



South St. Paul School Board Meeting
 Monday, November 27, 2023 6:00 PM
 Location: CITY HALL
 125 THIRD AVENUE NORTH
 South St Paul, Minnesota 55075

Agenda

I.	ROLL CALL and PLEDGE OF ALLEGIANCE	
II.	APPROVAL OF MEETING AGENDA/MINUTES	
	A. School Board Meeting Agenda, November 27, 2023	
	B. Committee-of-the-Whole and Regular Meeting Minutes, November 13, 2023	3
III.	QUALITY-IN-ACTION and REPORTS	
	A. Quality-in-Action: Lincoln Center Principal Theresa Starkman, Assistant Principal Jen Sexauer, and Equity and Instructional Coach Lauren Ryan will highlight the new elementary literacy curriculum Wit & Wisdom. (T. Starkman, J. Sexauer, L. Ryan)	
	B. Report: Chair John Raasch will highlight the Public Listening Session submissions. (J. Raasch)	7
	C. Report: School Board members will highlight items from the committee-of-the-whole meeting. (Board)	8
	D. Report: Superintendent Zambreno will provide highlights from around the District. (B. Zambreno)	9
IV.	CONSENT ITEMS	
	A. Financial Claims: Bills Payable	10
	B. Staffing: Appointments, Resignations, Transfers, Retirements, Abolishments, and Leaves	15
V.	POLICY REVIEW	
	A. Policies under review for the second of three readings.	18
	1. #102 - Equal Education Opportunity Policy	19

2.	#301 - School District Administration	21
3.	#302 - Superintendent	22
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5.	#304 - Superintendent Contract, Duties, Evaluation	25
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11.	#601 - School District Curriculum and Instruction Goals	72
12.	#602 - Organization of School Calendar and School Day	79
13.	#616 - School District Accountability System	82
	B. Policies under review for the first of three readings.	88
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2.	#425 - Staff Development	91
3.	#507 - Corporal Punishment	97
4.	#532 - Use of Peace Officers and Crisis Teams	99
5.	#806 - Crisis Management Policy	104
VI.	BUSINESS ITEMS	
A.	Approval, for the South St. Paul School Board to approve the revised 2023-24 school calendar. (A. Winter)	110
B.	Approval, for the South St. Paul School Board to approve the Resolution Establishing Combined Polling Places for Certain Multiple Precincts and Designating Voting Hours for School District Elections Not Held on the Day of a Statewide Election. (L. Brandecker)	113
VII.	INFORMATIONAL ITEMS	
A.	Board Members' Reports/Committee Updates/Where Have You Seen a Passion: Board members will report on recent educational activities/events in which they have participated as well as other informational items.	
VIII.	CLOSED SESSION	
A.	Closed Session per the Open Meeting Law (Minn. Stat. § 13D.03) for teacher negotiations. (J. Milteer/B. Hoffman)	
B.	Adjourn the Closed Session	
IX.	ADJOURNMENT	

**South St. Paul School Board
Committee-of-the-Whole Meeting Minutes**

November 13, 2023

Chair John Raasch called the November 13, 2023, committee-of-the-whole meeting to order at 5:00 PM with six Board members present: T. Felton, W. Felton, Humann, Laliberte, Raasch and Weber. Director Claflin was absent. Others present included Superintendent Zambreno, Student Board Representatives Renata A. and several staff members.

Election Resolutions

Lisa Brandecker, Manager of Administrative Services and Communications provided a highlight of two resolutions that will go before the School Board this evening. The first resolution is to canvass the results of the November 7 special school board election and the second resolution authorizes the board clerk to issue acceptance of office certificates to the board member elect.

Native American Liaison

Lesly Gamez, Asst Director of Educational Services introduced Courtney Renville Soto, the district's new Native American Liaison. Courtney provided an overview of her background and the work she will engage in to provide an inclusive and culturally rich educational environment for our Native American students.

2022-23 Audit

Finance Director Brady Hoffman and Aaron Nielsen, the district's independent auditor from MMKR reviewed the financial statements and management report for fiscal year end June 30, 2023. One deficiency was reported and that is due to the limited size of the district's office staff which results in limited segregation of duties in several areas. The results of the testing disclosed no instances of noncompliance required to be reported under Government Auditing Standards and no findings based on testing of the District's compliance with Minnesota laws and regulations.

Enrollment Update

Finance Director Brady Hoffman provided a district enrollment update to show the history of the numbers of students, both resident and non-resident, that are served in SSPPS. In addition, the following enrollment trends were reviewed: enrollment projection and birth rates, open enrollment, enrollment migration, and fall 2023 enrollment. Like many districts across the state, SSPPS is continuing to see a decline in enrollment, mostly due to a decline in birth rates. District leaders are continuing to find additional trend data for other factors that are contributing to our enrollment decline.

The committee-of-the-whole meeting adjourned at 5:54 PM.

Respectfully submitted by:

Lisa Brandecker, Acting Secretary-Clerk
South St. Paul Board of Education



SOUTH ST. PAUL PUBLIC SCHOOLS Special School District No. 6

NOVEMBER 13, 2023

The regular meeting of the School Board, Special School District No. 6, South St. Paul, was held in the city hall council chambers on Monday, November 13, 2023. Chair John Raasch called the meeting to order at 6:00 PM with six Board members present for roll call: T. Felton, W. Felton, Humann, Laliberte, Raasch, and Weber. Director Claflin was absent. Superintendent Zambreno and several staff and community members were also present.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited.

MINUTES

By Director Humann

Seconded by Director W. Felton

That the South St. Paul School Board approves the November 13, 2023, School Board meeting agenda as well as minutes from the October 23, 2023, committee-of-the-whole and regular meetings. Motion carried (6-0)

ELECTION

By Member Laliberte

Seconded by Member Weber

Approval, for the South St. Paul School Board to approve the Resolution Canvassing Returns of Votes of School District Special Election.

Motion carried 6 yeas – Laliberte, T. Felton, Humann, Weber, W. Felton, and Raasch
0 nays

By Member Weber

Seconded by Member W. Felton

Approval, for the South St. Paul School Board to approve the Resolution Authorizing Issuance of Certificates of Election and Directing the School District Clerk to Perform Other Election Related Duties.

Motion carried 6 yeas – T. Felton, Humann, Weber, W. Felton, Laliberte, and Raasch
0 nays

OATH OF OFFICE

Kim Humann recited her oath of office pledge following the canvassing of the November 7, 2023 Special Election.

QUALITY-IN-ACTION AND REPORTS

Quality-in-Action – High School Principal Chuck Ochocki and Teacher Graham Judd along with a student provided a highlight of the new Art of the Trades class that is a part of the District's Pathway to Packer Promise work.

Quality-in-Action – Lesly Gamez, Asst Director of Educational Services introduced Courtney Renville Soto, the district’s new Native American Liaison. Courtney provided an overview of her background and the work she will engage in to provide an inclusive and culturally rich educational environment for our Native American students.

Public Listening Session Report – There were no public listening session submissions this evening.

Committee-of-the-Whole Report – Vice Chair Weber provided a highlight of the School Board’s discussion at their committee-of-the-whole meeting this evening.

Superintendent Report – Superintendent Zambreno provided highlights from around the district.

CONSENT ITEMS

By Director Humann

Seconded by Director Weber

- A. Financial Claims—Bills Payable
- B. Staffing: Appointments, Resignations, Transfers, Retirements, Abolishments, and Leaves.

Motion carried (6-0)

BUSINESS ITEMS

By Director W. Felton

Seconded by Director Humann

Approval, for the South St. Paul School Board to approve the June 3., 2023 Financial Statements and Management Report.

Motion carried 6-0

By Director Humann

Seconded by Director Weber

Approval, for the South St. Paul School Board to approve the Acceptance of Gifts Resolution.

Motion carried 6 yeas – Humann, Weber, W. Felton, Laliberte, T. Felton and Raasch.

0 nays

By Director Humann

Seconded by Director Claflin

Approval, for the South St. Paul School Board to approve the 2023-24 Student Teacher Agreement between South St. Paul Public Schools, Special School District 6 and Hamline University.

Motion carried 6-0

INFORMATIONAL ITEMS

School Board members reported on various educational activities/events in which they have participated as well as other informational items.

CLOSED SESSION

By Director Weber

Seconded by Director Humann

Approval for the School Board to move to a closed session at 6:48 PM per the open meeting law (Minn. Stat. § 13D.03) for the purpose of teacher negotiations.

Motion carried (6-0)

Closed Session officially began at 6:54 PM.

Members present: Directors T. Felton, W. Felton, Humann, Laliberte, Weber, and Raasch as well as Superintendent Brian Zambreno, Human Resource Director Joel Milteer, and Finance Director Brady Hoffman.

ADJOURN

By Director Weber

Seconded by Director Humann

That the School Board moves to open the closed session and adjourn the November 13, 2023, meeting at 7:18 PM.

Motion carried (6-0)

Official Board Minutes are available in the
District Office at 104 – 5th Ave. So. – So. St. Paul

Respectfully Submitted by:

Lisa Brandecker, Acting Secretary-Clerk
Board of Education



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Place on Agenda: Regular Meeting Reports

Action Requested: None

Attachment: None

Topic: School Board Listening Session Report

Presenter(s): Board Chair

Background:

At the committee-of-the-whole and regular business meetings, the Board Chair will provide an overview of the listening session submissions.

The South St. Paul School Board provides the following opportunities for community members to address the board:

- **In-Person** on the first meeting date of each month according to the schedule listed on the [district's website](#). Public listening sessions are held at City Hall (125 – 3rd Avenue North) beginning at 4:15 PM.
- **Electronic form submissions** are accepted on all meeting dates listed on the [district's website](#). Click [here](#) to submit a Public Listening Session comment.
 - Form submissions will be acknowledged by Board Chair and/or Superintendent on-air during the regular business meeting. The Board Chair and/or Superintendent will also follow-up personally with the individuals submitting a Public Listening Session form.



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Place on Agenda: Reports

Action Requested: None

Attachment: None

Topic: Committee-of-the-Whole Meeting Update
Presenter(s): Board
Background: School Board members will highlight items from the committee-of-the-whole meeting.
Recommendation: N/A
Alternatives: N/A



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Place on Agenda: Reports

Action Requested: None

Attachment: None

Topic: Superintendent's Update
Presenter(s): Dr. Brian Zambreno, Superintendent
Background: Superintendent Zambreno will provide highlights from around the District.
Recommendation: N/A
Alternatives: N/A



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: November 27, 2023

Place on Agenda: Consent Items

Action Requested: Approval

Attachment: Financials – Bills Payable

Topic: Financials – Bills Payable
Presenter(s): Chair
Background: It is the policy of the school district to maintain its records so that they will be available for inspection by members of the general public and to provide for the publication of its official proceedings in compliance with law.
Recommendation: Administration recommends the approval of the attached financial statement.
Alternatives: N/A

CHECK CHE		CHECK		
NUMBER	TYP	AMOUNT	DATE	VENDOR
204264	R	228.50	11/17/2023	ACIS
204265	R	548.75	11/17/2023	AGPARTS WORLDWIDE INC
204266	R	100.00	11/17/2023	ALBRECHT, TIFFANY
204267	R	1,780.02	11/17/2023	ALLSTREAM
204268	R	1,327.82	11/17/2023	AMAZON CAPITAL SERVICES
204269	R	100.00	11/17/2023	ANDERSON, FALLON
204270	R	150.00	11/17/2023	ANDERSON, LISA
204271	R	1,480.00	11/17/2023	AUFDERWORLD CORP
204272	R	750.00	11/17/2023	BACKUPIFY
204273	R	100.00	11/17/2023	BRIESE, RYAN
204274	R	4.25	11/17/2023	BROOKS, PAULETTE
204275	R	6,809.58	11/17/2023	CANON FINANCIAL SERVICES
204276	R	149.99	11/17/2023	CATALYST SOURCING SOLUTIONS
204277	R	285.00	11/17/2023	CDW GOVERNMENT INC
204278	R	426.36	11/17/2023	CHILD SUPPORT SERVICES DIVISION
204279	R	11.05	11/17/2023	CLASSEN, GLORIA
204280	R	5,823.20	11/17/2023	CST
204281	R	79.01	11/17/2023	CULLIGAN-MILBERT COMPANY
204282	R	8,351.61	11/17/2023	DAKOTA COUNTY PT&R
204283	R	400.36	11/17/2023	EDUCATORS BENEFIT CONSULTANTS LLC
204284	R	30.00	11/17/2023	GEORGAKOPOULOS, TESS
204285	R	129.00	11/17/2023	GLOBE PRINTING & OFFICE SUPPLIES
204286	R	510.00	11/17/2023	GUTZMAN, DEB
204287	R	100.00	11/17/2023	HERIG, TODD
204288	R	560.00	11/17/2023	HOFFMANN, LINDA
204289	R	800.00	11/17/2023	IND SCHOOL DISTRICT #11
204290	R	154,760.64	11/17/2023	IND SCHOOL DISTRICT 197/COMMUNITY ED
204291	R	65,414.86	11/17/2023	IND SCHOOL DISTRICT 199/COMMUNITY ED
204292	R	37.18	11/17/2023	INTEREUM INC
204293	R	4,800.00	11/17/2023	IXL LEARNING
204294	R	100.00	11/17/2023	JOHNSON, NATHAN
204295	R	28.00	11/17/2023	KUEHN, KIMBERLY
204296	R	315.00	11/17/2023	LIFE CURATION REACH BACK
204297	R	185.89	11/17/2023	LINK INTERPRET
204298	R	475.75	11/17/2023	LOCAL #70
204299	R	143.00	11/17/2023	MARTINI, JENNIFER
204300	R	1,501.40	11/17/2023	MINNESOTA CHILD SUPPORT PAYMENT CENTER
204301	R	79.00	11/17/2023	MUELLER, JACOB
204301	V	-79.00	11/17/2023	MUELLER, JACOB
204302	R	65.00	11/17/2023	MN ASSOC OF STUDENT COUNCILS
204303	R	249.00	11/17/2023	NATIONAL SPEECH & DEBATE ASSOCIATION
204304	R	6,913.92	11/17/2023	NORTHLINE TRANSPORTATION
204305	R	60.00	11/17/2023	NOVAK, JANICE
204306	R	166.50	11/17/2023	OFFICE AND PROF EMPLOYEES UNION
204307	R	250.00	11/17/2023	OVERELL, STEPHANIE
204308	R	614.52	11/17/2023	PAR, INC
204309	R	54.66	11/17/2023	PIEKARSKI, DIAN
204310	R	7.25	11/17/2023	PROFESSIONAL WIRELESS COMMUNICATIONS
204311	R	2,370.51	11/17/2023	RATZ, KIM
204312	R	6,875.00	11/17/2023	RICH BOYER MASONRY & CONCRETE INC
204313	R	86,264.43	11/17/2023	SAFEWAY BUS COMPANY
204314	R	729.96	11/17/2023	SAM'S CLUB
204315	R	2,750.00	11/17/2023	SHI INTERNATIONAL CORP
204316	R	10,467.10	11/17/2023	SOLIANT HEALTH
204317	R	12,418.69	11/17/2023	SOUTH ST PAUL TEACHER'S ASSOCIATION
204318	R	5.00	11/17/2023	SOUTH ST PAUL OPEN FOUNDATION

CHECK CHE		CHECK		
NUMBER	TYP	AMOUNT	DATE	VENDOR
204319	R	60.00	11/17/2023	SOUTH ST PAUL EDUCATION FOUNDATION
204320	R	934.36	11/17/2023	SSP EASRP
204321	R	10.20	11/17/2023	STACK-JOHNSON, SUE
204322	R	3,487.50	11/17/2023	SUNBELT STAFFING
204323	R	3,495.00	11/17/2023	TEACHING STRATEGIES LLC
204324	R	15.30	11/17/2023	THOMPSON, KATHLEEN
204325	R	540.00	11/17/2023	TOAY, GRETCHEN
204326	R	487.29	11/17/2023	XCEL ENERGY
204327	R	79.00	11/17/2023	MUELLER, JACOB
204328	R	1,200.00	11/21/2023	HAINLEN, ROBERT
204329	R	764.39	11/21/2023	KWIK TRIP EXTENDED NETWORK
204330	R	51,371.26	11/21/2023	XCEL ENERGY
202300217	W	44,228.84	11/15/2023	MINNESOTA PAYROLL TAXES
202300218	W	265,710.68	11/15/2023	FEDERAL PAYROLL TAXES
202300219	W	1,049.97	11/15/2023	MN DEPT OF REVENUE
202300220	W	47,364.70	11/15/2023	PERA
202300221	W	51,800.00	11/15/2023	TSA/ACH DEDUCTION
202300222	W	139,393.42	11/15/2023	TEACHER RETIREMENT ASSOCIATION
202300223	W	356.07	11/15/2023	TSA/ACH DEDUCTION
202300224	W	19.16	11/15/2023	TSA/ACH DEDUCTION
202300225	W	480.55	11/15/2023	TSA/ACH DEDUCTION
202300226	W	198.88	11/15/2023	TSA/ACH DEDUCTION
202300227	W	0.00	11/15/2023	MINNESOTA PAYROLL TAXES
202300228	W	0.00	11/15/2023	FEDERAL PAYROLL TAXES
202300229	W	2,296.04	11/15/2023	PERA
202300230	W	124,796.32	11/06/2023	HEALTH PARTNERS
202300231	W	34,694.22	11/13/2023	HEALTH PARTNERS
202300232	W	1,195.50	11/06/2023	MEDSURETY
		1,165,086.41	Totals for checks	

FUND SUMMARY

<u>FUND</u>	<u>DESCRIPTION</u>	<u>BALANCE SHEET</u>	<u>REVENUE</u>	<u>EXPENSE</u>	<u>TOTAL</u>
01	GENERAL	533,874.56	0.00	185,838.08	719,712.64
02	FOOD SERVICE	8,359.75	0.00	0.00	8,359.75
04	COMMUNITY EDUCATION	244,928.73	0.00	8,135.12	253,063.85
05	CAPITAL	802.79	0.00	22,106.17	22,908.96
20	INTERNAL SERVICE	0.00	0.00	5,506.91	5,506.91
21	MEDICAL	0.00	0.00	153,983.63	153,983.63
50	ACTIVITY ACCOUNT	1,550.67	0.00	0.00	1,550.67
***	Fund Summary Totals ***	789,516.50	0.00	375,569.91	1,165,086.41

***** End of report *****

CHECKRUNS

<u>FUND</u>	<u>DESCRIPTION</u>	<u>November 10, 2023 - November 25, 2023</u>
1	GENERAL	\$719,712.64
2	FOOD SERVICE	\$8,359.75
4	COMMUNITY EDUCATION	\$253,063.85
5	CAPITAL	\$22,908.96
7	DEBT SERVICE	\$0.00
20	INTERNAL SERVICE	\$159,490.54
50	ACTIVITY ACCOUNTS	\$1,550.67
	TOTAL	<u>\$1,165,086.41</u>

PAYROLL

11/15/2023

Payroll Direct Deposit	900095964-900096504	\$783,615.58
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SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: November 27, 2023

Place on Agenda: Consent Items

Action Requested: Approval

Attachment: Staffing

Topic: Staffing
Presenter(s): Chair
Background: The staffing report includes the Appointments, Resignations, Transfers, Retirements, Abolishments and Leaves being recommended to the School Board for approval.
Recommendation: Administration recommends approval of the proposed staffing and supplemental staffing as presented.
Alternatives: Amend the motion to remove a certain appointment, resignation, transfer, retirement, abolishment, or leave. Provide administration with directions for next steps.

