

Policy Committee Meeting

Tuesday, September 26, 2023 4:30 PM

Davis Center, 1250 West Broadway Avenue, Minneapolis, Minnesota 55411

1) **Call to Order and Roll Call**

2) **Adoption of Agenda**

3) **Acceptance of Minutes**

3)a. August 22, 2023

4) **Reports and Discussion**

4)a. Regular Policy Reviews

4)a.1. Review Policy 4002 (Harassment And
Violence Prohibition Protected Classes)

4)a.2. Review Policy 5050 (Title IX Non-
Discrimination)

4)b. Site Council Policy Implementation Update

5) **New Business**

5)a. Revision of Policy 5201 (2023-0053)

5)b. Revision of Policy 3504 (2023-0060)

6) **Adjournment**

**OFFICIAL MINUTES
MINNEAPOLIS BOARD OF EDUCATION**

**POLICY COMMITTEE MEETING
AUGUST 22, 2023**

CALL TO ORDER

Chair Lori Norvell called the meeting to order at 4:30 p.m., a quorum being present.

ROLL CALL

Present: Directors Sharon El-Amin, Fathia Feerayarre (arrived after roll call at 4:42 p.m.), Adriana Cerrillo, Collin Beachy, Lori Norvell (5)

APPROVAL OF AGENDA

El-Amin moved to approve the agenda.

On a voice vote, the motion was adopted unanimously.

APPROVAL OF MINUTES

Cerrillo moved to approve the minutes from the May 23, 2023 meeting.

On a voice vote, the motion was adopted unanimously.

REPORTS AND DISCUSSION

2023 Legislative Session Review

Staff provided an overview of key changes at the legislature have an impact on policy, followed by a committee discussion about prioritizing necessary changes.

Regular Policy Reviews

Review Policy 5200 (Behavior Standards And Code Of Conduct)

Staff provided a review of policy 5200 (Behavior Standards And Code Of Conduct) and its regulations.

Review Policy 5201 (Bullying And Hazing Prohibition)

Staff provided a review of policy 5201 (Bullying And Hazing Prohibition) and it's regulations.

Equity and Diversity Impact Assessment (EDIA) Progress Monitoring Update

Staff provided a presentation on EDIA progress monitoring.

ADJOURNMENT

Without objection, Chair Norvell adjourned the meeting at 5:46 p.m.

Minutes submitted by Ryan Strack, Assistant to the Superintendent and Board.

Meeting materials: <https://meetings.boardbook.org/Public/Agenda/1807?meeting=596180>

DRAFT

Site Council

Orientation for School Leaders

**Office of
Communications,
Engagement, and
External Relations**

Fall 2023

Agenda

- Grounding and context
- Site Council EDIA
- Site Council structure
 - Purpose
 - Activities and duties
 - Membership
 - Protocols
- Recruitment and facilitation
- Facilitation resources
- Expectations

Site Council and the Strategic Plan

GOAL 1:

ACADEMIC ACHIEVEMENT

Every student achieves their full potential through equal access to programming that is academically rigorous and connects learning with students' experiences.

GOAL 2:

STUDENT WELL-BEING

Every student's physical and mental well-being is addressed as an integral part of their education.

GOAL 3:

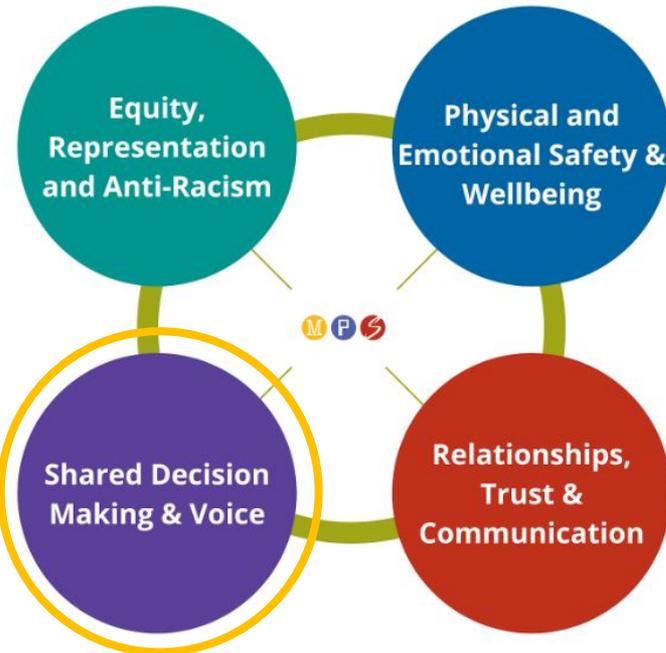
EFFECTIVE STAFF

School and district staff approach all work centered on students and equity.

GOAL 4:

SCHOOL AND DISTRICT CLIMATE

MPS is known by our community as welcoming, responsive and connected.

