

## Agenda

1. CALL TO ORDER

2. ROLL CALL

3. VISITOR COMMENTS

The school board meeting is a meeting in the public, not a public meeting. Nicollet School Board Policy provides that persons who wish to have a subject discussed at a public school board meeting are encouraged to notify the superintendent's office in advance of the school board meeting. The school board chair will recognize one speaker at a time and will rule out of order other speakers who are not recognized, violations of data privacy, or inappropriate comments.

4. APPROVAL OF AGENDA

5. REPORTS AND PRESENTATION

5.a. Superintendent's Report

5

The fall staff development schedule has been completed and distributed to staff members (attached). Thanks to Todd Toulouse with input from the staff development team for developing the schedule.

The focus of the upcoming school year is PBIS. Positive Behavioral Interventions and Supports is an evidence-based, tiered framework for supporting *students'* behavioral, academic, social, emotional, and mental health. When implemented with fidelity, PBIS improves social emotional competence, academic success, and school climate.

We are also highlighting inclusion as we plan for the new school year. The District Inclusion Plan is attached.

The district's mission remains the same: *Developing*

*responsible, lifelong learners who are ready to succeed in a changing world.*

Repairs to the parking lot have been completed.

Robin Courier has been selected as the interim principal for the upcoming school year. Her 7 years of administrative experience includes 4 years as the principal of Bridges Elementary School in Mankato. She was an elementary school teacher for 22 years. Robin also has experience with PBIS, has supervised student teachers for MSU and Gustavus, and has served on national education committees. She will begin her duties on August 15th. We will conduct a search for a long-term principal this spring.

5.b. Principal's Report	11
5.c. Student Representative's Report	
5.d. Board Committees' Reports	
6. CONSENT AGENDA	
6.a. Approval of Minutes	12
6.b. Approval of Bills in the amount of \$387,047.64	14
6.c. Approval of Personnel Items	19
6.d. Accept Donations	21
MS 123B.02, Subd. 6 permits the school board to accept donations or gifts for the benefit of the district. <b>The Superintendent recommends approving the donations received.</b>	
6.e. Amend Adult Lunch Prices For 2022-23 School Year	

MDE Guidance Issued August 1<sup>st</sup> imposes a minimum price for adult meals. School Nutrition Programs funds may not subsidize meals served to adults. The meal price must cover the full cost of the meal. The calculation is based on the current year's State and Federal reimbursement rates plus the national average per meal value of U.S. Department of Agriculture Foods. **The superintendent recommends setting the prices for adults at the minimum level required by MDE for the 2022-23 school year: Breakfast: \$2.25, Lunch: \$4.95.**

7. APPROVE REVISED POLICIES

The following policies are revised to reflect updates recommended by MSBA. Deleted language is shown as ~~striketrough~~. New language is underlined. The first reading of the policies was last month. **The superintendent recommends approving the policies.**

7.a. APPROVE POLICY REVISED POLICY 506 STUDENT DISCIPLINE 22

506 Student Discipline

- A. Adds violation of the school district's one-to-one device rules and regulations to the list of examples of unacceptable student behavior.
- B. Adds removal from class as a consequence for assault.
- C. Replaces "Behavior Referral" with "Student Incident Referral"
- D. Updates statutory legal references

7.b. APPROVE REVISED POLICY 205 OPEN MEETINGS AND CLOSED MEETINGS 43

205 Open Meetings and Closed Meetings

- E. Grammatical changes
- F. Adds "The existence of parent complaints must not be the sole reason for the school board not to renew a coaching contract" as required by statute.

8. FIRST READING REVISED 414 MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE

9.

The following policy is revised to reflect updates recommended by MSBA. Deleted language is shown as ~~striketrough~~. New language is underlined. This is the first reading of the policies. No action is recommended.

414 MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE

- G. Grammatical changes
- H. Changes "neglected or physically or sexually abused" to "maltreated"
- I. Clarifies definitions
- J. Prohibits the employer of a mandated reporter from retaliation when a report is made in good faith.

10. RESOLUTION PROPOSING TO IMMEDIATELY DISCHARGE A TENURED TEACHER 60

11.

**The superintendent recommends approving the resolution proposing to immediately discharge a tenured teacher identified as teacher "A".**

12. ADJOURNMENT



## **NICOLLET PUBLIC SCHOOLS • ISD 507**

One Pine Street • Nicollet, MN 56074  
District & Elementary Office 507-232-3411  
High School Office 507-232-3448  
Fax 507-232-3536 • [isd507.k12.mn.us](mailto:isd507.k12.mn.us)

Superintendent: Dr. Stephen Malone • Principal: Mr. Todd Toulouse

Date: August 5, 2022  
To: School Board  
From: Dr. Malone  
RE: Meeting Notes, August 10, 2022

### 5A. Superintendent's Report

- i. The fall staff development schedule has been completed and distributed to staff members (attached). Thanks to Todd Toulouse with input from the staff development team for developing the schedule.
- ii. The focus of the upcoming school year is PBIS. Positive Behavioral Interventions and Supports [is an evidence-based](#), tiered framework for supporting *students'* behavioral, academic, social, emotional, and mental health. When implemented with fidelity, [PBIS improves](#) social emotional competence, academic success, and school climate.

We are also highlighting inclusion as we plan for the new school year. The District Inclusion Plan is attached.

The district's mission remains the same: *Developing responsible, lifelong learners who are ready to succeed in a changing world.*

- iii. Repairs to the parking lot have been completed.
- iv. Robin Courier has been selected as the interim principal for the upcoming school year. Her 7 years of administrative experience includes 4 years as the principal of Bridges Elementary School in Mankato. She was an elementary school teacher for 22 years. Robin also has experience with PBIS, has supervised student teachers for MSU and Gustavus, and has served on national education committees. She will begin her duties on August 15th. We will conduct a search for a long-term principal this spring.

6. Consent Agenda. **The superintendent recommends approving the consent agenda.**

e) MDE Guidance Issued August 1<sup>st</sup> imposes a minimum price for adult meals. School Nutrition Programs funds may not subsidize meals served to adults. The meal price must cover the full cost of the meal. The calculation is based on the current year's State and Federal reimbursement rates plus the national average per meal value of U.S. Department of Agriculture Foods. **The superintendent recommends setting the prices for adults at the minimum level required by MDE for the 2022-23 school year: Breakfast: \$2.25, Lunch: \$4.95.**

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A. 506 Student Discipline

- i. Adds violation of the school district's one-to-one device rules and regulations to the list of examples of unacceptable student behavior.
- ii. Adds removal from class as a consequence for assault.
- iii. Replaces "Behavior Referral" with "Student Incident Referral"
- iv. Updates statutory legal references

B. 205 Open Meetings and Closed Meetings

- i. Grammatical changes
- ii. Adds "The existence of parent complaints must not be the sole reason for the school board not to renew a coaching contract" as required by statute.

8. The following policies are revised to reflect updates recommended by MSBA. Deleted language is shown as ~~strikethrough~~. New language is underlined. This is the first reading of the policies. No action is recommended.

A. 414 MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE

- i. Grammatical changes
- ii. Changes "neglected or physically or sexually abused" to "maltreated"
- iii. Clarifies definitions
- iv. Prohibits the employer of a mandated reporter from retaliation when a report is made in good faith.

**9. The superintendent recommends approving the resolution proposing to immediately discharge a tenured teacher identified as teacher "A".**

Please contact me with any questions or concerns.



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Superintendent: Dr. Stephen Malone • Principal: Mr. Todd Toulouse



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### **Monday, August 1-28:**

8 Flex Hours For Teachers

### **Teachers Work In Rooms**

### **Wednesday, August 24:**

7:30-3:30 New Teacher In-Service

### **New Teacher In-Service**

Location TBD

### **Monday, August 29:**

7:30-8:30 Welcome and Introductions  
8:30-11:30 Raider Pride/PBIS  
11:30-12:30 Lunch  
12:30-3:15 Raider Pride/PBIS

### **In-service (All Staff)**

Community Room

\*Teachers - Sign up for your [Committees/Teams](#) by the end of the day. This document is also in Google Drive called, "NPS Committees and Teams 22-23." Todd will go over openings.

### **Tuesday, August 30:**

7:30-8:00 Work In Classrooms  
8:00-11:00 Dyslexia Training  
11:00-12:00 Lunch  
12:00-2:00 Dyslexia Training Cont.  
2:00-3:00 Work In Classrooms

### **Staff Development (All Teachers)**

Community Room

Community Room

### **Wednesday, August 31:**

**7:30 am - 3:30 pm**

### **PreK-6Teacher/Para Staff Development**

### **Wednesday, August 31:**

**11:00 am - 7:00 pm**

### **Staff Development 7th-12th Teacher/Para**

Elementary Special Education (Sped) Meetings/Schedule  
8:00-8:30: Pre K-K  
8:30-9:15: K-1st Grade  
9:15-9:45: 2nd-3rd Grade  
9:45-10:15: 3rd-4th Grade  
10:15-10:45: 4th-5th  
10:45-11:15: 5th-6th  
11:30-12:00: 6th-7th  
12:00-12:30 Lunch  
12:30-1:30 Elementary Teacher/Para Meeting  
1:30-3:30 Work in Classrooms

Locations TBD

Secondary Special Education Meetings Locations TBD  
 11:00-11:50 Secondary Teacher/Para Meeting  
 11:50-12:55 10th-12th  
 12:55-2:00 7th-9th  
 2:00-3:00 Work In Classrooms  
**3:00-7:00 Open House** 6:30-7:00 9th Grade and New High School Students Orientation