VII.A.1 Staff Appointments, Resignations, Retirements, Terminations and Leaves (Joel Milteer)

11-27-23

Certified

A. Appointments/Reassignments

Change of Assignment

Margaret Palumbo – Change from 0.4 FTE Focus Program Teacher, 0.6 FTE Health Teacher to 0.6 FTE Focus Program Teacher, 0.4 Health Teacher, Middle School, effective August 28, 2023.

2023-24 Building & Instructional Leadership Team (BILT) (\$330 Stipend; prorated from \$1,000)
Jacob Truby

2023-24 ECA

BASKETBALL – BOYS

Freshman Coach	Pye, Henry*	\$3,775
Volunteer Coach	Davis, Dajoun	Volunteer
Volunteer Coach	Williams, Jerome	Volunteer

DANCE TEAM

Volunteer Coach	Garcia, Bethani	\$500 (Booster Club)
Volunteer Coach	Rozales, Alayna	\$500 (Booster Club)

* indicates non-district employee

** indicates returning non-district employee

B. Resignations/Retirements/Leaves/Reductions/Other

VII.A.2 Staff Appointments, Resignations, Retirements, Terminations and Leaves (Joel Milteer)

11-27-23

Classified

A. Appointments/Reassignments

1. Janea Teklu – Special Education Assistant, Lincoln Center, \$20.16 per hour, 35 hours per week, effective November 20, 2023.
2. Jose Ortiz – Part-Time Cleaner, Lincoln Center, \$18.21 per hour, 20 hours per week, effective November 37, 2023.
3. Lori Lane - Administrative and Nutrition Services Administrative Assistant (Class IV), District Office, effective December 4, 2023.
4. Terrance Bonk – Part-Time Cleaner, Secondary Building, \$18.21 per hour, 20 hours per week, effective November 27, 2023.

Change of Assignment

Serenity Belmares – Special Education Assistant, increase from 0.6 FTE to 1.0 FTE, Lincoln Center, effective January 3, 2024.

B. Resignations/Retirements/Leaves/Reductions/Other

1. Mark Cramer – Resignation, Assistant Cook Manager, Lincoln Center, effective November 24, 2023.
2. Hafsiba Adeniyi – Resignation, Nutrition Services Assistant, Kaposia Education Center, effective December 1, 2023.
3. Denise Geldernick – Leave of absence, Special Education Assistant, Lincoln Center, Revised dates TBD



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: November 27, 2023

Place on Agenda: Regular Business Meeting Agenda

Action Requested: None. Review only at this time.

Attachment: 102, 301, 302, 303, 304, 305, 306, 418, 419, 515, 601, 602, 616

Topic: Policy Review – Second of Three Readings
Presenter(s): Chair John Raasch
<p>Background:</p> <p>School district policy #208 requires policies under review to be placed on two consecutive School Board meeting agendas for review and comment by board members, staff and community members. At the third and subsequent meeting, the policies then go before the School Board for approval.</p> <p>The policies listed above were reviewed by the board policy committee on October 25. These policies will remain on the November 13 and November 27 board agendas for review and comment. The policies will then have their third and final reading and approval at the Monday, December 11, 2023 Board meeting.</p>
<p>Recommendation:</p> <p>N/A</p>
<p>Alternatives:</p> <p>N/A</p>



Adopted: April 17, 1996

MSBA/MASA Model Policy 102

Orig. 1995

Revised: 5/24/04, 6/26/06; 4/13/15

Rev. 2023 **4**

7/25/16; 6/10/19; 5/26/20; 6/14/21; 6/27/22

6/26/23; 12/11/23

102 EQUAL EDUCATIONAL OPPORTUNITY

I. PURPOSE

- A. The purpose of this policy is to ensure that equal educational opportunity is provided for all students of the school district.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to provide equal educational opportunity for all students. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation, including gender identity and expression, or age. The school district also makes reasonable accommodations for students with disabilities.

[Note: Part of the definition of “sexual orientation” within the Minnesota Human Rights Act (MHRA) is “having or being perceived as having a self-image or identity not traditionally associated with one’s biological maleness or femaleness,” which is how gender identity and expression gain protection under the MHRA. Minn. Stat. § 363A.03, Subd. 44.]

- B. The school district prohibits harassment and discrimination of any individual based on any of the protected classification listed above. For information about the types of conduct that constitute violation of the school district’s policy on harassment and violence and the school district’s procedures for addressing such complaints, refer to the school district’s policy on harassment and violence (Policy 413).
- C. The school district prohibits discrimination of students with a disability, within the intent of Section 504 of the Rehabilitation Act of 1973 (“Section 504”), who need services, accommodations, or programs in order to receive a free appropriate public education. For information as to protections that may apply pursuant to Section 504 and the school district’s corresponding procedures for addressing disability discrimination complaints, refer to the school district’s policy on student disability nondiscrimination (Policy 521).
- D. The school district prohibits sexual harassment discrimination of any individual on the basis of sex in its education programs or activities. For information as to the protections that apply pursuant to Title IX and school district’s corresponding

procedures and processes for addressing sexual harassment and discrimination refer to the school district's policy on Title IX sex nondiscrimination (Policy 522).

- E. The school district shall provide equal opportunity for members of each sex and to members of all races and ethnicities to participate in its athletic program. In determining whether equal opportunity to participate in athletic programs is available for the purposes of this law, at least the following factors shall be considered to the extent that they are applicable to a given situation: whether the opportunity for males and females to participate in the athletic program reflects the demonstrated interest in athletics of the males and females in the student body of the educational institution; whether the opportunity for members of all races and ethnicities to participate in the athletic program reflects the demonstrated interest in athletics of members of all races and ethnicities in the student body of the educational institution; whether the variety and selection of sports and levels of competition effectively accommodate the demonstrated interests of members of each sex; whether the variety and selection of sports and levels of competition effectively accommodate the demonstrated interests of members of all races and ethnicities; the provision of equipment and supplies; scheduling of games and practice times; assignment of coaches; provision of locker rooms; practice and competitive facilities; and the provision of necessary funds for teams of one sex.
- F. This policy applies to all areas of education including academics, coursework, co-curricular and extracurricular activities, or other rights or privileges of enrollment.
- G. Every school district employee shall be responsible for complying with this policy conscientiously.
- H. Any student, parent or guardian having questions regarding this policy should discuss it with the appropriate school district official as provided by policy. In the absence of a specific designee, an inquiry or a complaint should be referred to the superintendent.

Legal References: Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)
Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)
20 U.S.C. § 1681 *et seq.* (Title IX of the Education Amendments of 1972)

Cross References: MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process)



Adopted: May 24, 2004

MSBA/MASA Model Policy 301

Orig. 1995

Revised: 10/26/15; 12/11/23

Rev. 2022 ~~11~~

301 SCHOOL DISTRICT ADMINISTRATION

I. PURPOSE

The purpose of this policy is to clarify the role of the school district administration and its relationship with the school board.

II. GENERAL STATEMENT OF POLICY

- A. Effective administration and sound management practices are essential to realizing educational excellence. It is the responsibility of the school district administration to develop a school environment that recognizes the dignity of each student and employee, and the right of each student to access educational programs and services equitably.
- B. The school board expects all activities related to the operation of the school district operations to be administered in a well-planned manner, conducted in an orderly fashion, and to be consistent with the policies of the school board.
- C. The school board shall seek specific recommendations, background information and professional advice from the school district administration, and will hold the administration accountable for sound management of the schools.
- D. Although the school board holds the superintendent ultimately responsible for administration of the school district, and annual evaluation of each principal, the school board also recognizes the direct responsibility of principals for educational results and effective administration, supervisory, and instructional leadership at the school building level.
- E. The school board and school administration shall work together to share information and decisions that best serve the needs of school district students within financial and facility constraints that may exist.

Legal References: Minn. Stat. § 123B.143 (Superintendent)
Minn. Stat. § 123B.147 (Principals)

Cross References: MSBA Service Manual, Chapter 3, Superintendent of Schools



Adopted: May 24, 2004

MSBA/MASA Model Policy 302

Orig. 1995

Revised: 10/26/15; 12/11/23

Rev. 2022 ~~11~~

302 SUPERINTENDENT

I. PURPOSE

The purpose of this policy is to recognize the importance of the role of the superintendent and the overall responsibility of that position within the school district.

II. GENERAL STATEMENT OF POLICY

The school board shall employ a superintendent who shall serve as an ex officio, nonvoting member of the school board and as chief executive officer of the school system.

III. GENERAL RESPONSIBILITIES

- A. The superintendent is responsible for the management of the schools, the administration of all school district policies, and is directly accountable to the school board.
- B. The superintendent shall annually evaluate each principal assigned responsibility for supervising a school building in the district.
- C. The superintendent may delegate responsibilities to other school district personnel, but shall continue to be accountable for actions taken under such delegation.
- D. Where responsibilities are not specifically prescribed, nor school board policy applicable, the superintendent shall use personal and professional judgment, subject to review by the school board.

Legal References:

Minn. Stat. § 123B.143 (Superintendent)

Cross References:

MSBA/MASA Model Policy 202 (School Board Officers)

MSBA/MASA Model Policy 208 (Development, Adoption, and Implementation of Policies)

MSBA/MASA Model Policy 216 (Out-of-State Travel by School Board Members)

MSBA/MASA Model Policy 301 (School District Administration)

MSBA/MASA Model Policy 303 (Superintendent Selection)

MSBA/MASA Model Policy 304 (Superintendent Contract, Duties, and Evaluation)

MSBA/MASA Model Policy 305 (Policy Implementation)

MSBA/MASA Model Policy 306 (Administrator Code of Ethics)

MSBA/MASA Model Policy 412 (Expense Reimbursement)

MSBA/MASA Model Policy 510 (School Activities)

MSBA/MASA Model Policy 511 (Student Fundraising)

MSBA/MASA Model Policy 513 (Student Promotion, Retention, and Program Design)

MSBA/MASA Model Policy 602 (Organization of School Calendar and School Day)
MSBA/MASA Model Policy 605 (Alternative Programs)
MSBA/MASA Model Policy 701 (Establishment and Adoption of School District Budget)
MSBA/MASA Model Policy 704 (Development, and Maintenance of an Inventory of Fixed Assets and a Fixed Asset Accounting System)
MSBA/MASA Model Policy 802 (Disposition of Obsolete Equipment and Material)
MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)
MSBA/MASA Model Policy 905 (Advertising)
MSBA Service Manual, Chapter 3, Superintendent of Schools



Adopted: May 24, 2004

MSBA/MASA Model Policy 303

Orig. 1995

Revised: 10/26/15; 12/11/23

Rev. 2022 03

303 SUPERINTENDENT SELECTION

I. PURPOSE

The purpose of this policy is to convey to the school community that the authority to select and employ a superintendent is vested in the school board.

II. GENERAL STATEMENT OF POLICY

The school board shall employ a superintendent to serve as the chief executive officer of the school ~~district board~~ and to conduct the daily operations of the school district.

III. QUALIFICATIONS

- A. The school board shall consider applicants who meet or exceed the licensing standards set by the Minnesota Board of School Administrators and qualifications established in the job description for the superintendent position. State and federal equal employment and nondiscrimination requirements shall be observed throughout the recruitment and selection process.
- B. The school board will consider professional preparation, experience, skill and demonstrated competence of qualified applicants in making a final decision.

IV. SELECTION

- A. A process for recruitment, screening, and interviewing of candidates shall be developed by the school board.
- B. The school board may contract for assistance in the search for a superintendent.
- C. The school board shall provide the contract for the superintendent and specifically identify all conditions of employment mutually agreed upon with the superintendent. In so doing, the school board shall observe all requirements of state and federal law and school board policy.

Legal References: Minn. Stat. § 123B.143 (Superintendent)
Minn. Rules, Chapter 3512

Cross References: MSBA Service Manual, Chapter 3, Superintendent of Schools
None



Adopted: May 24, 2004

MSBA/MASA Model Policy 304

Orig. 1995

Revised: 11/13/06; 5/22/17; 12/11/23

Rev. 2022 1999

304 SUPERINTENDENT CONTRACT, DUTIES AND EVALUATION

I. PURPOSE

The purpose of this policy is to provide for the use of an employment contract with the superintendent, a position description and the use of an approved instrument to evaluate performance.

II. GENERAL STATEMENT OF POLICY

- A. The superintendent's contract shall be used to formalize the employment relationship and to specifically identify and clarify all conditions of employment with the superintendent.
- B. The specific duties for which the superintendent is accountable shall be set forth in a position description for the superintendent and shall be measured by a performance appraisal instrument approved by the school board in consultation with the superintendent. The school board shall use this instrument to periodically evaluate the performance of the superintendent.
- C. The school board may use the model contract approved by the boards of the Minnesota School Boards Association and the Minnesota Association of School Administrators as a model instrument.

Legal References: Minn. Stat. § 123B.143 (Superintendent)

Cross References: None
~~MSBA Service Manual, Chapter 3, Superintendent of Schools (See Model Contract, Sample Performance Appraisals, and Model Job Description)~~



Adopted: May 24, 2004

MSBA/MASA Model Policy 305

Orig. 1995

Revised: 3/27/17; 12/11/23

Rev. 2022 1999

305 POLICY IMPLEMENTATION

I. PURPOSE

The purpose of this policy is to clarify the responsibility of the school administration for implementation of school ~~board~~ district policy.

II. GENERAL STATEMENT OF POLICY

- A. It shall be the responsibility of the superintendent to implement school board policy and to recommend additions or modifications thereto. The administration is authorized to develop guidelines and directives to effectuate the implementation of school ~~board~~ district policies. These guidelines and directives shall not be inconsistent with said policies. ~~At least annually, these written procedures shall be presented to the school board for review.~~
- B. The Employee Handbook and the Student Rights and Responsibilities Handbooks shall be subject to annual review and approval by the school board.
- C. School principals and other administrators who have handbook responsibilities shall present recommended changes necessary to reflect new or modified policies. Changes of substance within the Student Rights and Responsibilities Handbooks shall be reviewed by the superintendent to assure compliance with school board policy and shall be approved by the school board.

Legal References: Minn. Stat. § 123B.143 (Superintendent)

Cross References: MSBA/MASA Model Policy 208 (Development, Adoption, and Implementation of Policies)



Adopted: December 8, 1997

MSBA/MASA Model Policy 306

Revised: 5/24/04; 5/22/17; 12/11/23

Orig. 1995

Rev. 2002

306 ADMINISTRATOR CODE OF ETHICS

I. PURPOSE

The purpose of this policy is to establish the requirements of the school board that school administrators adhere to the standards of ethics and professional conduct in this policy and Minnesota law.

II. GENERAL STATEMENT OF POLICY

A. An educational administrator's professional behavior must conform to an ethical code. The code must be idealistic and at the same time practical, so that it can apply reasonably to all educational administrators. The administrator acknowledges that the schools belong to the public they serve for the purpose of providing educational opportunities to all. However, the administrator assumes responsibility for providing professional leadership in the school and community. This responsibility requires the administrator to maintain standards of exemplary professional conduct. It must be recognized that the administrator's actions will be viewed and appraised by the community, professional associates, and students. To these ends, the administrator must subscribe to the following standards.

B. The Educational Administrator:

1. Makes the well-being of students the fundamental value of all decision-making and actions.
2. Fulfills professional responsibilities with honesty and integrity.
3. Supports the principle of due process and protects the civil and human rights of all individuals.
4. Obeys local, state, and national laws and does not knowingly join or support organizations that advocate, directly or indirectly, the overthrow of the government.
5. Implements the school board's policies.
6. Pursues appropriate measures to correct those laws, policies, and regulations that are not consistent with sound educational goals.
7. Avoids using positions for personal gain through political, social, religious, economic, or other influence.

8. Accepts academic degrees or professional certification only from duly accredited institutions.
9. Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.
10. Honors all contracts until fulfillment, release, or dissolution is mutually agreed upon by all parties to the contract.
11. Adheres to the Code of Ethics for School Administrators in Minnesota law.

Legal References:

Minn. Stat. § 122A.14, Subd. 4 (Code of Ethics)

Minn. Rules Part 3512.5200 (Code of Ethics for School Administrators)

Cross References:



Adopted: October 28, 1996

MSBA/MASA Model Policy 418

Orig. 1995

Revised: 6/14/04; 10/27/08, 11/23/15; 11/26/18
6/10/19; 5/26/20; 6/14/21; 6/27/22; 4/26/23
6/26/23; 12/11/23

Rev. 2023 2

418 DRUG FREE WORKPLACE/DRUG-FREE SCHOOL

I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment for employees and students by prohibiting the use of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, ~~(including~~ edible cannabinoid products~~)~~, and controlled substances without a physician's prescription.

II. GENERAL STATEMENT OF POLICY

- A. Use of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, ~~(including~~ edible cannabinoid products~~)~~, and controlled substances before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.
- B. A violation of this policy occurs when any student, teacher, administrator, other school district personnel, or member of the public uses or possesses alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, ~~(including~~ edible cannabinoid products~~)~~, or controlled substances in any school location.
- C. An individual may not use or possess cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public school, as defined in Minnesota Statutes, section 120A.05, subdivisions 9, 11, and 13, including all facilities, whether owned, rented, or leased, and all vehicles that the school district owns, leases, rents, contracts for, or controls.
- D. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

III. DEFINITIONS

- A. "Alcohol" includes any alcoholic beverage containing more than one-half of one percent alcohol by volume.
- B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code section 812, including analogues and look-alike drugs.

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

controlled substances, whether or not for the purpose of receiving remuneration or consideration.

IV. EXCEPTIONS

- A. A violation of this policy does not occur when a person brings onto a school location, for such person's own use, a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.
- B. A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minnesota Statutes section 624.701, Subdivision 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).
- C. A violation of this policy does not occur when a person uses or possesses a toxic substance unless they do so with the intent of inducing or intentionally aiding another in inducing intoxication, excitement, or stupefaction of the central nervous system, except under the direction and supervision of a medical doctor.

V. PROCEDURES

- A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, must comply with the school district's student medication policy.
- B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.
- C. New employees shall be provided with written summary of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy summary. Policies are accessible to all employees on the school districts' website.
- D. Employees are subject to the school district's drug and alcohol testing policies and procedures.

- E. Members of the public are not permitted to possess controlled substances, **nonintoxicating cannabinoids, or edible cannabinoid products**, in a school location except with the express permission of the superintendent.
- F. No person is permitted to possess or use medical cannabis, **nonintoxicating cannabinoids, or edible cannabinoid products**, on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any childcare facility. This prohibition includes (1) vaporizing or combusting medical cannabis on any form of public transportation where the vapor or smoke could be inhaled by a minor child or in any public place, including indoor or outdoor areas used by or open to the general public or place of employment; and (2) operating, navigating, or being in actual physical control of any motor vehicle or working on transportation property, equipment or facilities while under the influence of medical cannabis, **nonintoxicating cannabinoids, or edible cannabinoid products**.
- G. Possession of alcohol on school grounds pursuant to the exceptions of Minnesota Statutes 624.701, Subdivision 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

VI. SCHOOL PROGRAMS

- A. Starting in the 2026-2027 school year, the school district must implement a comprehensive education program on cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, for students in middle school and high school. The program must include instruction on the topics listed in Minnesota Statutes, section 120B.215, subdivision 1 and must:
 - 1. respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl; and
 - 2. refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, and treatment for a substance use disorder.
- B. School district efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with Minnesota Statutes, sections 120B.10 and 120B.11.
- C. Notwithstanding any law to the contrary, the school district shall have a procedure for a parent, a guardian, or an adult student 18 years of age or older to review the content of the instructional materials to be provided to a minor child or to an adult

student pursuant to this article. The district must allow a parent or adult student to opt out of instruction under this article with no academic or other penalty for the student and must inform parents and adult students of this right to opt out.

