

Agenda

- 1) Call to Order
- 2) Roll Call
- 3) Adoption of Agenda
- 4) Acceptance of Minutes
 - a. April 28, 2020 Minutes
- 5) Reports and Discussion
 - a. New Online Policy Manual
 - b. Policy Review Process
- 6) New Business
 - a. Amendment of Policy 5391
 - b. Amendment of Policies 4021, 4025, 5221, and 5620
 - c. Amendment of Policy 1770 and Repeal of Policy 1750
 - d. Adoption of Policy 3508
 - e. Amendment of Policy 5050
- 7) Announcements
- 8) Adjournment

Directors Present: Josh Pauly, Ch.
Siad Ali
Jenny Arneson
Kerry Jo Felder
Kim Ellison, e.o.

Staff Present: Nan Miller, Dir. Policy Development
Amy Moore, General Counsel
Ryan Strack, Board Liaison
Ed Graff, Superintendent
Suzanne Kelly, Chief of Staff
Eric Moore, REAA
Celina Martin, Family and Community Engagement
Rochelle Cox, Assoc. Supt., Special Education
Martha Swanson, Student Placement

Directors Absent:

Agenda

- I. Call to Order
 - II. Approval of Agenda
 - III. Approval of Minutes for 5 March 2020
 - IV. Old Business : Policy and Regulation recommendations related to Comprehensive District Design proposal
 - V. New Business: Next Meeting
 - VI. Adjournment
1. **Call to Order** The meeting was called to order at 4:30 p.m. Chairperson Pauly gave some opening remarks regarding the nature of the meeting relative to the global pandemic, and provisions of Minnesota law permitting an electronic meeting. He noted that all votes, if any, taken during the meeting would be accomplished through roll call. He appointed Ryan Strack as Voting Clerk for the purpose of the meeting. Quorum being established by roll call, the meeting continued.
 2. **Approval of Agenda.** Motion to approve the agenda made, seconded, motion carried.
 3. **Approval of Minutes for Committee Meeting of 5 March 2020** Motion made, seconded to approve the minutes of the March 5, 2020 meeting as proposed. The motion to approve the minutes was passed.
 4. **Old Business**
 - A. **Policy and Regulation recommendations related to CDD proposal.** Superintendent Graff introduced the topic, stating that the proposed policy work was based on the expectation that the district would provide a system of equal access to excellent schools across the district. He stated that the primary purpose of the policy work was to establish student

placement policies and regulations and administrative procedures that were based on the following:

- 1) Student academic needs
- 2) Parental choices regarding schools best fitting their student
- 3) High quality schools across the city
- 4) Less reliance and investment in transportation and increased investment in academic programming.
- 5) Equitable access to magnet schools
- 6) Maintenance of sibling preference.

He introduced a short video that described the work done in preparation for and the resulting proposals for policy actions. The video established that the goal of student placement was to implement the factors described by the Superintendent (above) as well as promoting integration, establishing schools that demonstrated the district average of 60%/40% ratio of students eligible for educational benefits and students ineligible for educational benefits. The video described the plan to apply magnet lotteries to PK-8 grades for the 2021-2022 school year, the plan for a transitional year to allow current students in schools where magnets were being established and those where magnets were being discontinued to have choices to remain either in their current building or to follow their magnet program if it was moving. The plan also included the high school stability commitment to allow students continuously enrolled to continue in the high school of their enrollment in school year 2020-2021 through their graduation, and that incoming students in school year 2021-2022 and beyond would be enrolled in the school of their attendance area, or in a city-wide magnet program. The special education placement plan for students receiving special education services was designed to provide predictability of placement, equitable access to community schools and magnet programs through placement of city-wide special education programs in magnet schools as well as in community schools. Chairman Pauly opened the discussion for questions by board members, who were called upon in turn. Director Arneson expressed satisfaction that language expressing board values and stated purposes were included in the drafts presented for action. She asked the question regarding whether in the case of duplicate magnet programs whether the geography of program and student residence would affect placement. Chief Moore responded that the plan includes intentional location and choice of magnet programs being integral to the CDD, and that placement at first would be affected by the transitional year plan, and that it was assumed that there would be three separate lotteries in 2021 for the purposes of managing the creation of non-racially identifiable schools and schools mirroring the district proportions of indicators of poverty. Director Arneson clarified that she was not questioning the transition period, but was asking if in the future parents would be indicating their preference in a school choice lottery based on program alone, rather than building. Chief Moore affirmed that choices would be on the basis of program, and assignment would be on the basis of the protocols and school space availability. Director Felder asked if schools that would experience a higher proportion of students eligible for educational benefits would see a change in their budget for a high-needs staffing model. Superintendent Graff replied that this was a question for future discussion regarding district management. Director Felder stated that the staff model for high needs schools was part of the early discussions surrounding the CDD and thought discussion now was appropriate.

Chief Moore pointed out that in Director Felder's area of representation the plan calls for three magnet schools, all of which are currently racially identifiable schools. Moving them to the magnet program under the CDD would move them away from being racially identifiable, reducing the number of high needs schools in her area. Director Felder stated that she wanted to see the schools current status reflected in the budget to allow for high needs staffing. She noted that Bethune has a higher eligibility ratio than other schools. Chief Moore responded saying that because of the transition year plans based on the value for this established by the board, the realization of the desired ratio may take more than one year. He noted the availability of both Title I fund eligibilities and integration funding available to schools still racially identifiable or otherwise high needs. Director Felder asked if magnet programs in Area 1 could have a different target ratio, higher than 60/40 to accommodate north side families. Chief Moore noted that the goal was to have integration in magnet programs, and thought that all magnets in Area 1 could meet the district target ratio. Director Felder disagreed stating that she thought the goal was access to quality programs. Chief Moore said the plan aimed at fully funding magnet programs and using these programs to improve integration across the district. Director Ali had no questions. Director Ellison noted that the placement protocols were located in Regulation, not policy, making them outside of the Board's direct action. She expressed concern about the board's awareness and control over placement protocols in the future. Superintendent Graff asked if she was concerned about checks and balances between board and superintendent. She said yes. Graff asked Miller to discuss. Miller noted that there were two elements to this issue. The first is the existence of Policy 8530 – Regulations that requires the Superintendent to create regulations that are in keeping with the spirit and intent of board policies, and gives the board the right to review regulations to assure that they are in compliance with board directions. The second is the ongoing interpretation of that policy in the practice of bringing changes in regulations to the policy committee when policy and regulations are being amended as well as when only changes in regulations are being created. That process allows the policy committee to review the new regulations in compliance with their responsibilities under Policy 8530. She noted that the board could recommend that the policy be amended to include a mandated reporting of proposed changes in regulations. General Counsel Moore clarified that if they board contemplated making such a change it should be in Policy 8530, rather than any single policy, such as those under consideration at today's meeting. Including it in a single policy could be interpreted as exempting other policies from the requirement. Director Pauly said he thought the proposed changes addressed most of the equity committee's recommendations, and stated that their comments were mostly related to procedures and applications of policy. He asked about capacity for meeting those expectations. Chief Moore responded that the administration were taking their recommendations into account. The administration is continuing to look at the implementation process; they have added additional staff for next year. Noting that many of their recommendations had to do with school and district climate, he said additional work was concentrating on improving school climate. Superintendent Graff asked Chief Kelly to report on some changes planned for student assignment offices. Chief Kelly explained that to maximize the number of languages available to assist parents in registration, that the Student Placement Office at the Davis Center and the New Family Centers were merging. The primary location will be the Davis Center, but a satellite office will be maintained at the Wilder Complex. In addition planning

