



South St. Paul School Board Meeting
Tuesday, May 28, 2024 6:00 PM
Location: CITY HALL
125 THIRD AVENUE NORTH
South St Paul, Minnesota 55075

Agenda

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	B. Quality-in-Action - 25-Year Employee Recognition: Pete Schultz, Jennifer Sexauer, Robbyn Wincentsen, and Jeanne Zehnder.	
	C. Quality-in-Action - 2023-24 Retiree Recognition: Elizabeth Adiani, Jana Beck, Beth Birnstengel, Lisa Boelter, Diane Boonstra, Elsa Kiflemariam, Linda King, Melissa Miller, Susan Nicholson, Linda Stein, Jean Watry, and Lynne Welsh.	
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VII. INFORMATIONAL ITEMS

- A. **Student School Board Representative Update**
- B. **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 independent employee negotiations. (J. Milteer/B. Hoffman)
- B. Adjourn the Closed Session

IX. ADJOURNMENT

South St. Paul
Public Schools



South St. Paul School Board Meeting
Tuesday, May 28, 2024 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, May 28, 2024
- B. Work Session and Regular Meeting Minutes, April 22, 2024
- C. Work Session Minutes, May 13, 2024

III. QUALITY-IN-ACTION and REPORTS

A. **Quality-in-Action:** Activities Director Brady Krueger along with the winter and spring coaches and advisors, will highlight their respective seasons and students. (B. Krueger)

B. **Quality-in-Action - 25-Year Employee Recognition:** Pete Schultz, Jennifer Sexauer, Robbyn Wincentzen, and Jeanne Zehnder.

C. **Quality-in-Action - 2023-24 Retiree Recognition:** Elizabeth Adiani, Jana Beck, Beth Birnstengel, Lisa Boelter, Diane Boonstra, Elsa Kiflemariam, Linda King, Melissa Miller, Susan Nicholson, Linda Stein, Jean Watry, and Lynne Welsh.

D. **Report:** Chair John Raasch will highlight the Public Listening Session submissions. (J. Raasch)

E. **Report:** School Board members will highlight items from the Board's Work Sessions. (Board)

F. **Report:** Superintendent Zambreno will provide highlights from around the District. (B. Zambreno)

IV. CONSENT ITEMS

A. Financial Claims: Bills Payable

B. Staffing: Appointments, Resignations, Transfers, Retirements, Abolishments, and Leaves

V. POLICY (Chair Raasch)

A. Approval, Policies Under Review for their Final Reading:

1. #102 Equal Opportunity

2. #104 School District Mission Statement

3. #403 - Discipline, Suspension, and Dismissal of School District Employees

4. #404 - Employee Background Checks

5. #413 - Harassment and Violence

6. #474 Staff Information Technology Acceptable Use Policy

7. #501 School Weapon Policy

8. #502 Search of Student Lockers, Desks, Personal Possessions, and Students Person

9. #504 Student Appearance

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11. #512 School-Sponsored Student Publications and Activities

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13. #515 Protection and Privacy of Pupil Records

14. # 516.5 Overdose Medication

15. #518 DNR-DNI Orders

16. #520 Student Surveys and Form

17. #521 Student Disability Nondiscrimination

18. #526 Hazing Prohibition

19. #528 Student, Parental, Family and Marital Status Nondiscrimination

20. #530 Immunization Requirements

21. #531 The Pledge of Allegiance

22. #536 Student Information Technology Acceptable Use Policy

23. #550 Attendance at State Tournaments

24. #611 Home Schooling

25. #613 - Graduation Requirements

26. #706 - Acceptance of Gifts

VI. BUSINESS ITEMS

A. Approval, for the South St. Paul School Board to approve the Resolution Relating to the Non-Renewal of Probationary Teachers. (J. Milteer)

B. Approval, for the South St. Paul School Board to approve the Education Identity and Access Management Board Resolution that designates Dr. Brian Zambreno as the Identified Official with Authority (IOwA) for Education Identity Access management for South St. Paul Public Schools 0006-03. (B. Zambreno)

C. Approval, for the South St. Paul School Board to approve the 2024-2027 Teacher Development and Evaluation Plan. (A. Winter)

D. Approval, for the South St. Paul School Board to approve the Resolution Authorizing Intermediate School District 917's Long-Term Facilities Maintenance Program Budget and Authorizing Inclusion of a Proportionate Share of those Projects in the District's Application for Long-Term Facility Maintenance Revenue. (B. Hoffman)

E. Approval, for the South St. Paul School Board to approve the Acceptance of Gifts Report. (B. Hoffman)

VII. INFORMATIONAL ITEMS

A. Student School Board Representative Update

B. 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 independent employee negotiations. (J. Milteer/B. Hoffman)

B. Adjourn the Closed Session

IX. ADJOURNMENT

SOUTH ST. PAUL PUBLIC SCHOOLS

Special School District No. 6

Work Session - April 22, 2024

The School Board Work Session for South St. Paul Public Schools, Special School District 6, was held in the Conference Room at City Hall on Monday, April 22, 2024. Chair John Raasch called the meeting to order at 5:00 PM with seven Board members present: Claflin, T. Felton, W. Felton, Humann, Laliberte, Raasch, and Weber. Superintendent Dr. Brian Zambreno and several staff members were also present.

Equity

AIPAC Response: At the February 26, 2024, School Board meeting, the American Indian Parent Advisory Committee (AIPAC) issued a vote of nonconcurrency. Per the Minnesota Department of Education (MDE), “In the case of nonconcurrency, the School Board is given 60 days in which to respond, in writing, to the AIPAC recommendations.”

At the meeting this evening, Assistant Director of Educational Services Ms. Gámez and American Indian Cultural Liaison, Ms. Renville Soto, reviewed and discussed the district’s response to the AIPAC issuance of nonconcurrency. Chair Raasch also acknowledged the Board’s accountability in this work and its commitment to providing more touch points with AIPAC throughout the year. Chair Raasch also recognized the district’s data collection process has not been clean and district leaders have worked hard to clean this process while creating new practices and structures to ensure better work in this area.

Facilities

Facilities Task Force Committee Finance Director Brady Hoffman highlighted the district’s upcoming Facilities Task Force process and asked for the Board’s help in recruiting community members to be a part of this work. South St. Paul Public Schools is inviting interested staff, parents/guardians, and community members to be a part of the District’s 2024 Facilities Task Force. The overall goal of this 25-30 member task force is to help build short and long-term plans that support the needs and goals for maintaining the District's facilities and assess our current programming and its use of space throughout the district.

Closed Session and Adjournment

By Director Humann

Seconded by Director W. Felton

Approval, for the South St. Paul School Board to move into a Closed session at 5:28 PM per the Open Meeting Law (Minn. Stat. 13D.03) for principal negotiations.

Motion carried (7-0)

By Director Weber

Seconded by Director Humann

Approval, for the South St. Paul School Board to open the closed session and adjourn the April 22, 2024 work session at 5:52 PM.

Official Board Minutes are available in the
District Office at 104 - 5th Ave. S. - South St. Paul

Respectfully Submitted by:

Lisa Brandecker, Acting Secretary-Clerk
Board of Education

SOUTH ST. PAUL PUBLIC SCHOOLS

Special School District No. 6

April 22, 2024

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, April 22, 2024. Chair John Raasch called the meeting to order at 6:00 PM with seven Board members present for roll call: Claflin, T. Felton, W. Felton, Humann, Laliberte, Raasch, and Weber. Superintendent Dr. Brian 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 Weber

That the South St. Paul School Board approves the April 22, 2024, School Board meeting agenda as well as minutes from the February 26, 2024, work session and regular meetings, the March 25th, 2024, work session and regular meetings and the April 8, 2024 work session.

Motion carried (7-0)

QUALITY-IN-ACTION AND REPORTS

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

Committee-of-the-Whole Report - Highlights were provided 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 Laliberte

Seconded by Director W. Felton

- A. Financial Claims: Bills Payable
- B. Staffing: Appointments, Resignations, Transfers, Retirements, Abolishments, and Leaves
- C. 2024-25 Revised School Calendar
- D. Revised 2024 Board Committee and Liaison Assignments

Motion Carried (7-0)

POLICY APPROVAL AND REVIEW

By Director Humann

Seconded by Director Claflin

A. Approval, of the following policies that have been under review for three consecutive meetings:

1. #307 - Emergency Closing of Schools
2. #414 - Mandated Reporting of Child Neglect or Physical or Sexual Abuse
3. #415 - Mandated Reporting of Maltreatment of Vulnerable Adults
4. #427 - Workload Limits for Certain Special Education Teachers
5. #608 - Instruction Services - Special Education
6. #615 - Basic Standards Testing, Accommodations, Modifications, and Exemptions for IEP, Section 504 Accommodation, and LEP Students
7. #621 - The Read to Ensure Academic Development ACT - READ ACT
8. #902 - Use of School District Facilities and Equipment

Motion carried (7-0)

B. Policies under review for the first of three readings

1. #403 - Discipline, Suspension, and Dismissal of School District Employees
2. #404 - Employee Background Checks
3. #413 - Harassment and Violence
4. #613 - Graduation Requirements
5. #706 - Acceptance of Gifts

BUSINESS ITEMS

By Director Weber

Seconded by Director Claflin

Approval, for the South St. Paul School Board to approve the Resolution Relating to the Non-Renewal of Limited Contract/Long-Term Substitute Teachers.

Motion carried 7 yeas - Humann, Weber, W. Felton, Claflin, Laliberte, T. Felton, and Raasch
0 nays

By Director Laliberte

Seconded by Director Humann

Approval, for the South St. Paul School Board to approve the Resolution Relating to the Non-Renewal of Probationary Teachers.

Motion carried 7 yeas - Weber, W. Felton, Claflin, Laliberte, T. Felton, Humann, and Raasch
0 nays

By Director Claflin

Seconded by Director Laliberte

Approval, for the South St. Paul School Board to approve the Resolution for Discontinuance of Positions and/or Programs.

Motion carried 7 yeas - W. Felton, Claflin, Laliberte, T. Felton, Humann, Weber, and Raasch
0 nays

By Director Weber

Seconded by Director Humann

Approval, for the South St. Paul School Board to approve the agreement with the South St. Paul Principals' Association Local Collective Bargaining Agreement, for the contract period of July 1, 2023 to June 30, 2025.

Motion carried (7-0)

By Director W. Felton

Seconded by Director Claflin

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

Motion carried (7-0)

INFORMATIONAL ITEMS

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

ADJOURN

By Director Weber

Seconded by Director Claflin

Approval, for the South St. Paul School Board to adjourn the April 22, 2024, meeting at 6:45 PM.

Motion carried (7-0)

Official Board Minutes are available in the
District Office at 104 - 5th Ave. S. - South St. Paul

Respectfully Submitted by:

Lisa Brandecker, Acting Secretary-Clerk
Board of Education

SOUTH ST. PAUL PUBLIC SCHOOLS

Special School District No. 6

Work Session - May 13, 2024

The School Board Work Session for South St. Paul Public Schools, Special School District 6, was held in the District Office Conference Room on Monday, May 13, 2024. Chair John Raasch called the meeting to order at 5:00 PM with seven Board members present: Claflin, T. Felton, W. Felton, Humann, Laliberte, Raasch, and Weber. Superintendent Dr. Brian Zambreno and several staff and community members were also present.

Human Resources

Non-Renewal of Probationary Teachers: Each year, we must release a number of probationary teachers for various reasons, including student driven scheduling, changes in enrollment, budget reductions, curriculum changes, licensure issues, mid-year placements, and performance issues. Human Resource Director Joel Milteer reviewed a resolution that terminates the contract of two probationary teachers at the end of the 2023-24 school year. This resolution will go before the School Board for approval on May 28.

Educational Services

Pathway to Packer Promise- Executive Director of Educational Services Amy Winter provided an overview of the Pathway to Packer Promise work that has been going on behind the scenes in preparation for the upcoming 2024-25 school year. With the sunseting of the District's International Baccalaureate Primary Years and Middle Years Programs for students in grades K-5 and 6-10, respectively, district leaders have been partnering with students, staff, and families in a variety of ways to learn their needs and desires that is helping to map and build out components of a new educational model.

Director Winter walked the Board through a high level view of what the elementary, middle and high school experience will look like this coming fall. Elementary is adding Science as a specialist class for students along with a variety of extracurricular opportunities to further enrich our student's experience. The middle and high school is introducing

Policy Review

Chair Raasch reviewed the extensive list of policies that are currently under review and are scheduled to be approved at the next business meeting on Tuesday, May 28.

Core Values

South St. Paul Public Schools and the City of South St. Paul are collaborating on a foundational set of core values that reflect the aspirations and priorities, and shared vision for our schools and entire community. These values - Respect, Pride, Collaboration, Integrity, Resilience, and Equity will be our guiding principles and shape our collective work. Superintendent Brian Zambreno provided a high level

overview of the communication plan and rollout timeline. A formal rollout will occur in an upcoming joint session with the school board and city council.

Public Relations and Community Engagement

Board members reviewed a series of end-of-the-school year events.

Board Committee Updates

Board members provided updates on the various committees in which they serve.

The Board Work Session temporarily recessed at 6:10 PM and reconvened at 6:15 PM

Stakeholder Comments to the Board

Stakeholders were in attendance for the Ettinger Field at Jim Carter Stadium Naming Request.

Ettinger Field at Jim Carter Stadium Naming Request

Chair John Raasch reviewed the process used for the Ettinger Field at Jim Carter Stadium Naming Request that was brought before the Board by Gaylen Bicking, Paul Kenady, Paul Miller, and Gregg Veldman. Per the District's Naming of District Facilities Policy #801.1, a committee was formed to review the request and contribute insights, knowledge, and perspectives to help inform a possible decision by the School Board.

Chair Raasch noted the report of the April 16 Facilities Naming Committee that was included in the Board's meeting packet and emphasized the importance of engaging with Jim's family—his wife and two sisters—through several meaningful conversations to ensure their perspectives were included. The Board invited several representatives present at the session to provide additional information for consideration. Board members expressed their views on the advantages and disadvantages of the naming request. The discussion by both the Board and attendees was notably heartfelt and emotional and encompassed many of the same strengths and challenges discussed by our committee.

Ultimately, the School Board decided to table the discussion to give Board members more time to reflect on the matter and the conversation from the work session.

Adjourn

The South St. Paul School Board adjourned their May 13, 2024 work session at 7:30 PM.

Official Board Minutes are available in the
District Office at 104 - 5th Ave. S. - South 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: Stakeholder Comments to the Board

Presenter(s): Board Chair

At the Work Session and Regular Business Meeting, the Board Chair will provide an overview of the Stakeholder Comments to the Board 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](#). Stakeholder Comments to the Board sessions are held at the District Office (104 - 5th Avenue South) beginning at 6:30PM.
- **Electronic form Submissions** are accepted on all meeting dates listed on the [district's website](#). Click [here](#) to submit a Stakeholder Comment to the Board.
 - Form submissions will be acknowledged by the 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 Stakeholder Comment to the Board form.

Passionate Learners Positively Changing Our World



SOUTH ST. PAUL PUBLIC SCHOOLS
School Board Agenda Item

Place on Agenda: Reports

Action Requested: None

Attachment: None

Topic: Work Session Meeting Update
Presenter(s): Board
Background: School Board members will highlight items from the Work Session meeting.
Recommendation: N/A
Alternatives: N/A

Passionate Learners Positively Changing Our World



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



Meeting Date: May 28, 2024

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

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NUMBER	TYP	AMOUNT	DATE	VENDOR
204979	V	-253.91	04/22/2024	DECKER TAPE PRODUCTS
205634	R	78.59	04/25/2024	ACE HARDWARE & PAINT
205635	R	5,820.00	04/25/2024	AGL CONSULTING
205636	R	1,302.19	04/25/2024	AMAZON CAPITAL SERVICES
205637	R	7,601.25	04/25/2024	AMERGIS HEALTHCARE STAFFING INC
205638	R	250.00	04/25/2024	AMERICAN REGISTRY FOR INTERNET NUMBERS
205639	R	4,758.06	04/25/2024	ARAMARK SERVICES INC
205640	R	1,622.25	04/25/2024	BAXTER, ROBIN
205641	R	193.22	04/25/2024	BUILDING CONTROLS GROUP
205642	R	3,261.58	04/25/2024	CANON FINANCIAL SERVICES
205643	R	85.00	04/25/2024	CEASON, RYAN
205644	R	55.64	04/25/2024	CINTAS
205645	R	230.00	04/25/2024	CITY OF SOUTH ST PAUL
205646	R	41.70	04/25/2024	COMPUTER INTEGRATION TECHNOLOGIES
205647	R	46,800.00	04/25/2024	CORE
205648	R	2,288.60	04/25/2024	CONTINENTAL CLAY CO
205649	R	2,344.13	04/25/2024	CST
205650	R	385.79	04/25/2024	ED'S TROPHIES
205651	R	340.00	04/25/2024	EMERALD GREENS GOLF COURSE
205652	R	3,770.00	04/25/2024	EPIC SPECIAL EDUCATION STAFFING
205653	R	1,300.00	04/25/2024	FIELD ENVIROMENTAL CONSULTING
205654	R	150.41	04/25/2024	FIRST SUPPLY LLC - TWIN CITIES
205655	R	6,644.76	04/25/2024	FLR SANDERS
205656	R	1,916.00	04/25/2024	GERTEN GREENHOUSES & GARDEN CENTER
205657	R	75.44	04/25/2024	GRAINGER INC
205658	R	13,105.00	04/25/2024	GRAPHIC EDGE DBA GAME ONE
205659	R	759.68	04/25/2024	GRAYBAR
205660	R	2,537.40	04/25/2024	HASTINGS BUS COMPANY
205661	R	692.62	04/25/2024	HORIZON COMMERCIAL POOL SUPPLY
205662	R	85.00	04/25/2024	HUGHES, MICHAEL
205663	R	53,919.25	04/25/2024	INNOVATIVE OFFICE SOLUTIONS LLC
205664	R	5,410.80	04/25/2024	INTERMEDIATE DISTRICT #287
205665	R	103,228.70	04/25/2024	INTERMEDIATE DISTRICT #917
205666	R	1,205.00	04/25/2024	ISTE
205667	R	1,366.15	04/25/2024	JOSTENS
205668	R	85.00	04/25/2024	JUNDT, JOHN
205669	R	630.05	04/25/2024	KWIK TRIP EXTENDED NETWORK
205670	R	574.76	04/25/2024	LIGHTNING DISPOSAL INC
205671	R	216.85	04/25/2024	LINK INTERPRET
205672	R	545.11	04/25/2024	MARK'S PLUMBING PARTS
205673	R	49.00	04/25/2024	MCEA EXECUTIVE OFFICE
205674	R	527.87	04/25/2024	MCMASTER-CARR SUPPLY COMPANY
205675	R	2,880.00	04/25/2024	MERIDIAN CONSULTING/DAVID SLOMKOWSKI
205676	R	100.00	04/25/2024	MN DEPT OF LABOR & INDUSTRY
205677	R	278.52	04/25/2024	NEO ELECTRIC SOLUTIONS
205678	R	4,430.09	04/25/2024	NETWORK SERVICES COMPANY
205679	R	43,883.84	04/25/2024	NORTHLINE TRANSPORTATION
205680	R	77.00	04/25/2024	PETERSEN, BILL
205681	R	85.00	04/25/2024	POESCHEL, RONALD
205682	R	27.14	04/25/2024	PROPIO LS LLC
205683	R	60,000.00	04/25/2024	REGENTS OF THE UNIVERSITY OF MINNESOTA
205684	R	77.00	04/25/2024	RUIZ, ANTHONY JR
205685	R	7,584.70	04/25/2024	SAFEWAY BUS COMPANY
205686	R	97.10	04/25/2024	SCHOOL SPECIALTY LLC
205687	R	6,582.19	04/25/2024	SHI INTERNATIONAL CORP
205688	R	85.00	04/25/2024	SKWIRA, PETER

CHECK CHE		CHECK		
NUMBER	TYP	AMOUNT	DATE	VENDOR
205689	R	6,344.80	04/25/2024	SOLIANT HEALTH
205690	R	10,022.25	04/25/2024	SUNBELT STAFFING
205691	R	77.00	04/25/2024	SWEET, DAVID
205692	R	630.00	04/25/2024	TOAY, GRETCHEN
205693	R	65.33	04/25/2024	TRACTOR SUPPLY CREDIT PLAN
205694	R	2,725.76	04/25/2024	TRIO SUPPLY CO
205695	R	2,490.86	04/25/2024	TWIN CITY JANITOR SUPPLY INC
205696	R	3,100.00	04/25/2024	WISE, LEE ANN
205697	R	24,680.00	04/25/2024	CDW GOVERNMENT INC
205698	R	253.91	04/25/2024	DECKER TAPE PRODUCTS
205699	R	300.00	04/25/2024	PGA LLC
205700	R	426.36	04/30/2024	CHILD SUPPORT SERVICES DIVISION
205701	R	448.47	04/30/2024	DS ERICKSON & ASSOCIATES PLLC
205702	R	438.50	04/30/2024	LOCAL #70
205703	R	1,560.40	04/30/2024	MINNESOTA CHILD SUPPORT PAYMENT CENTER
205704	R	96.00	04/30/2024	NCPERS GROUP LIFE INS
205705	R	205.75	04/30/2024	OFFICE AND PROF EMPLOYEES UNION
205706	R	12,873.93	04/30/2024	SOUTH ST PAUL TEACHER'S ASSOCIATION
205707	R	5.00	04/30/2024	SOUTH ST PAUL OPEN FOUNDATION
205708	R	60.00	04/30/2024	SOUTH ST PAUL EDUCATION FOUNDATION
205709	R	1,067.88	04/30/2024	SSP EASRP
205710	R	335.00	05/03/2024	A+ DRIVING SCHOOL
205711	R	3,667.19	05/03/2024	ALLSTREAM
205712	R	1,549.17	05/03/2024	AMAZON CAPITAL SERVICES
205713	R	4,017.75	05/03/2024	AMERGIS HEALTHCARE STAFFING INC
205714	R	1,925.00	05/03/2024	AMERICAS FUN SCIENCE
205715	R	308.01	05/03/2024	APPAREL LAB
205716	R	7,683.03	05/03/2024	BEVSO
205717	R	1,749.83	05/03/2024	BIMBO BAKERIES USA
205718	R	2,792.17	05/03/2024	BIX PRODUCE COMPANY
205719	R	77.00	05/03/2024	BROCKWAY, THOMAS
205720	R	149.99	05/03/2024	CATALYST SOURCING SOLUTIONS
205721	R	77.00	05/03/2024	COURTNEY, MICHAEL
205722	R	184.00	05/03/2024	ED'S TROPHIES
205723	R	415.17	05/03/2024	EDUCATORS BENEFIT CONSULTANTS LLC
205724	R	540.00	05/03/2024	GUTZMAN, DEB
205725	R	14.50	05/03/2024	INNOVATIVE OFFICE SOLUTIONS LLC
205726	R	74.36	05/03/2024	INTEREUM INC
205727	R	164.14	05/03/2024	JOSTENS
205728	R	85.00	05/03/2024	KLINGER, ZACH
205729	R	2,696.00	05/03/2024	LINDENMEYR MUNROE
205730	R	90.00	05/03/2024	MCLAUGHLIN, APRIL
205731	R	20.00	05/03/2024	MN STATE HIGH SCHOOL LEAGUE
205732	R	137.55	05/03/2024	NCS PEARSON EDUCATION
205733	R	1,171.03	05/03/2024	NETWORK SERVICES COMPANY
205734	R	85.00	05/03/2024	NIEMEYER, MATTHEW
205735	R	6,475.90	05/03/2024	ORIGINAL WORKS YOURS INC
205736	R	77.00	05/03/2024	PETERSEN, BILL
205737	R	254.92	05/03/2024	PITNEY BOWES INC PURCHASE POWER
205738	R	435.41	05/03/2024	PLUNKETT'S PEST CONTROL
205739	R	350.00	05/03/2024	REBYL SPORTS, INC
205740	R	325.00	05/03/2024	ROCKFORD COMMUNITY EDUCATION
205741	R	4,568.16	05/03/2024	SCHMITTY & SONS TRANSPORTATION
205742	R	350.00	05/03/2024	SEVERSON, LAUREL
205743	R	77.00	05/03/2024	SIKORA, PAUL
205744	R	340.00	05/03/2024	SKWIRA, PETER

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NUMBER	TYP	AMOUNT	DATE	VENDOR
205745	R	6,291.70	05/03/2024	SOLIANT HEALTH
205746	R	48.00	05/03/2024	ST PAUL INDOOR TENNIS CLUB
205747	R	9,309.75	05/03/2024	SUNBELT STAFFING
205748	R	255.40	05/03/2024	T-MOBILE
205749	R	42,242.39	05/03/2024	TEACHERS ON CALL
205750	R	70.00	05/03/2024	THAO, KENNETH
205751	R	5,000.00	05/03/2024	THE DANIELSON GROUP INC
205752	R	3,150.32	05/03/2024	TRIO SUPPLY CO
205753	R	51,951.50	05/03/2024	UPPER LAKES FOODS
205754	R	13,965.34	05/03/2024	XCEL ENERGY
205755	R	85.00	05/03/2024	YOCH, RYAN
205756	R	3,000.00	05/09/2024	ABRAHAM EDUCATION
205757	R	9.99	05/09/2024	ACE HARDWARE & PAINT
205758	R	435.00	05/09/2024	ALLSTREAM
205759	R	1,671.08	05/09/2024	AMAZON CAPITAL SERVICES
205760	R	3,850.12	05/09/2024	AMERGIS HEALTHCARE STAFFING INC
205761	R	4,390.15	05/09/2024	ARVIG
205762	R	16.64	05/09/2024	BATTERIES PLUS BULBS
205763	R	98.70	05/09/2024	BRANDECKER, JAMIE
205764	R	1,239.08	05/09/2024	CAPITAL ONE TRADE CREDIT
205765	R	112,565.00	05/09/2024	CDW GOVERNMENT INC
205766	R	869.40	05/09/2024	CHROMEBOOKPARTS.COM
205767	R	3.96	05/09/2024	CLASSEN, GLORIA
205768	R	4,766.50	05/09/2024	COMPUTER INTEGRATION TECHNOLOGIES
205769	R	900.00	05/09/2024	CONQUER NINJA GYMS
205770	R	6,625.98	05/09/2024	CONVERGINT TECHNOLOGIES LLC
205771	R	52.95	05/09/2024	CULLIGAN-MILBERT COMPANY
205772	R	806.90	05/09/2024	DAKOTA SUPPLY GROUP
205773	R	2,119.00	05/09/2024	DASH SPORTS LLC
205774	R	928.00	05/09/2024	EGAN
205775	R	1,885.00	05/09/2024	EPIC SPECIAL EDUCATION STAFFING
205776	R	1,317.65	05/09/2024	FIELD ENVIROMENTAL CONSULTING
205777	R	510.18	05/09/2024	FIRST SUPPLY LLC - TWIN CITIES
205778	R	31.50	05/09/2024	GENERAL PARTS INC
205779	R	1,447.45	05/09/2024	GOODIN COMPANY
205780	R	54.99	05/09/2024	GRAINGER INC
205781	R	16,179.00	05/09/2024	H&B SPECIALIZED PRODUCTS
205782	R	560.00	05/09/2024	HOFFMANN, LINDA
205783	R	58.75	05/09/2024	HOME DEPOT CREDIT SERVICES
205784	R	2,752.40	05/09/2024	HORIZON COMMERCIAL POOL SUPPLY
205785	R	245,072.57	05/09/2024	IND SCHOOL DISTRICT 197/COMMUNITY ED
205786	R	69,757.22	05/09/2024	IND SCHOOL DISTRICT 199/COMMUNITY ED
205787	R	2,279.43	05/09/2024	INTERMEDIATE DISTRICT #288
205788	R	111.00	05/09/2024	JOSTENS
205789	R	6.34	05/09/2024	KUEHN, KIMBERLY
205790	R	85.00	05/09/2024	LARSON, NICHOLAS
205791	R	54.72	05/09/2024	LEPPLA, MIN
205792	R	975.00	05/09/2024	LINDENMEYR MUNROE
205793	R	405.56	05/09/2024	LINK INTERPRET
205794	R	191.38	05/09/2024	MANDLER, SARAH
205795	R	1,870.40	05/09/2024	MAVO SYSTEMS INC
205796	R	384.01	05/09/2024	MCMASTER-CARR SUPPLY COMPANY
205797	R	5,428.00	05/09/2024	MIDWEST FENCE & MFG CO
205798	R	375.28	05/09/2024	MINNESOTA POLLUTION CONTROL AGENCY
205799	R	3,296.81	05/09/2024	MUSKEGON HEIGHTS SOLAR LLC
205800	R	15.99	05/09/2024	NAPA AUTO PARTS

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205801	R	1,620.96	05/09/2024	NASSEFF MECHANICAL CONTRACTORS
205802	R	2,666.31	05/09/2024	NEO ELECTRIC SOLUTIONS
205803	R	2,333.14	05/09/2024	NETWORK SERVICES COMPANY
205804	R	12,901.20	05/09/2024	NORTHLINE TRANSPORTATION
205805	R	418.44	05/09/2024	OSI BATTERIES
205806	R	250.00	05/09/2024	OVERELL, STEPHANIE
205807	R	50.68	05/09/2024	OXYGEN SERVICE CO INC
205808	R	11.89	05/09/2024	PACE, DAVE
205809	R	2,269.95	05/09/2024	PETERSON BROS. ROOFING & CONSTRUCTION
205810	R	780.00	05/09/2024	PIXEL PRESS TEHCNOLOGIES LLC
205811	R	485.40	05/09/2024	PPG ARCHITECTURAL FINISHES
205812	R	352.00	05/09/2024	PUMP & METER SERVICE INC
205813	R	556.50	05/09/2024	RATWIK, ROSZAK & MALONEY PA
205814	R	240.00	05/09/2024	RENT N SAVE
205815	R	2,058.56	05/09/2024	SCAN AIR FILTER
205816	R	95.69	05/09/2024	SCHMIDT, TIM
205817	R	37.80	05/09/2024	SCHMITT MUSIC
205818	R	54.95	05/09/2024	SCHOOL SPECIALTY LLC
205819	R	85.00	05/09/2024	SKWIRA, PETER
205820	R	2,482.78	05/09/2024	SPRIGGS PLUMBING & HEATING INC
205821	R	4,819.75	05/09/2024	SQUIRES WALDSPURGER & MACE PA
205822	R	69.02	05/09/2024	STACK-JOHNSON, SUE
205823	S	9,555.10	05/09/2024	STANDARD INSURANCE COMPANY
205824	S	9,578.25	05/09/2024	STANDARD INSURANCE COMPANY
205825	R	219.35	05/09/2024	STATE SUPPLY COMPANY INC
205826	R	43.05	05/09/2024	TRACTOR SUPPLY CREDIT PLAN
205827	R	1,868.84	05/09/2024	TWIN CITY JANITOR SUPPLY INC
205828	R	3,650.00	05/09/2024	WISE, LEE ANN
205829	R	2,115.51	05/09/2024	XCEL ENERGY
205830	R	600.30	05/15/2024	ADWEAR SPECIALTIES INC
205831	R	3,859.51	05/15/2024	AMAZON CAPITAL SERVICES
205832	R	3,364.50	05/15/2024	AMERGIS HEALTHCARE STAFFING INC
205833	R	6,500.00	05/15/2024	AMERICAN INDIAN FAMILY CENTER
205834	R	1,048.04	05/15/2024	ARAMARK SERVICES INC
205835	R	154.00	05/15/2024	BERHOW, LARRY
205836	R	110.90	05/15/2024	BROCKWAY, THOMAS
205837	R	3,240.00	05/15/2024	BUCK HILL
205838	R	77.00	05/15/2024	BUCKLEY, BRENT
205839	R	85.00	05/15/2024	CALLISTER, CURT
205840	R	426.36	05/15/2024	CHILD SUPPORT SERVICES DIVISION
205841	R	1,673.01	05/15/2024	CINTAS
205842	R	3,045.72	05/15/2024	CITY OF SOUTH ST PAUL - UTILITIES
205843	R	154.00	05/15/2024	CROWE, ROBERT
205844	R	90.25	05/15/2024	CULLIGAN-MILBERT COMPANY
205845	R	875.00	05/15/2024	DEWALD, RINA
205846	R	441.30	05/15/2024	DS ERICKSON & ASSOCIATES PLLC
205847	R	754.00	05/15/2024	EPIC SPECIAL EDUCATION STAFFING
205848	R	250.00	05/15/2024	FAMILY TREE CLINIC
205849	R	85.00	05/15/2024	GOALEY, DOUG
205850	R	19.95	05/15/2024	GROTH MUSIC CO
205851	R	85.00	05/15/2024	HAGBERG, ED
205852	R	200.00	05/15/2024	IND SCHOOL DISTRICT #200
205853	R	16.48	05/15/2024	INNOVATIVE OFFICE SOLUTIONS LLC
205854	R	3,275.93	05/15/2024	INTERMEDIATE DISTRICT #917
205855	R	77.00	05/15/2024	JAKACKI, DOUG
205856	R	85.00	05/15/2024	JORGENSEN, CHAD