VII. ENFORCEMENT

A. Students

1. Students may be required to participate in programs and activities that provide education against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes, and nonintoxicating cannabinoids; and ~~including~~ edible cannabinoid products.)
2. Students may be referred to drug or alcohol assistance or rehabilitation programs; school based mental health services, mentoring and counseling, including early identification of mental health symptoms, drug use and violence and appropriate referral to direct individual or group counselling service. which may be provided by school based mental health services providers; and/or referral to law enforcement officials when appropriate.
3. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.

B. Employees

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

4. Sanctions against employees, including nonrenewal, suspension, termination, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.

C. The Public

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

Legal References:

Minn. Stat. § 120B.215 (Education on Cannabis Use and Substance Use)
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.40-§ 121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 151.72 (Sale of Certain Cannabinoid Products)
Minn. Stat. § 152.01, Subd. 15a (Definitions)
Minn. Stat. § 152.0264 (Cannabis Sale Crimes)
Minn. Stat. § 152.22, subd. 6 (Definitions; Medical Cannabis)
Minn. Stat. § 152.23 (Limitations; Medical Cannabis)
Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)
Minn. Stat. § 340A.101 (Definitions; Alcoholic Beverage)
Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)
Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)
Minn. Stat. § 342.09 (Personal Adult Use of Cannabis)
Minn. Stat. § 342.56 (Limitations)
Minn. Stat. § 609.684 (Abuse of Toxic Substances)
Minn. Stat. § 624.701 (Alcohol in Certain Buildings or Grounds)
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)
20 U.S.C. § 7101-7122 (Student Support and Academic Enrichment Grants)
21 U.S.C. § 812 (Schedules of Controlled Substances)
21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)
34 C.F.R. Part 84 (Government-Wide Requirements for Drug-Free Workplace)

Cross References:

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 516 (Student Medication)



Adopted: June 14, 2004

Revised: 5/10/10; 11/23/15; 11/26/18

6/10/19; 5/26/20; 6/14/21; 6/27/22; 6/26/23

12/11/23

MSBA/MASA Model Policy 419

Orig. 1995

Rev. 2023 2

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

I. PURPOSE

The purpose of this policy is to maintain a learning and working environment that is tobacco free.

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. “Electronic delivery device” means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption through inhalation of aerosol or vapor from the product. Electronic delivery devices include but are not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. An electronic delivery device includes any component part of a product, whether or not marketed or sold separately. An electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- B. “Heated tobacco product” means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.
- C. “Tobacco” means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- D. “Tobacco-related devices” means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marked or sold separately.
- E. “Smoking” means inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.
- F. “Vaping” means using an activated electronic delivery device or heated tobacco product.

IV. EXCEPTIONS

- A. A violation of this policy does not occur when an American Indian adult lights tobacco on school district property as a part of a traditional American Indian spiritual or cultural ceremony. An American Indian student may carry a medicine pouch containing loose tobacco intended as observance of traditional spiritual or cultural practices. An American Indian is a person who is a member of an Indian tribe as defined under Minnesota law.
- B. A violation of this policy does not occur when an adult non-student possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off-campus events sponsored by the school district.

V. VAPING PREVENTION INSTRUCTION

- A. The school district must provide vaping prevention instruction at least once to students in grades 6 through 8.
- B. The school district may use instructional materials based upon the Minnesota Department of Health's school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the school district's locally developed health standards.

VI. ENFORCEMENT

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.
- C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.
- D. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other school district supervisory personnel responsible for the area or program at which the violation occurred.

- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

VII. DISSEMINATION OF POLICY

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

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

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



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515 PROTECTION AND PRIVACY OF PUPIL RECORDS

I. PURPOSE

- A. The school district recognizes its responsibility in regard to the collection, maintenance and dissemination of pupil records and the protection of the privacy rights of students as provided in federal law and state statutes.

II. GENERAL STATEMENT OF POLICY

- A. The school district will ensure all student data collected, created, received, maintained or disseminated by the district, which is classified by statute or federal law as public, is accessible to the public pursuant to the procedures established by the district. All other data on students is private or confidential.

III. DEFINITIONS

- A. Authorized Representative
“Authorized representative” means any entity or individual designated by the school district, state, or an agency headed by an official of the Comptroller of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or state and local educational authorities to conduct, with respect to federal or state supported education programs, any audit or evaluation or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.
- B. Biometric Record
“Biometric record” as referred to in “Personally Identifiable,” means a record of one or more measureable biological or behavioral characteristics, that can be used for automated recognition of an individual (i.e., fingerprints, retina and iris patterns, voice prints, DNA sequence, facial characteristics, and handwriting).
- C. Dates of Attendance
“Dates of attendance,” as referred to in “Directory Information,” means the period of time during which a student attends or attended a school or schools in the school district, including attendance in person or by paper correspondence, video conference, satellite, Internet or other electronic information and telecommunication technologies for students who are not in the classroom, and including the period during which a student is working under a work-study program. The term does not include specific daily records of a student’s attendance at a school or schools in the school district.

D. Directory Information

1. “Directory information” **under federal law**, means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, the student’s name, address, telephone listing, district provided electronic mail address, photograph, date and place of birth, major field of study, dates of attendance, grade level, enrollment status (i.e. full-time or part-time), participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received, and the most recent educational agency or institution attended. It also includes the name, address and telephone number of the student’s parent/guardian(s).

Directory information does not include:

- a) a student’s social security number
 - b) a student’s identification number (“ID”), user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems if the identifier may be used to access education records without use of one or more factors that authenticate the student’s identity such as a personal identification (PIN), password, or other factor known or possessed only by the authorized user.
 - c) a student ID or other unique personal identifier that is displayed on a student ID badge if the identifier can be used to gain access to educational records when used in conjunction with one or more factors that authenticate the student’s identity, such as a PIN, password, or other factor known or possessed only by the student;
 - d) personally identifiable data which references religion, race, color, social position, or nationality; or
 - e) data collected from nonpublic school students, other than those who receive shared time educational services, unless written consent is given by the student’s parent or guardian.
2. **Under Minnesota law, a school district may not designate a student’s home address, telephone number, email address, or other personal contact information as “directory information.”**

E. Education Records

1. What constitutes “education records”. Education records mean those records that are: (1) directly related to a student; and (2) maintained by the school district or by a party acting for the school district.
2. What does not constitute education records. The term “education records” does not include:

- a) Records of instructional personnel that are:
 - 1) Kept in the sole possession of the maker of the record; and
 - 2) Used only as a personal memory aid;
 - 3) not accessible or revealed to any other individual except a temporary substitute teacher; and
 - 4) destroyed at the end of the school year.

- b) Records of a law enforcement unit of the school district, provided educational records maintained by the school district are not disclosed to the unit, and the law enforcement records are:
 - 1) maintained separately from education records;
 - 2) maintained solely for law enforcement purposes; and
 - 3) disclosed only to law enforcement officials of the same jurisdiction.

- c) Records relating to an individual, including a student, who is employed by the school district which:
 - 1) are made and maintained in the normal course of business;
 - 2) relate exclusively to the individual in that individual's capacity as an employee; and
 - 3) are not available for use for any other purpose.

However, records relating to an individual in attendance at the school district who is employed as a result of his or her status as a student are education records.

- d) Records relating to an eligible student, or a student attending an institution of post-secondary education, that are:
 - 1) made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity or assisting in that capacity;
 - 2) made, maintained, or used only in connection with the provision of treatment to the student; and
 - 3) disclosed only to individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that

are a part of the program of instruction within the school district.

- e) Records created or received by the school district after an individual is no longer a student at the school district and that are not directly related to the individual's attendance as a student.
- f) Grades on peer-related papers before the papers are collected and recorded by a teacher.

F. Educational Support Services Data

“Education support services data” means data on individuals collected, created, maintained, used, or disseminated relating to program administration by a government entity under contract with a government entity designed to eliminate disparities and advance equities in educational achievement for youth by coordinating services available to participants, regardless of the youth's involvement with other government services. Educational support services data does not include welfare data under Minnesota Statutes section 13.46.

Unless otherwise provided by law, all education support services data are private data on individuals and must not be disclosed except according to Minnesota Statutes section 13.05 or a court order.

G. Eligible Student

“Eligible student” means a student who has attained eighteen (18) years of age or is attending an institution of post-secondary education.

H. Juvenile Justice System

“Juvenile justice system” includes criminal justice agencies and the judiciary when involved in juvenile justice activities.

I. Legitimate Educational Interest

“Legitimate educational interest” includes an interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, student health and welfare, and the ability to respond to a request for education data. It includes a person's need to know in order to:

1. Perform an administrative task required in the school or employee's contract or position description approved by the school board;
2. Perform a supervisory or instructional task directly related to the student's education;
3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement or student financial aid; or

4. Perform a task directly related to responding to a request for data.

J. Parent

“Parent” means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent of the student in the absence of a parent or guardian. The school district may presume the parent has the authority to exercise the rights provided herein, unless it has been provided with evidence that there is a state law or court order governing such matters as marriage dissolution, separation or child custody, or a legally binding instrument, which provides to the contrary.

K. Personally Identifiable

“Personally identifiable” means that the data or information includes, but is not limited to: (a) a student’s name; (b) the name of the student’s parent or other family member; (c) the address of the student or student’s family; (d) a personal identifier such as the student’s social security number or student number or biometric record; (e) other direct identifiers, such as the student’s date of birth, place of birth, and mother’s maiden name; (f) other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or (g) information requested by a person who the school district reasonably believes knows the identity of the student to whom the education record relates.

L. Record

“Record” means any information or data recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm and microfiche.

M. Responsible Authority

“Responsible authority” means superintendent or designee.

N. Student

“Student” includes any individual who is or has been in attendance, enrolled or registered at the school district and regarding whom the school district maintains education records. Student also includes applicants for enrollment or registration at the school district, and individuals who receive shared time educational services from the school district.

O. School Official

“School official” includes: (a) a person duly elected to the school board; (b) a person employed by the school board in an administrative, supervisory, instructional or other professional position; (c) a person employed by the school board as a temporary substitute in a professional position for the period of his or her performance as a substitute; and (d) a person employed by, or under contract

to, the school board to perform a special task such as a secretary, school resource officer, a clerk, as public information officer or data practices compliance official, an attorney or an auditor for the period of his or her performance as an employee or contractor.

P. Summary Data

“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 the individual is ascertainable.

Q. Other Terms and Phrases

All other terms and phrases shall be defined in accordance with applicable state and federal law or ordinary customary usage.

IV. GENERAL CLASSIFICATION

- A. State law provides that all data collected, created, received or maintained by a school district are public unless classified by state or federal law as not public or private or confidential. State law classifies all data on individuals maintained by a school district, which relates to a student as private data on individuals. This data may not be disclosed to parties other than the parent or eligible student without consent, except pursuant to a valid court order, certain state statutes authorizing access, and the provisions of 20 U.S.C. §1232g and the regulations promulgated there under.

V. STATEMENT OF RIGHTS

A. Rights of Parents and Eligible Students

Parents and eligible students have the following rights under this policy:

1. The right to inspect and review the student’s education records;
2. The right to request the amendment of the student’s education records to ensure that they are not inaccurate, misleading or otherwise in violation of the student’s privacy or other rights;
3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that such consent is not required for disclosure pursuant to this policy, state or federal law, or the regulations promulgated there under;

4. The right to refuse release of names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions;
5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school district to comply with the federal law and the regulations promulgated there under;
6. The right to be informed about rights under the federal law; and
7. The right to obtain a copy of this policy at the location set forth in Section XXI of this policy.

B. Eligible Students

All rights and protections given to parents under this policy transfer to the student when he or she reaches eighteen (18) years of age or enrolls in an institution of post-secondary education. The student then becomes an “eligible student.” However, the parents of an eligible student who is also a “dependent student” are entitled to gain access to the educational records of such student without first obtaining the consent of the student. In addition, parents of an eligible student may be given access to education records in connection with a health or safety emergency if the disclosure meets the conditions of any provision set forth in 34 Code of Federal Regulations section 99.31(a).

C. Students with a Disability

The school district shall follow 34 Code of Federal Regulations section 300.610-300.617 with regard to the privacy, notice, access, record keeping and accuracy of information related to students with a disability.

VI. DISCLOSURE OF EDUCATION RECORDS

A. Consent Required for Disclosure

1. The school district shall obtain a signed and dated written consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the student, except as provided herein.
2. The written consent required by this subdivision must be signed and dated by the parent of the student or the eligible student giving the consent and shall include:
 - a) a specification of the records to be disclosed;
 - b) the purpose or purposes of the disclosure;
 - c) the party or class of parties to whom the disclosure may be made; and
 - d) if appropriate, a termination date for the consent.

3. When a disclosure is made under this subdivision:
 - a) if the parent or eligible student so requests, the school district shall provide him or her with a copy of the records disclosed; and
 - b) if the parent of a student who is not an eligible student so requests, the school district shall provide the student with a copy of the records disclosed.
4. A signed and dated written consent may include a record and signature in electronic form that:
 - a) identifies and authenticates a particular person as the source of the electronic consent; and
 - b) indicates such person's approval of the information contained in the electronic consent.
5. If the responsible authority seeks an individual's informed consent to the release of private data to an insurer or the authorized representative of an insurer, informed consent shall not be deemed to have been given unless the statement is:
 - a) in plain language;
 - b) dated;
 - c) specific in designating the particular persons or agencies the data subject is authorizing to disclose information about the data subject;
 - d) specific as to the nature of the information the subject is authorizing to be disclosed;
 - e) specific as to the persons or agencies to which the subject is authorizing information to be disclosed;
 - f) specific as to the purpose or purposes for which the information may be used by any of the parties named in Clause e. above, both at the time of the disclosure and at any time in the future; and
 - g) specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for (i) life insurance or non-cancellable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or (ii) medical assistance under Minnesota Statutes Chapter 256B or Minnesota Care under Minnesota Statutes Chapter 256L, which shall be ongoing during all terms of eligibility, for

individualized education program health-related services provided by a school district that are subject to third party reimbursement.

6. Eligible Student Consent

Whenever a student has attained eighteen (18) years of age or is attending an institution of post-secondary education, the rights accorded to and the consent required of the parent of the student shall thereafter only be accorded to and required of the eligible student, except as provided in the STATEMENT OF RIGHTS section of this policy.

B. Prior Consent for Disclosure Not Required

The school district may disclose personally identifiable information from the education records of a student without the written consent of the parent of the student or the eligible student unless otherwise provided herein, if the disclosure is:

1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records;
2. To a contractor, consultant, volunteer, or other party to whom the school district has outsourced institutional services or functions provided that the outside party:
 - a) performs an institutional service or function for which the school district would otherwise use employees;
 - b) is under the direct control of the school district with respect to the use and maintenance of education records; and
 - c) will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made.
3. To officials of other schools, school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (See Section XIX.), suspension and expulsion information pursuant to section 7917 of the federal Every Student Succeeds Act, 20 United States Code section 7917 and, if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minnesota Statutes section 260B.171, unless the data are required to be destroyed under Minnesota Statutes section 120A.22, subdivision. 7(c) or section

121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records that have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with Section XV. of this policy;

4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;
5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:
 - a) determine eligibility for the aid;
 - b) determine the amount of the aid;
 - c) determine conditions for the aid; or
 - d) enforce the terms and conditions of the aid.

“Financial aid” for purposes of this provision means a payment of funds provided to an individual or a payment in kind of tangible or intangible property to the individual that is conditioned on the individual’s attendance at an educational agency or institution;

6. To state and local officials or authorities to whom such information is specifically allowed to be reported or disclosed pursuant to state statute adopted:
 - a) before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system’s ability to effectively serve the student whose records are released; or
 - b) after November 19, 1974, if the reporting or disclosure allowed by state statute concerns the juvenile justice system and the system’s ability to effectively serve, prior to adjudication, the student whose records are released, provided the officials and authorities to whom the records are disclosed certify in writing to the school district that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the parent of the student. At a minimum, the school district shall disclose the following information to the juvenile justice system under this paragraph: a student’s full name, home address, telephone number, and date of birth; a student’s school schedule, attendance record, and photographs, if any; and parents’ names, home addresses, and telephone numbers;

7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating or administering predictive tests, administering student aid programs or improving instruction; provided that the studies are conducted in a manner which does not permit the personal identification of parents or students by individuals other than representatives of the organization and the information is destroyed when no longer needed for the purposes for which the study was conducted, and the school district enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy or return to the school district all personally identifiable information when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be returned or destroyed. For purposes of this provision, the term “organizations” includes, but is not limited to, federal, state and local agencies and independent organizations. In the event the Department of Education determines that a third party outside of the school district to whom information is disclosed violates this provision, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.
8. To accrediting organizations in order to carry out their accrediting functions;
9. To parents of a student eighteen (18) years of age or older if the student is a dependent of the parents for income tax purposes;
10. To comply with a judicial order or lawfully issued subpoena, provided, however, that the school district makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a federal grand jury subpoena, or any other subpoena issued for law enforcement purposes, and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or the disclosure is in compliance with an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in

18 U.S.C. § 2332b(g)(5)(B) or an act of domestic or international terrorism as devised in 18 United States Code section 2331, or a parent is a party to a court proceeding involving child abuse and neglect or dependency matters, and the order is issued in the context of the proceeding. If the school district initiates legal action against a parent or student it may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as plaintiff. Also, if a parent or eligible student initiates a legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself.

11. To appropriate parties including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there is an articulable and significant threat to the health and safety of a student or other individuals. In making a determination whether to disclose information under this section, the school district may take into account the totality of the circumstances pertaining to a threat and may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other students. A record of this disclosure must be maintained pursuant to Section XIII.E. of this policy. In addition, an educational agency or institution may include in the educational records of a student, appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and school officials within the school district and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;
12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;
13. Information the school district has designated as "directory information" pursuant to Section VII. of this policy
14. To military recruiting officers and post-secondary educational institutions pursuant to Section XI. of this policy;
15. To the parent of a student who is not an eligible student or to the student himself or herself;

16. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;
17. To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students; or
18. To the juvenile justice system, on written request that certifies that the information will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student:
 - a) the following information about a student must be disclosed: a student's full name, home address, telephone number, date of birth; a student's school schedule, daily attendance record, and photographs, if any; and any parents' names, home addresses, and telephone numbers;

- b) the existence of the following information about a student, not the actual data or other information contained in the student's educational record, may be disclosed provided that a request for access must be submitted on the statutory form and it must contain an explanation of why access to the information is necessary to serve the student: (1) use of a controlled substance, alcohol, or tobacco; (2) assaultive or threatening conduct that could result in dismissal from school under the Pupil Fair Dismissal Act; (3) possession or use of weapons or look-alike weapons; (4) theft; or (5) vandalism or other damage to property. Prior to releasing this information, the principal or chief administrative officer of a school who receives such a request must, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information. If the student's parent or guardian notifies the school official of an objection to the disclosure within ten (10) days of receiving certified notice, the school official must not disclose the information and instead must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the school official must respond to the request for information.

The written requests of the juvenile justice system member(s), as well as a record of any release, must be maintained in the student's file.

19. To the principal where the student attends and to any counselor directly supervising or reporting on the behavior or progress of the student if it is information from a disposition order received by a superintendent under Minnesota Statutes section 260B.171, subdivision. 3. The principal must notify the counselor immediately and must place the disposition order in the student's permanent education record. The principal also must notify immediately any teacher or administrator who directly supervises or reports on the behavior or progress of the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other school district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individual need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student, outline the offense, and describe any conditions of probation about which the school must provide information if this information is provided in the disposition order. Disposition order information received is private educational data received for the limited purpose of serving the

educational needs of the student and protecting students and staff. The information may not be further disseminated by the counselor, teacher, administrator, staff member, substitute, or volunteer except as necessary to serve the student, to protect students and staff, or as otherwise required by law, and only to the student or the student's parent or guardian.