is going forward to create a bookmobile type model for a mobile placement vehicle that can go to communities and neighborhoods in the city where families live who have little access to transport, or who have difficulty for some reason or another in coming to a centralized registration location. They are also exploring ways to expand the locations where assessments for special education, English language acquisition needs and pre-school screenings can take place that serve families better while maintaining data practices that preserve family privacy. Director Pauly asked whether community schools would have a method for later enrollees to have access. Chief Moore replied that there were two pieces to this. First that magnet schools would most likely have three different lotteries, one in October for currently enrolled students, one in February that will be aligned with the district average ratio goals, and an additional lottery in March for seats that have been held. The same lotteries will affect community schools as well as the plan to assure that these schools are not oversubscribed by capping initial placement to 90% of capacity. Director Felder stated that she was uncomfortable with the placement of priority for students experiencing homelessness or high mobility. She said she thought it should be higher than 5th priority. Chief Moore responded that additional weights exist for those students, as well as the fact that students of color are over-represented in this group of students, so they will also be affected by the ratio balancing plans. Director Pauly asked for a motion recommending the proposed policy actions to the full board. Motion was made by Director Arneson, seconded by Director Ellison. Director Felder said that she believed the proposed policy work reflected the board's value statement and wanted more connection to that statement. She said she also wanted schools with higher needs to be budgeted for high-needs staffing plans in this year's budget considerations. She offered an amendment to the motion on the floor to send the policy work to the full board for discussion and possible revision without a recommendation from the Policy Committee. The motion failed for lack of a second. The unamended motion was voted upon and passed 4-1.

B. **Next Meeting.** The next meeting is scheduled for May 26, 2020 at 4:30p.m.

5. **Adjournment.** There being no other matters to come before the meeting, the meeting was adjourned at 5:20 p.m.

Minutes submitted for approval by:
Nan Miller, Clerk pro tempore

Next Regular Meeting: Date: May 26, 2020, 4:30 p.m.

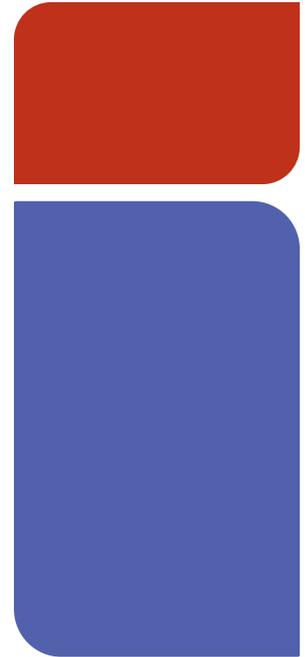
NOTE: COPIES OF SUPPORTING DOCUMENTS MAY BE OBTAINED ONLINE THROUGH BOARDBOOK

Policy Review Process Overview

September 22, 2020



MINNEAPOLIS
PUBLIC SCHOOLS
Urban Education. Global Citizens.



Background and Context

- As of September 1, 2020 MPS had:
 - 240 policies
 - 198 regulations
 - 11 forms
- Anoka-Hennepin had 143 (2019)
- SPPS had 117 (2019)
- MSBA manual has about 150 (2020)

Background and Context

EDIA (Equity and Diversity Impact Assessment)
Committee letter Fall 2019:

*“Commit to ensuring that **no policy should go more than 5 years** without being reviewed...”*

Background and Context

Policy 8520 (Policy Development):

“The Board of Education and the Superintendent shall assure a periodic review of policies and shall recommend revisions.”

Background and Context

- Policies are typically revised as they are reviewed
- Not a direct indicator of updated status, but a helpful proxy

Last Revision Date Range	Policy Count
1960 - 1980	14
1981 - 1989	30
1990 - 1999	28
2000 - 2004	9
2005 - 2009	48
2010 - 2014	77
2015 - Present	34

Current Process

1. By board directive or at the request of the policy chair or superintendent, recommended policy action is brought forth typically due to:
 - Legislative changes
 - Determination that a policy is outdated, irrelevant, or not functioning as intended or needed to meet desired outcomes
2. Policy staff work with relevant staff, legal counsel, and policy chair to draft recommendations
3. Policy committee reviews, and forwards to full board for action

Recommendation

- Add a new review process component, beginning with policies that have gone the longest without revision
- Current process stays in place to make updates needed due to statutory changes or other reasons
- Once older policies have been reviewed and updated, initiate a priority-based review schedule on a five-year cycle

Recommended Added Review Process

Policy review order set by board policy committee

Starting with duration since last revision

Responsible staff review and propose recommendation,

- No changes
- Revisions
- Repeal
- Repeal and move some elements to other policy

Equity Considerations document* completed

Posted along with recommendations to policy committee

*An EDIA process

Board policy committee considers changes and refers to board for action accordingly

Policy Committee can adopt or amend recommendations

Current policy change initiation process continues alongside “review catch-up”

Considerations

- Progress will be dependent upon:
 - Additional policy and other priorities of the board
 - Capacity of staff to process recommendations

Questions and Comments

SECTION 1:**AMENDMENT** “Policy 5391: Graduation Requirements” of the Minneapolis Public Schools Policies & Regulations is hereby *amended* as follows:

A M E N D M E N T

Policy 5391: Graduation Requirements

1. PURPOSE

This policy is to establish the requirements for graduation from Minneapolis Public Schools in compliance with Minnesota law and statewide graduation standards established thereby.

2. GENERAL STATEMENT OF POLICY

All students must complete the following requirements in order to earn a diploma for graduation from a Minneapolis Public High School.

~~**3. CREDIT REQUIREMENTS FOR STUDENTS GRADUATING BEFORE 2019.**~~

~~a. Required Credits. A minimum of twenty one and a half (21.5) year-long credits is required for graduation beginning with the class graduating in 2019. These credits include:~~

~~i. Four (4) year-long credits in Language Arts;~~

~~ii. Four (4) year-long credits in Social Studies encompassing~~

~~(1) Three and a half (3.5) year-long credits in-~~

~~(A) United States history;~~

~~(B) geography;~~

~~(C) world history; and~~

~~(D) government and citizenship; and~~

~~(2) One half (0.5) credit in economics. Economics courses may be taught through the social studies department or the business department.~~

~~iii. Three (3) year-long credits in Mathematics encompassing, at a minimum:~~

~~(1) Geometry~~

~~(2) Algebra II or statistics and probability~~

~~(3) Completion of an Algebra I course credit while enrolled in grades nine through twelve (9-12) shall earn an elective credit only.~~

~~iv. Three (3) year-long credits in Science encompassing, at a minimum:~~

~~(1) biology;~~

~~(2) either chemistry or physics.~~

~~v. One (1) year-long credit in the arts;~~

~~vi. One (1) year-long credit in Physical Education;~~

~~vii. One (1) year-long credit in Health;~~

~~viii. Four and a half (4.5) year-long elective credits.~~

~~b. Career and Technical Education Courses. The Superintendent may designate certain career and technical education courses that meet the same academic standards to satisfy the credit requirements of the science, mathematics or arts requirements established above.~~