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205857	R	85.00	05/15/2024	JUNDT, JOHN
205858	R	3,360.48	05/15/2024	LINDENMEYR MUNROE
205859	R	206.80	05/15/2024	LINK INTERPRET
205860	R	438.50	05/15/2024	LOCAL #70
205861	R	186.50	05/15/2024	LOFFLER COMPANIES
205862	R	110.90	05/15/2024	LYNCH, JAMES
205863	R	1,560.40	05/15/2024	MINNESOTA CHILD SUPPORT PAYMENT CENTER
205864	R	85.00	05/15/2024	NIEMEYER, MATTHEW
205865	R	6,280.62	05/15/2024	NITTI SANITATION
205866	R	30.00	05/15/2024	NOVAK, JANICE
205867	R	205.75	05/15/2024	OFFICE AND PROF EMPLOYEES UNION
205868	R	299.98	05/15/2024	PLAY IT AGAIN SPORTS
205869	R	85.00	05/15/2024	POESCHEL, RONALD
205870	R	1,318.56	05/15/2024	PROFESSIONAL WIRELESS COMMUNICATIONS
205871	R	52.50	05/15/2024	RINALDI, LINDA
205872	R	85.00	05/15/2024	RYAN, WILLIAM
205873	R	130.03	05/15/2024	SCHOOL SPECIALTY LLC
205874	R	77.00	05/15/2024	SERGEANT, ERNEST
205875	R	170.00	05/15/2024	SKWIRA, PETER
205876	R	6,026.70	05/15/2024	SOLIANT HEALTH
205877	R	12,930.69	05/15/2024	SOUTH ST PAUL TEACHER'S ASSOCIATION
205878	R	5.00	05/15/2024	SOUTH ST PAUL OPEN FOUNDATION
205879	R	60.00	05/15/2024	SOUTH ST PAUL EDUCATION FOUNDATION
205880	R	930.42	05/15/2024	SSP EASRP
205881	R	32.23	05/15/2024	ST PAUL PIONEER PRESS
205882	R	1,650.00	05/15/2024	STOCKTON, STEPHANIE
205883	R	1,500.00	05/15/2024	SWEETS KENDAMAS FOUNDATION
205884	R	77.00	05/15/2024	WILHELMY, ANDREW
205885	R	1,250.00	05/15/2024	WISE, LEE ANN
205886	R	200.00	05/15/2024	WOLFE, LOREN
205887	R	42,730.79	05/15/2024	XCEL ENERGY
205888	R	85.00	05/15/2024	ZIEBELL, LESLIE
202300517	W	46,131.18	04/30/2024	MINNESOTA PAYROLL TAXES
202300518	W	275,160.60	04/30/2024	FEDERAL PAYROLL TAXES
202300519	W	1,412.12	04/30/2024	MN DEPT OF REVENUE
202300520	W	47,830.17	04/30/2024	PERA
202300521	W	55,143.20	04/30/2024	TSA/ACH DEDUCTION
202300522	W	146,042.32	04/30/2024	TEACHER RETIREMENT ASSOCIATION
202300523	W	39.64	04/30/2024	PERA
202300524	W	45.74	04/30/2024	PERA
202300525	W	0.00	04/30/2024	MINNESOTA PAYROLL TAXES
202300526	W	0.00	04/30/2024	FEDERAL PAYROLL TAXES
202300528	W	66.51	05/15/2024	MINNESOTA PAYROLL TAXES
202300529	W	356.45	05/15/2024	FEDERAL PAYROLL TAXES
202300530	W	193.85	05/15/2024	PERA
202300531	W	-1.38	05/15/2024	MINNESOTA PAYROLL TAXES
202300532	W	-66.48	05/15/2024	FEDERAL PAYROLL TAXES
202300533	W	-60.83	05/15/2024	PERA
202300534	W	294.74	04/05/2024	MATH MASTERS
202300535	W	859.16	04/05/2024	AMAZON.COM
202300536	W	430.29	04/05/2024	SAM'S CLUB
202300537	W	14,570.08	04/05/2024	BMO HARRIS BANK - CREDIT CARD
202300538	W	341.88	04/05/2024	ARAMARK UNIFORM SERVICES
202300539	W	25.18	04/05/2024	SHERWIN WILLIAMS CO
202300540	W	178.54	04/05/2024	CUB FOODS
202300541	W	1,665.62	04/05/2024	WALMART P-CARD

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202300542	W	400.01	04/05/2024	TARGET BANK
202300543	W	928.00	04/05/2024	NATIONAL ART EDUCATION ASSOCIATION
202300544	W	105.00	04/05/2024	TOBII DYNVOX LLC
202300545	W	150.00	04/05/2024	OUTFRONT MINNESOTA COMMUNITY SERVICES
202300546	W	379.68	04/05/2024	REALLY GREAT READING COMPANY LLC
202300547	W	136.00	04/05/2024	THE ART OF EDUCATION
202300548	W	680.94	04/05/2024	THE MASCOT COMPANY
202300549	W	188.93	04/05/2024	KNOWLAN'S
202300550	W	325.00	04/05/2024	IND SCHOOL DISTRICT #196
202300551	W	229.29	04/05/2024	ANGELO'S PIZZA
202300552	W	26,813.88	04/30/2024	MEDSURETY
202300553	W	1,142.00	04/05/2024	MEDSURETY
202300554	W	330.00	04/15/2024	HEALTH PARTNERS
202300555	W	159,745.99	04/22/2024	HEALTH PARTNERS
202300556	W	146,144.47	04/29/2024	HEALTH PARTNERS
202300557	W	158,838.97	05/06/2024	HEALTH PARTNERS
202300558	W	93,511.63	04/01/2024	HEALTH PARTNERS
202300559	W	45,003.96	05/15/2024	MINNESOTA PAYROLL TAXES
202300560	W	270,124.68	05/15/2024	FEDERAL PAYROLL TAXES
202300561	W	703.76	05/15/2024	MN DEPT OF REVENUE
202300562	W	45,368.03	05/15/2024	PERA
202300563	W	55,743.52	05/15/2024	TSA/ACH DEDUCTION
202300564	W	146,675.95	05/15/2024	TEACHER RETIREMENT ASSOCIATION
202300565	W	0.00	05/15/2024	MINNESOTA PAYROLL TAXES
202300566	W	0.00	05/15/2024	FEDERAL PAYROLL TAXES
202300567	W	11,759.48	05/07/2024	BMO HARRIS BANK - CREDIT CARD
202300568	W	629.87	05/07/2024	SAM'S CLUB
202300569	W	234.00	05/07/2024	MINNESOTA ZOO
202300570	W	20.00	05/07/2024	MN DEPT OF LABOR & INDUSTRY
202300571	W	474.90	05/07/2024	LOWE'S
202300572	W	1,161.12	05/07/2024	WENGER CORPORATION
202300573	W	1,597.38	05/07/2024	WALMART P-CARD
202300574	W	161.15	05/07/2024	MENARDS
202300575	W	579.21	05/07/2024	TARGET BANK
202300576	W	111.62	05/07/2024	CUB FOODS
202300577	W	560.78	05/07/2024	WILLIAM V MACGILL & COMPANY
202300578	W	2,830.83	05/07/2024	AMAZON.COM
202300579	W	661.65	05/07/2024	RIVERSIDE INSIGHTS
202300580	W	136.00	05/07/2024	THE ART OF EDUCATION
202300581	W	385.00	05/07/2024	NATIONAL ART EDUCATION ASSOCIATION
202300582	W	50.00	05/07/2024	KNOWLAN'S
202300583	W	50.00	05/07/2024	ANGELO'S PIZZA
202300584	W	580.00	05/07/2024	MASBO
202300585	W	39.00	05/07/2024	SHOPIFY
202300586	W	61,431.18	05/13/2024	HEALTH PARTNERS
202300587	W	126,182.98	05/20/2024	HEALTH PARTNERS
232400499	A	320.40	04/19/2024	HOLSEN, ERIC
232400500	A	66.12	04/19/2024	KRUEGER, BRADY
232400501	A	24.25	04/19/2024	LANE, LORI
232400502	A	47.93	04/19/2024	MILTEER, JOEL
232400503	A	15.98	04/19/2024	PATTERSON, ALLYSA
232400504	A	5.98	04/19/2024	PENMAN, MICHELLE
232400505	A	64.99	04/19/2024	WOLDERUFEL, HAREGEWOIN
232400506	A	90.00	04/30/2024	AHSENMACHER WINTER, AMY
232400507	A	90.00	04/30/2024	ANDERSON, CHAD
232400508	A	26.89	04/30/2024	ANDERSON, CONRAD

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232400509	A	90.00	04/30/2024	BARTER, ANDREW
232400510	A	90.00	04/30/2024	BAUER, MEREDITH
232400511	A	90.00	04/30/2024	BERCHTOLD, JAMIE
232400512	A	90.00	04/30/2024	BOURG, LEAH
232400513	A	90.00	04/30/2024	BRANDECKER, LISA
232400514	A	90.00	04/30/2024	BRETOI, TERRENCE
232400515	A	90.00	04/30/2024	BURCKHARDT, CANDACE
232400516	A	90.00	04/30/2024	CHILDS, DANETTE
232400517	A	90.00	04/30/2024	FENTON, MARK
232400518	A	90.00	04/30/2024	GAMEZ, LESLY
232400519	A	90.00	04/30/2024	HANSEN, JODY
232400520	A	90.00	04/30/2024	HOFFMAN, BRADY
232400521	A	139.32	04/30/2024	HOLSEN, ERIC
232400522	A	45.00	04/30/2024	JACOBS-BUSE, LINDA
232400523	A	90.00	04/30/2024	KRUEGER, BRADY
232400524	A	45.00	04/30/2024	LENTSCH, PETER
232400525	A	45.00	04/30/2024	LOUGH, LAWRENCE
232400526	A	90.00	04/30/2024	MILTEER, JOEL
232400527	A	90.00	04/30/2024	MOSES, CHRISTINA
232400528	A	90.00	04/30/2024	OCHOCKI, CHARLES
232400529	A	45.00	04/30/2024	OSTER, PATRICK
232400530	A	45.00	04/30/2024	PENMAN, MICHELLE
232400531	A	90.00	04/30/2024	PETERSON, LORI
232400532	A	90.00	04/30/2024	SCHWAB, ROBIN
232400533	A	90.00	04/30/2024	SEXAUER, JENNIFER
232400534	A	90.00	04/30/2024	TAYLOR MINER, MELANEE
232400535	A	45.00	04/30/2024	VANDERBILT, TONY
232400536	A	90.00	04/30/2024	WELLS, TRAVIS
232400537	A	90.00	04/30/2024	ZAMBRENO, BRIAN
232400538	A	90.00	04/30/2024	ZEHNDER, JEAN
232400539	A	15.54	05/06/2024	BECRAFT, BENJAMIN
232400540	A	50.00	05/06/2024	CHILDS, DANETTE
232400541	A	314.75	05/06/2024	FREMSTAD, EMILEE
232400542	A	1,406.16	05/06/2024	RENVILLE SOTO, COURTNEY
232400543	A	1,095.18	05/10/2024	BOURG, LEAH
232400544	A	13.29	05/10/2024	CARLSON, CAITLIN
232400545	A	74.35	05/10/2024	HOLSEN, ERIC
232400546	A	764.22	05/10/2024	MCDONALD, CEIL
232400547	A	5.39	05/10/2024	MOLUMBY, MARY
232400548	A	570.00	05/10/2024	PEINE, JENNIFER
232400549	A	1,789.33	05/10/2024	RENVILLE SOTO, COURTNEY
232400550	A	44.42	05/10/2024	THERRES, HEIDI
232400551	A	252.98	05/10/2024	WILLIAMS, JOQUAN
232400552	A	934.00	05/17/2024	HOLSEN, ERIC
232400553	A	19.98	05/17/2024	MOEN, PAUL
232400554	A	38.96	05/17/2024	NYGAARD, LINDA
232400555	A	119.27	05/17/2024	SARACENO, DANIELLE
232400556	A	60.00	05/17/2024	WATRY, JEAN

3,284,416.80 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	1,220,098.93	-33.49	585,510.04	1,805,575.48
02	FOOD SERVICE	21,706.24	168.70	74,659.49	96,534.43
04	COMMUNITY EDUCATION	365,431.20	0.00	21,101.07	386,532.27
05	CAPITAL	1,596.27	0.00	211,150.37	212,746.64
20	INTERNAL SERVICE	0.00	0.00	32,650.03	32,650.03
21	MEDICAL	0.00	0.00	713,535.19	713,535.19
50	ACTIVITY ACCOUNT	36,842.76	0.00	0.00	36,842.76
***	Fund Summary Totals ***	1,645,675.40	135.21	1,638,606.19	3,284,416.80

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

CHECKRUNS

FUND	DESCRIPTION	April 19, 2024 - May 22, 2024
1	GENERAL	\$ 1,805,575.48
2	FOOD SERVICE	96,534.43
4	COMMUNITY EDUCATION	386,532.27
5	CAPITAL	212,746.64
7	DEBT SERVICE	-
20	INTERNAL SERVICE	746,185.22
50	ACTIVITY ACCOUNTS	<u>36,842.76</u>
	TOTAL	\$ 3,284,416.80

PAYROLL		4/30/24 & 5/15/24
Payroll Direct Deposit	900102023-900103116	\$ 1,608,366.96



SOUTH ST. PAUL PUBLIC SCHOOLS
School Board Agenda Item

Meeting Date: May 28, 2024

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.

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Certified

A. Appointments/Reassignments

1. Patricia Gould - 1.0 FTE, School Psychologist/MTSS, Secondary Location, EdSplst, Step 20, effective 2024-2025 school year.
2. Emilee Fremstad - Decrease overload 0.2 FTE Math Teacher, Middle School, effective April 22, 2024.
3. Ezra Herscovicki - Decrease overload 0.2 FTE Math Teacher, Middle School, effective April 22, 2024.
4. Rachel Mettillie - Decrease overload 0.2 FTE Math Teacher, Middle School, effective April 22, 2024.
5. Brenda Miller - 1.0 FTE, Special Education Teacher, Kaposia Elementary, MA+15, Step 7, effective 2024-2025 school year.
6. Lucy Schnell - 1.0 FTE, School Social Worker, Kaposia Elementary, MA, Step 3, effective 2024-2025 school year.
7. Karen Anderson - 1.0 FTE, Special Education Teacher - ASD, Lincoln Elementary, BA+60, Step 20, effective 2024-2025 school year.
8. Jake Knaus - 1.0 FTE, Talent Development TOSA, Elementary Schools, EdSplst, Step 20, effective 2024-2025 school year.
9. Jennifer Danielson - 1.0 FTE, Assistant Director of Student Services, District Wide, \$120,819 per year, effective June 24, 2024
10. Jessica Costello - 1.0 FTE, Grade 1 Long Term Sub - Teacher, Lincoln Center, BA, Step 2, effective 2024-2025 school year.
11. Elizabeth Sierminski - 1.0 FTE, Elementary Science Specialist Teacher, Lincoln Elementary, BA+45, Step 16, effective 2024-2025 school year.
12. Robin Jingjit - 1.0 FTE, Elementary 2nd grade Teacher, Lincoln Elementary, BA, Step 18, effective 2024-2025 school year.
13. **Rebecca Jensen - 1.0 FTE, Licensed School Health Associate, Lincoln Elementary, effective 2024-2025 school year.**

2023-2024 ECA

Spring Show Choir	Shelby Heine	\$2,000.00
Track Additional Coach	Randy Bjorklund	\$1,231.00 (Booster Club)

2023-2024 SUMMER SCHOOL at KAPOSIA ELEMENTARY

Daisy Medina Cuenca - MCL	Erin Gross - Teacher
Kayla Rogers - Nurse	Kim Dahlen - Teacher
Mary Molumby - Teacher	Amanda Flandrich - Teacher
Sara Ridgeway - Teacher	Rebecca Latter - Substitute Teacher
Sara Wotipka - Teacher	Avery Snyder - Substitute Teacher
Kristin Troup - Teacher	Lindsey Peterson - Substitute Teacher
Becca Spreigl - Teacher	Deborah Borrell - Substitute Teacher
Kim Bauer - Teacher	Heather Gysbers - Substitute Teacher
Stacy Elliot - Teacher	Amy Peabody - Substitute Teacher
Lauren Foley - Teacher	
Mallory Oleshko - Teacher	
Jody Krone - Teacher	
Shelly Jensen - Teacher	
Kris Kirchner - Teacher	
Kathleen Hanley - Teacher	
Nate Knapp-Vasquez - Teacher	
Sara Schulz - Teacher	
Marcy Caridad-Aquino - Teacher	
Emily Molenaar - Teacher	
Robbyn Wincentzen - Teacher	
Andrew Cin-Walker - Teacher	
Hannah Anderson - Teacher	

2023-2024 SUMMER SCHOOL at SECONDARY LOCATION

MIDDLE SCHOOL

Shelly Moland - Coordinator
Delia Granados - MCL
Linda Peterson - Packer Preview Teacher
Sara Voss - Packer Preview Teacher
Liv Garcia - Packer Preview Teacher
Brooke Wood - Packer Preview Teacher
Josh Craig - TPacker Preview Teacher
Aimee Rumpza - 6th Grade Intervention Teacher
Graham Judd - 6th Grade Intervention Teacher
Brandon Morris - 6th Grade Intervention Teacher
Shannon Smith - Summer Learning Academy Teacher
Anna Watt - Summer Learning Academy Teacher
Tom Munoz - Summer Learning Academy Teacher

HIGH SCHOOL CREDIT RECOVERY

Jessica Oftedahl - Coordinator
Jelena Maric - Credit Recovery Teacher
Conrad Anderson - Credit Recovery Teacher
Dmitri Shakhov - Credit Recovery Teacher
Luke Olson - Credit Recovery Teacher
Paul Stivender - Credit Recovery Teacher
Allison Binder - Credit Recovery Teacher
Scott Youdas - Credit Recovery Teacher
Brenda Applequist - Credit Recovery Teacher
Sue Meyer - Credit Recovery Teacher
Anna Karsten - Credit Recovery Teacher
Jessica Kohanek - Credit Recovery Teacher
Amy McEvoy - Credit Recovery Teacher
Stephaine Simones - Credit Recovery Teacher

B. Assignment Changes - Effective for the 2024-2025 school year

1. Bridget Farrell - Change from 1.0 FTE Intervention Teacher, Kaposia Elementary, to 1.0 FTE Elementary Science Specialist Teacher, Kaposia Elementary.
2. Ben Anderson - Change from .6 FTE MS Language Arts and .4 FTE MS Social Studies to 1.0 FTE, Grade 5 Elementary Teacher, Kaposia Elementary.
3. Nicole Voss - Change from 1.0 FTE MS Special Education Teacher, Secondary Location to 1.0 FTE, HS Special Education Resource Teacher, Secondary Location.
4. Olivia Smith - Change from 1.0 FTE, High School Special Education Teacher, Secondary Location, to 1.0 FTE, High School Special Education Teacher - Work Based Learning, Secondary Location, MA, Step 5, effective 2024-2025 school year.

C. Resignations/Retirements/Leaves/Reductions/Other

1. Jenna Ramirez - Resignation, Cross Country Program, Secondary Location, effective April 29, 2024.
5. Madeline Kadlec - Resignation, Choir Teacher, Secondary Location, effective June 7, 2024.
6. Laura Enright - Resignation, Intervention Teacher, Kaposia Elementary, effective June 7, 2024.
7. Tom Parks - Resignation, Equity and Instructional Coach, Secondary Location, effective June 7, 2024.
8. Amanda Flandrich - Resignation, Elementary Spanish Teacher, Lincoln Elementary, effective June 7, 2024.

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

5-28-2024

Classified

A. Appointments/Reassignments

1. Carolyn Roe - Targeted Services Clerical, Community Learning Center, 10 hours per week, Effective April 1, 2024 to August 2, 2024.
2. Araceli Mendez - PT Cleaner, Secondary Location, \$18.66 per hour, effective April 25, 2024, 4 hours per day.
3. M Placida Pilego Videz - PT Cleaner, Secondary Location, \$18.66 per hour, effective April 25, 2024, 4 hours per day.
4. Chloe Rocha - Gymnastics Assistant, CSCC, \$15.00 per hour, effective April 25, 2024, up to 20 hours per week.
5. Lucy Penttila - Gymnastics Youth Assistant, CSCC, \$15.00 per hour, effective April 22, 2024, up to 20 hours per week.
6. Martha Therres - Nutrition Service Assistant, Lincoln Elementary, \$17.39 per hour, effective May 13, 2024, 3.5 hours per day.
7. Brittany Singleton - Nutrition Service Assistant, Secondary Location, \$17.39 per hour, effective May 9, 2024, 4 hours per day.
8. Kristy Warn - Special Education Assistant, Secondary Location, \$20.16 per hour, effective May 10, 2024, 6.5 hours per day
9. Mayra Navas - Nutrition Assistant - Secondary Location - Summer Program Only, 4 hours per day, 4 days a week., effective June 17, 2024 to July 25, 2024.
10. Laura Pickar - Nutrition Assistant - Secondary Location - Summer Program Only, 6 hours per day, 4 days a week., effective June 17, 2024 to July 25, 2024.
11. Mary Smith - Nutrition Assistant - Kaposia Elementary - Summer Program Only, 5.5 hours per day, 4 days a week, June 17, 2024 to July 25, 2024.
12. Sandra Levine - Cook Manager - Secondary Location - Summer Program Only, 8.0 hours per day, 4 days a week, June 17, 2024 to July 25, 2024.
13. Todd Hundt - Cook Manager, Kaposia Elementary, Summer Program Only, 7 hours per day, 4 days a week, June 17, 2024 to July 25, 2024.
14. Marta Flores - PT Cleaner, Temporary - Summer Only, Secondary Location, \$18.66 per hour, 6-8 hours per day, effective June 17, 2024
15. Ken Gobeli - PT Cleaner, Secondary Location, \$18.66 per hour, 4 hours per day, effective May 20, 2024.

16. Cortney Sundly - Gymnastics Assistant (Youth), CSCC, \$15.00 per hour, up to 20 hours a week, effective May 23, 2024.
17. Scarlett Voss, Gymnastics Assistant (Youth), CSCC, \$15.00 per hour, up to 20 hours a week, effective May 14, 2024.
18. Ellie Dague - Kids Choice Program Assistant - Summer, Kaposia Elementary, \$18.86 per hour, effective June 7, 2024, to August 23, 2024, 5.5 hours per day.
19. Sesaria Kittelson - Student Supervisor, Kaposia Elementary, \$16.94 per hour, 3.5 hours per day, effective date TBD.
20. Andrew Molohon - Cultural Liaison, Lincoln Elementary and Middle School, \$29.29 per hour, 7 hours a day, effective June 1, 2024.
21. Rosa Barrios - Summer Cleaner Only, Secondary Location, \$18.21 per hour, 4 days a week, 8 hours a day, effective June 10, 2024.
22. Tayshawn Goss - Summer Cleaner Only, Lincoln Elementary, \$18.21 per hour, 4 days a week, 8 hours a day, effective June 10, 2024.
23. Ruby Cano Berrios - Summer Cleaner Only, Kaposia Elementary, \$18.21 per hour, 4 days a week, 8 hours a day, effective June 12, 2024.
24. Erick Estrada Mendez - Grounds Cleaner Summer Only, Service Building, \$17.00 per hour, 8 hours a day, effective May 28, 2024.
25. Susannah Spring - Summer Cleaner Only, Secondary Location, \$18.21 per hour, 4 days a week, 6 hours a day, effective June 10, 2024.
26. Martha Therres - Summer Cleaner Only, Lincoln Elementary, \$18.21 per hour, 4 days a week, 6.5 hours a day, effective June 10, 2024.
27. Kelly Schommer - Summer Cleaner Only, Kaposia Elementary, \$18.21 per hour, 4 days a week, 6 hours a day, effective June 10, 2024.

2023-2024 SUMMER SCHOOL at KAPOSIA ELEMENTARY

Rico Lasoya - Education Assistant
Colleen Wojnar - Education Assistant
Clarissa Belmares - Education Assistant
Patrick Griffith - Paraprofessional

2023-2024 SUMMER SCHOOL at SECONDARY LOCATION

Charmaine Coleman - Education Assistant
Emily Haus - Education Assistant
Barbara Heitzig - Education Assistant

B. Assignment Changes

1. Dominique Burgin - Student Supervisor Substitute, Lincoln Elementary, assignment change to Student Supervisor, Lincoln Elementary, \$16.94 per hour, 3.5 hours per day, effective April 19, 2024.

C. Resignations/Retirements/Leaves/Reductions/Other

1. Faith Burciaga - Termination, Student Supervisor, Lincoln Center, effective April 22, 2024.
2. Richard Roth - Resignation, Special Education Assistant, Secondary Location, effective June 6, 2024.
3. Amanda Martinez - Resignation, Nutrition Service Assistant, Secondary Location, effective April 26, 2024.
4. Lisa Boelter, Retirement, Admin. Assistant - Principal for Kaposia Elementary, effective June 7, 2024.
5. Jandra Crumble, Resignation, Special Education - Assistant, Kaposia Elementary, effective April 29, 2024.
6. Pam Senft, Resignation, PT Cleaner, District Office, effective May 9, 2024.
7. Susan Nicholson - ~~Resignation~~ Retirement, Nutrition Services, Secondary, effective June 6, 2024. (Revised)
8. Linda Stein - Retirement, Special Education Assistant, Kaposia Elementary, effective June 6, 2024.
9. Tara Trudeau - Resignation, PT Cleaner, Secondary Location, effective May 9, 2024.
10. Maura Rauda de Serrano - Leave of Absence, PT Cleaner, Kaposia Elementary, effective June 7, 2024 through September 3, 2024.
11. Thomas Schultz - Leave of Absence, PT Cleaner, Kaposia Elementary, effective June 7, 2024 through September 3, 2024.
12. Karen Sevlie - Leave of Absence, PT Cleaner, Lincoln Center Elementary, effective June 7, 2024 through September 3, 2024.
13. Teresa Ortiz - Leave of Absence, PT Cleaner, Lincoln Center Elementary, effective June 7, 2024 through September 3, 2024.
14. Richard Buhl - Leave of Absence, PT Cleaner, Lincoln Center Elementary, effective June 7, 2024 through September 3, 2024.
15. Berris Stone - Resignation, PT Cleaner, Secondary Location, effective May 16, 2024.

16. Nicole Arrigoni - Non-renewal, 1.0 FTE Education Assistant, Lincoln Elementary, effective June 6, 2024.
17. Elizabeth Demma - Non-renewal, 1.0 FTE MS Special Education Assistant, Secondary Location, effective June 6, 2024.
18. Louis Gagnon - Non-renewal, 1.0 FTE Education Assistant, Lincoln Elementary, effective June 6, 2024.
19. Anjelica Palma Costano - Non-renewal, 1.0 Education Assistant, Lincoln Elementary, effective June 6, 2024.
20. May Mooney - Leave of Absence, PT Cleaner, Kaposia Elementary, effective June 7, 2024 through September 3, 2024.
21. Enrique Carmona Diaz - Leave of Absence, PT Cleaner, Secondary Location, effective June 7, 2024 through September 3, 2024.



SOUTH ST. PAUL PUBLIC SCHOOLS
 School Board Agenda Item

Meeting Date: May 28, 2024

Place on Agenda: Regular Business Meeting Agenda

Action Requested: Approval

Attachment: 102, 104, 403, 404, 413, 474, 501, 502, 504, 505, 512, 514, 515, 516.5, 518, 520, 521, 526, 528, 530, 531, 536, 550, 611, 613, and 706

Topic: Policy Review – Final Reading and Approval
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 and were up for review and comment at subsequent meetings. The policies are now in their final reading and up for approval at the Tuesday May, 28, 2024 Board meeting.</p>
<p>Recommendation:</p> <p>Approval</p>
<p>Alternatives:</p> <p>N/A</p>

Passionate Learners Positively Changing Our World



Adopted: April 17, 1996

MSBA/MASA Model Policy 102

Orig. 1995

Rev. 2023

Revised: 5/24/04, 6/26/06; 4/13/15
7/25/16; 6/10/19; 5/26/20; 6/14/21; 6/27/22
6/26/23; 12/11/23; 5/28/24

102 EQUAL EDUCATIONAL OPPORTUNITY

I. PURPOSE

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.
- 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: November 8, 2004

MSBA/MASA Model Policy 104

Orig. 1997

Revised: 10/24/05; 11/13/06; 10/27/08; 4/13/15
7/25/16; 6/10/19; 5/26/20; 6/14/21; 6/27/22
6/26/23; 5/28/24

Rev. 2004

104 SCHOOL DISTRICT MISSION STATEMENT

I. Purpose

The purpose of this policy is to establish a clear statement of the purpose for which the school district exists

II. GENERAL STATEMENT OF POLICY

The school board believes that a mission statement should be adopted. The mission statement should be based on the beliefs and values of the community, should direct any change effort, and should be the basis on which decisions are made. The school board, on behalf of and with extensive participation by the community, should develop a consensus among its members regarding the nature of the enterprise the school board governs, the purposes it serves, the constituencies it should consider, including student representation, and the results it intends to produce.

III. MISSION STATEMENT

- A. The mission statement for South St. Paul Public Schools, Special School District 6 is as follows:
- B. Ignite a passion in every learner to inquire, continuously improve and engage in positively changing our world.

IV. REVIEW

The school board will review the school district's mission every two years, especially when members of the board change. The school board will conduct a comprehensive review of the mission, including the beliefs and values of the community, every five to seven years.

Legal References: Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement)
Minn. Rule Parts 3501.0010-3501.0180
Minn. Rule Parts 3501.0200-3501.0270

Adopted: June 14, 2004

MSBA/MASA Model Policy 403

Orig. 1995

Revised: 5/22/17; 5/28/24

Rev. 2022

403 DISCIPLINE, SUSPENSION, AND DISMISSAL OF SCHOOL DISTRICT EMPLOYEES

I. PURPOSE

The purpose of this policy is to achieve the effective operation of the school district's programs through the cooperation of all employees under a system of policies and rules applied fairly and uniformly.

II. GENERAL STATEMENT OF POLICY

The disciplinary process described herein is designed to utilize progressive steps, where appropriate, to produce positive corrective action. While the school district intends that in most cases progressive discipline will be administered, the specific form of discipline chosen in a particular case and/or the decision to impose discipline in a manner otherwise, is solely within the discretion of the school district.

III. DISCIPLINE

A. Violation of School Laws and Rules

The form of discipline imposed for violations of school laws and rules may vary from an oral reprimand to termination of employment or discharge depending upon factors such as the nature of the violation, whether the violation was intentional, knowing and/or willful and whether the employee has been the subject of prior disciplinary action of the same or a different nature. School laws and rules to which this provision applies include:

1. policies of the school district;
2. directives and/or job requirements imposed by administration and/or the employee's supervisor; and
3. federal, state and local laws, rules and regulations, including, but not limited to, the rules and regulations adopted by federal and state agencies.

