

Study Session

Tuesday, May 14, 2024 6:00 PM

Oak Park Building, 6355 Osman Avenue North, Stillwater, MN 55082

I. Call to Order	Speaker (s) : Ms. Alison Sherman, School Board Chair
II. Roll Call	Speaker (s) : Ms. Alison Sherman, School Board Chair
III. Pledge of Allegiance	Speaker (s) : Ms. Alison Sherman, School Board Chair
IV. Approval of Agenda	Speaker (s) : Ms. Alison Sherman, School Board Chair
V. Consent Agenda	
V.A. Payment of Invoices from April 20, 2024 - May 10, 2024 & Off-Cycle Payments from the Previous Register	Speaker (s) : Ms. Marie Schrul, Executive Director of Finance
VI. Strategic Direction A: Ensure the learning process is adaptable to meet individual student needs	
VI.A. High School Student Schedule	Speaker (s) : Mr. Rob Bach, Stillwater Area High School Principal
VI.B. Attendance Report	Speaker (s) : Mr. Paul Lee, Executive Director of Student Support Services and Ms. Dawn Waller Lueck, Director of Schools
VII. Strategic Direction B: Foster a safe, welcoming and inclusive environment for all staff and students	
VIII. Strategic Direction C: Utilize systems and align resources in an efficient manner to support learning	
VIII.A. Report: Second Reading: <ul style="list-style-type: none">• Policy 407 - Employee Right to Know - Exposure to Hazardous Substances• Policy 408 - Subpoena of a School District Employee• Policy 409 - Employee Publications, Instructional Materials, Inventions, and Creations• Policy 422 - Policies Incorporated by Reference• Policy 501 - School Weapons Policy	Speaker (s) : Mr. Paul Lee, Executive Director of Student Support Services
VIII.B. Public Input for Policies	Speaker (s) : Mr. Paul Lee, Executive Director of Student Support Services
VIII.C. Action: Approval of Polices <ul style="list-style-type: none">• Policy 407 - Employee Right to Know - Exposure to Hazardous Substances	Speaker (s) : Mr. Paul Lee, Executive Director of Student

- Policy 408 - Subpoena of a School District Employee
- Policy 409 - Employee Publications, Instructional Materials, Inventions, and Creations
- Policy 422 - Policies Incorporated by Reference
- Policy 501 - School Weapons Policy

Support Services

IX. **Strategic Direction D: Develop strong partnerships with the communities we serve**

X. **Adjournment**

Speaker (s) : Ms.
Alison Sherman,
School Board Chair



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SAHS Schedule

Presented to the School Board
May 14, 2024

Background: High School Schedule

- Current 6 period day/2 semester (6 x 2) schedule since 2005-2006
 - During the 2020-2021 school year, the high school ran a modified block schedule to support students through the COVID pandemic
- 5 period day/3 trimesters (5 x 3) schedule from 2001-2002 to 2005-2006
- 7 period day/2 semester (7 x 2) schedule prior to 2001-2002



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Current 6x2 Schedule Isn't Meeting Needs

Challenges

- Numerous transitions during the day
- 6 classes at one time for students to manage
- Increased # of required credits
- Limited elective opportunities



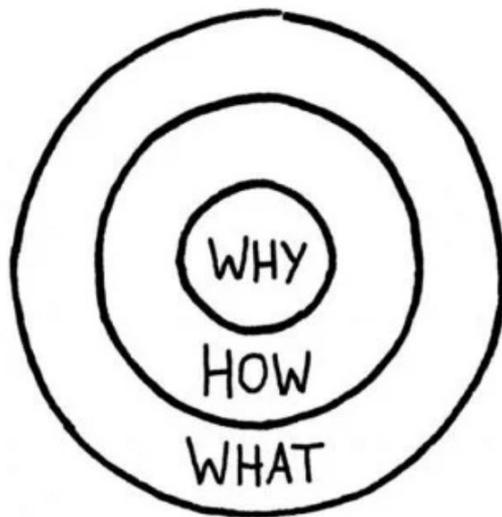
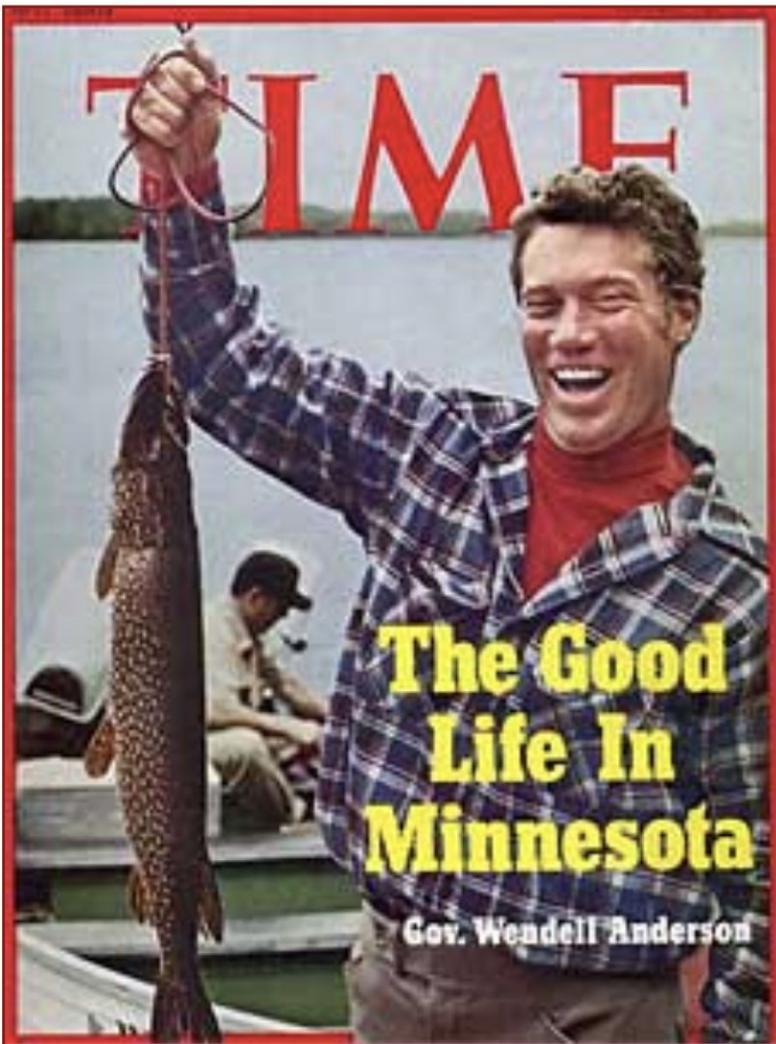
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Students have changed since COVID

- Increasing mental health concerns
- School apathy, loss of engagement
- Higher rates of absenteeism



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Our Charge

- Gather feedback on high school schedule from SAHS students, staff and families
- Work with staff to develop a recommended schedule
- Present a recommendation to district leaders for the 2025-2026 school year

Focus on
what is best
for our
students



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WHY: Goals of a Schedule Change

- Allow for students to explore more electives and opportunities
- Provide flexibility and time for both students and staff
- Address students' mental health need
 - Fewer periods each day = fewer transitions/less transition
 - Fewer courses at one time for student to manage
 - More time to dig deeper into content (depth over breadth)



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HOW: Researching Schedule Options

- Visited Edina and Wayzata
 - Created a rubric from staff feedback
- Reviewed educational research
- Surveyed families and students
- Gathered teacher feedback

Schedules considered:

- 4x4 Block
- 7x2
- 7x2 Modified



WHAT: Sample 4x4 Block Schedule

EXAMPLE: Grade 9

*Required courses

	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Period 1 83 min	Geometry	Geometry	Spanish I <i>(Elective)</i>	Spanish I <i>(Elective)</i>
Period 2 83 min	9th Gr. SEMINAR?	Intro to Marketing <i>(Elective)</i>	Human Geography	Human Geography
Period 3 90 min	Physical Science	Physical Science	Electronics <i>(Elective)</i>	Physical Education
Period 4 83 min	English 9	English 9	English 9	English 9
	Treble Choir <i>(Elective)</i>	Treble Choir <i>(Elective)</i>	Treble Choir <i>(Elective)</i>	Treble Choir <i>(Elective)</i>



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WHAT: Sample 4x4 Block Schedule

EXAMPLE: Grade 12

*Required courses

	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Period 1 83 min	AP Gov	AP Gov	AP Gov	AP Gov
	AP Stats	AP Stats	AP Stats	AP Stats
Period 2 83 min	Stillwater Choir <i>(Elective)</i>	Stillwater Choir <i>(Elective)</i>	Stillwater Choir <i>(Elective)</i>	Stillwater Choir <i>(Elective)</i>
Period 3 90 min	English 12	English 12	Sports & Society <i>(Elective)</i>	PATHWAYS CAPSTONE?
Period 4 83 min	Health	Drawing <i>(Elective)</i>	Food Science	Food Science



