or federal law applicable to the data (a) not public and (b) not accessible to the subject of the data.

K. Public Data

All government data collected, created, received, maintained, or disseminated by the school district, unless classified by statute, temporary classification pursuant to statute, or federal law, as nonpublic or protected nonpublic; or, with respect to data on individuals, as private or confidential.

L. Public Data Not on Individuals

Data accessible to the public pursuant to Minnesota Statutes section 13.03.

M. Public Data on Individuals

Data accessible to the public in accordance with the provisions of section 13.03.

N. Responsible Authority

The individual designated by the school board as the individual responsible for the collection, use, and dissemination of any set of data on individuals, government data, or summary data, unless otherwise provided by state law. Until an individual is designated by the school board, the responsible authority is the superintendent.

O. Summary Data

Statistical records and reports derived from data on individuals but in which individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify an individual is ascertainable. Unless classified pursuant to Minnesota Statutes section 13.06, another statute, or federal law, summary data is public.

#### IV. REQUESTS FOR PUBLIC DATA

- A. All requests for public data must be made in writing directed to the responsible authority.
1. A request for public data must include the following information:
    - a. Date the request is made;
    - b. A clear description of the data requested;
    - c. Identification of the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and
    - d. Method to contact the requestor (such as phone number, address, or email address).
  2. Unless specifically authorized by statute, the school district may not require persons to identify themselves, state a reason for, or justify a request to gain access to public government data. A person may be asked to provide certain identifying or clarifying information for the sole purpose of facilitating access to the data. A requestor is not required to explain the reason for the data request.
  3. The identity of the requestor is public, if provided, but cannot be required by the government entity.
  4. The responsible authority may seek clarification from the requestor if the request is not clear before providing a response to the data request.
- B. The responsible authority will respond to a data request at reasonable times and places as follows:
1. The responsible authority will notify the requestor in writing as follows:
    - a. The requested data does not exist; or
    - b. The requested data does exist but either all or a portion of the data is not accessible to the requestor; or
      - (1) If the responsible authority determines that the requested data is classified so that access to the requestor is denied, the responsible authority will inform the requestor of the determination in writing, as soon thereafter as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based.
      - (2) Upon the request of a requestor who is denied access to data, the responsible authority shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.
    - c. The requested data does exist and provide arrangements for inspection of the data, identify when the data will be available for pick-up, or indicate that the data will be sent by mail. If the requestor does not appear at the time and place established for inspection of the data or the data is not picked up within ten (10) business days after the requestor is notified, the school district will conclude that the data is no longer wanted and will consider the request closed.

2. The school district's response time may be affected by the size and complexity of the particular request, including necessary redactions of the data, and also by the number of requests made within a particular period of time.
3. The school district will provide an explanation of technical terminology, abbreviations, or acronyms contained in the responsive data on request.
4. The school district is not required by the MGDPA to create or collect new data in response to a data request, or to provide responsive data in a specific form or arrangement if the school district does not keep the data in that form or arrangement.
5. The school district is not required to respond to questions that are not about a particular data request or requests for data in general.

## **V. REQUEST FOR SUMMARY DATA**

- A. A request for the preparation of summary data shall be made in writing directed to the responsible authority.
  1. A request for the preparation of summary data must include the following information:
    - a. Date the request is made;
    - b. A clear description of the data requested;
    - c. Identify the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and
    - d. Method to contact requestor (phone number, address, or email address).
- B. The responsible authority will respond within ten (10) business days of the receipt of a request to prepare summary data and inform the requestor of the following:
  1. The estimated costs of preparing the summary data, if any; and
  2. The summary data requested; or
  3. A written statement describing a time schedule for preparing the requested summary data, including reasons for any time delays; or
  4. A written statement describing the reasons why the responsible authority has determined that the requestor's access would compromise the private or confidential data.
- C. The school district may require the requestor to pre-pay all or a portion of the cost of creating the summary data before the school district begins to prepare the summary data.

## **VI. DATA BY AN INDIVIDUAL DATA SUBJECT**

- A. Collection and storage of all data on individuals and the use and dissemination of private and confidential data on individuals shall be limited to that necessary for the administration and management of programs specifically authorized by the legislature or local governing body or mandated by the federal government.