**4. CREDIT REQUIREMENTS FOR GRADUATION STUDENTS
GRADUATING IN 2019 AND THEREAFTER**

- a. Required Credits. A minimum of twenty one and a half (21.5) year-long credits is required for graduation. These credits include:
- i. Four (4) year-long credits in Language Arts.
 - ii. Three and a half (3.5) year-long credits in Social Studies encompassing
 - (1) United States history,
 - (2) human geography,
 - (3) world history, and
 - (4) government and citizenship, and
 - (5) economics. Economics courses may be taught through the social studies department or the business department.
 - iii. Three (3) year-long credits in Mathematics encompassing, at a minimum:
 - (1) One (1) year-long credit in geometry
 - (2) One (1) year-long credit in algebra II or statistics and probability
 - (3) Completion of an Algebra I course credit while enrolled in grades nine through twelve (9-12) shall earn an elective credit only.
 - iv. Three (3) year-long credits in Science, encompassing at a minimum:
 - (1) One (1) year-long credit in biology; and
 - (2) One (1) year-long credit in either chemistry or physics.
 - v. One (1) year-long credit in the arts;
 - vi. One half (0.5) year-long credit in Physical Education;
 - vii. One half (0.5) year-long credit in Health;
 - viii. Six (6) year-long elective credits.
- b. Career and Technical Education Courses. The Superintendent may designate certain career and technical education courses that meet the same academic standards to satisfy the credit requirements of the science, mathematics or arts requirements established above.

5. OTHER GRADUATION REQUIREMENTS

- a. Testing. Students must meet state testing requirements.
- b. Personal Learning Plan. Each student must develop a plan for smooth and successful transition to postsecondary education or employment and meet yearly milestones established in that plan.
- c. Ethnic Studies Course. Each student, beginning with those graduating in 2025, must earn a passing grade in an Ethnic Studies course.

6. DEFINITIONS

- a. “year-long credit” is the equivalent of the successful completion of an academic year of study or student mastery of applicable state standards.

b. “Personal Learning Plan” is the plan using the career and college exploration and decision assisting curriculum framework used by Minneapolis Public Schools.

c. "Ethnic Studies courses" are identified as such by the Teaching & Learning Department and include explicit exploration of identity and intersectionality, prioritize the history and culture of historically marginalized groups, include the history and current role of race, racism, and anti-racist work, and include interdisciplinary learning that leads to action.

7. IMPLEMENTATION

a. The Superintendent may develop procedures and policies to implement this policy.

Original Adoption:

01/07/1974

Revision Dates:

04/08/1980, 06/12/1984, 08/13/1985, 07/15/1986, 09/26/1989, 06/30/1998, 6/26/2007, 11/10/2009, 01/13/2015

Legal References:

- 20 U.S.C. § 6301, et seq. (No Child Left Behind Act)
- Minn. Stat. §120B.02 (Educational Expectations for Minnesota’s Students)
- Minn. Stat. §120B.023 (Benchmarks)
- Minn. Stat. §120B.024 (Graduation Requirements; Course Credits)
- Minn. Stat. §120B.11 (School District Process)
- Minn. Rules Parts 3501.0505 – 3501.0635 (K-12 Standards)

MPS Policy Cross References:

- Policy 6273 (Local Standards and Assessments)
- Policy 6274 (State Required Assessments)
- Regulation 5391 A (Granting Credits)
- Regulation 5391 B (Graduation Requirements for Transfer Students)

SECTION 1: AMENDMENT “Policy 4021: Weapons Free Work Place” of the Minneapolis Public Schools Policies & Regulations is hereby *amended* as follows:

A M E N D M E N T

Policy 4021: Weapons Free Work Place

1. PURPOSE

The purpose of this policy is to establish the commitment of the Minneapolis Public Schools to provide work environments for employees that are weapons free.

2. GENERAL STATEMENT OF POLICY

- a. The Minneapolis Public Schools Board of Directors is committed to weapons free workplaces. The Board has established this policy to address violence including weapons possession in our workplaces.
- b. The District will act to enforce this policy and to discipline or take appropriate action against any employee, contractor, volunteer, and other personnel of the District or member of the public who violates this policy.
- c. It shall be a violation of this policy for any employee, contractor, volunteer, other personnel of the District or member of the public to possess a firearm or a dangerous weapon as described in Minnesota Statutes Section 609.02 when in any district facility or property including buses or district vehicles, or off-campus at any school-related activity.
- d. It is not an exception to this policy for any employee, contractor, volunteer, other personnel of the District or member of the public to carry a weapon pursuant to a Minnesota State Permit or permit of any state.
- e. It is a violation of this policy for any person authorized to carry a pistol under Minnesota Laws related to weapon carry permits within three hundred feet of any district property.

3. EXCEPTIONS

- a. It is not a violation of this policy for an employee or contractor to possess a weapon in a school location for the sole purpose of staff training regarding weapons, provided that the weapon is secured in a locked container when not being used in class demonstration.
- b. It is not a violation of this policy for an active licensed law enforcement officer to be in possession of a weapon at any district location.
- c. It is not a violation of this policy for any contracted bank or deposit courier service personnel to be in possession of a weapon at any district location when in the performance of his or her duties as a bank or deposit courier.
- d. It is not a violation of this policy for military personnel who are on duty performing official duties to be in possession of a weapon at any district location.
- e. It is not a violation of this policy for any non-student authorized to carry a pistol under the Minnesota Laws related to weapon carry permits (Minn. Stat. §

624.714) while in a personal motor vehicle or outside a personal motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle. Any possession or carry of a firearm beyond the immediate vicinity of a permit-holder's personal vehicle shall constitute a violation of this policy

- i. Employees and other personnel of the District who have carry permits
 - (1) may only possess firearms within their locked vehicles, and not on their persons.
 - (2) may only possess firearms that are equipped with trigger locks in their locked vehicles on or adjacent to district parking areas or facilities;
 - (3) must secure firearms in a locked container or a locked compartment of their vehicle.

- f. It is not a violation of this policy for any person to possess a dangerous weapon, or replica firearm while serving as a ceremonial color guard.
- g. It is not a violation of this policy to possess, use or distribute appropriate equipment and tools required by an employee, contractor, volunteer or other district personnel in the exercise of his or her assigned duties when such equipment and tools are properly possessed, used and stored. However, when otherwise authorized work equipment and tools are used in a potentially dangerous or threatening manner with an intent to be dangerous or threatening, or without regard to dangers or threats created by the possession or use, such possession or use shall be treated as the possession and use of a prohibited weapon.
- h. Any employee, contractor, volunteer, other personnel of the District or member of the public who finds a weapon or ammunition at a district facility who takes the weapon or ammunition immediately to the principal's office, ~~school resource officer~~ or site administrator shall not be considered to be in possession of a weapon or ammunition. If the person believes that it would be dangerous or impracticable to take the weapon or ammunition to the appropriate location, the person has an affirmative duty to report the presence and location of any weapon or ammunition to the principal, officer or site administrator.

