

**NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138
NORTH BRANCH AREA EDUCATION CENTER, BOARD ROOM, ROOM C120
38705 GRAND AVENUE
NORTH BRANCH, MN 55056
REGULAR SCHOOL BOARD MEETING
NOVEMBER 17, 2022
5:30 PM**

AGENDA

- I. Consent
- II. Call to Order
- III. Roll Call
- IV. Pledge of Allegiance
- V. Approval of Agenda
- VI. Superintendent's Report 5
- VII. Removal of Consent Items for Discussion
- VIII. Approval of Consent Items
 - A. Minutes of October 13, 2022 Policy Committee Meeting 15
 - B. Minutes of October 13, 2022 Regular School Board Meeting 16
 - C. Minutes of October 27, 2022 Special School Board Meeting 23
 - D. Authorization of Payments, Transfers, and Investment Activity 25
 - E. Personnel
 - 1. Karla Meemken, retirement effective at the end of the 2022-23 school year, as Elementary Teacher at Sunrise River Elementary School
 - 2. Stacy Fairbanks, leave request effective August 31, 2022 through October 6, 2022, as SPED Assistant at Life Work Center
 - 3. Stacy Fairbanks, resignation effective October 6, 2022, as SPED Assistant at Life Work Center
 - 4. Lori Farrell, resignation effective November 11, 2022, as School Age Care Adult Assistant at North Branch Area Education Center
 - 5. Kirstin Perales, leave request effective November 7, 2022 through the end of the 2022-23 school year, as Fourth Grade Teacher at Sunrise River Elementary School
 - 6. Arthur Tobin, leave request effective November 7, 2022 through June 30, 2023, as Director of Buildings and Grounds
 - 7. Brett Carlson, leave request effective November 8, 2022 through December 20, 2022, as Director of Community Education and Early Learning
 - 8. Samantha Bartz, leave request effective approximately February 20, 2023 through May 14, 2023, as Second Grade Teacher at Sunrise River Elementary School
 - 9. Kelsey Lien, leave request effective approximately February 27, 2023 through May 21, 2023, as SPED Teacher at North Branch Area Education Center

10. Ramona Wideen, extension of leave request effective October 17, 2022 through November 27, 2022, as Lead Custodian at Sunrise River Elementary School
11. Jill Knutson, MEd, Step 10, beginning October 24, 2022, as Elementary Teacher at North Branch Area Education Center
12. Angela Cota, position change effective October 17, 2022, from Schoolkeeper to Custodian at North Branch Area High School
13. Joanie Tjomsland, position change effective October 17, 2022, from Schoolkeeper to Custodian at North Branch Area Education Center
14. Jennifer Daas, position change effective October 24, 2022, from Media/Health Clerk to Community Education Early Childhood Instructor, at North Branch Area Education Center
15. Abby Williams, employment effective September 26, 2022, as Lunchroom/Playground Assistant and SPED Assistant at North Branch Area Education Center
16. Sandra Jones, employment effective September 27, 2022, as Lunchroom/Playground Assistant at North Branch Area Education Center
17. Michelle Weston, employment effective October 10, 2022, as SPED Assistant at Sunrise River Elementary School
18. Ian Erickson, employment effective October 25, 2022, as Schoolkeeper at North Branch Area Public Schools
19. Ian Erickson, resignation effective November 7, 2022, as Schoolkeeper at North Branch Area Public Schools
20. Lena Erickson, employment effective October 25, 2022, as Media/Health Clerk at North Branch Area Education Center
21. Kacee Meyer, employment effective October 25, 2022, as SPED Assistant at North Branch Area High School
22. Fawn Sparks, employment effective October 25, 2022, as Schoolkeeper at North Branch Area Public Schools
23. 2022-23 Extra Curricular Winter Coach Positions
 - a. Roberta Disrud, Class 3, Step 9, as Head Coach for Dance
 - b. Gina Scott, Class 5, Step 5, as Assistant Coach for Dance
 - c. Todd Dufault, Class 1, Step 6, as Head Coach for Boys Basketball
 - d. Ryan Minke, Class 3, Step 9, as Assistant Coach for Boys Basketball
 - e. Shane Ray, Class 3, Step 4, as Assistant Coach for Boys Basketball
 - f. Chris Johnson, Class 2, Step 10, as Head Coach for Gymnastics
 - g. Alison Trampe, Class 1, Step 5, as Head Coach for Girls Basketball
 - h. Jessica Audette, Class 3, Step 5, as Assistant Coach for Girls Basketball
 - i. Kyle Groh, Class 3, Step 3, as Assistant Coach for Girls Basketball
 - j. Kyle Kahl, Class 1, Step 8, as Head Coach for Wrestling
 - k. David Kaiser, Class 3, Step 1, as Assistant Coach for Wrestling
 - l. Steve Christensen, Class 6, Step 10, as Coach for Middle School Girls Basketball
 - m. Jim VanEerden, Class 6, Step 10, as Coach for Middle School Girls Basketball
 - n. Jim VanEerden, Class 6, Step 10, as Coach for Middle School Boys Basketball
 - o. Joel Santjer, Class 9, Step 10, as Weightroom Supervisor for 2nd Trimester

- 24. 2022-23 Activity Advisor Position
 - a. Becky Leuer, Class 6, Step 4, as 7-9 FTC Robotics Coordinator
 - b. Laura Michels, Class 7, Step 4, as One Act Director
 - c. Laura Michels, Class 3, Step 5, as Auditorium Coordinator/Tech Club Advisor
- F. Annual Assurance of Compliance Report 26
- G. Contract Between Independent School District No. 138, North Branch, and Dave Fisk, beginning August 29, 2022 to January 14, 2023 for Providing Teacher Services to the High School Elective Class Entitled Auto Mechanics
- H. Acceptance of Donations 29

Minnesota Statute 123B.02 permits school boards to "...receive, for the benefit of the district, bequests, donations, or gifts for any proper purpose and apply the same to the purpose designated. In that behalf, the board may act as trustee of any trust created for the benefit of the district, and for the benefit of pupils thereof."

Therefore, the Superintendent recommends the following resolution:

BE IT RESOLVED by the School Board of Independent School District No. 138 that the School Board accept with appreciation the following contributions and permit their use as designated by the donors.

- IX. **Open Mic:** Open mic is a time for public comment. However, it is not a means to have issues added to this evening's agenda. It is also not a means to discuss specific individuals negatively in public, either by name or position. If you would like district follow up to comments, please leave appropriate contact information on the open mic sign-in sheet. Please limit your comments to three minutes.
- X. Old Business
 - A. Consider Second Reading of the Following Policies
 - 1. Policy 503-NB - Student Attendance 30
 - 2. Policy 504-NB - Student Dress and Appearance 38
 - 3. Policy 530-NB - Immunization Requirements 42
- XI. New Business
 - A. Preliminary Financial Statement Report 46
 - B. Consider Resolution Canvassing Returns of Votes of School District General and Special Election 57
 - C. Consider Resolution Authorizing Issuance of Certificates of Election and Directing the School District Clerk to Perform Other Election Related Duties 64
 - D. Consider 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 71
 - E. Consider Revised Personnel Policies Providing Terms and Conditions for Non-Union Employees Effective July 1, 2022 through June 30, 2023
 - 1. 12 Month Hourly Personnel
 - 2. 12 Month Salaried Personnel
 - 3. Accountant
 - 4. Director of Activities 3

5.	Director of Buildings and Grounds	
6.	Co-Directors of Community Education and Early Learning	
7.	Director of Finance and Human Resources	
8.	Director of Teaching and Learning	
9.	Director of Technology	
10.	JROTC Instructors	
F.	Consider Approval of 2022-23 Superintendent and School Board Goals	72
G.	Consider First Reading of the Following Policies	
1.	Policy 413 - Harassment and Violence (Annual review, no changes)	76
2.	Policy 506-NB - Student Discipline (Annual review. MSBA changes to references and language)	86
3.	Policy 514 - Bullying Prohibition Policy (Annual review. MSBA changes to references and language)	107
XII.	Addendum	
A.	Consent	
1.	Letter of Agreement for Temporary Assignment of Certain Administrative Duties to the Lead Groundskeeper and Lead Custodian	
XIII.	Information	
A.	Fundraising Reports from May 1, 2022 through October 31, 2022	117
B.	Board & Administrator November 2022 Issue	122
XIV.	Board Requests	
XV.	Committee Reports	
XVI.	Dates to Remember	
A.	Thursday, December 8, 2022 Policy Committee Meeting, 4:30 pm, North Branch Area Education Center, Conference Room, B122	
B.	Thursday, December 8, 2022, Regular School Board Meeting, 5:30 pm, North Branch Area Education Center, Boardroom, Room C120	
XVII.	Adjournment	

Superintendent Update

NOVEMBER 17, 2022

5



The Return of the Pink Panther a Success!



North Branch Area Community Education Presents
THE PINK PANTHER
Strikes Again

Friday, October 28th @ 7
Saturday, October 29th @ 7
Sunday, October 30th @ 2



A Student Directed full length
Comedy by William Gleason



Honoring Veterans



Thank
You
For
Your
Service!



The Thrill of Competition



**PROUD
OF OUR
VIKINGS!**





Prioritizing Financial Literacy

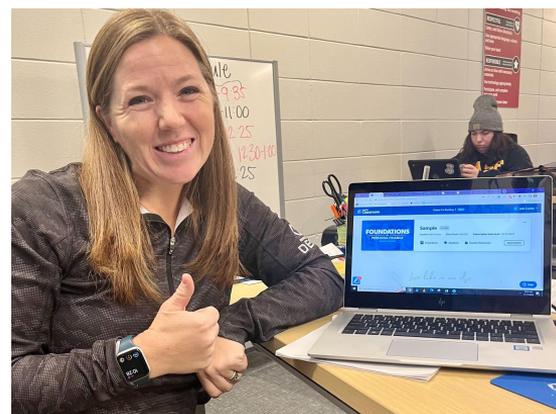
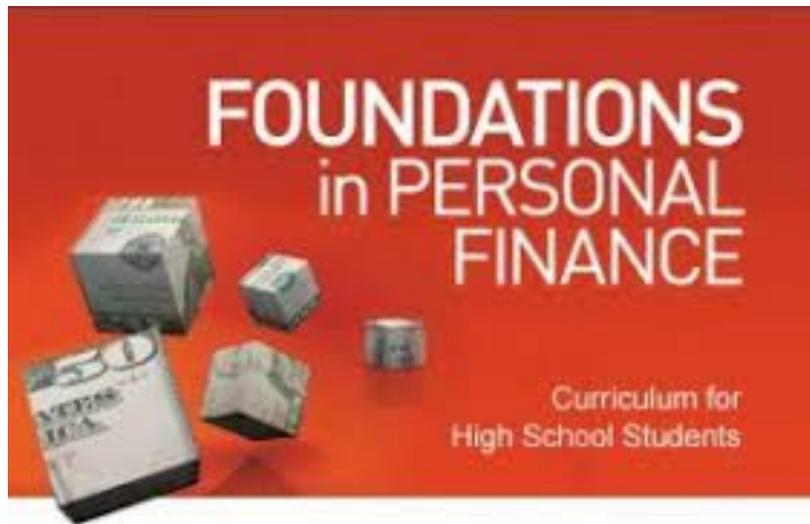
Personal finance education in high school provides students with the knowledge and skills to manage financial resources effectively for a lifetime of financial well-being.

- Young people often do not understand debit and credit cards, mortgages, banking, investment and insurance products and services, payday lending, rent-to-own products, credit reports, credit scores, etc.
- Most college students borrow to finance their education, yet they often do so without⁹ fully understanding how much debt is appropriate for their education or the connection between their area of study and the income level that they can expect upon graduation. Many students attend college without understanding financial aid, loans, debt, credit, and budgeting.
- Credit scores are a difficult concept for many young adults. The economic cost of low (or no) credit score is very high. One's credit score and borrowing history impacts one's daily life: applying for a credit card, purchasing a home or car, renting an apartment, buying insurance, signing up for certain utilities, and even getting a new job.



Community Support for Financial Literacy

Thank you Cindy and North Branch Floral for the generous \$2,000 donation to support foundations in personal finance!





Cereal box donations accepted at Ed Center



**Donate full-size cereal boxes
November 1st - 30th at the North Branch Area
Education Center to support our local
Family Pathways food shelf!**

On December 1st, we will create a cereal box domino chain in celebration of our collected donations!

The food shelf is also in need of ANY non-perishable food items and hygiene products!

Cash donations are also encouraged as Family Pathways can turn \$1 into \$7 worth of groceries!



- Cereal box donations are being accepted at the NBAEC through November.
- Students and staff will again construct a cereal box domino chain on Thursday, Dec. 1
- Donations will go to Family Pathways food shelf

11

If you have any questions please contact
Erica Bjerketvedt, Co-Director of Early Learning & Comm. Ed.
651-674-1225 or by email at ebjerketvedt@jsd138.org





November Patron Tour



Growing our partnerships on
November 4 Patron Tour

- Guests from Chisago County,
City of North Branch, Pine¹²
Technical College
- Pro-Start provided lunch
- Great discussions

"I appreciated being able to talk about my time at North Branch Area High School and letting them know what my plans were after high school. It was a very nice experience to be able to talk to and connect with people that are able to learn more about our school. I am thankful to be a part of this experience." - Claire, high school student



Arts Fest is here!

Community Education's Arts Fest event is this Saturday!

- 9 am - 3 pm at NBAHS
- \$2 admission
- Over 200 crafters
- Shuttle available from middle school

*North Branch Area Community Education
Proudly Presents*



Arts Fest

Featuring over 200 crafters!

*Please bring nonperishable
food item for local food shelf.*

No strollers or pets please.

Take the **free shuttle** from
middle school parking
to and from high school.

Saturday
November 19
9 a.m. until 3 p.m.
Located at the
North Branch Area
High School





FORWARD

Together

**NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138
NORTH BRANCH AREA EDUCATION CENTER, ROOM B122
POLICY COMMITTEE MEETING
October 13, 2022**

The Policy Committee met on Thursday, October 13, 2022 at 4:30 p.m. in Room B122 at the North Branch Area Education Center.

Members in Attendance: Tim MacMillan, Sarah Grovender, Superintendent Paul, David Treichel, Todd Tetzlaff, and Arle Chambers

Policies Discussed

Policy 413 - Harassment and Violence (Annual review, no changes)

Policy 413 was discussed and will be presented at the November 10 regular board meeting for a first reading.

Policy 506-NB - Student Discipline (Annual review. MSBA changes to references and language)

Policy 506-NB was discussed and will be presented at the November 10 regular board meeting for a first reading.

Policy 514 - Bullying Prohibition Policy (Annual review. MSBA changes to references and language)

Policy 514 was discussed and will be presented at the November 10 regular board meeting for a first reading.

The meeting concluded at 5:12 p.m.

Kevin Bollman, Clerk
(Unapproved)

**NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138
REGULAR SCHOOL BOARD MEETING
NORTH BRANCH AREA EDUCATION CENTER, BOARDROOM
OCTOBER 13, 2022**

The School Board of Independent School District 138 met in regular session on Thursday, October 13, 2022, at 5:30 p.m. in the Boardroom at the North Branch Area Education Center.

Board Chair MacMillan called the meeting to order.

Roll Call: Tim MacMillan, Sarah Grovender, Kevin Bollman (via remote), Heather Naegele, Jesse LaValla, Adam Trampe, and Superintendent Paul

Others in Attendance:

Molly Whelan, Denise Martin, Kevin Grote, David Treichel, Todd Tetzlaff, Pat Tepoorten, and Arle Chambers

The Pledge of Allegiance was said by all.

Approval of Agenda:

Moved by Naegele, seconded by Grovender and carried unanimously to approve the agenda.

SUPERINTENDENT'S REPORT

Superintendent Paul gave an update on the Safe Learning Plan, Fire Prevention Week, Walk and Roll to School Day, Chamber of Commerce Luncheon, and Patron Tours which are scheduled for November 4, January 13, and April 28.

CONSENT ITEMS

Moved by Grovender, seconded by Trampe to approve the following consent items.

Voting for: MacMillan, Grovender, Bollman, Naegele, Trampe

Voting against: None

Abstained: LaValla

Motion carried.