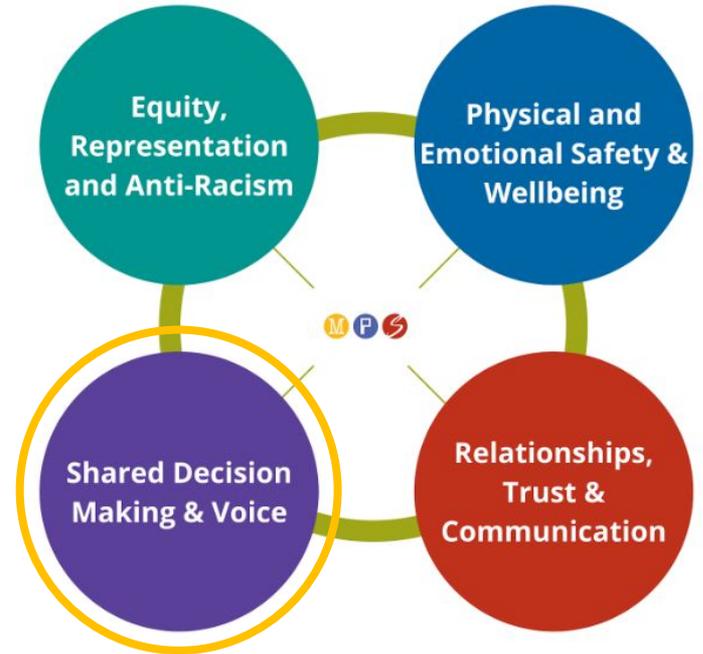


Shared Decision Making & Voice

- Creating spaces for students, families, and staff to feel heard and understood without judgment
- Involving historically marginalized and underrepresented students, families, and staff in decisions that impact them

In our family and community engagement, this means...

1. Making sure that students, families, and staff can participate and share in decisions that affect the student's well-being and educational experience
2. Creating clear, accessible and culturally-reflective processes and structures for decision-making
3. Providing regular up-to-date information about decisions, so families can hold their schools and district accountable



Domain 4: Resource, Operation, and Relationship Management

The school leader efficiently and equitably manages resources and builds an inclusive and collaborative school community

4B: Communicates effectively diverse groups and community stakeholders

- The school leader consistently communicates an understanding of diverse points of view, anticipates concerns of diverse groups and develops a school culture based on community collaboration, understanding and respect.
- Oral and written communications are effective, inclusive, and responsive to community values, interests, and needs.
- Consistently solicits diverse community input and leverages it as an asset to the school community.

Review of EDIA

The Board of Education and Superintendent directed the Accountability, Research, and Equity (ARE) Division to complete an Equity Considerations for Policies on School Site Council to examine the extent to which schools are implementing site councils according to the [MPS School Site Council Policy 1692](#) during the 2021-22 school year.

Evaluation Questions

1. To what extent are schools implementing Site Councils according to MPS' Site Council Policy 1692?
2. To what extent do site councils have decision making power?
3. To what extent do site councils understand and engage in the activities laid out in MPS' Site Council Policy?
4. To what extent are school site councils representative of their school?

Policy 1692 Activity – 10 minutes

Read the Policy

- While reading, mark accordingly
- Plus sign (+) for anything you agree with
- Minus sign (-) for anything you disagree with
- Exclamation point (!) for anything that surprised you
- Question mark (?) for anything you have questions about

Next

3 minutes pair & share

3 share outs

Review of EDIA – Key Findings

- Not all school leaders felt confident they will have a site council during the 2021-22 school year.
- Not all site council members were aware of the intended role of site councils
- Not all school site councils engage in all the activities laid out by the Site Council Policy 1692.
- Not all site council members feel they have influence/are making an impact.
- Not all the required components of a bylaw are reflected in each school site council bylaw.
- Challenges:
 - Having representative site councils across different schools in the district.
 - Engagement and site council member participation, specifically recruiting and retaining members

EDIA Review – Proposed Next Steps

- Creation of practices used at both the school and district level to support schools in the implementation of policy
 - Formal training for site council members
 - **Annual training for school leaders** by the Communications and Engagement and Associate Superintendents related to leader's role in implementing site council policy at their sites to include:
 - Recruitment strategies
 - Role clarity for leaders and members
 - Best practices related to supporting virtual participation, as well as interpretation and childcare support
- Develop and implement Accountability structure for evaluating to what degree schools are implementing Policy 1692 as written

Site Council Structure

Current Realities – Structure

- How is your Site Council currently structured?
- What activities do they engage in?

[Site Council Worksheet](#)

[Site Council Protocols Checklist](#)

Purpose

Site Councils help our schools increase academic achievement and outcomes for our students.

All Minneapolis Public Schools have Site Councils to provide input to the site administrator around appropriate school-based decision making in collaboration with families, staff, community members, and students. MPS values family and community members as active partners in reviewing funding, policies, practices and programs at our schools.

In your own words, what does the highlighted section mean to you?

Activities and Duties

- Review the student academic growth and culture and climate at the site to advise school staff on the contents of the School Improvement Plan (SIP), Family Engagement Plan (FEP), and school culture and climate.
- Recommend use of compensatory education revenue.
- Advise the school principal on the use of the school budget to support SIP, FEP, and culture and climate goals.
- Monitor the use of the school budget so that resources are targeted to uses and activities identified in the SIP and FEP.
- Advise the school principal on issues surrounding school operations and local school rules.

Activities and Duties

- At least once per academic year, the School Site Council shall host a meeting for all school stakeholders to receive advice and comment regarding the level of student achievement at the site and how to improve it, the site operations for students and parents and other issues regarding the school important to them.
- The School Site Council does not have the authority to make decisions that are not specifically delegated to it, nor may it make decisions that are contrary to the goals and the policies of the Board of Directors or the Superintendent's regulations or priorities.