4. RESPONSIBILITY

- a. It is the responsibility of every employee, contractor, volunteer and other personnel of the District to comply with this policy.
- b. It is the responsibility of every visitor or member of the public at or in district facilities to comply with this policy.
- c. Each employee, contractor, volunteer or other personnel of the district shall be provided with written notice of this policy and shall be required to acknowledge receipt thereof.
- d. The Superintendent or Superintendent's designee shall cause such written notices as are permitted by law to be posted at all district facilities to inform the public of this policy.
- e. Any employee, contractor, volunteer or other personnel of the District who receives a report of the presence or suspected presence of a weapon at a district

facility has an affirmative duty to inform the principal, officer or site administrator or to otherwise initiate the emergency response plan of the facility to assure the safety of students, staff and the public.

5. DISTRICT ACTION

- a. Violation of this policy shall result in discipline of the offending employee, contractor or other personnel of the district in keeping with the terms of applicable collective bargaining agreements and contracts up to and including discharge, termination and cancellation of contract for services for employees, volunteers, contractors or other District personnel. The violation shall also be reported to local law enforcement.
- b. A member of the public who violates the policy
 - i. shall be asked to leave the premises,
 - ii. the situation shall be reported to ~~the school resource officer or other~~ law enforcement ~~department~~, then the office of Emergency Management, Safety & Security
 - iii. may be barred from future entry to school locations,
 - iv. may be escorted from the school location by law enforcement ~~officers~~, or be taken into custody by them at their sole discretion.

Original Adoption:

01/08/1991 (as Policy 4025)

Revision Dates:

03/23/1993, 09/18/2001, 05/27/2008 (all as Policy 4025), 03/11/2014

Legal References:

- 18 U.S.C. § 921 (Definition of firearm)
- 20 U.S.C. §§ 7101 – 7165 (Safe and Drug-Free Schools and Communities Act)
- Minn. Stat. § 121A.05 (Referral to Police)
- Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)
- Minn. Stat § 609.66 (Dangerous Weapons)
- Minn. Stat. § 609.605 (Trespass)
- Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)

MPS Policy Cross References:

- Policy 5221 (Weapons Free Schools)
- Policy 6680 (Safety, Security and Emergency Management)

SECTION 2: **AMENDMENT** “Policy 4025: Drug Free Workplace” of the Minneapolis Public Schools Policies & Regulations is hereby *amended* as follows:

AMENDMENT

Policy 4025: Drug Free Workplace

1. **PURPOSE**

The purpose of this policy is to establish the commitment of the Minneapolis Public Schools to providing work environments for employees that are alcohol and drug free. The Board of Directors recognizes that a work environment that is free of alcohol or illegal drug use will not only be safer, healthier and more productive, but will support the academic achievement and emotional well-being of our students. Therefore, this policy also provides the authority for district to require employees to submit to alcohol or drug testing in accordance with law.

2. **GENERAL STATEMENT OF POLICY**

- a. The Minneapolis Public Schools Board of Education is committed to alcohol free and drug free workplaces. The Board has established this policy to address alcohol use and abuse and illegal drug use in our workplaces.
- b. The District will act to enforce this policy and to discipline or take appropriate action against any employee, contractor, volunteer or other personnel of the District or member of the public who violates this policy.

3. **PROHIBITED ACTIONS**

- a. The unlawful manufacture, distribution, dispensation, possession or use of alcohol or a controlled substance, or prescription medication is strictly prohibited anywhere on the District's premises, including any vehicles owned or operated by the District, by any person, unless the possession or use of the controlled substance or prescribed medication is according to a prescription from the person's licensed health care provider.
- b. Distribution, dispensation or non-medical use of over the counter medications or preparations is strictly prohibited anywhere on the District's premises by any person. Non-student possession or use of over-the-counter medications and preparations is permitted for the owner of the material so long as the use is in conformance with the manufacturer's printed instructions.
- c. Employees, contractors, volunteers or other district personnel shall not report for duty or assignment under the influence of alcohol or drugs, except those drugs prescribed for them by their licensed health care provider.
- d. Use of drugs and alcohol is also prohibited during the scheduled school or work day, including any unpaid non-duty time that occurs within the school or work day, such as lunch or other meal times or other breaks, whether or not the employee is on or off district property.
- e. Persons operating vehicles owned or leased by the district or other machinery owned or leased by the district shall not possess, use, or be under the influence of alcohol or any drug not specifically prescribed for them. Use of drugs, including over the counter medications, prescription medications and controlled substances which carry a warning against operating heavy machinery shall prohibit the operation of any district owned or leased machinery by the user regardless of the user's ability to exercise other aspects of their assigned duties.

- f. Possession on District premises, including vehicles owned or operated by or for the District, of paraphernalia associated with controlled substances is prohibited unless the possession is due to a prescription from the person's licensed health care provider.

4. EXCEPTIONS

- a. It is not a violation of this policy for a person to possess an alcoholic beverage in a school location when the possession is for the purpose of curriculum based experiments in science laboratories.
- b. It is not a violation of this policy for employees, contractors, volunteers and other personnel of the District to legally possess or use alcohol while attending an event in their capacity as employee, contractor, volunteer or other personnel of the District
 - i. if the activity held at or on premises other than District premises, and
 - ii. where the location permits the legal use or possession of alcohol and
 - iii. during which activity they do not have the responsibility for supervision, direction, transportation or control of students, and
 - iv. where the employee, contractor, volunteer or other personnel of the District will not be returning to work after the consumption of alcohol.

5. DRUG AND ALCOHOL TESTING

- a. The district may request or require that any district employee, contractor or other District personnel other than an employee whose position requires a commercial driver's license, submit to drug and alcohol testing in accordance with this policy and law. Drug and alcohol testing of employees whose position requires a commercial driver's license is addressed in Policy 4026. Testing shall be by a testing laboratory that meets statutory requirements.
- b. Random alcohol or drug testing shall not be required of any employee, contractor or other District personnel who is not employed in a safety-sensitive position.
- c. Testing for alcohol or drugs may be done if the district has a reasonable suspicion that the employee:
 - i. is under the influence of drugs or alcohol;
 - ii. has violated the district policy or work rules prohibiting the use, possession, sale, manufacture, dispensation or distribution of drugs or alcohol while the employee is working or while the employee is on district premises;
 - iii. has sustained a personal injury in the course of their employment or for which a claim of worker's compensation or other claim against the district might be made;
 - iv. has caused another employee to sustain a personal injury in the course of the other employee's employment or for which a claim against the district might be made;
 - v. has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.
- d. Testing may be required as part of the employee's participation in any chemical

dependency treatment under an employee benefit plan, or to which the employee has been referred by the district.

- e. If the employee's position requires a routine physical examination, alcohol or drug testing may be part of the examination if
 - i. the routine exam is required or requested no more than once annually;
 - ii. the employee is given two (2) weeks' advance written notice that an alcohol or drug test may be administered as part of the examination.
- f. The District has no legal duty to request or require any employee, contractor, or other District personnel to undergo alcohol or drug testing, if the employee, contractor, or other District personnel is not required to have a commercial driver's license by the terms of their position.