- A. Minutes of September 8, 2022 Policy Committee Meeting
- B. Minutes of September 8, 2022 Regular School Board Meeting
- C. Minutes of September 22, 2022 Special School Board Meeting
- D. Authorization of Payments, Transfers, and Investment Activity
 - Accounts Payable, Bank 07 – \$1,653,587.97

- Auxiliary, Bank 12 - \$3,248.50
- Payroll, Bank 13 - \$1,752,257.19
- Scholarship, Bank 18 - \$0.00
- High School Student Activities, Bank 31 - \$9,142.06
- Middle School Student Activities, Bank 32 - \$0.00

E. Personnel

1. Mallory Miller, resignation effective September 23, 2022, as SPED Assistant and Lunchroom Assistant at North Branch Area Middle School
2. Nathan Cardinal, resignation effective October 7, 2022, as SPED Assistant at North Branch Area High School
3. Linda Downie, resignation effective October 7, 2022, as Transition Job Coach at Life Work Center
4. Linda Westbrook, resignation October 31, 2022, as Lunchroom/Playground Assistant at Sunrise River Elementary School
5. Amanda Palmer, leave request effective September 20, 2022 through October 28, 2022, as School Age Care Adult Assistant at North Branch Area Public Schools
6. Barbara Gray, leave request effective September 22, 2022 through November 30, 2022, as SPED Assistant at North Branch Area Middle School
7. Alexis Knoblach, leave request effective September 26, 2022 through October 10, 2022, as SPED Assistant at North Branch Area High School
8. Juliane Bartel, leave request effective October 1, 2022, returning October 25, 2022, as SPED Assistant at North Branch Area Education Center
9. Brent Lundgren, leave request effective October 7, 2022 through November 20, 2022, as Sixth Grade Teacher at North Branch Area Middle School
10. Kristi Johnson, rescind pre-approved leave request for September 8, 2022 through November 23, 2022, as Community Education Early Childhood Instructor
11. Kristi Johnson, position change effective September 6, 2022, from Community Education Early Childhood Instructor to Elementary Teacher at North Branch Area Education Center
12. Kari Harnasz, position change effective October 10, 2022, from SPED Assistant to Transition Job Coach at Life Work Center

13. Allan Dittrich, BA, Step 7, effective October 3, 2022, as Science/Social Studies Teacher at North Branch Area Middle School
14. Cassie Breaw, employment effective August 31, 2022, as SPED Assistant at North Branch Area Education Center
15. Cody Dullinger, employment effective August 31, 2022, as SPED Assistant at North Branch Area High School
16. Cody Dullinger, resignation effective September 28, 2022, as SPED Assistant at North Branch Area High School
17. Madison Mench, employment effective August 31, 2022, as SPED Assistant at North Branch Area High School
18. Lisa Olivo, employment effective August 31, 2022, as SPED Assistant at Life Work Center
19. Angelina Reeve, employment effective September 6, 2022, as SPED Assistant at North Branch Area High School
20. Angelina Reeve, termination effective September 16, 2022, as SPED Assistant at North Branch Area High School
21. Kathleen Wessel, employment effective September 6, 2022, as SPED Assistant at North Branch Area Education Center
22. Bryant Meyer, employment effective September 7, 2022, as SPED Assistant at North Branch Area Middle School
23. Jennifer Berg, employment effective September 9, 2022, as SPED Assistant at Sunrise River Elementary School
24. Breanna Aronson, employment effective September 14, 2022, as SPED Assistant at North Branch Area Education Center
25. Julie Anderson, employment effective September 19, 2022, as Office Clerk at North Branch Area High School
26. Cassie Williams, employment effective September 19, 2022, as SPED Assistant at North Branch Area Middle School
27. Christopher Ward, employment effective September 20, 2022, as Lunchroom Assistant at North Branch Area Middle School

28. Morgan O'Donnell, employment effective September 26, 2022, as Health Office Clerk at Sunrise River Elementary School

29. 2022-23 Extra Curricular Fall Coach Position

- a. Kyle Groh, Class 6, Step 3, as Coach for Middle School Volleyball

30. 2022-23 Activity Advisor Positions

- a. Kevin Grote, Class 10, Step 6, as Fall Clay Target Advisor
- b. Jessica Konrad, Class 10, Step 1, as Fall Clay Target Advisor
- c. James Pope, Class 8, Step 10, as High School Pep Band Advisor
- d. Elizabeth Budahn, Class 4, Step 5, as Extra-Curricular Vocals (Harmonaires)
- e. James Pope, Class 4, Step 10, as High School Jazz Band Advisor
- f. Samantha Weiss, Class 8, Step 2, as Knowledge Bowl Advisor
- g. Laura Rothe, Class 8, Step 7, as National Honor Society Advisor
- h. Ashley Twait, Class 10, Step 4, as Prom Co-Advisor
- i. Erin Theobald, Class 10, Step 4, as Prom Co-Advisor
- j. Jennifer VanDyke, Class 6, Step 9, as Student Council Advisor
- k. Sydney Rydberg-Engel, Class 7, Step 3, as Yearbook Advisor
- l. Hannah Rawleigh, Class 6, Step 4, as ProStart Advisor
- m. Julie Cooley, Class 6, Step 7, as DECA Advisor
- n. Ben Paro, Class 10, Step 4, as Middle School Jazz Band Advisor
- o. Elizabeth Budahn, Class 10, Step 5, as Middle School Show Choir Advisor
- p. Michelle Tabor, Class 9, Step 2, as Middle School Knowledge Bowl Advisor
- q. Pam Newbauer, Class 8, Step 10, as Middle School Speech Advisor
- r. Michelle Tabor, Class 8, Step 3, as Middle School Student Council Advisor
- s. Jessica Richter, Class 7, Step 6, as Middle School Yearbook Advisor
- t. Melissa Kleschult, Class 7, Step 1, as Elementary Yearbook Co-Advisor
- u. Juli Summer, Class 7, Step 1, as Elementary Yearbook Co-Advisor

F. Approval of Seniority Lists

1. NBEA (North Branch Area Education Association)
2. Community Education Early Childhood Teachers
3. NBSSA (North Branch Support Staff Association)
4. SEIU Local 284 (Custodial)

G. Revised Agreement to Provide School Resource Officer (SRO) Services Between the City of North Branch and Independent School District No. 138 (North Branch) for 2022-23

H. Contract Between Independent School District No. 138, North Branch, and Therapeutic Services Agency, Inc. (TSA) beginning August 29, 2022 to June 9, 2023 for Providing Teacher Services to the High School Elective Class Entitled Personal Enrichment

I. Acceptance of Donations

Date	Donation From	Donation To	Amount	Use
9/12/22	LGI Homes Group, LLC – The Woodlands, TX	NBAPS	\$3,000.00	Staff Wellness
9/14/22	Kathleen Kittelson – NB, MN	NBHS Athletics	\$50.00	Prostart Program
9/28/22	Revive Chiropractic – NB, MN	NBHS Athletics	\$50.00	Football Program
		Total	\$3,100.00	

Sept	Airgas USA, LLC – Roseville, MN	NBHS	Donated approx. \$11,000 in supplies & equipment for the welding class at the high school
Sept	American Legion Post #85 – NB, MN	Sunrise River Elem	Donated approx. \$300 in clothing & school supplies
Sept	Members Cooperative Credit Union – NB, MN	Sunrise River Elem	Donated \$100 Visa Card to be used to purchase educational supplies
Sept	Minnco Credit Union – NB, MN	Sunrise River Elem	Donated approx. \$400 in school supplies
Sept	Trinity Lutheran Church – NB, MN	Sunrise River Elem	Donated approx. \$300 in school supplies

OPEN MIC

No one signed up for open mic.

OLD BUSINESS

There was no old business to discuss.

NEW BUSINESS

A. Approval of Ratification of the Contract Between the North Branch Principals Association and North Branch Independent School District Effective July 1, 2022 through June 30, 2024

Moved by Naegele, seconded by Grovender and carried unanimously to approve the ratification of the contract between the North Branch Principals Association and North Branch Independent School District effective July 1, 2022 through June 30, 2024.

The updated contract includes step increases for eligible principals, and also includes wage and benefit increases. The improvements to wages and benefits in this contract are in line with the other bargaining groups during this round of negotiations.

B. Approval of Resolution of Governing Board Supporting Form A Application to Minnesota State High School League Foundation

Moved by Trampe, seconded by Grovender and carried unanimously to approve the resolution of school board supporting Form A application to Minnesota State High School League Foundation.

FORM A

**RESOLUTION OF GOVERNING BOARD SUPPORTING
FORM A APPLICATION TO MINNESOTA
STATE HIGH SCHOOL LEAGUE FOUNDATION**

WHEREAS, the Minnesota State High School League Foundation was formed to provide support for Minnesota’s high school youth to participate in athletics and fine arts;

WHEREAS, the Governing Board of North Branch Area Public Schools, #138 recognizes the value of student participation in extracurricular activities; and

WHEREAS, the MSHSL Foundation is offering grants and funding to assist school in recognizing, promoting and funding extracurricular participation by high school students in athletic and fine arts programs.

THEREFORE, BE IT RESOLVED, that the Governing Board of North Branch Area Public Schools, #138 supports the school's application to the Minnesota State High School League Foundation for a FORM A grant to offset student activity fees.

C. Approval of Superintendent's Evaluation Summary

The NB School Board reviewed and received board input to complete the Superintendent's annual performance evaluation. The chair and vice chair met with the Superintendent to review the input received, and goals for the upcoming year. The Board wants to thank the Superintendent for providing us her work goals and continued alignment with the board and district in the best interest of the students and staff.

D. Approval of First Reading of the Following Policies

Moved by Trampe, seconded by LaValla and carried unanimously to approve the first reading of the following policies:

1. Policy 503-NB - Student Attendance
This policy will be reviewed further with admin and the policy committee.
2. Policy 504-NB - Student Dress and Appearance
3. Policy 530-NB - Immunization Requirements

INFORMATION

The board reviewed the October 2022 issue of the Board and Administrator.

BOARD REQUESTS

None

COMMITTEE REPORTS

MSBA Report – Board Member Naegele reported that she submitted two resolutions to MSBA regarding substitute teachers and educational assistants.

Motion by Grovender, seconded by Trampe to approve the resolutions with school board support.

Discussion followed. Board Member Trampe requested the language on the resolutions be revised.

Motion by Trampe, seconded by Grovender to approve the amended resolutions with school board support.

Voting for: MacMillan, Grovender, Bollman, LaValla, Trampe
Voting against: None
Abstained: Naegele

SCRED Report - Board Member Grovender reported that the SCRED annual report is attached to the board agenda for the school board to review. She also mentioned that she attended the Legislative Forum held on September 27.

DATES TO REMEMBER

- A. October 27, 2022, School Board Work Session, 5:30 pm, North Branch Area Education Center, Boardroom, C120

- B. November 10, 2022, Regular School Board Meeting, 5:30 pm, North Branch Area Education Center, Boardroom, Room C120

- C. November 17, 2022, Special School Board Meeting, 5:30 pm, North Branch Area Education Center, Boardroom, Room C120

Adjournment

Moved by Naegele, seconded by LaValla and carried unanimously to adjourn the regular meeting at 6:24 p.m.

Kevin Bollman, Clerk
(Unapproved)

NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138
SPECIAL SCHOOL BOARD MEETING
October 27, 2022

The School Board of Independent School District held a Special School Board Meeting at 5:30 p.m. on October 27, 2022 in the Boardroom at the North Branch Area Education Center.

Board Member MacMillan called the meeting to order.

Roll Call: Tim MacMillan, Sarah Grovender, Kevin Bollman, Heather Naegele, Jesse LaValla, Adam Trampe, and Superintendent Paul

The Pledge of Allegiance was said by all.

Others in Attendance:

Lori Lavin, Jen Joyal, Laura Rothe, John Grund, Dawn White, James Pope, Jennifer VanDyke, Mary Christopherson, Leah Palmer, Mindy Lattimore, Erica Bjerketvedt, Taylor Swanson, Kelly Detzler, Clint Link, Coleman McDonough, David Treichel, Todd Tetzlaff, Pat Tepoorten, and Arle Chambers

Approval of Agenda

Moved by Bollman, seconded by LaValla and carried unanimously to approve the agenda.

New Business

A. Superintendent's Report

Superintendent Paul reported on the Safe Learning Plan, my SAEBRS (Social Academic Emotional Behavior Risk Screener) for grades 2-8, and the Pink Panther theater show being held October 28-30. She also talked about the cereal box donations being accepted at the NBAEC through November and Patron Tours that are scheduled for November 4, January 13, and Friday, April 28.

B. Update on 2022-23 Building Goals

Erica Bjerketvedt, Taylor Swanson, Kelly Detzler, Clint Link, and Coleman McDonough reported on their building goals for 2022-23.

C. Update on Family Survey

Superintendent Paul gave some highlights from the family survey. She reported that families rated their experience with our school district positively, scoring us a 3.1 out of a possible four.

Survey results included families having a positive view of the necessary services provided to ensure learning needs are met, appreciated the

expanded career path options, the handling of COVID-19, recommending NBAPS to others, and expressing overall satisfaction with district facilities.

- D. Motion to Close Special School Board Meeting to go into a Closed Session
Motion by Bollman, seconded by Grovender and carried unanimously to close the Special School Board Meeting at 7:18 pm to go into a closed session.
- E. Motion to Open Closed Session
Motion by Bollman, seconded by Naegele and carried unanimously to open the closed session at 7:46 pm.
- F. Motion to Conclude Closed Session
Motion by Bollman, seconded by Naegele and carried unanimously to conclude the closed session at 9:09 pm.
- G. Motion to Reconvene Special School Board Meeting
Motion by Grovender, seconded by Bollman and carried unanimously to reconvene the Special School Board Meeting at 9:12 pm.
- H. Motion to Approve Irrevocable Separation Agreement and Resignation Letter
Motion by Trampe, seconded by Naegele and carried unanimously to approve the irrevocable separation agreement and resignation letter.
- I. Motion to Adjourn Special School Board Meeting
Motion by Bollman, seconded by LaValla and carried unanimously to adjourn the Special School Board Meeting at 9:14 pm.

Kevin Bollman, Clerk
(Unapproved)

ELECTRONIC FUND TRANSFERS
October 2022

Direct Dep Cks			\$922,109.88
ACHS			<u>\$13,099.57</u>
			\$935,209.45
Other Electronic Fund Transfers:		10/11/2022	\$462.74
Federal/FICA Taxes		10/11/2022	\$63,858.40
(Also reflected in P/R info)		10/11/2022	\$98,723.29
		10/24/2022	\$66,128.35
		10/24/2022	<u>\$93,322.22</u>
			\$322,495.00
Minnesota Withholding Taxes		10/11/2022	\$150.00
(Also reflected in P/R info)		10/12/2022	\$79.92
		10/12/2022	\$10,599.33
		10/12/2022	\$17,314.04
		10/24/2022	\$150.00
		10/24/2022	\$694.40
		10/25/2022	\$10,957.37
		10/25/2022	<u>\$16,158.51</u>
			\$56,103.57
Economic Service (EBC)		10/11/2022	\$11,155.66
(Also reflected in P/R info)		10/11/2022	\$23,779.88
		10/24/2022	\$11,238.98
		10/24/2022	<u>\$23,779.88</u>
			\$69,954.40
MII LIFE-F S A	PEIP	10/4/2022	\$833.36
	PEIP	10/6/2022	\$274.30
	PEIP	10/12/2022	\$2,000.00
	PEIP	10/18/2022	\$54.88
	PEIP	10/25/2022	\$61.58
	PEIP	10/31/2022	<u>\$6.95</u>
			\$3,231.07
MII LIFE-M S A		10/11/2022	\$2,351.11
		10/11/2022	\$4,074.34
		10/24/2022	\$2,351.11
		10/24/2022	<u>\$4,074.34</u>
			\$12,850.90
Minnesota Teachers Retirement		10/7/2022	\$8,689.47
		10/7/2022	\$69,611.86
		10/21/2022	\$10,339.42
		10/21/2022	<u>\$66,154.07</u>
			\$154,794.82
PERA		10/7/2022	\$32,433.50
		10/21/2022	<u>\$32,353.35</u>
			\$64,786.85
Delta Dental Plan		10/21/2022	\$13,319.52
MN Sales Tax		10/21/2022	\$646.00

m DEPARTMENT OF EDUCATION
Contact Us
 Virginia Davis
 E-mail: mde.compliance-assistance@state.mn.us
 Phone: 651-582-8338
 Address: 400 NE Stinson Blvd., Minneapolis, MN 55413

Assurance of Compliance

0138-01 North Branch Area Public Schools
- INFORMATION NEEDED TO EVIDENCE COMPLIANCE -
School Year: 22-23

* - indicates required fields.