IAP2 Spectrum of Public Participation

IAP2's Spectrum of Public Participation was designed to assist with the selection of the level of participation that defines the public's role in any public participation process. The Spectrum is used internationally, and it is found in public participation plans around the world.

INCREASING IMPACT ON THE DECISION

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

“We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.”

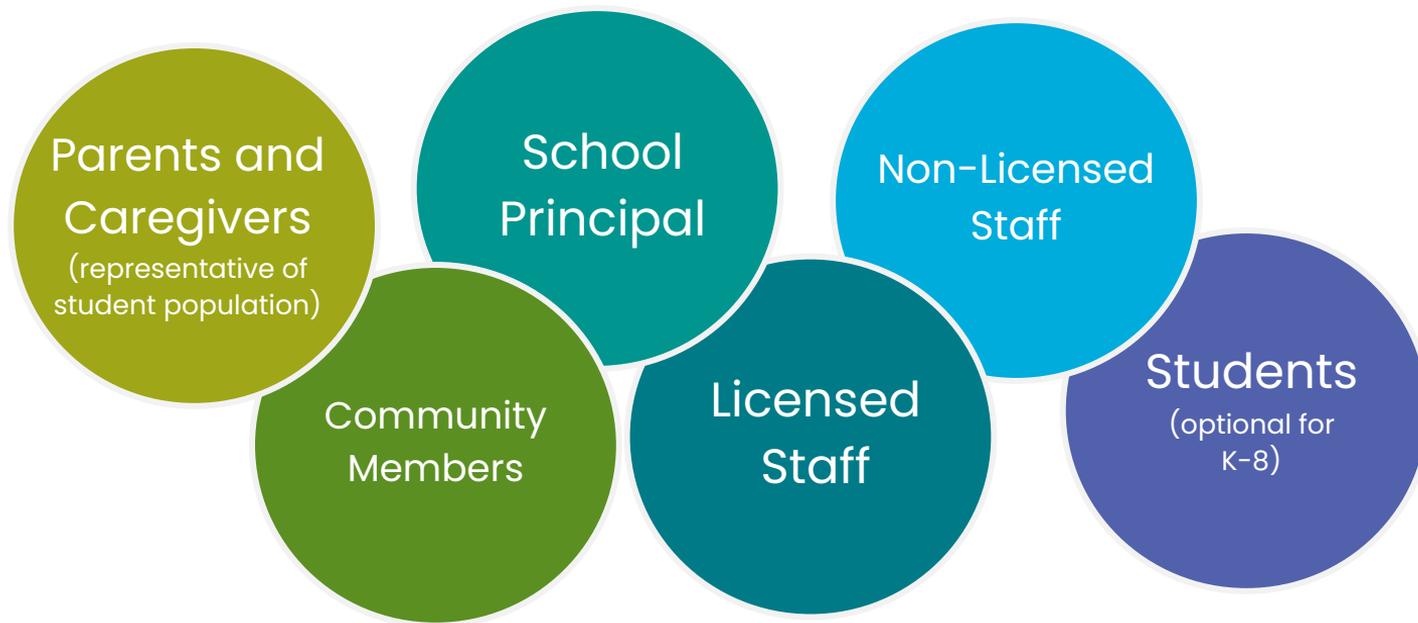
Membership

Each Site Council must be representative of the student population at the school, including parents, licensed and non-licensed staff, the principal or site administrator and a community member.

High School Site Councils need to include students and K-8 schools have the option of having student representation.

Site Council members represent a category of school stakeholders, such as teachers or other staff, parents and family members, students, or even a cultural or linguistic group. They are responsible for communication with those stakeholders to represent their concerns, advice, and input. It is the responsibility of all Site Council members to make decisions based on the best interests of all students enrolled in the school.

Membership



Governance Standards and Protocols

- Change from “by-laws” to “governance standards and protocols”
- Reviewed every three years. Initial protocols and amendments reviewed by the Associate Superintendent
- Adopted by majority vote, changes are adopted by two-thirds vote
- A copy of the current set of protocols should be available in the school office.
- Protocols may be published on the school’s website.
- A copy of the protocols and any revisions shall be submitted to the Office of the General Counsel.

These model Governance Standards and Protocols may be used by your School Site Council as a guide to create your own set of Protocols. Only that which is highlighted in yellow may be changed.

(Name of School) Site Council
Governance Standards and Protocols
Adopted: (Date)

ARTICLE I NAME

The name of the organization shall be the (Name of School) Site Council.

ARTICLE II PURPOSE

Section 1 Purpose

The Board of Directors of Minneapolis Public Schools is committed to providing support for innovation and excellence in each of its schools. The collective efforts of students, teachers, parents/caregivers, administrators, the local community and supporting central offices staff toward student success are necessary to meet the academic, cultural, and social needs of Minneapolis students. Combined efforts of all school stakeholders are necessary to meet the district’s mission, vision, and strategic plan goals. Gathering the local input of school stakeholders to improve the academic achievement and culture and climate of students attending that school is valuable and necessary to maximize all efforts toward improving and maintaining student success and growth. A representative council of school stakeholders is the means that the Board of Directors believes will provide the input to the school’s administration to affect appropriate school-based decision making, support the academic achievement and growth of all students, and improve the culture and climate for all students. The purpose of this policy is to establish the parameters in which such school site councils shall be formed and shall influence school-based decision making.