6. RESPONSIBILITY

- a. It is the responsibility of every employee, contractor, volunteer, other personnel of the District and members of the public to comply with this policy.
- b. Each employee, contractor, volunteer and other personnel of the District shall be provided with written notice of this Drug Free Workplace policy and shall be required to acknowledge that she or he has received the policy. Failure to acknowledge receipt of the policy may subject the employee, contractor or other District personnel to disciplinary action, up to and including suspension without pay or termination.
- c. Any employee or contractor who is engaged either directly or indirectly in performance of a federal grant shall notify his or her supervisor in writing of his or her conviction of any criminal drug statute for a violation occurring in any of the places above on which work on a school district federal grant is performed no later than five (5) calendar days after such conviction. This notice is a condition of their continued employment in that federal grant.
- d. Any employee who is charged with a violation of any criminal drug statute shall notify their supervisor of such a charge within five (5) calendar days after being charged.
- e. Any employee or contractor who is convicted of any criminal drug statute shall notify their supervisor in writing of such a charge within five (5) calendar days after being convicted.
- f. Each work site shall display a notice that the district has adopted a policy regarding drug and alcohol testing of employees, contractors, or other District personnel.
- g. Employees, contractors and other district personnel whose positions do not require a commercial driver's license may refuse to comply with a request or requirement for alcohol or drug testing, however such a refusal may result in disciplinary action up to and including immediate termination of employment.
- h. The District shall give a person who has undergone alcohol or drug testing at the request or requirement of the district under this policy notice of the test results within three (3) working days after receipt of the test result report from the testing laboratory.
- i. The District shall give a person who has undergone alcohol or drug testing at the request or requirement of the district under this policy and whose test has

had a positive test result for alcohol or drugs written notice of the person's right to explain the positive results and to submit additional information allowed by law, and to request a confirmatory retest:

- i. the district may request the person to indicate any over-the-counter or prescription medication that the person is currently or has recently taken; and
 - ii. the district may request the person to indicate any other information relevant to the reliability of, or an explanation for, a positive result.
 - iii. the person shall have three (3) working days from the date of the notice to submit information that purports to explain a positive result or to request a confirmatory retest.
 - iv. Retests requested by the person shall be of the original sample and shall be at the person's own expense.
- j. If a confirmatory retest does not confirm the original positive results of a test, no adverse personnel action based upon the original test may be taken against the employee.

7. DISTRICT ACTION

- a. Violation of this policy shall result in discipline of the offending employee, contractor or other District personnel in keeping with the terms of this policy and collective bargaining agreements and contracts up to and including discharge, termination and cancellation of contract for services.
- b. Violation of this policy by a volunteer shall result in a termination of the certification of the volunteer to be assigned to a classroom or other school activities for a reasonable period of time, based on the circumstances of the occasion, including the frequency and severity of violation(s).
- c. For employees, contractors or other District personnel who have been required or requested to undergo alcohol or drug testing, the district shall take no disciplinary action unless:
 - i. the testing includes a confirmatory positive result, or
 - ii. the employee has refused to comply with a request or requirement to be tested
- d. The District may temporarily suspend with or without pay or transfer an employee, contractor, or other District personnel to another position at the same rate of pay pending the outcome of alcohol or drug testing, provided that the District believes that it is reasonably necessary to protect the health or safety of the person, students, co-employees, or the public.
- e. Employees or other District personnel who have been suspended without pay must be reinstated with back pay if the outcome of alcohol or drug confirmatory testing or retesting is negative.
- f. Contractors whose services have been suspended shall have an adjustment in their contract appropriate for the circumstances.
- g. An employee who violates the terms of this policy may be required by the District to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the District. Any employee who fails to satisfactorily participate in and complete such a required program is subject to

non-renewal, suspension or termination as deemed appropriate by the school board.

- h. A member of the public who violates the policy shall be informed of the policy and asked to leave the district premises. Failure to leave may lead to being reported to ~~the school resource officer or~~ local law enforcement agencies, and escort off the premises by law enforcement officers, or arrest. Failure to comply with this policy by a member of the public may result in the person's prohibition from the premises.
- i. Information regarding alcohol and drug testing results, requests or requirements are private data on individuals and may not be disclosed by the district to another employer, a third-party individual, governmental agency, or private organization without the written consent of the individual requested to be tested or tested. However, evidence of a positive confirmatory test may be:
 - i. used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing, or a judicial proceeding so long as the information is relevant to the proceeding;
 - ii. disclosed to any federal agency or other unit of the United States government as required by federal law, regulation or order, or in accordance with a federal government contract; and
 - iii. disclosed to a substance abuse treatment facility for the purpose of evaluation or treatment of the person tested.

Original Adoption:

01/08/1991

Revision Dates:

03/23/1993, 09/18/2001, 05/27/2008, 03/11/2014

Legal References:

- 20 U.S.C. §§ 7101 – 7165 (Safe and Drug-Free Schools and Communities Act)
- 21 U.S.C. § 812 (Schedules of Controlled Substances)
- 41 U.S.C. §§ 701-707 (Drug-Free Workplace Act)
- 21 C.F.R. §§ 1308.11 – 1308.15 (Controlled Substances)
- 34 C.F.R. Part 84 (Government-wide Requirements for Drug-Free Workplace)
- Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
- Minn. Stat. § 121A.05 (Referral to Police)
- Minn. Stat. §§ 181.950 -181.957 (Drug and Alcohol Testing in the Workplace)
- Minn. Stat. § 609.605 (Trespass)
- Minn. Stat. § 609.684 (Sale of Toxic Substances to Children; Abuse of Toxic Substances)

MPS Policy Cross References:

- Policy 1040 (Student and Staff Data Protection)
- Policy 5631 (Drug-free Schools,)
- Policy 5680 (Search of Students/ Lockers/ Desks/ Motor Vehicles)
- Policy 6680 (Safety, Security and Emergency Management)

SECTION 3: **AMENDMENT** “Policy 5221: Weapons Free Schools” of the Minneapolis Public Schools Policies & Regulations is hereby *amended* as follows:

A M E N D M E N T

Policy 5221: Weapons Free Schools

1. PURPOSE

The purpose of this policy is to establish the commitment of the Minneapolis Public Schools to provide school environments that are safe for students, staff and the public. Establishing a weapons free school zone is one element of creating that safe environment.

2. GENERAL STATEMENT OF POLICY

- a. The Minneapolis Public Schools Board of Directors is committed to weapons-free schools. The Board has established this policy to address violence and potential violence including weapons possession on district premises. The Board also recognizes that students need the assistance of the adults in their homes, communities and schools to assist in creating weapons-free environments. Cases of students who innocently or unintentionally bring weapons to school shall be given special consideration given the developmental abilities of students to make distinctions and choices regarding weapons carried or found to or at school.
- b. No student shall possess, use, transfer, distribute or manufacture a weapon or ammunition to be used as a weapon or by a weapon when in a school location, unless the possession, use or transfer meets an exception to this general statement established in this policy.
- c. The district shall take disciplinary action and any other appropriate action against any student who violates this policy.