Coordinator Identification Information

	Human Rights Coordinator	Title IX Coordinator	504 Coordinator
Name*	Sara Paul	Todd Tetzlaff	David Treichel
Telephone Number*	651-674-1012	651-674-1009	651-674-1055
Fax Number*	651-674-1010	651-674-1010	651-674-1060
E-Mail Address*	spaul@isd138.org	ttetzlaf@isd138.org	dtreichel@isd138.org

Mandated Reporter Training

Minnesota Chapter 260E.30, Subd. 2(b). Districts must inform all mandated reporters of the duties.

I verify that all mandated reporters employed by or otherwise associated with any school in this district have been informed of mandated reporting requirements and of the prohibition of retaliation against anyone reporting maltreatment.

Date of Verification *

10/25/2022

As part of the Minnesota Department of Education's data collection for the Minnesota Olmstead Plan related to the topic area Prevent Abuse and please provide the following information;

Total number of school district employees who have received mandated reporter training as of verification date? 317

Number of licensed staff? 166

Number of unlicensed staff? 151

*This information is requested to assist in the prevention of abuse and neglect of students with disabilities through increased awareness and education of all school personnel and their duties associated with mandated reporting requirements.

Document Submittal Verification

Does MDE have current and accurate copies of the following documents?
Please submit updated policy if revised since Last Submitted Date.

Document	Last Submitted Date	Upload Document*
Harassment and Violence policy	10/25/2022	Select Upload Document: <input type="button" value="Choose File"/> No file chosen

District Compliance Requirements Checklist

This assurance is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts, or other federal financial assistance extended after the date hereof to the district by the U.S. Department of Education and the Minnesota Department of Education (MDE), in installment payments after such date of application for federal financial assistance and state aid allotments which were approved before such date.

The district recognizes and agrees that such federal and state financial assistance will be extended in reliance on the representations, supporting information required by Minnesota Statute, section 127A.42, subd. 3 and agreements made in this assurance. This assurance is binding on the district and the persons authorized to submit information on behalf of the district.

Check all statements in which the district has complied with the state and federal requirements prohibiting discrimination.

Federal Laws:

* Title VI of the Civil Rights Act of 1964 (42 USC 2000d, et. seq.; 34 C.F.R. Part 100), which provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the district receives federal financial assistance.

- * Title VII of the Civil Rights Act of 1964 (42 USC 2000e, et. seq.; P.L. 88-352), as amended by the Equal Employment Opportunity Act of 1972 (P.L. 92-261), which prohibits discrimination in employment because of an individual's race, color, religion, sex, or national origin.
- * Title VII of the Civil Rights Act of 1964 Pregnancy Discrimination Act (within Title VII) (42 USC § 2000e(k)).
- * Title IX of the Education Amendments of 1972 (20 USC § 1681; 34 C.F.R. Part 106), which prohibits discrimination on the basis of sex in education programs and activities receiving or benefiting from federal financial assistance.
- * The Age Discrimination in Employment Act of 1967 (29 USC § 621; 42 USC § 6101; 29 C.F.R. Part 621), which prohibits discrimination on the basis of age (over 40 years).
- * Section 504 of the Rehabilitation Act of 1973 (34 C.F.R. part 104) prohibiting discrimination on the basis of disability.
- * The American with Disabilities Act (42 USC § 12101, et seq.), also prohibiting discrimination on the basis of disability.
- * Denial of Equal Educational Opportunity Prohibited (20 USC § 1703).
- * The Fair Housing Act (42 USC § 3601 et seq.; 24 C.F.R. part 100).
- * The Age Discrimination Act of 1975 (42 USC § 6101 and 6102; 34 C.F.R. part 110).
- * Prohibition of Discrimination Based on Blindness (20 USC § 1684).

State Laws:

- * The Minnesota Human Rights Act (Minn. Stat. § 363A), which prohibits discrimination in education programs and activities on ground of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, sexual orientation, disability or age
- * Minnesota Statutes, section 121A.031, which requires school districts to have a written policy to prevent and to prohibit student bullying.
- * Minnesota Statutes, section 121A.03, which requires school districts to have a policy prohibiting sexual/racial/religion harassment and violence which applies to students, teachers, administrators and other school personnel.
- * Minnesota Statutes, section 121A.04, which prohibits sex discrimination in athletic programs.
- * Minnesota Rules, part 3500.0550, relating to the Inclusive Educational Program Plan.
- * Minnesota Rules, Chapter 3535.0100-.0180; 3535.2300-.2800; 3535.3000-.3700, relating to equality of educational opportunity and school desegregation, and prohibition of discriminatory practices.

By clicking "Submit" you are affirming that these laws are available in each building in the district, that the information that you have provided and that you have the authority to submit this assurance on behalf of the district. Clicking "Cancel" will clear data entered.

NOTE: When data entry is complete, click "Submit" to send data to The State Department of Education.

Submit

Cancel

OCTOBER 2022

DATE	DONATION FROM	DONATION TO	AMOUNT	USE
10/3/22	American Legion Post #85, P.O. Box 87, North Branch, MN 55056	NBHS Athletics	\$2,500.00	JROTC Program Donation
10/3/22	Revive Chiropractic, P.O. Box 94, North Branch, MN 55056	NBHS Athletics	\$50.00	Boys Soccer Program Donation
10/13/22	Shaan Hilber, 37687 Elk Ave, North Branch, MN 55056	NBHS	\$60.00	Music 50/50 split (Band & Choir) Department Donation
10/17/22	Rebecca Turnquist, 500 N Cherry Ave., Braham, MN 55006	NBHS Athletics	\$100.00	FTC Robotics Team Donation
10/18/22	Music Connection, Inc., 77 8th Ave SW, Forest Lake, MN 55025	NBMS	\$50.00	Donation for Band Social Refreshments
10/19/22	Misc. (Boys Soccer Parents)	NBHS Athletics	\$1,515.00	Boys Soccer Trip Donations
10/28/22	Dr. & Mrs. Michael Wilcox, 310 1st Ave NW, New Prague, MN 56071	NBHS Scholarship A/C	\$10,000.00	Scholarship Donation
			\$14,275.00	
Oct.	Anonymous	Sunrise River Elem.		*Received monetary donation of \$200.00 for instructional supplies and approximately \$50 in school supplies.
	Linda Berhow, 2793 Cloutier Ct, Osceola, WI 54020-4043	Sunrise River Elem.		*Received \$75 in County Market gift cards, given to district families in need
	Room For Growing, 38862 14th Ave, North Branch, MN 55056	Sunrise River Elem.		*Donated school supplies: 18 gallon tote with notebooks, backpack, pencils, etc.

STUDENTS

Attendance Policy

503-NB

I. PURPOSE

- A. The school board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.
- B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher and administrators. This policy will assist students in attending class.

II. GENERAL STATEMENT OF POLICY

A. Responsibilities

1. Student's Responsibility

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

2. Parent or Guardian's Responsibility

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

3. Teacher's Responsibility

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

4. Administrator's Responsibility

- a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures

North Branch Independent School District No. 138: District Policy 503-NB

Adopted: November 11, 1997

Reviewed: June 10, 1999, June 8, 2000, June 14, 2001 (MSBA Model Policy reviewed March 2009), July 11, 2013

Number Changed from 5113 to 503: June 8, 2000

Revised: June 8, 2000, June 26, 2001, May 13, 2004, April 2008, May 2009, July 11, 2013, July 10, 2014, May 12, 2016, August 27, 2020

Effective: September 2009, July 11, 2013, July 10, 2014, May 12, 2016, August 27, 2020

503-NB Attendance Policy, page 1 of 8

STUDENTS

Attendance Policy

503-NB

governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.

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

B. Attendance Procedures

The superintendent shall develop procedures to implement the policy for district schools and keep the school board informed of any changes in these procedures.

1. Excused Absences

- a. To be considered an excused absence, the student's parent or legal guardian will verify within two days of the absence, in writing or by phone, the reason for the student's absence from school. The school district reserves the right to request documentation for any excused absence. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.
- b. The following reasons shall be sufficient to constitute excused absences:
 - (1) Illness. (Documentation from a medical provider may be required.)
 - (2) Serious illness or injury in the student's immediate family.
 - (3) A death or funeral in the student's immediate family or of a close friend or relative.
 - (4) Medical, dental or orthodontic treatment, or counseling appointment.
 - (5) Court appearances occasioned by family or personal action.
 - (6) Religious instruction not to exceed three hours in any week.
 - (7) Physical emergency conditions such as fire, flood, storm, etc.

North Branch Independent School District No. 138: District Policy 503-NB

Adopted: November 11, 1997

Reviewed: June 10, 1999, June 8, 2000, June 14, 2001 (MSBA Model Policy reviewed March 2009), July 11, 2013

Number Changed from 5113 to 503: June 8, 2000

Revised: June 8, 2000, June 26, 2001, May 13, 2004, April 2008, May 2009, July 11, 2013, July 10, 2014, May 12, 2016, August 27, 2020

Effective: September 2009, July 11, 2013, July 10, 2014, May 12, 2016, August 27, 2020

503-NB Attendance Policy, page 2 of 8

STUDENTS

Attendance Policy

503-NB

- (8) Official school field trip or other school-sponsored outing.
- (9) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
- (10) Family emergencies
- (11) Active duty in any military branch of the United States
- (12) Family member on military leave
- (13) ~~Observance of a religious or cultural holiday~~ Religious or cultural observance
- (14) Successfully appealed absences
- (15) A student's condition that requires ongoing treatment for a mental health diagnosis.
- (16) Up to 2 days per year during the junior and senior years to explore Post-Secondary educational options ie: colleges, universities, trades programs.

c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher. The student is responsible for contacting teachers to initiate makeup work.
- (2) Work missed because of absence must be made up. The building principal or the classroom teacher will extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

2. Unexcused Absences

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

- (1) Truancy. An absence by a student which was not approved by the parent and/or the school district.
- (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
- (3) Work at home/Needed at home.

North Branch Independent School District No. 138: District Policy 503-NB

Adopted: November 11, 1997

Reviewed: June 10, 1999, June 8, 2000, June 14, 2001 (MSBA Model Policy reviewed March 2009), July 11, 2013

Number Changed from 5113 to 503: June 8, 2000

Revised: June 8, 2000, June 26, 2001, May 13, 2004, April 2008, May 2009, July 11, 2013, July 10, 2014, May 12, 2016, August 27, 2020

Effective: September 2009, July 11, 2013, July 10, 2014, May 12, 2016, August 27, 2020

503-NB Attendance Policy, page 3 of 8

STUDENTS

Attendance Policy

503-NB

- (4) Work at a business, except under a school-sponsored work release program.
- (5) Vacations with family.
- (6) ~~Personal trips to schools or colleges.~~
- (67) Absences resulting from cumulated unexcused tardies. Three unexcused tardies equal one unexcused absence.
- (78) Any other absence not included under the attendance procedures set out in this policy.
For Example: Hunting, Fishing, 4-H, Rodeo, etc.

b. Protocols for Unexcused Absences

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

C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness. A student will be marked tardy if they arrive to class within ten minutes of the bell. Students that are more than ten minutes late will be marked absent.
2. Procedures for Reporting Tardiness
 - a. Students tardy at the start of school must report to the school office or classroom for an admission slip.
 - b. Tardiness between periods will be handled by the teacher.
3. Excused Tardiness

Valid excuses for tardiness are:

 - a. Illness.

North Branch Independent School District No. 138: District Policy 503-NB

Adopted: November 11, 1997

Reviewed: June 10, 1999, June 8, 2000, June 14, 2001 (MSBA Model Policy reviewed March 2009), July 11, 2013

Number Changed from 5113 to 503: June 8, 2000

Revised: June 8, 2000, June 26, 2001, May 13, 2004, April 2008, May 2009, July 11, 2013, July 10, 2014, May 12, 2016, August 27, 2020

Effective: September 2009, July 11, 2013, July 10, 2014, May 12, 2016, August 27, 2020

503-NB Attendance Policy, page 4 of 8

STUDENTS

Attendance Policy

503-NB

- b. Serious illness in the student's immediate family.
 - c. A death or funeral in the student's immediate family or of a close friend or relative.
 - d. Medical, dental, orthodontic, or mental health treatment.
 - e. Court appearances occasioned by family or personal action.
 - f. Physical emergency conditions such as fire, flood, storm, etc.
 - g. Any tardiness for which the student has been excused in writing by an administrator or faculty member.
4. Unexcused Tardiness
- a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
 - b. Consequences of tardiness may include detention after 3 unexcused tardies. In addition, for students ages 12 through 17, 3 unexcused tardies are equivalent to one unexcused absence. Three late to school unexcused tardies for students ages 11 and under are the equivalent to one unexcused absence.
- D. Participation in Extracurricular Activities and School-Sponsored On-the-Job Training Programs
- 1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.
 - 2. School-initiated absences will be accepted and participation permitted.
 - 3. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
 - 4. If a student is suspended from any class he or she may not participate in any activity or program that day.
 - 5. If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program.

North Branch Independent School District No. 138: District Policy 503-NB

Adopted: November 11, 1997

Reviewed: June 10, 1999, June 8, 2000, June 14, 2001 (MSBA Model Policy reviewed March 2009), July 11, 2013

Number Changed from 5113 to 503: June 8, 2000

Revised: June 8, 2000, June 26, 2001, May 13, 2004, April 2008, May 2009, July 11, 2013, July 10, 2014, May 12, 2016, August 27, 2020

Effective: September 2009, July 11, 2013, July 10, 2014, May 12, 2016, August 27, 2020

503-NB Attendance Policy, page 5 of 8

STUDENTS

Attendance Policy

503-NB

III. RELIGIOUS OBSERVANCE ACCOMMODATION

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

IV. DISSEMINATION OF POLICY

1. Copies of this policy shall be made available to all students and parents at the commencement of each school year. This policy shall also be available upon request in each principal's office.
2. The school district will provide annual notice to parents of the school district's policy relating to a student's absence from school for religious observance.