The Site Council works with the school Principal or Administrator to perform those duties delegated to it by the State of Minnesota and the Minneapolis Public Schools Board of Education.

Section 2 Duties

The duty of the Site Council is to include parents/caregivers and students when advising the school site administrator or principal on school-based decisions in the areas listed below:

1. Student academic growth and culture and climate at the site based on disaggregated data for established subgroups in the school for the purposes of advising school staff on the contents of the

Governance Standards and Protocols

Must contain:

- Membership
 - Selection process
 - Term length
 - Term limit
 - Term start and end dates
 - How absenteeism affects membership
 - How members will collaborate with their constituencies
- The creation of officers. The school principal must act (at a minimum) as co-chairperson of the site council. If co-chairpersons are established, the second co-chairperson should not be staff. Officers may include, but are not limited to:
 - Co-chairpersons (recommended parent co-chair with principal)
 - Recording Secretary
 - Corresponding Secretary
 - Vice-chairperson(s)

Governance Standards and Protocols

- Meetings
 - Minimum number of meetings
 - How members are notified of meetings and who is responsible for this
 - Who is responsible for building the meeting agendas
 - If and what minimum quorum is
 - How minutes are taken and shared
 - If meetings can take place virtually
 - How an emergency meeting may be called
 - How complaints from the public shall be heard

- How the council will ensure that the rights of individuals are respected and due process is followed.

Recruitment and Facilitation

21

Current Realities – Recruitment

- How do you currently recruit members to Site Council?
- What activities do they engage in?

[Site Council Worksheet](#)

[Site Council Protocols Checklist](#)

Recruitment

Parent and Caregiver Recruitment

- Provide all information in multiple languages if necessary for your school community.
- Provide information in written and oral form:
 - Flyers and posters
 - Robocalls
 - Emails
 - Social media posts
- Make sure all staff have the information so they can accurately communicate about it with parents and caregivers.
- It is best practice to provide a yearly calendar with all site council meeting dates.
- Extend personal, strategic invitations based on member representation.

Community Member Recruitment

- Is there a previous parent or community volunteer who would be a good fit?
- Are there representatives from your community partners who would want to participate?
- Is your school co-located with a park or any other organizations that should be included?
- Extend personal invitations.

Recruitment

Staff Recruitment

- Include licensed and non-licensed staff.
- All staff are paid through Q Comp.
- Include Family Liaison if applicable.
- Share information broadly at staff PD, meetings, and internal newsletters.
- Extend personal invitations.

A [Recruitment and Marketing Toolkit](#) is available for your use:

- flyer templates
- robocall and email scripts
- social media post templates
- talking points



Intentional / Strategic Recruitment

Per the policy:

- In K-8 schools, “Site Councils’ school staff shall constitute no more than 50%.
- In high schools, “school staff shall constitute no more than 50% and shall endeavor to create a balanced representation between parents/caregivers, students, community members, and staff.

Intentional / Strategic Recruitment

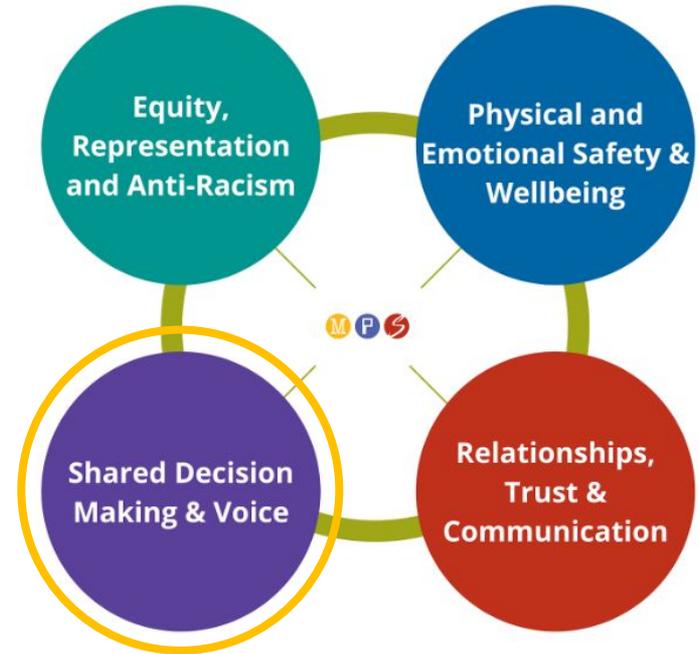
Per the policy:

- For all schools, Site Councils shall include “at least one community member who resides near the school or whose business is in the school neighborhood.”
- For all schools, Site Councils shall include “parent/caregivers that reflect the racial, ethnic, language, ability, and cultural diversity of the student body.”

Compliance vs. Collective Impact

Although there are certain requirements for Site Council, it is important to remember the ultimate goal of Site Council is to **make sure that students, families, and staff can participate and share in decisions that affect the student's well-being and educational experience.**

Recruit those individuals who are interested in collaborating and communicating with a diverse group of stakeholders.