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WHAT: 4x4 Block Schedule

Opportunities:

- Room for new graduation requirements
- Ability to introduce things like CAPSTONE, Pathways experiences, etc.
- More electives
- Fewer courses at one time
- Time to dig deeper into content
- Acceleration

Additional Considerations:

- Space needs
- Classes with co-curricular connection (journalism, music, etc.)
- Year-long touch points (BARR, AVID, etc.)
- Professional development
- Curriculum development
- Staff prep time



Next Steps

This Summer	2024-2025	2025-2026
Work with SAHS staff to build the new schedule		Implement the new schedule
Develop new course proposals	Establish new credit requirements	
	Approve courses; write curriculum	
	Identify funding through Priority- Based Budgeting	
	Professional development	



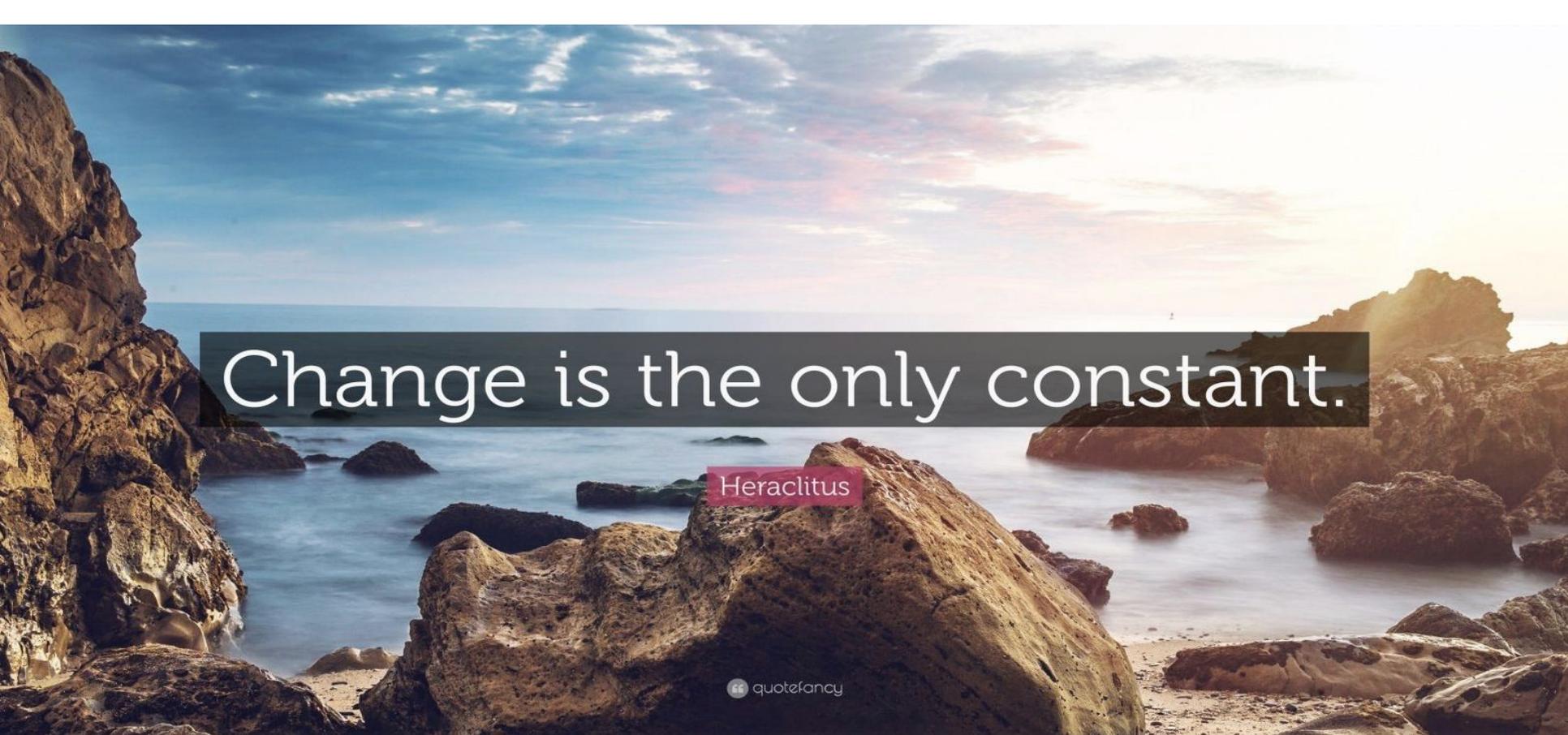
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HOW: Three Working Teams

- **ACADEMIC:** Consider graduation credits, new courses, year long touchpoints, instruction
- **CULTURE:** Consider attendance, Office Hours, Personalized Learning Plan, homework, 9th grade seminar, etc...
- **STUDENT ENGAGEMENT:** Consider Capstone, peer tutoring, community service, Pathways, student leadership, etc.



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Change is the only constant.

Heraclitus

quotation



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Attendance Report

Presented to the School Board
May 14, 2024

How Attendance is Measured

Chronic Absenteeism

- Students who miss 10% or more of school days
- Federal measure

Consistent Attendance

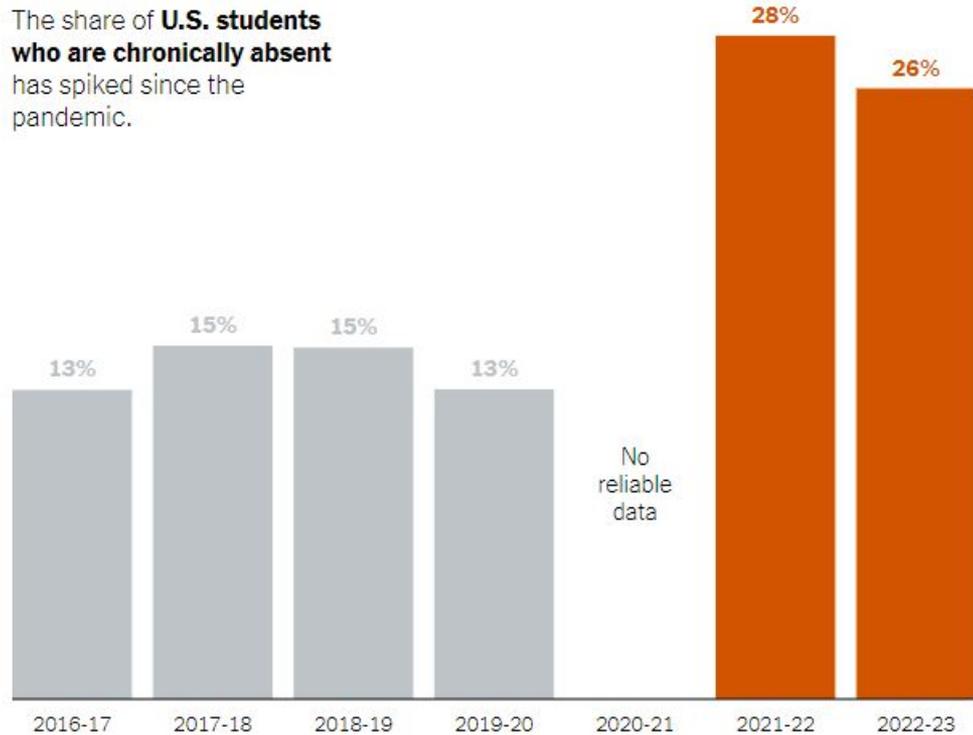
- Students who attend more than 90% of school days.
- Used by Minnesota Department of Education for accountability
 - *Part of Every Student Succeeds Act (ESSA)*



Attendance National Trends

Chronically Absent:
Students missing 10%
or more of school days

The share of **U.S. students who are chronically absent** has spiked since the pandemic.