\*Sped meetings with teachers, case managers, and paraprofessionals. Go over IEPs and expectations.\*

**Thursday, Sept. 1:** **7:30 am - 3:30 pm** **Staff Development (All Staff)**  
 9:00-12:30 Equity and Inclusion Community Room (Kinect Ed)  
 12:30-3:30 Work In Classrooms

**Other Important Dates/Times**

<b>Monday, Sept. 5</b>	<b>NO SCHOOL</b>	<b>LABOR DAY</b>
<b>Tuesday, Sept. 6</b>	<b>8:00 am - 3:05 pm</b>	<b>School Begins Grades 7-12</b>
	<b>11:30 am - 7:30 pm</b>	<b>Parent Teacher Conferences PreK-6</b>
<b>Wednesday, Sept. 7</b>	<b>7:30 am - 3:30 pm</b>	<b>Parent Teacher Conferences PreK-6</b>
<b>Thursday, Sept. 8</b>	<b>8:00 am - 3:00 pm</b>	<b>School Begins Grades K-6</b>
<b>Monday, Sept. 12</b>	<b>8:00am - 3:05pm</b>	<b>School Readiness Begins</b>

**Early Dismissal (PLC/Training/Workdays) - 7 for PLCS**

- Friday, Sept. 30 - Early Dismissal/Teacher In-Service**
  - 1:10-3:00 PLC/PBIS
- Wed., Oct. 19 - Early Dismissal/Teacher In-Service**
  - 1:10-3:00 PLC/PBIS
- Monday, Nov. 7 - Teacher Workday/In-Service (End of Qtr)**
  - 7:30-11:30 Grading
  - 11:30-12:00 Lunch
  - 12:30-3:00 PLC/PBIS
- Friday, Jan 20 - Teacher Workday/In-Service (End of Qtr)**
  - 7:30-11:30 Grading
  - 11:30-12:00 Lunch
  - 12:00-3:00 PLC/PBIS
- Thursday, Feb. 16 - Early Dismissal/Teacher In-Service**
  - 1:10-3:00 PLC/PBIS
- Monday, March 27 -Teacher Workday/In-Service (End of Qtr)**
  - 7:30-11:30 Grading
  - 11:30-12:00 Lunch
  - 12:00-3:00 PLC/PBIS
- Friday, April 21 - Early Dismissal/Teacher In-Service**
  - 1:10-3:00 PLC/PBIS
- Thursday, June 1 - Teacher Workday**
  - 7:30-3:00



## Inclusion Plan



### **Inclusion Statement**

Nicollet Public Schools creates a culture that celebrates and respects all students and staff. A sense of belonging that is inclusive of all abilities, cultures, and identities is paramount to ensuring student success for all.

### **Inclusion Objectives**

- Respect for all.
- Strong relationships that celebrate each unique individual and connect our schools with the broader community.
- Support and resources to ensure academic success for each student.
- A global understanding that will broaden our awareness of all cultures.
- Preparing and inspiring students and staff to be inclusive.
- Nurturing a school climate where students value diversity.

### **Inclusion in Our District**

Inclusion is a core concept in our district that applies to creating a welcoming learning environment that maximizes success and the individual experience of each student. We recognize that inclusion must be framed by the visible and invisible dimensions that form the uniqueness of each of our students, staff and family members. These dimensions provide a framework for understanding inclusion and include, but are not limited to the following:

- |                           |                         |                       |
|---------------------------|-------------------------|-----------------------|
| • Abilities/Disabilities  | • Culture               | • Life Experiences    |
| • Culture                 | • Religion              | • Education           |
| • Age                     | • Parent/Family Status  | • Political Beliefs   |
| • Personality             | • Socio-Economic Status | • Learning Styles     |
| • Military/Veteran Status | • Ethnicity             | • Language            |
| • Gender/Gender Identity  | • Appearance            | • Race                |
|                           | • Sexual Orientation    | • Nationality         |
|                           |                         | • Relationship Status |

Nicollet Public Schools will actively welcome, support, respect and value each unique member of our school community.

## **Goal 1**

Communicate inclusion as a district goal with the school community.

### *Action Steps:*

- Meet with parents to share the inclusion plan.
- Share the inclusion plan and inclusive expectations with district teachers and staff.
- Clarify the non-discrimination statement in the student handbook
- Add the non-discrimination statement to the faculty handbook.
- Share expectations for inclusion and discrimination with students.
- Post welcoming posters in school common areas.

## **Goal 2**

Provide training, education, and support to students and staff to encourage engagement and learning.

### *Action Steps:*

- Provide a kick-off training by external consultant for teachers about inclusive practices in the classroom.
- Prepare teachers through professional development to lead 4 student sessions about being a part of an inclusive learning environment.
- Provide a mid-year professional development session for teachers, led by an external consultant, about student success and inclusive practices.
- Provide a student training, led by an external consultant, for 7-12 graders.

## **Goal 3**

**Provide accessible reporting and accountability for maintaining a respectful and inclusive learning environment.**

### *Action Steps:*

- Post an anonymous discrimination reporting tool on the website.
- Ensure the school community is aware of how to report a concern.
- Maintain an open-door policy for students, teachers and parents to share concerns.
- Investigate all concerns and follow the established guidelines for accountability.
- Monitor disproportionality of suspension/expulsions/disciplinary action for student subgroups.



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### **Principal's Report 8-10-2022**

#### **Staff Development/Fall Workshop Update:**

PBIS/Raider Pride, Dyslexia, and Inclusivity training (KinectEd) will take place during the Fall Workshop and in-service days throughout the year.

#### **Business/Tech Position:**

The district has not been able to fill the vacancy, yet. Some teachers have been asked to teach on overload and teach electives. Some teachers will need to be reassigned and parts of their schedules changed from the original master schedule.

#### **Parting Words:**

Words can not express how much these past 6 years have meant to me and my family. I am honored and privileged to have worked side-by-side with all of you. I've greatly enjoyed and appreciated the work opportunities I've had to work with the students, staff, families, and community.

I truly wish the Nicollet family nothing but the best moving forward. I will miss you!

Independent School District 507 Regular  
School Board Meeting  
Wednesday, July 13, 2022 6:00 PM Central

1 Pine St, Nicollet, MN 56074, Community  
Room  
1 Pine St  
Nicollet, MN 56074

Ashley Black: Present, Cathy Blowers: Present, Adam Erickson: Present, Scot Osborne: Present,  
Mike Slater: Present, Nick Thom: Present. Present: 6.

1. CALL TO ORDER

2. ROLL CALL

3. VISITOR COMMENTS

4. APPROVAL OF AGENDA

Move to accept the Agenda as presented. This motion, made by Scot Osborne and seconded  
by Nick Thom, Carried.

Ashley Black: Yea, Cathy Blowers: Yea, Adam Erickson: Yea, Scot Osborne: Yea, Mike  
Slater: Yea, Nick Thom: Yea  
Yea: 6, Nay: 0

5. REPORTS AND PRESENTATION

5.a. Superintendent's Report

5.b. Principal's Report

5.c. Student Representative's Report

5.d. Board Committees' Reports

6. CONSENT AGENDA

Move to accept the Consent Agenda as presented. This motion, made by Scot Osborne and  
seconded by Cathy Blowers, Carried.

Ashley Black: Yea, Cathy Blowers: Yea, Adam Erickson: Yea, Scot Osborne: Yea, Mike  
Slater: Yea, Nick Thom: Yea  
Yea: 6, Nay: 0

6.a. Approval of Minutes

6.b. Approval of Bills in the amount of \$360,455.58

6.c. Approval of Personnel Items

6.d. Accept Donations

7. SET ADULT LUNCH PRICE FOR 2022-23 SCHOOL YEAR

Motion to approve 22-23 lunch prices with the only increase to Adult/Staff lunches. \$4.25.  
This motion, made by Nick Thom and seconded by Scot Osborne, Carried.

Ashley Black: Yea, Cathy Blowers: Yea, Adam Erickson: Yea, Scot Osborne: Yea, Mike  
Slater: Yea, Nick Thom: Yea  
Yea: 6, Nay: 0

8. STUDENT HANDBOOK

9. APPROVE FY 23 LONG TERM FACILITIES MAINTAINENCE APPLICATION

Motion to approve as presented. This motion, made by Mike Slater and seconded by Ashley Black, Carried.

Ashley Black: Yea, Cathy Blowers: Yea, Adam Erickson: Yea, Scot Osborne: Yea, Mike Slater: Yea, Nick Thom: Yea

Yea: 6, Nay: 0

10. FIRST READING OF POLICIES

10.a. 506 STUDENT DISCIPLINE

10.b. 205 OPEN MEETINGS AND CLOSED MEETINGS

11. RESOLUTION RELATING TO THE ELECTION OF SCHOOL BOARD MEMBERS AND CALLING THE SCHOOL DISTRICT GENERAL ELECTION

Motion to approve as presented. This motion, made by Scot Osborne and seconded by Cathy Blowers, Carried.

Ashley Black: Yea, Cathy Blowers: Yea, Adam Erickson: Yea, Scot Osborne: Yea, Mike Slater: Yea, Nick Thom: Yea

Yea: 6, Nay: 0

12. ADJOURNMENT

Move to Adjourn at 6:47pm. This motion, made by Ashley Black and seconded by Nick Thom, Carried.