Current Realities – Facilitation

- What does the current facilitation of Site Council look like?
- What areas do you need to strengthen?

[Site Council Worksheet](#)

Facilitation and Virtual Participation

In-Person Facilitation

- Work with Site Council members to determine the best day and time for participation.
- Provide translated and printed out agendas and copies of presentations, if applicable.
- Seat participants in a circle rather than all facing in one direction.
- Determine how interpretation will work (simultaneous interpretation with participants grouped linguistically, using headsets, or consecutive interpretation). Interpreters can be hired through [INGCO](#).
- Develop a “parking lot” or system for keeping track of questions.
- As a group, establish meeting norms.
 - How will we determine who speaks when? Do we want to include any voice equity strategies?
 - Do we want to include expectations around assuming best intentions, honesty, engagement, open-mindedness, etc?
 - Will we include warm welcome and closing activities?
- Provide food if the meeting is over the dinner hour.
- Provide childcare if the meeting is outside of school hours.



Facilitation and Virtual Participation

Virtual Facilitation

- We recommend Zoom for family meetings because of the simultaneous interpretation capacity.
- Simultaneous interpretation on Zoom is available through [INGCO](#).
- Avoid using slide decks with a lot of text, which is hard for people who join on their phones to read.
- As a group, set meeting norms and expectations around muting/unmuting, using the “raise hand” function, timekeeping, use of the chat, etc. Review these norms at the beginning of each meeting.
- Provide an overview of the agenda at the beginning of the meeting.

A [Facilitation Toolkit](#) is available for your use: calendar of suggested topics, sample agendas and facilitation plans, and sample slide decks

Interpretation, Transportation, and Childcare Resources

Interpretation

- [INGCO](#) - Phone: 612-605-8006
- [ARCH](#) - Phone: 651-789-7897
- [TalkingPoints](#) for meeting reminders
- Bilingual staff (not participating in Site Council)

Childcare

- School staff or volunteers
- Afterschool staff
- Youth-serving partner organizations
- Students from a nearby university studying youth development, education, early childhood development, etc.
- Staff from a nearby childcare center
- Staff from a nearby park or community center
- Parents or caregivers who don't want to participate in Site Council

Transportation

- [Metro Transit TAP](#) provides \$1 rides for eligible families
- Families with HHM status can get cabs through HHM department (work with SSW)

Resources on SharePoint

[Site Council SharePoint Page](#)

- Agenda, calendar, and slide deck templates
- Communications toolkit with editable graphics, social media captions, robocall scripts, and email templates
- Example topics for Site Council meetings
- Protocols checklist and model protocols document

Principal training course

Expectations

- Deliver key points from this presentation to your current Site Council and broader community at your first meeting of the new year
- Continue to invite the broader community into Site Council meetings to ensure you are hearing from a wide variety of stakeholders in gathering parent/caregiver and student voice
- Monthly progress will be monitored and supported by Associate Superintendents

Other Resources

[Revised Site Council Policy 1692](#)

[Site Council Webpage](#)

[Model Protocols](#)

[Site Council Protocols Checklist](#)

[Drop-in Marketing Meeting Recordings](#)

[Site Council SharePoint Page](#)

[Facilitation Toolkit](#)

[Marketing and Communications Toolkit](#)

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**MINNEAPOLIS PUBLIC SCHOOLS
RESOLUTION 2023-0053**

RESOLUTION AMENDING POLICY 5201

WHEREAS, The proposed revisions are required to align to a recent change in state or federal law.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors, Special School District No. 1 (Minneapolis Public Schools) adopts the changes as follows:

SECTION 1: **AMENDMENT** “Policy 5201: Bullying And Hazing Prohibition” of the Minneapolis Public Schools Policies & Regulations is hereby *amended* as follows:

AMENDMENT

Policy 5201: Bullying And Hazing Prohibition

1. PURPOSE

The purpose of this policy is to maintain a safe and supportive learning environment for students and staff that is free from bullying or hazing. The District cannot monitor the activities of students at all times and eliminate all incidents of bullying between students or hazing, particularly when students are not under the direct supervision of school personnel. However, to the extent such conduct affects the educational environment of the District’s schools and the rights and welfare of its students and is within the control of the District in its normal operations, it is the District’s intent to prevent bullying and/or hazing. It is also the District’s intent to take action to investigate, respond to, remediate, and impose discipline for those acts of bullying and hazing which have not been successfully prevented.

2. GENERAL STATEMENT OF POLICY

- a. Bullying or hazing activities of any type are inconsistent with the educational goals of the school district and are prohibited.
 - i. This policy applies to any student whose conduct interferes with or obstructs the mission or operations of the District or the safety or welfare of the student, other students or employees of the District and, as it applies to behavior against other students:
 - (1) Where there is an actual or perceived imbalance of power between the student acting and the target of that behavior, and
 - (2) Where the conduct is repeated or forms a pattern, or
 - (3) Where the conduct 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.