20. To the principal where the student attends if it is information from a peace officer's record of children received by a superintendent under Minnesota Statutes section 260B.171, Subdivision. 5. The principal must place the information in the student's educational record. The principal also must notify immediately any teacher, counselor, or administrator directly supervising the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student and describe the alleged offense if this information is provided in the peace officer's notice. Peace officer's record information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information must not be further disseminated by the counselor, teacher administrator, staff member, substitute, or volunteer except to communicate with the student or the student's parent or guardian as necessary to serve the student, to protect students and staff, or as otherwise required by law.

The principal must delete the peace officer's record from the student's educational record, destroy the data, and make reasonable efforts to notify any teacher, counselor, staff member, administrator, substitute, or volunteer who received information from the peace officer's record if the county attorney determines not to proceed with a petition or directs the student into a diversion or mediation program or if a juvenile court makes a decision on a petition and the county attorney or juvenile court notifies the superintendent of such action;

21. Information provided to the school district concerning sex offenders and other individuals required to register in accordance with the Violent Crime Control and Law Enforcement Act of 1994. 42 U.S.C. § 14071, and applicable federal guidelines; or
22. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Services Department, for the purpose of conducting program

monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more programs authorized under the National School Lunch Act or the Child Nutrition Act of 1966 for which the results will be reported in an aggregate form that does not identify any individual, on the conditions that (a) any data collected shall be protected in a manner that will not permit the personal identification of students and their parents by other than the authorized representatives of the Secretary; and (b) any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measures.

23. To agency caseworker or other representative of State or local child welfare agency, or tribal organizations (as defined 25 United States Code section 5304 in), who has the right to access a student's case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure is consistent with the State or tribal laws applicable to protecting confidentiality of a student's educational record.

C. Nonpublic School Students

The school district may disclose personally identifiable information from the educational records of a nonpublic school student, other than a student who receives shared time educational services, without the written consent of the parent of the student or the eligible student unless otherwise provided herein, if the disclosure is:

1. Pursuant to court order;
2. Pursuant to a statute specifically authorizing access to the private data; or
3. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiological investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted.

VII. RELEASE OF DIRECTORY INFORMATION

A. Classification Educational Data

1. Educational data designated as directory information is public data on individuals to the extent required under federal law. Directory information must be designated pursuant to the provisions of:

- a) Minnesota Statutes, section 13.32, subdivision 5; and
- b) United States Code, title 20, section 1232g, and Code of Federal Regulations, title 34, section 99.37, which were in effect on January 3, 2012.

2. The school district may not designate a student's home address, telephone number, email address, or other personal contact information as directory information under this section.
3. When requested, the school district must share personal contact information and directory information, whether public or private, with the Minnesota Department of Education, as required for federal reporting purposes.

~~Directory information is public except as provided herein.~~

B. Former Students

Unless a former student validly opted out of the release of directory information, while the student was in attendance and has not rescinded the opt out request at any time, the school district may disclose directory information from the education records generated by it regarding the former student without meeting the requirements of Paragraph C. of this section. In addition, under an explicit exclusion from the definition of an "education record," the school district may release records that only contain information about an individual obtained after he or she is no longer a student at the school district and that are not directly related to the individual's attendance as a student (e.g., a student's activities as an alumnus of the school district).

C. Present Students and Parents

The school district may disclose directory information from the education records of a student and information regarding parents without prior written consent of the parent of the student or eligible student, except as provided herein. ~~Prior to such disclosure the school district shall:~~

1. When conducting the directory information designation and notice process required by federal law, the school district shall give parents and students notice of the right to refuse to let the district designate specified data about the student as directory information.
2. The School District shall ~~Annually~~ give ~~annual~~ public notice by any means that are reasonably likely to inform the parents and eligible students of:
 - a) the types of personally identifiable information regarding students and/or parents that the school district has designated as directory information;

- b) the parent's or eligible student's right to refuse to let the school district designate any or all of those types of information about the student and/or the parent as directory information; and
 - c) the period of time in which a parent or eligible student has to notify the school district in writing that he or she does not want any or all of those types of information about the student and/or the parent designated as directory information.
3. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the school district, in writing, that any or all of the information so designated should not be disclosed without the parent's or eligible student's prior written consent, except as provided in the DISCLOSURE OF EDUCATION RECORDS section of this policy.
4. A parent or eligible student may not opt out of the directory information disclosures to:
- a) prevent the school district from disclosing or requiring the student to disclose the student's name, ID, or school district e-mail address in a class in which the student is enrolled; or
 - b) prevent the school district from requiring a student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information that may be designated as directory information and that has been properly designated by the school district as directory information.
5. The school district shall not disclose or confirm directory information without meeting the written consent requirements contained in Section VI.A. of this policy if a student's social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student's records.

D. Procedure for Obtaining Nondisclosure of Directory Information

The parent's or eligible student's written notice shall be directed to the responsible authority and shall include the following:

- 1. Name of the student and/or parent, as appropriate;
- 2. Home address;
- 3. School presently attended by student;
- 4. Parent's legal relationship to student, if applicable; and
- 5. Specific categories of directory information to be made not public without the parent's or eligible student's prior written consent, which shall only be applicable for that school year.

E. Duration

The designation of any information as directory information about a student or

parents will remain in effect for the remainder of the school year unless the parent or eligible student provides the written notifications provided herein.

VIII. DISCLOSURE OF PRIVATE RECORDS

A. Private Records

For the purposes herein, education records are records which are classified as private data on individuals by state law and which are accessible only to the student who is the subject of the data and the student's parent if the student is not an eligible student. The school district may not disclose private records or their contents except as summary data, or except as provided in Section VI. of this policy, without the prior written consent of the parent or the eligible student. The school district will use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other party to whom personally identifiable information from education records is disclosed.

B. Private Records Not Accessible to Parent

In certain cases state law intends, and clearly provides, that certain information contained in the education records of the school district pertaining to a student be accessible to the student alone, and to the parent only under special circumstances, if at all.

The responsible authority may deny access to private data by a parent when a minor student who is the subject of that data requests that the responsible authority deny such access. The minor student's request must be submitted in writing setting forth the reasons for denying access to the parent and must be signed by the minor. Upon receipt of such request the responsible authority shall determine if honoring the request to deny the parent access would be in the best interest of the minor data subject. In making this determination the responsible authority shall consider the following factors:

1. whether the minor is of sufficient age and maturity to be able to explain the reasons for and understand the consequences of the request to deny access;
2. whether the personal situation of the minor is such that denying parental access may protect the minor data subject from physical or emotional harm;
3. whether there are grounds for believing that the minor data subject's reasons for precluding parental access are reasonably accurate;
4. whether the data in question is of such a nature that disclosure of it to the parent may lead to physical or emotional harm to the minor data subject; and

5. whether the data concerns medical, dental or other health services provided pursuant to Minnesota Statutes sections 144.341-144.347, in which case the data may be released only if the failure to inform the parent would seriously jeopardize the health of the minor.

C. Private Records Not Accessible to Student

Students shall not be entitled to access to private data concerning financial records and statements of the student's parent or any information contained therein.

D. Military-Connected Youth Identifier

When a school district updates its enrollment forms in the ordinary course of business, the school district must include a box on the enrollment form to allow students to self-identify as a military-connected youth. For purposes of this section, a "military-connected youth" means having an immediate family member, including a parent or sibling, who is currently in the armed forces either as a reservist or on active duty or has recently retired from the armed forces. Data collected under this provision is private data on individuals, but summary data may be published by the Department of Education.

IX. DISCLOSURE OF CONFIDENTIAL RECORDS

A. Confidential Records

Confidential records are those records and data contained therein which are made not public by state or federal law, and which are inaccessible to the student and the student's parents or to an eligible student.

B. Reports Under the Maltreatment of Minors Reporting Act

Pursuant to Minnesota Statutes Chapter 260E, written copies of reports pertaining to a neglected and/or physically and/or sexually abused child shall be accessible only to the appropriate welfare and law enforcement agencies. In respect to other parties, such data shall be confidential and will not be made available to the parent or the subject individual by the school district. The subject individual, however, may obtain a copy of the report from either the local welfare agency, county sheriff or the local police department subject to the provisions of Minnesota Statutes Chapter 260E.

Regardless of whether a written report is made under Minnesota Statutes Chapter 260E, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.

C. Investigative Data

Data collected by the school district as part of an active investigation undertaken for the purpose of the commencement or defense of pending civil legal action, or

are retained in anticipation of a pending civil legal action are classified as protected nonpublic data in the case of data not on individuals, and confidential data in the case of data on individuals.

1. The school district may make any data classified as protected non-public or confidential pursuant to this subdivision accessible to any person, agency or the public if the school district determines that such access will aid the law enforcement process, promote public health or safety, or dispel widespread rumor or unrest.
2. A complainant has access to a statement he or she provided to the school district.
3. Parents or eligible students may have access to investigative data of which the student is the subject, but not only to the extent the data is not inextricably intertwined with data about other school district students, school district employees, an/or attorney data as defined by Minnesota Statutes sections 13.393.
4. Once a civil investigation becomes inactive, civil investigative data becomes public unless the release of the data would jeopardize another pending civil legal action, except for those portions of such data that are classified as not public data under state or federal law. Any civil investigative data presented as evidence in court or made part of a court record shall be public. For purposes of this provision, a civil investigation becomes inactive upon the occurrence of any of the following events:
 - a) a decision by the school district, or by the chief attorney for the school district, not to pursue the civil legal action. However, such investigation may subsequently become active if the school district or its attorney decides to renew the civil legal action;
 - b) the expiration of the time to file a complaint under the statute of limitations or agreement applicable to the civil legal action; or
 - c) the exhaustion or expiration of rights of appeal by either party to the civil legal action.
5. A “pending civil legal action” for purposes of this subdivision is defined as including, but not limited to, judicial, administrative or arbitration proceedings.

D. Chemical Abuse Records

To the extent the school district maintains records of the identity, diagnosis, prognosis, or treatment of any student which are maintained in connection with the performance of any drug abuse prevention function conducted, regulated, or directly or indirectly, assisted by any department or agency of the United States,

such records are classified as confidential and shall be disclosed only for the purposes and under the circumstances expressly authorized by law.

X. DISCLOSURE OF SCHOOL RECORDS PRIOR TO EXCLUSION OR EXPULSION HEARING

- A. At a reasonable time prior to any exclusion or expulsion hearing, the student and the student's parent or guardian or representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the action proposed by the school district may be based, pursuant to the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes sections 121A.40, *et seq.*

XI. DISCLOSURE OF DATA TO MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS

- A. The School District will release the names, addresses, electronic mail address (which shall be the electronic mail addresses provided by the school district, if available, that may be released to military recruiting officers only) and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request unless a parent or eligible student has refused in writing to release this data to pursuant to Paragraph C. below.
- B. Data released to military recruiting officers under this provision:
1. may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military;
 2. cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces; and
- C. A parent or eligible student has the right to refuse the release of the name, address, electronic mail address (which shall be the electronic mail addresses provided by the school district, if available, that may be released to military recruiting officers only), or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the district MARSS specialist in writing, by October 1 of the school year or within 30 days of enrollment in school each year. The written request must include the following information:
1. Name of student and parent, as appropriate;
 2. Home address;

3. Student's grade level;
 4. School presently attended by student;
 5. Parent's legal relationship to student, if applicable;
 6. Specific category or categories of information which are not to be released to military recruiters and post-secondary educational institutions; and
 7. Specific category or categories of information which are not to be released to the public, including military recruiting officers and post-secondary educational institutions.
- D. Annually, the school district will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse to release the names, addresses, and home phone numbers of students in grades 11 and 12 without prior consent.
- E. A parent or eligible student's refusal to release the above information to military recruiting officers and post-secondary educational institutions does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII. of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, home phone number, and grade level of students as directory information, absent a request from a parent or eligible student not to release such data, this information will be public data and accessible to members of the public, including military recruiting officers and post-secondary educational institutions.

XII. LIMITS ON REDISCLOSURE

- A. Re-disclosure
Consistent with the requirements herein, the school district may only disclose personally identifiable information from the education records of a student on the condition that the party to whom the information is to be disclosed will not disclose the information to any other party without the prior written consent of the parent of the student or the eligible student, except that the officers, employees and agents of any party receiving personally identifiable information under this section may use the information, but only for the purposes for which the disclosure was made.
- B. Re-disclosure Not Prohibited
1. Subdivision A. of this section does not prevent the school district from disclosing personally identifiable information under Section VI. of this policy with the understanding that the party receiving the information may

make further disclosures of the information on behalf of the school district provided:

- a) The disclosures meet the requirements of the Section VI. of this policy; and
- b) The school district has complied with the record-keeping requirements of the Section XIII. of this policy.

- 2. Subdivision A. of this section does not apply to disclosures made pursuant to court orders or lawfully issued subpoenas or litigation, to disclosures of directory information, to disclosures to a parent or student, or to parents of dependent students or to disclosures concerning sex offenders and other individuals required to register under 42 United States Code section 14071. However, the school district must provide the notification required in Section XII.D. of this policy if a re-disclosure is made based upon a court order or lawfully issued subpoena.

C. Classification of Disclosed Data

The information disclosed shall retain the same classification in the hands of the party receiving it as it had in the hands of the school district.

D. Notification

The school district shall, except for disclosures made pursuant to court orders or lawfully issued subpoenas, disclosure of directory information under the Section VII. of this policy, disclosures to a parent or student, disclosures to parents of a dependent student. In the event that the Family Policy Compliance Office determines that a state or local educational authority, or federal agency headed by an official listed in 34 Code of Federal Regulations section 99.31(a)(3), or an authorized representative of a state local educational authority or federal reserve agency headed by an official listed in sections 99.31(a)(3), or a third party outside of the school district improperly re-discloses personally identifiable information from education records or fails to provide notification required under this section of this policy, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.

XIII. RESPONSIBLE AUTHORITY, RECORD SECURITY; AND RECORD KEEPING

A. Responsible Authority

The responsible authority shall be responsible for the maintenance and security of student records.

B. Record Security

The principal of each school subject to the supervision and control of the responsible authority shall be the records manager of the school, and shall have the duty of maintaining and securing the privacy and/or confidentiality of student records.

C. Plan for Securing Student Records

The building principal shall submit to the responsible authority a written plan or securing student records by September 1 of each school year. The written plan shall contain the following information:

1. A description of records maintained;
2. Titles and addresses of person(s) responsible for the security of student records;
3. Location of student records, by category, in the buildings;
4. Means of securing student records; and
5. Procedures for access and disclosure.

D. Review of Written Plan for Securing Student Records

The responsible authority shall review the plans submitted pursuant to Paragraph C. of this section for compliance with the law, this policy and the various administrative policies of the school district. The responsible authority shall then promulgate a chart incorporating the provisions of Paragraph C. which shall be attached to and become a part of this policy.

E. Record Keeping

1. The principal shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record with the education records of the student that indicates:
 - a) the parties who have requested or received personally identifiable information from the education records of the student; and
 - b) the legitimate interests these parties had in requesting or obtaining the information; and
 - c) the names of the state and local educational authorities and federal officials and agencies listed in Section VI.B.4. of this policy that may make further disclosures of personally identifiable information from the student's education records without consent.
2. In the event the school district discloses personally identifiable information from an education record of a student pursuant to Section XII.B. of this policy, the record of disclosure required under this section shall also include:

- a) the names of the additional parties to which the receiving party may disclose the information on behalf of the school district; and
 - b) the legitimate interests under Section VI. of this policy which each of the additional parties has in requesting or obtaining the information; and
 - c) a copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 Code of Federal Regulations section 99.32 and to whom the school district disclosed information from an education record. The school district shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to which education records were disclosed upon a request from a parent or eligible student to review the record of requests for disclosure.
3. Section XIII.E.1. does not apply to requests by or disclosure to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other school officials under Section VI.B.1. of this policy, to requests for disclosures of directory information under the Section VII. of this policy, or to a party seeking or receiving the records as directed by a Federal grand jury or other law enforcement subpoena and the issuing court or agency has ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 United States Code section 2332b(g)(5)(B) or an act of domestic or international terrorism.
4. The record of requests of disclosures may be inspected by:
- a) the parent of the student or the eligible student;
 - b) the school official or his or her assistants who are responsible for the custody of the records; and
 - c) the parties authorized by law to audit the record-keeping procedures of the school district.
5. The school district shall record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:

- a) the articulable and significant threat to the health and safety of a student or other individual that formed the basis for the disclosure; and
 - b) The parties to whom the school district disclosed information.
6. The record of requests and disclosures shall be maintained with the education records of the student as long as the school district maintains the student's education records.

XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

A. Parent of a Student, an Eligible Student or the Parent of an Eligible Student Who is Also a Dependent Student

The school district shall permit the parent of a student, an eligible student or the parent of an eligible student who is also a dependent student who is or has been in attendance in the school district to inspect or review the education records of the student, except those records which are made confidential by state or federal law or as otherwise provided in Section VIII. of this policy.

B. Response to Request for Access

The school district shall respond to any request pursuant to Subdivision A. of this section immediately, if possible, or within ten (10) days of the date of the request, excluding Saturdays, Sundays and legal holidays.

C. Right to Inspect and Review

The right to inspect and review education records under Subdivision A. of this section includes:

1. The right to a response from the school district to reasonable requests for explanations and interpretations of records; and
2. If circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the education records, the school district shall provide the parent or eligible student with a copy of the records requested, or make other arrangements for the parent or eligible student to inspect and review the requested records.
3. Nothing in this policy shall be construed as limiting the frequency of inspection of the educational records of a student with a disability by the student's parent or guardian or by the student upon the student reaching the age of majority.

D. Form of Request

Parents or eligible students shall submit to the school district a written request to

inspect education records which identify as precisely as possible the record or records he or she wishes to inspect.

E. Collection of Student Records

If a student's education records are maintained in more than one location, the responsible authority may collect copies of the records or the records themselves from the various locations so they may be inspected at one site. However, if the parent or eligible student wishes to inspect these records where they are maintained, the school district shall attempt to accommodate those wishes. The parent or eligible student shall be notified of the time and place where the records may be inspected.

F. Records Containing Information on More Than One Student

If the education records of a student contain information on more than one student, the parent or eligible student may inspect and review or be informed of only the specific information which pertains to that student.

G. Authority to Inspect or Review

The school district may presume that either parent of the student has authority to inspect or review the education records of a student unless the school district has been provided with evidence that there is a legally binding instrument or a state law or court order governing such matters as marriage dissolution, separation or custody which provides to the contrary.

H. Fees for Copies of Records

1. The school district shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the reasonable fee, the school district shall consider the following:
 - a) the cost of materials, including paper, used to provide the copies;
 - b) the cost of the labor required to prepare the copies;
 - c) any schedule of standard copying charges established by the school district in its normal course of operations;
 - d) any special costs necessary to produce such copies from machine based record-keeping systems, including but not limited to computers and microfilm systems; and
 - e) mailing costs.

2. If 100 or fewer pages of black and white, letter or legal sized paper copies are requested, actual cost shall not be used, and, instead, the charge shall be no more than 25 cents for each page copied.
3. The cost of providing copies shall be borne by the parent or eligible student.
4. The responsible authority, however, may not impose a fee for a copy of an education record made for a parent or eligible student if doing so would effectively prevent or, in the case of a student with a disability, would impair the parent or eligible student from exercising their right to inspect or review the student's education records.

XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA

A. Request to Amend Education Records

The parent of a student or an eligible student who believes that information contained in the education records of the student is inaccurate, misleading or violates the privacy rights of the student may request that the school district amend those records.

1. The request shall be in writing, shall identify the item the requestor believes to be inaccurate, misleading or in violation of the privacy or other rights of the student, shall state the reason for this belief, and shall specify the correction the requestor wishes the school district to make. The request shall be signed and dated by the requestor.
2. The school district shall decide whether to amend the education records of the student in accordance with the request within thirty (30) days after receiving the request.
3. If the school district decides to refuse to amend the education records of the student in accordance with the request, it shall inform the parent of the student or the eligible student of the refusal and advise the parent or eligible student of the right to a hearing under Subdivision B. of this section.

B. Right to a Hearing

If the school district refuses to amend the education records of a student, the school district, on request, shall provide an opportunity for a hearing in order to challenge the content of the student's education records to ensure that information in the education records of the student is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. A hearing shall be conducted in accordance with Subdivision C. of this section.

1. If, as a result of the hearing, the school district decides that the information is inaccurate, misleading, or otherwise in violation of the

privacy or other rights of the student, it shall amend the education records of the student accordingly and so inform the parent of the student or the eligible student in writing.

2. If, as a result of the hearing, the school district decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the school district, or both.
3. Any statement placed in the education records of the student under Subdivision B. of this section shall:
 - a) be maintained by the school district as part of the education records of the student so long as the record or contested portion thereof is maintained by the school district; and
 - b) if the education records of the student or the contested portion thereof is disclosed by the school district to any party, the explanation shall also be disclosed to that party.

C. Conduct of Hearing

1. The hearing shall be held within a reasonable period of time after the school district has received the request, and the parent of the student or the eligible student shall be given notice of the date, place and time reasonably in advance of the hearing.
2. The hearing may be conducted by any individual, including an official of the school district who does not have a direct interest in the outcome of the hearing. The school board attorney shall be in attendance to present the school board's position and advise the designated hearing officer on legal and evidentiary matters.
3. The parent of the student or eligible student shall be afforded a full and fair opportunity for hearing to present evidence relative to the issues raised under Subdivisions A. and B. of this section and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney.
4. The school district shall make a decision in writing within a reasonable period of time after the conclusion of the hearing. The decision shall be based solely on evidence presented at the hearing and shall include a summary of evidence and reasons for the decision.

- D. Appeal
The final decision of the designated hearing officer may be appealed in accordance with the applicable provisions of the Minnesota Statutes chapter 14 relating to contested cases.

XVI. PROBLEMS ACCESSING DATA

- A. The data practices compliance official is the designated employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.
- B. Data practices compliance official means the Director of Communications
- C. Any requests by an individual with a disability for reasonable modifications of the school district's policies or procedures for purposes accessing records shall be made to the data practices compliance official.

XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA

- A. Where to File Complaints
Complaints regarding alleged violations of rights accorded parents and eligible students by FERPA, and the rules promulgated there under, shall be submitted in writing to the U.S. Department of Education, Student Privacy Policy Office 400 Maryland Avenue, S.W., Washington, D.C. 20202-8520.
- B. Content of Complaint
A complaint filed pursuant to this section must contain specific allegations of fact giving reasonable cause to believe that a violation of FERPA and the rules promulgated there under has occurred.

XVIII. WAIVER

A parent or eligible student may waive any of his or her rights provided herein pursuant to FERPA. A waiver shall not be valid unless in writing and signed by the parent or eligible student. The school district may not require such a waiver.

XIX. ANNUAL NOTIFICATION OF RIGHTS

- A. Contents of Notice
The school district shall give parents of students currently in attendance and eligible students currently in attendance annual notice by such means as are reasonably likely to inform the parents and eligible students of the following:

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;
2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records;
3. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated there under authorize disclosure without consent;
4. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of FERPA, and the rules promulgated there under;
5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing education records to other school officials whom the school district has determined to have legitimate educational interests; and
6. That the school district forwards education records on request to a school in which a student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment or transfer and that such records may include suspension and expulsion records pursuant to the federal Every Student Succeeds Act and, if applicable, a student's history of violent behavior.

B. Notification to Parents of Students Having a Primary Home Language Other Than English

The school district shall provide for the need to effectively notify parents of students identified as having a primary or home language other than English.

C. Notification to Parents or Eligible Students Who are Disabled

The school district shall provide for the need to effectively notify parents or eligible students identified as disabled.

XX. DESTRUCTION AND RETENTION OF RECORDS

- A. Destruction and retention of records by the school district shall be controlled by state and federal law.

XXI. COPIES OF POLICY

- A. Copies of this policy may be obtained by parents and eligible students at the Superintendent's office.

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 13.32, Subd. 5 (Directory Information)
Minn. Stat. § 13.393 (Attorneys)
Minn. Stat. Ch. 14 (Administrative Procedures Act)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)
Minn. Stat. § 121A.75 (Receipt of Records; Sharing)
Minn. Stat. § 127A.852 (Military-Connected Youth Identifier)
Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)
Minn. Stat. Ch. 256B (Medical Assistance for Needy Persons)
Minn. Stat. Ch. 256L (MinnesotaCare)
Minn. Stat. § 260B.171, subs. 3 and 5 (Disposition Order and Peace Officer Records of Children)
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
Minn. Stat. § 363A.42 (Public Records; Accessibility)
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)
10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns; Compilation of Directory Information)
18 U.S.C. § 2331 (Definitions)
18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
20 U.S.C. § 6301 *et seq.* (Every Student Succeeds Act)
20 U.S.C. § 7908 (Armed Forces Recruiting Information)
20 U.S.C. § 7917 (Transfer of School Disciplinary Records)
25 U.S.C. § 5304 (Definitions – Tribal Organization)
26 U.S.C. §§ 151 and 152 (Internal Revenue Code)
42 U.S.C. § 1711 *et seq.* (Child Nutrition Act)
42 U.S.C. § 1751 *et seq.* (Richard B. Russell National School Lunch Act)
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)
34 C.F.R. § 300.610-300.627 (Confidentiality of Information)
42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records)
Gonzaga University v. Doe, 536 U.S. 273 309 (2002)
Debt of Admin. Advisory Op. No. 21-08 (December 8, 2021)

Cross References:

MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
MSBA/MASA Model Policy 520 (Student Surveys)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 722 (Public Data Requests)
MSBA/MASA Model Policy 906 (Community Notification of Predatory Offenders)
MSBA Law Bulletin "I" (School Records – Privacy – Access to Data)



Adopted: August 9, 2004

MSBA/MASA Model Policy 601

Orig. 1995

Revised: 8/28/06; 10/27/08; 2/9/09
3/13/17; 4/13/20; 12/11/23

Rev. 2014

601 SCHOOL DISTRICT CURRICULUM AND INSTRUCTION GOALS

I. PURPOSE

The purpose of this policy is to establish broad curriculum parameters for the school district that encompass the Minnesota Academic Standards and the federal Elementary and Secondary Education Act and are aligned with creating the world's best workforce.

II. GENERAL STATEMENT OF POLICY

It is the policy of the school district to establish the “world’s best workforce” in which all learning in the school district should be directed and for which all school district learners should be held accountable.

III. DEFINITIONS

- A. “Academic standard” means a summary description of student learning in a required content area or elective content area.
- B. “Antiracist” means actively working to identify and eliminate racism in all forms in order to change policies, behaviors, and beliefs that perpetuate racist ideas and actions.
- C. “Benchmark” means specific knowledge or skill that a student must master to complete part of an academic standard by the end of the grade level or grade band.
- D. “Culturally sustaining” means integrating content and practices that infuse the culture and language of Black, Indigenous, and People of Color communities who have been and continue to be harmed and erased through the education system.
- E. “Curriculum” means district or school adopted programs and written plans for providing students learning experiences that lead to expected knowledge, skills and career and college readiness. The term curriculum encompasses what is written, taught and assessed.
- F. “Ethnic studies” as defined in Minnesota Statutes, section 120B.25, has the same meaning for purposes of this section. Ethnic studies curriculum may be integrated in existing curricular opportunities or provided through additional curricular offerings.

- G. “Experiential learning” means learning for students that includes career exploration through a specific class or course or through work-based experiences such as job shadowing, mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative work experience, youth apprenticeship, or employment.
- H. “Institutional racism” means structures, policies, and practices within and across institutions that produce outcomes that disadvantage those who are Black, Indigenous, and People of Color.
- I. “Instruction” means methods of providing learning experiences that enable students to meet state and district academic standards and graduation requirements including applied and experiential learning.
- J. “Performance measures” are measures to determine school district and school site progress in striving to create the world’s best workforce and must include at least the following:
1. ~~student performance on the National Assessment of Educational Progress where applicable;~~
 2. the size of the academic achievement gap; and rigorous course taking, including college-level advanced placement, international baccalaureate, postsecondary enrollment options including concurrent enrollment, other statutorily recognized courses of study or industry certification courses or programs and enrichment experiences by student subgroup;
 3. student performance on the Minnesota Comprehensive Assessments;
 4. high school graduation rates; and
 5. career and college readiness under Minn. Stat. § 120B.30, Subd. 1.
- K. “World’s best workforce” means striving to: meet school readiness goals; ~~have all third-grade students achieve grade-level literacy;~~ close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.
- L. “Experiential learning” means learning for students that includes career exploration through a specific class or course or through work-based experiences such as job shadowing, mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative work experience, youth apprenticeship, or employment.

IV. LONG-TERM STRATEGIC PLAN

- A. The school board, at a public meeting, shall adopt a comprehensive, long-term strategic plan to support and improve teaching and learning that is aligned with creating the world's best workforce and includes the following:
1. clearly defined school district and school site goals and benchmarks for instruction and student achievement for all student categories identified in Minnesota Statutes, section 120B.35, subdivision 3, paragraph (b)(2), under the federal Elementary and Secondary Education Act and two student gender categories of male and female;
 2. a process for assessing and evaluating each student's progress toward meeting state and local academic standards and identifying the strengths and weaknesses of instruction in pursuit of student and school success and curriculum affecting students' progress and growth toward career and college readiness and leading to the world's best workforce;
 3. a system to periodically review and evaluate the effectiveness of all instruction and curriculum, taking into account strategies and best practices, student outcomes, principal evaluations under Minn. Stat. § 123B.147, Subd. 3, students' access to effective teachers who are members of populations under-represented among the licensed teachers in the district or school and who reflect the diversity of enrolled students under Minn. Stat. § 120B.35, subdivision Subd. 3(b)(2), and teacher evaluations under Minn. Stat. § 122A.40, subdivision Subd. 8, or 122A.41, Subd. 5;
 4. strategies for improving instruction, curriculum, and student achievement, including the English and, where practicable, the native language development and the academic achievement of English learners;
 5. a process to examine the equitable distribution of teachers and strategies to ensure children in low-income and minority children families, children in families of People of Color, and children in American Indian families are not taught at higher rates than other children by inexperienced, ineffective, or out-of-field teachers;
 6. education effectiveness practices that
 - a) integrate high-quality instruction, rigorous curriculum, technology, and curriculum that is rigorous, accurate, antiracist, and culturally sustaining; a collaborative professional culture that develops and supports teacher quality, performance, and effectiveness; and;

- b) ensure learning and work environments validate, affirm, embrace, and integrate cultural and community strengths for all students, families, and employees;
 - c) provide a collaborative professional culture that seeks to retain qualified, racially and ethnically diverse staff effective at working with diverse students while developing and supporting teacher quality, performance, and effectiveness; and;
 - 7. an annual budget for continuing to implement the school district plan; and
 - 8. identifying a list of suggested and required materials, resources, sample curricula, and pedagogical skills for use in kindergarten through grade 12 that accurately reflect the diversity of the state of Minnesota.
- B. The school district is not required to include information regarding literacy in a plan or report required under this section, except with regard to the academic achievement of English learners.
- ~~C. School district site and school site goals shall include the following:~~
 - ~~1. All students will be required to demonstrate essential skills to effectively participate in lifelong learning. These skills include:~~
 - ~~a) reading, writing, speaking, listening and viewing in the English language;~~
 - ~~b) mathematical and scientific concepts;~~
 - ~~c) locating, organizing, communicating and evaluating information and developing methods of inquiry (i.e. problem solving);~~
 - ~~d) creative and critical thinking, decision making and study skills;~~
 - ~~e) work readiness skills;~~
 - ~~f) global and cultural understanding.~~
 - ~~2. Each student will have the opportunity and will be expected to develop and apply essential knowledge that enables that student to:~~
 - ~~a) live as a responsible, productive citizen and consumer within local, state, national and global political, social, and economic systems;~~
 - ~~b) bring many perspectives, including historical, to contemporary issues;~~

- c) develop an appreciation and respect for democratic institutions;
- d) communicate and relate effectively in languages and with cultures other than the student's own;
- e) practice stewardship of the land, natural resources and environment;
- f) use a variety of tools and technology to gather and use information, enhance learning, solve problems, and increase human productivity.

3. — Students will have the opportunity to develop creativity and self-expression through visual and verbal images, music, literature, world languages, movement and the performing arts.

4. — School practices and instruction will be directed toward developing within each student a positive self image and a sense of personal responsibility for:

- a) establishing and achieving personal and career goals;
- b) adapting to change;
- c) leading a healthy and fulfilling life, both physically and mentally;
- d) living a life that will contribute to the well being of society;
- e) becoming a self-directed learner;
- f) exercising ethical behavior.

5. — Students will be given the opportunity to acquire human relations skills necessary to:

- a) appreciate, understand, and accept human diversity and interdependence;
- b) address human problems through team effort;
- c) resolve conflicts with and among others;
- d) function constructively within a family unit;
- e) promote a multicultural, gender fair, disability sensitive society.

D. Every child is reading at or above grade level every year, beginning in kindergarten, and multilingual learners and students receiving special education services are receiving support in achieving their individualized reading goals pursuant to Policy 621 Literacy and the Read Act (Reading and the Read Act)

E. Every child is reading at or above grade level no later than the end of grade 3, including English learners, and teachers provide comprehensive, scientifically based reading instruction, including a program or collection of instructional practices that is based on valid, replicable evidence showing that, when the programs or practices are used, students can be expected to achieve, at a minimum, satisfactory reading progress. The program or collection of practices must include, at a minimum, effective, balanced instruction in all five areas of reading (phonemic awareness, phonics, fluency, vocabulary development, and reading comprehension), as well as instructional strategies for continuously assessing, evaluating, and communicating the student's reading progress and needs.

1. The school district shall identify, before the end of kindergarten, grade 1, and grade 2, students who are not reading at grade level before the end of the current school year and shall identify students in grade 3 or higher who demonstrate a reading difficulty to a classroom teacher. Reading assessments in English and in the predominant languages of district students, where practicable, must identify and evaluate students' areas of academic need related to literacy. The school district also must monitor the progress and provide reading instruction appropriate to the 601-5 specific needs of English learners. The school district must use locally adopted, developmentally appropriate, and culturally responsive assessment.

2. At least annually, the school district must give the parent of each student who is not reading at or above grade level timely information about:

- a) the student's reading proficiency as measured by a locally adopted assessment;
- b) reading-related services currently being provided to the student and the student's progress; and
- c) strategies for parents to use at home in helping their students succeed in becoming grade-level proficient in reading English and their native languages.

This provision may not be used to deny a student's right to a special education evaluation.

3. For each student who is not reading at or above grade level, the school district shall provide reading intervention to accelerate student growth and reach the goal of reading at or above grade level by the end of the current grade and school year. If a student does not read at or above grade level by the end of grade 3, the school district must continue to provide reading intervention until the student reads at grade level. Intervention methods shall encourage family engagement and, where possible, collaboration with appropriate school and community programs. Intervention methods may include, but are not limited to, requiring attendance in summer school, intensified reading instruction that may require that the student be removed from the regular classroom for part of the school day, extended day programs, or programs that strengthen students' cultural connections.

Legal References: Minn. Stat. § 120B.02 (Educational Expectations for Minn. Students)
Minn. Stat. § 120B.11 (School District Process)
20 U.S.C. § 5801, *et seq.* (National Educational Goals 2000)
20 U.S.C. § 6301, *et seq.* (No Child Left Behind Act)

Cross References: MSBA/MASA Model Policy 104 (School District Mission Statement)
MSBA/MASA Model Policy 613 (Graduation Requirements)
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)
MSBA/MASA Model Policy 615 (Basic Standards Testing, Accommodations, Modifications, and Exemptions for IEP, Section 504 Accommodation, and LEP Students)
MSBA/MASA Model Policy 616 (School District System Accountability)

Legal References: Minn. Stat. § 120B.018 (Definitions)
Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota Students)
Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement; Striving for the World's Best Workforce)
Minn. Stat. § 120B.12 (Read Act Goal and Interventions)
Minn. Stat. § 120B.30, Subd. 1 (Statewide Testing and Reporting System)
Minn. Stat. § 120B.35, Subd. 3 (Student Academic Achievement and Growth)
Minn. Stat. § 122A.40, Subd. 8 (Employment; Contracts; Termination)
Minn. Stat. § 122A.41, Subd. 5 (Teacher Tenure Act; Cities of the First Class; Definitions)
Minn. Stat. § 123B.147, Subd. 3 (Principals)
Minn. Stat. § 125A.56, Subd. 1 (Alternate Instruction Required before Assessment Referral)
20 U.S.C. § 5801, *et seq.* (National Education Goals)
20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

Cross References: MSBA/MASA Model Policy 104 (School District Mission Statement)
MSBA/MASA Model Policy 613 (Graduation Requirements)
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)
MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
MSBA/MASA Model Policy 616 (School District System Accountability)
MSBA/MASA Model Policy 618 (Assessment of Student Achievement)



Adopted: August 9, 2004

MSBA/MASA Model Policy 602
Orig. 1995

Revised: 10/24/05; 8/28/06; 3/13/17; 4/13/20
12/11/23

Rev. 2017

602 ORGANIZATION OF SCHOOL CALENDAR AND SCHOOL DAY

I. PURPOSE

The purpose of this policy is to provide for a timely determination of the school calendar and school day.

II. GENERAL STATEMENT OF POLICY

The school calendar and schedule of the school day are important to parents, students, employees, and the general public for advance, effective, planning of the school year.

III. CALENDAR RESPONSIBILITY

A. The school calendar shall be adopted annually by the school board. It shall meet all provisions of Minnesota statutes pertaining to minimum number of school days and other provisions of law. The school calendar shall establish student days, workshop days for staff, provide for emergency closings and other information related to students, staff and parents.

B. Except for learning programs during summer and flexible learning year programs, the school district will not commence an elementary or secondary school year before Labor Day, except as provided in Section III.B.1., III.B.2., or III.B.3. Days devoted to teacher's workshops may be held before Labor Day.

1. The school district may begin the school year on any day before Labor Day to accommodate a construction or remodeling project of \$400,000 or more affecting a school district school facility.

2. The school district may begin the school year on any day before Labor Day if the school district has agreement under Minnesota Statutes, section 123A.30, 123A.32, or 123A.35 with a school district that qualifies under Section III.B.1.

3. The school district may begin the school year on any day before Labor Day if the school district agrees to the same schedule with a school district in an adjoining state.

- C. Employee and advisory groups shall be provided an opportunity to participate in school calendar considerations through a meet and confer process.