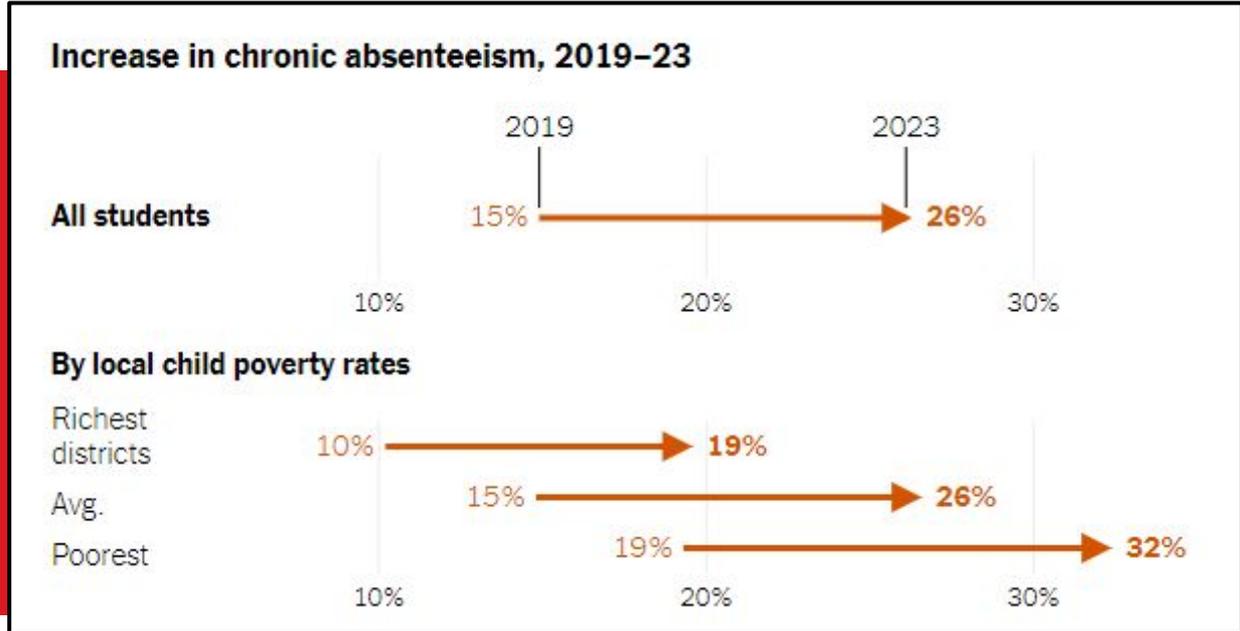
Source: Nat Malkus, American Enterprise Institute. Chronic absenteeism is defined as missing 10 percent of a school year.



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Attendance National Trends

Chronically Absent:
Students missing 10%
or more of school days



Source: [New York Times](#)



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Consistent Attendance Comparison

Statewide	Stillwater Schools	Eden Prairie	Prior Lake - Savage	White Bear Lake
69.8%	71.2%	78.1%	79.5%	61.3%



Source: MDE
Report Card, 2022

Consistent Attendance:
Students who attend more than 90%
of school days.



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Consistent Attendance 2022

Afton-Lakeland Elementary	53.7%
Andersen Elementary	75.7%
Brookview Elementary	79.8%
Lake Elmo Elementary	74.2%
Lily Lake Elementary	76.3%
Rutherford Elementary	73.7%
Stonebridge Elementary	78.9%

Stillwater Area High School	67.4%
St. Croix Valley ALC	7.3%
Oak-Land Middle	76.2%
Stillwater Middle	77.1%

Source: MDE Report Card

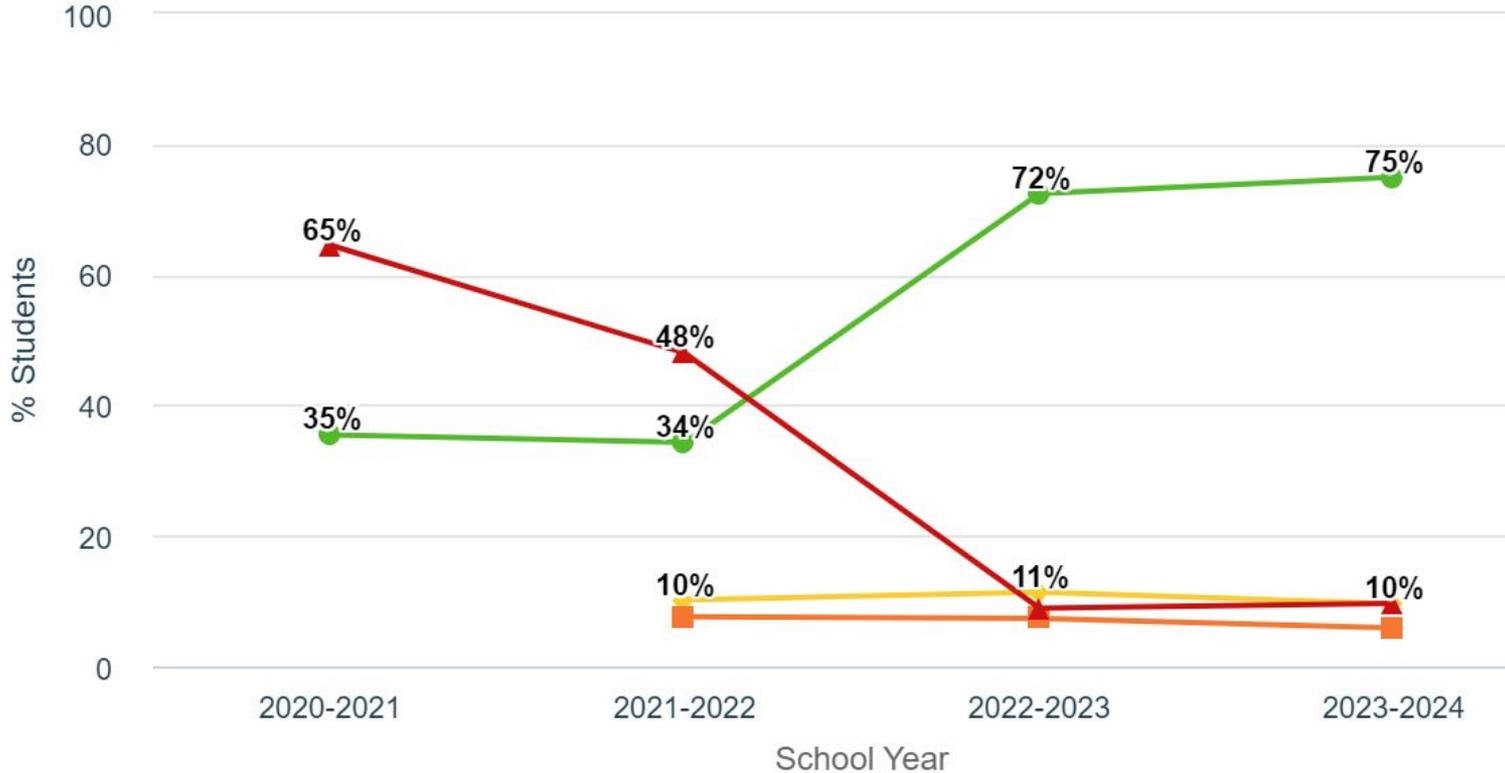
Consistent Attendance:
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Which years have the most chronically absent students?

The percent of students in each chronic absence category over time.

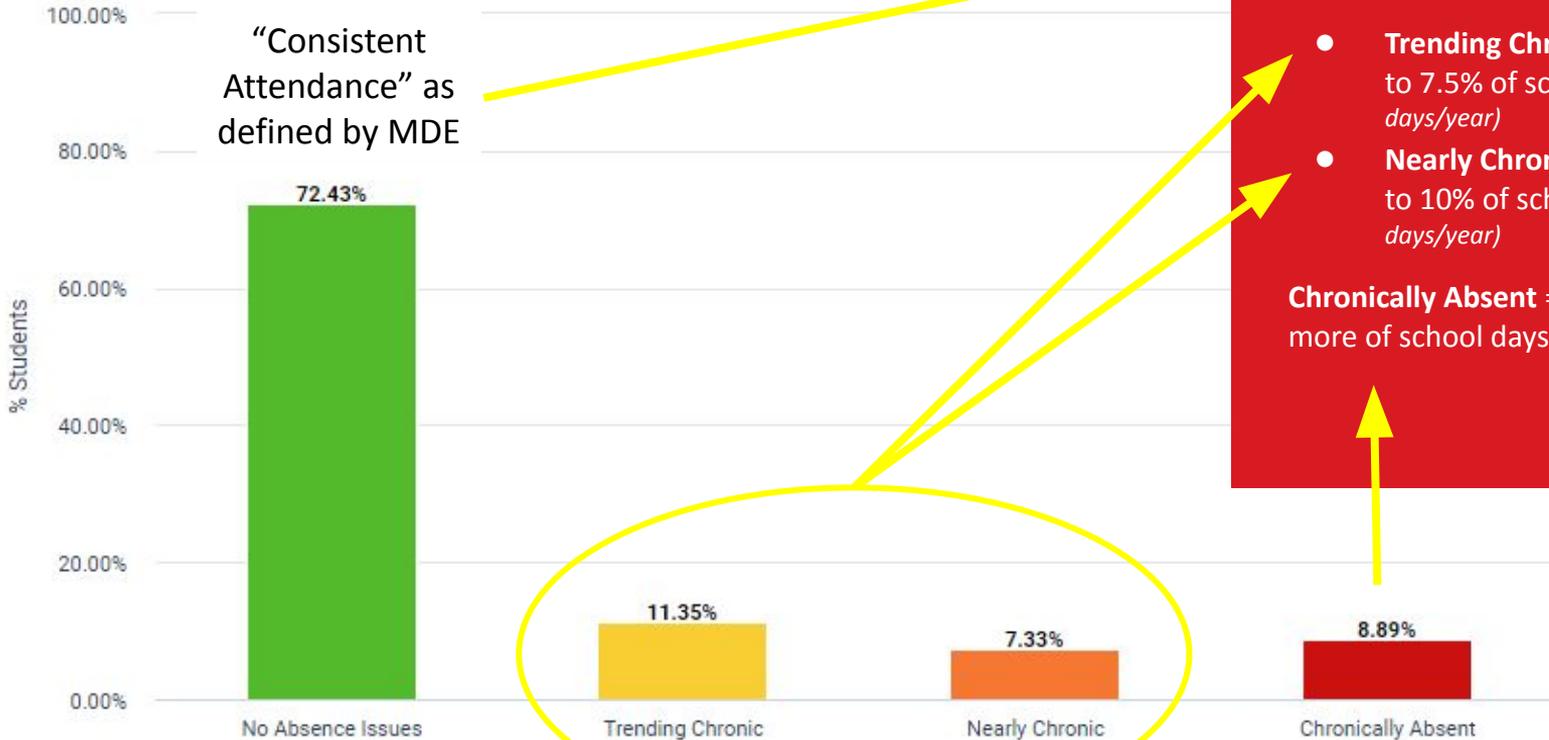


Chronically Absent:
Students missing 10% or more of school days

● No Absence Issues ◆ Trending Chronic ■ Nearly Chronic ▲ Chronically Absent

Do We Have Students that are Close to Being Chronically Absent?