B. Substandard Performance

An employee's substandard performance may result in the imposition of discipline ranging from an oral reprimand to termination of employment or discharge. In most instances, discipline imposed for the reason of substandard performance will follow a progressive format and will be accompanied by guidance, help and encouragement to improve from the employee's supervisor and reasonable time for correction of the employee's deficiency.



C. Misconduct

Misconduct of an employee will result in the imposition of discipline consistent with the seriousness of the misconduct. Conduct which falls into this category includes, but is not limited to:

1. unprofessional conduct;
2. failure to observe rules, regulations, policies and standards of the school district and/or directives and orders of supervisors and any other act of an insubordinate nature;
3. continuing neglect of duties in spite of oral warnings, written warnings and/or other forms of discipline;
4. personal and/or immoral misconduct;
5. use of illegal drugs, alcohol or any other chemical substance on the job or any use off the job which impacts on the employee's performance;
6. deliberate and serious violation of the rights and freedoms of other employees, students, parents or other persons in the school community;
7. activities of a criminal nature relating to the fitness or effectiveness of the employee to perform the duties of the position;
8. failure to follow the canons of professional and personal ethics;
9. falsification of credentials and experience;
10. unauthorized destruction of school district property;
11. other good and sufficient grounds relating to any other act constituting inappropriate conduct;
12. neglect of duty;
13. violation of the rights of others as provided by federal and state laws related to human rights.

IV. FORMS OF DISCIPLINE

A. The forms of discipline that may be imposed by the school district include, but are not limited to:

1. oral warning;



2. written warning or reprimand;
3. Probation
4. disciplinary suspension, demotion or leave of absence with pay;
5. disciplinary suspension, demotion or leave of absence without pay; and
6. dismissal/termination or discharge from employment.

B. Other forms of discipline, including any combination of the forms described in Paragraph A., above, may be imposed if, in the judgment of the administration, another form of discipline will better accomplish the school district's objective of stopping or correcting the offending conduct and improving the employee's performance.

V. PROCEDURES FOR ADMINISTERING POLICY

A. When any form of discipline is imposed, the employee's supervisor will:

1. Advise the employee of any inadequacy, deficiency or conduct which is the cause of the discipline, either orally or in writing. If given orally, the supervisor will document the fact that an oral warning was given to the employee specifying the date, time and nature of the oral warning.
2. Provide directives to the employee to correct the conduct or performance.
3. Forward copies of all writings to the administrator in charge of personnel for filing in the employee's personnel file.
4. Allow a reasonable period of time, when appropriate, for the employee to correct or remediate the performance or conduct.
5. Specify the expected level of performance or modification of conduct to be required from the employee.

B. The school district retains the right to immediately discipline, terminate or discharge an employee as appropriate, subject to relevant governing law and collective bargaining agreements when applicable.

Legal References: Minn Stat. § 122A.40 (Employment; Contracts; Termination)
Minn. Stat. § 122A.41 (Teacher Tenure Act; Cities of the First Class)
Minn. Stat. § 122A.44 (Contracting with Teachers; Substitute Teachers)
Minn. Stat. § 122A.58 (Coaches; Termination of Duties)
Minn. Stat. § 123B.02, Subd. 14 (General Powers of Independent School Districts)

Minn. Stat. § 123B.143 (Superintendent)
Minn. Stat. § 123B.147 (Principals)
Minn. Stat. § 197.46 *et seq.* (Veterans Preference Act)

Cross References: None



Adopted: April 28, 1997

MSBA/MASA Model Policy 404

*Revised: 6/14/04; 4/25/11, 12/11/17, 8/13/18
5/26/20; 6/14/21; 6/27/22; 6/26/23;
5/28/24*

*Orig. 1995
Rev. 2022*

404 EMPLOYMENT BACKGROUND CHECKS

I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment in the school district in order to promote the physical, social, and psychological well-being of its students. To that end, the school district will seek a criminal history background check for individuals who receive an offer of employment with the school district, athletic or academic coaches regardless of whether compensation is paid, volunteers, independent contractors and student employees in the school district.

II. GENERAL STATEMENT OF POLICY

- A. The school district shall require that applicants for school district positions who receive an offer of employment, volunteers and individuals who are offered the opportunity to provide athletic coaching and services or other extracurricular academic coaching services to the school district, regardless of whether any compensation is paid, submit to a criminal history background check. The offer of employment shall be conditioned upon a determination by the school district that an applicant's criminal history does not preclude the applicant from employment with the school district.
- B. The school district specifically reserves any and all rights it may have to conduct background checks regarding current employees, applicants or service providers without the consent of such individuals.
- C. Adherence to this policy by the school district shall in no way limit the school district's right to require additional information, or to use procedures currently in place or other procedures to gain additional background information concerning employees, applicants, volunteers, independent contractors and student employees

III. PROCEDURES

- A. Normally an individual will not commence employment or provide service until the school district receives the results of the criminal history background check. The school district may conditionally hire an individual pending completion of the background check, but shall notify the individual that the individual's employment may be terminated based on the result of the background check. Background checks will be performed by a third party vendor that includes



Minnesota Bureau of Criminal Apprehension (BCA) report and meets and/or exceeds Minnesota Statutes section 13.87. The school district reserves the right to also have criminal history background checks conducted by other organizations or agencies.

- B. In order for an individual to be eligible for employment or to provide athletic coaching services or other extracurricular academic coaching services (paid or volunteer) to the school district, or to volunteer for the district, the individual must sign a criminal history consent form, which provides permission for the school district to conduct a criminal history background check. The employee will pay an amount for the criminal history background check that does not exceed the actual cost of the service. An employee who accepts employment will be responsible for paying the cost of the criminal background check with the amount deducted out of one of the first paychecks the employee receives or paid by the employee at the time the criminal background check is completed. School or program volunteer criminal background checks may be paid by the district.
- C. The school district, in its discretion, may elect not to request a criminal history background check on an individual who holds an initial entrance license issued by the Minnesota Professional Educator Licensing and Standards Board (PELSB) or the Minnesota Commissioner of Education within the 12 months preceding an offer of employment due to PELSB performing background checks for new applications and renewal applications for teacher licensure.
- D. The school district may use the results of a criminal background check conducted at the request of another school hiring authority if:
 - 1. the results of the criminal background check are on file with the other school hiring authority or otherwise accessible;
 - 2. the other school hiring authority conducted a criminal background check within the previous 12 months;
 - 3. the individual executes a written consent form giving the school district access to the results of the check; and
 - 4. there is no reason to believe that the individual has committed an act subsequent to the check that would disqualify the applicant for employment.
- E. When required, individuals must provide fingerprints to assist in a criminal history background check. If the fingerprints provided by the individual are unusable, the individual will be required to submit another set of prints.
- F. For all non-state residents who are offered employment with or the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, the school district shall request a criminal history background check on such individuals from the superintendent of the BCA and from the government agency performing the same function in the resident state or, if no government entity performs the same function in the resident state, from



the Federal Bureau of Investigation. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by the school district that an individual's criminal history does not preclude the individual from employment with, or provision of services to, the school district. Such individuals must provide an executed criminal history consent form.

- G. Copies of this policy shall be available on the school district's website and will be distributed to applicants for employment school/program volunteers and individuals who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching or services, upon request. The need to submit to a criminal history background check may be included with the basic criteria for employment in the position posting and position advertisements.
- H. The individual will be informed of the results of the criminal background check(s) to the extent required by law.
- I. Criminal Background Screening Standards are included with this policy.
- J. If the criminal history background check precludes employment with the school district, the applicant will be so advised.
- K. The school district may apply these procedures to volunteers, independent contractors or adult student employees.
- L. At the beginning of each school year or when a student enrolls, the school district will notify parents and guardians about this policy and identify those positions that are subject to a background check and the extent of the school district's discretion in requiring a background check. The school district may include this notice in its student handbook, a school policy guide, or other similar communication.

Legal References: Minn. Stat. § 13.04, Subd. 4 (Rights of Subjects of Data)
Minn. Stat. § 1387, Subd. 1 (Criminal Justice Data)
Minn. Stat. § 123B.03 (Background Checks)
Minn. Stat. §§ 299C.60-299C.64 (Minnesota Child, Elder, and Individuals with Disabilities Protection Background Check Act)
Minn. Stat. § 364.09(b) (Exception for School Districts)

Cross References: None



Criminal Background Screening Standards

The South St. Paul School District seeks to maintain a safe and healthy educational environment that promotes the physical, social and psychological well-being of all students. All new employees and volunteers must receive a criminal background check prior to starting employment or a volunteer assignment with the School District. An individual will be disqualified and prohibited from serving as an employee or volunteer if that individual has been found guilty or entered a plea of non-contender (no contest), regardless of the adjudication for any of the following disqualifying offenses:

1. Sex Offenses

- a. All Sex offenses - regardless of the amount of time since the offense

Examples: Child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, indecent exposure, possession or distribution of child pornography etc.

2. Felonies

- a. All Violent Felony offenses - regardless of the amount of time since the offense

Examples: Murder, manslaughter, rape, aggravated assault, kidnapping, robbery, aggravated burglary, etc.

- b. Any other Felony offenses within the past ten (10) years.

Examples: Drug offenses, theft, embezzlement, fraud, child endangerment, etc.

3. Misdemeanors

- a. All Violent Misdemeanor offenses, including those involving probation or open cases, within the past five (5) years, or multiple offenses within the past seven (7) years.

Examples: Simple drug possession, drunk and disorderly conduct, public intoxication, possession of drug paraphernalia, etc.

- b. Any other Misdemeanor offense, including those involving probation or open cases, within the past five (5) years that would be considered a potential danger to children, or is directly related to the functions of that employee or volunteer.

Examples: Contributing to the delinquency of a minor, providing alcohol to a minor, theft (if person is handling monies), etc.

The district reserves the discretion to consider factors and information, including whether the nature of the offense implicates a behavior that is contradictory to an individual's job description, when making employment decisions.

Adopted: September 8, 1997

MSBA/MASA Model Policy 413

Orig. 1995

Revised: 4/26/04; 8/28/06; 11/23/09; 11/25/13
11/23/15; 12/10/18; 6/10/19; 5/26/20; 6/14/21
6/27/22; 6/26/23; 5/28/24

Rev. 2023

413 HARASSMENT AND VIOLENCE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. Assault is:
 - 1. an act done with intent to cause fear in another of immediate bodily harm or death;



2. the intentional infliction of or attempt to inflict bodily harm upon another; or
 3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. “Harassment” prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual’s or group of individuals’ race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, when the conduct:
1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
 2. has the purpose or effect of substantially or unreasonably interfering with an individual’s work or academic performance; or
 3. otherwise adversely affects an individual’s employment or academic opportunities.
- C. “Immediately” means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions

“Disability” means, with respect to an individual who:

- a) has a physical, sensory, or mental impairment that materially limits one or more major life activities of such individual;
- b) has a record of such an impairment; or
- c) is regarded as having such an impairment.

“Familial status” means the condition of one or more minors being domiciled with:

- a) their parent or parents or the minor’s legal guardian; or
- b) the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment or discrimination on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.

“Marital status” means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment or discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.



“National origin” means the place of birth of an individual or of any of the individual’s lineal ancestors.

“Sex” includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.

“Sexual orientation” means to whom someone is, or is perceived of as being, emotionally, physically, or sexually attracted to based on sex or gender identity. A person may be attracted to men, women, both, neither, or to people who are genderqueer, androgynous, or have other gender identities.

“Status with regard to public assistance” means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.

E. “Remedial response” means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.

F. Sexual Harassment; Definition

Sexual harassment includes unwelcomed sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

- a) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
- b) submission or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual’s employment or education; or
- c) that conduct or communication has the purpose or effect of substantially interfering with an individual’s employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.

Sexual harassment may include, but is not limited to:

- a) unwelcome verbal harassment or abuse;
- b) unwelcome pressure for sexual activity;



- c) unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
- d) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
- e) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
- f) unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression

G. Sexual Violence; Definition

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

H. Violence; Definition

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

IV. REPORTING PROCEDURES



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



violence report or complaint as provided herein will result in disciplinary action against the building report taker.

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

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

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



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

V. INVESTIGATION

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

VI. SCHOOL DISTRICT ACTION

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



policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school district policies and regulations.

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

VII. RETALIATION OR REPRISAL

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

VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

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

IX. HARASSMENT OR VIOLENCE AS ABUSE

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



X. DISSEMINATION OF POLICY AND TRAINING

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

Legal References: Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)
Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious and Racial Harassment and Violence Policy)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
Minn. Stat. § 609.341 (Definitions)
Minn. Stat.Ch. 260E (Reporting of Maltreatment of Minors)
20 U.S.C. § 1681-1688 (Title IX of the Education Amendments of 1972)
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
42 U.S.C. § 1201 *et seq.* (Americans with Disabilities Act)

Cross References: MSBA/MASA Model Policy 102 (Equal Educational Opportunity)
MSBA/MASA Model Policy 401 (Equal Employment Opportunity)
MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)
MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)



MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination, Grievance Procedures and Process)
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)



HARASSMENT AND VIOLENCE REPORT FORM

General Statement of Policy Prohibiting Harassment and Violence

Special School District No. 6 maintains a firm policy prohibiting all forms of discrimination. Harassment or violence against students or employees or groups of students or employees on the basis of race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation, including gender identity and expression, or disability is strictly prohibited. All persons are to be treated with respect and dignity. Harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity and expression, or disability by any pupil, teacher, administrator, or other school personnel, which create an intimidating, hostile, or offensive environment will not be tolerated under any circumstances.

Complainant _____

Home Address _____

Work Address _____

Home/Cell Phone _____ Work Phone _____

Date of Alleged Incident(s) _____

Basis of Alleged Harassment/Violence - circle as appropriate: race \ color \ creed \ religion \ national origin \ sex \ age \ marital status \ familial status \ status with regard to public assistance \ sexual orientation, including gender identity and expression \ disability

Name of person you believe harassed or was violent toward you or another person or group.

If the alleged harassment or violence was toward another person, identify that person or group.

Describe the incident(s) as clearly as possible, including such things as: what force, if any, was used; any verbal statements (i.e. threats, requests, demands, etc.); what, if any, physical contact was involved; etc. (Attach additional pages if necessary.)



Where and when did the incident(s) occur? _____

List any witnesses that were present _____

This complaint is filed based on my honest belief that _____ has harassed or has been violent to me or to another person or group. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief.

(Complainant Signature)

(Date)

Received by: _____

(Date)

Adopted: October 23, 2000

*Revised: 6/28/04; 3/12/07; 10/27/08; 1/11/10; 8/24/15; 7/25/16; 8/13/18
6/10/19; 5/26/20; 6/14/21; 6/27/22; 6/26/23; 5/28/24*

474 STAFF INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY

I. PURPOSE

The purpose of this policy is to set forth policies and guidelines for staff access to district and school information technology, known in this document as “District Information Technology,” including but not limited to district computers, devices, printers and other accessories, networks, internet access, electronic communications, and third-party systems the district licenses and makes available to employees and students. For the purposes of this policy, “staff” includes all employees, volunteers, contractors and other outside agencies working on the district’s behalf who are granted access to District Information Technology.

II. GENERAL STATEMENT OF POLICY

In making decisions regarding student and staff access to District Information Technology, the school district considers its own stated educational mission, goals and objectives. Electronic information research skills are fundamental to preparation of citizens and future employees. Access to the school district computer system and to the internet enables the school community to explore thousands of libraries, databases, bulletin boards and other resources while exchanging messages with people around the world. The school district expects that faculty will blend thoughtful use of District Information Technology throughout the curriculum and will provide guidance and instruction to students in their use.

III. PURPOSE LIMITED TO EDUCATION

The school district provides staff with access to District Information Technology. District Information Technology has a limited educational purpose, which includes its use for classroom activities, educational research, professional or career development, and the general operation of the district and its schools. Staff are expected to use District Information Technology to further educational and professional goals consistent with the school district’s mission, strategic plan and policies. Uses which might be acceptable on a user's private, personal account on another system may not be acceptable on this limited purpose network.

IV. USE OF DISTRICT TECHNOLOGY RESOURCES IS A PRIVILEGE



The use of District Information Technology and its access to the internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of District Information Technology or the internet may result in one or more of the following consequences: suspension, cancellation or restriction of use or access privileges, payments for damages and repairs, discipline under other appropriate school district policies, including termination of employment or civil or criminal liability under other applicable laws.

V. ACCEPTABLE USE EXPECTATIONS

A. The following Acceptable Use Expectations apply to all staff using District Information Technology:

1. Staff will not use District Information Technology to access, review, create, upload, download, store, print, post, distribute or otherwise publish any content that:
 - a) is pornographic;
 - b) promotes domestic violence;
 - c) promotes crimes against children;
 - d) promotes illegal drugs;
 - e) threatens physical harm to another person;
 - f) incites violence at school;
 - g) creates, or could reasonably be predicted to create, a material and substantial disruption to school operations;
 - h) creates, or could reasonably be predicted to create, an environment that is not conducive to learning;
 - i) significantly interferes with the learning of students;
 - j) ridicules, maligns, disparages, unlawfully discriminates, harasses, or otherwise expresses bias based on race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, familial status, disability, sexual orientation, or age; or
 - k) jeopardizes the security or safety of students or staff at school.



2. Staff will not use District Information Technology to engage in any illegal act or violate any local, state or federal statute or law.
3. Staff will not use District Information Technology to vandalize, damage or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software or system performance by spreading computer viruses or by any other means, will not tamper with, modify or change the school district system software, hardware or wiring or take any action to violate the school district system's security, and will not use District Information Technology in such a way as to disrupt the use of the system by other users.
4. Staff will not use District Information Technology to gain unauthorized access to information resources or to access another person's materials, information or files without direct permission of that person.
5. Staff will not use the District Information Technology to post private information about another person or to post personal contact information about themselves or other persons including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, and will not repost a message that was sent to the user privately without permission of the person who sent the message.
 - a) This paragraph does not prohibit the posting of staff contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
 - b) Staff creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, staff may not post personal contact information or other personally identifiable information about students unless:
 - (1) Such information is classified by the school district as directory information, and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or
 - (2) Such information is not classified by the school district as directory information but written consent for release of the information to be



posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

In addition, prior to posting any personal contact or personally identifiable information on a school-related webpage, staff shall obtain written approval of the content of the postings from the building administrator.

- c) These prohibitions specifically prohibit staff from using the District Information Technology to post personal information about staff members or students on social media networks.
6. Staff will protect and secure District Information Technology and the confidential information it stores and makes available by:
 - a) Keeping their user account information, including usernames and passwords, private;
 - b) Not attempting to gain unauthorized access to District Information Technology or use District Information Technology to gain unauthorized access to any other system;
 - c) Not using another person's account, or use computer accounts, access codes or network identification other than those assigned to them by the district;
 - d) Not allowing anyone other than themselves to use their login credentials to access District Information Technology;
 - e) Always locking or logging off district computers and devices connected to district resources before leaving them unattended, including the use of personal devices offsite that access District Information Technology;
 - f) Not attempting to encrypt messages and records on District Information Technology with tools other than those provided or approved by the district.
 7. Staff will observe and comply with copyright laws, license agreements, and other intellectual property rights.
 8. Staff will not use District Information Technology, including their district email address, for personal purposes, including personal shopping, personal social networking, personal



subscriptions and other activities not related to their job duties or the district mission, vision and strategic plan.

9. Staff will not use District Information Technology for the conduct of a business, for unauthorized commercial purposes or for financial gain unrelated to the mission of the school district. Staff will not use the school district system to offer or provide goods or services or for product advertisement.

10. Staff will not use District Information Technology to engage in bullying or cyberbullying as defined in Policy (514 Bullying Prohibition). This prohibition includes using any technology or other electronic communication off district premises to the extent that student learning or the school environment is substantially and materially disrupted.

B. Staff engaging in unacceptable uses of District Information Technology when off district premises may also be in violation of this and other school district policies. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability.

C. If Staff using District Information Technology inadvertently access unacceptable materials or an unacceptable internet site, they will immediately disclose the inadvertent access to their direct supervisor and/or building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from a building or district administrator.

VI. CONSISTENCY WITH OTHER SCHOOL POLICIES

A. Use of District Information Technology and use of the internet shall be consistent with school district policies and the mission of the school district.

VII. LIMITED EXPECTATION OF PRIVACY

A. By authorizing use of District Information Technology, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy for their actions and content stored on District Information Technology.

B. Routine maintenance and monitoring of District Information Technology may lead to discovery that a user has violated this policy, another school district policy or the law.

C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.



- D. School district employees should be aware that data and other materials in files maintained on District Information Technology may be subject to review, disclosure or discovery under Minnesota Statutes, Chapter 13 (the Minnesota Government Data Practices Act) and may be subject to Freedom of Information Act requests.
- E. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the District Information Technology.

VIII. INFORMATION TECHNOLOGY ACCEPTABLE USE AGREEMENT

- A. The proper use of District Information Technology systems and the educational value to be gained from proper use, is the joint responsibility of students, parents and employees of the school district.
- B. The Staff Information Technology Acceptable Use Agreement must be signed by staff at the start of employment, and periodically thereafter as Information Technology changes require.

IX. LIMITATION ON SCHOOL DISTRICT LIABILITY

Use of District Information Technology is at the user's own risk. The system is provided on an "as is, as available" basis. The school district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage or unavailability of data stored on school district diskettes, tapes, hard drives or servers, or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. The school district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school district system. The school district will not be responsible for financial obligations arising through unauthorized use of the school district system or the internet.

X. USER NOTIFICATION

- A. All users shall be notified of the school district policies relating to internet use.
- B. This notification shall include the following:
 - 1. Notification that internet use is subject to compliance with school district policies.
 - 2. Disclaimers limiting the school district's liability relative to:
 - a) Information stored on school district removable media, hard drives or servers;



- b) Information retrieved through school district computers, networks or online resources;
 - c) Personal property used to access school district computers, networks or online resources; and
 - d) Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.
3. A description of the privacy rights and limitations of school sponsored/managed internet accounts.
 4. Notification that the collection, creation, reception, maintenance and dissemination of data via the Internet, including electronic communications, is governed by Policy 406 (Public and Private Personnel Data, and Policy) and Policy 515 (Protection and Privacy of Pupil Records).
 5. Notification that, even though the school district may use technical means to limit student and staff internet access, these limits do not provide a foolproof means for enforcing the provisions of this Acceptable Use policy.
 6. Notification that staff are personally responsible for unauthorized financial obligations incurred over the Internet or other electronic means.
 7. Notification that should the user violate the school district's Acceptable Use Policy, the employee's access privileges may be revoked, and appropriate disciplinary and/or legal action may be taken.
 8. Notification that all provisions of the Acceptable Use Policy are subordinate to local, state and federal laws.

XI. IMPLEMENTATION AND POLICY REVIEW

- A. The school district administration will develop appropriate guidelines and procedures necessary to implement this policy.
- B. This policy will be reviewed annually, and the administration will recommend changes as necessary.

XII. INTERNET CONTENT FILTERING



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- A. With respect to any of its computers with internet access, the school district will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter internet access to any visual depictions that are:
1. Obscene;
 2. Pornographic; or
 3. Harmful to minors.
- B. The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:
1. When taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, excretion; or
 2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 3. When taken as a whole, lacks serious literary, artistic, political, or scientific value to minors.
 4. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.
- C. When used by an adult, an administrator, supervisor or other person authorized by the Superintendent may disable the technology protection measure to enable access for bona fide research or other lawful purposes.

XIII. STAFF PERSONAL EQUIPMENT USE

- A. All staff are provided access to dedicated or shared computing devices as needed for the performance of their duties.
- B. Staff may connect personal devices to the district’s guest network.



- C. The district may restrict connection bandwidth of some or all personal devices or otherwise block access in order to prioritize the district's learning and other operations, and to protect District Information Technology.
- D. Staff are responsible for ensuring that any connected personal device has been updated with all applicable security updates for its operating system and software, and has appropriate virus and malware protection installed and activated.
- E. Use of personal devices brought onto school property must adhere to the policies and guidelines of this policy.
- F. Staff are prohibited from using personal computing devices as wireless hotspots to circumvent the district wireless network and content filters.
- G. District Technology staff cannot provide direct assistance with the configuration, installation or use of personal computing devices.

XIV. STAFF SOCIAL MEDIA USE

- A. Social Media is defined as the variety of online resources that allow people to communicate, share information, photos, videos and audio, and exchange text and other multimedia files with others through an online or cellular network platform. Examples of social media include, but are not limited to, websites, blogs, wikis, social networks, online forums, virtual worlds, and such social networks.
- B. Personal Social Media Use is defined as the use of social media to communicate with friends and family, advance one's employment or career beyond the scope of one's district duties, engage in business activities, or publicly express personal opinions.
- C. Professional Social Media Use is defined as use of social media that is directly related to job duties and is performed with a supervisor's permission. Examples include but are not limited to use that is integrated into classroom instruction, tied directly to professional learning, or needed to communicate with partner agencies or job-related networks.
- D. Establishment and Regulation of Social Media Sites The district may establish social media sites and accounts for the district and its schools and may monitor and regulate the content of information on its sites and accounts. The district's Facebook, Twitter and Instagram accounts are examples of a district social media site. The Superintendent or their designee, must approve the establishment of all district social media sites and school media sites.
- E. General Guidelines



1. Speaking on Behalf of the District. The Superintendent or their designee is the authorized spokesperson for the district. Without prior written authorization from the Superintendent, employees may not use social media during the duty day or outside the duty day to state or imply:

- a) that they are speaking for, or on behalf of, the district;
- b) That they are authorized to speak for, or on behalf of, the district; or
- c) That their views represent the views of the district.

2. Branding of Personal Social Media Accounts with District Logos, Names or Trademarks

Staff will not brand their personal accounts in such a way that they may be mistaken as officially representing the district or its schools. Staff are additionally encouraged to include disclaimers on their personal social media profiles to eliminate any confusion and clarify that they are speaking as private individuals, and not as district employees, and that their views do not necessarily reflect the views of the district.

3. Non-Protected Speech

As a general matter, public employees have a First Amendment right to use personal social media to express their views on matters of public interest. However, this right is not absolute. When public employees make statements pursuant to their official job duties, they are not speaking as private citizens for First Amendment purposes and, therefore, their speech is not constitutionally protected. When employees are speaking pursuant to their official job duties, they must follow their supervisor's directives and the district approved curriculum. Employees may be disciplined for speech that is not protected under the Constitution or a federal or state law.

4. Prohibition of Speech that Interferes with Efficient

Even when speech touches on a matter of public concern and is not pursuant to an employee's job duties, an employee's free speech rights must be balanced against the district's right to maintain efficient operations and an environment that is conducive to working and learning. When balancing these rights, the courts have held that a public employee's speech is not protected if it would create disharmony in the workplace, impede the employee's ability to perform his or her job duties, significantly impair the working relationship with other employees who work closely with the speaker, or significantly harm the employer's image. Accordingly, employees may be disciplined



for speech that creates disharmony in the workplace, impedes the employee's ability to perform his or her job duties, significantly impairs the working relationship with other employees who work closely with the speaker, or significantly harms the district's image.

5. Maintaining Appropriate Boundaries.

All employees must maintain professional boundaries with students. Employees may not engage in communications with students that give the impression of peer-to-peer communications, unless the employee and student are related. Additionally, employees may not have extensive social involvement or develop personal or private relationships with individual students through social media, unless they are closely related.

F. Social Media Use During the Duty Day

1. Staff may engage in Professional Social Media Use during work hours.
2. Staff are encouraged to create separate professional social media accounts using their district email addresses for work purposes only. Personal accounts may not be used when using social media with students.
3. Personal Social Media Use using District Information Technology is prohibited during work hours.
4. Incidental Personal Social Media Use on personal devices is allowed during work hours to the extent that it does not interfere with job duties or responsibilities as determined by supervisors.

Legal References:

15 U.S.C. § 6501 *et seq.* (Children's Online Privacy Protection Act)
17 U.S.C. § 101 *et seq.* (Copyrights)
47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))
47 C.F.R. § 54.520 (FCC rules implementing CIPA)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 125B.15 (Internet Access for Students)
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
United States v. Amer. Library Assoc., 539 U.S. 194, 123 S.Ct. 2297, 56 L.Ed.2d 221 (2003)
Doninger v. Niehoff, 527 F.3d 41 (2nd Cir. 2008)
R.S. v. Minnewaska Area Sch. Dist. No. 2149, No. 12-588, 2012 WL 3870868 (D. Minn. 2012)



Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), aff'd on other grounds
816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee's Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)
Kowalski v. Berkeley County Sch., 652 F.3d 565 (4th Cir. 2011)
Layshock v. Hermitage Sch. Dist., 650 F.3d 205 (3rd Cir. 2011)
Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist.,
853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)

Cross References:

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)
MSBA/MASA Model Policy 603 (Curriculum Development)
MSBA/MASA Model Policy 604 (Instructional Curriculum)
MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)
MSBA/MASA Model Policy 806 (Crisis Management Policy)
MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)

Adopted: June 30, 1997

MSBA/MASA Model Policy 501

Orig. 1995

Revised: 4/26/04; 8/14/06; 10/27/08; 9/9/13
3/14/16; 5/22/17; 6/10/19; 5/26/20; 6/14/21
6/27/22; 6/26/23; 5/28/24

Rev. 2021

501 SCHOOL WEAPONS POLICY

I. PURPOSE

The purpose of this policy is to assure a safe school environment for students, staff and the public.

II. GENERAL STATEMENT OF POLICY

No student or nonstudent, including adults and visitors, shall possess, use or distribute a weapon when in a school location except as provided in this policy. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school employee, volunteer, or member of the public who violates this policy.

III. DEFINITIONS

A. "Weapon"

1. A "weapon" means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict -injury to self or others including, but not limited to, any firearm, whether loaded or unloaded; air guns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; nunchucks; throwing stars; explosives; fireworks; mace and other propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.
2. No person shall possess, use or distribute any object, device or instrument having the appearance of a weapon and such objects, devices or instruments shall be treated as weapons including, but not limited to, weapons listed above which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon.
3. No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.), to inflict bodily harm and/or intimidate and such use will be treated as the possession and use of a weapon.

- B. "School Location" includes any school building or grounds, whether leased, rented, owned or controlled by the school, locations of school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the area of entrance or departure from school premises or



events, all locations where school related functions are conducted, and anywhere students are under the jurisdiction of the school district.

- C. “Possession” means having a weapon on one’s person or in an area subject to one’s control in a school location.
- D. “Dangerous Weapon” means any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, any combustible or flammable liquid or other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm, or any fire that is used to produce death or great bodily harm. As used in this definition, “flammable liquid” means any liquid having a flashpoint below 100 degrees Fahrenheit and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100 degrees Fahrenheit but does not include intoxicating liquor. As used in this subdivision, “combustible liquid” is a liquid having a flash point at or above 100 degrees Fahrenheit.

IV. EXCEPTIONS

- A. A student who finds a weapon on the way to school or in a school location, or a student who discovers that he or she accidentally has a weapon in his or her possession, and takes the weapon immediately to the principal’s office shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the principal’s office, a student shall not be considered to possess a weapon if he or she immediately turns the weapon over to an administrator, teacher or head coach or immediately notifies an administrator, teacher or head coach of the weapon’s location.
- B. It shall not be a violation of this policy if a nonstudent (or student where specified) falls within one of the following categories:
 - 1. active licensed peace officers;
 - 2. military personnel, or students or nonstudents participating in military training, who are on duty performing official duties;
 - 3. persons authorized to carry a pistol under Minnesota Statutes section 624.714, while in a motor vehicle or outside of a motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle;
 - 4. persons who keep or store in a motor vehicle pistols in accordance with Minnesota Statute sections 624.714 or 624.715, or other firearms in accordance with Minnesota Statutes, section § 97B.045;
 - a) Section 624.714 specifies procedures and standards for obtaining pistol permits and penalties for the failure to do so. Section 624.715 defines an exception to the pistol permit requirements for “antique firearms which are carried or possessed as curiosities or for their historical significance or value.”