Ashley Black: Yea, Cathy Blowers: Yea, Adam Erickson: Yea, Scot Osborne: Yea, Mike Slater: Yea, Nick Thom: Yea

Yea: 6, Nay: 0

**BOARD PACKET SUMMARY**

**Bank Account Balance as of:**

Progrowth Bank - Checking	July 31, 2022
MSDLAF	\$ 306,467.20
Petty Cash	1,256,931.83
Total	<u>750.00</u>
	<u>\$ 1,564,149.03</u>

**Net July 2022 Payrolls**

	<u>M202212</u>	<u>M202212S</u>	<u>M202212S1</u>	<u>M202212S2</u>	<u>202301</u>	<u>202302</u>	<u>S202302S</u>	<u>S202302S1</u>
Fund 1 General	\$ 52,895.38	\$ 12,296.33	\$ 25,978.76	\$ (24.35)	\$ 6,384.63	\$ 19,038.22	\$ (529.47)	\$ 2,347.30
Fund 2 Food Service	-	2,263.98				992.41		-
Fund 4 Community Service	8,540.78	473.03	958.33			958.33		-
Fund 24 Fitness Center	-	540.47				781.48		-
Fund 34 Daycare	-	17,514.77		172.21	1,920.00	24,188.80	1,920.00	-
Fund 44 Latchkey					213.33	213.33	213.33	-
Total	<u>\$ 61,436.16</u>	<u>\$ 33,088.58</u>	<u>\$ 26,937.09</u>	<u>\$ 147.86</u>	<u>\$ 8,517.96</u>	<u>\$ 46,172.57</u>	<u>\$ 1,603.86</u>	<u>\$ 2,347.30</u>

**Paid Bills July - August 2022**

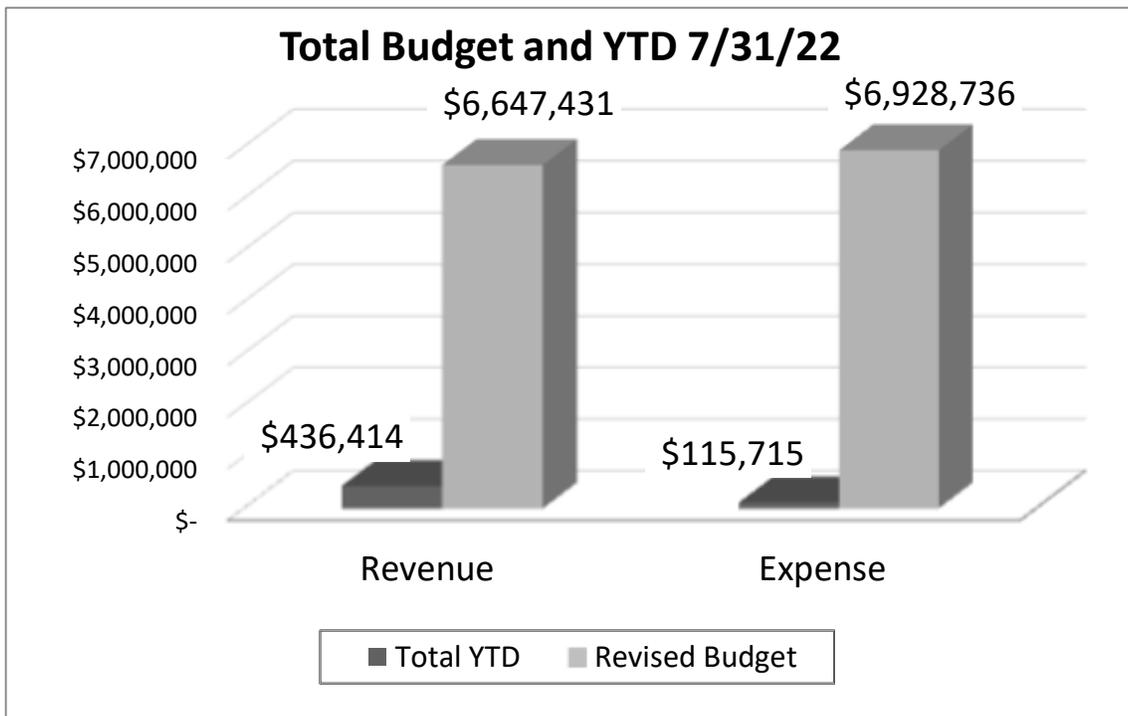
Fund 1 General	\$ 341,207.60
Fund 2 Food Service	4,515.08
Fund 4 Community Service	2,007.03
Fund 6 Construction Fund	-
Fund 7 Debt Service	35,560.00
Fund 18 Custodial	-
Fund 24 Fitness Center	166.68
Fund 25 Student Activities	1,834.45
Fund 34 Daycare	1,388.55
Fund 44 Latchkey	368.25
Total	<u>\$ 387,047.64</u>

TOTAL FINANCE

\$ 567,299.02

**Nicollet ISD 507  
Monthly Budget Report  
July 31, 2022**

	<u>Revenue</u>	<u>% of Total</u>	<u>Expense</u>	<u>% of Total</u>
<b>Original Budget</b>	\$ 6,647,431		\$ 6,928,736	
<b>Month Ending:</b>				
7/31/2021	\$ 436,414	6.6%	\$ 115,715	1.7%
8/31/2021		0.0%		0.0%
9/30/2021		0.0%		0.0%
10/31/2021		0.0%		0.0%
11/30/2021		0.0%		0.0%
12/31/2021		0.0%		0.0%
1/31/2022		0.0%		0.0%
2/29/2022		0.0%		0.0%
3/31/2022		0.0%		0.0%
4/30/2022		0.0%		0.0%
5/31/2022		0.0%		0.0%
6/30/2022		0.0%		0.0%
<b>Total YTD</b>	<u>\$ 436,414</u>	<u>6.6%</u>	<u>\$ 115,715</u>	<u>1.7%</u>



# Nicollet Public Schools Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void	Amount
												Date	
NSBG		47743		Wire	1	01152	INTERNAL REVENUE SERVICE		No	No	No	07/31/2022	50,388.55
NSBG		47744		Wire	1	01231	PUBLIC EMPLOYEES RETIREMENT		No	No	No	07/31/2022	5,177.44
NSBG		47745		Wire	1	01234	TEACHERS RETIREMENT ASSN		No	No	No	07/31/2022	18,525.68
NSBG		47746		Wire	1	06742	MN DEPARTMENT OF REVENUE		No	No	No	07/31/2022	8,276.76
NSBG		47747		Wire	1	1829	XCEL ENERGY		No	No	No	07/31/2022	10,990.94
NSBG		47748		Wire	1	2654	BOND TRUST SERVICES CORP		No	No	No	07/31/2022	35,560.00
NSBG		47749		Wire	1	3279	AVIBEN		No	No	No	07/31/2022	5,711.67
NSBG		47750		Wire	1	3433	VERIZON WIRELESS		No	No	No	07/31/2022	136.57
NSBG		47751		Wire	1	4738	ACH Withdrawals		No	No	No	07/31/2022	6,592.29
NSBG		47787		Wire	1	01152	INTERNAL REVENUE SERVICE		No	No	No	07/31/2022	148.10
NSBG		47788		Wire	1	01231	PUBLIC EMPLOYEES RETIREMENT		No	No	No	07/31/2022	134.16
NSBG		47789		Wire	1	01231	PUBLIC EMPLOYEES RETIREMENT		No	No	No	07/31/2022	5,285.00
NSBG		47790		Wire	1	01231	PUBLIC EMPLOYEES RETIREMENT		No	No	No	07/31/2022	302.16
NSBG		47791		Wire	1	01231	PUBLIC EMPLOYEES RETIREMENT		No	No	No	07/31/2022	196.99
NSBG		47792		Wire	1	01234	TEACHERS RETIREMENT ASSN		No	No	No	07/31/2022	5,279.31
NSBG		47793		Wire	1	06742	MN DEPARTMENT OF REVENUE		No	No	No	07/31/2022	28.92
NSBG		47697	74665	Check	1	3826	CENGAGE LEARNING		Yes	No	No	07/13/2022	23,121.27
NSBG		47707	74666	Check	1	5125	GRUBB, RACHEL FLOOD		Yes	No	No	07/13/2022	26.75
NSBG		47700	74667	Check	1	4116	HULKE, JOAN		Yes	No	No	07/13/2022	65.35
NSBG		47696	74668	Check	1	3129	JM PROMOTIONS		Yes	No	No	07/13/2022	416.00
NSBG		47709	74669	Check	1	5127	KACHELMEIER, JOHN		Yes	No	No	07/13/2022	12.40
NSBG		47703	74670	Check	1	4451	LOFFLER COMPANIES		Yes	No	No	07/13/2022	839.47
NSBG		47698	74671	Check	1	3899	LORENTZ, JULIE		Yes	No	No	07/13/2022	49.80
NSBG		47699	74672	Check	1	3901	NICKEL TRANSPORTATION, INC.		Yes	No	No	07/13/2022	7,523.43
NSBG		47702	74673	Check	1	4361	OTTO BUS COMPANY, LLC		Yes	No	No	07/13/2022	213.03
NSBG		47708	74674	Check	1	5126	SANOW, MARK		Yes	No	No	07/13/2022	10.00
NSBG		47710	74675	Check	1	5128	SELBY, MIKE		Yes	No	No	07/13/2022	133.25
NSBG		47706	74676	Check	1	5124	SKY ZONE TRAMPOLINE PARK		Yes	No	No	07/13/2022	670.96
NSBG		47701	74677	Check	1	4286	SYSCO WESTERN MINNESOTA, INC.		Yes	No	No	07/13/2022	90.44
NSBG		47695	74678	Check	1	1336	THOMPSON, RAE ANN		Yes	No	No	07/13/2022	40.01
NSBG		47704	74679	Check	1	4508	WHITMORE, WAYNE T.		Yes	No	No	07/13/2022	17.15
NSBG		47705	74680	Check	1	4877	WIENS, ASHLIE		Yes	No	No	07/13/2022	179.06
NSBG		47724	74681	Check	1	1169	AIM ELECTRONICS, INC.		Yes	No	No	07/20/2022	464.25
NSBG		47728	74682	Check	1	3145	AMAZON CAPITAL SERVICES		Yes	No	No	07/20/2022	88.76
NSBG		47729	74683	Check	1	3190	BARGEN INC.		Yes	No	No	07/20/2022	3,150.00
NSBG		47732	74684	Check	1	3826	CENGAGE LEARNING		Yes	No	No	07/20/2022	3,639.78
NSBG		47711	74685	Check	1	00059	CITY OF NICOLLET		Yes	No	No	07/20/2022	663.67
NSBG		47713	74686	Check	1	02652	CRYSTAL VALLEY COOP		Yes	No	No	07/20/2022	766.23
NSBG		47722	74687	Check	1	01629	HILLYARD/HUTCHINSON		Yes	No	No	07/20/2022	1,330.09