- B. Private or confidential data on an individual shall not be collected, stored, used, or disseminated by the school district for any purposes other than those stated to the individual at the time of collection in accordance with Minnesota Statutes section 13.04, except as provided in Minnesota Statutes section 13.05, subdivision 4.
- C. Upon request to the responsible authority or designee, an individual shall be informed whether the individual is the subject of stored data on individuals, and whether it is classified as public, private or confidential. Upon further request, an individual who is the subject of stored private or public data on individuals shall be shown the data without any charge and, if desired, shall be informed of the content and meaning of that data.
- D. After an individual has been shown the private data and informed of its meaning, the data need not be disclosed to that individual for six months thereafter unless a dispute or action pursuant to this section is pending or additional data on the individual has been collected or created.
- E. The responsible authority or designee shall provide copies of the private or public data upon request by the individual subject of the data. The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies.
- F. The responsible authority or designee shall comply immediately, if possible, with any request made pursuant to this subdivision, or within ten days of the date of the request, excluding Saturdays, Sundays and legal holidays, if immediate compliance is not possible.
- G. An individual subject of the data may contest the accuracy or completeness of public or private data. To exercise this right, an individual shall notify in writing the responsible authority describing the nature of the disagreement. The responsible authority shall within 30 days either: (1) correct the data found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, including recipients named by the individual; or (2) notify the individual that the authority believes the data to be correct. Data in dispute shall be disclosed only if the individual's statement of disagreement is included with the disclosed data.
- H. The determination of the responsible authority may be appealed pursuant to the provisions of the Administrative Procedure Act relating to contested cases. Upon receipt of an appeal by an individual, the commissioner shall, before issuing the order and notice of a contested case hearing required by Minnesota Statutes chapter 14, try to resolve the dispute through education, conference, conciliation, or persuasion. If the parties consent, the commissioner may refer the matter to mediation. Following these efforts, the commissioner shall dismiss the appeal or issue the order and notice of hearing.
- I. Data on individuals that have been successfully challenged by an individual must be completed, corrected, or destroyed by a government entity without regard to the requirements of Minnesota Statutes section 138.17.
- A.J. After completing, correcting, or destroying successfully challenged data, the school district may retain a copy of the commissioner of administration's order issued under Minnesota Statutes chapter 14 or, if no order were issued, a summary of the dispute between the parties that does not contain any particulars of the successfully challenged data.

## **VII. REQUESTS FOR DATA BY AN INDIVIDUAL SUBJECT OF THE DATA**

- A. All requests for individual subject data must be made in writing directed to the responsible authority.
- B. A request for individual subject data must include the following information:
  - 1. Statement that one is making a request as a data subject for data about the individual or about a student for whom the individual is the parent or guardian;
  - 2. Date the request is made;
  - 3. A clear description of the data requested;
  - 4. Proof that the individual is the data subject or the data subject's parent or guardian;
  - 5. Identification of the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and
  - 6. Method to contact the requestor (such as phone number, address, or email address).
- C. The identity of the requestor of private data is private.
- D. The responsible authority may seek clarification from the requestor if the request is not clear before providing a response to the data request.
- E. Policy 515 (Protection and Privacy of Pupil Records) addresses requests of students or their parents for educational records and data.

## **VIII. COSTS**

- A. Public Data
  - 1. The school district will charge for copies provided as follows:
    - a. 100 or fewer pages of black and white, letter or legal sized paper copies will be charged at 25 cents for a one-sided copy or 50 cents for a two-sided copy.
    - b. More than 100 pages or copies on other materials are charged based upon the actual cost of searching for and retrieving the data and making the copies or electronically sending the data, unless the cost is specifically set by statute or rule.
      - (1) The actual cost of making copies includes employee time, the cost of the materials onto which the data is copied (paper, CD, DVD, etc.), and mailing costs (if any).
      - (2) Also, if the school district does not have the capacity to make the copies, e.g., photographs, the actual cost paid by the school district to an outside vendor will be charged.
  - 2. All charges must be paid for [in cash or by check] in advance of receiving the copies.

**[Note: the district should identify the payment methods that it will accept.]**

B. Summary Data

1. Any costs incurred in the preparation of summary data shall be paid by the requestor prior to preparing or supplying the summary data.
2. The school district may assess costs associated with the preparation of summary data as follows:
  - a. The cost of materials, including paper, the cost of the labor required to prepare the copies, any schedule of standard copying charges established by the school district, any special costs necessary to produce such copies from a machine-based record-keeping system, including computers and microfilm systems;
  - b. The school district may consider the reasonable value of the summary data prepared and, where appropriate, reduce the costs assessed to the requestor.

C. Data Belonging to an Individual Subject

1. The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies.

The responsible authority shall not charge the data subject any fee in those instances where the data subject only desires to view private data.

The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies. Based on the factors set forth in Minnesota Rule 1205.0300, subpart 4, the school district determines that a reasonable fee would be the charges set forth in section VIII.A of this policy that apply to requests for data by the public.

2. The school district may not charge a fee to search for or to retrieve educational records of a child with a disability by the child's parent or guardian or by the child upon the child reaching the age of majority.

**IXVII. Annual Review and Posting**

- A. The responsible authority shall prepare a written data access policy and a written policy for the rights of data subjects (including specific procedures the school district uses for access by the data subject to public or private data on individuals). The responsible authority shall update the policies no later than August 1 of each year, and at any other time as necessary to reflect changes in personnel, procedures, or other circumstances that impact the public's ability to access data.
- B. Copies of the policies shall be easily available to the public by distributing free copies to the public or by posting the policies in a conspicuous place within the school district that is easily accessible to the public or by posting them on the school district's website.