- b) Section 97B.045 generally provides that a firearm may not be transported in a motor vehicle unless it is (1) unloaded and in a gun case without any portion of the firearm exposed; (2) unloaded and in the closed trunk; or (3) a handgun carried in compliance with sections 624.714 and 624.715.
5. firearm safety or marksmanship courses or activities for students or nonstudents conducted on school property;
6. possession of dangerous weapons, BB guns, or replica firearms by a ceremonial color guard;
7. a gun or knife show held on school property;
8. possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other person having general control and supervision of the school or the director of a child care center; or
9. persons who are on property owned or leased by a child care center, school or school district unless the person knows that a student is currently present on the land for a school-related activity.

C. Policy Application to Instructional Equipment/Tools

While the school district does not allow the possession, use or distribution of weapons by students, or nonstudents, such a position is not meant to interfere with instruction or the use of appropriate equipment and tools by students or nonstudents. Such equipment and tools, when properly possessed, used and stored, shall not be considered in violation of the rule against the possession, use or distribution of weapons. However, when authorized instructional and work equipment and tools are used in a potentially dangerous or threatening manner, such possession and use will be treated as the possession and use of a weapon.

D. Firearms in School Parking Lots and Parking Facilities

A school district may not prohibit the lawful carry or possession of firearms in a school parking lot or parking facility. For purposes of this policy, the “lawful” carry or possession of a firearm in a school parking lot or parking facility is specifically limited to non student permit-holders authorized under Minnesota Statutes section 624.714, to carry a pistol in the interior of a vehicle or outside the motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle. Any possession or carry of a firearm beyond the immediate vicinity of a permit-holder’s vehicle shall constitute a violation of this policy.

V. CONSEQUENCES FOR STUDENT WEAPON POSSESSION/USE/DISTRIBUTION

- A. The school district does not allow the possession, use or distribution of weapons by students. Consequently, the minimum consequence for students willfully possessing, using or distributing weapons shall include:



1. immediate out-of-school suspension;
 2. confiscation of the weapon;
 3. immediate notification of police;
 4. parent or guardian notification; and
 5. recommendation to the superintendent of dismissal for a period of time not to exceed one year.
- B. Pursuant to Minnesota law, a student who brings a firearm, as defined by federal law, to school will be expelled for at least one year. The school board may modify this requirement on a case-by-case basis.
- C. The building principal shall, as soon as practicable, refer to the criminal justice or juvenile delinquency system, as appropriate, a student who brings a firearm to school unlawfully.
- D. Administrative Discretion

While the school district does not allow the possession, use or distribution of weapons by students, the superintendent may use discretion in determining whether, under the circumstances, a course of action other than the minimum consequences specified above is warranted. If so, other appropriate action may be taken, including consideration of a recommendation for lesser discipline.

VI. CONSEQUENCES FOR WEAPON POSSESSION/USE/DISTRIBUTION BY NONSTUDENTS

A. Employees

1. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, or discharge as deemed appropriate by the school board.
2. Sanctions against employees, including nonrenewal, suspension, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.
3. When an employee violates the weapons policy, law enforcement may be notified, as appropriate.

B. Other Nonstudents

1. Any member of the public who violates this policy shall be informed of the policy and asked to leave the school location. Depending on the circumstances, the person may be barred from future entry to school locations. In addition, if the person is a student in another school district, that school district may be contacted concerning the policy violation.

2. If appropriate, law enforcement will be notified of the policy violation by the member of the public and may be asked to provide an escort to remove the member of the public from the school location.

VII. REPORTS OF DANGEROUS WEAPON INCIDENTS IN SCHOOL ZONES

The school district must electronically report to the Commissioner of Education incidents involving the use or possession of a dangerous weapon in school zones, as required under Minnesota Statutes, section 121A.06.

Legal References:

Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)
Minn. Stat. § 121A.05 (Policy to Refer Firearms Possessor)
Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)
Minn. Stat. § 12.01, subd. 14(a) (Definition of a School Zone)
Minn. Stat. § 609.66 (Dangerous Weapons)
Minn. Stat. § 609.605 (Trespass)
Minn. Stat. § 609.02, subd. 6 (Definition of Dangerous Weapon)
Minn. Stat. § 97B.045 (Transporting of Firearms)
Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)
Minn. Stat. § 624.715 (Exemptions; Antiques and Ornaments)
18 U.S.C. § 921 (Definition of Firearm)
In re C.R.M., 611 N.W.2d 802 (Minn. 2000)
In re A.D., 833 N.W.2d 251 (Minn. 2016)

Cross References:

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)

Adopted: February 9, 1998

MSBA/MASA Model Policy 502

Orig. 1995

Revised: 10/25/04; 3/14/16; 5/22/17; 6/10/19; 5/26/20
6/14/21; 6/27/22; 6/26/23; 5/28/24

Rev. 1999

502 SEARCH OF STUDENT LOCKERS, DESKS, PERSONAL POSSESSIONS, AND STUDENT'S PERSON

I. PURPOSE

The purpose of this policy is to provide for a safe and healthful educational environment by enforcing the school district's policies against contraband.

II. GENERAL STATEMENT OF POLICY

A. Lockers and Personal Possessions Within a Locker

Pursuant to Minnesota statutes, school lockers are the property of the school district. At no time does the school district relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school officials for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school officials have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules.

B. Desks

School desks are the property of the school district. At no time does the school district relinquish its exclusive control of desks provided for the convenience of students. Inspection of the interior of desks may be conducted by school officials for any reason at any time, without notice, without student consent, and without a search warrant.

C. Personal Possessions and Student's Person

The personal possessions of students and/or a student's person may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law or school rules. The search will be reasonable in its scope and intrusiveness.

D. A violation of this policy occurs when students use lockers and desks for unauthorized purposes or to store contraband. A violation occurs when students carry contraband on their person or in their personal possessions.

III. DEFINITIONS

A. "Contraband" means any unauthorized item possession of which is prohibited by school district policy and/or law. It includes but is not limited to weapons and "look-alikes," alcoholic



beverages, controlled substances and “look-alikes,” overdue books and other materials belonging to the school district, and stolen property.

- B. “Personal possessions” includes but is not limited to purses, backpacks, bookbags, packages, and clothing.
- C. “Reasonable suspicion” means that a school official has grounds to believe that the search will result in evidence of a violation of school district policy, rules, and/or law. Reasonable suspicion may be based on a school official’s personal observation, a report from a student, parent or staff member, a student’s suspicious behavior, a student’s age and past history or record of conduct both in and out of the school context, or other reliable sources of information.
- D. “Reasonable scope” means that the scope and/or intrusiveness of the search is reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g. to prevent violence, serious and immediate risk of harm or destruction of evidence), and the age of the student.

IV. PROCEDURES

- A. School officials may inspect the interiors of lockers and desks for any reason at any time, without notice, without student consent, and without a search warrant.
- B. School officials may inspect the personal possessions of a student and/or a student’s person based on a reasonable suspicion that the search will uncover a violation of law or school rules. A search of personal possessions of a student and/or a student’s person will be reasonable in its scope and intrusiveness.
- C. As soon as practicable after a search of personal possessions within a locker pursuant to this policy, the school officials must provide notice of the search to students whose possessions were searched unless disclosure would impede an ongoing investigation by police or school officials.
- D. Whenever feasible, a search of a person shall be conducted in private by a school official of the same sex. A second school official of the same sex shall be present as an observer during the search of a person whenever feasible.
- E. A strip search is a search involving the removal of coverings or clothing from private areas. Mass strip searches, or body cavity searches, are prohibited. Strip searches will be conducted only in circumstances involving imminent danger.
- F. A school official conducting any other search may determine when it is appropriate to have a second official present as an observer.
- G. A copy of this policy will be printed in the student handbook or disseminated in any other way which school officials deem appropriate. The school district shall provide a copy of this policy to a student when the student is given use of a locker.



V. DIRECTIVES AND GUIDELINES

School administration may establish reasonable directives and guidelines which address specific needs of the school district, such as use of tape in lockers, standards of cleanliness and care, posting of pin-ups and posters which may constitute sexual harassment, etc.

VI. SEIZURE OF CONTRABAND

If a search yields contraband, school officials will seize the item and, where appropriate, turn it over to legal officials for ultimate disposition.

VII. VIOLATIONS

A student found to have violated this policy and/or the directives and guidelines implementing it shall be subject to discipline in accordance with the school district's Student Discipline Policy, which may include suspension, exclusion, or expulsion, and the student may, when appropriate, be referred to legal officials.

Legal References: UU. S. Const., amend. IV
Minn. Const., art. I, § 10
New Jersey v. T.L.O., 469 U.S. 325, 105 S.Ct. 733, 83 L.Ed.2d 720 (1985)
Minn. Stat. § 121A.72 (School Locker Policy)
G.C. v. Owensboro Public Schools, 711 F.3d 623 (6th Circ.2013)

Cross References: MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)
MSBA/MASA Model Policy 501 (School Weapons)
MSBA/MASA Model Policy 506 (Student Discipline)

Adopted: October 25, 2004

MSBA/MASA Model Policy 504

Orig. 1995

Revised: 6/26/06; 10/27/08; 10/26/09; 6/13/11
9/9/13; 5/9/16; 8/14/17; 6/10/19; 5/26/20
6/14/21; 6/27/22; 6/26/23; 5/28/24

Rev. 2022

504 STUDENT DRESS AND APPEARANCE

I. PURPOSE

- A. The purpose of this policy is to enhance the education of students by establishing expectations of dress and grooming that are related to educational goals and a learning environment. Students and their families have the primary and joint responsibility for student clothing and appearance. Teachers and other district staff should exemplify and reinforce student clothing and appearance standards and help students develop an understanding of appropriate appearance in the school environment.

II. GENERAL STATEMENT OF POLICY

- A. The policy of this school district is to encourage students to be dressed appropriately for school activities and is in keeping with the needs of the learning environment.
- B. A student's clothing or appearance may not materially and substantially disrupt or interfere with the educational mission, school environment, classwork, or school activities. A student's dress or appearance may not incite or contribute to substantial disorder or invasion of the rights of others or pose a threat to the health or safety of the student or others.
- C. Students' rights to choose their dress and appearance for school and school-related activities will be protected provided that the clothing:
1. does not injure people or damage property;
 2. does not materially and substantially disrupt or interfere with the educational process or classwork;
 3. does not interfere with the requirements of discipline in the operation of the school or school activities, materially disrupt classwork;

Such clothing includes, but is not limited to, the following:

- a) Clothing for the weather.
- b) Clothing that does not create a health or safety hazard.
- c) Clothing for the activity (i.e., physical education or the classroom).



- d) Footwear that does not present a safety hazard.
- e) Headwear, including hats or head coverings, are allowed provided that it does not cover the student's face to the extent that the student is not identifiable. Headgear must not interfere with the educational process. Hoodies must allow the face and ears to be visible from the front and sides and must not interfere with the line of sight to any student or staff including while the student wearing the hoodie is seated. Students may wear headgear for a medical or religious reason.
- f) Hair, including but not limited to hair texture and hair styles such as braids, locks, and twists.

D. Student clothing may not include the following:

1. Extremely brief garments and see-through garments may not be worn.
2. Clothing (including emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry) bearing a message that is lewd, vulgar, obscene, libelous, or denigrates, harasses, discriminates against others on the basis of protected class status under the Minnesota Human Rights Act, or violates school district policies prohibiting discrimination, violence, harassment, or other harmful activities.
3. Apparel promoting products or activities that are illegal for use by minors.
4. Communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, or approves, advances, or provokes any form of religious, racial, or sexual harassment and/or violence against other individuals as defined in Policy 413.

E. The intention of this policy is not to abridge the rights of students to express political, religious, philosophical, or similar opinions by wearing apparel on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane or do not advocate violence or harassment against others.

III. PROCEDURES

- A. Enforcement of a student dress code will be approached with careful consideration and sensitivity, with the goals of supporting students as they express themselves and pursue their full potential, of not shaming students, and of minimizing loss of instructional time. When possible, dress code matters should be addressed privately with students, should seek to determine whether factors exist that impact the student's ability to comply with the dress code, and should seek to address such issues.
- B. When, in the reasonable judgment of the administration, (1) a student's clothing or appearance may materially and substantially disrupt or interfere with the educational mission, school environment, classwork, or school activities; (2) may incite or contribute to substantial disorder or invasion of the rights of others; or (3) pose a threat to the health or safety of the student or others,



the student will be directed to make modifications. Parents or guardians will be notified. Other consequences may be enforced in line with Policy 506 (Student Discipline).

- C. The administration may recommend a form of clothing considered appropriate for a specific event and communicate the recommendation to students and parents/guardians. A school district or charter school must not prohibit an American Indian student from wearing American Indian regalia, Tribal regalia, or objects of cultural significance at a graduation ceremony.
- D. Likewise, an organized student group may recommend a form of dress for students considered appropriate for a specific event and make such recommendation to the administration for approval.

Legal References:

U. S. Const., amend. I
Minn. Stat. § 124D.792 (Graduation Ceremonies; Tribal Regalia and Objects of Cultural Significance)
Minn. Stat. § 363A.03, Subd. 36a (Definitions)
Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503, (1969)
B.W.A. v. Farmington R-7 Sch. Dist., 554 F.3d 734 (8th Cir. 2009)
Lowry v. Watson Chapel Sch. Dist., 540 F.3d 752 (8th Cir. 2008)
Stephenson v. Davenport Cmty. Sch. Dist., 110 F.3d 1303 (8th Cir. 1997)
B.H. ex rel. Hawk v. Easton Area School Dist., 725 F.3d 293 (3rd Cir. 2013)
D.B. ex rel. Brogdon v. Lafon, 217 Fed.Appx. 518 (6th Cir. 2007)
Hardwick v. Heyward, 711 F.3d 426 (4th Cir. 2013)
Madrid v. Anthony, 510 F.Supp.2d 425 (S.D. Tex. 2007)
McIntire v. Bethel School, Indep. Sch. Dist. No. 3, 804 F.Supp. 1415 (W.D. Okla. 1992)
Hicks v. Halifax County Bd. of Educ., 93 F.Supp.2d 649 (E.D. N.C. 1999)
Olesen v. Bd. of Educ. of Sch. Dist. No. 228, 676 F.Supp. 820 (N.D. Ill. 1987)

Cross References:

MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 525 (Violence Prevention)



Adopted: October 28, 1996

MSBA/MASA Model Policy 505

Orig. 1995

Rev. 2002

Revised: 10/25/04; 10/27/08; 4/25/11; 5/9/16
7/25/16; 8/14/17; 3/12/18; 1/14/19; 6/10/19; 5/26/20
6/14/21; 6/27/22; 6/26/23; 5/28/24

505 DISTRIBUTION OF NON SCHOOL-SPONSORED MATERIALS ON SCHOOL PREMISES BY STUDENTS AND EMPLOYEES

I. PURPOSE

The purpose of this policy is to protect the exercise of students' and employees' free speech rights, taking into consideration the educational objectives and responsibilities of the school district.

II. GENERAL STATEMENT OF POLICY

- A. The school district recognizes that students and employees have the right to express themselves on school property. This protection includes the right to distribute, at a reasonable time and place and in a reasonable manner, non school sponsored material.
- B. To protect First Amendment rights, while at the same time preserving the integrity of the educational objectives and responsibilities of the school district, the school board adopts the following regulations and procedures regarding distribution of nonschool-sponsored material on school property and at school activities.

III. DEFINITIONS

- A. "Distribute" or "Distribution" means circulation or dissemination of material by means of handing out or offering materials or copies of materials ("materials"), selling or offering materials for sale, accepting donations for materials, posting or displaying materials, placing materials in internal staff or student mailboxes, or staff, student or parent emails.
- B. "Non-school-sponsored material" or "unofficial material" includes all materials or objects intended for distribution, except school newspapers, employee newsletters, literary magazines, yearbooks and other publications funded and/or sponsored or authorized by the school. Examples of nonschool-sponsored materials include but are not limited to leaflets, brochures, buttons, badges, flyers, petitions, posters, and underground newspapers whether written by students or employees or others, and tangible objects and websites, blogs, wikis, podcasts or other online resources.
- C. "Obscene to minors" means:



1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
 2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and
 3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- D. “Minor” means any person under the age of eighteen (18).
- E. “Material and substantial disruption” of a normal school activity means:
1. Where the normal school activity is an educational program of the district for which student attendance is compulsory, “material and substantial disruption” is defined as any disruption, which interferes with or impedes the implementation of that program.
 2. Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods) “material and substantial disruption” is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.
 3. Where the normal activity uses the district’s electronic technologies, “material and substantial disruption” is defined as deliberately attempting to disrupt the computer network and/or destroying data by spreading computer viruses or malware.
 4. In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecast, including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.
- F. “School activities” means any activity sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, fine arts concerts, presentations and productions, in-school lunch periods, school and teacher websites, blogs, wikis, podcasts or school-sponsored online resources.
- G. “Libelous” is a false and unprivileged statement about a specific individual that tends to harm the individual’s reputation or to lower that individual in the esteem of the community.

IV. GUIDELINES



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- A. Students and employees of the school district have the right to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, non-school-sponsored material.
- B. Requests for distribution of nonschool-sponsored material will be reviewed by the administration on a case-by-case basis. However, distribution of the materials listed below is always prohibited. Material is prohibited that:
1. is obscene to minors;
 2. is libelous or slanderous;
 3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended;
 4. advertises or promotes any product or service not permitted to minors by law;
 5. advocates violence or other illegal conduct;
 6. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religious or ethnic origin);
 7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.
- C. Distribution by students and employees of nonschool-sponsored materials on school district property are subject to reasonable time, place, and manner restrictions set forth below. In making decisions regarding the time, place, and manner of distribution, the administration will consider factors including, but not limited to, the following:
1. whether the material is educationally related;
 2. the extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline, or school activities;
 3. whether the materials can be distributed from the office or other isolated location, or via digital or electronic manner, so as to minimize disruption of traffic flow in hallways;
 4. the quantity or size of materials to be distributed;
 5. whether distribution would require assignment of school district staff, use of school district equipment, or other resources;
 6. whether distribution would require that nonschool persons be present on the school grounds;



7. whether the materials are a solicitation for goods or services not requested by the recipients.
8. whether or not the distribution of the materials takes advantage of the district's communication system for personal gain;
9. unless otherwise provided by law, announcements and informational materials regarding school or youth-related activities, organizations and agencies are clearly known to be non-sectarian devoted to community interests or child welfare, non-discriminatory and totally committed to equal opportunity, and generally recognized as owning their existence to serving the broad public and general interests.

V. TIME, PLACE, AND MANNER OF DISTRIBUTION

- A. No non-school-sponsored material shall be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.
- B. Distribution of non-school-sponsored material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the district site and parking lots. Distribution shall not impede entrance to or exit from district premises in any way.
- C. No one shall coerce a student or staff member to accept any material.
- D. The time, place, and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy.
- E. Distribution that results in a "spamming" or disruption of staff, student or parent email services is prohibited.

VI. PROCEDURES

- A. All requests for distribution of materials in or through the schools by non-school persons or organizations must be submitted for approval at least five days in advance of desired distribution date, together with the following information:
 1. Name and phone number of the person submitting the request.
 2. Date(s) and time(s) of day of requested distribution.
 3. To whom the distribution is intended (i.e. students, grade level, or school, etc.)
- B. All requests for materials distribution are to be screened individually as follows:
 1. All requests for district-wide distribution must be approved by the Superintendent's Office.
 2. All requests for distribution for an individual school or classroom must be approved by the building principal and by the Superintendent's Office.



3. In any instance of serious question as to appropriateness of distribution, final determination is to be made by the Superintendent of Schools.
 4. At all levels, a continuing log of distribution approvals and denials is to be maintained.
 5. Distribution of materials may be limited to the district's digital and electronic management system accessible by parents, students and district employees, or as copies made available at school and district offices, or for students and parents to take home.
 6. Employee mailboxes and the School District's internal mail systems are reserved for school district related business and the facilitation of internal communication of school related matters to school district employees.
 7. Employee mailboxes and the District's internal electronic communication and mail systems shall be open to the exclusive representatives of the School District employees on matters within the scope of the official representational duties of school district employees.
- C. The front of all non-school sponsored materials must include a prominent disclaimer indicating, "The activities, viewpoints, or events promoted in these materials are not sponsored, endorsed, approved or disapproved by the South St. Paul Public Schools."
- D. In the event permission to distribute the materials is denied or limited, the persons submitting the request shall be informed of the reasons for the denial or limitation. Permission or denial does not imply approval or disapproval of its contents by the school, administration, the school board, or the individual reviewing the material submitted.
- E. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the school board, or the individual reviewing the material submitted.

VII. DISCIPLINARY ACTION

- A. Distribution by any student of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place and manner of distribution as described above will be halted and disciplinary action will be taken in accordance with the school district's Student Discipline Policy.
- B. Distribution by any employee of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place and manner of distribution as described above will be halted and appropriate disciplinary action will be taken, in accordance with any individual contract, collective bargaining agreement, school district policies and procedures, and/or governing statute.

VIII. NOTICE OF POLICY TO STUDENTS AND EMPLOYEES

A copy of this policy will be published in student handbooks.



IX. IMPLEMENTATION

The school district administration may develop any additional guidelines and procedures necessary to implement this policy for submission to the school board for review. Such guidelines and procedures shall be an addendum to this policy.

Legal References: U. S. Const., amend. I
Hazelwood School District v. Kuhlmeier, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)
Bethel Sch. Dist. No. 403 v. Fraser, 478 U.S. 675, 106 S.Ct. 3159, 92 L.Ed.2d 549 (1986)
Tinker V. Des Moines Indep. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987)
Roark v. South Iron R-1 School District., 573 F.3d 556 (8th Cir. 209)
Victory Through Jesus Sports Ministry Foundation v. Lee's Summit R-7 School Dist., 640 F.3d 329 (8th Cir. 2011), cert. denied _U.S._132 S.Ct. 592 (2011)

Cross References: MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 512 (School-Sponsored Student Publications)
MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)
Appendix to District Policy 904 (Distribution Process of Materials by Nondistrict Sponsored Persons and Organizations)



Adopted: October 28, 1996

MSBA/MASA Model Policy 512

Orig. 1995

Revised: 11/22/04; 5/26/09; 4/25/11; 7/25/16
8/14/17; 1/13/20; 6/14/21; 6/27/22; 6/26/23
5/28/24

Rev. 2002

512 SCHOOL-SPONSORED STUDENT PUBLICATIONS AND ACTIVITIES

I. PURPOSE

The purpose of this policy is to protect students' rights to free speech in production of official school publications and activities while at the same time balancing the school district's role in supervising student publications and the district's mission.

II. GENERAL STATEMENT OF POLICY

- A. Students producing official school publications and activities shall be under the supervision of a faculty advisor and the school principal. Official publications and activities shall be subject to the guidelines set forth below.
- B. The school district may exercise editorial control over the style and content of student expression in school-sponsored publications and activities.
- C. Expressions and representations made by students in school-sponsored publications and activities are not expressions of official school district policy or views. Faculty advisors shall supervise student writers and producers to ensure compliance with the law and school district policies.
- D. Students who believe their right to free expression has been unreasonably restricted in an official student publication or activity may seek review of the decision by the building principal. The principal shall issue a decision no later than three (3) school days after review is requested.
- E. Official school publications may be distributed at reasonable times and locations.

III. DEFINITIONS

- A. "Distribution" means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying material, or placing materials in internal staff or student mailboxes or through electronic distribution.
- B. "Official school publications" means material intended for distribution from print or electronic sources including, but not limited to school newspapers, yearbooks or material produced in classes as a part of the curriculum, or school-sponsored activities.
- C. "Obscene to minors" means:



1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
 2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and
 3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- D. "Minor" means any person under the age of eighteen (18).
- E. "Material and substantial disruption" of a normal school activity means:
1. Where the normal school activity is an educational program of the school district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption, which interferes with or impedes the implementation of that program.
 2. Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.
- In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecast, including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.
- F. "School activities" means any activity of students sponsored by the school including, but not limited to, classroom work, media activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, music concerts, fine arts presentations and productions, and in-school lunch periods.
- G. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower that individual in the esteem of the community.

IV. GUIDELINES

- A. Expression in an official school publication or school-sponsored activity is prohibited when the material:
 1. is obscene to minors;



2. is libelous or slanderous;
 3. advertises or promotes any product or service not permitted for minors by law;
 4. encourages students to commit illegal acts or violate school regulations or substantially disrupts the orderly operation of school or school activities;
 5. expresses or advocates sexual, racial or religious harassment or violence or prejudice;
 6. is distributed or displayed in violation of time, place and manner regulations.
- B. Expression in an official school publication or school-sponsored activity is subject to editorial control by the school district over the style and content so long as the school district's actions are reasonably related to legitimate pedagogical concerns. These may include, but are not limited to, the following:
1. assuring that participants learn whatever lessons the activity is designed to teach;
 2. assuring that readers or listeners are not exposed to material that may be inappropriate for their level of maturity;
 3. assuring that the views of the individual speaker are not erroneously attributed to the school;
 4. assuring that the school is not associated with any position other than neutrality on matters of political controversy;
 5. assuring that the sponsored student speech cannot reasonably be perceived to advocate conduct otherwise inconsistent with the shared values of a civilized social order;
 6. assuring that the school is not associated with expression that is, for example, ungrammatical, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences.

C. Time, Place and Manner of Distribution

Students shall be permitted to distribute publications at school as follows:

1. Time: Distribution shall be limited to the hours before the school day begins, during lunch hour and after school is dismissed.
2. Place: Publications may be distributed in locations so as not to interfere with the normal flow of traffic within the school hallways, walkways, entryways and parking lots. Distribution shall not impede entrance to or exit from school premises in any way.
3. Manner: No one shall induce or coerce a student or staff member to accept a student publication.



Legal References:

U. S. Const., amend. I

Hazelwood School District v. Kuhlmeier, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed. 2d 592 (1988)

Bystrom v. Fridley High School, I.S.D. No. 14, 822 F.2d 747 (8th Cir. 1987)

Morse v. Frederick, 551 U.S. 393, 127 S. Ct. 2618, 168 L.Ed. 2d 290 (2007)

Cross References:

MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)

MSBA/MASA Model Policy 505 (Distribution of Non School-Sponsored Materials on School Premises by Students and Employees)

MSBA/MASA Model Policy 506 (Student Discipline)



Adopted: April 26, 2004

MSBA/MASA Model Policy 514

Orig. 2003

Rev. 2024

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9/9/13; 7/28/14; 8/24/15; 7/25/16; 6/26/17
6/10/19; 5/26/20; 6/14/21; 6/27/22; 6/26/23
5/28/24

514 BULLYING PROHIBITION POLICY

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. An act of bullying, by either an individual student or a group of students, is expressly prohibited:
 1. on school premises at school- functions, or activities, or on school transportation.
 2. by the use of electronic technology and communications on the school premises, during the school functions or activities, on the school transportation, or on the school computers, networks, forums, and mailing lists; or
 3. by use of electronic technology and communications off the school premises to the extent such use substantially and materially disrupts student learning or the school environment.
- B. A school-aged child who voluntarily participates in a public school activity, such as a co curricular or extracurricular activity, is subject to the policy provisions applicable to the public school students participating in the activity.
- C. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, or other students, or materially and substantially interferes with a



student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyber bullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources. This policy also applies to sexual exploitation.

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

Malicious and sadistic conduct and sexual exploitation by a school district or school staff member, independent contractor, or enrolled student against a staff member, independent contractor, or student that occurs as described in Article II.A above is prohibited.

- E. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.
- F. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.
- G. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- H. False accusations or reports of bullying against another student are prohibited.
- I. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures, including the school district's discipline policy #506. The school district may take into account the following factors:
1. The developmental ages and maturity levels of the parties involved;
 2. The levels of harm, surrounding circumstances, and nature of the behavior;
 3. Past incidences or past or continuing patterns of behavior;
 4. The relationship between the parties involved; and
 5. The context in which the alleged incidents occurred.

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

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



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

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

III. DEFINITIONS

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

- A. “Bullying” means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:
1. An actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or
 2. Materially and substantially interferes with a student’s educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

The term, “bullying,” specifically includes cyberbullying, malicious and sadistic conduct, and sexual exploitation.

- B. “Cyberbullying” means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on school district property, at school functions or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.
- C. “Immediately” means as soon as possible but in no event longer than 24 hours.
- D. “Intimidating, threatening, abusive, or harming conduct” means, but is not limited to, conduct that does the following:
1. Causes physical harm to a student or a student’s property or causes a student to be in reasonable fear of harm to person or property;
 2. Under Minnesota common law, violates a student’s reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or
 3. Is directed at any student or students, including those based on a person’s actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student



performance, disability, or status with regard to public assistance, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.

- E. “Malicious and sadistic conduct” means creating a hostile learning environment by acting with the intent to cause harm by intentionally injuring another without just cause or reason or engaging in extreme or excessive cruelty or delighting in cruelty.
- F. “On school premises, on school district property, at school functions or activities, or on school transportation” means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school sponsored activities, events, or trips. School district property also may mean a student’s walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.
- G. “Prohibited conduct” means bullying, cyberbullying, malicious and sadistic conduct, sexual exploitation, or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about prohibited conduct.
- H. “Remedial response” means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.
- I. “Student” means a student enrolled in a public school or a charter school.

IV. REPORTING PROCEDURE

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



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

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

V. SCHOOL DISTRICT ACTION

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



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

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

VI. RETALIATION OR REPRISAL

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

VII. TRAINING AND EDUCATION

- A. Consistent with its applicable policies and practices, the school district must discuss this policy with students, school personnel and volunteers and provide appropriate training for all school district personnel to prevent, identify, and respond to prohibited conduct. The school district must establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district. The school district or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training materials, and



publications on school rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.

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

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

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

1. Engage all students in creating a safe and supportive school environment;
2. Partner with parents and other community members to develop and implement prevention and intervention programs;



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

VIII. NOTICE

- A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.
- B. Article II, paragraph D, regarding malicious and sadistic conduct must be conspicuously posted throughout each school building.
- C. This policy shall be conspicuously posted in the administrative offices of the school and school district in summary form.
- D. This policy must be distributed to each school district or school employee and independent contractor, if the contractor regularly interacts with students, at the time of employment with the district or the school.
- E. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy (See MSBA/MASA Model Policy 506) distributed to parents at the beginning of each school year.
- F. This policy shall be available to all parents and other school community members in an electronic format in the languages appearing on the school district's or a school's website, consistent with the district policies and practices.
- G. The school district shall provide an electronic copy of its most recently amended policy to the Commissioner of Education.



IX. POLICY REVIEW

- A. To the extent practicable, the school board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with Minnesota Statutes, sections 121A.031 and 121A.0312 other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act) Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definitions)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.03 (Model Policy)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)
Minn. Stat. § 121A.0312 (Malicious and Sadistic Conduct)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)
Minn. Stat. § Ch. 124E (Charter School)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act) 34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
MSBA/MASA Model Policy 423 (Employee-Student Relationships)
MSBA/MASA Model Policy 501 (School Weapons Policy)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 507 (Corporal Punishment)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination)
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior by Students)
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)



Bullying/Harassment Report Form

District policy 514 & 413 states that a safe and civil environment is necessary for students to learn and attain high academic standards and to promote healthy human relationships. Bullying, like other violent or disruptive behavior, is conduct that interferes with students' ability to learn and teachers' ability to educate students in a safe environment. The purpose of this form is to document alleged incidents and assist the school district in its goal of preventing and responding to acts of bullying, intimidation, violence, reprisal, retaliation, and other similar disruptive and detrimental behavior.