## Nicollet Public Schools Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
NSBG		47712	74688	Check	1	00403	JOURNAL		Yes	No	No	07/20/2022	573.55
NSBG		47716	74689	Check	1	4051	KEARNEY, PAT		Yes	No	No	07/20/2022	264.00
NSBG		47726	74690	Check	1	2022	KENDELL DOORS & HARDWARE, LLC		Yes	No	No	07/20/2022	591.00
NSBG		47719	74691	Check	1	5130	KINECT EDUCATION GROUP		Yes	No	No	07/20/2022	6,500.00
NSBG		47730	74692	Check	1	3410	LJP ENTERPRISES WASTE & RECYCL		Yes	No	No	07/20/2022	570.15
NSBG		47734	74693	Check	1	4731	MINNESOTA UI		Yes	No	No	07/20/2022	6,299.72
NSBG		47721	74694	Check	1	01131	MINNESOTA VALLEY EDUCATION DISTI		Yes	No	No	07/20/2022	18,173.00
NSBG		47733	74695	Check	1	4072	MISSISSIPPI WELDERS SUPPLY COMP,		Yes	No	No	07/20/2022	76.20
NSBG		47731	74696	Check	1	3719	MIN PEIP		Yes	No	No	07/20/2022	45,636.26
NSBG		47725	74697	Check	1	1961	NCS PEARSON, INC.		Yes	No	No	07/20/2022	57.30
NSBG		47723	74698	Check	1	07960	NICOLLET MART		Yes	No	No	07/20/2022	407.84
NSBG		47735	74699	Check	1	5030	NOTABLE, INC.		Yes	No	No	07/20/2022	2,580.00
NSBG		47727	74700	Check	1	2403	PERSONNEL CONCEPTS COMPLIANCE		Yes	No	No	07/20/2022	299.85
NSBG		47714	74701	Check	1	2804	PLANK ROAD PUBLISHING INC.		Yes	No	No	07/20/2022	197.30
NSBG		47718	74702	Check	1	5096	Reading Resources		Yes	No	No	07/20/2022	2,500.00
NSBG		47717	74703	Check	1	4963	REED, JULES		Yes	No	No	07/20/2022	64.00
NSBG		47720	74704	Check	1	00187	REGION V COMPUTER SERVICES		Yes	No	No	07/20/2022	2,548.00
NSBG		47736	74705	Check	1	5078	THE COLLEGE BOARD		Yes	No	No	07/20/2022	2,136.00
NSBG		47715	74706	Check	1	3163	USABLE LIFE		Yes	No	No	07/20/2022	443.25
NSBG		47739	74707	Check	1	2963	BUSINESS CARD		Yes	No	No	07/27/2022	466.30
NSBG		47737	74708	Check	1	07230	CENTERPOINT		Yes	No	No	07/27/2022	424.03
NSBG		47740	74709	Check	1	2991	CITY OF NORTH MANKATO		Yes	No	No	07/27/2022	30.00
NSBG		47738	74710	Check	1	1094	ROSIN, BARB		Yes	No	No	07/27/2022	452.79
NSBG		47741	74711	Check	1	4408	WEST SIDE TRANSPORTATION LLC		Yes	No	No	07/27/2022	1,809.28
NSBG		47742	74712	Check	1	4877	WIENS, ASHLIE		Yes	No	No	07/27/2022	75.39
NSBG		47771	74713	Check	1	3279	AVIBEN		Yes	No	No	08/03/2022	61.66
NSBG		47770	74714	Check	1	3190	BARGEN INC.		Yes	No	No	08/03/2022	4,680.00
NSBG		47781	74715	Check	1	4748	BLICKART MATERIALS		Yes	No	No	08/03/2022	30.18
NSBG		47767	74716	Check	1	2963	BUSINESS CARD		Yes	No	No	08/03/2022	4,177.03
NSBG		47779	74717	Check	1	4622	CANON FINANCIAL SERVICES INC		Yes	No	No	08/03/2022	532.09
NSBG		47764	74718	Check	1	2162	CDW GOVERNMENT, INC		Yes	No	No	08/03/2022	34,650.97
NSBG		47773	74719	Check	1	3826	CENGAGE LEARNING		Yes	No	No	08/03/2022	8,134.36
NSBG		47763	74720	Check	1	1467	CLIFTONLARSONALLEN LLP		Yes	No	No	08/03/2022	4,585.00
NSBG		47776	74721	Check	1	4078	CONSOLIDATED COMMUNICATIONS		Yes	No	No	08/03/2022	1,652.37
NSBG		47765	74722	Check	1	2506	CONSTRUCTIVE PLAYTHINGS LLC		Yes	No	No	08/03/2022	449.33
NSBG		47758	74723	Check	1	02289	FREE PRESS		Yes	No	No	08/03/2022	159.46
NSBG		47777	74724	Check	1	4110	GROUND ZERO SERVICES, LLC		Yes	No	No	08/03/2022	3,653.50
NSBG		47783	74725	Check	1	5123	INFOBASE		Yes	No	No	08/03/2022	2,042.20
NSBG		47766	74726	Check	1	2770	JAVENS		Yes	No	No	08/03/2022	115.00

# Nicollet Public Schools Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
NSBG		47780	74727	Check	1 4671		JOHNSON CONTROLS FIRE PROTECTI	LLC - C Corp	Yes	No	No	08/03/2022	1,322.16
NSBG		47757	74728	Check	1 02053		JW PEPPER & SONS, INC.		Yes	No	No	08/03/2022	300.49
NSBG		47768	74729	Check	1 2995		KENNEDY & GRAVEN CHARTERED	LLC - Partnership	Yes	No	No	08/03/2022	1,104.50
NSBG		47755	74730	Check	1 00704		LAKESHORE LEARNING MATERIALS		Yes	No	No	08/03/2022	14.24
NSBG		47754	74731	Check	1 00233		MASA		Yes	No	Yes	08/03/2022	0.00
NSBG		47761	74732	Check	1 07547		MCGRAW-HILL EDUCATION, INC.		Yes	No	No	08/03/2022	293.67
NSBG		47756	74733	Check	1 01131		MINNESOTA VALLEY EDUCATION DISTI		Yes	No	No	08/03/2022	18,173.00
NSBG		47782	74734	Check	1 4797		MINNTEX CITRUS INC		Yes	No	No	08/03/2022	782.00
NSBG		47769	74735	Check	1 3090		OLYMPIC FIRE PROTECTION CORP.		Yes	No	No	08/03/2022	360.00
NSBG		47778	74736	Check	1 4527		PERFORMANCE FOODSERVICE - MAR:		Yes	No	No	08/03/2022	2,108.47
NSBG		47774	74737	Check	1 3884		QUADE, JACOB		Yes	No	No	08/03/2022	3,450.00
NSBG		47772	74738	Check	1 3369		RIDDELL/ALL AMERICAN SPORTS COR		Yes	No	No	08/03/2022	2,406.96
NSBG		47762	74739	Check	1 1094		ROSIN, BARB		Yes	No	No	08/03/2022	113.40
NSBG		47753	74740	Check	1 00132		SCHOLASTIC, INC.		Yes	No	No	08/03/2022	362.40
NSBG		47775	74741	Check	1 3947		SHRED RIGHT		Yes	No	No	08/03/2022	36.70
NSBG		47760	74742	Check	1 07009		THE MUSIC MART		Yes	No	No	08/03/2022	224.85
NSBG		47759	74743	Check	1 06713		VALLEY CONFERENCE		Yes	No	No	08/03/2022	800.00
NSBG		47784	74744	Check	1 00233		MASA		Yes	No	No	08/03/2022	316.00
NSBG		47785	74745	Check	1 5031		MINNESOTA DEPARTMENT OF COMMIE		Yes	No	No	08/03/2022	534.75

Bank Total: \$387,047.64

Report Total: \$387,047.64

**DATE: August 2022**

<b>Name</b>	<b>Status</b>	<b>Job Title</b>	<b>Location</b>	<b>Hrs Per Day/FTE</b>	<b>Group</b>	<b>Replacing</b>	<b>Effective</b>
Courier, Robin	New Hire	Iterim Principal	K-12	1 FTE	Admin	Todd Toulouse	8/15/22
Mikaletz, Jane	Resignation	Teacher	K-12	1 FTE	Teacher		
Nicholson, Rachel	New Hire	Paraprofessional	K-12	1 FTE	Para		8/29/22
Pagel, Katelyn	Resignation	Assistant Teacher	NECC	1 FTE	NECC		
Schumann, Calie	Resignation	Assistant Teacher	NECC	1 FTE	NECC		
Toulouse, Todd	Resignation	Principal	K-12	1 FTE	Admin		8/12/22

<b>Wage</b>
<b>\$94,551</b>
\$13.46 (Step 6)

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I recommend accepting the gifts as described below.