- ii. The policy applies to conduct that occurs:
 - (1) on school premises,
 - (2) at school functions or activities,
 - (3) on school provided transportation
 - (4) by use of electronic technology and communications on school premises, during school functions or activities, on school provided transportation, on school provided technology, networks, forums or mailing lists;
 - (5) by use of electronic technology and communications off school premises when such use substantially and materially disrupts student learning or the school environment.
- iii. This policy applies to any harming conduct that
 - (1) causes physical harm to a student or a student's property or
 - (2) causes a student to be in reasonable fear of harm to person or property, or
 - (3) violates a student's reasonable expectation of privacy, or
 - (4) constitutes intentional infliction of emotional distress against a student;
 - (5) is directed at a student or students based on the actual or perceived student's:
 - (A) race
 - (B) ethnicity
 - (C) color,
 - (D) creed,
 - (E) religion
 - (F) national origin
 - (G) immigration status
 - (H) gender,
 - (I) marital status,
 - (J) familial status,
 - (K) socioeconomic status,
 - (L) physical appearance,
 - (M) sexual orientation,
 - (N) gender identity or expression
 - (O) academic status related to student performance
 - (P) disability,
 - (Q) status with regard to public assistance,
 - (R) age,
 - (S) other protected class characteristic under the Minnesota Human Rights Act
- iv. This policy also applies to conduct that is characterized as, but is not limited to:
 - (1) teasing,
 - (2) abusive;

- (3) intimidating,
- (4) defaming,
- (5) threatening,
- (6) terrorizing,
- (7) exclusionary, or
- (8) provocative conduct that induces or causes others to act in violation of this policy.

This policy applies to any misuse of technology that directs the conduct identified above toward any student.

- v. This policy also prohibits sexual exploitation. This prohibition applies to students, independent contractors, teachers, administrators, and other school personnel.
- vi. This policy also prohibits malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status with regard to public assistance, disability, religion, sexual harassment, and sexual orientation and gender identity as defined in Minnesota Statutes, chapter 363A. This prohibition applies to students, independent contractors, teachers, administrators, and other school personnel.

Malicious and sadistic conduct and sexual exploitation by a school district or school staff member, independent contractor, or enrolled student against a staff member, independent contractor, or student that occurs in a manner described in this policy is prohibited.

”Malicious and sadistic conduct” means creating a hostile learning environment by acting with the intent to cause harm by intentionally injuring another without just cause or reason or engaging in extreme or excessive cruelty or delighting in cruelty.

- b. No student, independent contractor, teacher, administrator~~employee or~~ other school personnel of the District shall plan, direct, encourage, aid or engage in bullying and/ or hazing.
- c. No employee or other personnel of the District shall permit, condone or tolerate bullying and/or hazing.
- d. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.
- e. In the case of behavior that constitutes hazing this policy applies to behavior that occurs on or off school property and during and after school hours.
- f. A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be considered hazing and is subject to discipline for that act.
- g. It shall be a violation of this policy to retaliate against any person who:
 - i. makes a good faith report of alleged bullying or hazing,
 - ii. acts as a witness in any fact finding or investigation,

- iii. testifies, assists or participates in any bullying or hazing
 - (1) fact-finding or investigation
 - (2) hearing, or
 - (3) proceeding.
- h. Submission of a good faith complaint or report of bullying or hazing will not affect the complainant or reporter's future employment, grades, course credit acquisition, or work assignments.
- i. Any student or employee who supplies information in a complaint or investigation that is determined to have been falsely and maliciously supplied shall be subject to discipline.
- j. The District shall act to initiate an investigation of all complaints of bullying or hazing within three (3) school days of a report of alleged conduct prohibited by this policy.
- k. The District shall discipline or take appropriate action against any student, employee or other personnel of the District who is found to have violated this policy. Discipline shall be consistent with the requirements of applicable collective bargaining agreements, applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act, the district's Behavior Standards Policy and other district policies.
- l. Remedial and restorative responses to prohibited conduct shall be offered to actors, targets and bystanders that are tailored to the particular behavior or conduct, the students' developmental ages and behavioral histories.
- m. Within the limitations of appropriate data protection requirements, parents of students alleged to have engaged in prohibited conduct and parents of alleged targets of that conduct, shall be notified of the alleged conduct and the investigation into the allegations.

3. RESPONSIBILITY

- a. The Superintendent is authorized to promulgate regulations to support the implementation of this policy.
- b. This policy shall be given to students, parents, employees and other personnel of the district.
- c. Teachers, administrators, volunteers, contractors and other personnel of the school district shall be particularly alert to possible situations, circumstances or events which might include or encourage bullying or hazing. Any such person who receives a report of, observes, or has other knowledge or belief of conduct which may constitute bullying or hazing shall inform the building principal or site administrator immediately. Employees and district contractors shall intervene in observed conduct that constitutes bullying or hazing to protect the target of the prohibited conduct.
- d. The District will provide information and applicable training to school district staff regarding this policy at least every three years
- e. The administration of the District is directed to implement programs and other initiatives to prevent bullying, provide education and information to students regarding bullying and to respond to bullying in a manner that does not stigmatize the target, and to make resources or referrals available to targets of

bullying or hazing and their families.

- f. The principal or site administrator of a school is the primary contact person to receive reports of prohibited conduct, and is responsible to assure that this policy is administered and implemented in a full and fair fashion. The principal, or principal's designee, shall conduct the required investigation into allegations of bullying.

- g. The District may implement violence prevention, character development and prosocial skills education programs to prevent and reduce policy violations.