Harassment against students based on protected class status is a form of discrimination. Harassment by any person, male or female, student or staff member, based on race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, including gender identity or expression, age, family care leave status, or veteran status, that creates an intimidating, hostile or offensive working or learning environment, or substantially interferes with the working or learning environment, will not be tolerated under any circumstance. (See Board Policy 413)

Bullying means intimidating, threatening, abusive or harming conduct that is objectively offensive and where there is an actual or perceived power imbalance between the students involved in the behavior, or where the behavior materially and substantially interferes with a students' learning environment or access to student. (See Board Policy 514)

Please return this form to your school's building principal, direct supervisor, Director of Student Services, Human Resources Director, or Superintendent.

Complainant Name: _____

Home Address: _____ **Home Phone:** _____

Date of Alleged Incident(s): _____

Type of Bullying/Harassing: Physical Verbal Relational

Complaint Against:

Name:

Describe the incident(s) as clearly as possible, including such things as: what force, if any, was used; any verbal statements (i.e. threats, requests, demands, etc.); what, if any, physical contact was involved, etc. (Attach additional pages if necessary.)



When and Where did the incident(s) occur?

List the name(s) of all persons (including yourself if applicable) who were targets of the discrimination, harassment, or bullying: _____

List the names(s) and/or descriptions of all individuals (students, school employees, school visitors, other) who engaged in or participated in the alleged discrimination, harassment, or bullying:

List the names and contact information of any witnesses that were present:

List the names of any trusted adult that you reported this incident to (i.e. teacher, principal, police liaison, office staff, parent/guardian, etc.): _____

If you believe the incident was based on your protected class status or the protected class status of the target, please indicate below which protected class category was the basis of the reported behavior (please circle):

Race/Color/National Origin

Religion/Creed

Disability

Sex/Sexual Orientation/Gender Identity

Other

Why: _____

This complaint is filed based on my honest belief that _____ has bullied/harassed me or another person. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief.

Complainant Signature: _____ **Date:** _____

Received By: _____ **Date:** _____

Investigations must be started within 3 days of the receipt of this complaint form.



Adopted: February 9, 1998

MSBA/MASA Model Policy 515

Orig. 1995

Rev. 2022

Revised: 11/22/04, 7/11/05, 8/14/06; 10/27/08
3/26/12; 11/25/13; 6/23/14; 5/9/16; 6/26/17; 6/10/19; 1/13/20
6/14/21; 6/27/22; 6/26/23; 12/11/23; 5/28/24

515 PROTECTION AND PRIVACY OF PUPIL RECORDS

I. PURPOSE

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

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 measurable 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

- 1. "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.
- 2. "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

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 FERPA and the regulations promulgated thereunder.

V. STATEMENT OF RIGHTS

A. Rights of Parents and Eligible Students

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

- a) The right to inspect and review the student’s education records;
- b) 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;
- c) 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 thereunder;



- d) 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;
- e) 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 thereunder;
- f) The right to be informed about rights under the federal law; and
- g) 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

- 1. The school district shall follow 34 Code of Federal Regulations section 300.610300.617 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) the consequences of giving informed consent; and



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- e) 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.
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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.

- a) 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. 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 measurements; or
 22. 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 education records.

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. 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.

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.

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 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 Section VI 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 Non Disclosure 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

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
3. copying fees shall not be imposed.

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



1. 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

1. 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 of 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

1. 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 NON COMPLIANCE WITH FERPA

A. Where to File Complaints

Complaints regarding alleged violations of rights accorded parents and eligible students by FERPA, and the rules promulgated thereunder, 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 thereunder 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 thereunder 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 thereunder;
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 of 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

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, subds. 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: 6/26/23

MSBA/MASA Model Policy 516.5

Orig. 2023

Revised: 5/28/24

516.5 OVERDOSE MEDICATION

I. PURPOSE

As a means of enhancing the health and safety of its students, staff and visitors, the school district will acquire, administer, and store doses of an opiate antagonist, specifically Naloxone (Narcan)ⁱ, and administration devices or kits for emergency use to assist a student, staff member, or other individual believed or suspected to be experiencing an opioid overdose on school district property during the school day or at school district activities.

II. GENERAL STATEMENT OF POLICY

The school board authorizes school district administration to obtain and possess opioid overdose reversal medication, such as Naloxone, to be maintained and administered to a student or other individual by trained school staff if the staff member determines in good faith that the person to whom the medication is administered is experiencing an opioid overdose. Authorization for obtaining, possessing and administering Naloxone or similar permissible medications under this policy are contingent upon: 1) the continued validity of state and federal law that permit a person who is not a healthcare professional to dispense an opiate antagonist to the school district and its employees by law; 2) that the school district and its staff are immune from criminal prosecution and not otherwise liable for civil damages for administering the opiate antagonist to another person who the staff member believes in good faith to be suffering from a drug overdose; and 3) the availability of funding either from outside sources or as approved by the school board to obtain and administer opioid overdose reversal medication.

III. DEFINITIONS

- A. “Drug-related overdose” means an acute condition, including mania, hysteria, extreme physical illness, respiratory depression or coma, resulting from the consumption or use of a controlled substance, or another substance with which a controlled substance was combined, and that a layperson would reasonably believe to be a drug overdose that requires immediate medical assistance.
- B. “Naloxone Coordinator” is a school district staff person or administrator appointed to monitor adherence to protocols outlined in this policy and referenced procedures. The Naloxone Coordinator is responsible for building-level administration and management of Opiate Antagonist medications and supplies. The school district’s Naloxone Coordinator is the Director of Student Services.



- C. “Opiate” means any dangerous substance having an addiction forming or addiction sustaining liability similar to morphine or being capable of conversion into a drug having such addiction forming or addiction sustaining liability.
- D. “Opiate Antagonist” means naloxone hydrochloride (“Naloxone”) or any similarly acting drug approved by the federal Food and Drug Administration for the treatment of a drug overdose.
- E. “Standing Order” means directions from the school district’s medical provider that sets forth how to house and administer Naloxone or other Opiate Antagonist medications to students, staff members or other individuals believed or suspected to be experiencing an opioid overdose. This Standing Order should include the following information:
 - 1. Administration type
 - 2. Dosage
 - 3. Date of issuance
 - 4. Signature of the authorized provider

IV. GENERAL STATEMENT OF POLICY AND RESPONSIBILITIES

- A. The school district must maintain a supply of opiate antagonists at each school site to be administered in compliance with Minnesota law. Each school building must have two doses of nasal naloxone available on-site.
- B. A licensed physician, a licensed advanced practice registered nurse authorized to prescribe drugs pursuant to Minnesota Statutes, section 148.235, or a licensed physician assistant may authorize a nurse or other personnel employed by, or under contract with, a public school may be authorized to administer opiate antagonists as defined under Minnesota Statutes, section 604A.04, subdivision 1.
- C. A licensed practical nurse is authorized to possess and administer an opiate antagonist in a school setting notwithstanding Minnesota Statutes, 148.235, subdivisions 8 and 9.
- D. District Collaborative Planning and Implementation Team

To the extent Naloxone is obtained for use consistent with this policy, the school district will establish a district-wide collaborative planning and implementation team (“District Planning Team”) who will oversee the general development and operations related to the use of opiate antagonist Naloxone and regularly report to the school board as to its activities.

- 1. The District Planning Team will include the Naloxone Coordinator and may include the superintendent (or designee), school nurse, public health experts, first responders, student or family representatives, and community partners who will be assigned to the Team by the superintendent or designee or solicited as volunteers by the superintendent.



2. The District Planning Team, through the Naloxone Coordinator, will obtain a protocol or Standing Order from a licensed medical prescriber for the use of Naloxone or other Opiate Antagonist by school district staff in all school facilities and activities and will update or renew the protocol or Standing Order annually or as otherwise required. A copy of the protocol or Standing Order will be maintained in the office of the Naloxone Coordinator.
3. The District Planning Team will develop district-wide guidelines and procedures and determine the form(s) of Naloxone to be used within the school district (nasal, auto injector, manual injector) and the method and manner of arranging for the financing and purchasing, storage and use of Naloxone to be approved by the school board. Once approved by the school board, these guidelines and procedures will be attached and incorporated into this policy. At a minimum, these guidelines and procedures will:
 - a) Ensure that when Naloxone is administered, school district employees must activate the community emergency response system (911) to ensure additional medical support due to the limited temporary effect of Naloxone and the continued need of recipients of additional medical care;
 - b) Require school district employees to contact a school district healthcare professional to obtain medical assistance for the recipient of the Naloxone, if possible, pending arrival of emergency personnel;
 - c) Direct school district employees to make immediate attempts to determine if the recipient is a minor and, if so, locate the identity of the parent or guardian of the minor and ensure contact with that parent or guardian is made as soon as possible after administration of the Naloxone for the purpose of informing the parent or guardian of the actions that have been taken; and
 - d) Require school district staff to inform the building administrator or other administrator overseeing an event or activity of the administration of Naloxone, as well as the Naloxone Coordinator, after taking necessary immediate emergency steps.
4. The District Planning Team will determine the type and method of annual training, identify staff members at each school site to be trained and coordinate the implementation of the training with the assistance of the Naloxone Coordinator.

E. Site Planning Teams

1. In consultation with the District Planning Team, the administrator at each school site may establish, in the manner the superintendent or Naloxone Coordinator deems appropriate, a Site Planning Team within the school site.
2. The Site Planning Team will be responsible for the coordination and implementation of this policy, district-wide guidelines and procedures within the school site and will



develop and implement any specific guidelines and procedure for the storage and use of Naloxone within the school site in a manner consistent with this policy and district wide procedures and guidelines.

F. School District Staff

School district staff members will be responsible for attending all required training pertaining to the policy, procedures and guidelines for the storage and use of Naloxone and performing any assigned responsibilities pursuant to the guidelines and procedures.

V. NALOXONE STORAGE

- A. The Site Planning Team will select numerous Naloxone storage locations within the school site and outside the school site when activities are conducted off school grounds (i.e., transportation services, field trips, etc.).
- B. The selected storage locations of Naloxone will be classified as non-public “security information” as the school board has determined that the disclosure of this data to the general public would be likely to substantially jeopardize the security of the medication that could be subject to theft, tampering, and improper use. Therefore, the identity of the storage locations will be shared only with those school district staff members whom the District Planning Team or Site Team have determined need access to this information to aid public health and safety as determined in the procedures and guidelines.
- C. Stock Naloxone will be clearly labeled, monitored for expiration dates, and stored in a secured location that is accessible by trained staff as set forth in paragraph V.B.

VI. PRIVACY PROTECTIONS

The school district will maintain the privacy of students and staff related to the administration of Naloxone as required by law.

<i>Legal References:</i>	Minn. Stat. § 13.32 (Educational Data)
	Minn. Stat. § 13.43 (Personnel Data)
	Minn. Stat. § 13.37 (General Nonpublic Data)
	Minn. Stat. § 121A.21 (School Health Services)
	Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
	Minn. Stat. § 121A.224 (Opiate Antagonists)
	Minn. Stat. § 144.344 (Emergency Treatment)
	Minn. Stat. § 148.235 (Prescribing Drugs and Therapeutic Devices)
	Minn. Stat. § 151.37 (Legend Drugs; Who May Prescribe, Possess)
	Minn. Stat. § 152.01 (Definitions)
	Minn. Stat. § 152.02 (Schedules of Controlled Substances)
	Minn. Stat. § 604A.01 (Good Samaritan Law)
	Minn. Stat. § 604A.015 (School Bus Driver Immunity from Liability)



Minn. Stat. § 604A.04 (Good Samaritan Overdose Prevention)
Minn. Stat. § 604A.05 (Good Samaritan Overdose Medical Assistance)
Minn. R. Pt. 6800.4220 (Schedule II Controlled Substances) 20 U.S.C. § 1232g (Family Educational and Privacy Rights)

Cross Reference: MSBA/MASA Model Policy 516 (Student Medication)
Minnesota Department of Health Toolkit on the Administration of Naloxone

ⁱ Naloxone is the medication that reverses an opioid overdose. Narcan® is the brand name for the intranasal applicator (nasal spray) form of naloxone. Naloxone usually refers to an intramuscular (IN+M) naloxone form that comes in a vial and is administered with a syringe, normally dispensed as an “IM kit.”

Adopted: October 6, 1992

MSBA/MASA Model Policy 518

Orig. 1995

Revised: 11/8/04; 8/8/16; 8/14/17; 6/10/19
5/26/20; 6/14/21; 6/27/22; 6/26/23; 5/28/24

Rev. 2003

518 DNR-DNI ORDER

I. PURPOSE

The school district recognizes that it is serving students with complex health needs. The school district also recognizes that school district staff may be confronted with requests to withhold emergency care of a student in the event of a life-threatening situation at school or school activities or be presented with Do Not Resuscitate/Do Not Intubate (DNR-DNI) orders. The purpose of this policy is to provide guidance to school district staff and parents or guardians in these situations.

II. GENERAL STATEMENT OF POLICY

- A. The primary mission of the school district is education. DNR-DNI orders are medical documents. School district staff will not accept or honor requests to withhold emergency care or DNR-DNI orders. The school district will not convey such orders to emergency medical personnel.
- B. School district staff will provide reasonable emergency care and assistance when a student is undergoing a medical emergency during school or school activities.
- C. School district staff will activate emergency medical services (911) as soon as possible when a student is undergoing a medical emergency during school or school activities.
- D. The parent/guardian will be notified of the emergency as soon as possible.
- E. Notwithstanding this school district policy, IEP and Section 504 teams must develop individualized medical emergency care plans for students when appropriate in accordance with state and federal law.
- F. Parents/guardians who request that emergency care be withheld for their child or who present DNR-DNI orders, shall be advised of and shall be given a copy of this policy.

Legal References: 29 U.S.C. § 794 *et seq.* (Section 504 of the Rehabilitation Act of 1973)
42 U.S.C. §§ 12101-12213. (Americans with Disabilities Act)

Cross References: None



Adopted: October 25, 2004

MSBA/MASA Model Policy 520

*Revised: 6/26/06; 10/27/08; 8/14/17; 4/13/20
5/28/24*

Orig. 1995

Rev. 2022

520 STUDENT SURVEYS

I. PURPOSE

Occasionally the school district utilizes surveys to obtain student opinions and information about students. The purpose of this policy is to establish the parameters of information that may be sought in student surveys.

II. GENERAL STATEMENT OF POLICY

Student surveys may be conducted as determined necessary by the school district. Surveys, analyses and evaluations conducted as part of any program funded through the U.S. Department of Education must comply with 20 United States Code section 1232h.

III. STUDENT SURVEYS IN GENERAL

- A. Student surveys will be conducted anonymously and in an indiscernible fashion. No mechanism will be used for identifying the participating student in any way. No attempt will be made in any way to identify a student survey participant. There will be no requirement that the student return the survey, and no record of the student's returning a survey will be maintained.
- B. The superintendent may choose not to approve any survey that seeks probing personal and/or sensitive information that could result in identifying the survey participant, or is discriminatory in nature based on age, race, color, sex, disability, religion, or national origin.
- C. Surveys containing questions pertaining to the student's or the student's parent(s) or guardian(s) personal beliefs or practices in sex, family life, morality and religion will not be administered to any student unless the parent or guardian of the student is notified in writing that such survey is to be administered and the parent or guardian of the student gives written permission for the student to participate or has the opportunity to opt out of the survey depending upon how the survey is funded. Any and all documents containing the written permission of a parent for a student to participate in a survey will be maintained by the school district in a file separate from the survey responses.
- D. Although the survey is conducted anonymously, potential exists for personally identifiable information to be provided in response thereto. To the extent that personally identifiable information of a student is contained in his or her responses to a survey, the school district will take appropriate steps to ensure the data is protected in accordance with Minnesota Statutes



chapter 13 (Minnesota Government Data Practices Act), 20 United States Code section 1232g (Family Educational Rights and Privacy Act) and 34 Code of Federal Regulations Part 99.

- E. The school district must not impose an academic or other penalty on a student who opts out of participating in a student survey.

IV. STUDENT SURVEYS CONDUCTED AS PART OF DEPARTMENT OF EDUCATION PROGRAM

- A. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be available for inspection by the parents or guardians of the students.
- B. No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent, to submit to a survey that reveals information concerning:
 - 1. political affiliations or beliefs of the student or the student's parent;
 - 2. mental and psychological problems of the student or the student's family;
 - 3. sex behavior or attitudes;
 - 4. illegal, antisocial, self-incriminating, or demeaning behavior;
 - 5. critical appraisals of other individuals with whom respondents have close family relationships;
 - 6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
 - 7. religious practices, affiliations, or beliefs of the student or the student's parent; or
 - 8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
- C. A school district that receives funds under any program funded by the U.S. Department of Education shall develop local policies consistent with Sections IV.A. and IV.B., above, concerning student privacy, parental access to information, and administration of certain physical examinations to minors.
 - 1. The following policies are to be adopted in consultation with parents:
 - a) The right of a parent to inspect, on request, a survey, including an evaluation, created by a third party before the survey is administered or distributed by a school to a student, including procedures for granting a parent's request for



reasonable access to such survey within a reasonable period of time after the request is received.

“Parent” means a legal guardian or other person acting *in loco parentis* (in place of a parent), such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child.

- b) Arrangements to protect student privacy in the event of the administration or distribution of a survey, including an evaluation, to a student which contains one or more of the items listed in Section IV.B., above, including the right of a parent of a student to inspect, on request, any such survey.
- c) The right of a parent of a student to inspect, on request, any instructional material used as part of the educational curriculum for the student and procedures for granting a request by a parent for such access within a reasonable period of time after the request is received.

“Instructional material” means instructional content that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (i.e., materials accessible through the Internet). The term does not include academic tests or academic assessments.

- d) The administration of physical examinations or screenings that the school district may administer to a student. This provision does not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (20 United States Code section 1400, *et seq.*).
- e) The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing the information to others for that purpose), including arrangements to protect student privacy that are provided by the school district in the event of such collection, disclosure, or use.

- (1) “Personal information” means individually identifiable information including a student or parent’s first and last name; a home or other physical address (including street name and the name of the city or town); a telephone number; or a Social Security identification number.
- (2) This provision does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as:
 - (a) college or other postsecondary education recruitment or military;



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- (b) book clubs, magazines, and programs providing access to low cost literary products;
 - (c) curriculum and instructional materials used by elementary and secondary schools;
 - (d) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students, or to generate other statistically useful data for the purpose of securing such tests and assessments and the subsequent analysis and public release of the aggregate data from such tests and assessments;
 - (e) the sale by students of products or services to raise funds for school-related or education-related activities; and
 - (f) student recognition programs.
- (3) The right of a parent to inspect, on request, any instrument used in the collection of information, as described in Section IV.C.1., Subparagraph e., above, before the instrument is administered or distributed to a student and procedures for granting a request by a parent for reasonable access to such an instrument within a reasonable period of time after the request is received.
2. The policies adopted under Section IV.C., Subparagraph 1., above, shall provide for reasonable notice of the adoption or continued use of such policies directly to parents of students enrolled in or served by the school district.
- a) The notice will be provided at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in a policy.
 - b) The notice will provide parents with an opportunity to opt out of participation in the following activities:
 - (1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.
 - (2) The administration of any third-party survey (nonDepartment of Education funded) containing one or more of the items contained in Section IV.B., above.
 - (3) Any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school and



scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or other students.

- (4) “Invasive physical examination” means any medical examination that involves the exposure of private body parts, or act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.
- c) The notice will advise students of the specific or approximate dates during the school year when the activities in Section IV.C.2., Subparagraph b., above, are scheduled, or expected to be scheduled.
- d) The notice provisions shall not be construed to preempt applicable provisions of state law that require parental notification and do not apply to any physical examination or screening that is permitted or required by applicable state law, including physical examinations or screenings that are permitted without parental notification.

V. NOTICE

- A. The school district must give parents and students notice of this policy at the beginning of each school year and after making substantive changes to this policy.
- B. The school district must inform parents at the beginning of the school year if the district or school has identified specific or approximate dates for administering surveys and give parents reasonable notice of planned surveys scheduled after the start of the school year. The district must give parents direct, timely notice when their students are scheduled to participate in a student survey by United States mail, email, or another direct form of communication.
- C. The school district must give parents the opportunity to review the survey and to opt their students out of participating in the survey.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat § 121A.065 (District Surveys to Collect Student Information; Parent Notice and Opportunity for Opting Out)
20 U.S.C. 1232g (Family Educational Rights and Privacy Act)
20 U.S.C. 1232h (Protection of Pupil Rights)
34 C.F.R. Part 99 (Family Educational Rights and Privacy Act Regulations)
Gonzaga University v. Doe, 536 U.S. 273, 122 S.Ct. 2268 (2002)
C.N. v. Ridgewood Bd. of Educ., 430 F.3d. 159 (3rd Cir. 2005)
Fields v. Palmdale School Dist., 427 F.3d. 1197 (9th Cir. 2005)

Cross References: MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination, Grievance Procedure and Process)

Adopted: October 25, 2004

MSBA/MASA Model Policy 521

Orig. 1995

Revised: 11/10/14; 7/25/16; 8/14/17; 6/10/19

Revised 2022

5/26/20; 6/14/21; 6/27/22; 6/26/23; 5/28/24

521 STUDENT DISABILITY NONDISCRIMINATION

I. PURPOSE

The purpose of this policy is to protect students with disabilities from discrimination on the basis of disability and to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973, need services, accommodations, or programs in order that such learners may receive a free appropriate public education.

II. GENERAL STATEMENT OF POLICY

- A. Students with disabilities, who meet the criteria of Paragraph C. below, are protected from discrimination on the basis of a disability.
- B. The responsibility of the school district to identify and evaluate learners who, within the intent of Section 504, need services, accommodations, or programs in order that such learners may receive a free appropriate public education.
- C. For this policy, a learner who is protected under Section 504 is one who:
 - 1. has a physical or mental impairment that substantially limits one or more major life activities, including learning; or
 - 2. has a record of such impairment; or
 - 3. is regarded as having such impairment.
- D. Learners may be protected from disability discrimination and be eligible for services, accommodations, or programs under the provisions of Section 504 even though they are not eligible for special education pursuant to the Individuals with Disabilities Education Act.

III. COORDINATOR

Persons who have questions or comments should contact the Director of Student Services, 104 – 5th Avenue South, South St. Paul, Minnesota 55075, (651) 552-5594. This person is the school district's Americans with Disabilities Act/504 Coordinator. Persons who wish to make a complaint regarding a disability discrimination matter may use the accompanying Student Disability Grievance Report Form. The form should be given to the ADA/Section 504 coordinator.

Legal Reference: 42 U.S.C. Ch. 126 (Equal Opportunity for Individuals with Disabilities)

29 U.S.C. § 794 *et seq.* (§ 504 of Rehabilitation Act of 1973)
34 C.F.R. Part 104 (Implementing Regulations)

Cross References: MSBA/MASA Model Policy 402 (Disability Nondiscrimination)



SPECIAL SCHOOL DISTRICT 6

STUDENT DISABILITY DISCRIMINATION GRIEVANCE REPORT FORM

General Statement of Policy Prohibiting Disability Discrimination

Special School District 6 maintains a firm policy prohibiting all forms of discrimination on the basis of a disability. All persons are to be treated with respect and dignity. Discrimination on the basis of a disability will not be tolerated under any circumstances.

Complainant: _____

Home Address: _____

Work Address: _____

Home Phone: _____ Work Phone: _____

I have been discriminated against based on (choose one or more):

[my disability] / [a record of my disability] / [being regarded as having a disability]

because _____

Date of alleged incident(s): _____

Name of person you believe discriminated against you or another person: _____

If the alleged discrimination was toward another person, identify that person: _____

Describe the incident(s) as clearly as possible, including such things as: any verbal statements; what, if any, physical contact was involved; etc. (attach additional pages if necessary): _____



Location of the incident(s): _____

List any witnesses that were present: _____

This complaint is filed based on my honest belief that _____ has discriminated against me or another person based on a disability. I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge and belief.

(Complainant Signature)

(Date)

(Received By)

(Date)



Adopted: February, 1998

MSBA/MASA Model Policy 526

Orig. 1997

Revised: 4/26/04; 9/9/13; 7/25/16; 6/26/17
6/10/19; 5/26/20; 6/14/21; 6/27/22; 6/26/23
5/28/24

Rev. 2014

526 HAZING PROHIBITION

I. PURPOSE

- A. The purpose of this policy is to maintain a safe learning environment for students and staff that are free from hazing. Hazing activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times.

II. GENERAL STATEMENT OF POLICY

- A. No student, teacher, administrator, volunteer, contractor or other employee of the school district shall plan, direct, encourage, aid or engage in hazing.
- B. No teacher, administrator, volunteer, contractor or other employee of the school district shall permit, condone or tolerate hazing.
- C. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited.
- E. False accusations or reports of hazing against a student, teacher, administrator, volunteer, contractor, or other employee are prohibited.
- F. A person who engages in an act of hazing, reprisal, retaliation, or false reporting of hazing or permits, condones, or tolerates hazing shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, tolerate, or are a party to prohibited acts of hazing may range from remedial responses or positive behavioral interventions up to and including suspensions and/or expulsion

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

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



- G. This policy applies to hazing that occurs during and after school hours, on or off school premises or property, at school functions or activities, or on school transportation.
- H. A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.
- I. The school district will act to investigate all complaints of hazing and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor or other employee of the school district who is found to have violated this policy.

III. DEFINITIONS

- A. "Hazing" means committing an act against a student and/or staff member, or coercing a student and/or staff member into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term hazing includes, but is not limited to:
 - 1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking or placing a harmful substance on the body.
 - 2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 - 3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 - 4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
 - 5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies or regulations.
- B. "Immediately" means as soon as possible but in no event, longer than 24 hours.
- C. "On school premises or school district property, or at school functions or activities, or on school transportation" means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approve for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting hazing at these locations and events, the school district



does not represent that it will provide supervision or assume liability at these locations and events.

- D. “Remedial response” means a measure to stop and correct hazing, prevent hazing from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of hazing.
- E. “Student” means a student enrolled in a public school or charter school.
- F. “Student organization” means a group, club or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report hazing anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.

The building principal, the principal’s designee, or the building supervisor (hereinafter the “building report taker”) is the person responsible for receiving reports of hazing at the building level. Any adult school district personnel who receives a report of hazing prohibited by this policy shall inform the building report taker immediately. Any person may report hazing directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

The building report taker shall ensure that this policy and procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.

- C. A teacher, administrator, volunteer, contractor, and other school district employees shall be particularly alert to possible situations, circumstances or events which might include hazing. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct which may constitute hazing shall make reasonable efforts to address and resolve the hazing and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute hazing or who fail to make reasonable efforts to address and resolve the hazing in a timely manner may be subject to disciplinary action.



- D. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- E. Reports of hazing are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of hazing and the record of any resulting investigation.
- F. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

V. SCHOOL DISTRICT ACTION

- A. Within three (3) days of the receipt of a complaint or report of hazing, the school district shall undertake or authorize an investigation by school district officials or a third party designated by the school district.
- B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the hazing, the complainant, the reporter, and students or others pending completion of an investigation of alleged hazing prohibited in this policy.
- C. The alleged perpetrator of the hazing shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of an investigation that determines hazing has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; and applicable school district policies and regulations.
- E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets or victims of hazing and the parent(s) or guardian (s) of alleged perpetrators of hazing who have been involved in a report and confirmed hazing incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or respond to hazing committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted



to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in hazing.

VI. RETALIATION OR REPRISAL

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

VII. DISSEMINATION OF POLICY

- A. This policy shall appear in each school's student handbook and in each school's Building and Staff handbooks.
- B. The school district will develop a method for discussing this policy with students.

Legal References: Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students and Parents Under the Safe and Supportive Minnesota Schools Act)
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 525 (Violence Prevention [Applicable to Students and Staff])

Adopted: January 24, 2005

MSBA/MASA Model Policy 528

Orig. 1999

Revised: 6/26/06; 8/14/17; 6/14/21; 6/27/22; 6/26/23
5/28/24

Rev. 2022

528 STUDENT PARENTAL, FAMILY, AND MARITAL STATUS NONDISCRIMINATION

I. PURPOSE

Students are protected from discrimination on the basis of sex and marital status pursuant to Title IX of the Education Amendments of 1972 and the Minnesota Human Rights Act. This includes discrimination on the basis of pregnancy. The purpose of this school district policy is to provide equal educational opportunity for all students and to prohibit discrimination on the grounds of sex, parental, family, or marital status.

II. GENERAL STATEMENT OF POLICY

- A. The school district provides equal educational opportunity for all students, and will not apply any rule concerning a student's actual or potential parental, family, or marital status which treats students differently on the basis of sex.
- B. The school district will not discriminate against any student, or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of such student's pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery there from, unless the student requests voluntarily to participate in a separate portion of the program or activity of the recipient.
- C. The school district may require such a student to obtain the certification of a physician that the student is physically and emotionally able to continue participation in the normal education program or activity so long as such a certification is required of all students for other physical or emotional conditions requiring the attention of a physician.
- D. The school district will ensure that any separate and voluntary instructional program is comparable to that offered to non-pregnant students.
- E. It is the responsibility of every school district employee to comply with this policy.
- F. The school district's Title IX Coordinator is:

Title IX Coordinator
Human Resource Director
104 – 5th Avenue South, South St. Paul, MN 55075
(651) 457-9473



This employee coordinates the school district's efforts to comply with and carry out its responsibilities under Title IX.

- G. Any student, parent or guardian having questions regarding the application of Title IX and its regulations and/or this policy should discuss them with the Title IX coordinator. Questions relating solely to Title IX and its regulations may be referred to the Assistant Secretary for Civil Rights of the United States Department of Education. In the absence of a specific designee, an inquiry or complaint should be referred to the superintendent or the school district human rights officer.
- H. Any reports of unlawful discrimination under this policy will be handled, investigated and acted upon in the manner specified in Policy 522.

Legal References: Minn. Stat. § 363A (Minnesota Human Rights Act)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
34 C.F.R. Part 106 (Implementing Regulations of Title IX)

Cross References: MSBA/MASA Model Policy 102 (Equal Educational Opportunity)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process)



Adopted: November 22, 2004

MSBA/MASA Model Policy 530

Orig. 1999

Revised: 7/11/05; 6/25/07; 8/8/16; 6/26/17; 6/10/19
5/26/20; 6/14/21; 6/27/22; 6/26/23; 5/28/24

Rev. 2022

530 IMMUNIZATION REQUIREMENTS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. STUDENT IMMUNIZATION REQUIREMENTS

- A. No student may be enrolled or remain enrolled, on a full-time, part-time, or shared-time basis, in any elementary or secondary school within the school district until the student or the student's parent or guardian has submitted to the designated school district administrator the required proof of immunization. Prior to the student's first date of attendance, the student or the student's parent or guardian shall provide to the designated school district administrator one of the following statements:
1. a statement, from a physician, advanced practice, registered nurse, physician assistant, or a public clinic which provides immunizations (hereinafter "medical statement"), affirming that the student received the immunizations required by law, consistent with medically acceptable standards; or
 2. a medical statement, affirming that the student received the primary schedule of immunizations required by law and has commenced a schedule of the remaining required immunizations, indicating the month and year each immunization was administered, consistent with medically acceptable standards.
- B. The statement of a parent or guardian of a student or an emancipated student may be substituted for the medical statement. If such a statement is substituted, this statement must indicate the month, day and year each immunization was administered. Upon request, the designated school district administrator will provide information to the parent or guardian of a student or an emancipated student of the dosages required for each vaccine according to the age of the student.