<b>Donor Name</b>	<b>Description</b>	<b>Value</b>	<b>Purpose of Gift</b>
Nicollet Conservation	check	\$714.00	Archery Program

*Adopted: May 16, 2016*

*Revised: October 9, 2019*

## **506 STUDENT DISCIPLINE**

### **I. PURPOSE**

The purpose of this policy is to ensure that students are aware of and comply with the school district's expectations for student conduct. Such compliance will enhance the school district's ability to maintain discipline and ensure that there is no interference with the educational process. The school district will take appropriate disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.

### **II. GENERAL STATEMENT OF POLICY**

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

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

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

Although this policy emphasizes the development of self-discipline, it is recognized that there are instances when it will be necessary to administer disciplinary measures. The position of the school district is that a fair and equitable district-wide student discipline policy will contribute to the quality of the student's educational experience. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

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

### III. AREAS OF RESPONSIBILITY

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

- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

#### **IV. STUDENT RIGHTS**

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

#### **V. STUDENT RESPONSIBILITIES**

All students have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other school functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;
- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

## VI. CODE OF STUDENT CONDUCT

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.
1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
  2. The use of profanity or obscene language, or the possession of obscene materials;
  3. Gambling, including, but not limited to, playing a game of chance for stakes;
  4. Violation of the school district's Hazing Prohibition Policy (#526);
  5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
  6. Violation of the school district's Student Attendance Policy (#503);
  7. Opposition to authority using physical force or violence;
  8. Using, possessing, or distributing tobacco, tobacco-related paraphernalia in violation of the school district's Tobacco-free Environment Policy (#419);
  9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;

10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances, or look-alike substances, except as prescribed by a physician, including one student sharing prescription medication with another student;
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district's Weapons Policy (#501);
14. Violation of the school district's Violence Prevention Policy (#413);
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
19. Violation of any local, state, or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
21. Violation of the school district's Internet Acceptable Use and Safety Policy (#524);
22. Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;

23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy (#709);
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy (#502);
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy (#527);
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district' Bullying Prohibition Policy (#514);
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy (#413);

37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;
38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
40. Verbal assaults or verbally abusive behavior including, but not limited to, use of words, symbols, acronyms, or language, whether oral or written, that are discriminatory, abusive, obscene, threatening, intimidating, degrading to other people, or threatening to school property;
41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;
43. Violation of the school district's Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees Policy (#505);
44. Violation of the school district's one-to-one device rules and regulations;
45. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
46. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or employees.

## **VII. DISCIPLINARY ACTION OPTIONS**

The general policy of the school district is to utilize progressive discipline to the extent reasonable and appropriate based upon the specific facts and circumstances of student misconduct. The specific form of discipline chosen in a particular case is solely within the discretion of the school district. At a minimum, violation of school district rules, regulations, policies, or procedures will result in discussion of the violation and a verbal warning. The school district shall, however, impose more severe disciplinary sanctions for

any violation, including exclusion or expulsion, if warranted by the student's misconduct, as determined by the school district. Disciplinary action may include, but is not limited to, one or more of the following:

- A. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
- B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
- C. Parent contact;
- D. Parent conference;
- E. Removal from class;
- F. In-school suspension;
- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;
- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;

- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the school district.

### VIII. REMOVAL OF STUDENTS FROM CLASS

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

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

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

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

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

- B. If a student is removed from class more than five (5) times in a school year, the school district shall notify the parent or guardian of the student's tenth removal from class and make reasonable attempts to convene a meeting with the student's

parent or guardian to discuss the problem that is causing the student to be removed from class.

**C. Procedures for Removal of a Student from a Class.**

1. When a student is removed from class, the staff member removing the student will, at a minimum, call the office to let an administrator know that the student is being removed. An adult may also accompany the student to the office, or an administrator may come to remove the student;
2. No prior approvals are necessary for removing a student; however, a student who has already been removed from a class the maximum number of times will be returned to class;
3. The staff member removing the student will complete a ~~Behavior Referral~~ Student Incident Referral as soon as is practical.

**D. Responsibility for and Custody of a Student Removed from Class.**

1. Student is to walk directly to the office;
2. Students may come to the office unaccompanied or accompanied, depending on the severity of the disruption and the age and level of responsibility of the student;
3. Upon arrival to the office, the student will meet with an administrator who will determine the consequence and what the student will do during the removal;
4. Administration has control over and responsibility for a student after he/she is removed from class.

**E. Procedures for Return of a Student to a Class from Which the Student Was Removed.**

1. The Administrator will determine the action needed for the return of a student to a class from which the student was removed;
2. Readmission may include, but is not limited to a verbal and/or written apology; restitution; conference with the teacher, student and/or parent; or a formal readmission or behavior plan.

**F. Procedures for Notification.**

1. The Administrator will call the student's parent/guardian and send a copy of the ~~Behavior Referral~~ Student Incident Referral to the parent/guardian after a student has been sent to the office for a major violation. If the violation results in suspension, the Administrator will also mail written

notification to the parent/guardian in accordance with the Pupil Fair Dismissal Act;

2. Notifications may include e-mails, phone calls, written correspondence, conferences and/or formal readmission or behavior plans.

**G. Disabled Students; Special Provisions.**

1. The Case Manager will be informed when a student who receives special education services has been removed from class;
2. The Case manager will determine if there is a need to have an IEP team meeting to review the student's current IEP and/or determine whether or not the removal was caused by a manifestation of the student's disability; and
3. The Administrator will determine if there is a need to refer a student who is not currently receiving special education services to the Student Assistance Team for special education referral.

**H. Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.**

- ~~1. The District has a chemical Abuse Pre-Assessment Team that is led by the School Social Worker;~~
- ~~2. The District has a School and Community Advisory Team to address chemical abuse problems in the District that is led by the School Social Worker;~~
3. Staff members who suspect student chemical abuse will report the suspected abuse directly to the School Social Worker either verbally or in writing.

**I. Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct.**

1. The District uses School-wide positive Behavior Supports (PBIS) as a student discipline model;
2. Minor behaviors are handled directly by the staff member who observed them. Elementary teachers complete and send a copy of the ~~Behavior Referral~~ Student Incident Report home to the parent. If the staff member is not an elementary teacher, the staff member notifies the office and the office staff mails one copy to the parent/guardian;
3. Major behaviors are handled by the Administrator, the student is removed from the situation immediately and meets with the Administrator. The staff member who observed the behavior completes the ~~Behavior Referral~~

Student Incident Report as soon as is practical. The Administrator write the results of the conference with the student on the ~~Behavior Referral~~ Student Incident Report and ~~mails one~~ provides a copy to the parent/guardian and ~~returns a second~~ a copy to the teacher. The Administrator also calls the parent/guardian;

4. Discipline is handled according to the ~~attached flow chart~~. PBIS Discipline Disposition chart.

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

1. ~~Behavior Referral~~ Student Incident Report are sent home for all major behavior infractions;
2. The Administrator calls parents/guardians for all major behavior infractions;
3. The student may be referred to the Student Assistance and/or Child Study teams.

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

1. Student behavioral data is gathered and shared monthly with the Positive Behavior Intervention Supports (PBIS) Team;
2. The PBIS Team recommends interventions for the student. These interventions may include referral to the Student Assistance or Child Study teams.

**IX. DISMISSAL**

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

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

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

- B. Violations leading to suspension, based upon severity, may also be grounds for

actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:

1. Willful violation of any reasonable school board regulation, including those found in this policy;
2. Willful conduct that significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or
3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.

C. Suspension Procedures

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

student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.

4. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6<sup>th</sup>) consecutive day of suspension or the tenth (10<sup>th</sup>) cumulative day of suspension has elapsed.
5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the student to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.
6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
7. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
  - a. strongly encourage a parent or guardian of the student to attend school with the student for one day;

- b. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
  - c. petition the juvenile court that the student is in need of services under Minn. Stat. Ch. 260C.
8. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference. (See attached sample Notice of Suspension.)
  9. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
  10. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
  11. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.

D. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or

guardian.

5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56; describe alternative educational services accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE).
6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.
8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.
10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian,

or authorized representative shall be given access to all school district

records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.

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

race, and special education status. The dismissal report must include state student identification numbers of affected students.