The students and their level of chronic absence.



“Consistent Attendance” as defined by MDE

2022-2023 Data

Consistent Attendance = 90% or more days in school

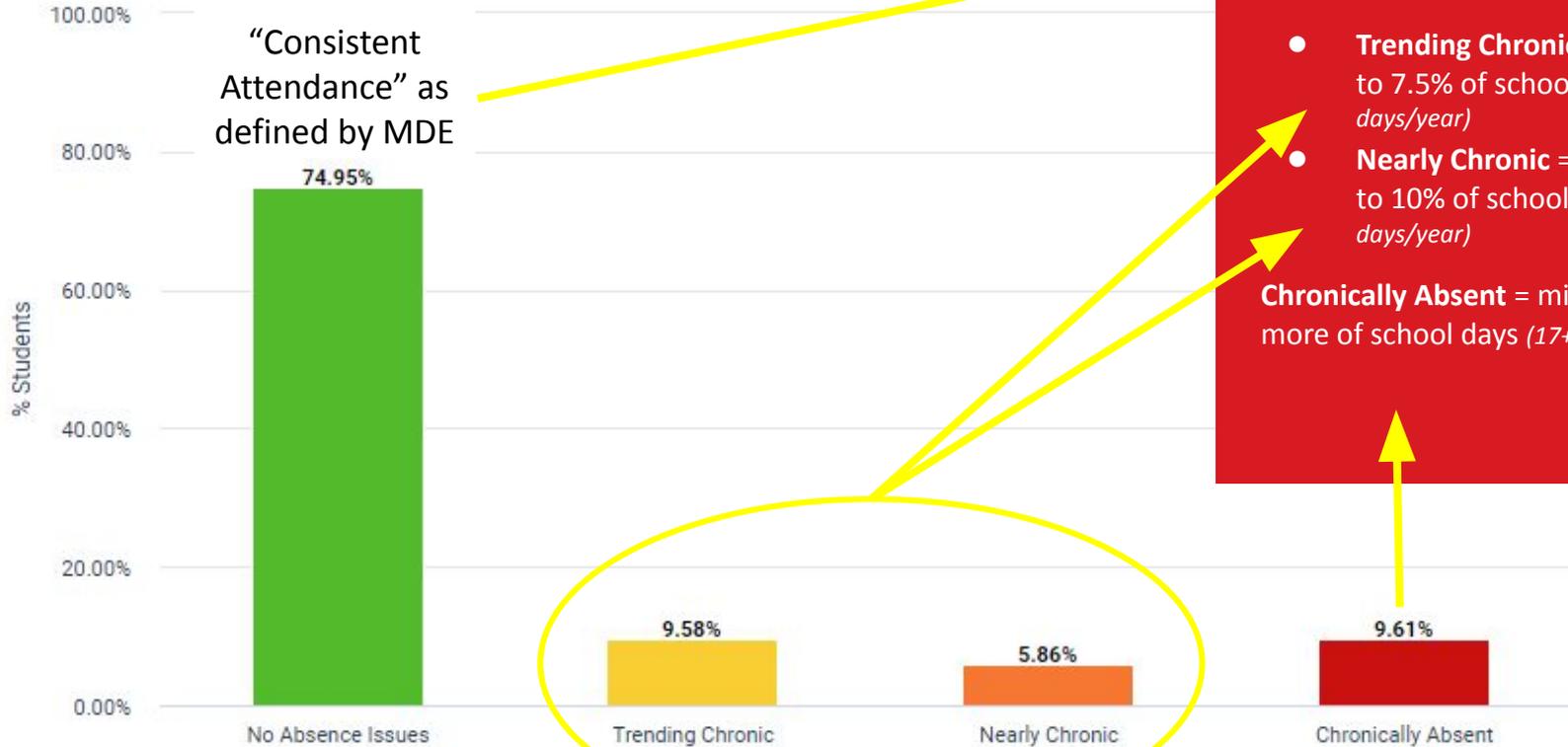
- **Trending Chronic** = Missing 5% to 7.5% of school days (9-13 days/year)
- **Nearly Chronic** = missing 7.5% to 10% of school days (13-17 days/year)

Chronically Absent = missing 10% or more of school days (17+days/year)



Do We Have Students that are Close to Being Chronically Absent?

The students and their level of chronic absence.



“Consistent Attendance” as defined by MDE

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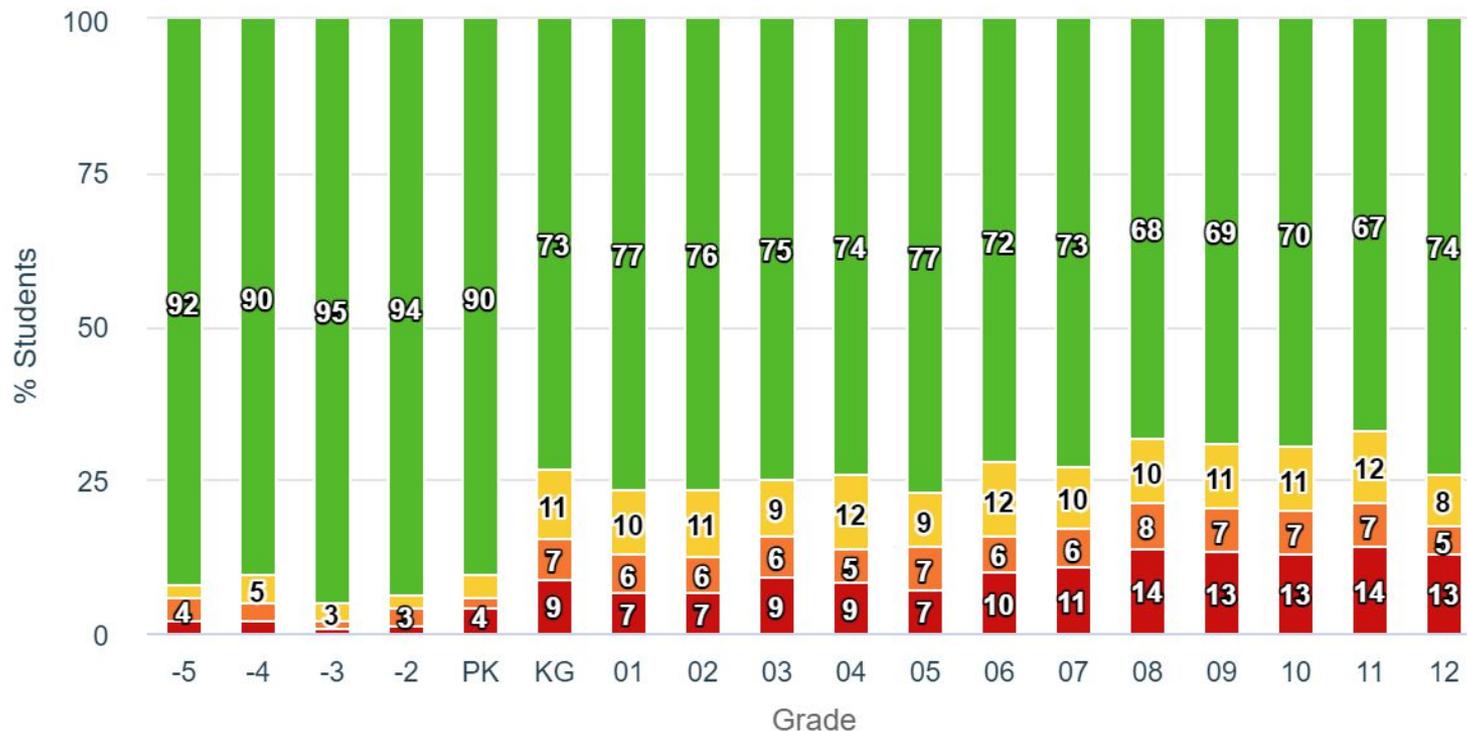
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Chronically Absent = missing 10% or more of school days (17+days/year)



Which grades have the most chronically absent students?