- C. The parent or guardian of persons receiving instruction in a home school shall submit one of the statements set forth in Section III.A. or III.B., above, or statement of immunization set forth in Section IV., below, to the superintendent of the school district by October 1 of the first year of their home schooling in Minnesota and the grade 7 year.
- D. When there is evidence of the presence of a communicable disease, or when required by any state or federal agency and/or state or federal law, students and/or their parents or guardians may be required to submit such other health care data as is necessary to ensure that the student has received any necessary immunizations and/or is free of any communicable diseases. No student may be enrolled or remain enrolled in any elementary or secondary school within the school district until the student or the student's parent or guardian has submitted the required data.
- E. The school district may allow a student transferring into a school a maximum of 30 days to submit a statement specified in Section III.A. or III.B., above, or Section IV., below. Students who do not provide the appropriate proof of immunization or the required documentation related to an applicable exemption of the student from the required immunization within the specified time frames shall be excluded from school until such time as the appropriate proof of immunizations or exemption documentation has been provided.
- F. If a person who is not a Minnesota resident enrolls in a school district online learning course or program that delivers instruction to the person only by computer and does not provide any teacher or instructor contact time or require classroom attendance, the person is not subject to the immunization, statement, and other requirements of this policy.

IV. EXEMPTIONS FROM IMMUNIZATION REQUIREMENTS

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

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

V. NOTICE OF IMMUNIZATION REQUIREMENTS

- A. The school district will develop and implement a procedure to:
 - 1. notify parents and students of the immunization and exemption requirements and the consequences for failure to provide the required documentation regarding immunizations;
 - 2. review student health records to determine whether the required information has been provided; and



3. make reasonable arrangements to send a student home when the immunization requirements have not been met and advise the student and/or the student's parent or guardian of the conditions for re-enrollment.
- B. The notice provided shall contain written information describing the exemptions from immunization as permitted by law. The notice shall be in a font size at least equal to the font size and style as the immunization requirements and on the same page as the immunization requirements.

VI. IMMUNIZATION RECORDS

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

VII. OTHER

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

- Legal References:**
- Minn. Stat. § 13.32 (Educational Data)
 - Minn. Stat. § 121A.15 (Health Standards; Immunizations; School Children)
 - Minn. Stat. § 121A.17 (School Board Responsibilities)
 - Minn. Stat. § 144.29 (Health Records; Children of School Age)
 - Minn. Stat. § 144.3351 (Immunization Data)
 - Minn. Stat. § 144.441 (Tuberculosis Screening in Schools)
 - Minn. Stat. § 144.442 (Testing in Schools)
 - Minn. Rules Parts 4604-0100-4604 1020 (Immunization)
 - McCarthy v. Ozark Sch. District., 359 F.3d 1029 (8th Cir. 2004)
 - Op. Atty. Gen. 169-W (Jan. 17, 1968)



Op. Atty. Gen. 169-W (July 23, 1980)

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

Adopted: April 26, 2004

MSBA/MASA Model Policy 531

Orig. 2003

*Revised: 6/26/06; 9/13/10; 8/8/16; 9/11/17
6/10/19; 5/26/20; 6/14/21; 6/27/22; 6/26/23
5/28/24*

Rev. 2003

531 THE PLEDGE OF ALLEGIANCE

I. PURPOSE

The school board recognizes the need to display an appropriate United States flag and to provide instruction to students in the proper etiquette, display, and respect of the flag. The purpose of this policy is to provide for recitation of the Pledge of Allegiance and instruction in school to help further that end.

II. GENERAL STATEMENT OF POLICY

A. Students in this school district shall recite the Pledge of Allegiance to the flag of the United States of America one or more times each week. The recitation shall be conducted:

1. By each individual classroom teacher or the teacher's surrogate; or
2. Over a school intercom system by a person designated by the school principal or other person having administrative control over the school.

III. EXCEPTIONS

Anyone who does not wish to participate in reciting the Pledge of Allegiance for any personal reasons may elect not to do so. Students and school personnel must respect another person's right to make that choice.

IV. INSTRUCTION

Students will be instructed in the proper etiquette toward, correct display of, and respect for the flag.

Legal References: Minn. Stat. § 121A.11, Subd. 3 (Pledge of Allegiance)
Minn. Stat. § 121A.11, Subd. 4 (Instruction)
Elk Grove Unified Sch. Dist. V. Nedow, 542 U.S. 1, 124 S. Ct. 2301, 159 L.Ed.2d 98 (2004)

Cross References: None



Adopted: October 23, 2000

*Revised: 6/28/04; 3/12/07; 10/27/08; 1/11/10; 8/24/15
7/25/16; 4/24/17; 8/13/18; 6/10/19; 5/26/20
6/14/21; 6/27/22; 6/26/23; 5/28/24*

536 STUDENT INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY

I. PURPOSE

The purpose of this policy is to set forth policies and guidelines for student access to district and school information technology, known in this document as “District Information Technology,” including but not limited to district computers, devices, printers and other accessories, networks, Internet access, electronic communications, and third-party systems the district licenses and makes available to employees and students.

II. GENERAL STATEMENT OF POLICY

In making decisions regarding student and staff access to District Information Technology, the school district considers its own stated educational mission, goals, and objectives. Electronic information research skills are fundamental to preparation of citizens and future employees. Access to the school district computer system and to the Internet enables the school community to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The school district expects that faculty will blend thoughtful use of District Information Technology throughout the curriculum and will provide guidance and instruction to students in their use.

III. PURPOSE LIMITED TO EDUCATION

The school district provides students with access to District Information Technology. District Information Technology has a limited educational purpose, which includes use of the system for classroom activities, educational research and professional or career development. Students are expected to use the district system to further educational goals consistent with the school district’s mission, strategic plan and policies. Uses which might be acceptable on a user’s private personal account on another system may not be acceptable on this limited-purpose network.

IV. USE OF DISTRICT TECHNOLOGY RESOURCES IS A PRIVILEGE

The use of District Information Technology and its access to the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the District Information Technology or the Internet may result in one or more of the following consequences: suspension, cancellation or restriction of use or access privileges, payments for damages and repairs, discipline under other appropriate school district policies, including suspension or expulsion of students, or civil or criminal liability under other applicable laws.

V. BRING YOUR OWN DEVICE (BYOD)



- A. A student's personal device may be connected to the District's network or systems if it complies with district standards and is compatible with the district systems. All BYOD devices attached or connected to the district network are subject to the same policies and procedures established for the use of district owned equipment.
- B. All use of BYOD devices must adhere to the district STUDENT INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY (AUP). The student and parent/guardian must have signed and returned the AUP prior to using the device and accessing the district network.
- C. District technicians will not service, repair, or maintain BYOD devices. The District will not provide software for installation on BYOD devices. District will not be held liable or responsible for physical damage, loss or theft of the device, loss of personal content stored on the device, or charges incurred during use of the device.
- D. Student use of BYOD must support classroom instructional activities and adhere to all instructions given by staff.
- E. Students are prohibited from using any personal device as a hotspot to circumvent the district wireless network and content filters.
- F. The district reserves the right to limit Wi-Fi connectivity for personal devices that are not approved for BYOD use.

VI. ACCEPTABLE USE GUIDELINES FOR DISTRICT INFORMATION TECHNOLOGY

- A. Users must respect and protect the privacy of others by:
 - 1. Using only accounts assigned to them.
 - 2. Only viewing, using, or copying passwords, data, or networks to which they are authorized.
 - 3. Refraining from distributing private information about others or themselves.
- B. Users must respect and protect the integrity, availability, and security of all electronic resources by:
 - 1. Observing all district Internet filters and posted network security practices.
 - 2. Reporting security risks or violations to a teacher or network administrator.
 - 3. Not destroying or damaging data, networks, or other resources that do not belong to them, without clear permission of the owner.
 - 4. Conserving, protecting, and sharing these resources with other users.
 - 5. Notifying a staff member or administrator of computer or network malfunctions.
- C. Users must respect and protect the intellectual property of others by:



1. Following copyright laws (not making illegal copies of music, games, or movies).
2. Citing sources when using others' work (not plagiarizing).

D. Users must respect and practice the principles of community by:

1. Communicating only in ways that are kind and respectful.
2. Reporting threatening, offensive or discomfoting materials to a staff member or administrator.
3. Not intentionally accessing, transmitting, copying, or creating material that violates the school's code of conduct (such as messages/content that are pornographic, threatening, rude, discriminatory, defamatory or meant to harass or bully).
4. Not intentionally accessing, transmitting, copying, or creating material that is illegal (such as obscenity, stolen materials, or illegal copies of copyrighted works).
5. Not using the resources to further other acts that are criminal or violate the school's code of conduct.
6. Avoiding spam, chain letters, or other mass unsolicited mailings.
7. Refraining from buying, selling, advertising, or otherwise conducting business, unless approved as a school project.

E. Students may, if in accord with district policies and under direction of staff:

1. Design and post web pages and other material from school resources.
2. Communicate electronically via tools such as email, chat, text, or videoconferencing.
3. Install or download software, in conformity with laws and licenses.
4. Use technology resources for educational purposes.

F. Consequences for Violation

1. Violations of these rules may result in disciplinary action, including the loss of a user's privileges to use the school's digital resources. Further discipline may be imposed in accordance with district policies up to and including suspension or expulsion depending on the degree and severity of the violation.

VII. CONSISTENCY WITH OTHER SCHOOL POLICIES

Use of the District Information Technology and use of the Internet shall be consistent with school district policies and the mission of the school district.

VIII. LIMITED EXPECTATION OF PRIVACY



- A. By authorizing use of the District Information Technology, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy for content they store on the school district system.
- B. Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.
- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.
- D. Parents have the right at any time to investigate or review content their child has stored on the district system to the extent possible without compromising other students' privacy. Parents have the right to request the suspension of their child's individual account at any time.
- E. Students should be aware that data and other materials in files maintained on the school district system may be subject to review, disclosure or discovery under Minnesota Statutes, Chapter 13 (the Minnesota Government Data Practices Act).
- F. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

IX. STUDENT INFORMATION TECHNOLOGY ACCEPTABLE USE AGREEMENT

- A. The proper use of District Information Technology systems, including the Internet, and the educational value to be gained from proper use, is the joint responsibility of students, parents and employees of the school district.
- B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.
- C. The Student Information Technology Acceptable Use Agreement must be read and signed by the user and a parent or guardian prior to the student being granted access to the district system. Signed agreements will be retained by the district. The district may require students to re-sign the agreement periodically thereafter as Technology changes require. The content of this agreement shall be included in each school's student/parent handbook as an annual review.

X. LIMITATION ON SCHOOL DISTRICT LIABILITY

Use of District Information Technology is at the user's own risk. The system is provided on an "as is, as available" basis. The school district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage or unavailability of data stored on school district storage media or servers, or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. The school district is not responsible for the accuracy or quality of any advice or information obtained through or stored on District Information Technology system. The school district will not be responsible for financial obligations arising through unauthorized use of the school district system or the Internet.



XI. USER NOTIFICATION

- A. All users shall be notified of the school district policies relating to Internet use.
- B. This notification shall include the following:
 - 1. Notification that Internet use is subject to compliance with school district policies.
 - 2. Disclaimers limiting the school district's liability relative to:
 - a) Information stored on school district storage media, hard drives or servers.
 - b) Information retrieved through school district computers, networks or online resources.
 - c) Personal property used to access school district computers, networks or online resources.
 - d) Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.
 - 3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.
 - 4. Notification that the collection, creation, reception, maintenance and dissemination of data via the Internet, including electronic communications, is governed by Policy 406, Public and Private Personnel Data, and Policy 515, Protection and Privacy of Pupil Records.
 - 5. Notification that, even though the school district may use technical means to limit student Internet access, these limits do not provide a foolproof means for enforcing the provisions of this Acceptable Use Policy.
 - 6. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student or the student's parents.
 - 7. Notification that should a student violate the school district's Acceptable Use Policy, the student's access privileges may be revoked, disciplinary action may be taken and/or appropriate legal action may be taken.
 - 8. Notification that all provisions of the Acceptable Use Policy are subordinate to local, state and federal laws.

XII. PARENT RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE

- A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies and other possibly



offensive media. Parents are responsible for monitoring their student's use of the school district system and of the Internet if the student is accessing the school district system from home or a remote location.

- B. Parents are herein notified that their students will be using school district resources/accounts to access the Internet and that the school district will provide parents the option to request in writing alternative activities not requiring Internet access.

XIII. IMPLEMENTATION AND POLICY REVIEW

- A. The school district administration will develop appropriate user notification forms, guidelines and procedures necessary to implement this policy.
- B. This policy will be reviewed annually and the administration will recommend changes as necessary.
- C. The school district Internet policies and procedures are available for review by all parent/guardian, staff and members of the community.

XIV. CONTENT FILTERING

- A. With respect to any of its computers with Internet Access, the school district will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:
 - 1. Obscene;
 - 2. Child pornography; or
 - 3. Harmful to minors.
- B. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:
 - 1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, excretion; or
 - 2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 - 3. Taken as a whole, lacks serious literary, artistic, political, or scientific value to minors.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.



- D. An administrator, supervisor, or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.
- E. The school district will educate students about appropriate online behavior, including interaction with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response.
- F. Although student use of the Internet at school is subject to content filtering and is supervised by staff, we cannot guarantee that students will not gain access to inappropriate materials. We encourage parents to have a discussion with their children about values and how those beliefs should guide student activities while using the Internet.

Legal References:

15 U.S.C. § 6501 *et seq.* (Children’s Online Privacy Protection Act)
17 U.S.C. § 101 *et seq.* (Copyrights)
47 U.S.C. § 254 (Children’s Internet Protection Act of 2000 (CIPA))
47 C.F.R. § 54.520 (FCC rules implementing CIPA)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 125B.15 (Internet Access for Students)
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
United States v. Amer. Library Assoc., 539 U.S. 194, 123 S.Ct. 2297, 56 L.Ed.2d 221 (2003)
Doninger v. Niehoff, 527 F.3d 41 (2nd Cir. 2008)
R.S. v. Minnewaska Area Sch. Dist. No. 2149, No. 12-588, 2012 WL 3870868 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), *aff’d* on other grounds 816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee’s Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012) *Kowalski v. Berkeley County Sch.*, 652 F.3d 565 (4th Cir. 2011)
Layshock v. Hermitage Sch. Dist., 650 F.3d 205 (3rd Cir. 2011)
Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)

Cross References:

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)



MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)
MSBA/MASA Model Policy 603 (Curriculum Development)
MSBA/MASA Model Policy 604 (Instructional Curriculum)
MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)
MSBA/MASA Model Policy 806 (Crisis Management Policy)
MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property
by Nonschool Persons)

Adopted: November 22, 1999

*Revised: 5/26/09; 8/8/16; 8/14/17; 6/10/19; 5/26/20; 6/14/21
6/27/22; 6/26/23; 5/28/24*

550 ATTENDANCE AT STATE TOURNAMENTS

I. PURPOSE

The purpose of this policy is to provide guidelines for student or staff release from school to attend state tournament competitions. Because of increased academic requirements and the District's commitment to academic excellence, classes at South St. Paul Schools will not be cancelled or released early during state tournament competitions.

II. GENERAL STATEMENT OF POLICY

- A. Students in good academic and behavioral standing may be released from classes to attend state tournament competitions under the procedures set out in Part III.A. of this policy.
- B. Staff members may be released from the building to attend state tournament competitions under the procedures set out in Part III.B. of this policy.
- C. The decision to grant release is delegated to the building principals (superintendent for district-wide employees) and is not subject to review by the School Board.

III. PROCEDURES

A. Student Release

Eligibility for Release: A student must exhibit satisfactory (i) academic progress, (ii) behavior in school, (iii) adherence to attendance policies, and (iv) extracurricular eligibility and behavioral standards.

Permission: Before the state tournament competition, a student must submit a written parent/guardian permission slip authorizing the student to be released from school.

Treatment of Release: Release from school to attend state tournament competition is considered either a school-approved field trip or a school-approved vacation.

- a) School-approved field trip: Coach/Director or school representative will be responsible for the supervision of this activity. The Activities Director will set a common release time.



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- b) School-approved vacation: The school is not in direct supervision of this activity. The parent/guardian or their designee will be responsible for supervision of the student.

B. Staff Release

Staff may be released from the building to attend state tournament competitions if (a) prior approval is received from the building principal (superintendent for district-wide staff) before the state tournament competition, and (b) no additional district funds are used in order to provide a substitute for the staff member (i.e. overload or substitute pay). Staff members who are eligible for personal leave may use such leave to attend state tournament competitions in accordance with the requirements for approval of personal leave. Personal leave cannot be used in less than full-day increments under the provisions of this policy. There may be uncontrollable circumstances that could result in a staff member being released to attend an event following the approval by the Principal and Superintendent.



Adopted: August 9, 2004

MSBA/MASA Model Policy 611

Orig. 1996

Revised: 7/11/05; 8/28/06; 7/25/16; 6/10/19
7/27/20; 6/14/21; 6/27/22; 6/26/23; 5/28/24

Rev. 2022

611 HOME SCHOOLING

I. PURPOSE

The purpose of this policy is to recognize and provide guidelines in accordance with state law for parents who wish to have their children receive education in a home school that is an alternative to an accredited public or private school.

II. GENERAL STATEMENT OF POLICY

The Compulsory Attendance Law (Minnesota Statutes section 120A.22) provides that the parent or guardian of a child is primarily responsible for assuring that the child acquires knowledge and skills that are essential for effective citizenship.

III. CONDITIONS FOR HOME SCHOOLING

The person in charge of a home school and the school district must provide instruction and meet the requirements specified in Minnesota Statutes section 120A.22.

IV. IMMUNIZATION

The parent or guardian of a home-schooled child shall submit statements as required by Minnesota Statutes section 121A.15, Subds. 1, 2, 3, 4, and 12 on the appropriate Minnesota Department of Education form, to the superintendent of the school district in which the child resides by October 1 of the first year of home schooling in Minnesota and the grade 7 year.

V. TEXTBOOKS, INSTRUCTIONAL MATERIAL, STANDARD TESTS

Upon formal request as required by law, the school district will provide textbooks, (including a teacher's edition, guide, or other materials that accompany a textbook when the edition, guide, or materials are packaged physically or electronically with textbooks for student use), individualized instructional or cooperative learning materials (including teacher materials that accompany pupil materials), software or other educational technology, and standardized tests and loan or provide them for use by a home-schooled child as provided under state law. The school district is not required to expend any amount for this purpose that exceeds the amount it receives pursuant to state law for this purpose. If curriculum has both physical and electronic components, the school district will, at the request of the student or the student's parent or guardian, make the electronic component accessible to a resident student provided that the school district does not incur more than an incidental cost as a result of providing access electronically.



VI. PUPIL SUPPORT SERVICES

Upon formal request as required by law, the school district will provide pupil support services in the form of health services and counseling and guidance services to a homeschooled child as provided under state law. The school district is not required to expend an amount for any of these purposes that exceeds the amount it receives pursuant to state law.

VII. EXTRACURRICULAR ACTIVITIES

Resident pupils who receive instruction in a home school (where five or fewer students receive instruction) may fully participate in extracurricular activities of the school district on the same basis as other public school students.

VIII. SHARED TIME PROGRAMS

Enrollment in class offerings of the school district.

- A. A home-schooled child who is a resident of the school district may enroll in classes in the school district as a shared time pupil on the same basis as other nonpublic school students. The provisions of this policy shall not be determinative of whether the school district allows the enrollment of any pupils on a shared-time basis.
- B. The school district may limit enrollment of shared-time pupils in such classes based on the capacity of a program, class, grade level, or school building. The school board and administration retain sole discretion and control over scheduling of all classes and assignment of shared time pupils to classes.

IX. OPTIONAL COOPERATIVE ARRANGEMENTS

A. Activities

1. Minnesota State High School League sponsored activities (where six or more students receive instruction in the home school or the home school students are not residents of the school district).

A home school which is a member of the Minnesota State High School League may request that the school district enter into a cooperative sponsorship arrangement as provided in Minnesota State High School League bylaws. The approval of such an arrangement shall be at the discretion of the school board.

- a) The home school must become a member of the Minnesota State High School League in accordance with the rules of the Minnesota State High School League.
- b) The home school is solely responsible for any costs or fees associated with its application for and/or subsequent membership in the Minnesota State High School League.



- c) The home school is responsible for any and all costs associated with its participation in a cooperative sponsorship arrangement as well as any school district activity fees associated with the Minnesota State High School League activity.
2. Non-Minnesota State High School League activities where six or more students receive instruction in the home school.
 - a) A home schooled child may participate in non-Minnesota State High School League activities offered by the school district upon application and approval from the school board to participate in the activity and the payment of any activity fees associated with the activity. However, home school students may not be charged higher activity fees than other public school students. An approval shall be granted at the discretion of the school board.

B. Transportation Services

1. The school district may provide nonpublic non regular transportation services to a home-schooled child.
2. The school board of the school district retains sole discretion and control and management of scheduling routes, establishment of the location of bus stops, manner and method of transportation, control and discipline of school children, and any other matter relating to the provision of transportation services.

Legal References:

Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 120A.24 (Reporting)
Minn. Stat. § 120A.26 (Enforcement and Prosecution)
Minn. Stat. § 123B.49 (Extracurricular Activities Insurance)
Minn. Stat. § 121A.15 (Health Standards; Immunizations; School Children)
Minn. Stat. § 123B.36 (Authorized Fees)
Minn. Stat. § 123B.41 (Definitions)
Minn. Stat. § 123B.42 (Textbooks; Individual Instruction or Cooperative Learning Materials, Standard Tests)
Minn. Stat. § 123B.44 (Provision of Pupil Support Services)
Minn. Stat. § 123B.86 (Equal Treatment - Transportation)
Minn. Stat. § 123B.92 (Transportation Aid Entitlement)
Minn. Rules Ch. 3540 (Nonpublic Schools)

Cross References:

MSBA/MASA Model Policy 509 (Enrollment of Nonresident Students)
MSBA/MASA Model Policy 510 (School Activities)

Adopted: June 22, 1998

MSBA/MASA Model Policy 613

Orig. 1997

Revised: 8/9/04; 9/26/05; 9/24/07; 1/26/09; 8/10/09
9/9/13; 7/27/15; 7/25/16; 9/11/17; 6/10/19
7/27/20; 6/14/21; 6/27/22; 6/26/23; 5/28/24

Rev. 2023

613 GRADUATION REQUIREMENTS

I. PURPOSE

The purpose of this policy is to set forth requirements for graduation from the school district.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is that all students must demonstrate, as determined by the school district, their satisfactory completion of the credit requirements and their understanding of academic standards. The school district must adopt graduation requirements that meet or exceed state graduation requirements established in law or rule.

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. A “credit” is equivalent to a student’s successful completion of an academic trimester of study or a student’s mastery of the applicable subject matter, as determined by the school district.
- B. “Individualized Education Program,” or “IEP,” means a written statement developed for a student eligible by law for special education and services.
- C. “English language learners” or “ELL” student means an individual whose first language is not English and whose test performance may be negatively impacted by lack of English language proficiency.
- D. “Required standard” means: (1) a statewide adopted expectation for student learning in the content areas of language arts, mathematics, science, social studies, physical education, and the arts, and (2) a locally adopted expectation for student learning in health.
- E. “Section 504 Accommodation” means the defined appropriate accommodations or modifications that must be made in the school environment to address the needs of an individual student with disabilities.

IV. DISTRICT ASSESSMENT COORDINATOR



The Executive Director of Educational Services is the school district's District Assessment Coordinator in charge of all test procedures and shall bring recommendations to the school board annually for approval.

V. GRADUATION ASSESSMENT REQUIREMENTS

- A. Students' state graduation requirements, based on a longitudinal, systemic approach to student education and career planning, assessment, instructional support, and evaluation, include the following:
1. Achievement and career and college readiness in mathematics, reading, and writing, as measured against a continuum of empirically derived, clearly defined benchmarks focused on students' attainment of knowledge and skills so that students, their parents, and teachers know how well students must perform to have a reasonable chance to succeed in a career or college without the need for postsecondary remediation and which facilitates the monitoring of students' continuous development of and growth in requisite knowledge and skills; analysis of students' progress and performance levels, identification of students' academic strengths and diagnosis of areas where students require curriculum or instructional adjustments, targeted interventions, or remediation; and determination of students' learning and instructional needs and the instructional tools and best practices that support academic rigor for the student based on analysis of students' progress and performance data; and
 2. Consistent with this paragraph and Minnesota Statutes section 120B.125 (see Policy 604, Section II.H.), age-appropriate exploration and planning activities and career assessments to encourage students to identify personally relevant career interests and aptitudes and help students and their families develop a regularly reexamined transition plan for postsecondary education or employment without need for postsecondary remediation.
 3. Based on appropriate state guidelines, students with an IEP may satisfy state graduation requirements by achieving an individual score on the state identified alternative assessments.
 4. Students meeting the state graduation requirements under this section must receive targeted, relevant, academically rigorous, and resourced instruction which may include a targeted instruction and intervention plan focused on improving the student's knowledge and skills in core subjects so that the student has a reasonable chance to succeed in a career or college without need for postsecondary remediation.
 5. Students meeting the state graduation requirements under this section and who are students grades 11 or 12 and who are identified as academically ready for a career or college are actively encouraged by the school district to participate in courses and programs awarding college credit to high school students.

Students are not required to achieve a specified score or level of proficiency on an assessment to graduate from high school.



6. A student's progress toward career and college readiness must be recorded on the student's high school transcript.

VI. GRADUATION CREDIT REQUIREMENTS

Students must successfully complete, as determined by the school district, the following high school level course credits for graduation:

1. Twelve credits of language arts sufficient to satisfy all academic standards in English language arts;
2. Nine credits of mathematics, including three credits of algebra II or its equivalent, sufficient to satisfy all of the academic standards in mathematics. Students must satisfactorily complete three credits of algebra I by the end of 8th grade, sufficient to satisfy all of the 8th grade standards in mathematics.
3. Nine credits of science, including at least three credits of biology, three credits of chemistry or physics, and three elective credits of science. The combination of credits must be sufficient to satisfy all of the academic standards in either chemistry or physics and all other academic standards in science.
4. Twelve credits of social studies, encompassing at least United States history, geography, government and citizenship, world history, and economics sufficient to satisfy all of the academic standards in social studies;
5. One credit of physical education/health;
6. Three credits in the arts sufficient to satisfy all of the state academic standards in arts; and
7. A minimum of 65 total credits, of which 45 are required (see 1-6 above) and at least 19 elective credits.

VII. GRADUATION STANDARDS REQUIREMENTS

- A. All students must demonstrate their understanding of the following academic standards:
 1. School District Standards, Health (K-12);
 2. School District Standards, Career and Technical Education (K-12); and
 3. School District Standards, World Languages (K-12).
- B. Academic standards in health, world languages, and career and technical education will be reviewed within the curriculum review cycle. A school district must use the current world languages standards developed by the American Council on the Teaching of Foreign Languages.



- C. All students must satisfactorily complete the following required Graduation Standards in accordance with the standards developed by the Minnesota Department of Education (MDE):
1. Minnesota Academic Standards, English Language Arts K-12;
 2. Minnesota Academic Standards, Mathematics K-12;
 3. Minnesota Academic Standards, Science K-12;
 4. Minnesota Academic Standards, Social Studies K-12; and
 5. Minnesota Academic Standards, Physical Education K-12.
- D. State standards in the Arts K-12 are available, or school districts may choose to develop their own standards.
- E. The academic standards for language arts, mathematics, and science apply to all students except the very few students with extreme cognitive or physical impairments for whom an IEP team has determined that the required academic standards are inappropriate. An IEP team that makes this determination must establish alternative standards.

VIII. EARLY GRADUATION

Students may be considered for early graduation, as provided for within Minnesota Statutes section 120B.07 upon meeting the following conditions:

- A. All course or standards and credit requirements must be met;
- B. The principal or designee shall conduct an interview with the student and parent or guardian, familiarize the parties with opportunities available in post-secondary education, and arrive at a timely decision; and
- C. The principal's decision shall be in writing and may be subject to review by the superintendent and school board.

Legal References:	Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota's Students)
	Minn. Stat. § 120B.018 (Definitions)
	Minn. Stat. § 120B.021 (Required Academic Standards)
	Minn. Stat. § 120B.023 (Benchmarks)
	Minn. Stat. § 120B.024 (Credits)
	Minn. Stat. § 120B.07 (Early Graduation)
	Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement; Striving for the World's Best Workforce)



Minn. Stat. § 120B.125 (Planning for Students' Successful Transition to Postsecondary Education and Employment; Personal Learning Plans)
Minn. Stat. § 120B.30 (Statewide Testing and Reporting System)
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)

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 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)



Adopted: March 18, 1981

MSBA/MASA Model Policy 706

Orig. 1999

Revised: 3/7/89, 10/15/91, 2/14/05, 9/26/05
5/26/09; 5/28/13; 3/12/18; 5/28/24

Revised. 2022

706 ACCEPTANCE OF GIFTS

I. PURPOSE

The purpose of this policy is to provide guidelines for the acceptance of gifts by the school board.

II. GENERAL STATEMENT OF POLICY

It is the policy of this school district to accept gifts only in compliance with state law.

III. ACCEPTANCE OF GIFTS GENERALLY

The school board may receive, for the benefit of the school district, bequests, donations or gifts for any proper purpose. The school board shall have the sole authority to determine whether any gift or any precondition, condition, or limitation on use included in a proposed gift furthers the interests of or benefits the school district and whether it should be accepted or rejected.

IV. GIFTS OF REAL OR PERSONAL PROPERTY

The school board may accept a gift, grant or devise of real or personal property only by the adoption of a resolution approved by two-thirds of its members. The resolution must fully describe any conditions placed on the gift. The real or personal property so accepted may not be used for religious or sectarian purposes.

V. ADMINISTRATION IN ACCORDANCE WITH TERMS

If the school board agrees to accept a bequest, donation, gift, grant or devise which contains preconditions, conditions or limitations on use, the school board shall administer it in accordance with those terms. Once accepted, a gift shall be the property of the school district unless otherwise provided in the agreed upon terms.

Legal References: Minn. Stat. § 123B.02, Subd. 6 (General Powers of Independent School Boards)
Minn. Stat. § 465.03 (Gifts to Municipalities)

Cross References: None

Special School District No. 6

(South St. Paul Public Schools)
State of Minnesota

Acceptance of Gifts Resolution

Board Meeting Date: _____

Member _____ introduced the following resolution and moved its adoption:

Be it Resolved, that the School Board of South St. Paul Public Schools, Special School District No 6, accept the following donations as indicated in the detailed background listed below:

Monetary

Donation Amount	Designated To	Donation From	Purpose

Value in Kind

Donation Item	Designated To	Donation From	Purpose

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

And the following voted against:

Whereupon said resolution was declared duly passed and adopted



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: Monday, May 28, 2024

Place on Agenda: COW and Regular Agenda

Action Requested: Approval

Attachment: **Non-Renewal of Long-Term/Limited Contract Substitute Teachers**

Topic: Non-Renewal of Long-Term/Limited Contract Substitute Teachers
Presenter(s): Joel Milteer, Human Resource Director
<p>Background:</p> <p>In compliance with Minnesota statutes, we are required to terminate the teaching contracts of the District’s long-term/limited contract substitute teachers at the end of each school year.</p> <p>A long-term substitute by definition is one who worked all or part of the school year replacing a specific teacher who has return rights to his or her position. The contracts of the long-term substitutes must be terminated at the end of the school year. Failure to terminate these contracts could result in the district allocating two teachers in each affected position as the regular teachers exercise their right to return from leave.</p> <p>Attached is a resolution to non-renew the teaching contracts of the District’s long-term/limited contract substitute teachers.</p>
<p>Recommendation:</p> <p>Administration recommends approval of the resolution.</p>
<p>Alternatives:</p> <p>Do not approve the resolution and direct administration with next steps.</p>

**Special School District No. 6
(South St. Paul Public Schools)
State of Minnesota**

Inspector _____ moved the adoption of the following resolution:

**RESOLUTION RELATING TO THE NON-RENEWAL
OF LIMITED CONTRACT / LONG-TERM SUBSTITUTE TEACHERS**

WHEREAS, the following teachers are limited contract/long-term substitute teachers in Special School District No. 6.

BE IT RESOLVED by the School Board of Special School District No. 6, pursuant to Minnesota Statutes 122A.40, Subdivision 5, that the teaching contracts of these limited contract/long-term substitute teachers in Special School District No. 6, are hereby terminated effective at the end of the 2023 – 2024 school year.