3. EXCEPTIONS

- a. A student who finds a weapon or ammunition on the way to school, or in a school location, or a student who discovers that he or she accidentally or unintentionally has a weapon or ammunition in his or her possession who takes the weapon or ammunition immediately after discovery or arrival at school to the principal’s office shall not be considered to be in possession of a weapon or ammunition. If the student believes that it would be impracticable or dangerous to take the weapon or ammunition to the principal’s office, the student shall not

be considered to possess the weapon or ammunition if:

- i. he or she immediately turns the weapon or ammunition over to:
 - (1) an administrator, or
 - (2) a teacher, or
 - (3) other school staff, or
 - (4) a head coach, or
 - ii. he or she immediately notifies any of the persons identified above of the location of the weapon or ammunition, or shows one of them the location.
- b. It is not a violation of this policy for a student to possess a dangerous weapon, or replica firearm as part of the student's participation as a ceremonial color guard when such weapon or replica firearm is part of the regular uniform or ceremony of the color guard.
 - c. It is not a violation of this policy to possess, use, distribute, transfer or manufacture appropriate equipment and tools required by a student's course of study or participation in an approved student activity when such equipment and tools are properly possessed, used, transferred, manufactured or stored. However, when authorized instructional and work equipment or tools are used in a potentially dangerous or threatening manner, such possession and use will be treated as the possession and use of a weapon.

4. RESPONSIBILITY

- a. It is the responsibility of every student to comply with this policy at every school location.
- b. The principal of every school shall cause notice of this policy to be disseminated to every student enrolled in her or his school.
- c. The Superintendent or Superintendent's designee shall cause such written notices as are permitted by law to be posted at all district facilities.
- d. Every student has an affirmative responsibility to report, upon knowledge, belief or reasonable suspicion the existence or location of any weapon at any district location to a staff person as soon as is practicable. Reports made in good faith shall not subject the reporter to disciplinary action, even if no weapon is actually found.
- e. Every district employee upon notice or report from a student of the possible existence of a weapon at any district location shall notify the principal, ~~the school resource officer~~ and shall follow the school or location emergency plan to assure the safety of students, staff and the public.

5. DISTRICT ACTION

- a. Violation of this policy shall result in discipline of the offending student by:
 - i. Consideration for immediate suspension out of school;
 - ii. Confiscation of the weapon, ammunition, or device used as a weapon;
 - iii. Immediate notification of ~~school resource officer, and may also include notification of~~ local law enforcement;
 - iv. Notification of parent or guardian; and
 - v. Recommendation to the Superintendent for an expulsion of the student from school for at least one year.

- b. Any student who intentionally brings a firearm, as defined by federal law, will be expelled for at least one year. The Board of Directors may modify this requirement on a case-by-case basis
- c. The Board of Directors authorizes the Superintendent to exercise administrative discretion in determining whether or not, under all the circumstances of the case, the possession, use or distribution of a weapon by a student warrants a course of action other than the minimum consequences specified above. In the event the Superintendent makes findings in the case that a lesser disciplinary action, or no disciplinary action, is warranted, he or she shall make that recommendation to the Board of Directors, including any other appropriate action recommended to be taken. The Superintendent may take into consideration any of the following in making a recommendation for other than expulsion:
 - i. The age and understanding of the student and whether or not the student has the understanding and ability to form the requisite intent to bring a firearm to school.
 - ii. Whether or not the weapon was displayed to other students;
 - iii. Whether or not the student voluntarily surrendered the weapon or indicated its location to a staff member;
 - iv. Whether or not the student intentionally concealed the weapon to prevent its discovery by a staff member;
 - v. Whether or not the student was cooperative in the investigation of a report of a weapon.
 - vi. Whether or not the student was under suspension when the weapon was brought to a school location.

Original Adoption:

01/08/1991 (as Policy 4025)

Revision Dates:

03/23/1993, 09/18/2001, 05/27/2008 (all as Policy 4025), 03/11/2014

Legal References:

- 18 U.S.C. § 921 (Definition of firearm)
- 20 U.S.C. §§ 7101 – 7165 (Safe and Drug-Free Schools and Communities Act)
- Minn. Stat. § 121A.05 (Referral to Police)
- Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)
- Minn. Stat § 609.66 (Dangerous Weapons)
- Minn. Stat. § 609.605 (Trespass)
- Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)

MPS Policy Cross References:

- Policy 4021 (Weapons Free Workplace)
- Policy 5200 (Behavior Standards and Code of Conduct)
- Policy 5631 (Drug Free Schools)
- Policy 6680 (Safety, Security and Emergency Management)

SECTION 4: **AMENDMENT** “Policy 5620: Releasing Students To Police” of the Minneapolis Public Schools Policies & Regulations is hereby *amended* as follows:

AMENDMENT

Policy 5620: Releasing Students To Police

1. **PURPOSE**

Minneapolis Public Schools understands the importance of cooperating with police officers in law enforcement and crime prevention. The schools also must protect their students’ interest in receiving an education, which is the primary purpose of the school. Good relations between the schools and the various law enforcement agencies are fostered by understanding the respective roles and responsibilities of the different entities when they interact. The purpose of this policy is to establish the procedures for access to students by police officers during the school day, and to clarify the responsibilities of district staff in responses to requests from law enforcement officers to question students or to release students to them.

2. **GENERAL STATEMENT OF POLICY**

- a. ~~School Resource Officers are law enforcement officers assigned and trained to work with school administrations. This policy does not apply to School Resource Officers who are subject to contractual agreements with the district.~~
- b. Generally, students may not be released to law enforcement officers during the school day, except as otherwise provided by law or this policy.
- c. Law enforcement officers may be called to the school if the principal or site administrator, or their designee, has reason to believe that a crime has been committed on school grounds or there is a significant safety concern. Law enforcement officers shall determine whether or not a crime has been committed.
- d. Law enforcement officers who seek entry into a school for official business must first contact the principal, site administrator or their designee for permission to enter the school unless exigent circumstances exist. Requests from law enforcement officers who seek entry into a school may also be relayed to the school administration through the Office of Emergency Management, Safety & Security. ~~Requests may also be relayed to the school administration through the designated School Resource Officer for the District or school.~~
- e. In any contact between a law enforcement officer and a student, officers and staff shall endeavor to avoid any undue embarrassment of the student before students or staff.

- f. In any contact between a law enforcement officer and a student, officers and staff shall endeavor to avoid disrupting the educational program of the student or the school.
- g. Students not under custodial arrest may not be released to law enforcement officers, or interviewed by them at school, without prior parental permission, however if reasonable attempts to reach a parent or emergency contacts identified by the parent fail, the principal has the discretion to either allow an interview of the student in the principal's presence, or to request that the law enforcement officer attempt an interview of the student at a different time and or place, unless such permission or notice of the request for contact is specifically prohibited by law.
- h. Law enforcement officers may not remove a student from the school premises without signing a District provided release form accepting responsibility for the student.
- i. No student shall be surrendered to a private organization, or to a private investigator or detective, or representative of any attorney.
- j. Custodial arrests made at school shall be made at the discretion of the law enforcement officer ~~or the School Resource Officer~~, guided by whether the student is a danger or threat to him or herself or others, is likely to flee or to engage in further criminal conduct.
- k. Law enforcement officers making a custodial arrest of a student shall determine the degree of control of the arrested student is necessary to ensure the safety of the student, other students, staff, and the law enforcement officer.
- l. Law enforcement officers other than Minneapolis Police Department officers must coordinate attempts to arrest students at school with the Office of Emergency Management, Safety & Security and/or ~~the School Resource Officer~~ and/or the Minneapolis Police Department and the school administration. School staff may require the presence of a Minneapolis Police Department officer to allow entry to other agency's officers.