IV. REQUIRED REPORTING

A. Continuing Truant

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

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

B. Reporting Responsibility

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

1. That the child is truant;
2. That the parent or guardian should notify the school if there is a valid excuse for the child's absences;
3. That the parent or guardian is obligated to compel the attendance of the child at school pursuant to Minnesota Statutes, §section 120A.22 and parents or guardians who fail to meet this obligation

North Branch Independent School District No. 138: District Policy 503-NB

Adopted: November 11, 1997

Reviewed: June 10, 1999, June 8, 2000, June 14, 2001 (MSBA Model Policy reviewed March 2009), July 11, 2013

Number Changed from 5113 to 503: June 8, 2000

Revised: June 8, 2000, June 26, 2001, May 13, 2004, April 2008, May 2009, July 11, 2013, July 10, 2014, May 12, 2016, August 27, 2020

Effective: September 2009, July 11, 2013, July 10, 2014, May 12, 2016, August 27, 2020

503-NB Attendance Policy, page 6 of 8

STUDENTS

Attendance Policy

503-NB

may be subject to prosecution under Minnesota Statutes, § 120A.34;

4. That this notification serves as the notification required by Minnesota Statutes, § 120A.34;
5. That alternative educational programs and services may be available in the child's enrolling or resident district;
6. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
7. That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minnesota Statutes Chapter 260C;
8. That if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to Minnesota Statutes, § 260C.201; and
9. That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

C. Habitual Truant

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

Legal References: Minn. Stat. § 120A.05 (Definitions)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 120A.24 (Reporting)
Minn. Stat. § 120A.26 (Enforcement and Prosecution)
Minn. Stat. § 120A.34 (Violations; Penalties)
Minn. Stat. § 120A.35 (Absence from School for Religious Observance)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 260A.02 (Definitions)

North Branch Independent School District No. 138: District Policy 503-NB

Adopted: November 11, 1997

Reviewed: June 10, 1999, June 8, 2000, June 14, 2001 (MSBA Model Policy reviewed March 2009), July 11, 2013

Number Changed from 5113 to 503: June 8, 2000

Revised: June 8, 2000, June 26, 2001, May 13, 2004, April 2008, May 2009, July 11, 2013, July 10, 2014, May 12, 2016, August 27, 2020

Effective: September 2009, July 11, 2013, July 10, 2014, May 12, 2016, August 27, 2020

503-NB Attendance Policy, page 7 of 8

STUDENTS

Attendance Policy

503-NB

Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is a Continuing Truant)
Minn. Stat. § 260C.007, Ssubd. 19 (Habitual Truant Defined)
Minn. Stat. § 260C.201 (Dispositions; Children in Need of Protection or Services or Neglected and in Foster Care)
Goss v. Lopez, 419 U.S. 565, 95 S.Ct. 729 (1975)
Slocum v. Holton Board of Education, 429 N.W.2d 607 (Mich. App. Ct. 1988)
Campbell v. Board of Education of New Milford, 475 A.2d 289 (Conn. 1984)
Hamer v. Board of Education of Township High School District No. 113, 66 Ill. App.3d 7, 383 N.E.2d 231 (1978)
Gutierrez v. School District R-1, 585 P.2d 935 (Co. Ct. App. 1978)
Knight v. Board of Education, 38 Ill. App. 3d 603, 348 N.E.2d 299 (1976)
Dorsey v. Bale, 521 S.W.2d 76 (Ky. 1975)

Cross References: NB Policy 506-NB (Student Discipline)

North Branch Independent School District No. 138: District Policy 503-NB

Adopted: November 11, 1997

Reviewed: June 10, 1999, June 8, 2000, June 14, 2001 (MSBA Model Policy reviewed March 2009), July 11, 2013

Number Changed from 5113 to 503: June 8, 2000

Revised: June 8, 2000, June 26, 2001, May 13, 2004, April 2008, May 2009, July 11, 2013, July 10, 2014, May 12, 2016, August 27, 2020

Effective: September 2009, July 11, 2013, July 10, 2014, May 12, 2016, August 27, 2020

503-NB Attendance Policy, page 8 of 8

STUDENTS

Student Dress and Appearance

504-NB

I. PURPOSE

The purpose of this policy is to enhance the education of students by establishing expectations of dress and grooming. ~~that are related to educational goals and community standards.~~

It is the policy of the North Branch Area School Board that the student and their parent/guardian share in the responsibility in determining the student's personal attire, hairstyle, jewelry, and personal items (e.g. backpacks, book bags).

Schools are responsible for ensuring that student attire, hairstyle, jewelry, and personal items do not interfere with the health or safety of any student and do not contribute to a hostile or intimidating environment for any student.

II. GENERAL STATEMENT OF POLICY

A. The policy of the school district is to encourage students to be dressed appropriately for school activities ~~and in keeping with community standards.~~ This is a joint responsibility of the student and the student's parent(s) or guardian(s).

B. ~~Appropriate clothing includes, but is not limited to, the following:~~

- ~~1. Clothing appropriate for the weather.~~
- ~~2. Clothing that does not create a health or safety hazard.~~
- ~~3. Clothing appropriate for the activity (i.e., physical education or the classroom).~~

Universal Dress Code

- Students must wear:
 - Top (shirt, blouse, sweater, sweatshirt, tank, etc.);
 - Bottom (pants, shorts, skirt, dress, etc.); and
 - Footwear.
- This policy permits additional student attire requirements when necessary to ensure safety in certain academic settings (e.g. physical activity, science or CTE courses).
- Students may not wear clothing, jewelry, or personal items that:
 - Are pornographic, contain threats, or that promote illegal or violent activity
 - Promote conduct such as the unlawful use of violent weapons, drugs, alcohol, tobacco, or drug paraphernalia;
 - Demonstrate hate group association/affiliation and/or use hate speech
 - Target groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation, or other protected groups;
 - Intentionally show private parts (nipples, genitals, buttocks). Clothing must cover private parts in opaque (not able to be seen-through) material;

North Branch Independent School District No. 138: District Policy #504-NB

Adopted: February 12, 1998

Revised: July 10, 2014, December 13, 2018, October 8, 2020

Effective: July 1, 1998, July 10, 2014, December 13, 2018, October 8, 2020

504-NB Student Dress and Appearance, page 1 of 4

STUDENTS

Student Dress and Appearance

504-NB

- Cover the student's face to the extent that the student is not identifiable (except clothing/headgear worn for a religious or medical purpose); or
 - Demonstrate gang association/affiliation.
 - Attire worn in observance of a student's religion is not subject to this policy.
- C. ~~Inappropriate clothing includes, but is not limited to, the following:~~
1. ~~“Short shorts,” skimpy tank tops, tops that expose the midriff, and other clothing that is not in keeping with community standards.~~
 2. ~~Clothing bearing a message that is lewd, vulgar, or obscene.~~
 3. ~~Apparel promoting products or activities that are illegal for use by minors.~~
 4. ~~Objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, evidences gang membership or affiliation, or approves, advances, or provokes any form of religious, racial, or sexual harassment and/or violence against other individuals as defined in MSBA/MASA Model Policy 413.~~
 5. ~~Any apparel or footwear that would damage school property.~~
- CD.** Decisions regarding headgear, including hats or head coverings, will be made under the leadership of each building principal.
- DE.** The intention of this policy is not to abridge the rights of students to express political, religious, philosophical, or similar opinions by wearing apparel on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane, or do not advocate violence or harassment against others.
- EF.** “Gang,” as defined in this policy, means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or whose members engaged in a pattern of criminal gang activity. “Pattern of gang activity” means the commission, attempt to commit, conspiring to commit, or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of or belong to the same criminal street gang.

III. PROCEDURES

- A. ~~When, in the judgment of the administration, a student's appearance, grooming, or mode of dress interferes with or disrupts the educational process or school activities, or~~

North Branch Independent School District No. 138: District Policy #504-NB

Adopted: February 12, 1998

Revised: July 10, 2014, December 13, 2018, October 8, 2020

Effective: July 1, 1998, July 10, 2014, December 13, 2018, October 8, 2020

504-NB Student Dress and Appearance, page 2 of 4

STUDENTS

Student Dress and Appearance

504-NB

poses a threat to the health or safety of the student or others, the student will be directed to make modifications or will be sent home for the day. Parents/guardians will be notified.

Principals are required to ensure that all staff are aware of and understand the guidelines of this policy.

- Staff will use reasonable efforts to avoid dress-coding students in front of other students.
 - Students shall not be disciplined or removed from class as a consequence for wearing attire in violation of this policy unless the attire creates a substantial disruption to the educational environment, poses a hazard to the health or safety of others, or factors into a student behavior rule violation such as malicious harassment or the prohibition on harassment, intimidation, and bullying.
 - Further, no student shall be referred to as "a distraction" due to their appearance or attire.
 - Typical consequences for a violation of this policy include parent/guardian contact or conference and the directive to cover, change, or remove the non-complying attire. A student may be instructed to leave their classroom briefly to change clothes.
 - The Principal or their designee should notify a student's parent/guardian of the school's response to violations of the student dress policy.
 - The Superintendent or their designee is authorized to develop procedures in order to implement this policy if needed.
- B. The administration may recommend a form of dress considered appropriate for a specific event and communicate the recommendation to students and parents/guardians.
- C. Likewise, an organized student group may recommend a form of dress for students considered appropriate for a specific event and make such recommendation to the administration for approval.

Legal References:

U. S. Const., amend. I
Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
B.W.A. v. Farmington R-7 Sch. Dist., 554 F.3d 734 (8th Cir. 2009)
Lowry v. Watson Chapel Sch. Dist., 540 F.3d 752 (8th Cir. 2008)
Stephenson v. Davenport Cmty. Sch. Dist., 110 F.3d 1303 (8th Cir. 1997)
B.H. ex rel. Hawk v. Easton Area School Dist., 725 F.3d 293 (3rd Cir. 2013)
D.B. ex rel. Brogdon v. Lafon, 217 Fed.Appx. 518 (6th Cir. 2007)
Hardwick v. Heyward, 711 F.3d 426 (4th Cir. 2013)
Madrid v. Anthony, 510 F.Supp.2d 425 (S.D. Tex. 2007)
McIntire v. Bethel School, Indep. Sch. Dist. No. 3, 804 F.Supp. 1415 (W.D. Okla. 1992)
Hicks v. Halifax County Bd. of Educ., 93 F.Supp.2d 649 (E.D. N.C. 1999)

North Branch Independent School District No. 138: District Policy #504-NB

Adopted: February 12, 1998

Revised: July 10, 2014, December 13, 2018, October 8, 2020

Effective: July 1, 1998, July 10, 2014, December 13, 2018, October 8, 2020

504-NB Student Dress and Appearance, page 3 of 4

STUDENTS

Student Dress and Appearance

504-NB

Olesen v. Bd. of Educ. of Sch. Dist. No. 228, 676 F.Supp. 820 (N.D. Ill. 1987)

Cross References: NB Policy 413 (Harassment and Violence)
NB Policy 506 (Student Discipline)
NB Policy 525 (Violence Prevention)

North Branch Independent School District No. 138: District Policy #504-NB

Adopted: February 12, 1998

Revised: July 10, 2014, December 13, 2018, October 8, 2020

Effective: July 1, 1998, July 10, 2014, December 13, 2018, October 8, 2020

504-NB Student Dress and Appearance, page 4 of 4

STUDENTS

Immunization Requirements

530-NB

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

All students are required to provide proof of immunization, or appropriate documentation exempting the student from such immunization, and such other data necessary to ensure that the student is free from any communicable diseases, as a condition of enrollment.

III. STUDENT IMMUNIZATION REQUIREMENTS

- A. ~~No student may be enrolled or remain enrolled, on a full-time, part-time, or shared-time basis, in any elementary or secondary school within the school district until the student or the student's parent or guardian has submitted to the designated school district administrator the required proof of immunization. Prior to the student's first date of attendance, the~~ The student or the student's parent or guardian shall provide to the designated school district administrator **in a timely manner** one of the following statements:
1. a statement from a physician, advanced practice registered nurse, physician assistant, or a public clinic which provides immunizations (hereinafter "medical statement"), affirming that the student received the immunizations required by law, consistent with medically acceptable standards; or
 2. a medical statement affirming that the student received the primary schedule of immunizations required by law and has commenced a schedule of the remaining required immunizations, indicating the month and year each immunization was administered, consistent with medically acceptable standards.
- B. The statement of a parent or guardian of a student or an emancipated student may be substituted for the medical statement. If such a statement is substituted, this statement must indicate the month and year each immunization was administered. Upon request, the designated school district administrator will provide information to the parent or guardian of a student or an emancipated student of the dosages required for each vaccine according to the age of the student.
- C. The parent or guardian of persons receiving instruction in a home school shall submit one of the statements set forth in Section III.A. or III.B., above, or statement of immunization set forth in Section IV., below, to the superintendent of the school district by October 1 of the first year of their home schooling in Minnesota and the grade 7 year.
- D. When there is evidence of the presence of a communicable disease, or when required by any state or federal agency and/or state or federal law, students and/or their parents or guardians

North Branch Independent School District No. 138: Policy #530-NB

Adopted: September 10, 2009

Revised: March 12, 2015, May 11, 2017, December 13, 2018

Effective: September 10, 2009, March 12, 2015, May 11, 2017, December 13, 2018

STUDENTS

Immunization Requirements

530-NB

may be required to submit such other health care data as is necessary to ensure that the student has received any necessary immunizations and/or is free of any communicable diseases. No student may be enrolled or remain enrolled in any elementary or secondary school within the school district until the student or the student's parent or guardian has submitted the required data.

- E. The school district may allow a student transferring into a school a maximum of 30 days to submit a statement specified in Section III.A. or III.B., above, or Section IV., below. Students who do not provide the appropriate proof of immunization or the required documentation related to an applicable exemption of the student from the required immunization within the specified time frames shall be excluded from school until such time as the appropriate proof of immunizations or exemption documentation has been provided.
- F. If a person who is not a Minnesota resident enrolls in a school district online learning course or program that delivers instruction to the person only by computer and does not provide any teacher or instructor contact time or require classroom attendance, the person is not subject to the immunization, statement, and other requirements of this policy.

IV. EXEMPTIONS FROM IMMUNIZATION REQUIREMENTS

Students will be exempt from the foregoing immunization requirements under the following circumstances:

- A. The parent or guardian of a minor student or an emancipated student submits a signed medical statement affirming that the immunization of the student is contraindicated for medical reasons or that laboratory confirmation of the presence of adequate immunity exists; or
- B. The parent or guardian of a minor student or an emancipated student submits his or her notarized statement stating the student has not been immunized because of the conscientiously held beliefs of the parent, guardian or student.

V. NOTICE OF IMMUNIZATION REQUIREMENTS

- A. The school district will develop and implement a procedure to:
 - 1. notify parents and students of the immunization and exemption requirements by use of a form approved by the Department of Health;
 - 2. notify parents and students of the consequence for failure to provide required documentation regarding immunizations;
 - 3. review student health records to determine whether the required information has been provided; and
 - 4. make reasonable arrangements to send a student home when the immunization requirements have not been met and advise the student and/or the student's parent or

North Branch Independent School District No. 138: Policy #530-NB

Adopted: September 10, 2009

Revised: March 12, 2015, May 11, 2017, December 13, 2018

Effective: September 10, 2009, March 12, 2015, May 11, 2017, December 13, 2018

STUDENTS

Immunization Requirements

530-NB

guardian of the conditions for re-enrollment.

[See Attachments A, B, C, and D.]

- B. The notice provided shall contain written information describing the exemptions from immunization as permitted by law. The notice shall be in a font size at least equal to the font size and style as the immunization requirements and on the same page as the immunization requirements.

VI. IMMUNIZATION RECORDS

- A. The school district will maintain a file containing the immunization records for each student in attendance at the school district for at least five years after the student attains the age of majority.
- B. Upon request, the school district may exchange immunization data with persons or agencies providing services on behalf of the student. Immunization data is private student data and disclosure of such data shall be governed by Policy 515 Protection and Privacy of Pupil Records.
- C. The designated school district administrator will assist a student and/or the student's parent or guardian in the transfer of the student's immunization file to the student's new school within 30 days of the student's transfer.
- D. Upon request of a public or private post-secondary educational institution, the designated school district administrator will assist in the transfer of the student's immunization file to the post-secondary educational institution.

VII. OTHER

Within 60 days of the commencement of each new school term, the school district will forward a report to the Commissioner of the Department of Education stating the number of students attending each school in the school district, including the number of students receiving instruction in a home school, the number of students who have not been immunized, and the number of students who received an exemption. The school district also will forward a copy of all exemption statements received by the school district to the Commissioner of the Department of Health.