21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

## **X. ADMISSION OR READMISSION PLAN**

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

## **XI. NOTIFICATION OF POLICY VIOLATIONS**

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

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

## **XII. STUDENT DISCIPLINE RECORDS**

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

## **XIII. DISABLED STUDENTS**

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

Before initiating an expulsion or exclusion of a student with a disability, relevant members of the child's IEP team and the child's parent shall, consistent with federal law,

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

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

#### **XIV. OPEN ENROLLED STUDENTS**

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

#### **XV. DISTRIBUTION OF POLICY**

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

#### **XVI. REVIEW OF POLICY**

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

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)  
Minn. Stat. § 120B.232 (Character Development Education)

Minn. Stat. § 121A.26 (School Preassessment Teams)  
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)  
Minn. Stat. § 121A.582 (Reasonable Force)  
Minn. Stat. §§ 121A.60-121A.61 (Removal from Class)  
Minn. Stat. § 122A.42 (General Control of Schools)  
Minn. Stat. § 123A.05 (Area Learning Center Organization)  
Minn. Stat. § 124D.03 (Enrollment Options Program)  
Minn. Stat. § 124D.08 (Enrollment in Nonresident District)  
Minn. Stat. Ch.125A (Students with Disabilities)  
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)  
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)  
Minn. Stat. Ch. 260A (Truancy)  
Minn. Stat. Ch. 260C (Juvenile Court Act)  
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Improvement Act of 2004)  
29 U.S.C. § 794 et seq. (Rehabilitation Act of 1973, § 504)  
34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

**Cross References:**

MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices)  
MSBA/MASA Model Policy 501 (School Weapons)  
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)  
MSBA/MASA Model Policy 503 (Student Attendance)  
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)  
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 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)  
MSBA/MASA Model Policy 610 (Field Trips)  
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)

## **205 OPEN MEETINGS AND CLOSED MEETINGS**

### **I. PURPOSE**

- A. The school board embraces ~~the philosophy of openness~~ accountability and transparency in the conduct of its business, in the belief that openness produces better programs, more efficient~~er~~ in administration of programs, and an organization more responsive to public interest and less susceptible to private interest. The school board shall conduct its business under a presumption of openness. At the same time, the school board recognizes and respects the privacy rights of individuals as provided by law. The school board also recognizes that there are certain exceptions to the Minnesota Open Meeting Law as recognized in statute where it has been determined that, in limited circumstances, the public interest is best served by closing a meeting of the school board.
- B. The purpose of this policy is to provide guidelines to assure the rights of the public to be present at school board meetings, while also protecting ~~the~~ an individual's rights to privacy under law, and to close meetings when the public interest so requires as recognized by law.

### **II. GENERAL STATEMENT OF POLICY**

- A. Except as otherwise expressly provided by statute, all meetings of the school board, including executive sessions, shall be open to the public.
- B. Meetings shall be closed only when expressly authorized by law.

### **III. DEFINITION**

“Meeting” means a gathering of at least a quorum ~~or more members~~ of the school board, or quorum of a committee or subcommittee of school board members, at which members discuss, decide, or receive information as a group on issues relating to the official business of the school board. The term does not include a chance or social gathering or the use of social media by members of a public body so long as the social media use is limited to exchanges with all members of the general public. For purposes of the Open Meeting Law, social media does not include e-mail.

### **IV. PROCEDURES**

- A. Meetings
  - 1. Regular Meetings

A schedule of the regular meetings of the school board shall be kept on file at ~~its primary~~ the school district offices. If the school board decides to hold a regular meeting at a time or place different from the time or place stated in its regular meeting schedule, it shall give the same notice of the meeting as for a special meeting.

2. Special Meetings

- a. For a special meeting, the school board shall post written notice of the date, time, place, and purpose of the meeting on the principal bulletin board of the school district or on the door of the school board's usual meeting room if there is no principal bulletin board. The school board's actions at the special meeting are limited to those topics included in the notice.
- b. The notice shall also be mailed or otherwise delivered to each person who has filed a written request for notice of special meetings.
- c. This notice shall be posted and mailed or delivered at least three days before the date of the meeting. As an alternative to mailing or otherwise delivering notice to persons who have filed a written request, the school board may publish the notice once, at least three days before the meeting, in the official newspaper of the school district or, if none, in a qualified newspaper of general circulation within the area of the school district.
- d. A person filing a request for notice of special meetings may limit the request to particular subjects, in which case the school board is required to send notice to that person only concerning those particular subjects.
- e. The school board will establish an expiration date on requests for notice of special meetings and require refiling once each year. Not more than sixty (60) days before the expiration date of request for notice, the school board shall send notice of the refiling requirement to each person who filed during the preceding year.

3. Emergency Meetings

- a. An emergency meeting is a special meeting called because of circumstances that, in the judgment of the school board, require immediate consideration.
- b. If matters not directly related to the emergency are discussed or acted upon, the minutes of the meeting shall include a specific description of those matters.

- c. The school board shall make good faith efforts to provide notice of the emergency meeting to each news medium that has filed a written request for notice if the request includes the news medium's telephone number.
- d. Notice of the emergency meeting shall be given by telephone or any other method used to notify the members of the school board.
- e. Notice shall be provided to each news medium which has filed a written request for notice as soon as reasonably practicable after notice has been given to the school board members.
- f. Notice shall include the subject of the meeting.
- g. Posted or published notice of an emergency meeting shall not be required.
- h. The notice requirements for an emergency meeting as set forth in this policy shall supersede any other statutory notice requirement for a special meeting that is an emergency meeting.

4. Recessed or Continued Meetings

If a meeting is a recessed or continued session of a previous meeting, and the time and place of the meeting was established during the previous meeting and recorded in the minutes of that meeting, then no further published or mailed notice is necessary.

5. Closed Meetings

The notice requirements of the Minnesota Open Meeting Law apply to closed meetings.

6. Actual Notice

If a person receives actual notice of a meeting of the school board at least twenty-four 24 hours before the meeting, all notice requirements are satisfied with respect to that person, regardless of the method of receipt of notice.

~~7. Health Pandemic or Declared Emergency Meetings during Pandemic or Chapter 12 Emergency.~~

In the event of a health pandemic or an emergency declared under Minn. Stat. Ch. 12, a meeting may be conducted by telephone or ~~other electronic means~~ interactive technology in compliance with Minn. Stat. § 13D.021.

8. Meetings Conducted by Interactive Technology

A meeting may be conducted by interactive technology, Zoom, Google Meets, Skype or similar electronic means in compliance with Minn. Stat. § 13D.02.

B. Votes

The votes of school board members shall be recorded in a journal or minutes kept for that purpose, ~~and~~ ~~the~~ journal or any minutes used to record votes of a meeting must be open shall be available to the public during all normal business hours at the ~~administrative~~ school district's administrative offices ~~of the school district.~~

C. Written Materials

1. In any open meeting, a copy of any printed materials, including electronic communications, relating to the agenda items of the meeting prepared or distributed by or at the direction of the school board or its employees and distributed to or available to all school board members shall be available in the meeting room for inspection by the public while the school board considers their subject matter.
2. This provision does not apply to materials not classified by law as public, or to materials relating to the agenda items of a closed meeting.

D. Open Meetings and Data

- ~~1.~~ Meetings may not be closed to discuss ~~merely because the~~ data except as provided under Minnesota law. ~~to be discussed are not public data.~~
2. Data that are not public data may be discussed at an open meeting if the disclosure relates to a matter within the scope of the school board's authority and is reasonably necessary to conduct the business or agenda item before the school board.
3. Data discussed at an open meeting retain the data's original classification; however, a record of the meeting, regardless of form, shall be public.

E. Closed Meetings

1. Labor Negotiations Strategy
  - a. The school board may, by a majority vote in a public meeting, decide to hold a closed meeting to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals conducted pursuant to Minnesota's Public Employment Labor Relations Act (PELRA).

b. The time and place of the closed meeting shall be announced at the public meeting. A written roll of school board members and all other persons present at the closed meeting shall be made available to the public after the closed meeting. The proceedings of a closed meeting to discuss negotiation strategies shall be tape recorded, and the tape recording shall be preserved for two years after the contract discussed at the meeting is signed. The recording shall be made available to the public after all labor contracts are signed by the school board for the current budget period.

2. Sessions Closed by Bureau of Mediation Services

All negotiations, mediation ~~sessions~~ meetings, and hearings between the school board and its employees or their respective representatives are public meetings. ~~These~~ Mediation meetings may be closed only by the Commissioner of the Bureau of Mediation Services (BMS). The use of recording devices, stenographic records, or other recording methods is prohibited in mediation meetings closed by the BMS.

3. Preliminary Consideration of Allegations or Charges

The school board shall close one or more meetings for preliminary consideration of allegations or charges against an individual subject to its authority. If the school board members conclude that discipline of any nature may be warranted as a result of those specific charges or allegations, further meetings or hearings relating to those specific charges or allegations held after that conclusion is reached must be open. A meeting must also be open at the request of the individual who is the subject of the meeting. A closed meeting for this purpose must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

4. Performance Evaluations

The school board may close a meeting to evaluate the performance of an individual who is subject to its authority. The school board shall identify the individual to be evaluated prior to closing a meeting. At its next open meeting, the school board shall summarize its conclusions regarding the evaluation. A meeting must be open at the request of the individual who is the subject of the meeting. A closed meeting for this purpose must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

5. Attorney-Client Privilege Meeting

A meeting may be closed if permitted by the attorney-client privilege. Attorney-client privilege applies when litigation is imminent or

threatened, or when the school board needs advice above the level of general legal advice, ~~i.e.,~~ for example regarding specific acts and their legal consequences. A meeting may be closed to seek legal advice concerning litigation strategy, but the mere threat that litigation might be a consequence of deciding a matter one way or another does not, by itself, justify closing the meeting. The motion to close the meeting must specifically describe the matter to be discussed at the closed meeting, subject to relevant privacy and confidentiality considerations under state and federal law. The law does not require that such a meeting be recorded.