3. RESPONSIBILITIES

- a. The Superintendent is authorized to promulgate regulations to implement this policy.
- b. Principals and site administrators are responsible to implement this policy with fidelity.
- ~~e. District staff that negotiates with law enforcement agencies to provide School Resource Officers to the District are responsible for communicating this policy to those agencies.~~

Original Adoption:

04/25/1967

Revision Dates:

10/12/1971, 08/28/1973, 09/30/1975, 06/12/1984, 09/13/1994, 6/26/2012

Legal References:

- Minn. Stat. §13.32 (Educational Data)

MPS Policy Cross References:

- Policy 1040 (Data Practices Compliance)
- Policy 1480 (Visits to Schools)
- Policy 1540 (Complaints Concerning School Personnel)
- Policy 1541 (Response to Violence and Disruption)
- Policy 5200 (Citywide Discipline)
- Policy 5621 (Use of Peace Officers and Crisis Management Teams to Remove Students from School Property)
- Policy 5631 (Drug-Free Schools, Chemical Health, Chemical Use and Abuse)
- Policy 5635 (Reporting Maltreatment of Minors and Vulnerable Adults)
- Policy 5680 (Search of Students/Lockers/Desks/Motor Vehicles)
- Policy 6680 (Safety, Security and Emergency Preparedness)

SECTION 1: **AMENDMENT** “Policy 1770: Student Teaching” of the Minneapolis Public Schools Policies & Regulations is hereby *amended* as follows:

AMENDMENT

Policy 1770: Student Teaching

Student Teaching

~~University supervisors will supervise and direct the work of the student teacher except that such supervision may not contravene the required procedures of the schools.~~

1. PURPOSE

As a natural connection to the provision of excellent instruction to our students, Minneapolis Public Schools has an interest in preparing teachers to be successful in district schools. Sharing preparation of teachers with institutions of higher learning assures that our students will have access to a greater pool of properly trained and diverse teacher candidates. Partnerships with teacher training programs allow the district to exert influence over those programs regarding the particular and special needs of an urban school district.

2. GENERAL STATEMENT OF POLICY

- a. The Superintendent or superintendent’s designee shall establish a program for field experience in partnership with institutions of higher learning that provide teacher preparation and lead to eligibility for licensure as teachers in Minnesota.
- b. The Superintendent or superintendent’s designee shall offer advice to teacher preparation programs regarding the general and particular needs of urban students.
- c. The district will encourage the recruitment of diverse teacher candidates and students in teacher preparation programs.

Original Adoption:

04/25/1967

Revision Dates:

01/30/1973

SECTION 2: **REPEAL** “Policy 1750: Cooperative Education Procedures Between Minneapolis Board Of Education And Colleges, Universities And Other Agencies” of the Minneapolis Public Schools Policies & Regulations is hereby *repealed* as follows:

REPEAL

~~Policy 1750: Cooperative Education Procedures Between Minneapolis Board Of Education And Colleges, Universities And Other Agencies (Repealed)~~

~~Protection of the Welfare of the Schools~~

~~In the execution of this agreement and of the several projects involved under it, it is recognized by both parties to it, namely, the administrative authorities of the public schools and those of the colleges, universities, and other agencies, that the welfare of the schools and of the children attending them is of first importance. Nothing is to be undertaken that will in any way retard the satisfactory progress of pupils or in any sense handicap them. Rather, it is believed that the educational activities in which the public schools and the colleges, universities, and other agencies cooperatively engage will inure to the advantage of pupils now in the schools and that school practices will be improved as a result of the continuing study of school problems.~~

~~Administrative Control~~

~~The executive administration of this agreement shall lie with the Superintendent of the Minneapolis Public Schools and the designated officials of the cooperating agencies. In the case of delegation of executive power or responsibility to other than the individuals named above, the information of that fact shall be made a matter of written record, and transmitted to all whose work is affected thereby.~~

~~Cooperative Activities Defined~~

~~It is understood that this agreement shall cover the following kinds of cooperative activities:~~

- ~~1. Informal observation;~~
- ~~2. Student teaching;~~
- ~~3. Demonstration teaching;~~
- ~~4. Experimental work and research;~~
- ~~5. Observation and student teaching in summer sessions.~~

~~Summer School~~

~~The Minneapolis summer school sessions will be available for the types of observation, student teaching, and research enumerated (in the following policies and regulation).~~

~~Original Adoption:~~

~~04/25/1967~~

~~Revision Dates:~~

~~10/12/71, 1/30/73~~

SECTION 1: ADOPTION “Policy 3508: Use Of Electronic Signatures To Conduct Official Business” of the Minneapolis Public Schools Policies & Regulations is hereby *added* as follows:

ADOPTION

Policy 3508: Use Of Electronic Signatures To Conduct Official Business(*Added*)

1. PURPOSE

The purpose of this policy is to document the school board’s desire to allow school district representatives to send and accept electronic signatures for the purpose of conducting official business to the extent permitted by law and to outline the extent to which the school district will send, accept, and rely on electronic signatures.

2. GENERAL STATEMENT OF POLICY

The school board delegates to the Superintendent and the Superintendent’s delegee the authority to determine the extent to which the School District will send, accept, and otherwise create, generate, communicate, store, process, use, and rely upon electronic signatures to and from other persons. For an electronic transaction to be valid, each party must agree to conduct the transaction electronically. If a law prohibits a transaction from occurring electronically, the transaction must occur in the manner specified by law.

3. DEFINITIONS

- a. Authentication. Authentication means the process used to ascertain the identity of a person or the integrity of specific information. Authentication ensures that the user applying an electronic signature is in fact who they say they are and is authorized to sign.
- b. Electronic signature. Electronic signature means a digital or digitized signature made by electronic sound, symbol or process that is attached to or logically associated with a record and that is executed or adopted with the intent to sign the record.
- c. Transaction. Transaction means an action or set of actions occurring between two or more persons relating to the conduct of business, commercial, or governmental affairs.

4. GENERAL STANDARDS

- a. This policy shall only apply to transactions between the District and parties that have consented to conduct transactions by electronic means. Consent to conduct transactions by electronic means is determined from the context of the transaction and surrounding circumstances, including the parties' conduct.
- b. An electronic signature is attributable to a person if it was the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any authentication or other security procedure the District applies to determine the person to which the electronic signature was attributable. The effect of an electronic signature shall be determined from the context and surrounding circumstances at the time of its creation, execution, or adoption.

- including the parties' agreement to engage in an electronic transaction, if any.
- c. Electronic signatures shall be retained with their associated records according to the school district's regular records retention schedule.