Legal References: Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.15 (Health Standards; Immunizations; School Children)
Minn. Stat. § 121A.17 (School Board Responsibilities)
Minn. Stat. § 144.29 (Health Records; Children of School Age)
Minn. Stat. § 144.3351 (Immunization Data)
Minn. Stat. § 144.441 (Tuberculosis Screening in Schools)
Minn. Stat. § 144.442 (Testing in Schools)
Minn. Rules Parts 4604.0100-4604.1020 (Immunization)
McCarthy v. Ozark Sch. Dist., 359 F.3d 1029 (8th Cir. 2004)
Op. Atty. Gen. 169-W (July 23, 1980)

North Branch Independent School District No. 138: Policy #530-NB

Adopted: September 10, 2009

Revised: March 12, 2015, May 11, 2017, December 13, 2018

Effective: September 10, 2009, March 12, 2015, May 11, 2017, December 13, 2018

STUDENTS

Immunization Requirements

530-NB

Op. Atty. Gen. 169-W (Jan. 17, 1968)

Cross References: NB Policy 515 (Protection and Privacy of Pupil Records)

North Branch Independent School District No. 138: Policy #530-NB

Adopted: September 10, 2009

Revised: March 12, 2015, May 11, 2017, December 13, 2018

Effective: September 10, 2009, March 12, 2015, May 11, 2017, December 13, 2018

Preliminary Financial Statements Year Ended June 30, 2022

46

November 17, 2022

Todd Tetzlaff, Director of Finance and Human Resources

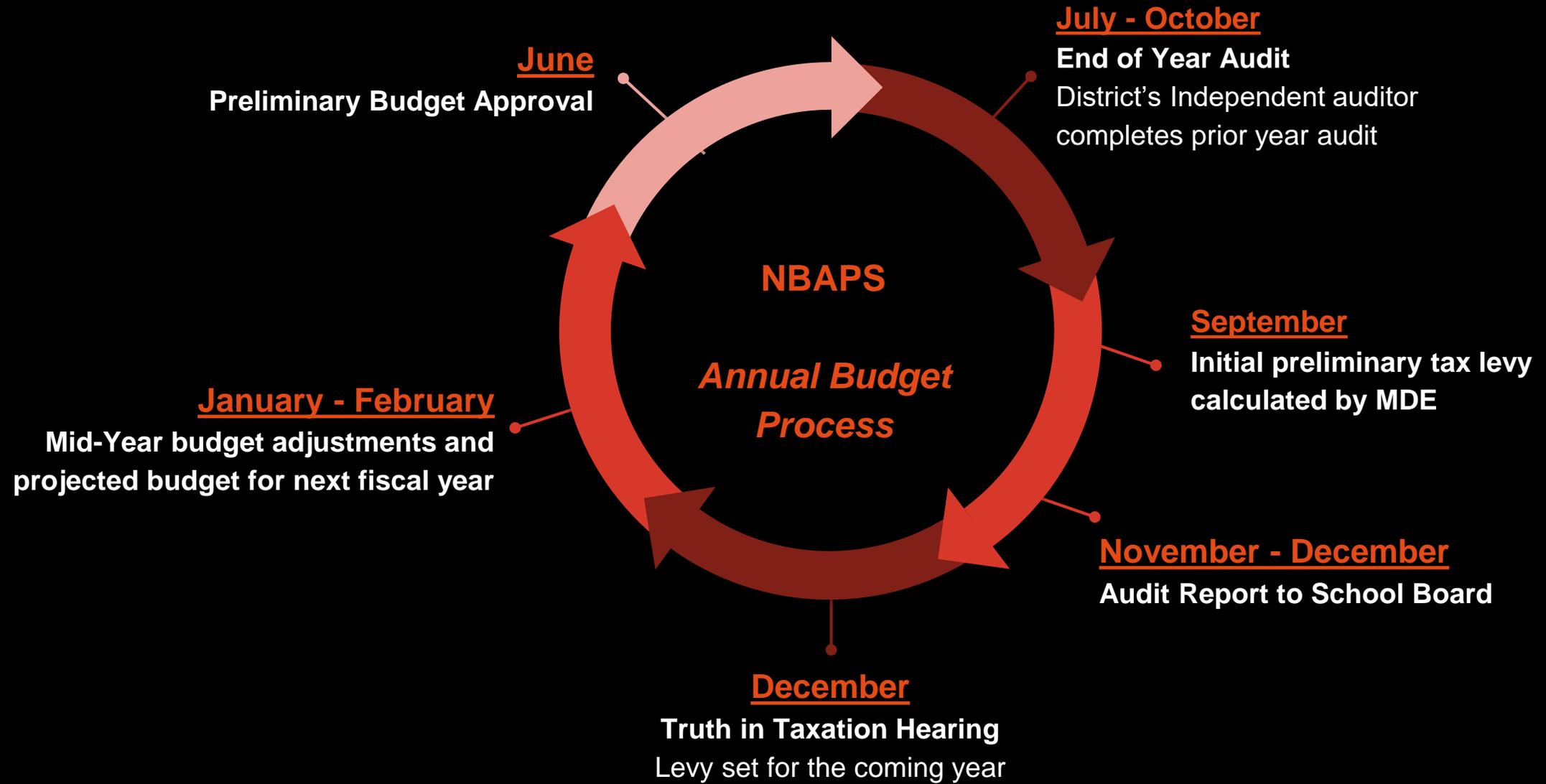


NORTH BRANCH
AREA PUBLIC SCHOOLS
Inspire Dreams, Build Integrity, Instill Hope

Process for closing fiscal year 2022

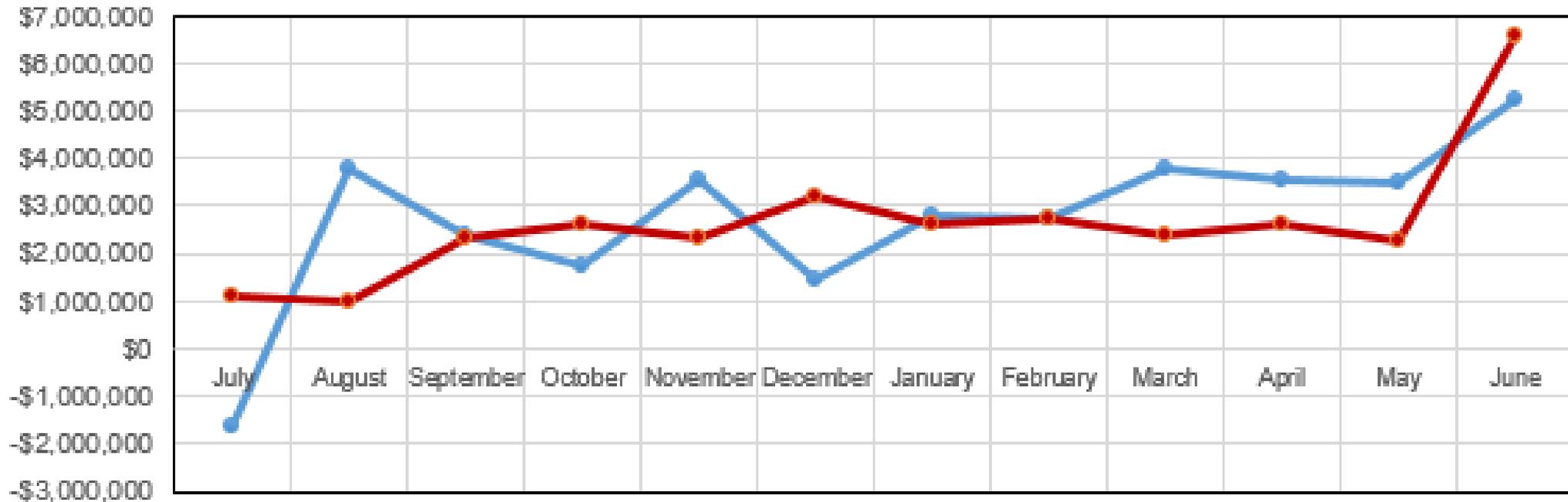
- Brief review of preliminary FY 22 financial statements
- Auditors are completing reports
 - Board will receive completed report in December
 - A few remaining entries in the next week
- Recommended school board action to accept audit report at December School Board meeting

47



FY 22 Revenue and Expenses and cashflow pattern

Projected General Fund Revenue/Expenditures Revenues Expenditures

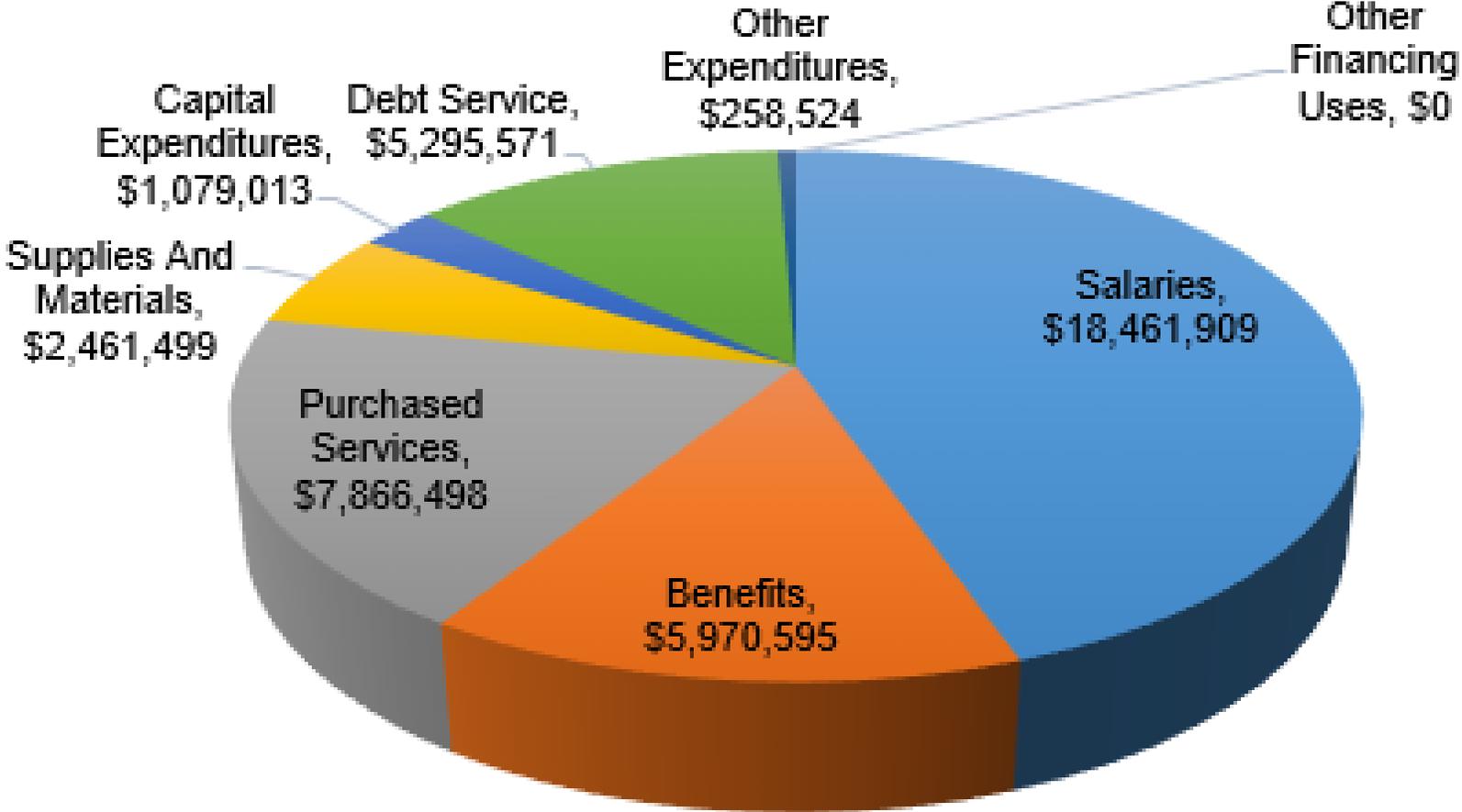


FEDERAL FUNDS - COVID RELIEF	FY 2021	FY 2022	FY 2023	FY 2024
Finance Level2 (UFARS)	Final	Actual	Budget	Budget
151 ESSER 90% FORMULA ALLOCATION	\$ 238,602			
153 GEER GOVERNOR'S EMERGENCY ED RELIEF	\$ 130,376			
154 CORONAVIRUS RELIEF FUND	\$ 679,165			
174 OTHER CARES ACT RECEIVED	\$ 165,412			
155 ESSER II		\$ 989,987		
150 SUMMER ACADEMIC AND MENTAL HEALTH		\$ 31,785	\$ 72,566	
159 HOMELESS CHILDREN AND YOUTH II		\$ 8,416		
160 ESSER III (1778696.12 TOTAL)		\$ 253,775	\$ 762,460	\$ 762,460
161 ESSER III (444674.03 TOTAL)		\$ 59,005	\$ 192,834	\$ 192,834
163 EXPANDED SUMMER LEARNING		\$ 36,628	\$ 41,781	
165 SUMMER PRESCHOOL GRANT		\$ 21,877	\$ 50,123	
170 COVID - 19 TESTING		\$ 146,379		
171 PANDEMIC ENROLLMENT SUPPORT		\$ 81,257		
TOTAL	\$ 1,213,555	\$1,629,109	\$1,119,764	\$ 955,294

	General Fund	Food Service Fund	Community Service Fund	Building Construction Fund	Debt Service Fund	Trust Fund	Internal Service Fund	Postemployment Benefits Irrevocable Trust Fund
REVENUES								
Local	6,329,792	0	1,419,051	424	4,539,015	0	268,544	(290,133)
State	24,398,148	55,604	368,091	0	432,098	0	0	0
Federal	2,039,944	1,782,477	71,514	0	0	0	0	0
Other	127,806	254,724	0	0	0	0	0	0
TOTAL REVENUE	32,895,690	2,092,806	1,858,656	424	4,971,114	0	268,544	(290,133)
EXPENDITURES								
Salaries	17,559,860	29,348	872,701	0	0	0	0	0
Benefits	5,316,230	3,863	201,926	0	0	0	204,651	243,924
Purchased Services	6,164,117	859,465	269,454	530,148	0	0	0	43,315
Supplies And Materials	1,564,471	840,146	56,882	0	0	0	0	0
Capital Expenditures	882,088	0	697	196,228	0	0	0	0
Debt Service	0	0	0	0	5,295,571	0	0	0
Other Expenditures	254,254	0	4,270	0	0	0	0	0
Other Financing Uses	0	0	0	0	0	0	0	0
TOTAL EXPENDITURES	31,741,020	1,732,821	1,405,929	726,376	5,295,571	0	204,651	287,239
SURPLUS / (DEFICIT)	1,154,669	359,984	452,727	(725,952)	(324,458)	0	63,893	(577,372)
FUND BALANCE								
Beginning of Period	5,657,946	160,435	282,669	1,224,864	1,024,028	0	608,843	3,307,433
End of Period	6,812,615	520,419	735,396	498,912	699,570	0	672,736	2,730,061

51

Expenditures by Object - All Funds



NORTH BRANCH

Budget / Fund Balance Overview (Preliminary Final FY22)

June 30 2022

General Fund - 01	Beginning				End of Year	Net Increase
422 Unassigned Fund Balance	Fund Balance	Revenues	Expenditures	Transfers	Proj. Balance	or Decrease
	3,410,834	29,464,685	27,370,228	(1,769,697)	3,735,595	324,761
	11.09%				11.77%	
Restricted						
401 Student Activities	155,795	201,553	179,332	-	178,016	22,221
402 Scholarships	152,621	54,067	113,880	-	92,808	(59,813)
403 Staff Development	265,074	377,034	384,085	-	258,024	(7,051)
407 Capital Projects Levy	40,679	500,000	489,495	-	51,184	10,505
424 Operating Capital	41,461	822,666	279,512	-	584,614	543,153
428 Learning and Development	-	527,046	1,513,301	986,255	(0)	(0)
434 Area Learning Center	-	-	477,853	477,853	0	0
438 Gifted and Talented	-	36,426	106,305	69,879	(0)	(0)
441 Basic Skills Programs	-	274,202	505,070	230,867	(0)	(0)
449 Safe Schools Levy	101,701	100,263	206,808	4,843	(0)	(101,701)
459 Basic Skills Extended Time	38,228	8,595	-	-	46,823	8,595
464 Restricted	25,279	-	-	-	25,279	-
467 Long-Term Facilities Maint	840,935	410,795	78,254	-	1,173,476	332,541
472 Medical Assistance	34,223	118,357	36,899	-	115,681	81,458
460 Nonspendable	51,116	-	-	-	51,116	-
Assigned Funds						
462 Assigned	500,000	-	-	-	500,000	-
Total General Fund	5,657,946	32,895,690	31,741,020	-	6,812,615	1,154,669

	Beginning Fund Balance	Revenues	Expenditures	Transfers	End of Year Proj. Balance	Net Increase or Decrease
Food Service Fund - 02						
460 Nonspendable	25,656	-	-	-	25,656	-
464 Restricted	134,779	2,092,806	1,732,821	-	494,763	359,984
Total Food Service	160,435	2,092,806	1,732,821	-	520,419	359,984
Community Services - 04						
460 Nonspendable	954	-	-	-	954.00	-
464 Restricted	-	9,828	11,348	-	(1,520)	(1,520)
Restricted / Reserved						
426 \$25 Taconite	-	-	-	-	-	-
431 Community Education	92,369	1,499,732	1,118,442	-	473,659	381,290
432 Early Childhood	205,977	194,978	109,983	-	290,973	84,996
440 Teacher Development	-	-	-	-	-	-
444 School Readiness	8,412	154,118	166,157	-	(3,627)	(12,039)
447 Adult Basic Education	-	-	-	-	-	-
452 Funded OPEB Liabilities	-	-	-	-	-	-
Restricted/Reserved - Subtotal	306,758	1,848,829	1,394,582	-	761,005	454,247
463 Unassigned	(25,043)	-	-	-	(25,043)	-
Total Community Education	282,669	1,858,656	1,405,929	-	735,396	452,727
Construction - 06						
467 Long-Term Facilities Maint	1,224,864	-	235,943	-	988,921	(235,943)
Restricted/Reserved - Subtotal	1,224,864	-	235,943	-	988,921	(235,943)
464 Restricted	-	424	490,434	-	(490,010)	(490,010)
Total Construction Fund	1,224,864	424	726,376	-	498,912	(725,952)
Debt Service - 07						
464 Restricted	1,024,028	4,971,114	5,295,571	-	699,570	(324,458)
Total Debt Service Fund	1,024,028	4,971,114	5,295,571	-	699,570	(324,458)
Internal Service Fund - 20	608,843	268,544	204,651	-	672,736	63,893
OPEB Irrevocable Trust - 45	3,307,433	(290,133)	287,239	-	2,730,061	(577,372)
464 Restricted	128,562	403,936	408,071	-	124,427	(4,135)
Total OPEB Debt Service Fund	128,562	403,936	408,071	-	124,427	(4,135)
Total All Funds:	12,394,780	42,201,037	41,801,680	-	12,794,137	399,357

Next Steps

- December School Board Meeting
 - Recommended school board action to accept audit report
 - Truth in Taxation Hearing

- Questions?