Dawn Kelly	Long-Term Substitute	Middle School
Zachary Palmquist	Long-Term Substitute	High School

BE IT FURTHER RESOLVED that written notice be sent to said teachers regarding non-renewal of their contracts in accordance with Minnesota law.

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

On a roll call vote, the following voted in favor:

Inspectors:

And the following voted against:

Whereupon said resolution was declared duly passed and adopted.



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: Monday, May 28, 2024

Place on Agenda: Board Agenda

Action Requested: Approval

Attachment: **Non-Renewal of Probationary Teachers**

Topic: Non-Renewal of Probationary Teachers
Presenter(s): Joel Milteer, Human Resource Director
<p>Background:</p> <p>Each year, we must release a number of probationary teachers for various reasons, including student driven scheduling, changes in enrollment, budget reductions, curriculum changes, licensure issues, mid-year placements, and performance issues.</p> <p>Attached is a resolution to terminate the contracts of a number of probationary teachers. This resolution terminates teaching contracts for those listed, at the end of the current 2023-2024 school year, with non-renewal for the 2024-2025 school year.</p>
<p>Recommendation:</p> <p>Administration recommends approval of the resolution.</p>
<p>Alternatives:</p> <p>Do not approve the resolution and direct administration with next steps.</p>

**Special School District No. 6
(South St. Paul Public Schools)
State of Minnesota**

Board Member _____ moved the adoption of the following resolution:

**RESOLUTION RELATING TO THE NON-RENEWAL
OF PROBATIONARY TEACHERS**

WHEREAS, the following teachers are probationary teachers in Special School District No. 6.

BE IT RESOLVED by the School Board of Special School District No. 6, pursuant to Minnesota Statutes 122A.40, Subdivision 5, that the teaching contracts of these probationary teachers in Special School District No. 6, are hereby terminated effective at the end of the 2023-2024 school year.

Emma Cole	1.0	French/Credit Recovery Teacher	High School
Emily Fremstad	1.0	Math Teacher	Middle School

BE IT FURTHER RESOLVED that written notice be sent to said teachers regarding non-renewal of their contracts in accordance with Minnesota law.

The motion for the adoption of the foregoing resolution was duly seconded by Board Member _____.

On a roll call vote, the following voted in favor:

Board Members:

And the following voted against:

Whereupon said resolution was declared duly passed and adopted.



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: Monday, May 28, 2024

Place on Agenda: Regular Agenda

Action Requested: Approval

Attachment: **Continuance of Teacher Contracts for 2024-2025**

Topic: Continuance of Teacher Contracts for 2024-2025
Presenter(s): Joel Milteer, Human Resource Director
Background: As part of the annual staffing process, administration identifies probationary teachers to retain and those who will be granted tenure for the upcoming school year. As a result, the attached document reflects probationary teachers who are recommended to be retained and probationary teachers who would be granted tenure for the 2024-2025 school year.
Recommendation: Administration recommends approval of retaining the listed probationary staff and providing tenure to the listed staff.
Alternatives: Do not approve the recommendation and direct administration with next steps.

Approval, Continue Teachers' Contracts for 2024-25

The teachers listed below meet the necessary criteria to qualify for continuance of employment in this District following the close of the 2023-2024 school year, at scheduled salary. The assignments listed are for identification purposes and may be changed for the coming school year.

<u>Granting Tenure (Third year or First Year, if Tenured in Another District)</u>		<u>FTE</u>
Christopher Almen-Sjogren	Language Arts Teacher	1.0
William Bauman	TOSA-Equity/Instructional Coach	1.0
Susan Bergquist	MTSS Specialist/School Psychologist	1.0
Connie Ecklund	Intervention Teacher	1.0
Shane Eggerstedt	Art Teacher	1.0
Andrew Harrison	Humanities Teacher	1.0
Kaley Hedberg	Elementary Teacher	1.0
Michelle Jensen	Elementary Teacher	1.0
Tyler LaRose	Spanish Teacher	1.0
Matthew Mundinger	Music Teacher	1.0
Hannah O'Brien	Language Arts/College&Career Readiness Teacher	1.0
Anna-Claire Rauschnot	Social Worker	1.0
Aimee Rumpza	Intervention Teacher	1.0
Danielle Saraceno	TOSA-Due Process	1.0
Shannon Smith	Counselor	1.0
Paul Stivender	Language Arts Teacher	1.0
Mindy Tengwall	Intervention Teacher	1.0
Alison Terrell	Dean of Students	1.0
Tatiana Walker	Special Education Teacher	1.0

<u>Probationary</u>		<u>FTE</u>
Hannah Anderson	Special Education Teacher	1.0
Maciel Caridad Aquino	Elementary Teacher	1.0
Caitlin Carlson	Elementary Teacher	1.0
Victoria Carrier	Elementary Teacher	1.0
Jessica Costello	Elementary Teacher	1.0
Joshua Craig	Special Education Teacher	1.0
Noel Giesbrecht	Special Education Teacher	1.0
Lindsey Franzone	Elementary Teacher	1.0
Reed Hartman	Band Teacher	1.0
Abigail Herscovici	Science Teacher	1.0
Daniel Hodge	MTSS Specialist/School Psychologist	1.0
Graham Judd	Art Teacher	0.8
Anna Karsten	Special Education Teacher	1.0
Nathaniel Knapp-Vasquez	Elementary Teacher	1.0
Jelena Maric	Counselor	1.0
Samuel Mast	Music Teacher	1.0
Amy McEvoy	Social Worker	1.0
Sarajane Monjeau	Science Teacher	1.0

<u>Probationary</u>		<u>FTE</u>
Thomas Munoz	Math Teacher	1.0
Erika Nordstrom	Elementary Teacher	1.0
Mallory Oleshko	Elementary Teacher	1.0
Laura Parnell	MTSS Specialist/School Psychologist	1.0
Brittini Peters	Elementary Teacher	1.0
Jessica Rice	ABE Teacher	0.15
Michael Sanislo	Science Teacher	0.6
Maria Schmit	Special Education Teacher	1.0
Dmitri Shakhov	ELL Teacher	1.0
Olivia Smith	Special Education Teacher	1.0
Shaylin Theisen	Occupational Therapist	1.0
Matthew Teigland	Language Arts Teacher	1.0
Nicole Voss	Special Education Teacher	1.0
Kristy Wagner	ECSE Teacher	1.0
Anna Watt	Elementary Teacher	1.0
Joquan Williams	Social Worker	1.0
Brooke Wood	Counselor	1.0
Aaron Zimmerman	Science Teacher	1.0



SOUTH ST. PAUL PUBLIC SCHOOLS
School Board Agenda Item

Meeting Date: May 28, 2024

Place on Agenda: Work Session & Business Meeting

Action Requested: Approval

Attachment: Education Identity and Access Management Board Resolution

Topic: Identified Official with Authority (IOwA) designation
Presenter(s): Dr. Brian Zambreno, Superintendent of Schools
Background: <p>The Minnesota Department of Education (MDE), Professional Educator Licensing Standards Board (PELSB), and Office of Higher Education (OHE) require annual designation of an Identified Official with Authority (IOwA) for each local educational agency that uses the Education Identity Access Management (EDIAM) system. The IOwA is responsible for authorizing, reviewing, and recertifying user access for their local educational agency in accordance with the State of Minnesota Enterprise Identity and Access Management Standard, which states that all user access rights to Minnesota state systems must be reviewed and recertified at least annually. The IOwA will authorize user access to State of Minnesota Education secure systems in accordance with the user’s assigned job duties, and will revoke that user’s access when it is no longer needed to perform their job duties.</p>
Recommendation: <p>Recommendation to approve the <i>Education Identity and Access Management Board Resolution</i> that designates Dr. Brian Zambreno as the Identified Official with Authority for Education Identity Access Management for South St. Paul Public School Dist. 0006-03.</p>
Alternatives: <p>N/A</p>



Education Identity and Access Management Board Resolution

The Minnesota Department of Education (MDE), Professional Educator Licensing Standards Board (PELSB), and Office of Higher Education (OHE) require annual designation of an Identified Official with Authority (IOWA) for each local educational agency that uses the Education Identity and Access Management (EDIAM) system. The IOWA is responsible for authorizing, reviewing, and recertifying user access for their local educational agency in accordance with the State of Minnesota Enterprise Identity and Access Management Standard, which states that all user access rights to Minnesota state systems must be reviewed and recertified at least annually. The IOWA will authorize user access to State of Minnesota Education secure systems in accordance with the user's assigned job duties and will revoke that user's access when it is no longer needed to perform their job duties.

Your school board or equivalent governing board must designate an IOWA to authorize user access to State of Minnesota Education secure websites for your organization. This EDIAM board resolution must be completed and submitted to the Minnesota Department of Education annually, as well as any time there is a change in the assignment of the Identified Official with Authority.

It is strongly recommended that only one person at the local educational agency or organization (the superintendent or exec. director) is designated as the IOWA. The IOWA will grant the IOWA Proxy role(s).

Designation of the Identified Official with Authority for Education Identity and Access Management

Organization Name: South St. Paul Public Schools

6-Digit or 9-Digit Organization Number (e.g. 1234-01 or 1234-01-000): 0006-03

Superintendent or Exec. Director Name: Dr. Brian Zambreno

Will act as the IOWA? Yes No

If no, identify below the individual who will act as the IOWA for your organization.

The Superintendent or Exec. Director recommends the Board authorize the below named individual(s) to act as the Identified Official with Authority (IOWA) for this organization:

Print Name: Dr. Brian Zambreno

Title: Superintendent of Schools

Board Member Signature: _____

Name: John Raasch

Date: May 28, 2024

Once the EDIAM Board Resolution is completed, scan and email it to: useraccess.mde@state.mn.us



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: Monday, May 28, 2024

Place on Agenda: Regular Meeting

Action Requested: Approval of Plan

Attachment: Teacher Growth, Development and Evaluation Plan

Topic: Teacher Growth, Development and Evaluation Plan (TDE)
Presenter(s): Tiffany Brian, Peer Coach Coordinator
<p>Background:</p> <p>Presentation of the fourth edition of the Teacher Growth, Development, and Evaluation (TDE) plan for the 2024-2026 period, which has been approved by the TDE/Alternative Teacher Professional Pay System (ATPPS) Committee.</p> <p>The plan emphasizes continuous professional growth for teachers. It includes guidance for structured classroom observations conducted by both peer coaches and administrators to provide constructive feedback to teachers using the Danielson Framework for Teaching.</p> <p>The TDE plan also outlines various support options available to teachers aimed at enhancing their professional skills and promotes opportunities for teacher leadership across the district, ensuring that teachers can contribute to and benefit from shared expertise.</p> <p>For teachers needing additional assistance, the plan establishes a clear framework for creating tailored support plans. These plans are designed to provide specific, targeted help to ensure all teachers can succeed and improve their teaching practices.</p> <p>This updated TDE plan is a comprehensive approach to fostering a culture of continuous improvement and excellence in teaching within our district.</p>
<p>Recommendation:</p> <p>Approval</p>
<p>Alternatives:</p> <p>N/A</p>

South St. Paul
Public Schools



**Teacher Growth, Development,
and Evaluation Plan
4th Edition**

Approved Month Year

By the South St. Paul Public Schools Board of Education and
South St. Paul Teachers' Association Local #861

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Legislative Requirements

Minnesota Statutes 122A.40 and 122A.41 define requirements for teacher evaluation (Updated March 2017). Retrieved from: <https://www.revisor.mn.gov/statutes/?id=122A.40>. To improve student learning and success, a school board (hereafter referred to as “school district” or “district”) and an exclusive representative of the teachers (hereafter referred to as “union” or “teachers’ union”) must “develop a teacher evaluation and peer review process for probationary and continuing contract teachers through joint agreement.” The Minnesota Department of Education (MDE) has developed a state model, which must be used if a district and the local exclusive representative of teachers fail to reach “joint agreement” on an evaluation model. The process must include having trained observers serve as peer coaches or having teachers participate in professional learning communities.

To develop, improve, and support qualified teachers and effective teaching practices, improve student learning and success, and provide all enrolled students in a district or school with improved and equitable access to more effective and diverse teachers, the annual evaluation process for teachers:

1. must, for probationary teachers, provide for all required evaluations;
2. must establish a three-year professional review cycle for each teacher that includes an individual growth and development plan, a peer review process, and at least one summative evaluation performed by a qualified and trained Evaluator such as a school administrator. For the years when a tenured teacher is not evaluated by a qualified and trained Evaluator, the teacher must be evaluated by a peer review;
3. must be based on professional teaching standards established in rule;
4. must coordinate staff development activities with this evaluation process and teachers' evaluation outcomes;
5. may provide time during the school day and school year for peer coaching and teacher collaboration;
6. may include job-embedded learning opportunities such as professional learning communities;
7. may include mentoring and induction programs for teachers, including teachers who are members of populations underrepresented among the licensed teachers in the district or school and who reflect the diversity of students who are enrolled in the district or school;
8. must include an option for teachers to develop and present a portfolio demonstrating evidence of reflection and professional growth and include teachers' own performance assessment based on student work samples and examples of teachers' work, which may include video among other activities for the summative evaluation;
9. must use data from valid and reliable assessments aligned to state and local academic standards and must use state and local measures of student growth and literacy that may include value-added models or student learning goals to determine 35 percent of teacher evaluation results;
10. must use longitudinal data on student engagement and connection, and other student outcome measures explicitly aligned with the elements of curriculum for which teachers are responsible, including academic literacy, oral academic language, and achievement of content areas of English learners;
11. must require qualified and trained Evaluators such as school administrators to perform summative evaluations and ensure school districts and charter schools provide for effective Evaluator training specific to teacher development and evaluation;
12. must give teachers not meeting professional teaching standards support to improve through a teacher improvement process that includes established goals and timelines; and
13. must discipline a teacher for not making adequate progress in the teacher improvement process that may include a last chance warning, termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline a school administrator determines is appropriate.

Data on individual teachers generated under this subdivision are personnel data. The observation and interview notes of peer coaches may only be disclosed to other school officials with the consent of the teacher being coached.

Background

The South Saint Paul Public Schools Teacher Growth, Development, and Evaluation (TDE) Plan was initially written and approved during the 2013-2014 school year in order to comply with the Minnesota Statutes 122A.40 and 122A.41. The original copy, as approved by the South Saint Paul Public School Board of Education and the South Saint Paul Teachers' Association Local #861 in May 2014, resides with the Executive Director of Educational Services and the TDE Coordinator(s), as do current editions of the plan.

A TDE Steering Committee, composed of district administrators and educators, was formed in order to help with a successful initial implementation of the plan during the 2014-2015 school year. A "Matters-to-be-Addressed" document was created and served as a record of issues reviewed and addressed by the TDE Steering Committee. The overall plan was updated, revised, and approved in 2017, 2020, and 2024.

New/Revised for the SSP Teacher Growth, Development and Evaluation Plan, 4th Edn.

- Moved PLCs to Part One – Teacher Practice
- Re-named and simplified the Performance Assistance Plan, now the Advancing Practice Process
- Adjusted the Minimum Number of Observations (Table 5)
 - Probationary
 - Remove required informal observations
 - Ensure all probationary receive one peer review
 - Continuing Contract
 - Add one informal observation during CCY 1
 - Add one informal observation during CCY 2
 - Remove informal observations from CCY 3
 - Remove peer review from CCY 3
- Updated definitions and language to reflect changes in the district
- Removed now-irrelevant language and appendices

Overview

The most valuable evaluation model will not only meet state legislative requirements, it must produce gains in student learning. The model must evaluate teachers and, just as importantly, improve their classroom performance over time. Next-generation models, grounded in sound research, will emphasize teacher growth and development.

– Robert J. Marzano, “Examining the Role of Teacher Evaluation in Student Achievement”, 2012

Minnesota Statutes §122A.40 and §122A.41 require that a minimum of 35% of a teacher’s evaluation be based on student learning and achievement data. The remaining 65% of a teacher’s evaluation is based on teacher practice.

	How is the component defined?	How is this component measured?	How is this component weighted?
Teacher Practice (Part One)	<i>Defined by 4 domains:</i> <ol style="list-style-type: none"> 1. Planning & Preparation 2. Learning Environments 3. Learning Experiences 4. Principled Teaching 	Using the <i>Updated FFT</i> rubrics for standards of effective teacher practice and evidence gathered from <ul style="list-style-type: none"> ● Summative Evaluator’s formal and informal observations of teacher practice and student engagement ● Dialogue (self-reporting and reflection) ● Teacher portfolio (Optional) 	65%
Student Learning and Achievement (Part Two)	Defined as impact on student learning and achievement	Evidence of student learning and achievement, including but not limited to: <ul style="list-style-type: none"> ● State and district assessments ● Teacher-developed common assessments (e.g., pre/post, summative, etc.) ● Other locally developed measures of impact on student learning 	35%

Table 1: Parts of the South St. Paul Teacher Growth, Development, and Evaluation Plan

At the foundation of our educator practice is a growth mindset: with professional development, feedback, and educator leadership, our practices will grow. Figure 1 outlines the standard level of support for educators in South St. Paul Schools.

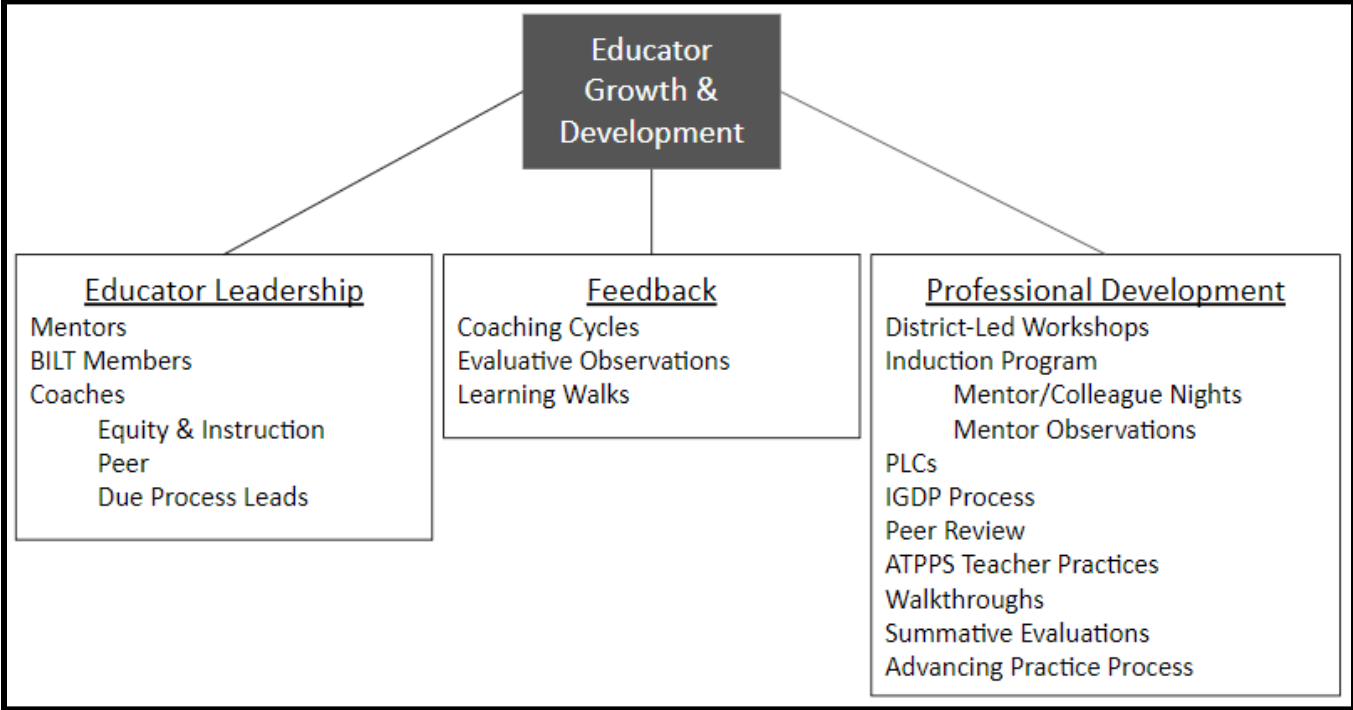


Figure 1: SPPS Supports for Educator Growth & Development

Definition of Participants

Role/Legislative Requirements	Definition/Qualifications
Teacher Minnesota Statutes §122A.40, subd. 1 and §122A.41, subd. 1	CBA Article 3 Section 2: The term “teacher” shall mean all teachers in the appropriate unit in a position for which the person must be licensed by the state of Minnesota, but excluding the following: superintendent, assistant superintendent, confidential employees, supervisory employees, essential employees, and such other employees excluded by law as determined by the Bureau of Mediation Services, as well as principals, assistant principals, and administrative assistants to principals who devote more than 50% of their time to administrative or supervisory duties.
Coaches	Coaches support professional learning communities, provide ongoing, job-embedded professional development, and participate as members of a site continuous improvement leadership team. Coaches may include Equity & Instruction Coaches, Due Process Leads, and Peer Coaches.
Peer Coaches Trained observers serve as peer coaches	Peer coaches meet and communicate with every teacher to support creation, implementation, and completion of an Individual Growth & Development Plan (IGDP). They also observe teachers multiple times during the school year and facilitate post-observation reflection conversations. Peer Coaches must hold a continuing contract in the district at the time of application. Refer to the Peer Coach (TOSA) Job Description for a complete job description.
Professional Learning Communities (PLCs) MN §122A.40, subd. 8	A group of educators committed to working collaboratively in ongoing processes of collective inquiry and action research to achieve better results for the students they serve. Guiding Questions: 1) What do we want students to know and be able to do? 2) How will we know if they learn it? 3) How will we respond when some students do not learn? 4) How will we extend the learning for students who are already proficient?
Summative Evaluator Qualified and trained Evaluator	Summative Evaluators will receive training to ensure knowledge of the TDE process in SSP, inter-rater reliability, and knowledge of the supports available to educators. Summative Evaluators include: <ul style="list-style-type: none"> ● Principal & Assistant Principal ● Supervisors of Educational Services ● Supervisors of Student Services
Teacher Growth, Development & Evaluation Steering Committee Article XXII from Collective Bargaining Agreement 2023-25	Committee will be responsible for ongoing implementation and revision of the plan. <ul style="list-style-type: none"> ● Receive, review and inform steering committee decisions regarding “Matters to be Addressed” ● Provide input by sharing perspectives and experiences relative to specific aspects of TDE implementation ● Meet approximately 1 hour per month outside the student day during the school year <ul style="list-style-type: none"> ○ Additional meetings may be scheduled as necessary

Table 3: Definitions of Participants

Part One – Teacher Practice

Performance Standards

Standard assessment of teacher practice informs us of our progress in development. Therefore, a teacher is expected to demonstrate professional teaching standards established in Minnesota Rule 8710.2000 and evaluated through the Performance Standards for Teacher Practice.

The standards for professional practice in South St. Paul Public Schools are based on the Danielson Group's *Updated Framework for Teaching*, (2024 rubric). The *Updated FFT* is a research-based set of components of instructional practices grounded in effective teaching practices. The framework focuses on four domains of teacher responsibility: Planning and Preparation, Learning Environments, Learning Experiences, and Principled Teaching. Each domain has a set of components and each component has a set of elements. The framework includes four levels of performance: Distinguished, Proficient, Basic, and Unsatisfactory. There are accompanying rubrics for each domain and its components.

Essential for the performance standards is a focus on equity, one of the district's core values. Equity, once implicit in the FFT but now explicit in the *Updated FFT*, is placed at the center and elevated to the core. Equity is supported by the other five themes: Developmental Appropriateness, Attention to Individual Students, High Expectations, Cultural Competence, and Student Assumption of Responsibility. In adopting the *Updated FFT*, we aim to create equitable educational opportunities.

Teachers, Summative Evaluators, and peer coaches use the performance standards for teacher practice to measure teacher practices against standards of effective practice; the rubrics are used to determine a teacher's level of performance and effectiveness. The performance standards are referenced when documenting evidence or offering feedback to teachers through the IGDP, peer reviews, and formal and informal observations.

The domains, components, and elements of the Danielson Group's *Updated FFT* are available and utilized in the online Frontline Professional Development and Evaluation system.

Professional Review Cycles

Each year of the cycle has defined roles, ongoing activities, and a continuous review of student learning and achievement data. Self-reflection, the peer review process, and the summative evaluation process all inform Individual Growth and Development Plans (IGDP). Steps and requirements for probationary and continuing contract teachers are laid out in the table below.

Roles	Steps/Requirements
Annual Professional Review Cycle for PROBATIONARY TEACHERS	<ol style="list-style-type: none"> 1. IGDP 2. PLC 3. Peer Review (1) 4. Summative Evaluation <ul style="list-style-type: none"> -Formal Observations (3) -Summative Conference (1) -OPTIONAL: Portfolio
3-Year Professional Review Cycle for CONTINUING CONTRACT TEACHERS	<p>Cycle Year 1:</p> <ol style="list-style-type: none"> 1. IGDP 2. PLC 3. Peer Reviews (2) 4. Informal Observation by administrator (1) <p>Cycle Year 2:</p> <ol style="list-style-type: none"> 1. IGDP 2. PLC 3. Peer Reviews (2) 4. Informal Observation by administrator (1) <p>Cycle Year 3:</p> <ol style="list-style-type: none"> 1. IGDP 2. PLC 3. Peer Review (1) 4. Summative Evaluation <ul style="list-style-type: none"> -Formal Observation (1) -Summative Conference (1) -OPTIONAL: Portfolio

Table 4: Probationary & Continuing Contract Review Cycle Requirements

Individual Growth and Development Plan (IGDP)

The Individual Growth and Development Plan is designed to guide an educator's individual professional learning and link that learning to the professional review cycle. It is written at the beginning of each school year. Parts of the plan may be developed in collaboration with members of the educator's professional learning community. The completed plan is submitted to the peer coach team at the end of each school year.

An Individual Growth and Development Plan identifies:

- Peer coach(s) and observation date(s)
- Summative Evaluator(s) and observation date(s)
- Professional growth goal(s)
- Site goals
- Action plans that address professional growth goal and individual student learning achievement goal
- Reflections on professional growth, student impact, and areas of strength

At the beginning of each school year, all teachers will complete a self-assessment based on the SSPPS Performance Standards. The results of the self-assessment will guide teachers to determine at least two *Updated FFT* components of focus for their IGDP. Data and information collected from peer reviews and informal observations during the previous year may also be used to inform the IGDP.

The Summative Evaluator will use this document to remain informed about the professional growth of the teacher.

Professional Learning Communities

All professional development is meant to increase a teacher's knowledge, skills, and professionalism. In South St. Paul, it is an expectation that teachers are engaged in job-embedded professional development through professional learning communities. Administration will ensure the creation of building meeting calendars that include designated PLC meeting times.

Professional Learning Communities (PLCs) will identify student learning needs and then develop an inquiry question using the Collaborative Inquiry Model or develop a SMART Goal using the DuFour Model. PLCs will work collaboratively throughout the school year to implement all elements of the selected model and document their work. At the end of the school year the PLC will self-assess their collaborative efforts with respect to their inquiry question or SMART goal.

Peer Reviews

Peer reviews will be based on the teacher's Individual Growth and Development Plan and facilitated by the teacher's peer coaches. Observations will be conducted by peer coaches annually.

Peer Coach Observations

- Pre Observation Form & conference (approx. 30 mins)
- Observation and Formal Observation Rubric (1 "class period," approx. 30-60 mins)
- Post Observation Form & conference (approx. 30-60 mins)

Peer Coach "Drop-in" Observations

- Observation and Formal Observation Rubric (1 "class period," approx. 30-60 mins)
- Post Observation Form & conference (approx. 30-60 mins)

Summative Evaluations

A Summative Evaluator will conduct informal and formal observations throughout the school year based upon a teacher's probationary or continuing contract status.

Formal Observations

- Pre-Observation Form & Conference (approx. 30 mins)
- Observation and Formal Observation Rubric (1 "class period," approx. 30-60 mins)
- Post-Observation Form & Conference (approx. 30-60 mins)

Informal Observations

- Observation and Informal Observation Rubric with a focus of areas 3B and 3C (approx. 10-20 mins)

Summative Conference

A Summative Evaluator will schedule the summative conference near the end of the school year after completing all informal and formal observations. Prior to the conference, the Summative Evaluator will:

- Review evidence of teacher practice and student engagement from previous observation feedback
- Review portfolio evidence (if submitted by the teacher)
- Determine Teacher Practice Score for each Domain 1-4
- Determine Student Learning & Achievement (SLA) Rating, based on average of SLA ratings from all three cycle years (available in IGDP), for Continuing Contract Cycle Year 3 teachers only

The purpose of a summative conference should be to engage in a meaningful conversation that supports a teacher in reflecting on their growth and development over the previous year(s). During the conference, it is expected that the Summative Evaluator will review both the Teacher Practice Score and SLA Rating as recorded in the Summative Form. The summative conference is also a time to identify areas for future growth and development.

Continuing Contract

Summative Evaluators conduct an informal observation in Cycle Year 1 and Cycle Year 2 to gather information on teacher practice and evidence of student engagement with a focus of areas 3B and 3C. Summative Evaluators will conduct a formal observation in Cycle Year 3. A summative conference will be held near the end of Cycle Year 3 to complete the 3-year professional review cycle.

Probationary

Summative Evaluators will conduct three formal observations and host a summative conference to complete the annual professional review cycle for each probationary year. The first formal observation occurs within 90 days of employment and subsequent formal observations will take place through the remainder of the school year as communicated and scheduled by a Summative Evaluator.

		Minimum Number of Observations			
		Summative Evaluator (may complete more)		Non-Evaluative Observations	
<i>Type of Teacher</i>		<i>Informal Observations</i>	<i>Formal Observations</i>	<i>Peer Coach</i>	<i>Mentor</i>
Probationary Year 1		0	3	1	3
Probationary Year 2 & 3		0	3	1	
Continuing Contract	Year 1	1	0	2	
	Year 2	1	0	2	
	Year 3	0	1	1	

Table 5: Minimum Number of Observations

Student Engagement

School districts are required to use longitudinal data on student engagement and connection and other student outcome measures aligned with curriculum for which teachers are responsible in the teacher evaluation system. The following passage from Danielson's *Framework for Teaching Evaluation Instrument* defines student engagement:

The centerpiece of the Framework is student engagement, which is defined not as "busy" or "on task," but as "intellectually active." Learning activities for students may be "hands-on," but they should always be "minds-on." Furthermore, the hallmark of distinguished-level practice in the Framework is that teachers have been able to create a community of learners, in which students assume a large part of the responsibility for the success of a lesson; they make suggestions, initiate improvements, monitor their own learning against clear standards, and serve as resources to one another.

The best evidence for student engagement is what students are saying and doing as a consequence of what the teacher does, or has done, or has planned. And while students may be physically active (e.g., using manipulative materials in mathematics or making a map in social studies), it is not essential that they be involved in a hands-on manner; it is, however, essential that they be challenged to be "minds-on."

During informal observations, Summative Evaluators will gather data on student engagement of Danielson's components: 3B and 3C. Summative Evaluators will collect student engagement data during Cycle Year 1 and Cycle Year 2 through informal observations and during Cycle Year 3 through a formal observation. Educators may choose to supplement this with additional evidence submitted in an electronic portfolio.

Teacher Portfolio (Optional)

The teacher portfolio is a collection of evidence demonstrating teacher practice, professional growth, student engagement, and impact on student learning and achievement. A teacher possesses the individual right to submit an electronic portfolio to their Summative Evaluator as a source of evidence; submitting a portfolio does not eliminate any other requirements of the teacher evaluation process. A portfolio is a way for a teacher to submit evidence of practice that may not have been gathered through other activities. A Summative Evaluator must consider portfolio evidence, if submitted, when determining scores and ratings for a summative evaluation. If a teacher chooses not to submit a portfolio, it will not reflect negatively on their evaluation.