6. Dismissal Hearing

- a. A hearing on the dismissal of a licensed teacher shall be public or private at the teacher's discretion. A hearing regarding placement of teachers on unrequested leave of absence shall be public.
- b. A hearing on dismissal of a student pursuant to the Pupil Fair Dismissal Act shall be closed unless the pupil, parent or guardian requests an open hearing.
- c. To the extent a teacher or student dismissal hearing is held before the school board and is closed, the closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

7. Coaches; Opportunity to Respond

- a. If the school board has declined to renew the coaching contract of a licensed or nonlicensed head varsity coach, it must notify the coach within fourteen 14 days of that decision.
- b. If the coach requests the reasons for the nonrenewal, the school board must give the coach ~~the~~ its reasons in writing within 10 days of receiving the request. The existence of parent complaints must not be the sole reason for the school board not to renew a coaching contract.
- c. On the request of the coach, the school board must provide the coach with a reasonable opportunity to respond to the reasons at a school board meeting.
- d. The meeting may be open or closed at the election of the coach unless the meeting is closed as required by Minn. Stat. § 13D.05, Subd. 2, to discuss educational or certain other nonpublic data.
- e. A ~~closed~~ meeting closed for this purpose must be electronically

recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

8. Meetings to Discuss Certain Not Public Data

Any portion of a meeting must be closed if the following types of data are discussed:

- a. data that would identify alleged victims or reporters of criminal sexual conduct, domestic abuse, or maltreatment of minors or vulnerable adults;
- b. active investigative data collected or created by a law enforcement agency;
- c. educational data, health data, medical data, welfare data, or mental health data that are not public data; or
- d. an individual's personal medical records.
- e. A closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

9. Purchase and Sale of Property

- a. The school board may close a meeting:
  - (1) to determine the asking price for real or personal property to be sold by the school district;
  - (2) to review confidential or nonpublic appraisal data; and
  - (3) to develop or consider offers or counteroffers for the purchase or sale of real or personal property.
- b. Before closing the meeting, the school board must identify on the record the particular real or personal property that is the subject of the closed meeting.
- c. The closed meeting must be tape recorded at the expense of the school district. The tape must be preserved for eight years after the date of the meeting and be made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the school board has abandoned the purchase or sale. The real or personal property that is the subject of the

closed meeting must be specifically identified on the tape. A list of school board members and all other persons present at the closed meeting must be made available to the public after the closed meeting.

- d. An agreement reached that is based on an offer considered at a closed meeting is contingent on its approval by the school board at an open meeting. The actual purchase or sale must be approved at an open meeting and the purchase price or sale price is public data.

10. Security Matters

- a. The school board may close a meeting to receive security briefings and reports, to discuss issues related to security systems, to discuss emergency response procedures, and to discuss security deficiencies in or recommendations regarding public services, infrastructure, and facilities, if disclosure of the information discussed would pose a danger to public safety or compromise security procedures or responses.
- b. Financial issues related to security matters must be discussed and all related financial decisions must be made at an open meeting.
- c. Before closing a meeting, the school board must refer to the facilities, systems, procedures, services, or infrastructures to be considered during the closed meeting.
- d. The closed meeting must be tape recorded at the expense of the school district and the recording must be preserved for at least four years.

11. Other Meetings

Other meetings shall be closed as provided by law, except as provided above. A closed meeting must be electronically recorded at the expense of the school district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

F. Procedures for Closing a Meeting

The school board shall provide notice of a closed meeting just as for an open meeting. A school board meeting may be closed only after a majority vote at a public meeting. Before closing a meeting, the school board shall state on the record the specific authority permitting the meeting to be closed and shall describe the subject to be discussed.

**Legal References:**

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. Ch. 13D (Open Meeting Law)  
Minn. Stat. § 121A.47, Subd. 5 (~~Student Dismissal Hearing~~ Exclusion and Expulsion Procedures)  
Minn. Stat. § 122A.33, Subd. 3 (Coaches; Opportunity to Respond)  
Minn. Stat. § 122A.40, Subd. 14 (Teacher Discharge Hearing)  
Minn. Stat. § 179A.14, Subd. 3 (Labor Negotiations)  
Minn. Rules Part 5510.2810 (Bureau of Mediation Services)  
*Brown v. Cannon Falls Township*, 723 N.W.2d 31 (Minn. App. 2006)  
*Brainerd Daily Dispatch v. Dehen*, 693 N.W.2d 435 (Minn. App. 2005)  
*The Free Press v. County of Blue Earth*, 677 N.W.2d 471 (Minn. App. 2004)  
*Prior Lake American v. Mader*, 642 N.W.2d 729 (Minn. 2002)  
*Star Tribune v. Board of Education, Special School District No. 1*, 507 N.W.2d 869 (Minn. App. 1993)  
*Minnesota Daily v. University of Minnesota*, 432 N.W.2d 189 (Minn. App. 1988)  
*Moberg v. Independent School District No. 281*, 336 N.W.2d 510 (Minn. 1983)  
*Sovereign v. Dunn*, 498 N.W.2d 62 (Minn. App. 1993), *rev. denied.* (Minn. 1993)  
Dept. of Admin. Advisory Op. No. 21-003 (April 19, 2021)  
Dept. of Admin. Advisory Op. No. 21-002 (January 13, 2021)  
Dept. of Admin. Advisory Op. No. 19-012 (October 24, 2019)  
Admin. Advisory Op. No. 19-008 (May 22, 2019)  
Dept. of Admin. Advisory Op. No. 19-006 (April 9, 2019)  
Dept. of Admin. Advisory Op. No. 18-019 (December 28, 2018)  
Dept. of Admin. Advisory Op. No. 17-005 (June 22, 2017)  
Dept. of Admin. Advisory Op. No. 13-009 (March 19, 2013)  
Dept. of Admin. Advisory Op. No. 12-004 (March 8, 2012)  
Dept. of Admin. Advisory Op. No. 11-004 (April 18, 2011)  
Dept. of Admin. Advisory Op. No. 10-020 (September 23, 2010)  
Dept. of Admin. Advisory Op. No. 09-020 (September 8, 2009)  
Dept. of Admin. Advisory Op. No. 08-015 (July 9, 2008)  
Dept. of Admin. Advisory Op. No. 06-027 (September 28, 2006)  
Dept. of Admin. Advisory Op. No. 04-004 (February 3, 2004)

**Cross References:**

Policy 204 (School Board Meeting Minutes)  
Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)  
Policy 207 (Public Hearings)  
Policy 406 (Public and Private Personnel Data) MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA Law Bulletin “C” (Minnesota’s Open Meeting Law)

*Adopted: December 2009*

*Revised: June 2019*

#### **414 MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE**

##### **I. PURPOSE**

The purpose of this policy is to make clear the statutory requirements of school personnel to report suspected child neglect or physical or sexual abuse.

##### **II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is to fully comply with Minn. Stat. ~~626.556~~ Ch. 260E requiring school personnel to report suspected child neglect or physical or sexual abuse.
- B. A violation of this policy occurs when any school personnel fails to immediately report instances of child neglect or physical or sexual abuse when the school personnel knows or has reason to believe a child is being neglected or physically or sexually abused or has been neglected or physically or sexually abused within the preceding three years.

##### **III. DEFINITIONS**

- A. “Accidental” means a sudden, not reasonably foreseeable, and unexpected occurrence or event ~~which~~ that:
  - 1. is not likely to occur and could not have been prevented by exercise of due care; and
  - 2. if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the facility are in compliance with the laws and rules relevant to the occurrence of event.
- B. “Child” means one under age 18 and, for purposes of Minn. Stat. Ch. 260C (~~Child Protection~~ Juvenile Safety and Placement) and Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment), includes an individual under age 21 who is in foster care pursuant to Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18).
- C. “Immediately” means as soon as possible but in no event longer than 24 hours.
- D. “Mandated reporter” means any school personnel who knows or has reason to believe a child is being ~~neglected or physically or sexually abused~~ maltreated or has been ~~neglected or physically or sexually abused~~ maltreated within the

preceding three years.

- E. “Mental injury” means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child’s ability to function within a normal range of performance and behavior with due regard to the child’s culture.
- F. “Neglect” means the commission or omission of any of the acts specified below, other than by accidental means:
1. failure by a person responsible for a child’s care to supply a child with necessary food, clothing, shelter, health care, medical, or other care required for the child’s physical or mental health when reasonably able to do so;
  2. failure to protect a child from conditions or actions that seriously endanger the child’s physical or mental health when reasonably able to do so, including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;
  3. failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors as the child’s age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for ~~his/her~~ the child’s own basic needs or safety, or the basic needs or safety of another child in his or her care;
  4. failure to ensure that a child is educated in accordance with state law, which does not include a parent’s refusal to provide his or her child with sympathomimetic medications;
  5. prenatal exposure to a controlled substance as defined in state law used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child’s birth, medical effects or developmental delays during the child’s first year of life that medically indicate prenatal exposure to a controlled substance, or the presence of a fetal alcohol spectrum disorder;
  6. medical neglect as defined by Minn. Stat. § 260C.007, Subd. 6, Clause (5);
  7. chronic and severe use of alcohol or a controlled substance by a person responsible for the care of the child that adversely affects the child’s basic needs and safety; or
  8. emotional harm from a pattern of behavior that contributes to impaired emotional functioning of the child, which may be demonstrated by a substantial and observable effect in the child’s behavior, emotional response, or cognition that is not within the normal range for the child’s age

and stage of development, with due regard to the child's culture.

Neglect does not occur solely because the child's parent, guardian, or other person responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child in lieu of medical care. .

G. "Nonmaltreatment mistake" occurs when: (1) at the time of the incident, the individual was performing duties identified in the center's child care program plan required under Minn. Rules Part 9503.0045; (2) the individual has not been determined responsible for a similar incident that resulted in a finding of maltreatment for at least seven years; (3) the individual has not been determined to have committed a similar nonmaltreatment mistake under this paragraph for at least four years; (4) any injury to a child resulting from the incident, if treated, is treated only with remedies that are available over the counter, whether ordered by a medical professional or not; and (5) except for the period when the incident occurred, the facility and the individual providing services were both in compliance with all licensing requirements relevant to the incident. This definition only applies to child care centers licensed under Minn. Rules Ch. 9503.

H. "Person responsible for the child's care" means (1) an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, other school employee or agent, or other lawful custodian of a child having either full-time or short-term care responsibilities including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.