IV. SCHOOL DAY RESPONSIBILITY

- A. The superintendent or designee shall be responsible for developing a schedule for the student day, subject to review by the school board. All requirements and provisions of Minnesota Statutes and Minnesota Department of Education Rules shall be met.
- B. In developing the student day schedule, the superintendent shall consider such factors as school bus schedules, cooperative programs, differences in time requirements at various grade levels, effective utilization of facilities, cost effectiveness, and other concerns deserving of attention.
- C. Proposed changes in the school day shall be subject to review and approval by the school board.

V. E-LEARNING DAYS

- A. An “e-learning day” is a school day where a school offers full access to online instruction provided by students’ individual teachers due to inclement weather.
- B. A school district may designate up to five e-learning days in one school year.
- C. An e-learning day is counted as a day of instruction and included in the hours of instruction pursuant to Section III.A., above.
- D. A school board may adopt an e-learning day plan after consulting with the exclusive representative of the teachers. The e-learning day plan developed by the school district will include accommodations for students without Internet access at home and for digital device access for families without the technology or with an insufficient amount of technology for the number of children in the household. The plan must also provide accessible options for students with disabilities.
- E. The school district must notify parents and students of its e-learning day plan at the beginning of each school year.
- F. When an e-learning day is declared by the school district, notice must be provided to parents and students at least two hours prior to the normal school start time that students will need to follow the e-learning day plan for that day.
- G. On an e-learning day, each student’s teacher must be accessible both online and by telephone during normal school hours to assist students and parents.

- H. When the school district declares an e-learning day, it must continue to pay the full wages for scheduled work hours and benefits of all school employees for the duration of the e-learning period. During the e-learning period, school employees must be allowed to work from home to the extent practicable, be assigned to work in an alternative location, or be retained on an on-call basis for any potential need.

Legal References: Minn. Stat. § 120A.40 (School Calendar)
Minn. Stat. § 120A.41 (Length of School Year; Days of Instruction)
Minn. Stat. § 120A.414 (E-Learning Days)
Minn. Stat. § 120A.415 (Extended School Calendar)
Minn. Stat. § 120A.42 (Holidays)
Minn. Stat. § 122A.40, Subds. 7 and 7a (Employment; Contracts; Termination)
Minn. Stat. § 122A.41, Subds. 4 and 4a (Teacher Tenure Act; Cities of the First Class; Definitions)
Minn. Stat. § 127A.41, Subd. 7 (Distribution of School Aids; Appropriation)

Legal References: Minn. Stat. § 10.55 (Juneteenth)
Minn. Stat. § 120A.40 (School Calendar)
Minn. Stat. § 120A.41 (Length of School Year; Hours of Instruction)
Minn. Stat. § 120A.414 (E-Learning Days)
Minn. Stat. § 120A.415 (Extended School Calendar)
Minn. Stat. § 120A.42 (Conduct of School on Certain Holidays)
Minn. Stat. § 122A.40, Subds. 7 and 7a (Employment; Contracts; Termination)
Minn. Stat. § 122A.41, Subds. 4 and 4a (Teacher Tenure Act; Cities of the First Class; Definitions)
Minn. Stat. § 123A.30 (Agreements for Secondary Education)
Minn. Stat. § 123A.32 (Interdistrict Cooperation)
Minn. Stat. § 123A.35 (Cooperation and Combination)
Minn. Stat. § 124D.126 (Powers and Duties of Commissioner; Flexible Learning Year Programs)
Minn. Stat. § 124D.151 (Voluntary Prekindergarten Program)
Minn. Stat. § 124E.25 (Payment of Aids to Charter Schools)
Minn. Stat. § 127A.41, Subd. 7 (Distribution of School Aids; Appropriation)
Minn. Stat. § 645.44 (Words and Phrases Defined)

Cross References: MSBA/MASA Model Policy 425 (Staff Development)



Adopted: June 22, 1998

MSBA/MASA Model Policy 616
Orig. 1997

Revised: 8/9/04; 8/22/05; 6/25/07; 2/10/20
12/11/23

Rev. 2019

616 SCHOOL DISTRICT SYSTEM ACCOUNTABILITY

I. PURPOSE

The purpose of this policy is to focus public education strategies on a process which promotes higher academic achievement for all students and ensures broad-based community participation in decisions regarding the implementation of the Minnesota **K-12** Academic Standards and federal law.

II. GENERAL STATEMENT OF POLICY

~~The school district will establish a system to review and improve instruction, curriculum and assessment, which will include substantial input by students, parents or guardians and local community members. The school district will be accountable to the public and the state through annual reporting.~~

Implementation of the Minnesota K-12 Academic Standards and federal law requires accountability for the school district. The school district established a system to transition to the graduation requirements of the Minnesota K-12 Academic Standards. The school district also established a system to review and improve instruction, curriculum, and assessment which will include substantial input by students, parents or guardians, and local community members. The school district will be accountable to the public and the state through annual reporting.

III. DEFINITIONS

A. “Credit” means a student’s successful completion of an academic year of study or a student’s mastery of the applicable subject matter as determined by the school district.

~~B. “Graduation Standards” means the credit requirements and Minnesota Academic Standards that school districts must offer and certify that students complete to be eligible for a high school diploma.~~

C. “World’s best workforce” means striving to: meet school readiness goals; ~~have all third grade students achieve grade-level literacy;~~ close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.

IV. ESTABLISHMENT OF GOALS; IMPLEMENTATION; EVALUATION AND REPORTING

A. School District Goals

1. The school board has established school district-wide goals, which provide broad direction for the school district. Incorporated in these goals are the graduation and education standards contained in the Minnesota Academic Standards and federal law. The broad goals shall be reviewed annually and approved by the school board. The school board shall adopt annual goals based on the recommendations of the school district's Advisory Committee.
2. The District Advisory Committee, created under Policy 603 (Curriculum Development) is established by the school board to will ensure active community participation in all phases of planning and improving the instruction and curriculum affecting state and district academic standards.
3. The school district-wide improvement goals should address recommendations identified through the District Advisory Committee process. The school district's goal setting process will include consideration of individual site goals. School district goals may also be developed through an education effectiveness program, an evaluation of student progress committee, or through some other locally determined process.

B. System for Reviewing All Instruction and Curriculum.

Incorporated in the process will be analysis of the school district's progress toward implementation of the Minnesota Academic Standards. Instruction and curriculum shall be reviewed and evaluated by taking into account strategies and best practices, student outcomes, principal evaluations under Minn. Stat. § 123B.147, Subd. 3, and teacher evaluations under Minn. Stat. § 122A.40, Subd. 8, or 122A.41, Subd. 5.

A local cycle for continuous review of curriculum and instruction will be developed.

C. Implementation of Graduation Requirements

1. The District Advisory Committee shall also advise the school board on implementation of the state and local graduation requirements, including K-12 curriculum, assessment, student learning opportunities, and other related issues. Recommendations of the District Advisory Committee shall be published annually to the community. The school board shall receive public input and comment and shall adopt or update these policies at least annually.

2. The school board shall annually review and determine if student achievement levels at each school site meet state expectations. If the school board determines that student achievement levels at a school site do not meet state expectations and the site has not made adequate yearly progress for two consecutive school years, the District Advisory Committee shall work with the school site to adopt a plan to raise student achievement levels to meet state and local expectations. The District Advisory Committee may seek assistance from the Commissioner of the Department of Education (the Commissioner) in developing a plan, which must include parental involvement components.
3. The educational assessment system component utilized by the school board to measure individual students' educational progress must be based, to the extent annual tests are administered, on indicators of current achievement growth that show growth relative to an individual student's prior achievement. Indicators of achievement and prior achievement must be based on highly reliable statewide or district-wide assessments. The school board will utilize models developed by the Commissioner for measuring individual student progress. The school board must coordinate with the Department of Education in evaluating school sites and continuous improvement plans, consistent with best practices.

D. Comprehensive Continuous Improvement of Student Achievement

1. The District Advisory Committee will meet to advise and assist the school district in the implementation of the school district system accountability and comprehensive continuous improvement process.
2. The District Advisory Committee, working in cooperation with other committees of the school district will provide active community participation in:
 - a) Reviewing the school district instructional and curriculum plan, with emphasis on implementing the Minnesota Academic Standards;
 - b) Identifying annual instruction and curriculum improvement goals for recommendation to the school board;
 - c) Making recommendations regarding the evaluation process that will be used to measure school district progress toward its goals;
 - d) Making recommendations regarding the development of the annual report.
3. The District Advisory Committee shall meet the following criteria:

- a) The **District** Advisory Committee shall ensure active community participation in all planning for instruction and curriculum affecting Graduation Standards.
- b) The **District** Advisory Committee shall make recommendations to the school board on school district-wide standards, assessments and program evaluation.
- c) Building teams may be established as subcommittees to develop and implement an education effectiveness plan and to carry out methods to improve instruction, curriculum, and assessments as well as methods to use technology in meeting the school district improvement plan.
- d) A local plan to evaluate student progress, using a local process, shall be used for developing a plan for assessment of student progress toward the Graduation Standards, as well as program evaluation data for use by the **District** Advisory Committee in the instruction and curriculum review process. This plan shall annually be approved by the school board.

4. ~~The Advisory Committee shall, when possible, be comprised of at least two-thirds community representatives and shall reflect the diversity of the community. To the extent possible, the Advisory Committee shall reflect the diversity of the school district and its school sites and include teachers, parents, support staff, students, and other community residents. Included in its membership should be:~~

- a) ~~The Director of Curriculum and Instruction (or similar educational leader)~~
- b) ~~Principal(s)~~
- c) ~~School Board Member(s)~~
- d) ~~Student Representative(s)~~
- e) ~~Teacher(s)~~
- f) ~~Parent(s)~~
- g) ~~Resident(s) without school aged children, and/or~~
- h) ~~Resident(s) representative of local business or industry~~
- i) ~~School District Test Administrator (if different from "a." above)~~

5. Translation services should be provided to the extent appropriate and practicable.
6. The **District** Advisory Committee shall meet four – five times each year:

E. Evaluation of Student Progress Committee

A committee of professional staff shall develop a plan for assessment of student progress **toward the Literacy by Grade 3**, Graduation Standards, as well as program evaluation data for use by the **District** Advisory Committee to review instruction and curriculum, cultural competencies, including cultural awareness and cross-cultural communication, and student achievement. This plan shall annually be reviewed by the school board.

F. Reporting

1. Consistent with Minn. Stat. § 120B.36, **subdivision Subd. 1**, the school board shall publish a report in the local newspaper with the largest circulation in the district, by mail, or by electronic means on the school district website. The school board shall hold an annual public meeting to review and revise, where appropriate, student achievement goals, local assessment outcomes, plans, strategies, and practices for improving curriculum and instruction and cultural competency and efforts to equitably distribute diverse, effective, experienced, and in-field teachers, and to review school district success in realizing the previously adopted student achievement goals and related benchmarks and the improvement plans leading to the world’s best workforce. The school board must transmit an electronic summary of its report to the Commissioner in the form and manner the Commissioner determines. The school district shall periodically survey affected constituencies in their native languages, where appropriate and practicable, about their connection to and level of satisfaction with school. The school district shall include the results of this evaluation in its published reports and in its summary report to the Commissioner.
2. The school performance report for a school site and a school district must include performance reporting information and calculate proficiency rates as required by the most recent reauthorized Elementary and Secondary Act.
3. **The school district must annually report the district's class size ratios by each grade to the commissioner of education in the form and manner specified by the commissioner.**
4. **The school district must report whether programs funded with compensatory revenue are consistent with best practices demonstrated to improve student achievement.**

Legal References: Minn. Stat. § 120B.018 (Definitions)
Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota’s Students)
Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement; Striving for the World’s Best Workforce)
Minn. Stat. § 120B.35 (Student Academic Achievement and Growth)
Minn. Stat. § 120B.36 (School Accountability)
Minn. Stat. § 122A.40 (Employment; Contracts; Termination)
Minn. Stat. § 122A.41 (Teacher Tenure Act; Cities of the First Class; Definitions)
Minn. Stat. § 123B.04 (Site Decision Making; Individualized Learning Agreement; Other Agreements)
Minn. Stat. § 123B.147 (Principals)
Minn. Stat. § 126C.12 (Learning and Development Revenue Amount and Use)
Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
Minn. Rules Parts 3501.0820 (Academic Standards for the Arts)
Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)
Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)
20 U.S.C. § 6301, et seq. (Every Student Succeeds Act)

~~**Legal References:** Minn. Stat. § 120B.02 (Educational Expectations for Minnesota’s Students)
Minn. Stat. § 120B.11 (School District Process)
Minn. Stat. § 120B.35 (Student Achievement Levels)
Minn. Stat. § 123B.04 (Site Decision Making Agreement)
Minn. Rules Parts 3501.0010-3501.0180 (Rules Relating to Graduation Standards—Mathematics and Reading)
Minn. Rules Parts 3501.0200-3501.0290 (Rules Relating to Graduation Standards—Written Composition)
Minn. Rules Part 3501.0160 (District Reporting Requirements)
20 U.S.C. § 6301, et seq. (Every Student Succeeds Act)~~

Cross References: MSBA/MASA Model Policy 104 (School District Mission Statement)
MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)
MSBA/MASA Model Policy 613 (Graduation Requirements)
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)
MSBA/MASA Model Policy 615 (Basic Standards Testing, Accommodations, Modifications and Exemptions for IEP Section 504 Accommodation and LEP Students)
MSBA/MASA Model Policy 617 (School District Ensurance of Preparatory and High School Standards)
MSBA/MASA Model Policy 618 (Assessment of Standard Achievement)
MSBA/MASA Model Policy 619 (Staff Development for Standards)
MSBA/MASA Model Policy 620 (Credit for Learning)



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: November 27, 2023

Place on Agenda: Regular Business Meeting Agenda

Action Requested: None. Review only at this time.

Attachment: 424, 425, 507, 532, 806

Topic: Policy Review – First of Three Readings
Presenter(s): Chair John Raasch
<p>Background:</p> <p>School district policy #208 requires policies under review to be placed on two consecutive School Board meeting agendas for review and comment by board members, staff and community members. At the third and subsequent meeting, the policies then go before the School Board for approval.</p> <p>The policies listed above were reviewed by the board policy committee on November 15. These policies will remain on the November 27 and December 11 board agendas for review and comment. The policies will then have their third and final reading and approval at the Monday, January 8, 2024 Board meeting.</p>
<p>Recommendation:</p> <p>N/A</p>
<p>Alternatives:</p> <p>N/A</p>



Adopted: June 14, 2004

MSBA/MASA Model Policy 424

I. Orig. 1999

Revised: 6/26/06; 5/22/17; 1/8/24

Rev. 2023

424 LICENSE STATUS

I. PURPOSE

The purpose of this policy is to ensure that qualified teachers are employed by the school district and to fulfill its duty to ascertain the licensure status of its teachers. A school board that employs a teacher who does not hold a valid teaching license or permit places itself at risk for a reduction in state aid. This policy does not negate a teacher's duty and responsibility to maintain a current and valid teaching license.

II. GENERAL STATEMENT OF POLICY

- A. A qualified teacher is one holding a valid license to perform the particular service for which the teacher is employed by the school district.
- B. No person shall be a qualified teacher until the school district verifies through the Minnesota education licensing system available on the Minnesota Department of Education website that the person is a qualified teacher consistent with state law.
- C. The school district has a duty to ascertain the licensure status of its teachers and ensure that the school district's teacher license files are up to date. The school district shall establish a procedure for annually reviewing its teacher license files to verify that every teacher's license is current and appropriate to the particular service for which the teacher is employed by the school district.
- D. The school district must annually report to the Professional Educator Licensing and Standards Board: (1) all new teacher hires and terminations, including layoffs, by race and ethnicity; and (2) the reasons for all teacher resignations and requested leaves of absence. The report must not include data that would personally identify individuals.

III. PROCEDURE

- A. The superintendent or the superintendent's designee shall establish a schedule for the annual review of teacher licenses.
- B. Where it is discovered that a teacher's license will expire within one year from the date of the annual review, the superintendent or the superintendent's designee will advise the teacher in writing of the approaching expiration and that the teacher must complete the renewal process and file the license with the superintendent or the superintendent's designee prior to the expiration of the current license. However, failure to provide this notice does not relieve a teacher from his/her duty and

responsibility of ensuring that his/her teaching license is valid, current and appropriate to his/her teaching assignment.

- C. If it is discovered that a teacher's license has expired, the superintendent or the superintendent's designee will immediately investigate the circumstances surrounding the lack of license and will take appropriate action. The teacher shall be advised that the teacher's failure to have the license reinstated will constitute gross insubordination, inefficiency and willful neglect of duty, which are grounds for immediate discharge from employment.
- D. The duty and responsibility of maintaining a current and valid teaching license appropriate to the teaching assignment as required by this policy shall remain with the teacher, notwithstanding the superintendent's or the superintendent's designee's failure to discover a lapsed license or license that does not support the teaching assignment. A teacher's failure to comply with this policy may be grounds for the teacher's immediate discharge from employment.

Legal References:

Minn. Stat. § 122A.16 (Highly Qualified Teacher Defined)
Minn. Stat. § 122A.22 (District Verification of Teacher Licenses)
Minn. Stat. § 122A.40, **Subd. 13** (Employment; Contracts; Termination – Immediate Discharge)
Minn. Stat. § 127A.42 (Reduction of Aid for Violation of Law)
Vettleson v. Special Sch. Dist. No. 1, 361 N.W.2d 425 (Minn. App. 1985)
Lucio v. School Bd. of Independent Sch. Dist. No. 625, 574 N.W.2d 737 (Minn. App. 1998)
In the Matter of the Proposed Discharge of John R. Statz (Christine D. VerPloeg), June 8, 1992, *affirmed*, 1993 WL 129639, (Minn. App. 1993)

Cross References:



Adopted: January 24, 2005

MSBA/MASA Model Policy 4258

Revised: 6/14/05; 6/25/07; 6/10/09
11/26/18; 1/8/24

Orig. 2001
Rev. 2016

425 STAFF DEVELOPMENT

I. PURPOSE

The purpose of this policy is to establish a staff development program and structure to carry out planning and reporting on staff development that supports improved student learning.

II. ADVISORY STAFF DEVELOPMENT COMMITTEE AND SITE PROFESSIONAL DEVELOPMENT TEAMS

- A. The Board of Education will establish an Advisory Staff Development Committee to develop a Staff Development Plan, assist Site Professional Development Teams in developing a site plan consistent with the goals of the Staff Development Plan, and evaluate staff development efforts at the site level.
 - 1. The majority of the membership of the Advisory Staff Development Committee shall consist of teachers representing various grade levels, subject areas, and special education. The Committee also will include nonteaching staff, parents and administrators.
- B. Establishing the Site Professional Development Teams
 - 1. Administrators will determine the site professional development teams based on site and staff need.
 - 2. The majority of the Site Professional Development Teams shall be teachers representing various grade levels, subject areas and special education.