The grades with the most chronically absent students.



● No Absence Issues
 ● Trending Chronic
 ● Nearly Chronic
 ● Chronically Absent



Chronically Absent:
Students missing 10% or more of school days

Why Are Students Missing School?

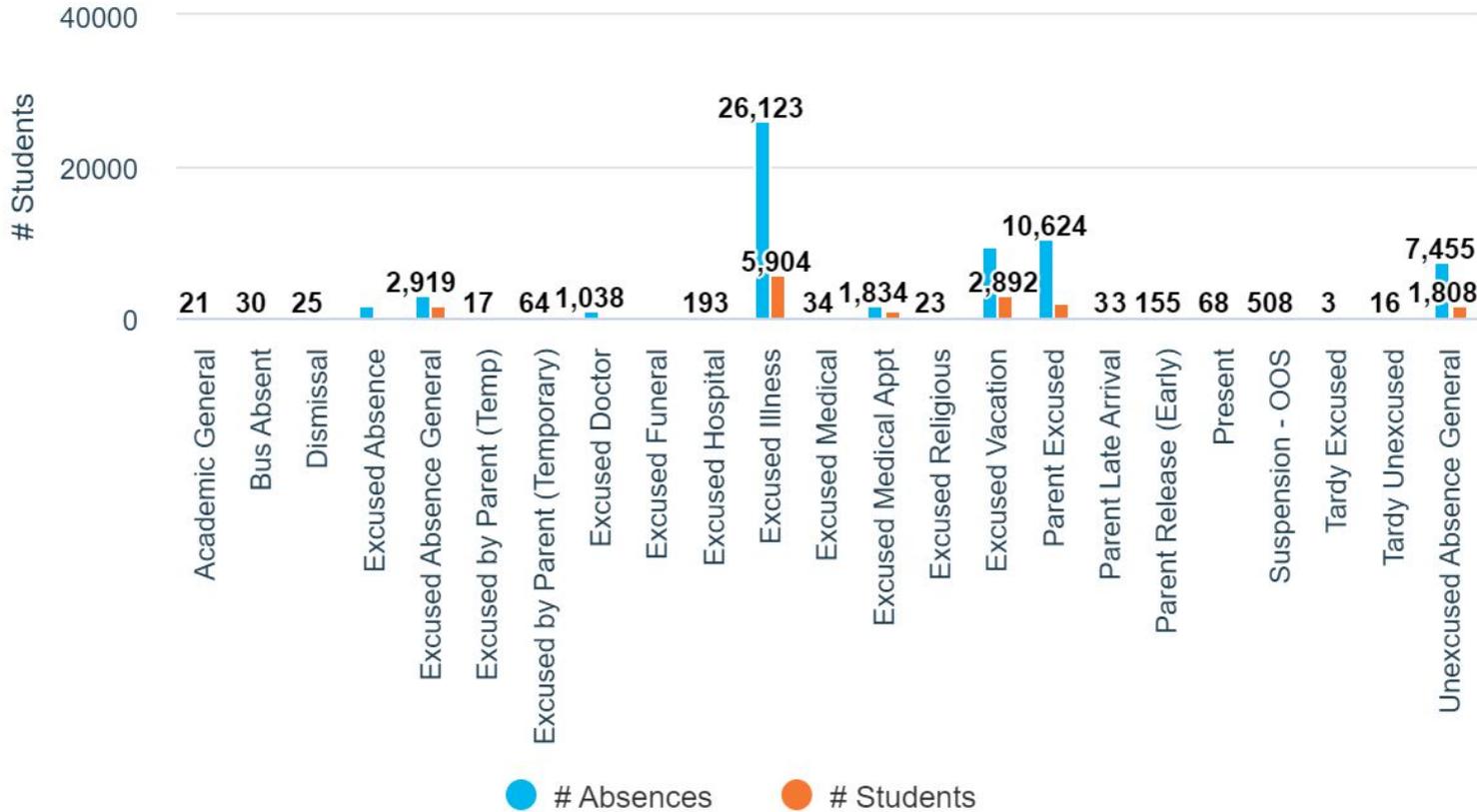
- More illness
 - “Tripledemic” of COVID, influenza and RSV in the fall of 2023
- More awareness around staying home when sick
- Increased mental health needs of staff and families (anxiety, depression, stress, etc.)
- Trips to home countries to see families and help support their needs
- Family trips



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What are the Most Frequent Absence Types?

The number of absences by absence reason for the 2023-2024.



Most common absences:

- Excused illness
- Parent excused
- Unexcused general

Attendance Matters

- Chronic absenteeism leads to higher dropout rates.
- Children who were frequently absent from school:
 - Demonstrated **less optimal interpersonal skills** than their peers.
 - Reported themselves as experiencing **greater school-related stress, lower levels of motivation, and lower levels of school belonging.**



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Attendance Matters

- Missing just **2 days per month** can make a student fall behind their peers in math, reading and interpersonal skills.
- From grades K-5, just one day of missed school equals **2.5** days of lost math learning and **1.5** days of lost language and literacy learning.
- A middle schooler who misses two or fewer days each year has a 93% chance of starting high school on track to graduate, [versus 66%](#) for a child who misses two or more weeks.
- By ninth grade, a week's absence each semester equals a drop of more than 20% in the likelihood of earning a diploma.

Sources: [MinnPost](#); [Ohio State University](#)



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Addressing Absenteeism In Our Schools

All schools have identified strategies to address absenteeism, including:

- Weekly team meetings (ie. BARR)
 - Teachers share concerns about student's absences
 - Staff develop and implement interventions based on individual student's needs
- Improved communication with parents regarding student absences
 - Automated messages, letters, personal phone calls, etc.
- Connecting families with outside resources to meet mental health or chemical health needs that could interfere with attendance.



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Next Steps

- Review attendance policy and related processes and procedures
- Continue to work with school staff to develop interventions
- Launch an “Attendance Matters” communication campaign for students, families and staff



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POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
EMPLOYEE RIGHT TO KNOW – EXPOSURE TO HAZARDOUS SUBSTANCES	407	Adopted:	Annual

I. PURPOSE

The purpose of this policy is to provide school district employees a place of employment and conditions of employment free from recognized hazards that are likely to cause death or serious injury or harm.

II. GENERAL STATEMENT OF POLICY

The policy of this school district is to provide information and training to employees who may be “routinely exposed” to a hazardous substance, harmful physical agent, infectious agent, or blood borne pathogen.

III. DEFINITIONS

- A. “Commissioner” means the Minnesota Commissioner of Labor and Industry.
- B. “Routinely exposed” means that there is a reasonable potential for exposure during the normal course of assigned work or when an employee is assigned to work in an area where a hazardous substance has been spilled.
- C. “Hazardous substance” means a chemical or substance, or mixture of chemicals and substances, which:
 - 1. is regulated by the Federal Occupational Safety and Health Administration under the Code of Federal Regulations; or
 - 2. is either toxic or highly toxic; an irritant; corrosive; a strong oxidizer; a strong sensitizer; combustible; either flammable or extremely flammable; dangerously reactive; pyrophoric; pressure-generating; compressed gas; carcinogen; teratogen; mutagen; reproductive toxic agent; or that otherwise, according to generally accepted documented medical or scientific evidence, may cause substantial acute or chronic personal injury or illness during or as a direct result of any customary or reasonably foreseeable accidental or intentional exposure to the chemical or substance; or
 - 3. is determined by the commissioner as a part of the standard for the chemical or substance or mixture of chemicals and substances to present a significant risk to worker health and safety or imminent danger of death or serious physical harm to an employee as a result of foreseeable use, handling, accidental spill, exposure,

or contamination.

- D. “Harmful physical agent” means a physical agent determined by the commissioner as a part of the standard for that agent to present a significant risk to worker health or safety or imminent danger of death or serious physical harm to an employee. This definition includes, but is not limited to, radiation, whether ionizing or nonionizing.
- E. “Infectious agent” means a communicable bacterium, rickettsia, parasites, virus, or fungus determined by the commissioner by rule, with approval of the commissioner of health, which, according to documented medical or scientific evidence, causes substantial acute or chronic illness or permanent disability as a foreseeable and direct result of any routine exposure to the infectious agent. Infectious agent does not include an agent in or on the body of a patient before diagnosis.
- F. “Blood borne pathogen” means a pathogenic microorganism that is present in human blood and can cause disease in humans. This definition includes, but is not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

IV. TARGET JOB CATEGORIES

Annual training will be provided to all full- and part-time employees who are “routinely exposed” to a hazardous substance, harmful physical agent, infectious agent, or blood borne pathogen as set forth above.