I. "Physical abuse" means any physical injury, mental injury (under subdivision 13), or threatened injury (under subdivision 23), inflicted by a person responsible for the child's care on a child other than by accidental means; or any physical or mental injury that cannot reasonably be explained by the child's history of injuries, or any aversive or deprivation procedures, or regulated interventions, that have not been authorized by Minn. Stat. § 125A.0942 or § 245.825.

Abuse does not include reasonable and moderate physical discipline of a child administered by a parent or legal guardian that does not result in an injury. Abuse does not include the use of reasonable force by a teacher, principal, or school employee as allowed by Minn. Stat. § 121A.582.

Actions that are not reasonable and moderate include, but are not limited to, any of the following: (1) throwing, kicking, burning, biting, or cutting a child; (2) striking a child with a closed fist; (3) shaking a child under age three; (4) striking or other actions that result in any nonaccidental injury to a child under 18 months of age; (5) unreasonable interference with a child's breathing; (6) threatening a child with a weapon, as defined in Minn. Stat. § 609.02, Subd. 6; (7) striking a child under age one on the face or head; (8) striking a child who is at least age one but under age

four on the face or head, which results in an injury; (9) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled substances that were not prescribed for the child by a practitioner, in order to control or punish the child, or other substances that substantially affect the child's behavior, motor coordination, or judgment, or that result in sickness or internal injury, or that subject the child to medical procedures that would be unnecessary if the child were not exposed to the substances; (10) unreasonable physical confinement or restraint not permitted under Minn. Stat. § 609.379, including, but not limited to, tying, caging, or chaining; or (11) in a school facility or school zone, an act by a person responsible for the child's care that is a violation under Minn. Stat. § 121A.58.

- J. "Report" means any communication received by the local welfare agency, police department, county sheriff, or agency responsible for child protection pursuant to this section that describes ~~neglect or physical or sexual abuse~~ maltreatment of a child and contains sufficient content to identify the child and any person believed to be responsible for the ~~neglect or physical or sexual abuse~~ maltreatment, if known.
- K. "School personnel" means professional employee or professional's delegate of the school district who provides health, educational, social, psychological, law enforcement, or child care services.
- L. "Sexual abuse" means the subjection of a child by a person responsible for the child's care, by a person who has a significant relationship to the child (as defined in Minn. Stat. § 609.341, Subd. 15), or by a person in a current or recent position of authority (as defined in Minn. Stat. § 609.341, Subd. 10) to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual penetration, sexual contact, solicitation of children to engage in sexual conduct, and communication of sexually explicit materials to children. Sexual abuse also includes any act involving a minor that constitutes a violation of Minnesota statutes prohibiting prostitution or use of a minor in a sexual performance. Sexual abuse includes all reports of known or suspected child sex trafficking involving a child who is identified as a victim of sex trafficking. Sexual abuse includes threatened sexual abuse which includes the status of a parent or household member who has committed a violation that requires registration under Minn. Stat. § 243.166, Subd. 1b(a) or (b) (Registration of Predatory Offenders).
- M. "Threatened injury" means a statement, overt act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes, but is not limited to, exposing a child to a person responsible for the child's care who has (1) subjected the child to, or failed to protect a child from, an overt act or condition that constitutes egregious harm; (2) been found to be palpably unfit; (3) committed an act that resulted in an involuntary termination of parental rights; (4) , or committed an act that resulted in the involuntary transfer of permanent legal and physical custody of a child to a relative..

#### IV. REPORTING PROCEDURES

- A. A mandated reporter shall immediately report the information to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, tribal social services agency, or tribal police department. The reporter will include his or her name and address in the report.
- B. ~~If the immediate report has been made orally,~~ An oral report shall be made immediately by telephone or otherwise., The oral report shall be followed by a written report within 72 hours (exclusive of weekends and holidays) to the appropriate police department, the county sheriff, local welfare agency, or agency responsible for assessing or investigating the report. Any report shall be of sufficient content to identify the child, any person believed to be responsible for the neglect or physical or sexual abuse maltreatment of the child if the person is known, the nature and extent of the ~~neglect or physical or sexual abuse~~ maltreatment , and the name and address of the reporter.
- C. Regardless of whether a report is made, 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 has occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.
- D. A mandated reporter who knows or has reason to know of the deprivation of custodial or parental rights or the kidnapping of a child shall report the information to the local police department or the county sheriff.
- E. With the exception of a health care professional or a social service professional who is providing the woman with prenatal care or other health care services, a mandated reporter shall immediately report to the local welfare agency if the person knows or has reason to believe that a woman is pregnant and has used a controlled substance for a nonmedical purpose during the pregnancy, including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive.
- F. A person mandated by Minnesota law and this policy to report who fails to report may be subject to criminal penalties and/or discipline, up to and including termination of employment.
- G. An employer of a mandated reporter shall not retaliate against the person for reporting in good faith maltreatment against a child with respect to whom a report is made, because of the report.
- H. Any person who knowingly or recklessly makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual

damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, plus costs and reasonable attorney fees. Knowingly or recklessly making a false report also may result in discipline.

## V. INVESTIGATION

- A. The responsibility for assessing or investigating reports of suspected ~~neglect or physical or sexual abuse~~ maltreatment rests with the appropriate state, county, or local agency or agencies. The agency responsible for assessing or investigating reports of maltreatment has the authority to interview the child, the person or persons responsible for the child's care, the alleged offender, and any other person with knowledge of the ~~neglect or physical or sexual abuse~~ maltreatment for the purpose of gathering facts, assessing safety and risk to the child, and formulating a plan. The investigating agency may interview the child at school. The interview may take place outside the presence of the alleged offender or parent, legal guardian, or school official. The investigating agency, not the school, is responsible for either notifying or withholding notification of the interview to the parent, guardian, or person responsible for the child's care. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded.
- B. When the investigating agency determines that an interview should take place on school property, written notification of intent to interview the child on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school property.
- C. Except where the alleged offender is believed to be a school official or employee, the time and place, and manner of the interview on school premises shall be within the discretion of school officials, but the local welfare or law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place, and manner of the interview set by the school officials shall be reasonable, and the interview shall be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school officials and the local welfare or law enforcement agency. Every effort must be made to reduce the disruption of the educational program of the child, other students, or school employees when an interview is conducted on school premises.
- D. Where the alleged offender is believed to be a school official or employee, the school district shall conduct its own investigation independent of MDE and, if involved, the local welfare or law enforcement agency.
- E. Upon request by MDE, the school district shall provide all requested data that are

relevant to a report of maltreatment and are in the possession of a school facility, pursuant to an assessment or investigation of a maltreatment report of a student in school. The school district shall provide the requested data in accordance with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

## **VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE**

- A. When a local welfare or local law enforcement agency determines that a potentially abused or abused child should be interviewed on school property, written notification of the agency's intent to interview on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct the interview. The notification shall be private data. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notice or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation has been concluded.
- B. All records regarding a report of maltreatment, including any notification of intent to interview which was received by the school as described above in Paragraph A., shall be destroyed by the school only when ordered by the agency conducting the investigation or by a court of competent jurisdiction.

## **VII. PHYSICAL OR SEXUAL ABUSE AS SEXUAL HARASSMENT OR VIOLENCE**

Under certain circumstances, alleged physical or sexual abuse may also be sexual harassment or violence under Minnesota law. If so, the duties relating to the reporting and investigation of such harassment or violence may be applicable.

## **VIII. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall appear in school personnel handbooks.
- B. The school district will develop a method of discussing this policy with school personnel.
- C. This policy shall be reviewed at least annually for compliance with state law.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 121A.58 (Corporal Punishment)  
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)  
Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)  
Minn. Stat. § 243.166, Subd. 1b(a)(b) (Registration of Predatory Offenders)  
Minn. Stat. § 245.825 (Use of Aversive or Deprivation Procedures)  
Minn. Stat. § 260C.007, Subd. 6, Clause (5) (Child in Need of Protection)

Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18)  
Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment)  
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)  
Minn. Stat. § 609.02, Subd. 6 (Definitions – Dangerous Weapon)  
Minn. Stat. § 609.341, Subd. 10 (Definitions – Position of Authority)  
Minn. Stat. § 609.341, Subd. 15 (Definitions – Significant Relationship)  
Minn. Stat. § 609.379 (Reasonable Force)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

**EXTRACT OF MINUTES  
OF MEETING OF SCHOOL BOARD OF  
INDEPENDENT SCHOOL DISTRICT NO. 507  
NICOLLET, MINNESOTA**

Pursuant to due call and notice thereof, a regular meeting of the School Board of Independent School District No. 507, Nicollet, Minnesota, was held on the 10th day of August, 2022 at \_\_\_\_\_ o'clock \_\_\_\_ .m.

The following Board Members were present:

and the following were absent:

Board Member \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION PROPOSING TO  
IMMEDIATELY DISCHARGE A TENURED TEACHER  
IDENTIFIED AS TEACHER "A"**

BE IT RESOLVED, by the School Board of Independent School District No. 507:

1. Teacher A is proposed to be immediately discharged pursuant to Minn. Stat. § 122A.40, Subd. 13;
2. Written notice be sent to the teacher regarding the proposed immediate discharge as provided by law, and that said notice shall be in the form set forth in Exhibit A attached hereto;
3. Each and all of the grounds set forth in said notice are within the grounds for the immediate discharge of a continuing contract teacher;
4. Exhibit A to this Resolution contains private data on individuals, pursuant to the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, and therefore will be maintained in accordance with applicable state law.

5. The written notice attached hereto as Exhibit A shall be signed by the Clerk of the School Board and served upon the teacher as determined by the administration of Independent School District No. 507.

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.