III. DUTIES OF THE ADVISORY STAFF DEVELOPMENT COMMITTEE

- A. The Advisory Staff Development Committee will develop a Staff Development Plan which will be reviewed and subject to approval by the Board of Education.
- B. The Staff Development Plan must contain the following elements:
 - 1. Staff development outcomes which are consistent with the education outcomes as may be determined periodically by the Board of Education;
 - 2. The means to achieve the staff development outcomes;
 - 3. The procedures for evaluating progress at each school site toward meeting educational outcomes;

4. Ongoing staff development activities that contribute toward continuous improvement in achievement of the following goals:
 - a. Improve student achievement of state and local education standards in all areas of the curriculum by using best practices methods;
 - b. Effectively meet the needs of a diverse student population, including at-risk children, children with disabilities, and gifted children, within the regular classroom and other settings;
 - c. Provide an inclusive curriculum for a racially, ethnically, and culturally diverse student population that is consistent with state education diversity rule and the district's education diversity plan;
 - d. Improve staff collaboration and develop mentoring and peer coaching programs for teachers new to the school or district;
 - e. Effectively teach and model violence prevention policy and curriculum that address early intervention alternatives, issues of harassment, and teach nonviolent alternatives for conflict resolution; and
 - f. Provide teachers and other members of site-based management teams with appropriate management and financial management skills.
5. The Staff Development Plan also must:
 - a. Support stable and productive professional communities achieved through ongoing and school-wide progress and growth in teaching practice;
 - b. Emphasize coaching, professional learning communities, classroom action research and other job-embedded models;
 - c. Maintain a strong subject matter focus premised on students' learning goals consistent with Minn. Stat. § 120B.125;
 - d. Ensure specialized preparation and learning about issues related to teaching English learners and students with special needs by focusing on long-term systemic efforts to improve educational services and opportunities and raise student achievement; and
 - e. Reinforce national and state standards of effective teaching practice.
6. Staff development activities must:
 - a. Focus on the school classroom and research-based strategies that improve student learning;
 - b. Provide opportunities for teachers to practice and improve their instructional skills over time;

- c. Provide opportunities for teachers to use student data as part of their daily work to increase student achievement;
 - d. Enhance teacher content knowledge and instructional skills; including to accommodate the delivery of digital and blended learning and curriculum and engage students with technology;
 - e. Align with state and local academic standards;
 - f. Provide opportunities to build professional relationships, foster collaboration among principals and staff who provide instruction, and provide opportunities for teacher-to-teacher mentoring; and
 - g. Align with the plan, if any, of the district or site for an alternative teacher professional pay system.
- 7. Staff development activities may include curriculum development and curriculum training programs, and activities that provide teachers and other members of site-based teams training to enhance team performance.
 - 8. The school district may implement other staff development activities required by law and activities associated with professional teacher compensation models.
- C. The Advisory Staff Development Committee will assist Site Professional Development Teams in developing a site plan consistent with the goals and outcomes of the Staff Development Plan.
 - D. The Advisory Staff Development Committee will evaluate staff development efforts at the site level and will report to the Board of Education the extent to which staff at the site have met the outcomes of the Staff Development Plan.
 - E. The Advisory Staff Development Committee shall assist the School District in preparing any reports required by the Minnesota Department of Education (MDE) relating to staff development including, but not limited to, the reports referenced in Section VII. below.

IV. DUTIES OF THE SITE PROFESSIONAL DEVELOPMENT TEAM

- A. Each Site Professional Development Team shall develop a site plan, consistent with the goals of the Staff Development Plan. The Board of Education will review the site plans for consistency with the Staff Development Plan.
- B. The Site Professional Development Team must demonstrate to the Board of Education the extent to which staff at the site have met the outcomes of the Staff Development Plan. The actual reports to the Board of Education can be made by the Advisory Staff Development Committee to avoid duplication of effort.

- C. If the Board of Education determines that staff development outcomes are not being met, it may withhold a portion of the initial allocation of revenue referenced in Section V. below.

V. STAFF DEVELOPMENT FUNDING

- A. Unless the School District is in statutory operating debt or a majority of the School District Board and a majority of its licensed teachers vote to waive the requirement to reserve basic revenue for staff development, the School District will reserve an amount up to two percent of its basic revenue for: in-service education for violence prevention programs to help students learn how to resolve conflicts within their families and communities in non-violent, effective ways; staff development plans; curriculum development and programs; other in-service education; teachers' workshops; teacher conferences; the cost of substitute teachers for staff development purposes; pre-service and in-service education for special education professionals and paraprofessionals; and other related costs for staff development efforts.
- B. The School District may, in its discretion, expend an additional amount of unreserved revenue for staff development based on its needs.
- C. Release time provided for teachers to supervise students on field trips and school activities, or independent tasks not associated with enhancing the teacher's knowledge and instructional skills, such as preparing report cards, calculating grades, or organizing classroom materials, may not be counted as staff development time that is financed with staff development reserved revenue under Minn. Stat. § 122A.61.

VI. PROCEDURE FOR USE OF STAFF DEVELOPMENT FUNDS

- A. On an annual basis, the Advisory Staff Development Committee, with the assistance of the Site Professional Development Teams, shall prepare a projected budget setting forth proposals for allocating staff development funds reserved for each school site. Such budgets shall include, but not be limited to, projections as to the cost of building site training programs, costs of individual staff seminars, and cost of substitutes.
- B. Upon approval of the budget by the Board of Education, the Advisory Committee shall be responsible for monitoring the use of such funds in accordance with the Staff Development Plan and budget. The requested use of staff development funds must meet or make progress toward the goals and objectives of the Staff Development Plan. All costs/expenditures will be reviewed by the Board of Education and/or Superintendent for consistency with the Staff Development Plan.

- C. Individual requests from staff for leave to attend staff development activities shall be submitted and reviewed according to school district policy, staff procedures, contractual agreement, and the effect on school district operations. Failure to timely submit such requests may be cause for denial of the request.

VII. PARAPROFESSIONALS, TITLE I AIDES, AND OTHER INSTRUCTIONAL SUPPORT STAFF

- A. The school district must provide a minimum of eight hours of paid orientation or professional development annually to all paraprofessionals, Title I aides, and other instructional support staff. Six of the eight hours must be completed before the first instructional day of the school year or within 30 days of hire.
- B. The orientation or professional development must be relevant to the employee's occupation and may include collaboration time with classroom teachers and planning for the school year.
- C. For paraprofessionals who provide direct support to students, at least 50 percent of the professional development or orientation must be dedicated to meeting the requirements of this section. Professional development for paraprofessionals may also address the requirements of Minnesota Statutes, section 120B.363, subdivision 3.
- D. A school administrator must provide an annual certification of compliance with this requirement to the MDE Commissioner.

VIII. REPORTING

- A. The School District and site staff development committee shall prepare a report of the previous fiscal year's staff development activities and expenditures as part of the school district's world's best workforce report.
 - 1. The report must include assessment and evaluation data indicating progress toward district and site staff development goals based on teaching and learning outcomes, including the percentage of teachers and other staff involved in instruction who participate in effective staff development activities.
 - 2. The report will provide a breakdown of expenditures for:
 - a. curriculum development and curriculum training programs;
 - b. Staff development training models, workshops, and conferences; and
 - c. the cost of releasing teachers or providing substitute teachers for staff development purposes.

The report also must indicate whether the expenditures were incurred at the district level or the school site level, and whether the school site expenditures were made possible by the grants to school sites that demonstrate exemplary use of allocated staff development revenue. These expenditures must be reported using the uniform financial and accounting and reporting standards (UFARS).

B. The report will be signed by the superintendent and staff development chair.

Legal References:

Minn. Stat. § 120A.41 (Length of School Year; Days of Instruction)
Minn. Stat. § 120A.415 (Extended School Calendar)
Minn. Stat. § 120B.125 (Planning for Students' Successful Transition to Postsecondary Education and Employment; Personal Learning Plans)
Minn. Stat. § 120B.22, Subd. 2 (Violence Prevention Education)
Minn. Stat. § 121A.642 (Paraprofessional Training)
Minn. Stat. § 122A.187 (Expiration and Renewal)
Minn. Stat. § 122A.40, Subds. 7, 7a and 8 (Employment; Contracts; Termination - Additional Staff Development and Salary)
Minn. Stat. § 122A.41, Subds. 4, 4a and 5 (Teacher Tenure Act; Cities of the First Class; Definitions - Additional Staff Development and Salary)
Minn. Stat. § 122A.60 (Staff Development Program)
Minn. Stat. § 122A.70 (Teacher Mentorship and Retention of Effective Teachers)
Minn. Stat. § 122A.61 (Reserved Revenue for Staff Development)
Minn. Stat. § 123B.147, subd. 3 (Principals)
Minn. Stat. § 124D.861 (Achievement and Integration for Minnesota)
Minn. Stat. § 124D.862 (Achievement and Integration Revenue)
Minn. Stat. § 126C.10, Subds. 2 and 2b (General Education Revenue)
Minn. Stat. § 126C.13, Subd. 5 (General Education Levy and Aid)

Minn. Stat. § 120A.41 (Length of School Year; Days of Instruction)
Minn. Stat. § 120A.415 (Extended School Calendar)
Minn. Stat. § 120B.22, Subd. 2 (Violence Prevention Education)
Minn. Stat. § 122A.40, Subds. 7 and 7a (Employment; Contracts; Termination - Additional Staff Development and Salary)
Minn. Stat. § 122A.41, Subds. 4 and 4a (Teacher Tenure Act; Cities of the First Class; Definitions - Additional Staff Development and Salary)
Minn. Stat. § 122A.60 (Staff Development Program)
Minn. Stat. § 122A.61 (Reserved Revenue for Staff Development)
Minn. Stat. § 126C.10, Subds. 2 and 2b (General Education Revenue)

Cross References:



Adopted: October 25, 2004

MSBA/MASA Model Policy 507

Orig. 1995

Revised: 5/9/16; 4/13/20; 1/8/24

Rev. 2023 01

507 CORPORAL PUNISHMENT AND PRONE RESTRAINT

I. PURPOSE

The purpose of this policy is to describe limitations on use of corporal punishment and prone restraint upon a of students.

II. GENERAL STATEMENT OF POLICY

No employee or agent of the school district shall inflict corporal punishment or use prone restraint upon a student except as provided below. cause corporal punishment to be inflicted upon a student to reform unacceptable conduct or as a penalty for unacceptable conduct. As used in this policy, the term “corporal punishment” means conduct involving hitting or spanking a person with or without an object, or unreasonable physical force that causes bodily harm or substantial emotional harm.

III. DEFINITIONS

A. “Corporal punishment” means conduct involving:

1. hitting or spanking a person with or without an object; or
2. unreasonable physical force that causes bodily harm or substantial emotional harm.

B. “Prone restraint” means placing a child in a face-down position.

IV. PROHIBITIONS

A. An employee or agent of a district shall not inflict corporal punishment or cause corporal punishment to be inflicted upon a pupil to reform unacceptable conduct or as a penalty for unacceptable conduct.

B. An employee or agent of a district, including a school resource officer, security personnel, or police officer contracted with a district, shall not use prone restraint or compressive restraint except that the restrictions on prone and compressive restraints do not apply under the circumstances enumerated in Minnesota Statutes, section 609.06, subdivision 1(1). All peace officers, including those who are school resource officers or otherwise agents of a school district, may use force as reasonably necessary to carry out official duties, including, but not limited to, making arrests and enforcing orders of the court.

C. An employee or agent of a district, including a school resource officer, security personnel, or police officer contracted with a district, shall not inflict any form of physical holding that restricts or impairs a pupil's ability to breathe; restricts or impairs a pupil's ability to communicate distress; places pressure or weight on a pupil's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a pupil's torso.

D. Conduct that violates this Article is not a crime under Minnesota Statutes, section 645.241, but may be a crime under Minnesota Statutes, chapter 609 if the conduct violates a provision of Minnesota Statutes, chapter 609. Conduct that violates IV.1 above is not per se corporal punishment under the statute. Nothing in this Minnesota Statutes, section 121A.58 or 125A.0941 precludes the use of reasonable force under Minnesota Statutes, section 121A.582.

V. EXCEPTIONS

A teacher or school principal, and other school staff may use reasonable force under the conditions set forth in Policy 506 (Student Discipline) when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another. Other school district employees, school bus drivers, or other agents of a school district may use reasonable force when necessary under the circumstances to restrain a student or prevent bodily harm or death to another.

VI. VIOLATION

Employees who violate the provisions of this policy shall be subject to disciplinary action as appropriate. Any such disciplinary action shall be made pursuant to and in accordance with applicable statutory authority, collective bargaining agreements and school district policies. Violation of this policy may also result in civil or criminal liability for the employee.

Legal References: Minn. Stat. § 123B.25 (Actions Against Districts and Teachers)
Minn. Stat. § 121A.58 (Corporal Punishment)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. § 609.06 Subd. 1 (6)(7) (Authorized Use of Force)
Op. Atty. Gen. 169f (August 22, 2023) (School Pupils: Discipline)
Op. Atty. Gen. 169f Supp. (September 20, 2023) (School Pupils: Discipline)

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



Adopted: January 10, 2005

MSBA/MASA Model Policy 532

Orig. 2003

*Revised: 10/27/08; 11/28/11; 3/23/15; 11/14/16
4/9/18; 1/8/24*

*Rev. 2023 **15***

532 USE OF SCHOOL RESOURCE OFFICERS, PEACE OFFICERS AND CRISIS TEAMS TO REMOVE STUDENTS WITH IEPs FROM SCHOOL GROUNDS

I. PURPOSE

The purpose of this policy is to describe the appropriate use of peace officers and crisis teams to remove, if necessary, a student with an individualized education program (IEP) from school grounds.

II. GENERAL STATEMENT OF POLICY

The school district is committed to promoting positive learning environments that are safe for all members of the school community and designed to meet the diverse needs of all learners. It further believes that students are the first priority and that they should be reasonably protected from physical or emotional harm at all school locations and during all school activities.

All students, including those with IEPs, are subject to the terms of the school district's discipline policy. Building level administrators have the leadership responsibility to maintain a safe, secure, and orderly educational environment within which learning can occur. Corrective action to discipline a student and/or modify a student's behavior will be taken by staff when a student's behavior violates the school district's discipline policy.

If a student with an IEP engages in conduct which, in the judgment of school personnel may cause physical injury to themselves or others the student may be removed from school grounds in accordance with this policy.

III. DEFINITIONS

For purposes of this policy, the following terms have the meaning given them in this section:

- A. "Student with an IEP" or "the student" means a student who is eligible to receive special education and related services pursuant to the terms of an IEP or an individual interagency intervention plan (IIIP).
- B. "Peace officer" means an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the Board of Peace Officer Standards and Training, charged with the prevention and detection of crime and the enforcement of general criminal laws of the state and who has the full power of arrest. The term "peace officer" includes a person who serves as a sheriff, a deputy sheriff, a police officer, or a state patrol trooper.

- C. “School Resource Officer” is a peace officer who, pursuant to an agreement between the school district and a political subdivision or law enforcement agency, is assigned to a school building for all or a portion of the school day to provide law enforcement assistance and support to the building administration and to promote school safety, security, and positive relationships with students.
- D. “Crisis team” means a group of persons, which may include teachers and non-teaching school personnel, selected by the building administrator in each school building who have received crisis intervention training and are responsible for becoming actively involved with resolving crises. The building administrator or designee shall serve as the leader of the crisis team.
- E. The phrase “remove the student from school grounds” is the act of securing the person or a student with an IEP and escorting that student from the school building or school activity at which the student with an IEP is located.
- F. “Emergency” means a situation in which immediate intervention is necessary to protect a student or other individual from physical injury.
- G. All other terms and phrases used in this policy shall be defined in accordance with applicable state and federal law or ordinary and customary usage.

IV. REMOVAL OF STUDENTS WITH IEPs FROM SCHOOL GROUNDS

A. Removal By Crisis Team

If the behavior of a student with an IEP escalates to the point where the student’s behavior may cause physical injury to themselves or others the school building’s crisis team may be summoned. The crisis team may attempt to de-escalate the student’s behavior by means including, but not limited to, those described in the student’s IEP and/or behavior intervention plan. When such measures fail, or when the crisis team determines that the student’s behavior may cause physical injury to themselves or others, the crisis team may remove the student from school grounds.

If the student’s behavior cannot be safely managed, school personnel may immediately request assistance from the school resource officer or a peace officer.

B. Removal By School Resource Officer or Peace Officer

If a student with an IEP engages in conduct which may cause physical injury to themselves or others the school building’s crisis team, building administrator, or the building administrator’s designee, may request that the school resource officer or a peace officer remove the student from school grounds.

If a student with an IEP is restrained or removed from a school building or school grounds on two separate school days within 30 calendar days, or a pattern of use emerges the team will meet within 10 calendar days to determine if the student’s IEP is adequate or if additional evaluation is needed.

Whether or not a student with an IEP engages in conduct which causes physical injury to themselves or others school district personnel may report a crime committed by a student with an IEP to appropriate authorities. If the school district reports a crime committed by a student with an IEP, school personnel shall transmit copies of the special education and disciplinary records of the student for consideration by appropriate authorities to whom it reports the crime, to the extent that the transmission is permitted by the Family Education Rights and Privacy Act (FERPA), the Minnesota Government Data Practices Act, and school district's policy, Protection and Privacy of Pupil Records.

The fact that a student with an IEP is covered by special education law does not prevent state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by a student with an IEP.

C. Reasonable Force Permitted

1. In removing a student with an IEP from school grounds, a building administrator, other crisis team members, or the school resource officer or other agents of the school district, whether or not members of a crisis team, may use reasonable force ~~(pursuant to District Restrictive Procedures Plan)~~ when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another. ~~Summary data including the use of reasonable force will be reported to the MDE by June 30th of each year.~~
2. In removing a student with an IEP from school grounds, police liaison officers and school district personnel are further prohibited from engaging in the following conduct:
 - a) Corporal punishment prohibited by Minn. Stat. § 121A.58;
 - b) Requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;
 - c) Totally or partially restricting a child's senses as punishment;
 - d) Denying or restricting a child's access to equipment and devices such as walkers, wheel chairs, hearing aids, and communication boards that facilitate the child's functioning except when temporarily removing the equipment or device is needed to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible;
 - e) Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under Minn. Stat. § 626.556;
 - f) Physical holding (as defined in Minn. Stat. § 125A.0941) that restricts or impairs a child's ability to breathe;
 - g) Withholding regularly scheduled meals or water; and/or
 - h) Denying a child access to toilet facilities.

3. Any reasonable force used under Minnesota Statutes, sections 121A.582; 609.06, subdivision 1; and 609.379 which intends to hold a child immobile or limit a child's movement where body contact is the only source of physical restraint or confines a child alone in a room from which egress is barred shall be reported to the Minnesota Department of Education as a restrictive procedure, including physical holding or seclusion used by an unauthorized or untrained staff person.

D. Parental Notification

The building administrator or designee shall make reasonable efforts to notify the student's parent or guardian of the student's removal from school grounds as soon as possible following the removal.

E. Continued Removals; Review of IEP

Continued and repeated use of the removal process described herein must be reviewed in the development of the individual student's IEP or IIIP.

F. Effect of Policy in an Emergency; Use of Restrictive Procedures

A student with an IEP may be removed in accordance with this policy regardless of whether the student's conduct would create an emergency.

If the school district seeks to remove a student with an IEP from school grounds under this policy due to behaviors that constitute an emergency and the student's IEP, IIIP, or behavior intervention plan authorizes the use of one or more restrictive procedures, the crisis team may employ those restrictive procedures, in addition to any reasonable force that may be necessary, to facilitate the student's removal from school grounds, as long as the crisis team members who are implementing the restrictive procedures have received the training required by Minnesota Statutes, section 125A.0942, subdivision 5, and otherwise comply with the requirements of section 125A.0942.