Preliminary Financial Statements Year Ended June 30, 2022

56

November 17, 2022

Todd Tetzlaff, Director of Finance and Human Resources



NORTH BRANCH
AREA PUBLIC SCHOOLS
Inspire Dreams, Build Integrity, Instill Hope

EXTRACT OF MINUTES OF MEETING
OF THE SCHOOL BOARD
OF INDEPENDENT SCHOOL DISTRICT NO. 138
(NORTH BRANCH AREA PUBLIC SCHOOLS)
STATE OF MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the School Board of Independent School District No. 138 (North Branch Area Public Schools), State of Minnesota, was duly held in said school district on the 17th day of November, 2022, at 5:30 o'clock p.m. for the purpose, in part, of canvassing its general and special election.

The following members were present:

and the following were absent:

Member _____ moved the adoption of the following resolution:

**RESOLUTION CANVASSING RETURNS
OF VOTES OF SCHOOL DISTRICT GENERAL AND SPECIAL ELECTION**

BE IT RESOLVED by the School Board of Independent School District No. 138, State of Minnesota, as follows:

1. It is hereby found, determined and declared that the general and special election of the voters of this School District held on November 8, 2022, in conjunction with the State General Election, was in all respects duly and legally called and held.

2. As specified in the attached Abstract and Return of Votes Cast, a total of 14,146 voters of the School District voted at said general election on the election of three (3) School Board members for four (4) year term vacancies on the School Board caused by expiration of term on the first Monday in January next following the general election as follows:

<u>Adam Trampe</u>	<u>3,675</u>
<u>Sarah Grovender</u>	<u>3,674</u>
<u>Jesse LaValla</u>	<u>3,647</u>

3. Adam Trampe, Sarah Grovender, and Jesse LaValla, having received the highest number of votes, are elected to four (4) year terms beginning on the first Monday in January, 2023.

4. As specified in the attached Abstract and Return of Votes Cast, a total of 14,146 voters of the School District voted at said special election on the election of one (1) individual to fill the vacancy in the term of school board member expiring January 6, 2025, as follows:

<u>Shelly Johnson</u>	<u>5,567</u>
-----------------------	--------------

5. Shelly Johnson, having received the highest number of votes, is elected to fill the vacancy in the term of a school board member expiring January 6, 2025. **Said individual shall take office as soon as he or she qualifies.**

6. The Clerk is hereby directed to certify the results of the election to the County Auditor of each county in which the School District is located in whole or in part.

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

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) ss.
COUNTY OF CHISAGO)

I, the undersigned, being the duly qualified and acting Clerk of Independent School District No. 138 (North Branch Area Public Schools), State of Minnesota, hereby certify that the attached and foregoing is a full, true and correct transcript of the minutes of a meeting of the school board of said school district duly called and held on the date therein indicated, so far as such minutes relate to canvassing the results of the general and special election of said school district, and that the resolution included therein is a full, true and correct copy of the original thereof.

WITNESS MY HAND officially as such clerk this 17th day of November, 2022.

Clerk of the School Board

**INDEPENDENT SCHOOL DISTRICT NO. 138
(NORTH BRANCH AREA PUBLIC SCHOOLS)
STATE OF MINNESOTA**

**ABSTRACT AND RETURN OF VOTES CAST
GENERAL AND SPECIAL ELECTION HELD IN CONJUNCTION WITH
THE STATE GENERAL ELECTION
NOVEMBER 8, 2022**

Registration Statistics

Number of persons registered at opening of polls	*1.	20,524	
Number of new registrants on election day	*2.	636	

Ballots delivered to the precinct

Ballots delivered as certified by the clerk	3.		
Ballot count adjustments from incident log (+/-)	4.		
Number of unofficial ballots made	5.		
Number of absentee ballots delivered	6.		

Total number of ballots delivered to precinct (3+4+5+6=A) A

Ballots not in the ballot box

Number of spoiled ballots	*7.		
Number of originals for which duplicates made	*8.		
Number of rejected absentees	*9.		
Number of unused ballots	*10.		

Total number of ballots not in the ballot box (7+8+9+10=B) B

Ballots cast in the ballot box

Number of signatures on roster (preregistered + EDR)	*11.	14,146	
Number of accepted regular, military and overseas absentee ballots	*12.	1,784	
Number of accepted federal only absentee ballots	*13.	2	
Number of accepted presidential only absentee ballots	*14.		

Total number of ballots in the ballot box (=persons voting) (11+12+13+14=C) C

Ballots returned to Auditor/Clerk

Ballots returned from the precinct (B + C = D) D

Difference for auditor/clerk notation on delivery record (A - D = E) E

*are entered into ERS stats

SPECIAL ELECTION

**SCHOOL BOARD MEMBER
to fill vacancy in term
expiring January 6, 2025**

Shelly Johnson	<u>5,567</u>
Write-Ins	<u>94</u>
Overvotes/Defective	<u> </u>
Undervotes	<u> </u>
TOTAL FOR THIS OFFICE	<u>5,661</u>

EXTRACT OF MINUTES OF MEETING
OF SCHOOL BOARD
OF INDEPENDENT SCHOOL DISTRICT NO. 138
(NORTH BRANCH AREA PUBLIC SCHOOLS)
STATE OF MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the School Board of Independent School District No. 138 (North Branch Area Public Schools), State of Minnesota, was held in said school district on the 17th day of November, 2022, at 5:30 o'clock p.m.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING ISSUANCE OF CERTIFICATES
OF ELECTION AND DIRECTING THE SCHOOL DISTRICT CLERK
TO PERFORM OTHER ELECTION RELATED DUTIES**

WHEREAS, the School Board has canvassed the general and special election for School Board members held in conjunction with the State General Election on November 8, 2022.

NOW THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 138, State of Minnesota, as follows:

1. The Board Chair and Clerk are hereby authorized to execute Certificates of Election on behalf of the School Board of Independent School District No. 138 to the following candidates:

- a. Sarah Grovender
- b. Jesse LaValla
- c. Adam Trampe

who have received a sufficiently large number of votes to be elected to fill vacancies on the board caused by expiration of term on the first Monday in January next following the election, based on the results of the canvass.

2. The Board Chair and Clerk are hereby authorized to execute the certificate of election on behalf of the School Board of Independent School District No. 138 to Shelly Johnson who has received a sufficiently large number of votes to fill the vacancy in the term of School Board member expiring January 6, 2025. Such individual shall take office as soon as he or she qualifies.

3. The Certificate of Election shall be in substantially the form attached hereto.

4. After the time for contesting the election has passed and the candidate has filed all campaign financial reports required by Minnesota Statutes, Chapter 211A, the Clerk of the School Board is hereby directed to deliver a certificate to each person entitled thereto personally or by certified mail.

5. The Clerk is hereby directed to enclose with the certificate a form of acceptance of office and oath of office in substantially the form attached hereto.

The motion for the adoption of the foregoing resolution was duly seconded by

_____ and upon vote being taken thereon the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

**CERTIFICATE OF ELECTION
(Full 4 Year Term)**

This is to certify as follows:

1. The School Board of Independent School District No. 138 on November 17, 2022, canvassed the general election of School Board members held on November 8, 2022.

2. Adam Trampe received the largest number of votes cast for the office of School Board member of Independent School District No. 138 for a full four (4) year term.

3. There are three (3) full four (4) year term vacancies on the School Board caused by expiration of term on the first Monday in January next following the election.

4. Therefore Adam Trampe is elected to the office of School Board member of Independent School District No. 138 for a full four (4) year term beginning on the first Monday in January, 2023 and expiring on the first Monday in January, 2027.

By authority of the School Board of Independent School District No. 138, pursuant to resolution dated November 17, 2022.

Dated _____

Board Chair

Dated _____

Clerk

**CERTIFICATE OF ELECTION
(Full 4 Year Term)**

This is to certify as follows:

1. The School Board of Independent School District No. 138 on November 17, 2022, canvassed the general election of School Board members held on November 8, 2022.

2. Sarah Grovender received the second largest number of votes cast for the office of School Board member of Independent School District No. 138 for a full four (4) year term.

3. There are three (3) full four (4) year term vacancies on the School Board caused by expiration of term on the first Monday in January next following the election.

4. Therefore Sarah Grovender is elected to the office of School Board member of Independent School District No. 138 for a full four (4) year term beginning on the first Monday in January, 2023 and expiring on the first Monday in January, 2027.

By authority of the School Board of Independent School District No. 138, pursuant to resolution dated November 17, 2022.

Dated _____

Board Chair

Dated _____

Clerk

**CERTIFICATE OF ELECTION
(Full 4 Year Term)**

This is to certify as follows:

1. The School Board of Independent School District No. 138 on November 17, 2022, canvassed the general election of School Board members held on November 8, 2022.

2. Jesse LaValla received the third largest number of votes cast for the office of School Board member of Independent School District No. 138 for a full four (4) year term.

3. There are three (3) full four (4) year term vacancies on the School Board caused by expiration of term on the first Monday in January next following the election.

4. Therefore Jesse LaValla is elected to the office of School Board member of Independent School District No. 138 for a full four (4) year term beginning on the first Monday in January, 2023 and expiring on the first Monday in January, 2027.

By authority of the School Board of Independent School District No. 138, pursuant to resolution dated November 17, 2022.

Dated _____

Board Chair

Dated _____

Clerk

**CERTIFICATE OF ELECTION
(Vacancy)**

This is to certify as follows:

1. The School Board of Independent School District No. 138 on November 17, 2022, canvassed the special election held on November 8, 2022 to fill a vacancy in term of school board member expiring January 6, 2025.

2. Shelly Johnson received the largest number of votes cast for the office of school board member of Independent School District No.138 for a vacancy in term expiring January 6, 2025.

3. Therefore Shelly Johnson is elected to the office of school board member of Independent School District No. 138 for the remainder of the term expiring January 6, 2025.

By authority of the School Board of Independent School District No. 138, pursuant to resolution dated November 17, 2022.

Dated _____

Board Chair

Dated _____

Clerk

**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. 138, 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 B – Main Street Church, 6500 Main Street, North Branch, MN 55056
Name and address of combined polling place

"This combined polling place serves all territory in Independent School District No. 138 located in located in the City of Harris, the City of Stacy and the City of North Branch, and Fish Lake, Sunrise, Amador, Chisago Lakes, Lent and Wyoming Townships, all in Chisago County, Minnesota; and North Branch and Oxford Townships in Isanti County, Minnesota.

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 o'clock a.m. and 8:00 o'clock 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 nonforwardable 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.

2022-23 School Board and Superintendent Goals

DRAFT

Superintendent and Board Relations

School Board members will form relationships with the Superintendent to serve district constituents by following the MSBA Governance Model.

Strategic Goal Area	School Board	Superintendent
<p><i>Provide leadership to prepare all learners for success in school and in life.</i></p>	<p><u>Student Learning</u></p> <p>The School Board will govern progress on student learning strategic goals.</p> <p><u>Evidence:</u></p> <ul style="list-style-type: none"> ● During the 2022-23 school year, the School Board will ensure regular updates with metrics of student learning are provided by the Superintendent 	<p style="text-align: right;">72</p> <p><u>Student Learning</u></p> <p>The Superintendent will manage the progress of student learning strategic goals.</p> <p><u>Evidence:</u></p> <ul style="list-style-type: none"> ● During the 2022-23 school year, the Superintendent will ensure alignment of classroom, building and district academic goals ● During the 2021-22 school year, the Superintendent will monitor and support adjustments to ensure student learning and SEL goals are met. <p>Take-aways from Family Survey:</p> <ul style="list-style-type: none"> ● The Superintendent will partner with principals to monitor metrics of failing grades and to monitor our system of structures. ● The Superintendent will follow up with individual parents that shared feedback and contact information in the survey. ● The Superintendent will identify ways to engage families that have students with special needs to better understand the student experience.

(continue on next page)

		<ul style="list-style-type: none"> ● The Superintendent will update the School Board about course options and support for college and career exploration and decision making. ● The Superintendent will update the School Board regarding opportunities to support students to make informed decisions with their course selections; the Superintendent will bring ideas from the survey to building leaders to consider ways to make a bigger deal out of students getting their schedule for the first time at the start of the school year.
<p><i>Provide leadership to ensure mutual accountability for measurable progress toward shared goals.</i></p>	<p><u>Policy Leadership</u> School Board members will develop policies and ensure alignment with statutory requirements.</p> <p><u>Evidence:</u> By June 2023, all MSBA required policies will have been reviewed by the School Board.</p>	<p><u>Mutual Accountability</u> During the 2022-23 school year, the Superintendent will ensure structures for mutual accountability</p> <p><u>Evidence:</u></p> <ul style="list-style-type: none"> ● During the 2022-23 school year, the Superintendent will ensure policies are brought to the policy committee in a timely manner and ensure building level procedures align with policies. ● The Superintendent will continue to work with the Crisis Management Team to address hot spots and identify opportunities for improvement. ● The Superintendent will partner with Chisago County and the newly established Wellness Committee to put a Wellness Framework in place. ● The Superintendent will continue to work with the leadership team to find ways to innovate how we attract, recruit and hire and retain our high quality staff. <p>Take-away from Family Survey:</p> <ul style="list-style-type: none"> ● The Superintendent will continue to work with the COVID Response Team to ensure safe learning environments for staff/students.