5. AUTHORITY AND RESPONSIBILITIES

- a. The Superintendent and the Superintendent's delegee is delegated authority to determine the extent to which the school district will accept and use electronic signatures to facilitate transactions involving official school district business.
- b. The Superintendent shall adopt and implement all system procedures necessary to accept and use electronic signatures to the extent determined by the Superintendent. The District's system procedures shall be developed in consultation with other appropriate District personnel and shall ensure that all legal requirements are met. Any potential operational risk associated with the use of an electronic signature must be offset by the anticipated benefit of receiving electronic signatures. Consistent with Minnesota law, these system procedures may specify:
- i. The manner and format in which the electronic records attached to the electronic signatures will be created, generated, sent, communicated, received, and stored and the systems established for those purposes;
 - ii. The type of electronic signature required, the manner and format in which the electronic signature must be affixed to the electronic record, and the identity of, or criteria that must be met by, any third party used by a person filing a document to facilitate a transaction;
 - iii. Control processes and procedures that will ensure adequate preservation, disposition, integrity, security, confidentiality, and auditability of electronic records; and
 - iv. Any other required attributes for electronic records which are specified for corresponding nonelectric records or reasonably necessary under the circumstances.
- c. Nothing in this policy is intended to authorize any individual to provide an electronic signature on behalf of the school board or school district, unless he or she has been granted such authority pursuant to a delegation of authority by the school board, a specific school board policy, or a law.
- d. The District may maintain official records in an electronic format provided that the relevant record retention schedule is updated to reflect electronic record management and the electronic records are trustworthy, complete, accessible, and durable.

SECTION 1:**AMENDMENT** “Policy 5050: Title IX Non-Discrimination” of the Minneapolis Public Schools Policies & Regulations is hereby *amended* as follows:

A M E N D M E N T

Policy 5050: Title IX Non-Discrimination

1. PURPOSE

Students and staff are protected from discrimination on the basis of sex pursuant to Title IX of the Education Amendments of 1972 and the Minnesota Human Rights Act. Title IX is a federal statute that prohibits recipients of federal financial assistance from engaging in discrimination on the basis of sex. As a recipient of federal financial assistance, the school district is required by Title IX of the Education Amendments of 1972 to ensure its education programs and activities do not discriminate on the basis of sex. The purpose of this policy is to provide equal educational opportunity for all students, and equal employment opportunity to all employees, to prohibit discrimination on the basis of sex.

2. GENERAL STATEMENT OF POLICY

- a. ~~The school district provides equal educational opportunity for all students and does not unlawfully discriminate on the basis of sex. No student will be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any educational program or activity operated by the school district on the basis of sex.~~ The school district maintains a learning and working environment that is free from discrimination, harassment, or violence on the basis of sex, and no individual will be excluded from participation in, denied the benefits of, or otherwise subject to discrimination under any school district program or activity. The school district prohibits any form of retaliation.
- b. It is the responsibility of every student, school district employee, volunteer, contracted service provider, and related district personnel ~~school-district employee~~ to comply with this policy.
- c. Any student, parent or guardian having questions regarding this policy should discuss it with the appropriate school district official provided by policy. In the absence of a specific designee, an inquiry or complaint should be referred to the Assistant to the Superintendent. It is a violation of this policy when any student, school district employee, volunteer, contracted service provider, or related district personnel engages in discrimination, harassment, sexual harassment, inflicts violence, threatens violence, or attempts to inflict violence upon a student, school district employee, or other personnel.

3. REPRISAL

It is a violation of this policy for any student school district employee, volunteer, contracted service provider, and related district personnel to retaliate against a person who pursues rights under school district policies or law. The school district may discipline or take appropriate action against any student, school district employee,

volunteer, contracted service provider, and related district personnel who retaliates against any person who reports alleged unlawful sex discrimination toward a student or employee or any person who testifies, assists or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such unlawful sex discrimination or violations of this policy. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

4. ACCOUNTABILITY

- a. It is the responsibility of every student, school district employee, volunteer, contracted service provider, and related district personnel to follow this policy.
- b. Submission of a good faith complaint or report will not negatively affect the Complainant or Reporter.
- c. It is a violation of this policy when any student, school district employee, volunteer, contracted service provider, and related district personnel intentionally makes a false report of discrimination, harassment, violence or retaliation.
- d. The Superintendent is authorized to promulgate regulations supporting the implementation of this policy.

5. REPORTING GRIEVANCE PROCEDURES

- a. ~~The school board hereby designates the Superintendent or designee as the school district Title IX coordinator and authorizes the coordinator to receive reports, complaints or grievancees of unlawful sex discrimination toward a student. If the complaint involves the Title IX coordinator, the complaint shall be filed directly with the Assistant to the Superintendent.~~
- b. ~~The school district shall conspicuously post the name of the Title IX coordinator, including mailing address and telephone number. Any student who believes they have been the victim of unlawful sex discrimination by a teacher, administrator or other school district personnel, or any person with knowledge or belief of conduct which may constitute unlawful sex discrimination toward a student should report the alleged acts immediately to an appropriate school district official designated by this policy or may file a grievance.~~
- c. ~~The school district encourages the reporting party or complainant to use the report form available from the principal of each building or available from the school district office, but oral reports shall be considered complaints as well. Nothing in this policy shall prevent any person from reporting unlawful sex discrimination toward a student directly to the school district Title IX coordinator or to the Assistant to the Superintendent.~~
- d. ~~In each school building the principal is the person responsible for receiving oral or written reports or grievancees of unlawful sex discrimination toward a student at the building level. Any adult school district personnel who receives a report of unlawful sex discrimination toward a student shall inform the building principal as soon as possible.~~
- e. ~~Upon receipt of a report or grievance, the principal must notify the school district Title IX coordinator and the student's parent or guardian as soon as possible, without screening or investigating the report. The principal 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 principal to the school district Title IX coordinator and the student's parent or guardian. If the report was given verbally, the principal shall personally reduce it to written form within 24 hours and forward it to the school district Title IX coordinator. Failure to forward any report or complaint of unlawful sex discrimination toward a student as provided herein may result in disciplinary action against any district employee. If the complaint involves the building principal, the complaint shall be made or filed directly with the Superintendent or the school district Title IX coordinator by the reporting party or complainant.

- f. Submission of a good faith complaint, grievance or report of unlawful sex discrimination toward a student will not affect the complainant's or reporter's future employment, grades or work assignments.
- g. The school district will respect the privacy of the complainant, 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 conform with any discovery or disclosure obligations.

6. INVESTIGATION

- a. By authority of the school district, the Title IX coordinator, upon receipt of a report, complaint or grievance alleging unlawful sex discrimination toward a student, shall promptly 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 complainant, pupils, teachers, administrators or other school personnel pending completion of an investigation of alleged unlawful sex discrimination toward a student.
- e. Investigation should be completed as soon as possible. The school district Title IX coordinator may make a written report. If the complaint involves the Superintendent, the report may be filed directly with the school board. The report shall include a summary of facts and a determination of whether the allegations have been substantiated.

7. SCHOOL DISTRICT ACTION

- a.

~~Upon conclusion of the investigation and receipt of a report, 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. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and school district policies.~~

- ~~b. The result of the school district's investigation of each complaint filed under these procedures should be reported in writing to the complainant by the school district in accordance with state and federal law regarding data or records privacy.~~

8. REPRISAL

~~The school district will discipline or take appropriate action against any pupil, teacher, administrator or other school personnel who retaliates against any person who reports alleged unlawful sex discrimination toward a student or any person who testifies, assists or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such unlawful sex discrimination. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.~~

Original Adoption:

08/31/99