**Data Practices Contacts**

**Responsible Authority:**

[Name]

[Location]

[Phone number; email address]

**Data Practices Compliance Official:**

[Name]

[Location]

[Phone number; email address]

**Data Practices Designee(s):**

[Name]

[Location]

[Phone number; email address]

***Legal References:***

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

[Minn. Stat. § 13.01 \(Government Data\)](#)

[Minn. Stat. § 13.02 \(Definitions\)](#)

Minn. Stat. § 13.025 (Government Entity Obligation)

[Minn. Stat. § 13.03 \(Access to Government Data\)](#)

[Minn. Stat. § 13.04 \(Rights of Subjects to Data\)](#)

[Minn. Stat. § 13.05 \(Duties of Responsible Authority\)](#)

[Minn. Stat. § 13.32 \(Educational Data\)](#)

[Minn. Rules Part 1205.0300 \(Access to Public Data\)](#)

[Minn. Rules Part 1205.0400 \(Access to Private Data\)](#)

***Cross References:***

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

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

RESOLUTION ESTABLISHING COMBINED POLLING PLACES  
FOR MULTIPLE PRECINCTS AND  
DESIGNATING HOURS DURING WHICH THE POLLING  
PLACES WILL REMAIN OPEN FOR VOTING  
FOR SCHOOL DISTRICT ELECTIONS NOT HELD  
ON THE DAY OF A STATEWIDE ELECTION

BE IT RESOLVED by the School Board of Independent School District No.2397, State of Minnesota, as follows:

1. Pursuant to Minnesota Statutes, Section 205A.11, the precincts and polling places for school district elections are those precincts or parts of precincts located within the boundaries of the school district which have been established by the cities or towns located in whole or in part within the school district. The board hereby confirms those precincts and polling places so established by those municipalities.

2. Pursuant to Minnesota Statutes, Section 205A.11, the board may establish a combined polling place for several precincts for school district elections not held on the day of a statewide election. **Each combined polling place must be a polling place that has been designated by a county or municipality.** The following combined polling places are established to serve the precincts specified for all school district special and general elections not held on the same day as a statewide election:

Combined Polling Place:

Precinct 1: encompasses all territory in Independent School District 2397 located in Ottawa Township; those portions of Tyrone, Sharon, Derrynane, Kasota and Kelso Townships located within the boundaries of Independent School District 2397; that portion of Nicollet County located within the boundaries of Independent School District 2397; and all of the City of Le Sueur.

The polling place for Precinct 1 is: Le Sueur City Hall  
203 South 2nd Street  
Le Sueur, MN 56058

Precinct 2: encompasses all territory in Independent School District 2397 located in Henderson Township; those portions of Arlington, Jessenland, Faxon and Washington Lake Townships located within the boundaries of Independent School District 2397; that portion of Scott County

located within the boundaries of Independent School District 2397; and all of the City of Henderson.

The polling place for Precinct 2 is: Henderson City Hall  
600 Main Street  
Henderson, MN 56044

3. Pursuant to Minnesota Statutes, Section 205A.09, the polling places will remain open for voting for school district elections not held on the same day as a statewide election between the hours of 7:00 a.m. and 8:00 p.m.

4. The clerk is directed to file a certified copy of this resolution with the county auditors of each of the counties in which the school district is located, in whole or in part, within thirty (30) days after its adoption.

5. As required by Minnesota Statutes, Section 204B.16, Subdivision 1a, the clerk is hereby authorized and directed to give written notice of new polling place locations to each affected household with at least one registered voter in the school district whose school district polling place location has been changed. The notice must be a non forwardable notice mailed at least twenty-five (25) days before the date of the first election to which it will apply. A notice that is returned as undeliverable must be forwarded immediately to the appropriate county auditor, who shall change the registrant's status to "challenged" in the statewide registration system.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed:

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School Board Chair, Brigid Tuck

Attest:

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School Board Clerk, Kelsey Schwartz

**LE SUEUR-HENDERSON PUBLIC SCHOOLS**

**SCHEDULED MEETINGS/ACTIVITIES**

<b>DATE</b>	<b>DESCRIPTION</b>	<b>TIME</b>	<b>LOCATION</b>
12/2/2024	TNT/Levy Adpt	6:00 PM	MS/HS Media Center
12/2/2024	Regular Board Meeting	Following	MS/HS Media Center
12/16/2024	Optional Work Session	6:30 PM	MS/HS Media Center
1/6/2025	Organizational Meeting	6:30 PM	MS/HS Media Center
1/16/2024	<i>Minnesota School Boards Assoc.</i>	<i>All Day</i>	<i>Minneapolis Convention Center</i>
1/17/2024	<i>Leadership Conference</i>		
	<a href="https://docs.google.com/spreadsheets/d/1veOz-5YPT7Eu8-Fp">https://docs.google.com/spreadsheets/d/1veOz-5YPT7Eu8-Fp</a>		