Original Adoption:

12/16/1997

Revision Dates:

10/26/2004, 05/27/2008, 10/14/2014

Legal References:

- Minn. Stat. § 120B.22 (Violence Prevention Education)
- Minn. Stat. § 120B.232 (Character Development Education)
- Minn. Stat. § 121A.031 (School Student Bullying Policy)
- Minn. Stat. § 121A.40 - 121A.56 (Pupil Fair Dismissal Act)
- Minn. Stat. § 121A.69 (Hazing Policy)

MPS Policy Cross References:

- Policy 4002 (Harassment and Violence Prohibition)
- Policy 5200 (Behavior Standards)
- Regulation 5201 A (Reporting Procedures and District Action: Bullying and Hazing)
- Regulation 5201 B (Definitions: Bullying and Hazing)

PASSED AND ADOPTED BY THE MINNEAPOLIS PUBLIC SCHOOLS BOARD OF DIRECTORS _____.

	AYE	NAY	ABSENT	ABSTAIN
Abdi	_____	_____	_____	_____
Beachy	_____	_____	_____	_____
Cerrillo	_____	_____	_____	_____
El-Amin	_____	_____	_____	_____
Ellison	_____	_____	_____	_____
Emerick	_____	_____	_____	_____
Feerayarre	_____	_____	_____	_____
Jourdain	_____	_____	_____	_____
Norvell	_____	_____	_____	_____

Presiding Officer

Attest

 Sharon El-Amin, Chair, Minneapolis
 Public Schools

 Lori Norvell, Clerk, Minneapolis
 Public Schools

**MINNEAPOLIS PUBLIC SCHOOLS
RESOLUTION 2023-0060**

RESOLUTION REVISING AND RENAMING POLICY 3504

WHEREAS, The proposed revisions are required to align the policy with state or federal law.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors, Special School District No. 1 (Minneapolis Public Schools) adopts the changes as follows:

SECTION 1: **AMENDMENT** “Policy 3504: Public Data Requests” of the Minneapolis Public Schools Policies & Regulations is hereby *amended* as follows:

AMENDMENT

Policy 3504: ~~Public~~Government Data Requests

1. PURPOSE

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

2. GENERAL STATEMENT OF POLICY

The school district will comply with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13 (MGDPA), and Minn. Rules Parts 1205.0100-1205.2000 in responding to requests for government~~public~~ data.

3. DEFINITIONS

- a. ~~“Government data” means all recorded information that the school district has, including paper, email, flash drives, CDs, DVDs, photographs, etc.~~
- b. ~~“Inspection” means the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the school district, unless printing a copy is the only method to provide for inspection of the data. For data stored in electronic form and made available in electronic form on a remote access basis to the public by the school district, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public’s own computer equipment.~~
- c. ~~“Public data” means all government data collected, created, received, maintained, or disseminated by the school district, unless classified by statute, temporary classification pursuant to statute, or federal law, as nonpublic or protected nonpublic; or, with respect to data on individuals, as private or confidential.~~
- d. ~~“Responsible authority” means the individual designated by the school board as the individual responsible for the collection, use, and dissemination of any set of data on individuals, government data, or summary data, unless~~

otherwise provided by state law. Until an individual is designated by the school board, the responsible authority is the superintendent.

- e. *"Data practices compliance official"* is the designated employee by the responsible authority to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.
- f. *"Summary data"* means statistical records and reports derived from data on individuals but in which individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify an individual is ascertainable.

4. **DEFINITIONS**

- a. *Confidential Data on Individuals*
Data made not public by statute or federal law applicable to the data and are inaccessible to the individual subject of those data.
- b. *Data on Individuals*
All government data in which any individual is or can be identified as the subject of that data, unless the appearance of the name or other identifying data can be clearly demonstrated to be only incidental to the data and the data are not accessed by the name or other identifying data of any individual.
- c. *Data Practices Compliance Official*
The data practices compliance official is the designated employee of the school district to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems. The responsible authority may be the data practices compliance official.
- d. *Government Data*
All data collected, created, received, maintained or disseminated by any government entity regardless of its physical form, storage media or conditions of use.
- e. *Individual*
"Individual" means a natural person. In the case of a minor or an incapacitated person as defined in Minnesota Statutes section 524.5-102, subdivision 6, "individual" includes a parent or guardian or an individual acting as a parent or guardian in the absence of a parent or guardian, except that the responsible authority shall withhold data from parents or guardians, or individuals acting as parents or guardians in the absence of parents or guardians, upon request by the minor if the responsible authority determines that withholding the data would be in the best interest of the minor.
- f. *Inspection*
"Inspection" means the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the school district, unless printing a copy is the only method to provide for inspection of the data. For data stored in electronic form and made available in electronic form on a remote access basis to the public by the school district, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public's own computer equipment.