Portfolios may contain, but are not limited to, the following evidence:

- Reflective statements
- Evidence of participation in professional learning activities
- Evidence of leadership
- Evidence of collaboration with other educators and with families
- Sample communications to families and other stakeholders
- Self-reflection and peer review observation forms
- Student work samples
- Examples of teacher work such as lesson plans
- Videos of lessons
- Student data including results of student learning and achievement goals
- Student survey results and reflection

For example, a teacher may have received feedback from a Summative Evaluator that students rarely work in groups. That teacher may respond to that feedback by providing lesson plans documenting when, how often, and the effect of students working in groups. Or, the teacher could offer a reflection stating changes in practice. In this example, the Summative Evaluator must consider evidence of the existing lesson plans with regards to Domain 1: Planning and Preparation, and the evidence of reflection and growth must be considered in the Domain 4: Principled Teaching.

Determining the Teacher Practice Score

A continuing contract teacher receives a summative evaluation once at the end of the three-year professional review cycle. To determine a Teacher Practice Score, a Summative Evaluator collects all evidence from the three-year professional review cycle activities including:

- Documentation from formal and informal observations by the Summative Evaluator,
- Longitudinal data of student engagement collected by the Summative Evaluator,
- Self-Reflection Annual Summary
- Teacher's portfolio (optional)

The Summative Evaluator uses a holistic approach. ***A holistic approach acknowledges that a Summative Evaluator uses professional judgment when combining evidence from multiple measures into a single rating.*** The Summative Evaluator reviews the body of evidence for teacher practice and looks for patterns in performance and trends over time and compares evidence to the *Updated FFT*. The Summative Evaluator interprets the evidence within the context of these benchmarks to draw conclusions about performance in each of the areas of planning and preparation, the learning environment, learning experiences, and principled teaching to then determine a Teacher Practice Score. Scores are recorded in the Teacher Practice Score Report in the Continuing Contract Teacher Summative Form.

The expectation is that a continuing contract teacher is rated proficient and continually improves their practice. A teacher may be rated basic when implementing a new curriculum, teaching a new course, or trying new professional practices. A continuing contract teacher with an Unsatisfactory score in a single component in the Teacher Practice Score Report will be supported to improve through the Advancing Practice Process.

Part Two – Impact on Student Learning and Achievement

Student learning and achievement is 35% of the Summative Performance Rating for an educator in South St. Paul (as required by Minnesota Statutes §122A.40 and §122A.41). This is calculated by taking the average of the Student Learning and Achievement ratings from all three years of a continuing contract teacher’s professional review cycle.

Student Learning and Achievement SMART Goal (35%)

Each year, individual teachers will set a student learning goal that will account for their student learning and achievement rating. Guidance for creating SMART goals and inquiry questions will be provided by the Department of Educational Services through coaches and the PLC process.

Determining the Rating for Student Learning and Achievement

Teachers will use the levels of performance below to determine a rating that indicates their impact on student learning and achievement. The rating(s) will be recorded in the IGDP during each year of the three year performance review cycle.

Rating	Levels of Performance for Student Learning and Achievement SMART Goal
4 (Distinguished)	This category applies when all students have met the target(s) and many students exceed the target(s). <ul style="list-style-type: none"> When a substantial number of students surpassed the overall level of attainment established by the target(s), the goal was exceeded.
3 (Proficient)	This category applies when all or almost all students have met the target(s). The bar for this category should be high and it should only be selected when it is clear that the students met the overall level of attainment established by the target(s). <ul style="list-style-type: none"> Results within a few points, a few percentage points, or a few students on either side of the target(s) should be considered for a rating of 3 (Proficient).
2 (Basic)	This category applies when it is clear that students fell short of the level of attainment established by the target(s). <ul style="list-style-type: none"> When many students met the target(s), but the target(s) was missed by more than a few points, a few percentage points, or a few students, the goal was nearly met.
1 (Unsatisfactory)	This category applies when the results do not fit the description of what it means to have a rating of 2 (Basic). This category also applies when results are missing, incomplete, or unreliable . <ul style="list-style-type: none"> If a substantial proportion of students did not meet the target(s), the goal was not met.

Table 6: Student Learning & Achievement Goal Ratings

Summative Performance Rating & Conference

At the end of Cycle Year 3, the Summative Evaluator and teacher will meet in a summative conference. In this conference, the Evaluator shares the Teacher Summative Form, which includes:

- Teacher Practice Score
- Summative Evaluator Comments & Recommendations (strengths and areas for improvement)
- Summative Performance Rating

As shown in Figure 2 below, the summative performance rating is based on evidence from the two parts of the South St. Paul Teacher Growth, Development, and Evaluation Plan: *Part One–Teacher Practice*, and *Part Two–Impact on Student Learning and Achievement*. Put together, the two parts are used to determine a Summative Performance Rating. Evidence of teacher practice and evidence of student learning and achievement are collected during all years of the three-year professional review. A Summative Evaluator reviews all the evidence (including a portfolio if submitted) and determines a Summative Performance Rating.

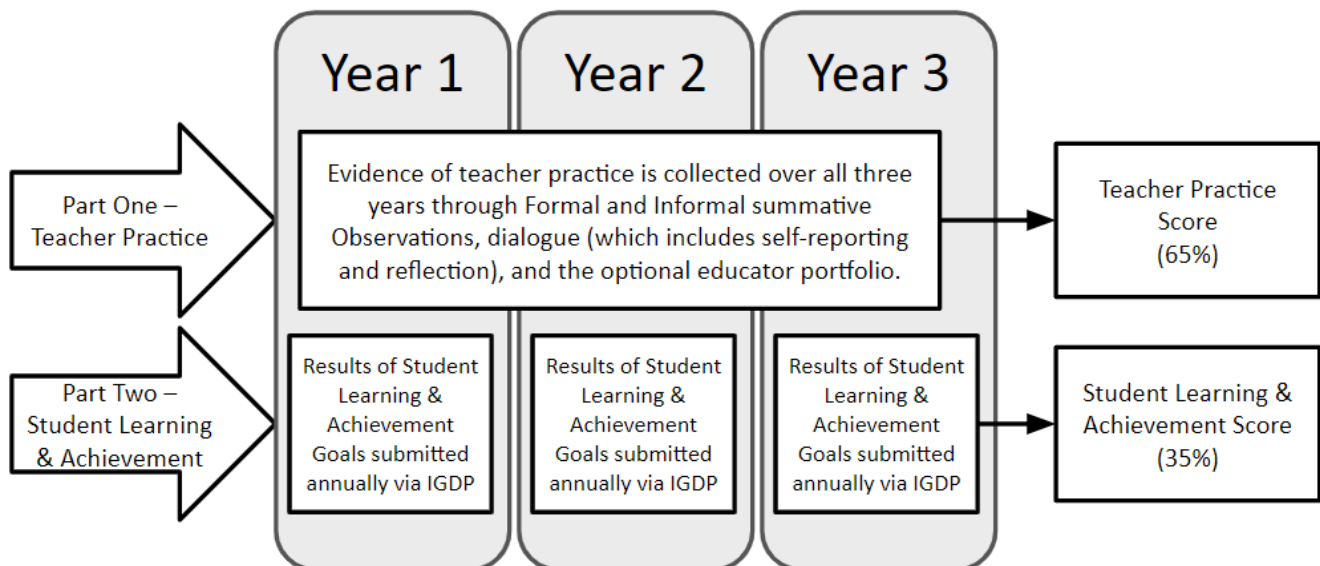


Figure 2: Parts of the Final Performance Rating

Determining the Summative Performance Rating

For the summative evaluation, the assigned Summative Evaluator first determines a score for *Part One–Teacher Practice* and a rating for *Part Two–Student Learning and Achievement*. The two parts are then used to numerically calculate a summative score and summative performance rating for a continuing contract teacher. The process described in detail below is automatically performed on the Continuing Contract Teacher Summative Form within the district’s Frontline Professional Development and Evaluation system.

Final Performance Rating Example

Summative Evaluators use the following process:

1. Assign the Teacher Practice Score and Student Learning & Achievement SMART Goal Rating.
(See columns 1 and 2 in the example calculation in Figure 3)
2. Multiply the numerical value for each part by the weight assigned to that part.
(See column 3 in the example in Figure 3)
3. Add the resulting products together to determine the summative score.
(See column 4 in the example in Figure 3)
4. Determine the Summative Performance Rating.
(See the circle and arrow in the example in Figure 3)

Example Calculation of Summative Score

Parts of Evaluation System	Score/Rating	Weight	Products
Part One–Teacher Practice Score	3.5	.65	2.275
Part Two–Student Learning and Achievement SMART Goal Rating (averaged from cycle years 1-3)	3*	.35	1.05
Add Products for Summative Score			3.325
<input type="checkbox"/> Distinguished 3.50-4.00 <input checked="" type="checkbox"/> Proficient 2.50-3.49 <input type="checkbox"/> Basic 1.50-2.49 <input type="checkbox"/> Unsatisfactory 1.00-1.49			




Figure 3: Determining the Summative Performance Rating

<p>Performance Rating 4: Distinguished</p> <p>Evidence of exceptional performance exists. The teacher exceeds South St. Paul Public Schools Performance Standards and shows leadership, initiative, and the ability to model and mentor colleagues. The teacher is a master teacher with consistent high levels of student engagement and makes contributions to the field.</p>
<p>Performance Rating 3: Proficient</p> <p>Evidence of strong performance at a rigorous level exists. The teacher meets South St. Paul Public Schools Performance Standards. The teacher has strong content knowledge, knows his/her students and has a large repertoire of teaching and engagement strategies he/she uses with students. The teacher has developed a sophisticated understanding of classroom dynamics and has mastered the work of teaching while working to improve practice.</p>
<p>Performance Rating 2: Basic</p> <p>Evidence of minimal competence exists. Teacher appears to understand the concepts of the South St. Paul Public Schools Performance Standards but implementation is sporadic, intermittent, or not entirely successful. Improvement is expected.</p>
<p>Performance Rating 1: Unsatisfactory</p> <p>Evidence exists that performance is consistently below South St. Paul Public Schools Performance Standards. The teacher does not appear to understand concepts underlying the performance standards. Assistance and significant improvement are required.</p>

Table 2: Performance Level Ratings

Adapted from Danielson, C. (2007, 2nd Ed.). *Enhancing Professional Practice: A Framework for Teaching*. Alexandria, VA: ASCD.

Non-Disclosure

- A. The Summative Performance Rating, including Teacher Practice and Student Learning and Achievement, shall be considered confidential personnel data available only to the teacher and immediate supervisor without the written consent of the teacher. These ratings will not be used within or publicized by the District in any way that would allow District employees to identify specific teachers.
- B. Information gathered during peer observations will be considered confidential and shall not be shared without the consent of the specific teacher unless required by federal or state law.
- C. The Summative Performance Rating, including Teacher Practice and Student Learning and Achievement, will not be used to rank teachers or compare performances of teachers. Summative performance rating data for individual teachers shall not be shared publicly.
- D. Anonymous summative performance rating data may be used by the District for the purpose of planning professional learning opportunities.
- E. In no case will any data from the South St. Paul Teacher Growth, Development, and Evaluation program be released publicly in such a way as to identify specific teachers unless mandated by a court order or as otherwise mandated by state or federal law. In such instances, relevant documentation will be shared by the District with SSPTA.

Advancing Practice Process (APP)

Philosophy & Purpose

The South St. Paul Teacher Growth, Development, and Evaluation Plan is grounded in the philosophy that teachers can improve with appropriate time and support. The purpose of the Advancing Practice Process (APP) is to support continuing contract teachers not meeting professional teaching standards in improving their craft (in accordance with MN Statutes 122A.40). This process should be developed and implemented *with* a teacher, with growth-focused conversations through the process.

Level 1 Process

Guidelines

A teacher may complete a Level 1 APP if

- Teacher has been given time to improve (i.e. additional observations)
- Areas for growth or improvement require individualized plan of support
- A rating of Unsatisfactory in a single component is assigned in the Teacher Practice Score

Implementation: A Level 1 APP will be implemented no later than 20 school days after the summative conference that precipitated it. A teacher completing the APP will repeat cycle year 3.

SSPTA Role: A teacher has the right to union representation throughout the development and implementation of the process. The District shall notify the SSPTA that a teacher is undergoing the Level 1 process, but the identity of the teacher will be shared with the SSPTA only with the written consent of the teacher.

Advisor: A Peer Coach, chosen by the teacher, who works with the teacher to develop an action plan. An Advisor will serve as a confidential support in this process.

Action Plan:

A. Goal

- a. determined by the summative conference rating that precipitated the plan
- b. linked to *Updated FFT* or board policy

B. Activities for training and support (offered by the District)

May include:

- a. Observing a colleague
- b. Co-planning with a coach (i.e. E&I Coach or Due Process Lead)
- c. Data audit with a coach (i.e. E&I Coach or Due Process Lead)
- d. District-led workshops
- e. Book study/book clubs
- f. Additional observation cycles with a coach
- g. Focused work with an Advisor or Coaches
- h. Generally do not require additional administrative observations beyond standard requirements outlined in the TDE plan

C. Evidence

- a. Outlines evidence which will document the completion of activities

Final Assessment: Final assessment of a teacher's completion of a Level 1 APP shall occur within a 60 day window surrounding the date one calendar year following the date of implementation (i.e. 30 days

before to 30 days after one calendar year from the date of implementation) unless an earlier date is mutually agreed upon. During the last trimester of the Level 1 APP, an observation by a peer coach (not the Advisor) and Department of Educational Services staff, focused on those areas that prompted the Level 1 APP, will determine whether it was completed successfully.

Next Steps:

If a teacher does not successfully complete the Level 1 APP, the teacher will be placed on Level 2 APP.

Level 2 Process

Guidelines

A teacher may complete a Level 2 APP if

- Areas for growth or improvement require individualized plan of support outside of the scope of resources that Coaches can provide
- Teacher does not successfully complete the Level 1 process

Implementation: A Level 2 APP will be implemented no later than 20 school days after the summative conference that precipitated it. A teacher completing the APP will repeat cycle year 3.

SSPTA Role: A teacher has the right to union representation throughout the development and implementation of the APP. The District shall notify the SSPTA of the teacher's building and assignment when placed on a Level 2 APP, but the identity of the teacher will be shared with the SSPTA only with the written consent of the teacher.

Advisor: A Peer Coach, chosen by the teacher, who works with the teacher to develop an action plan. An Advisor will serve as a confidential support in this process.

Trained Mentor: A Trained Mentor, assigned by the District, will work with the teacher and Advisor to develop and complete an action plan. The Trained Mentor will serve as a confidential support in this process. The District and the SSPTA shall determine the qualifications for trained mentors. The Trained Mentor may share information about the teacher's performance with written permission of the teacher.

Action Plan:

A. Goal

- a. determined by the summative conference rating that precipitated the plan
- b. linked to *Updated FFT* or board policy

B. Activities for training and support (offered by the District):

May include—

- a. Observing a colleague
- b. Co-planning with a Coach (i.e. E&I Coach or Due Process Lead)
- c. Data audit with a Coach (i.e. E&I Coach or Due Process Lead)
- d. District-led workshops
- e. Book study/book clubs
- f. Additional observation cycles with a Coach
- g. Focused work with an Advisor, Coaches, or Trained Mentor
- h. Generally do not require additional administrative observations beyond standard requirements outlined in the TDE plan

C. Evidence

- a. Outlines evidence which will document the completion of activities

Final Assessment: Final assessment of a teacher's completion of Level 2 APP shall occur within a 60 day window surrounding the date one calendar year following the date of implementation (i.e. 30 days before to 30 days after one calendar year from the date of implementation) unless an earlier date is mutually agreed upon. During the last trimester of the Level 2 APP, an observation by an Evaluator, focused on those areas that prompted the Level 2 APP, will determine whether it was completed successfully.

Next Steps

If a teacher does not successfully complete the Level 2 APP, the teacher may either be required to complete a second year on Level 2 or may be recommended for discipline and/or termination. In accordance with MN Statutes §122A.40, a teacher who does not make adequate progress after receiving identified support through the APP must be disciplined. Discipline and/or termination must be in accordance with the terms of the Master Agreement and Minnesota statutes.

Appendix A: Annual Timeline of Activities

South St. Paul's Teacher Growth, Development, and Evaluation System is designed as a three-year professional review cycle. Teachers, Peer Coaches, and Summative Evaluators participate in ongoing activities each year as outlined on the following pages.

Continuing Contract Teachers

Approx. Dates	Actions
<p>Beginning of School Year (Aug - Oct)</p> <p><i>Reflect, Set Goals, Make a plan</i></p>	<ul style="list-style-type: none"> ● Self-Assessment <ul style="list-style-type: none"> ○ Complete & Submit ● Peer Review <ul style="list-style-type: none"> ○ Initial Meeting with a Peer Coach ○ Set goals, begin IGDP, schedule observation ● Individual Growth and Development Plan <ul style="list-style-type: none"> ○ Write your Professional Growth Goal <ul style="list-style-type: none"> ■ Select at least 2 component focus areas ■ At least one component should be in Domain 2 or 3 ○ Write a Student Learning & Achievement (SLA) goal <ul style="list-style-type: none"> ■ with guidance from Dept of Educational Services ● PLCs <ul style="list-style-type: none"> ○ Identify inquiry question or SMART goal
<p>Throughout School Year (Sep - April)</p> <p><i>Implement IGDP</i></p>	<ul style="list-style-type: none"> ● Peer Review <ul style="list-style-type: none"> ○ Schedule observations and complete observation process <ul style="list-style-type: none"> ▪ Pre-Observation Form ▪ Post-Observation Form ▪ IGDP reflections ● Individual Growth and Development Plan <ul style="list-style-type: none"> ○ Write reflections in IGDP for each observation focus ○ Complete SLA action plan ● PLC <ul style="list-style-type: none"> ○ Collaborate to implement team-identified action plan to improve student learning ○ Collect and review evidence of student learning ● Informal Observations (Cycle Year 1&2) <ul style="list-style-type: none"> ○ Review, reflect on, and acknowledge feedback from administrators regarding student engagement ● Formal Observations (Cycle Year 3 ONLY) <ul style="list-style-type: none"> ○ Complete process with Summative Evaluator ● Portfolio (optional) <ul style="list-style-type: none"> ○ Gather evidence around teacher practices & student engagement practices; submit via electronic portfolio
<p>End of School Year (April - May)</p> <p><i>Reflect</i></p>	<ul style="list-style-type: none"> ● Individual Growth and Development Plan <ul style="list-style-type: none"> ○ Complete Self-Reflection ○ Assign goal ratings for Student Learning and Achievement Goal ○ Meet with a Peer Coach to finalize ● Summative Evaluation Conference (Cycle Year 3 ONLY) <ul style="list-style-type: none"> ○ Submit portfolio of evidence to Summative Evaluator (optional) ○ 'Acknowledge' Continuing Contract Teacher Summative Form

NOTE: All electronic forms (i.e., IGDP, Self-Assessment, Informal Observations, etc.) for TDE are found in the online Frontline Professional Development & Evaluation system.

Probationary Teachers

Approx. Dates	Actions
<p>Beginning of School Year (Aug - Oct)</p> <p><i>Reflect, Set Goals, Make a plan</i></p>	<ul style="list-style-type: none"> ● Self-Assessment <ul style="list-style-type: none"> ○ Complete & Submit ● Peer Review <ul style="list-style-type: none"> ○ Initial Meeting with a Peer Coach ○ Set goals and begin IGDP ○ Complete one Peer Coach observation ● Individual Growth and Development Plan <ul style="list-style-type: none"> ○ Write your Professional Growth Goal <ul style="list-style-type: none"> ■ Select at least 2 component focus areas ■ At least one component should be in Domain 2 or 3 ○ Write a Student Learning & Achievement (SLA) goal <ul style="list-style-type: none"> ■ with guidance from Dept of Educational Services ● PLCs <ul style="list-style-type: none"> ○ Identify inquiry question or SMART goal ● Evaluation Process (with a Summative Evaluator) <ul style="list-style-type: none"> ○ 1st Formal Observation should occur in the first 90 days
<p>Throughout School Year (Sept - March)</p> <p><i>Implement IGDP</i></p>	<ul style="list-style-type: none"> ● Individual Growth and Development Plan <ul style="list-style-type: none"> ○ Write reflections in IGDP for each observation focus ○ Complete SLA action plan ● PLC <ul style="list-style-type: none"> ○ Collaborate to implement team-identified action plan to improve student learning ○ Collect and review evidence of student learning ● Formal Observations (with Summative Evaluator) <ul style="list-style-type: none"> ○ complete a total of 3 observation cycles ● Portfolio (optional) <ul style="list-style-type: none"> ○ Gather evidence around teacher practices & student engagement practices; submit to your Evaluator via electronic portfolio
<p>End of School Year (April - May)</p> <p><i>Reflect</i></p>	<ul style="list-style-type: none"> ● Individual Growth and Development Plan <ul style="list-style-type: none"> ○ Complete Self-Reflection ○ Assign goal ratings for Student Learning and Achievement Goal ○ Meet with a Peer Coach to finalize ● Summative Evaluation Conference <ul style="list-style-type: none"> ○ 'Acknowledge' Probationary Teacher Summative Form

NOTE: All electronic forms (i.e., IGDP, Self-Assessment, Informal Observations, etc.) for TDE are found in the online Frontline Professional Development & Evaluation system.

Peer Coaches

Approx. Dates	Actions	
August	<ul style="list-style-type: none"> ● Develop case load ● Create a plan to ensure minimum number of observations 	
September	<ul style="list-style-type: none"> ● Schedule Initial Meetings with probationary staff & CCY3 staff <ul style="list-style-type: none"> ○ Review TDE requirements ○ Support teachers in developing IGDP ○ Schedule observations for probationary year 1 educators 	
October	<ul style="list-style-type: none"> ● Complete Observations with probationary staff (one) ● Complete Observations with CCY3 staff (one) 	Complete Initial Meetings with CCY1 & CCY2 staff
November December January February March	Complete Mid Year Meetings with Probationary & CCY3 staff Prepare probationary staff for Summative Conferences	Complete observation cycles with CCY1 & CCY2 staff (two)
April - May	<ul style="list-style-type: none"> ● Support teachers in completing Individual Growth & Development Plans ● ‘Finalize’ IGDP for every teacher ● Schedule end-of-year meeting with Cycle Year 1 & 2 Teachers <ul style="list-style-type: none"> ○ Review and reflect on Professional Growth Goal and Student Learning and Achievement Goal(s) ○ Identify potential areas of focus for next school year 	

NOTE: All electronic forms (i.e., IGDP, Self-Assessment, Informal Observations, etc.) for TDE are found in the online Frontline Professional Development & Evaluation system.

Teacher Growth, Development and Evaluation Plan

Letter of Agreement

South St. Paul Public Schools, Special School District No. 6, (the “District”) and South St. Paul Teachers Association, Local #861 (the “Union”) agree to the following:

- A. This Letter of Agreement shall be in effect upon ratification by both the District and the Union from July 1, 2024 through June 30, 2027. Each group shall use its own processes for ratification.
- B. Both the District and the Union shall have the option to initiate a time period for revisions of this Letter of Agreement by notifying the other party in writing of such a request on/before January 30 of a given year. If both parties should decline to initiate a time period for revisions of the Letter of Agreement, the Letter of Agreement shall continue in its current form through June 30th of the subsequent year. If an agreement cannot be reached prior to the expiration of the current Letter of Agreement, and if Minnesota statute still requires a Teacher Development and Evaluation plan, the South St. Paul School District shall adopt a Teacher Development and Evaluation plan as authored by the Minnesota Department of Education.
- C. Should legislative action by the State of Minnesota alter or amend in any fashion the statute language establishing the requirements for a Teacher Development and Evaluation Program in the South St. Paul School District, this letter of agreement shall be opened immediately for renegotiation, and an amended Letter of Agreement shall be developed, agreed upon, and ratified by both the District and the Union within sixty (60) days of both parties becoming aware of the concern. If an agreement cannot be reached during that time, and if Minnesota statute still requires a Teacher Development and Evaluation plan, the South St. Paul School District shall adopt a Teacher Development and Evaluation plan as authored by the Minnesota Department of Education.
- D. Whenever there are revisions made to this Letter of Agreement, the Union shall conduct a ratification vote among its membership.
- E. Disputes related to this Letter of Agreement shall be resolved in accordance with the grievance procedure as articulated by Article XVIII of the Master Agreement.

This Letter of Agreement will expire on -June 30, 2027.

IN WITNESS WHEREOF, the parties have executed this Letter of Agreement as follows:

For _____
South St. Paul Teachers’ Association

For _____
South St. Paul Public Schools
Special School District No. 6

President

School Board Chair

Vice President

School Board Vice Chair

Negotiations Representative

Director of Human Resources

Date

Date



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: Tuesday, May 28, 2024

Place on Agenda: Regular Meeting

Action Requested: Approval

Attachment: Proposed Resolution for #917 LTFM Revenue Program
Appendix A – LTFM Plan FY26

Topic: #917 Long Term Facilities Maintenance Revenue
Presenter(s): Brady Hoffman, Finance Director
<p>Background:</p> <p>Attached is a resolution approving South St Paul’s portion of Intermediate School District No. 917’s Long Term Facilities Maintenance (LTFM) Revenue.</p> <p>#917 does not have authority to levy and therefore cannot levy for Long Term Facilities Maintenance Revenue dollars. The member districts are allowed to levy on behalf of #917 and the funds are then paid to #917 for the work.</p> <p>Their proposed 2025-26 budget is \$255,500 (the 2024-25 budget was \$173,600) and South St Paul’s share of that budget is \$11,318.65 (the previous levy for SSP was \$7,690.48). The allocation for each #917 member district is based on the number of students and net tax capacity in that district.</p> <p>In addition, #917 will submit their 10-Year LTFM plan to the Minnesota Department of Education (MDE).</p>
Recommendation: Approval
Alternatives: Do not approve. #917 will not receive SSP share of LTFM revenue.

EXTRACT OF MINUTES OF MEETING
OF SCHOOL BOARD OF
SPECIAL SCHOOL DISTRICT #6
(South St. Paul)
STATE OF MINNESOTA

Pursuant to due call and notice thereof, a School Board meeting of Special School District No. 6, State of Minnesota, was held on May 28, 2024 at 6:00 PM, for the purpose, in part, of approving the Intermediate School District No. 917's Long-Term Facility Maintenance budget and authorizing the inclusion of a proportionate share of Intermediate School District's long-term facility maintenance projects in the district's application for long-term facility maintenance.

Director _____ introduced the following resolution and moved its adoption:

**RESOLUTION APPROVING INTERMEDIATE SCHOOL DISTRICT
NO. 917'S LONG-TERM FACILITY MAINTENANCE PROGRAM
BUDGET AND AUTHORIZING THE INCLUSION OF A
PROPORTIONATE SHARE OF THOSE PROJECTS IN THE
DISTRICT'S APPLICATION FOR LONG-TERM FACILITY
MAINTENANCE REVENUE**

BE IT RESOLVED by the School Board of Special School District No. 6, State of Minnesota, as follows:

1. The School Board of Intermediate School District 917 has approved a long-term facility maintenance program budget for its facilities for the 2025-26 school year in the amount of \$255,500.00 of which our District #6 proportionate share is \$11,318.65. The various components of this program budget are attached as Exhibit A here to and are incorporated herein by reference. Said budget is hereby approved. (Exhibit A.)
2. Minnesota Statutes, Section 123B.57, Subdivision 1, as amended, provides that if an intermediate school district's long-term facility maintenance budget is approved by the school boards of each of the intermediate school district's member school districts, each member district may include its proportionate share of the costs of the intermediate school district program in its long-term facility maintenance revenue application.
3. The proportionate share of the costs of the intermediate school district's long-term facility maintenance program for each member school district to be included in its application shall be determined by multiplying the total cost of the intermediate school district long-term facility maintenance program times a formula that weights two components equally between the member districts; total net tax capacity and Adjusted pupil units. The

long-term facility maintenance costs shall be funded through annual levy instead of issuing bonds. The inclusion of this proportionate share in the district's long-term facility maintenance revenue application for fiscal year 2026 is hereby approved, subject to approval by the Commissioner of Education.

4. Upon receipt of the proportionate share of long-term facility maintenance revenue attributable to the intermediate school district program, the district shall promptly pay to the intermediate school district the applicable aid or levy proceeds.

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

And the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA

COUNTY OF DAKOTA

I, the undersigned, being the duly qualified and acting Clerk of Special School District No. 6, State of Minnesota, hereby certify that I have carefully compared the attached and foregoing extract of minutes of a meeting of Special School District No. 6, held on the date therein indicated, with the original of said minutes on file in my office, and the same is a full, true and complete transcript insofar as the same relates to the approval of Intermediate School District No. 917's long-term facility maintenance program budget and authorizing the inclusion of a proportionate share of the Intermediate School District's long-term facility maintenance projects in the district's application for long-term facility maintenance revenue.

WITNESS MY HAND officially as such Clerk this 28th day of May 2024.

Clerk
Special School District #6

Intermediate School District #917
Proposed Health and Safety Plan FY26
Approved May 7, 2024 Board meeting

Appendix A

Environmental Health and Safety - Finance Code 352		
Numerous expenditures covered in this area please see attachment # 3 page 12-14 for details on allowable expenditures		
Project	Object Co Description	Expenditures
305	Fees For Services (Hepatitis A & B, Metro ECSU, Safe Schools training	\$7,500.00
366	CPR training and mileage reimbursements	\$0.00
401	Supplies (personal protective equipment disposable gloves,cloths,pads, masks, pest control, chemical storage (20% Secondary & 80% Special ed)	\$11,533.00
170	IAQ Coordinator	\$4,400.00
200	benefits	\$667.00
820	Mgmt asst. prog. And Metro ECSU H&S Memb	\$4,000.00
		\$28,100.00
Physical Hazard Control - Finance Code 347		
Project	Object Co Description	Expenditures
	401 PPE for shop areas (harness, boots, safety glasses etc) and safety equipment for special education programs	\$2,400.00
		\$2,400.00
Building Envelope - Finance Code 368		
Project	Object Co Description	Expenditures
	520 Interior floor replacement	\$40,000.00
		\$40,000.00
Mechanical Systems - Finance Code 380		
Project	Object Co Description	Expenditures
	520 HVAC Unit replacements- RTU #5,17,18,20	\$185,000.00
		\$185,000.00

Total **\$255,500.00**



SOUTH ST. PAUL PUBLIC SCHOOLS
School Board Agenda Item

Meeting Date: May 28, 2024
Place on Agenda: Regular Agenda/Business Items
Action Requested: Approval
Attachment: Acceptance of Gifts

Topic: Acceptance of Gifts
Presenter(s): Brady Hoffman, Finance Director
Background: Per school board policy, the School Board may receive and accept , for the benefit of the school district, bequests, donations of money or gifts for any purpose. All gifts received by the District must comply with applicable fire codes, health guidelines, and safety regulations (i.e. furniture, technology, and appliances).
Recommendation: Administration recommend the approval of the Acceptance of Gifts
Alternatives: Do not approve the Acceptance of Gifts and direct administration with next steps.

Passionate Learners Positively Changing Our World

Board Meeting Date: Tuesday, May 28, 2024

Acceptance of Gifts

Monetary Donation Amount	Designated To	Donation From	Purpose
\$500.00	Lincoln Center	Cyber Grants, LLC on behalf of Charities Aid Foundation of America	Donation towards LC, 3M Volunteer Mach on behalf of Becky Williams
\$255.00	CDLU	HLT Heating and Cooling	Events
\$100.00	Secondary CDLU	Mendoza-Navarro LLC	Events
\$2333.60	Lincoln Center	South St. Paul Ed. Found.	LC Pottery Wheel
\$2288.60	Kaposia Education Center	South St. Paul Ed. Found.	KEC Pottery Wheel & Clay Program
\$1076.50	Danceline	South St. Paul Open Found.	Coach Salary
\$250.00	All Night Senior Party	Volkswagen of Inver Grove	Senior All Night Party

In-Kind Donation Item	Designated To	Donation From	Purpose