<p><i>Provide leadership to mobilize community engagement.</i></p>	<p><u>Advocacy</u> School Board members will advocate for the fiscal and educational needs to our state and federal representatives.</p> <p><u>Evidence:</u> By June, 2023, each school board member will provide evidence of engagement in professional organizations or direct contact with state or federal representatives to advocate for the needs of our students and families.</p>	<p><u>Mobilizing Community Engagement</u> The Superintendent will ensure opportunities for two-way communication.</p> <p><u>Evidence:</u></p> <ul style="list-style-type: none"> • During the 2022-23 school year, the Superintendent will conduct a minimum of four touch points for two-way communication with staff, parents, and community members. The Superintendent will also provide clarity of opportunities for school board members to engage in school events. 74 <p>Take-aways from Family Survey:</p> <ul style="list-style-type: none"> • The Superintendent will continue to prioritize telling our story. • The Superintendent will work with the leadership team to explore platforms to innovate and enhance our communication with students, parents, and the broader community. <p><u>Advocacy</u> The Superintendent will advocate for the fiscal and educational needs to our state and federal representatives.</p> <p><u>Evidence:</u> By June, 2023, the Superintendent will provide evidence of engagement in professional organizations and direct contact with state or federal representatives to advocate for the needs of our students and families.</p>
<p><i>Provide leadership to commit resources to district priorities</i></p>	<p><u>Finance and Operations</u> The School Board will ensure the mission of the school district is reflected in decision making.</p> <p><u>Evidence:</u> During the 2022-23 school year, the school board will</p>	<p><u>Finance and Operations</u> The Superintendent will ensure the mission of the school district is reflected in decision making.</p> <p><u>Evidence:</u> During the 2022-23 school year, the Superintendent will ensure grant management shows maximization of resources by:</p>

	<p>review district finances to ensure resources are being committed to district priorities.</p>	<ul style="list-style-type: none"> ● Reviewing and updating School Board about Auditor’s Report for organizational effectiveness ● Meeting ESSER funding requirements and updating the School Board on a regular basis ● The Superintendent will also ensure timely communications regarding financial matters and ensure board members have time to process budget information before being asked to make decisions or vote on allocation of resources to district priorities. <p style="text-align: right;">75</p> <p>Take-aways from Family Survey:</p> <ul style="list-style-type: none"> ● The Superintendent will continue to work in partnership with city and county and non-profit organizations to bring family feedback forward and to explore ways to bring these facility expansions to life.
--	---	--

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. "Assault" is:
 - 1. an act done with intent to cause fear in another of immediate bodily harm or death;
 - 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
 - 3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability,

North Branch Independent School District No. 138: Policy #413

Adopted: 2/12/98

Replaced: Policy #5141 Sexual, Religious, and Racial Harassment and Violence

Last Reviewed: 4/8/21

Revised: 6/12/02, 2/11/16, 11/10/16, 11/8/18, 12/9/21

Effective: 2/12/98, 6/12/02, 2/11/16, 11/10/16, 11/8/18, 12/9/21

when the conduct:

1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
 2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
 3. otherwise adversely affects an individual's employment or academic opportunities.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
1. "Disability" means, with respect to an individual who
 - a. a physical sensory or mental impairment that materially limits one or more major life activities of such individual;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
 2. "Familial status" means the condition of one or more minors being domiciled with:
 - a. their parent or parents or the minor's legal guardian; or
 - b. the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment or discrimination on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
 3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment or discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
 4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
 5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.

North Branch Independent School District No. 138: Policy #413

Adopted: 2/12/98

Replaced: Policy #5141 Sexual, Religious, and Racial Harassment and Violence

Last Reviewed: 4/8/21

Revised: 6/12/02, 2/11/16, 11/10/16, 11/8/18, 12/9/21

Effective: 2/12/98, 6/12/02, 2/11/16, 11/10/16, 11/8/18, 12/9/21

6. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.
 7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.
- F. Sexual Harassment; Definition
1. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:
 - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
 - b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
 - c. that conduct or communication has the purpose or effect of substantially interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
 2. Sexual harassment may include, but is not limited to:
 - a. unwelcome verbal harassment or abuse;
 - b. unwelcome pressure for sexual activity;
 - c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;

North Branch Independent School District No. 138: Policy #413**Adopted:** 2/12/98**Replaced:** Policy #5141 Sexual, Religious, and Racial Harassment and Violence**Last Reviewed:** 4/8/21**Revised:** 6/12/02, 2/11/16, 11/10/16, 11/8/18, 12/9/21**Effective:** 2/12/98, 6/12/02, 2/11/16, 11/10/16, 11/8/18, 12/9/21

EMPLOYEES/PERSONNEL

Harassment and Violence

413

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

G. Sexual Violence; Definition

- 1. Sexual violence is a physical act of aggression or force or the threat thereof that involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minnesota Statutes, section 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
- 2. Sexual violence may include, but is not limited to:
 - a. touching, patting, grabbing, or pinching another person's intimate parts
 - b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
 - c. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
 - d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

H. Violence; Definition

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

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of Protected Class by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel

North Branch Independent School District No. 138: Policy #413

Adopted: 2/12/98

Replaced: Policy #5141 Sexual, Religious, and Racial Harassment and Violence

Last Reviewed: 4/8/21

Revised: 6/12/02, 2/11/16, 11/10/16, 11/8/18, 12/9/21

Effective: 2/12/98, 6/12/02, 2/11/16, 11/10/16, 11/8/18, 12/9/21

should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct that may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.

North Branch Independent School District No. 138: Policy #413

Adopted: 2/12/98

Replaced: Policy #5141 Sexual, Religious, and Racial Harassment and Violence

Last Reviewed: 4/8/21

Revised: 6/12/02, 2/11/16, 11/10/16, 11/8/18, 12/9/21

Effective: 2/12/98, 6/12/02, 2/11/16, 11/10/16, 11/8/18, 12/9/21

EMPLOYEES/PERSONNEL

Harassment and Violence

413

- G. In the District. The school board hereby designates the Director of Finance and Human Resources as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.¹
- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

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

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

¹ In some school districts the superintendent may be the human rights officer. If so, an alternative individual should be designated by the school board.

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

V. INVESTIGATION

- A. By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

VI. SCHOOL DISTRICT ACTION

- A. Upon completion of an investigation that determines a violation of this policy has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with

North Branch Independent School District No. 138: Policy #413**Adopted:** 2/12/98**Replaced:** Policy #5141 Sexual, Religious, and Racial Harassment and Violence**Last Reviewed:** 4/8/21**Revised:** 6/12/02, 2/11/16, 11/10/16, 11/8/18, 12/9/21**Effective:** 2/12/98, 6/12/02, 2/11/16, 11/10/16, 11/8/18, 12/9/21

requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school district policies and regulations.

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

VII. RETALIATION OR REPRISAL

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

VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

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

IX. HARASSMENT OR VIOLENCE AS ABUSE

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

EMPLOYEES/PERSONNEL

Harassment and Violence

413

X. DISSEMINATION OF POLICY AND TRAINING

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

Legal References: Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)
Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
Minn. Stat. § 609.341 (Definitions)
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

Cross References: NB Policy 102 (Equal Educational Opportunity)
NB Policy 401 (Equal Employment Opportunity)
NB Policy 402 (Disability Nondiscrimination Policy)
NB Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
NB Policy 406 (Public and Private Personnel Data)
NB Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
NB Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)

North Branch Independent School District No. 138: Policy #413

Adopted: 2/12/98

Replaced: Policy #5141 Sexual, Religious, and Racial Harassment and Violence

Last Reviewed: 4/8/21

Revised: 6/12/02, 2/11/16, 11/10/16, 11/8/18, 12/9/21

Effective: 2/12/98, 6/12/02, 2/11/16, 11/10/16, 11/8/18, 12/9/21

EMPLOYEES/PERSONNEL

Harassment and Violence

413

NB Policy 506 (Student Discipline)
NB Policy 514 (Bullying Prohibition Policy)
NB Policy 515 (Protection and Privacy of Pupil Records)
NB Policy 521 (Student Disability Nondiscrimination)
NB Policy 522 (Title IX Sex Nondiscrimination, Grievance Procedures and Process)
NB Policy 524 (Internet Acceptable Use and Safety Policy)
NB Policy 525 (Violence Prevention)
NB Policy 526 (Hazing Prohibition)
NB Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)

North Branch Independent School District No. 138: Policy #413

Adopted: 2/12/98

Replaced: Policy #5141 Sexual, Religious, and Racial Harassment and Violence

Last Reviewed: 4/8/21

Revised: 6/12/02, 2/11/16, 11/10/16, 11/8/18, 12/9/21

Effective: 2/12/98, 6/12/02, 2/11/16, 11/10/16, 11/8/18, 12/9/21

413 Harassment and Violence, Page 10 of

STUDENTS

Student Discipline

506-NB

I. PURPOSE

North Branch Area Public Schools recognizes that appropriate school behavior is critical to academic success and sustaining a safe and caring learning community. It is also the intention of this policy to ensure a safe and orderly learning environment for all students and a safe working environment for staff. Effective teaching of school appropriate behavior is the responsibility of the adults in every school. Effective school discipline includes the establishment of high standards of behavior, school cultures of respect and acceptance, instruction in appropriate behavior, time for students to learn appropriate behavior, and fair and proportionate consequences for failure to meet behavior expectations. Students share in the responsibility to uphold and respect the high standards of school behavior that contribute to the ability of all to learn. Effective discipline maximizes the amount of student and staff time and attention spent on teaching and learning and minimizes the amount of student and staff time and attention directed toward behavior that disrupts the learning process. The District looks to parents/guardians and families to partner in the teaching, learning and supporting of appropriate school behavior to maximize the academic success of their students. Effective discipline considers the age and development of the student in framing the instruction in appropriate behavior and the consequences for misbehavior. Effective discipline is educational, not punitive. Effective discipline includes building relationships, repair of harm and restoring relationships and restorative practices to re-engage students in their learning community. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, ~~Minn. Stat. §§~~ Minnesota Statutes sections 121A.40 through 121A.56.

II. GENERAL STATEMENT OF POLICY

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

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

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

Although this policy emphasizes the development of self-discipline, it is recognized that there are instances

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

when it will be necessary to administer disciplinary measures. The position of the school district is that a fair and equitable district-wide student discipline policy will contribute to the quality of the student's educational experience. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, ~~Minn. Stat. §§~~ [Minnesota Statutes sections 121A.40-121A.56](#).

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

III. AREAS OF RESPONSIBILITY

- A. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.
- B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students, and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.
- C. Principal. The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of behavior referrals and shall make use of those agencies appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
- E. Other School District Personnel. All school district personnel shall be responsible for contributing

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.

- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the behavior of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

IV. STUDENT RIGHTS

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

V. STUDENT RESPONSIBILITIES

All students have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other school functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;
- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

VI. CODE OF STUDENT CONDUCT

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.
 - 1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
 - 2. The use of profanity or obscene language, or the possession of obscene materials;

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

3. Gambling, including, but not limited to, playing a game of chance for stakes;
4. Violation of the school district's Hazing Prohibition Policy;
5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
6. Violation of the school district's Student Attendance Policy;
7. Opposition to authority using physical force or violence;
8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment Policy;
9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances, or look-alike substances, except as prescribed by a physician, including one student sharing prescription medication with another student;
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district's Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

- substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
 19. Violation of any local, state, or federal law as appropriate;
 20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
 21. Violation of the school district's Internet Acceptable Use and Safety Policy;
 22. Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;
 23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
 24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
 25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
 26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
 27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
 28. Possession or distribution of slanderous, libelous, or pornographic materials;
 29. Violation of the school district' Bullying Prohibition Policy;
 30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

- use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
31. Criminal activity;
 32. Falsification of any records, documents, notes, or signatures;
 33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
 34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
 35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
 36. Violation of the school district's Harassment and Violence Policy;
 37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;
 38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
 39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
 40. Verbal assaults or verbally abusive behavior including, but not limited to, use of words, symbols, acronyms, or language, whether oral or written, that are discriminatory, abusive, obscene, threatening, intimidating, degrading to other people, or threatening to school property;
 41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
 42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

43. Violation of the school district's Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees Policy;
44. Violation of the school district's one-to-one device rules and regulations;
45. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
46. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or employees.

VII. DISCIPLINARY ACTION OPTIONS

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

- A. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
- B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
- C. Parent contact;
- D. Parent conference;
- E. Removal from class;
- F. In-school suspension;

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;
- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Expulsion under the Pupil Fair Dismissal Act;
- S. Exclusion under the Pupil Fair Dismissal Act; and/or
- T. Other disciplinary action as deemed appropriate by the school district.

VIII. REMOVAL OF STUDENTS FROM CLASS

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

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

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

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

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

A student must be removed from class immediately if the student engages in assault or violent behavior. "Assault" is an act done with intent to cause fear in another of immediate bodily harm or death; or the intentional infliction of, or attempt to inflict, bodily harm upon another. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

- B. If a student is removed from class more than ten (10) times in a school year, the school district shall notify the parent or guardian of the student's tenth removal from class and make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.
- C. Procedures for Removal of a Student From a Class
1. The teacher or staff member will inform the student of expected behavior and allow the student a reasonable amount of time to correct his/her behavior. The teacher or staff member will determine if the student behavior requires removal of the student from class. If determined necessary, the student will be asked to leave the classroom by the teacher or staff member.
 2. If the student refuses to follow a teacher or staff member's direction to leave the classroom, the office will be notified and the principal or designee will respond.
 3. Details of the incident requiring removal from class will be provided to the principal or designee by the teacher or staff member initiating the removal as soon as possible following the occurrence.

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

- D. Responsibility for and Custody of a Student Removed From Class
1. Each building in the school district will have a designated space that students will be directed to upon removal from class.
 2. The teacher or staff member removing the student from class will make a decision as to whether or not the student needs to be accompanied.
 3. Each building will have a discipline plan providing information as to the procedure the student follows while out of the class, and designation of who has control over and responsibility for a student after removal from class.
- E. Procedures for Return of a Student to a Class From Which the Student Was Removed
1. Following a conference with the principal or his/her designee, the student will return to class based on the readmission plan developed by the principal or designee during the conference with the student.
- F. Procedures for Notification
1. Students and parents will be notified of rule violations and resulting disciplinary action through any of the following methods: a conference with the student, a phone call, a letter, an email, a copy of the referral form, or a conference with the parent, at the discretion of the principal or designee as appropriate for the severity of the infraction.
- G. Disabled Students; Special Provisions
1. Procedures for students with disabilities will be determined by the IEP teams and will follow current IDEA rules and regulations, including due process.
- H. Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.
1. Establishment of a chemical abuse preassessment team pursuant to ~~Minn. Stat. §~~ **Minnesota Statutes section 121A.26**; and
 2. Establishment of teacher reporting procedures to the chemical abuse preassessment team pursuant to ~~Minn. Stat. §~~ **Minnesota Statutes section 121A.29**.
- I. Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

Conduct

The principal or his/her designee has discretion in assigning appropriate consequences to students for violations of the code of student conduct, considering such things as the severity of the infraction and the student's previous history of violations of the code of conduct.

- J. Any Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior

Parents will be notified of infractions of the student code of conduct that result in the student being referred to the principal or his/her designee. Each building will maintain adequate records of documented behaviors and interventions for each student.

- K. Any Procedures Determined Appropriate for Encouraging Early Detection of Behavioral Problems

Each building will have a Student Assistance Team that will be designed to promote early intervention practices in the classroom and school when staff and/or parents have indicated a concern.

IX. DISMISSAL

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

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

The school district shall not dismiss any student without attempting to provide alternative educational services before dismissal proceedings, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

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

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.

C. Suspension Procedures

1. "Suspension" means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.
2. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the pupil's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.
4. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

or exclusion or other change in placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6th) consecutive day of suspension or the tenth (10th) cumulative day of suspension has elapsed.

5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under ~~Minn. Stat. § Minnesota Statutes section~~ 123A.05 selected to allow the pupil to progress toward meeting graduation standards under ~~Minn. Stat. § Minnesota Statutes section~~ 120B.02, although in a different setting.
6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
7. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
 - a. strongly encourage a parent or guardian of the student to attend school with the student for one day;
 - b. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
 - c. petition the juvenile court that the student is in need of services under ~~Minn. Stat. Ch. Minnesota Statutes chapter~~ 260C.
8. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

Dismissal Act, ~~Minn. Stat. §§~~ Minnesota Statutes sections 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference.

9. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
10. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
11. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.

D. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, ~~Minn. Stat. §§~~ Minnesota Statutes sections 121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, ~~Minn. Stat. §§~~ Minnesota Statutes sections 121A.40-

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

121A.56; describe alternative educational services accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE).

6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.
8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.
10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.

14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation provided that neither party presents any evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the Commissioner of Education (Commissioner) of the basis and reason for the decision.
18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to [Minn. Stat. § Minnesota Statutes section 121A.49](#). The decision of the school board shall be implemented during the appeal to the Commissioner.
19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

X. ADMISSION OR READMISSION PLAN

A school administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan may include measures to improve the student's behavior, including completing a character education program consistent with ~~Minn. Stat. §~~ **Minnesota Statutes section 120B.232, subdivision Subd. 1**, and require parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

XI. NOTIFICATION OF POLICY VIOLATIONS

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

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

XII. STUDENT DISCIPLINE RECORDS

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

XIII. DISABLED STUDENTS WITH DISABILITIES

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

Before initiating an expulsion or exclusion of a student with a disability, relevant members of the child's IEP team and the child's parent shall, consistent with federal law, conduct a manifestation determination and determine whether the child's behavior was (i) caused by or had a direct and substantial relationship to the child's disability and (ii) whether the child's conduct was a direct result of a failure to implement the

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

child's IEP. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school district will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral assessment and implement a behavioral intervention plan for such student provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior.