V. TRAINING SCHEDULE

Training will be provided to employees before beginning a job assignment as follows:

- A. Any newly hired employee assigned to a work area where he or she is determined to be “routinely exposed” under the guidelines above.
- B. Any employee reassigned to a work area where he or she is determined to be “routinely exposed” under the above guidelines.

Legal References:

Minn. Stat. Ch. 182 (Occupational Safety and Health)

Minn. Rules Ch. 5205 (Occupational Safety and Health Standards)

Minn. Rules Ch. 5206 (Hazardous Substances; Employee Right to Know Standards)

29 C.F.R. § 1910.1050, App. B (Substance Technical Guidelines)

Cross References:

MSBA/MASA Model Policy 420 (Students and Employees with Sexually Transmitted Infections and Diseases and Certain Other Communicable Diseases and Infectious Conditions)

MSBA/MASA Model Policy 807 (Health and Safety Policy)

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
SUBPOENA OF A SCHOOL DISTRICT EMPLOYEE	408	Adopted:	Annual

I. PURPOSE

The purpose of this policy is to protect the privacy rights of school district employees and students under both state and federal law when requested to testify or provide educational records for a judicial or administrative proceeding.

II. GENERAL STATEMENT OF POLICY

This policy is to provide guidance and direction for school district employees who may be subpoenaed to testify and/or provide educational records for a judicial or administrative proceeding.

III. DATA CLASSIFICATION

A. Educational Data

1. State Law

The Minnesota Government Data Practices Act (MGDPA), Minnesota Statutes chapter 13, classifies all educational data, except for directory information as designated by the school district, as private data on individuals. The state statute provides that **private data on individuals may not be released, except pursuant to a valid court order or informed consent by the subject of the data or a parent if the subject of the data is a minor.**

2. Federal Law

The Family Educational Rights and Privacy Act (FERPA), 20 United States Code section 1232g, provides that educational data may not be released, except pursuant to informed consent by the individual subject of the data or any lawfully issued subpoena. Regulations promulgated under the federal law require that the school district must first make a reasonable effort to notify the parent of the student, or the student if the student is 18 years of age or older, of the subpoena in advance of releasing the information pursuant to the subpoena.

B. Personnel Data

The MGDPA also classifies all personnel data, except for certain data specifically classified as public, as private data on individuals. The state statute provides that **private data on individuals may not be released, except pursuant to a valid court order or informed consent by the subject of the data.**

IV. APPLICATION AND PROCEDURES

- A. Any employee who receives a subpoena for any purpose related to employment is to inform the building administrator or designated supervisor when the employee receives the subpoena. The building administrator or designated supervisor shall immediately inform the superintendent that the employee has received a subpoena.
- B. No employee may release educational data, personnel data, or any other data of any kind without consultation in advance with the school district official who is designated as the authority responsible for the collection, use and dissemination of data.
- C. Payment for attendance at judicial or administrative proceedings and the retention of witness and mileage fees is to be determined in accordance with the applicable school board policies and collective bargaining agreements.
- D. The administration shall not release any information except in strict compliance with state and federal law and this policy. Recognizing that an unauthorized release may expose the school district or its employees to civil or criminal penalties or loss of employment, the administration shall confer with school district legal counsel prior to release of such data.

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)

Minn. Rules 1205.0100, Subp. 5 (How These Rules Apply)

20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

Cross References:

MSBA/MASA Model Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee, or Student)

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

MSBA Law Bulletin "I" (School Records – Privacy – Access to Data)

PERSONNEL

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
EMPLOYEE PUBLICATIONS, INSTRUCTIONAL MATERIALS, INVENTIONS, AND CREATIONS	409	Adopted:	Annual

I. PURPOSE

The purpose of this policy is to identify and reserve the proprietary rights of the school district to certain publications, instructional materials, inventions, and creations which employees may develop or create, or assist in developing or creating, while employed by the school district.

II. GENERAL STATEMENT OF POLICY

Unless the employee develops, creates or assists in developing or creating a publication, instructional material, computer program, invention or creation entirely on the employee's own time and without the use of any school district facilities or equipment, the employee shall immediately disclose and, on demand of the school district, assign any rights to publications, instructional materials, computer programs, materials posted on websites, inventions or creations which the employee develops or creates or assists in developing or creating during the term of employee's employment and for six months thereafter. In addition, employees shall sign such documents and perform such other acts as may be necessary to secure the rights of the school district relating to such publications, instructional materials, computer programs, materials posted on websites, inventions and/or creations, including domestic and foreign patents and copyrights.

III. NOTICE OF POLICY

The school district shall give employees notice of this policy by such means as are reasonably likely to inform them of this policy.

Legal References:

Minn. Stat. § 181.78 (Agreements; Terms Relating to Inventions)

17 U.S.C. § 101 *et seq.* (Copyrights)

Cross References:

None

EMPLOYEES / PERSONNEL

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
POLICIES INCORPORATED BY REFERENCE	422		3-Years

PURPOSE

Certain policies as contained in this policy reference manual are applicable to employees as well as to students. To avoid undue duplication, the school district provides notice by this section of the application and incorporation by reference of the following policies that also apply to employees:

- Model Policy 505 - Distribution of Non School-Sponsored Materials on School Premises by Students and Employees
- Model Policy 507 - Corporal Punishment
- Model Policy 511 - Student Fundraising
- Model Policy 517 - Student Recruiting
- Model Policy 518 - DNR-DNI Orders
- Model Policy 519 - Interviews of Students by Outside Agencies
- Model Policy 522 - Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process
- Model Policy 524 - Internet Acceptable Use and Safety Policy
- Model Policy 525 - Violence Prevention
- Model Policy 535 - Service Animals in Schools

Employees are charged with notice that the above cited policies are also applicable to employees; however, employees are also on notice that the provisions of the various policies speak for themselves and may be applicable although not specifically listed above.

Legal References:

None

Cross References:

None

STUDENTS

School weapons Policy	501	Adopted: 05-27-2004 Renumbered: 03-11-2021	

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. Definitions

A. "Weapon"

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

B. "School Location" includes any school building or grounds, whether leased, rented, owned or controlled by the school, locations of school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the area of entrance or departure from school premises or events, all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the school district.

C. "Possession" means having a weapon on one's person or in an area subject to one's control in a school location.

D. "Dangerous Weapon" means any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, any combustible or flammable liquid or other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm, or any fire that is used to produce death or great bodily harm. As used in this definition, "flammable

liquid" means any liquid having a flash point below 100 degrees Fahrenheit and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100 degrees Fahrenheit but does not include intoxicating liquor. As used in this subdivision, "combustible liquid" is a liquid having a flash point at or above 100 degrees Fahrenheit.

IV. Exceptions

- A. A student who finds a weapon on the way to school or in a school location, or a student who discovers that he or she accidentally has a weapon in his or her possession, and takes the weapon immediately to the principal's office shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the principal's office, a student shall not be considered to possess a weapon if he or she immediately turns the weapon over to an administrator, teacher or head coach or immediately notifies an administrator, teacher or head coach of the weapon's location.

- B. It shall not be a violation of this policy if a non-student falls within one of the following categories:
 1. **active** licensed peace officers;

 2. military personnel, or students or nonstudents participating in military training, who are on duty performing official duties;

 3. persons authorized to carry a pistol under Minn. Stat., Section 624.714, while in a motor vehicle or outside of a motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle;

 4. persons who keep or store in a motor vehicle pistols in accordance with Minn. Stat., Sections 624.714 or 624.715, or other firearms in accordance with Section 97B.045;
 - a. Section 624.714 specifies procedures and standards for obtaining pistol permits and penalties for the failure to do so. Section 624.715 defines an exception to the pistol permit requirements for "antique firearms which are carried or possessed as curiosities or for their historical significance or value."

 - b. Section 97B.045 generally provides that a firearm may not be transported in a motor vehicle unless it is (1) unloaded and in a gun case without any portion of the firearm exposed; (2) unloaded and in the closed trunk; or (3) a handgun carried in compliance with Sections 624.714 and 624.715.

 5. firearm safety or marksmanship courses or activities conducted on school property;

 6. possession of dangerous weapons, BB guns, or replica firearms by a ceremonial color guard;

 7. a gun or knife show held on school property;

 8. possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other person having general control and supervision of the school or the director of a child care center;

 9. persons who are on unimproved property owned or leased by a child care center, school or school district unless the person knows that a student is currently present on the land for a school-related activity.

[Note: Nothing prevents a school district from being more stringent in its weapons policy with respect to students and school district employees than the criminal law, except that the school district may not prohibit the lawful carry or possession of firearms in a parking facility or parking area. Although some school districts may choose to incorporate all of the exceptions to the criminal law, other school districts may choose either not to incorporate some or all of the exceptions or to further limit them. For example, a school district may choose to require written permission from the superintendent, not just a principal, for someone to possess a dangerous weapon in a school location. This would impose a more stringent requirement than the exceptions to the general prohibition of having a weapon on school grounds set forth in Minnesota Statutes section 609.66, Subdivision 1d (f) listed in Section IV.B. above. However, a school district may not regulate firearms, ammunition, or their respective components, when possessed or carried by nonstudents or nonemployees, in a manner that is inconsistent with Minnesota Statutes section 609.66, Subdivision 1d.]