~~If the school district seeks to remove a student with an IEP from school grounds under this policy due to behaviors that constitute an emergency, the crisis team may employ those restrictive procedures pursuant to the District's Restrictive Procedures Plan. Crisis team members who are implementing the restrictive procedures, must have received the training required by Minn. Stat. § 125A.0942, Subd. 5, and otherwise comply with all the requirements of § 125A.0942.~~

G. Reporting to the Minnesota Department of Education (MDE)

Annually, stakeholders may recommend, as necessary, to the Commissioner of MDE (Commissioner) specific and measurable implementation and outcome goals for reducing the use of restrictive procedures. The Commissioner must submit to the Legislature a report on districts' progress in reducing the use of restrictive procedures that recommends how to further reduce these procedures and eliminate the use of seclusion. By January 15, April 15, July 15, and October 15 of each year, districts must report, in a form and manner determined by the

Commissioner, about individual students who have been secluded. By July 15 each year, districts must report summary data. The summary data must include information on the use of restrictive procedures for the prior school year, July 1 through June 30, including the use of reasonable force by school personnel that is consistent with the definition of physical holding or seclusion of a child with a disability.

~~Annually, stakeholders may recommend, as necessary, to the Commissioner of MDE (Commissioner) specific and measureable implementation and outcome goals for reducing the use of restrictive procedures. The Commissioner must submit to the Legislature a report on districts' progress in reducing the use of restrictive procedures that recommends how to further reduce these procedures and eliminate the use of prone restraints. By June 30 of each year, districts must report summary data on the use of restrictive procedures to the MDE, in a form and manner determined by the Commissioner. The summary data must include information about the use of restrictive procedures, including the use of reasonable force by school personnel that is consistent with the definition of physical holding or seclusion of a child with a disability.~~

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. §§ 121A.40-121A.56 (Minnesota Pupil Fair Dismissal Act)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)
Minn. Stat. § 121A.67, Subd. 2 (Aversive and Deprivation Procedures)
Minn. Stat. § 121A.094-125A.0942 (Restrictive Procedures for Children with Disabilities)
Minn. Stat. § 609.06 (Authorized Use of Force)
Minn. Stat. § 609.379 (Permitted Actions)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy (FERPA))
20 U.S.C. § 1415(k)(6) (Individuals with Disabilities Education Improvement Act of 2004 (IDEA))
34 C.F.R. § 300.535 (IDEA Regulation Regarding Involvement of Law Enforcement)

Cross References:

MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 507 (Corporal Punishment)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 806 (Crisis Management Policy)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)



Adopted: April 17, 2000

MSBA/MASA Model Policy 806
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1/8/24

Revised 2014

806 **EMERGENCY CRISIS** MANAGEMENT POLICY

I. PURPOSE

This policy serves as a guide for the school district, building administrators, employees, students, school board members and community members regarding potential crisis situations. Each school building maintains, at the site, emergency management plans to coordinate protective actions prior to, during, and after any type of emergency or potential crisis situation in the district.

The school district will, to the extent possible, engage in ongoing emergency planning within the school district and with emergency responders and other relevant community organizations. The school district will ensure that relevant emergency responders in the community have access to their building-specific crisis management plans and will provide training to school district staff to enable them to act appropriately in the event of a crisis situation.

II. GENERAL STATEMENT OF POLICY INFORMATION

The school district's Emergency Management Plan has been created in consultation with local community response agencies and other appropriate individuals and groups likely to be involved in assisting with a school emergency. It is designed so that each building administrator can tailor an emergency management plan to meet that building's specific situation and needs.

The school district administration and/or the administration of each building shall create and annually review and update building-specific emergency management plans.

III. GENERAL EMERGENCY PROCEDURES

The school's emergency procedures include general emergency plans for securing the building, classroom evacuation, building evacuation, campus evacuation, and sheltering. These districtwide procedures may be modified by a building principal when creating the building-specific emergency management plans. The plans should designate the individual(s) who will determine when these actions will be taken and must include assigned duties for employees.

IV. EMERGENCY MANAGEMENT PLAN ELEMENTS

- A. In the event of an emergency, the principal or administration will immediately **or as soon as safely practicable** contact the superintendent or designee with the status

of the emergency situation and begin implementation of the emergency plan as determined by the assessment of the situation.

B. The superintendent or designee will implement a command team if the emergency necessitates such action. The team will take action as required.

C. The school's emergency procedures will be kept on the district's server in each building file with the director of buildings and grounds and the superintendent, and be readily available in the school buildings to address the potential emergencies, including but not limited to: following emergencies:

- Unidentified/Unauthorized Person
- Armed person
- Hostage Situation
- Evacuation to Offsite Location
- Severe Weather
- Bomb Threat
- Bus Accident
- Hostage
- Suicide, Suicide Threats, and Student or Staff Death at School or Elsewhere
- Allergic Reaction
- Drug Overdose & Other Medical Emergencies
- Assault
- Sexual Assault
- Missing or Abducted Student
- Utility Incidents
- Hazardous Materials Spill
- Suspicious Package or Material
- Other Emergencies as Determined to be Necessary
- Fire
- Hazardous Materials
- Severe Weather: Tornado/Severe Thunderstorm/Flooding
- Medical Emergency
- Fight/Disturbance
- Assault
- Intruder
- Weapons
- Shooting
- Hostage
- Bomb Threat
- Chemical or Biological Threat
- Demonstration
- Suicide
- Highly Contagious Serious Illness or Pandemic Flu

- ~~Other (as determined to be necessary by the building administration)~~

D. In addition, the school's emergency procedures will address the following plans and documents:

- Lockdown Procedures
- Hold/~~Shelter-In-Place~~ Procedures
- ~~External Lockdown~~ Secure Procedures
- Evacuation/Relocation Procedures
- Shelter-In-Place Procedures
- Reunification Procedures
- Media Procedures
- Post-Crisis Procedures
- Staff Training
- Facility Diagrams
- Off-site Locations
- Emergency Contacts

E. Emergency Response Teams:

The building administrator in each school building will identify an emergency response team trained to respond in an emergency.

1. Composition: All team members will be trained to carry out the building's emergency management plan and have knowledge of procedures, evacuation routes and safe areas. Team members must be willing to be actively involved with resolving crises and be available to assist when necessary. Each building will maintain a current list of crisis response team members and update it annually or as changes occur. A copy of the list will be kept on file on the district server. ~~in the district office.~~
2. Leadership: The building administrator or designee serves as the leader of the crisis response team and the primary contact for emergency response officials. When they are present, emergency response agents may elect to take command and control of the situation. It is critical in this situation that school officials assume a resource role and are available to the emergency response personnel.

V. TRAINING AND PREPARATION FOR EMERGENCIES

A. The district administration will ensure that proper training and response preparation for emergencies occurs on an ongoing basis. The building principal is responsible for training school employees and students on emergency response procedures at each site.

B. Required school safety drills will be coordinated at each site by the building principal in cooperation with local emergency management agencies, such as the

School Resource Officer(s). Each building will conduct at least five lockdown drills, five fire drills, and one severe weather drill annually.

1. Fire Drills: All drills will be documented and shall include the drill date and the time required to evacuate the building.
2. Lockdown Drills: A lockdown drill is designed to teach students and staff how to respond in the event of a situation that requires locking-down the building. A lockdown drill is not a simulation, and may not include any sensorial components, activities, or elements that mimic a real-life emergency. Lockdown drills must be:
 - a) Accessible.
 - b) Developmental and age appropriate, including using appropriate language and vocabulary.
 - c) Culturally aware.
 - d) Trauma-informed.
 - e) Inclusive of accommodations for students with mobility restrictions, sensory needs, developmental or physical disabilities, mental health needs, and auditory or visual limitations.

In addition, lockdown drills must:

- a) Include a reasonable amount of time to debrief with students afterward.
- b) Allow students to access any mental health services available on campus.
- c) Not be combined with any other type of emergency preparedness drill.
- d) Be accompanied by an announcement using age-appropriate language, informing students and staff that it is a drill and there is no danger.
- e) Include notice at least 24 hours in advance to parents and guardians, and allow them to opt their students out of participating.

At a regularly scheduled Board meeting, the Board must consider the effect of active shooter drills on the safety of students and staff, and the effect of active shooter drills on the mental health and wellness of students and staff.

Active shooter simulations, which include functional exercises and may incorporate sensorial components, activities, or elements mimicking a real-life shooting, shall not include student participation or be conducted during regular school hours. An active shooter simulation is not an active shooter drill or a lockdown.

Severe Weather Drills: Principals or their designee will annually review the sheltering plan and verify during the drill that it continues to meet the needs of the building, including shelter area capacity.

3. Violence Prevention: Secondary School students must be provided at least one standard class period of violence prevention training annually. The training must be evidence-based and may be delivered in-person, virtually, or digitally. Training must, at a minimum, teach students:
 - a) How to identify observable warning signs and signals of an individual who may be at risk of harming oneself or others;
 - b) The importance of taking threats seriously and seeking help; and
 - c) The steps to report dangerous, violent, threatening, harmful, or potentially harmful activity.

- C. Communication: District administration will develop and implement the following communication procedures:
 1. Uniform warning system
 2. School closure due to emergency
 3. Notification of school staff, students and families, community and media
 4. Student victims of criminal offenses at or on school property.

Legal References: Minn. Stat. Ch. 12 (Emergency Management)
Minn. Stat. Ch. 12A (Natural Disaster, State Assistance)
Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)
Minn. Stat. § 121A.035 (Crisis Management Policy)
Minn. Stat. § 299F.30 (Fire Drill in School)
Minn. Stat. § 326B.02, Subd. 6 (Powers)
Minn. Stat. § 326B.02 (General Powers of Commissioner of Labor and Industry)
Minn. Stat. § 609.605, Subd. 4 (Trespasses on School Property)
Minn. Rules Part 7510 (Fire Safety)

Cross References: MSBA/MASA Model Policy 307 (Emergency Closing of Schools)
MSBA/MASA Model Policy 407 (Employee Right to Know – Exposure to Hazardous Substances)

MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 501 (School Weapons Policy)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 532 (Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds)
MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)
<https://dps.mn.gov/divisions/sfm/documents/2011comprehensiveschoolsafetyguide.pdf>



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: Monday, November 27, 2023

Place on Agenda: Committee-of-the-Whole Update and Regular Board Meeting

Action Requested: Approval of 2023-24 Calendar Revisions

Attachment: 2023-24 Calendar

Topic: Calendar Proposal Change for 23-24 for Elementary and Middle School

Presenter(s): Amy Winter, Executive Director of Educational Services

Background:

This is a calendar proposal for the 2023-24 school year. The proposal is to change dates for our current family conference dates for middle school and switch a professional development day with a comp day.

Current Schedule:

Middle School Conferences Wednesday, March 6 and Thursday, March 7

Proposal: Wednesday, March 6 and Thursday, March 14

Elementary Comp Day Friday, April 26 and Professional Development Friday, May 24

Proposed: Comp Day May 24 and Professional Development April 26.

Executive Director of Educational Services, Amy Winter will present this report to the Board at their Committee-of-the-Whole (COW) meeting and be on hand to answer any questions.

Recommendation:

Administration recommends the approval of the proposed calendar changes identified above.

Alternatives:

Do not approve the proposed calendar changes and direct administration with next steps.

SOUTH ST. PAUL PUBLIC SCHOOLS

2023-2024 Academic Calendar

 Student-Family Connect
 District Holiday
 New Teacher Orientation
 Non-Student Day
 Flex Learning

JULY						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

AUGUST						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

SEPTEMBER						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

OCTOBER						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

NOVEMBER						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

DECEMBER						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JANUARY						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

FEBRUARY						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

MARCH						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

APRIL						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

MAY						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

JUNE						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

AUGUST	
21-24	New Teacher Orientation
28-9/1	Opening Days for Staff
SEPTEMBER	
4	District Holiday
5	First Day for Grades 1-5, 6, 9
6	First Day for Grades 7-8, 10-12
7	First Day of Kindergarten
11	First Day of Preschool
OCTOBER	
9	Non-Student Day
12	9-12 Student-Family Connect
19-20	Non-Student Day / MEA Conference
NOVEMBER	
1	K-5 Student-Family Connect 6-8 Student-Family Connect
2	K-5 Flex Learning K-5 Student-Family Connect 6-8 Student-Family Connect
3	Non-Student Day
22	Non-Student Day
23-24	District Holiday
DECEMBER	
1	Non-Student Day
26-28	Non-Student Days / Winter Break
25	District Holiday
29	District Holiday
JANUARY	
1	District Holiday
2	Non-Student Day / Winter Break
15	District Holiday
25	9-12 Student-Family Connect
26	Non-Student Day
FEBRUARY	
19	District Holiday
MARCH	
6	K-5 Student-Family Connect 6-8 Student-Family Connect
7	K-5 Flex Learning K-5 Student-Family Connect
8	Non-Student Day
14	6-8 Student-Family Connect
25-29	Non-Student Days / Spring Break
APRIL	
25	9-12 Student-Family Connect
26	Non-Student Day
MAY	
24	Non-Student Day
27	District Holiday
JUNE	
6	Student Last Day / Commencement
7	Non-Student Day
19	District Holiday

STUDENT/FAMILY DAYS

Student Days / Term

K-8 Semesters (171)

- **Fall** (Sept 5 - Jan 25) 87 days
- **Spring** (Jan 29 - June 6) 84 days

High School Trimesters (171)

- **Fall** (Sept 5 - Nov 30) 56 days
- **Winter** (Dec 4 - Mar 7) 59 days
- **Spring** (Mar 11 - June 6) 56 days

Student-Family Connections (Parent/Guardian-Teacher Conferences)

GRADES K-5

Fall

- Nov 1 (4:00 - 8:00 pm) or 4 hours flex connections
- Nov 2 (12:00 - 8:00 pm)

Spring

- Mar 6 (4:00 - 8:00 pm) or 4 hours flex connections
- Mar 7 (12:00 - 8:00 pm)

GRADES 6-8

Fall

- Nov 1 (4:00 - 8:00 pm) + 4 hours flex connections
- Nov 2 (4:00 - 8:00 pm) + 4 hours flex connections

Spring

- Mar 6 (4:00 - 8:00 pm) + 4 hours flex connections
- Mar 14 (4:00 - 8:00 pm) + 4 hours flex connections

GRADES 9-12

Fall

- Oct 12 (4:00 - 8:00 pm) + 4 hours flex connections

Winter

- Jan 25 (4:00 - 8:00 pm) + 4 hours flex connections

Spring

- April 25 (4:00 - 8:00 pm) + 4 hours flex connections

Scheduled Flex Learning

K-5 Only

- Nov 2
- Mar 7

TEACHER DAYS

Teacher Days / Term

K-8 Semesters (185)

- **Fall** (Aug 28 - Jan 26) 97 days
- **Spring** (Jan 29 - June 7) 88 days

High School Trimesters (185)

- **Fall** (Aug 28 - Dec 1) 65 days
- **Winter** (Dec 4 - Mar 8) 61 days
- **Spring** (Mar 11 - June 7) 59 days

Non-Student Days (Staff)

Aug 28 – Sep 1 (Opening Days)

Oct 9: Staff Development

Nov 3: Staff Development

Nov 22: Comp Time

Dec 1:

- K-8 Staff Development
- HS Staff Development and Report Cards

Jan 26:

- K-8 Report Cards
- HS Staff Development

Mar 8:

- K-8 Staff Development
- HS Staff Development and Report Cards

Apr 26:

- K-5 Staff Development
- 6-12 Comp Time

May 24: K-12 Comp Time

June 7: K-12 Report Cards

These days are used for educators to engage in curriculum work, instructional delivery, and assessment reporting.

Student-Family Connect Comp

K-5:

- Nov 22 (for Nov 2 + Flex)
- May 24 (for Mar 7 + Flex)

MS:

- Nov 22 (for Nov 1-2)
- Apr 26 (for Mar 6/14)
- May 24 (Fall and Spring Flex)

HS:

- Nov 22 (for Oct 12 + Flex)
- Apr 26 (for Jan 25 + Flex)
- May 24 (for Apr 25 + Flex)

DISTRICT HOLIDAYS

- July 4, 2023
- Nov 23, 2023
- Dec 25, 2023
- Jan 1, 2024
- Feb 19, 2024
- June 19, 2024
- Sept 4, 2023
- Nov 24, 2023
- Dec 29, 2023
- Jan 15, 2024
- May 27, 2024



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: November 27, 2023

Place on Agenda: Committee of the Whole and Regular Business Items

Action Requested: Approval

Attachment: Resolution Establishing Combined Polling Places for Certain Multiple Precincts and Designating Voting Hours for School District Elections Not Held on the Day of a Statewide Election

Topic: Polling Place Designation for 2024 Elections Not Held on Statewide Election Day
Presenter(s): Lisa Brandecker, Manager of Administrative Services and Communications
<p>Background:</p> <p>Pursuant to Minnesota Statutes, Section 205A.11, by December 31 of year, the Board must, by resolution, designate one or more combined polling places and the precincts served by the combined polling place(s) for school elections not held on the day of a statewide election.</p> <p>The proposed resolution designates Dakota County Historical Society (130 3rd Avenue North, South St. Paul, MN 55075), as the combined polling location in the event the district needs to run an election in 2024 that is not on the date of the statewide election.</p>
<p>Recommendation:</p> <p>Approve of the resolution designating combined polling locations for 2024 elections not held on the statewide election day.</p>
<p>Alternatives:</p> <p>N/A</p>

EXTRACT OF MINUTES OF MEETING
OF THE SCHOOL BOARD OF
SPECIAL SCHOOL DISTRICT NO. 6
(SOUTH ST. PAUL PUBLIC SCHOOLS)
DAKOTA COUNTY, MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the School Board of Special School District No. 6 (South St. Paul Public Schools), Dakota County, Minnesota, was held in the School District on November 27, 2023, at 6:00 o'clock p.m.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

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

BE IT RESOLVED by the School Board (the "Board") of Special School District No. 6 (South St. Paul Public Schools), Dakota County, Minnesota (the "District"), as follows:

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

2. Pursuant to Minnesota Statutes, Section 205A.11, by December 31 of year, the Board must, by resolution, designate one or more combined polling places and the precincts served by the combined polling place(s) for school elections not held on the day of a statewide election.

3. The combined polling place described in **EXHIBIT A** to this Resolution is hereby established to serve the precincts specified for all District special and general elections not held on the same day as a statewide election in the calendar year following the adoption of this resolution.

4. The Clerk is hereby authorized and directed to designate a new or different polling place in the event that a designated combined polling has become unavailable for use, or in the event of an emergency in accordance with Minnesota Statutes, Section 204B.175.

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

6. Pursuant to Minnesota Statutes, Section 205A.09, the combined polling place will remain open for voting for District elections not held on the same day as a statewide election between the hours of 7:00 o'clock a.m. and 8:00 o'clock p.m.

7. The Clerk is directed to promptly file a certified copy of this resolution with the County Auditor of Dakota County.

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

and the following voted against the same:

whereupon the resolution was declared duly passed and adopted.

EXHIBIT A

COMBINED POLLING PLACE:

Dakota County Historical Society
130 3rd Avenue North
South St. Paul, MN 55075

This combined polling place serves all territory located in Special School District No. 6 in the City of South St. Paul, Precincts 1-5; Dakota County, Minnesota.

STATE OF MINNESOTA)
)
COUNTY OF DAKOTA) ss.
)
SPECIAL SCHOOL)
DISTRICT NO. 6)

I, the undersigned, being the duly qualified and acting Clerk of Special School District No. 6 (South St. Paul Public Schools), Dakota County, Minnesota, hereby certify that the attached and foregoing is a full, true and correct transcript of the minutes of a meeting of the school board of said School District duly called and held on the date therein indicated, so far as such minutes relate to the establishment of polling places and combined polling places, designating voting hours for School District elections not held on the day of the statewide election, and that the resolution included therein is a full, true and correct copy of the original thereof.

WITNESS MY HAND officially as such Clerk this 27th day of November, 2023.

Nikki Laliberte, Clerk of the School Board
Special School District No. 6
(South St. Paul Public Schools), Dakota County,
Minnesota