- g. Not Public Data
Any government data classified by statute, federal law, or temporary classification as confidential, private, nonpublic, or protected nonpublic.
- h. Nonpublic Data
Data not on individuals made by statute or federal law applicable to the data: (a) not accessible to the public; and (b) accessible to the subject, if any, of the data.
- i. Private Data on Individuals
Data made by statute or federal law applicable to the data: (a) not public; and (b) accessible to the individual subject of those data.
- j. Protected Nonpublic Data
Data not on individuals made by statute or federal law applicable to the data (a) not public and (b) not accessible to the subject of the data.
- k. Public Data
All government data collected, created, received, maintained, or disseminated by the school district, unless classified by statute, temporary classification pursuant to statute, or federal law, as nonpublic or protected nonpublic; or, with respect to data on individuals, as private or confidential.
- l. Public Data Not on Individuals
Data accessible to the public pursuant to Minnesota Statutes section 13.03.
- m. Public Data on Individuals
Data accessible to the public in accordance with the provisions of section 13.03.
- n. Responsible Authority
The individual designated by the school board as the individual responsible for the collection, use, and dissemination of any set of data on individuals, government data, or summary data, unless otherwise provided by state law. Until an individual is designated by the school board, the responsible authority is the superintendent.
- o. Summary Data
Statistical records and reports derived from data on individuals but in which individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify an individual is ascertainable. Unless classified pursuant to Minnesota Statutes section 13.06, another statute, or federal law, summary data is public.

5. REQUESTS FOR PUBLIC DATA

- a. All requests for public data must be made in writing directed to the responsible authority or through a designated form or application.
 - i. A request for public data must include the following information:
 - (1) Date the request is made;
 - (2) A clear description of the data requested;
 - (3) Identification of the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and

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

- period of time.
- iii. The school district will provide an explanation of technical terminology, abbreviations, or acronyms contained in the responsive data on request.
 - iv. The school district is not required by the MGDPA to create or collect new data in response to a data request, or to provide responsive data in a specific form or arrangement if the school district does not keep the data in that form or arrangement.
 - v. The school district is not required to respond to questions that are not about a particular data request or requests for data in general.

6. REQUEST FOR SUMMARY DATA

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

7. DATA ON INDIVIDUALS

- a. Collection and storage of all data on individuals and the use and dissemination of private and confidential data on individuals shall be limited to that necessary for the administration and management of programs specifically authorized by the legislature or local governing body or mandated by the federal government.
- b. Private or confidential data on an individual shall not be collected, stored, used, or disseminated by the school district for any purposes other than those stated to the individual at the time of collection in accordance with Minnesota

Statutes section 13.04, except as provided in Minnesota Statutes section 13.05, subdivision 4.

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

particulars of the successfully challenged data.

8. REQUESTS FOR DATA BY AN INDIVIDUAL SUBJECT OF THE DATA

- a. All requests for individual subject data must be made in writing directed to the responsible authority or designee, or through a designated form or application.
- b. A request for individual subject data must include the following information:
 - i. Statement that one is making a request as a data subject for data about the individual or about a student for whom the individual is the parent or guardian;
 - ii. Date the request is made;
 - iii. A clear description of the data requested;
 - iv. Proof that the individual is the data subject or the data subject's parent or guardian;
 - v. Identification of the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and
 - vi. Method to contact the requestor (such as phone number, address, or email address).
- c. The identity of the requestor of private data is private.
- d. The responsible authority or designee may seek clarification from the requestor if the request is not clear before providing a response to the data request.
- e. Policy 5690 (Student Data) addresses requests of students or their parents for educational records and data.

9. COSTS

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

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

c. Data Belonging to an Individual Subject

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

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

The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies. Based on the factors set forth in Minnesota Rule 1205.0300, subpart 4, the school district determines that a reasonable fee would be the charges set forth in section 8.A of this policy that apply to requests for data by the public.

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

10. ANNUAL REVIEW AND POSTING

- a. The responsible authority shall prepare a written public data access policy and a written policy for the rights of data subjects (including specific procedures the school district uses for access by the data subject to public or private data on individuals). The responsible authority shall update the policies no later than August 1 of each year, and at any other time as necessary to reflect changes in personnel, procedures, or other circumstances that impact the ability to access data.
- b. Copies of the policies shall be easily available to the public. The policies are published on the school district's website, [linked here](#).

Original Adoption:

8/10/2021

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act) Minn. Stat. § 13.01 (Government Data) Minn. Stat. § 13.02 (Definitions) Minn. Stat. § 13.025 (Government Entity Obligation) Minn. Stat. § 13.03 (Access to Government Data) Minn. Stat. § 13.04 (Rights of Subjects to Data) Minn. Stat. § 13.05 (Duties of Responsible Authority) Minn. Stat. § 13.32 (Educational Data) Minn. Rules Part 1205.0300 (Access to Public Data) Minn. Rules Part 1205.0400 (Access to Private Data)

PASSED AND ADOPTED BY THE MINNEAPOLIS PUBLIC SCHOOLS BOARD OF DIRECTORS _____.

	AYE	NAY	ABSENT	ABSTAIN
Abdi	_____	_____	_____	_____
Beachy	_____	_____	_____	_____
Cerrillo	_____	_____	_____	_____
El-Amin	_____	_____	_____	_____
Ellison	_____	_____	_____	_____
Emerick	_____	_____	_____	_____
Feerayarre	_____	_____	_____	_____
Jourdain	_____	_____	_____	_____
Norvell	_____	_____	_____	_____

Presiding Officer

Attest

Sharon El-Amin, Chair, Minneapolis
Public Schools

Lori Norvell, Clerk, Minneapolis
Public Schools