C. Policy Application to Instructional Equipment/Tools

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

D. Firearms in School Parking Lots and Parking Facilities

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

V. Consequences for Student Weapon Possession/Use/Distribution

A. The school district takes a firm position in regard to the possession, use or distribution of weapons by students. Consequently, the minimum consequences for students willfully possessing, using, or distributing weapons shall include:

1. immediate out-of-school suspension;
2. confiscation of the weapon;
3. immediate notification of police;
4. parent or guardian notification; and
5. recommendation to the superintendent of dismissal for a period of time not to exceed one year.

- B. Pursuant to Minnesota law, a student who brings a firearm, as defined by federal law, to school will be expelled for at least one year. The school board may modify this requirement on a case-by-case basis.
- C. The building principal shall, as soon as practicable, refer to the criminal justice or juvenile delinquency system, as appropriate, a student who brings a firearm to school unlawfully.
- D. Administrative Discretion

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

VI. Consequences for Weapon Possession/Use/Distribution by Non-Students

A. Employees

1. An employee who violates the terms of this policy is subject to disciplinary action, including non-renewal, suspension, or discharge as deemed appropriate by the school board.
2. Sanctions against employees, including non-renewal, suspension, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.
3. When an employee violates the Weapons Policy, law enforcement may be notified, as appropriate.
 [Note: An employer may establish policies that restrict the carry or possession of firearms by its employees while acting in the course and scope of employment. Employment-related sanctions may be invoked for a violation. Thus, for example, reasonable limitations may be imposed on the method of storing firearms by permit-holding employees while at work or performing employment-related duties. Reasonable limitations may include requiring firearms to have trigger locks and to be stored in a locked container or locked compartment of the vehicle.]

B. Other Non-students

1. Any member of the public who violates this policy shall be informed of the policy and asked to leave the school location. Depending on the circumstances, the person may be barred from future entry to school locations. In addition, if the person is a student in another school district, that school district may be contacted concerning the policy violation.
2. If appropriate, law enforcement will be notified of the policy violation by the member of the public and may be asked to provide an escort to remove the member of the public from the school location.

VII. REPORTS OF DANGEROUS WEAPON INCIDENTS IN SCHOOL ZONES

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

Legal References:

Minn. Stat. § 97B.045 (Transporting Firearms)

Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)

Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)
Minn. Stat. § 121A.05 (Policy to Refer Firearms Possessor)
Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)
Minn. Stat. § 152.01, subd. 14(a) (Definition of a School Zone)
Minn. Stat. § 609.66 (Dangerous Weapons)
Minn. Stat. § 609.605 (Trespass)
Minn. Stat. § 609.02, Subd. 6 (Definition of Dangerous Weapon) 501-6
Minn. Stat. § 97B.045 (Transportation of Firearms)
Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)
Minn. Stat. § 624.715 (Exemptions; Antiques and Ornaments)
18 U.S.C. § 921 (Definition of Firearm)
In re C.R.M., 611 N.W.2d 802 (Minn. 2000)
In re A.D., 883 N.W.2d 251 (Minn. 2016)

Cross References:

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

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
EMPLOYEE RIGHT TO KNOW – EXPOSURE TO HAZARDOUS SUBSTANCES	407	Adopted:	Annual

I. PURPOSE

The purpose of this policy is to provide school district employees a place of employment and conditions of employment free from recognized hazards that are likely to cause death or serious injury or harm.

II. GENERAL STATEMENT OF POLICY

The policy of this school district is to provide information and training to employees who may be “routinely exposed” to a hazardous substance, harmful physical agent, infectious agent, or blood borne pathogen.

III. DEFINITIONS

- A. “Commissioner” means the Minnesota Commissioner of Labor and Industry.
- B. “Routinely exposed” means that there is a reasonable potential for exposure during the normal course of assigned work or when an employee is assigned to work in an area where a hazardous substance has been spilled.
- C. “Hazardous substance” means a chemical or substance, or mixture of chemicals and substances, which:
 - 1. is regulated by the Federal Occupational Safety and Health Administration under the Code of Federal Regulations; or
 - 2. is either toxic or highly toxic; an irritant; corrosive; a strong oxidizer; a strong sensitizer; combustible; either flammable or extremely flammable; dangerously reactive; pyrophoric; pressure-generating; compressed gas; carcinogen; teratogen; mutagen; reproductive toxic agent; or that otherwise, according to generally accepted documented medical or scientific evidence, may cause substantial acute or chronic personal injury or illness during or as a direct result of any customary or reasonably foreseeable accidental or intentional exposure to the chemical or substance; or
 - 3. is determined by the commissioner as a part of the standard for the chemical or substance or mixture of chemicals and substances to present a significant risk to worker health and safety or imminent danger of death or serious physical harm to an employee as a result of foreseeable use, handling, accidental spill, exposure,

or contamination.

- D. “Harmful physical agent” means a physical agent determined by the commissioner as a part of the standard for that agent to present a significant risk to worker health or safety or imminent danger of death or serious physical harm to an employee. This definition includes, but is not limited to, radiation, whether ionizing or nonionizing.
- E. “Infectious agent” means a communicable bacterium, rickettsia, parasites, virus, or fungus determined by the commissioner by rule, with approval of the commissioner of health, which, according to documented medical or scientific evidence, causes substantial acute or chronic illness or permanent disability as a foreseeable and direct result of any routine exposure to the infectious agent. Infectious agent does not include an agent in or on the body of a patient before diagnosis.
- F. “Blood borne pathogen” means a pathogenic microorganism that is present in human blood and can cause disease in humans. This definition includes, but is not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

IV. TARGET JOB CATEGORIES

Annual training will be provided to all full- and part-time employees who are “routinely exposed” to a hazardous substance, harmful physical agent, infectious agent, or blood borne pathogen as set forth above.

V. TRAINING SCHEDULE

Training will be provided to employees before beginning a job assignment as follows:

- A. Any newly hired employee assigned to a work area where he or she is determined to be “routinely exposed” under the guidelines above.
- B. Any employee reassigned to a work area where he or she is determined to be “routinely exposed” under the above guidelines.

Legal References:

Minn. Stat. Ch. 182 (Occupational Safety and Health)

Minn. Rules Ch. 5205 (Occupational Safety and Health Standards)

Minn. Rules Ch. 5206 (Hazardous Substances; Employee Right to Know Standards)

29 C.F.R. § 1910.1050, App. B (Substance Technical Guidelines)

Cross References:

MSBA/MASA Model Policy 420 (Students and Employees with Sexually Transmitted Infections and Diseases and Certain Other Communicable Diseases and Infectious Conditions)

MSBA/MASA Model Policy 807 (Health and Safety Policy)

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
SUBPOENA OF A SCHOOL DISTRICT EMPLOYEE	408	Adopted:	Annual

I. PURPOSE

The purpose of this policy is to protect the privacy rights of school district employees and students under both state and federal law when requested to testify or provide educational records for a judicial or administrative proceeding.

II. GENERAL STATEMENT OF POLICY

This policy is to provide guidance and direction for school district employees who may be subpoenaed to testify and/or provide educational records for a judicial or administrative proceeding.

III. DATA CLASSIFICATION

A. Educational Data

1. State Law

The Minnesota Government Data Practices Act (MGDPA), Minnesota Statutes chapter 13, classifies all educational data, except for directory information as designated by the school district, as private data on individuals. The state statute provides that **private data on individuals may not be released, except pursuant to a valid court order or informed consent by the subject of the data or a parent if the subject of the data is a minor.**

2. Federal Law

The Family Educational Rights and Privacy Act (FERPA), 20 United States Code section 1232g, provides that educational data may not be released, except pursuant to informed consent by the individual subject of the data or any lawfully issued subpoena. Regulations promulgated under the federal law require that the school district must first make a reasonable effort to notify the parent of the student, or the student if the student is 18 years of age or older, of the subpoena in advance of releasing the information pursuant to the subpoena.

B. Personnel Data

The MGDPA also classifies all personnel data, except for certain data specifically classified as public, as private data on individuals. The state statute provides that **private data on individuals may not be released, except pursuant to a valid court order or informed consent by the subject of the data.**

IV. APPLICATION AND PROCEDURES

- A. Any employee who receives a subpoena for any purpose related to employment is to inform the building administrator or designated supervisor when the employee receives the subpoena. The building administrator or designated supervisor shall immediately inform the superintendent that the employee has received a subpoena.
- B. No employee may release educational data, personnel data, or any other data of any kind without consultation in advance with the school district official who is designated as the authority responsible for the collection, use and dissemination of data.
- C. Payment for attendance at judicial or administrative proceedings and the retention of witness and mileage fees is to be determined in accordance with the applicable school board policies and collective bargaining agreements.
- D. The administration shall not release any information except in strict compliance with state and federal law and this policy. Recognizing that an unauthorized release may expose the school district or its employees to civil or criminal penalties or loss of employment, the administration shall confer with school district legal counsel prior to release of such data.