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

XIV. OPEN ENROLLED STUDENTS

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

XV. DISTRIBUTION OF POLICY

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

XVI. REVIEW OF POLICY

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

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota Students)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.26 (School Preassessment Teams)
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. §§ 121A.60 (Definitions)
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)
Minn. Stat. § 122A.42 (General Control of Schools)
Minn. Stat. § 123A.05 (State-Approved Alternative Program Organization Area Learning Center Organization)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.08 (School Boards' Approval to Enroll in Nonresident District; Exceptions Enrollment in Nonresident District)
Minn. Stat. Ch. 125A (Special Education and Special Programs Students With Disabilities)
Minn. Stat. § 152.22, Subd. 6 (Medical Cannabis)
Minn. Stat. § 152.23, Subd. 6 (Limitations)
Minn. Stat. Ch. 260A (Truancy)
Minn. Stat. Ch. 260C (Juvenile Safety and Placement Court Act)
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

Cross References: NB Policy 413 (Harassment and Violence)
NB Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices)
NB Policy 501 (School Weapons)
NB Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
NB Policy 503 (Student Attendance)
NB Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
NB Policy 514 (Bullying Prohibition Policy)
NB Policy 524 (Internet Acceptable Use and Safety Policy)

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

STUDENTS

Student Discipline

506-NB

NB Policy 525 (Violence Prevention)
NB Policy 526 (Hazing Prohibition)
NB Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)
NB Policy 610 (Field Trips)
NB Policy 709 (Student Transportation Safety Policy)
NB Policy 711 (Video Recording on School Buses)
NB Policy 712 (Video Surveillance Other Than on Buses)

North Branch Independent School District No. 138: Policy #506-NB

Adopted: 2/12/98

Replaced: Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

Last Reviewed: 12/9/21

Revised: 5/5/03, 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

Effective: 6/10/04, 9/8/11, 7/10/14, 3/10/16, 6/8/17, 12/13/18, 8/27/20

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. An act of bullying, by either an individual student or a group of students, is expressly prohibited on school premises, on school district property, at school functions or activities, or on school transportation. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.
- C. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- E. False accusations or reports of bullying against another student are prohibited.
- F. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses

for that act in accordance with the school district's policies and procedures, including the school district's discipline policy (See NB Policy 506). The school district may take into account the following factors:

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

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

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

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

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

III. DEFINITIONS

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

- A. "Bullying" means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:
 1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated

or forms a pattern; or

2. materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

The term, "bullying," specifically includes cyberbullying as defined in this policy.

- B. "Cyberbullying" means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on school district property, at school functions or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. "Intimidating, threatening, abusive, or harming conduct" means, but is not limited to, conduct that does the following:
 1. Causes physical harm to a student or a student's property or causes a student to be in reasonable fear of harm to person or property;
 2. Under Minnesota common law, violates a student's reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or
 3. Is directed at any student or students, including those based on a person's actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.
- E. "On school premises, on school district property, at school functions or activities, or on school transportation" means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-

related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.

- F. "Prohibited conduct" means bullying or cyberbullying as defined in this policy or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying.
- G. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.
- H. "Student" means a student enrolled in a public school or a charter school.

IV. REPORTING PROCEDURE

- A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available in the school district office, but oral reports shall be considered complaints as well.
- C. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

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

- D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.
- E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.
- F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, work assignments, or educational or work environment.
- G. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

V. SCHOOL DISTRICT ACTION

- A. Within three days of the receipt of a complaint or report of bullying or other prohibited conduct, the school district shall undertake or authorize an investigation by the building report taker or a third party designated by the school district.
- B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.
- C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of an investigation that determines that bullying or other prohibited conduct has occurred, the school district will take appropriate action. Such action may include, but is not

limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy (See NB Policy 506) and other applicable school district policies; and applicable regulations.

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

VI. RETALIATION OR REPRISAL

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

VII. TRAINING AND EDUCATION

- A. The school district shall discuss this policy with school personnel and volunteers and provide appropriate training to school district personnel regarding this policy. The school district shall

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

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

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

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

1. Engage all students in creating a safe and supportive school environment;
 2. Partner with parents and other community members to develop and implement prevention and intervention programs;
 3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
 4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
 5. Teach students to advocate for themselves and others;
 6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and
 7. Foster student collaborations that, in turn, foster a safe and supportive school climate.
- F. The school district may implement violence prevention and character development education programs to prevent or reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.
- G. The school district shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy (See NB Policy 515) in the student handbook.

VIII. NOTICE

- A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.

STUDENTS

Bullying Prohibition Policy

514

- B. This policy or a summary thereof must be conspicuously posted in the administrative offices of the school district and the office of each school.
- C. This policy must be given to each school employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy (See NB Policy 506) distributed to parents at the beginning of each school year.
- E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the school district's or a school's website.
- F. The school district shall provide an electronic copy of its most recently amended policy to the Commissioner of Education.

IX. POLICY REVIEW

To the extent practicable, the school board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with [Minn. Stat. § Minnesota Statutes section 121A.031](#) and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definitions of [Public School](#))
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.03 ([Sexual, Religious and Racial Harassment and Violence Model Policy](#))
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.0311 (Notice of [the](#) Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)
Minn. Stat. § Ch. 124E ([Charter Schools](#))
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)

Cross References:

NB Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
NB Policy 413 (Harassment and Violence)
NB Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)

STUDENTS

Bullying Prohibition Policy

514

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



North Branch Area Education Center

38705 Grand Avenue, North Branch, MN 55056

651.674.1025

North Branch Area Education Center Fundraising Summary (May 1, 2022 - October 31, 2022)

- Boosterthon Viking Fun Run Fundraiser = total profit \$21,030

SUNRISE RIVER ELEMENTARY SCHOOL

Taylor Swanson, Principal

37775 Grand Ave., North Branch, MN 55056

Phone / 651-674-1100 Fax / 651-674-1110

www.isd138.org



**NORTH BRANCH
AREA PUBLIC SCHOOLS**

Inspire Dreams, Build Integrity, Instill Hope

November 15, 2022

North Branch Area Public Schools
Sunrise River Elementary School

Grades 1-5

Fundraiser Report for the dates:
May 1, 2022 – November 1, 2022

Boosterthon Fun Run Fundraiser

Money collected includes Sunrise, grades 1-5

Fun Run Event Date: Sunrise: June 10, 2022.

Overall Profit: \$39,408

Taylor Swanson

Principal, Sunrise River Elementary School

tswanson@isd138.org

651-674-1105

2022-2023 North Branch Area Middle School Fundraising Summary (May 1, 2022 - October 31, 2022)

6th Grade:

6th grade students have participated in a wreath fundraiser during this time. The sales from this fundraiser will net a profit of approximately \$8,440.18 after sales tax, shipping cost, and payment for the wreaths is made.

7th Grade:

7th grade students did not participate in a fundraiser activity during this time period.

8th Grade:

8th grade students did not participate in a fundraiser activity during this time period.

Group	Fundraiser	Season	Projected Profit	Deposits	Expenses	Profit
Science Club	Plant Sales	Spring	\$400.00	\$469.76	\$0.00	\$469.76
	Plant Sales	Spring	\$24.00	\$24.00	\$0.00	\$24.00
			\$424.00	\$493.76	\$0.00	\$493.76
Tennis	Popcorn Sales	Spring	\$300.00	\$320.00	\$0.00	\$320.00
			\$300.00	\$320.00	\$0.00	\$320.00
Band	Gerten Plant Fundraiser	Spring	\$1,500.00	\$1,736.51	\$0.00	\$1,736.51
	Mattress Fundraiser	Spring	\$1,000.00	\$857.50	\$0.00	\$857.50
			\$2,500.00	\$2,594.01	\$0.00	\$2,594.01
AFJROTC	Concessions Share Earned	Year Round	\$200.00	\$1,920.83	\$0.00	\$1,920.83
Baseball	Concessions Share Earned	Year Round	\$200.00	\$1,016.96	\$0.00	\$1,016.96
Basketball, Boys	Concessions Share Earned	Year Round	\$200.00	\$225.99	\$0.00	\$225.99
Basketball, Girls	Concessions Share Earned	Year Round	\$200.00	\$903.96	\$0.00	\$903.96
Captain's Club	Concessions Share Earned	Year Round	\$200.00	\$225.99	\$0.00	\$225.99
Cross Country	Concessions Share Earned	Year Round	\$200.00	\$1,468.87	\$0.00	\$1,468.87
Dance	Concessions Share Earned	Year Round	\$200.00	\$225.99	\$0.00	\$225.99
DECA	Concessions Share Earned	Year Round	\$200.00	\$451.98	\$0.00	\$451.98
Golf	Concessions Share Earned	Year Round	\$200.00	\$903.96	\$0.00	\$903.96
Gymnastics	Concessions Share Earned	Year Round	\$200.00	\$790.97	\$0.00	\$790.97
Hockey, Boys	Concessions Share Earned	Year Round	\$200.00	\$451.98	\$0.00	\$451.98
NHS	Concessions Share Earned	Year Round	\$200.00	\$677.97	\$0.00	\$677.97
One Act Play	Concessions Share Earned	Year Round	\$200.00	\$451.98	\$0.00	\$451.98
Robotics, FTC	Concessions Share Earned	Year Round	\$200.00	\$225.99	\$0.00	\$225.99
Soccer, Boys	Concessions Share Earned	Year Round	\$200.00	\$2,259.80	\$0.00	\$2,259.80
Soccer, Girls	Concessions Share Earned	Year Round	\$200.00	\$677.97	\$0.00	\$677.97
Softball	Concessions Share Earned	Year Round	\$200.00	\$903.96	\$0.00	\$903.96
Speech	Concessions Share Earned	Year Round	\$200.00	\$225.99	\$0.00	\$225.99
Student Council	Concessions Share Earned	Year Round	\$200.00	\$451.98	\$0.00	\$451.98
Tennis	Concessions Share Earned	Year Round	\$200.00	\$1,129.90	\$0.00	\$1,129.90
Track	Concessions Share Earned	Year Round	\$200.00	\$2,259.90	\$0.00	\$2,259.90
			\$4,200.00	\$17,852.92	\$0.00	\$17,852.92
Volleyball	Adrenaline Viking Cards	Fall	\$5,000.00	\$6,760.00	\$0.00	\$6,760.00

20

			\$5,000.00	\$6,760.00	\$0.00	\$6,760.00
Football	Adrenaline Viking Cards	Fall	\$10,000.00	\$10,816.00	\$0.00	\$10,816.00
			\$10,000.00	\$10,816.00	\$0.00	\$10,816.00
ProStart	Cub Foods Bagging	Year Round	\$1,000.00	\$1,373.40	\$0.00	\$1,373.40
	Cub Foods Bagging	Year Round	\$400.00	\$466.81	\$0.00	\$466.81
			\$1,400.00	\$1,840.21	\$0.00	\$1,840.21
Choir	Mattress Fundraiser	Spring	\$1,000.00	\$857.50	\$0.00	\$857.50
			\$1,000.00	\$857.50	\$0.00	\$857.50
JROTC	Beef Stick Fundraiser	Fall	\$300.00	\$572.00	\$236.00	\$336.00
			\$300.00	\$572.00	\$236.00	\$336.00
May 2022 - October 2022 Fundraising Totals:			\$25,124.00	\$42,106.40	\$236.00	\$41,870.40

21

Board & Administrator

FOR SCHOOL BOARD MEMBERS

November 2022 Vol. 36, No. 7

Train board members to watch what they do, say in public

A school board should train new board members to think before they speak in a public setting. If a new board member says the wrong thing, the board may end up having to devote time to issuing apologies and explanations. But more importantly, a board member's hurtful or inflammatory comment can erode public trust.

This past August, a new board member appeared to derogate LGBTQ students and students who use wheelchairs in a town hall meeting. Her comments were shared on social media. The result was that the board issued public apologies for the comments and disavowed them.

One parent of a student who uses a wheelchair believed the board member was referring to her child. This raises another issue: if a board member says something critical about one student, parents may perceive the comment more globally. In the above situation, for example, the comment could cause parents of students with

disabilities to lose trust in the district's special education program. Or, parents might start wondering whether the district is really providing their child services and whether the district is genuinely seeking to meet its obligations under the law. The result can be friction between parents and staff, due process complaints, Office for Civil Rights investigations, and even costly litigation.

It's not always easy for a board member to know in the moment that a comment may be insensitive or hit a nerve. For that reason, training should cover, and board members should emphasize to new members, that they don't stop being a member of the board when they step into a restaurant, go to an interview, or type something on social media.

Some training topics might include: 1) abusive or foul language; 2) the social media policy; 3) the Family Educational Rights and Privacy Act. ■

Know your (financial) strengths and weaknesses

Being a school board member comes with a variety of responsibilities, including maintaining – and hopefully improving – the district's financial health.

School boards have an obligation to keep the district's finances on track. That can be especially tough as sign-on bonuses, pay raises, and other financial incentives are proposed to get – and keep – top talent. However, a school board failing to

consider the district's long-term financial goals will enter a minefield.

When pressure is mounting to increase salaries, renovate campuses, or purchase textbooks, take a hard look at what the costs really mean for the district. A district may be able to afford those expenditures now, but what happens if enrollment declines? Are the benefits of delaying renovations outweighed by the costs of operating inefficient buildings?

What is the proactive school board to do?

When in doubt, the best course of action may be to seek out the experts. Consultant firms can help school boards analyze their current financial health. They can also forecast projections showing a range of outcomes and options. Even if you think the district is on track, a second opinion will show areas that can be improved. Moreover, referring to analysts' reports during your meetings can help others understand your rationale, particularly if you are advancing an unpopular opinion. Speak with your superintendent and see if they would like to be involved in this process as well.

Board members who lack the financial fluency to follow the projections can seek financial training. What good is all this data if you don't understand how to interpret it? These consultant firms can point you in the right direction. You might also find that other board members want to join you.

Those who have deeper financial literacy or a strong financial background can best help their district by coming to the meetings prepared. Know what the spreadsheets say. Know what the projections mean, and be ready to articulate your interpretation of those numbers. ■

Look inward to examine potential causes of staffing woes

School boards dealing with issues such as high staff turnover, teacher strikes, and frequent searches for new superintendents may want to consider whether they're setting the right tone for their districts.

Although the board does not supervise district employees, it does supervise the district's superintendent — the individual responsible for managing day-to-day operations. This means that any difficulties between the superintendent and board members (or within the board itself) can affect the "climate" of the district as a whole and impede the district's ability to attract and retain qualified personnel.

That's not to say that all of a district's problems can be blamed on the board's "culture." Some factors, such as economic conditions or natural disasters, are beyond the board's control. Still, board members may want to think about how their relationships with the superintendent and each other might be affecting employee morale. School boards currently dealing with internal strife should:

- **Be honest about shortcomings.** Self-reflection can be difficult, especially when individuals need to

consider how their own actions may have strained their professional relationships. Board members should be willing to work on any personal issues, such as communication style, that might affect board culture or climate.

- **Discuss solutions as group.** School boards need buy-in from all affected individuals to reform the board's culture. Make sure each board member has the opportunity to provide input on the changes they'd like to see, and be sure to document any resulting changes in the board's practices or policies.

- **Consider need for consultant.** Some boards may want to have an outside agency offer an objective opinion on the source of their difficulties. For example, the board of trustees for the Clark County (NV) School District voted to commission a "culture and climate" study following a highly publicized dispute over the superintendent's continued employment. While such arrangements may not be necessary in all cases, school boards with a lengthy history of strained relationships might find an outsider's perspective helpful. ■

Respect board meeting start, end times

Are you struggling to get along with other board members? One way to develop and maintain a positive relationship with your board colleagues is to be mindful of the ways you indirectly communicate with others. For example, being tardy to board meetings or leaving meetings early

may convey to other board members that you don't respect their time or that board meetings aren't important to you. To avoid leaving this impression, arrive to each board meeting on time and only leave after the meeting has officially concluded. ■