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)

Minn. Rules 1205.0100, Subp. 5 (How These Rules Apply)

20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

Cross References:

MSBA/MASA Model Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee, or Student)

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

MSBA Law Bulletin "I" (School Records – Privacy – Access to Data)

PERSONNEL

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
EMPLOYEE PUBLICATIONS, INSTRUCTIONAL MATERIALS, INVENTIONS, AND CREATIONS	409	Adopted:	Annual

I. PURPOSE

The purpose of this policy is to identify and reserve the proprietary rights of the school district to certain publications, instructional materials, inventions, and creations which employees may develop or create, or assist in developing or creating, while employed by the school district.

II. GENERAL STATEMENT OF POLICY

Unless the employee develops, creates or assists in developing or creating a publication, instructional material, computer program, invention or creation entirely on the employee’s own time and without the use of any school district facilities or equipment, the employee shall immediately disclose and, on demand of the school district, assign any rights to publications, instructional materials, computer programs, materials posted on websites, inventions or creations which the employee develops or creates or assists in developing or creating during the term of employee’s employment and for six months thereafter. In addition, employees shall sign such documents and perform such other acts as may be necessary to secure the rights of the school district relating to such publications, instructional materials, computer programs, materials posted on websites, inventions and/or creations, including domestic and foreign patents and copyrights.

III. NOTICE OF POLICY

The school district shall give employees notice of this policy by such means as are reasonably likely to inform them of this policy.

Legal References:

Minn. Stat. § 181.78 (Agreements; Terms Relating to Inventions)
17 U.S.C. § 101 *et seq.* (Copyrights)

Cross References:

None

EMPLOYEES / PERSONNEL

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
POLICIES INCORPORATED BY REFERENCE	422		3-Years

PURPOSE

Certain policies as contained in this policy reference manual are applicable to employees as well as to students. To avoid undue duplication, the school district provides notice by this section of the application and incorporation by reference of the following policies that also apply to employees:

- Model Policy 505 - Distribution of Non School-Sponsored Materials on School Premises by Students and Employees
- Model Policy 507 - Corporal Punishment
- Model Policy 511 - Student Fundraising
- Model Policy 517 - Student Recruiting
- Model Policy 518 - DNR-DNI Orders
- Model Policy 519 - Interviews of Students by Outside Agencies
- Model Policy 522 - Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process
- Model Policy 524 - Internet Acceptable Use and Safety Policy
- Model Policy 525 - Violence Prevention
- Model Policy 535 - Service Animals in Schools

Employees are charged with notice that the above cited policies are also applicable to employees; however, employees are also on notice that the provisions of the various policies speak for themselves and may be applicable although not specifically listed above.

Legal References:

None

Cross References:

None

STUDENTS

School weapons Policy	501	Adopted: 05-27-2004 Renumbered: 03-11-2021	

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. Definitions

A. "Weapon"

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

B. "School Location" includes any school building or grounds, whether leased, rented, owned or controlled by the school, locations of school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the area of entrance or departure from school premises or events, all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the school district.

C. "Possession" means having a weapon on one's person or in an area subject to one's control in a school location.

D. "Dangerous Weapon" means any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, any combustible or flammable liquid or other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm, or any fire that is used to produce death or great bodily harm. As used in this definition, "flammable

liquid" means any liquid having a flash point below 100 degrees Fahrenheit and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100 degrees Fahrenheit but does not include intoxicating liquor. As used in this subdivision, "combustible liquid" is a liquid having a flash point at or above 100 degrees Fahrenheit.

IV. Exceptions

- A. A student who finds a weapon on the way to school or in a school location, or a student who discovers that he or she accidentally has a weapon in his or her possession, and takes the weapon immediately to the principal's office shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the principal's office, a student shall not be considered to possess a weapon if he or she immediately turns the weapon over to an administrator, teacher or head coach or immediately notifies an administrator, teacher or head coach of the weapon's location.
- B. It shall not be a violation of this policy if a non-student falls within one of the following categories:
 1. **active** licensed peace officers;
 2. military personnel, or students or nonstudents participating in military training, who are on duty performing official duties;
 3. persons authorized to carry a pistol under Minn. Stat., Section 624.714, while in a motor vehicle or outside of a motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle;
 4. persons who keep or store in a motor vehicle pistols in accordance with Minn. Stat., Sections 624.714 or 624.715, or other firearms in accordance with Section 97B.045;
 - a. Section 624.714 specifies procedures and standards for obtaining pistol permits and penalties for the failure to do so. Section 624.715 defines an exception to the pistol permit requirements for "antique firearms which are carried or possessed as curiosities or for their historical significance or value."
 - b. Section 97B.045 generally provides that a firearm may not be transported in a motor vehicle unless it is (1) unloaded and in a gun case without any portion of the firearm exposed; (2) unloaded and in the closed trunk; or (3) a handgun carried in compliance with Sections 624.714 and 624.715.
 5. firearm safety or marksmanship courses or activities conducted on school property;
 6. possession of dangerous weapons, BB guns, or replica firearms by a ceremonial color guard;
 7. a gun or knife show held on school property;
 8. possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other person having general control and supervision of the school or the director of a child care center;
 9. persons who are on unimproved property owned or leased by a child care center, school or school district unless the person knows that a student is currently present on the land for a school-related activity.

[Note: Nothing prevents a school district from being more stringent in its weapons policy with respect to students and school district employees than the criminal law, except that the school district may not prohibit the lawful carry or possession of firearms in a parking facility or parking area. Although some school districts may choose to incorporate all of the exceptions to the criminal law, other school districts may choose either not to incorporate some or all of the exceptions or to further limit them. For example, a school district may choose to require written permission from the superintendent, not just a principal, for someone to possess a dangerous weapon in a school location. This would impose a more stringent requirement than the exceptions to the general prohibition of having a weapon on school grounds set forth in Minnesota Statutes section 609.66, Subdivision 1d (f) listed in Section IV.B. above. However, a school district may not regulate firearms, ammunition, or their respective components, when possessed or carried by nonstudents or nonemployees, in a manner that is inconsistent with Minnesota Statutes section 609.66, Subdivision 1d.]

C. Policy Application to Instructional Equipment/Tools

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

D. Firearms in School Parking Lots and Parking Facilities

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

V. Consequences for Student Weapon Possession/Use/Distribution

A. The school district takes a firm position in regard to the possession, use or distribution of weapons by students. Consequently, the minimum consequences for students willfully possessing, using, or distributing weapons shall include:

1. immediate out-of-school suspension;
2. confiscation of the weapon;
3. immediate notification of police;
4. parent or guardian notification; and
5. recommendation to the superintendent of dismissal for a period of time not to exceed one year.

- B. Pursuant to Minnesota law, a student who brings a firearm, as defined by federal law, to school will be expelled for at least one year. The school board may modify this requirement on a case-by-case basis.
- C. The building principal shall, as soon as practicable, refer to the criminal justice or juvenile delinquency system, as appropriate, a student who brings a firearm to school unlawfully.
- D. Administrative Discretion

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

VI. Consequences for Weapon Possession/Use/Distribution by Non-Students

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1. An employee who violates the terms of this policy is subject to disciplinary action, including non-renewal, suspension, or discharge as deemed appropriate by the school board.
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3. When an employee violates the Weapons Policy, law enforcement may be notified, as appropriate.
[Note: An employer may establish policies that restrict the carry or possession of firearms by its employees while acting in the course and scope of employment. Employment-related sanctions may be invoked for a violation. Thus, for example, reasonable limitations may be imposed on the method of storing firearms by permit-holding employees while at work or performing employment-related duties. Reasonable limitations may include requiring firearms to have trigger locks and to be stored in a locked container or locked compartment of the vehicle.]

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1. Any member of the public who violates this policy shall be informed of the policy and asked to leave the school location. Depending on the circumstances, the person may be barred from future entry to school locations. In addition, if the person is a student in another school district, that school district may be contacted concerning the policy violation.
2. If appropriate, law enforcement will be notified of the policy violation by the member of the public and may be asked to provide an escort to remove the member of the public from the school location.

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

Legal References:

Minn. Stat. § 97B.045 (Transporting Firearms)

Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)

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Minn. Stat. § 121A.05 (Policy to Refer Firearms Possessor)
Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)
Minn. Stat. § 152.01, subd. 14(a) (Definition of a School Zone)
Minn. Stat. § 609.66 (Dangerous Weapons)
Minn. Stat. § 609.605 (Trespass)
Minn. Stat. § 609.02, Subd. 6 (Definition of Dangerous Weapon) 501-6
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Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)
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