

Study Session

Tuesday, June 11, 2024 6:00 PM

Oak Park Learning Center, 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 - May 25, 2024 - June 7, 2024	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. Q-Comp Annual Report	Speaker (s) : Ms. Dawn Waller Lueck, Director of Schools
VII. Strategic Direction B: Foster a safe, welcoming and inclusive environment for all staff and students	
VII.A. Cell Phone Discussion Timeline	Speaker (s) : Ms. Carissa Keister Chief of Staff
VIII. Strategic Direction C: Utilize systems and align resources in an efficient manner to support learning	
VIII.A. Report: Long Term Facility Maintenance (LTFM) 10-Year Plan	Speaker (s) : Mr. Mark Drommerhausen, Executive Director of Operations
VIII.B. Resolution Approving NE Metro 916 LTFM Budget	Speaker (s) : Mark Drommerhausen, Executive Director of Operations
VIII.C. Report: Fiscal Year 2024-25 Preliminary Budget Update	Speaker (s) : Ms. Marie Schrul, Executive Director of Finance
VIII.D. Action: Principal Master Contract Agreement	Speaker (s) : Ms. Kristine Carlston, Executive Director of Human Resources
VIII.E. Report: Policy First Reading	Speaker (s) : Mr. Paul Lee, Executive Director of Student Support Services
VIII.F. Report: Policy Second Reading	Speaker (s) : Mr. Paul Lee, Executive Director of Student Support Services

VIII.G. Public Input Related to Policies

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

VIII.H. Action: Approval of Policies

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

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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More.

Q-Comp Annual Report

Presented to the School Board
June 11, 2024

What is Q-Comp?

Alternative Teacher Professional Pay System (ATPPS, commonly known as Q Comp) is designed to improve student learning through:

- Recruiting and retain highly qualified teachers
- Encouraging highly qualified teachers to undertake challenging assignments and support teachers' roles in improving students' educational achievement
- Providing incentives to encourage teachers to improve their knowledge and instructional skills

Source: [MDE QComp Guiding Document](#) | [Minnesota Statutes, section 122A.414](#)



Expect
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4 Q-Comp Components

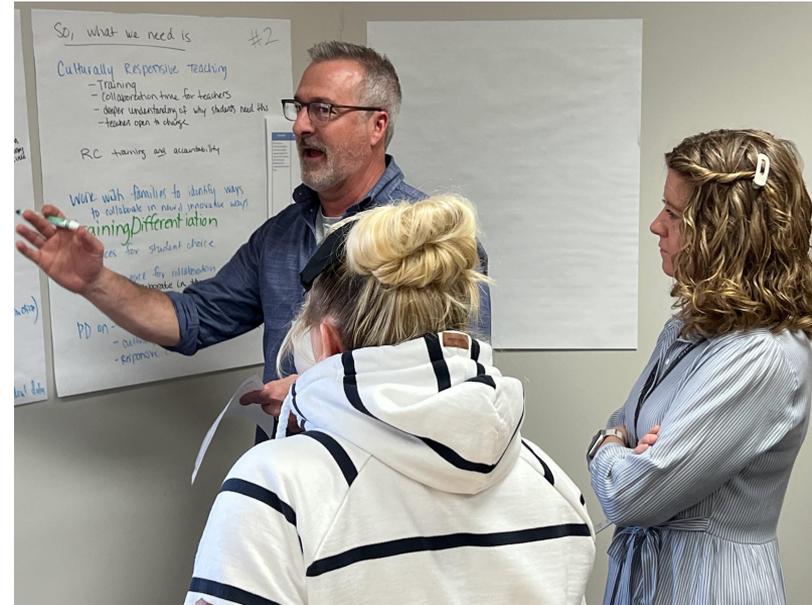
1. Career ladder opportunities
2. Job-embedded professional development (JPED)
3. Teacher Development Evaluation Plan (TDEP)
4. Performance pay



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Component 1 | *Career Ladder*

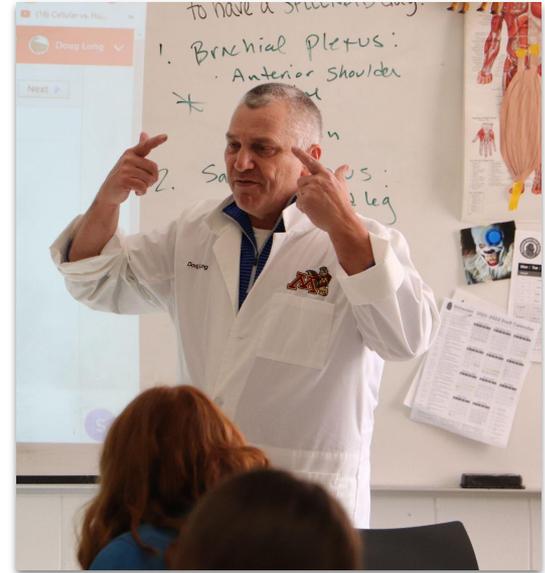
- Instructional Coaches (12.3 FTE)
- PLC/PD building leads (17)
- Mentors (110)
- Q-Comp Lead (1)
- Special Education Site Liaisons (12)



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Component 2 | *Job-Embedded Professional Development*

- Mentor partnership & collaboration
- Learning Labs
 - 78.1% - positive impact on educator growth
- Formal Instructional Coaching Cycles for all educators
- Collaborative Action Teams (CAT)
 - 76.6% - positive impact on student growth



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Component 3 | *Teacher Development Evaluation Plan*



- Goal setting
- Observation/evaluation
- Self assessment and reflection



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Component 4 | *Performance Pay*

- Met school-wide achievement goal
- Met student achievement goal
- Completion of teacher development evaluation
- Completion of CAT inquiry cycles, and formal instructional coaching cycle



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2023-2024 Focus

Refining Q-Comp components based on desired educator experiences:

- Every educator engaged and completed a formal Coaching Cycles
- Every educator engaged in Learning Labs
- Every educator participated in strengthening data inquiry processes in CAT



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Impact of this Work: Culture of Learning

- “I love learning labs since it give the opportunity to learn from other teachers. I love the quote that says the best PD is the teacher next door. I agree with this 100%.”
- “I have had great opportunities to grow as a teacher too reflecting on my teaching with the instructional coach and have giving me ideas to grow and help me put them in place in my classroom.”
- “I love the Mentor program. I think the most valuable thing is when you get to spend a day planning and coordinating with your mentee.”
- “I felt for the first time in many years that my CAT team was highly effective and supportive. We were able to discuss ways to support our struggling learners--having this dedicated time made a difference in my teaching, but also with my students.”
- “Their coaching style, expertise, and willingness to meet me where I was, hear what I wanted to work on, and then bring strategies for me to try proved to be the most supportive experience I have had in my professional growth in the past 15 years.”



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2024-2025 Focus

- Strengthening data inquiry processes within CAT to inform instructional decisions
- Develop Centralized Coaching model
- Engage probationary staff in formal coaching cycles
- Continuing contract staff (T1, T2) will engage in a learning lab/formal coaching cycle
- Participation of centralized coaches on BILT teams



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Questions



New Legislation

School cell phone policy:

Requires districts and charter schools to adopt a policy on students' possession and use of cellphones in school by March 15, 2025.





Proposed Community Engagement Timeline

What	Date	Purpose
Research	Summer	<ul style="list-style-type: none"> ● Gather info from other districts ● Lit review/studies ● Best practices
Community Feedback	Aug/Sept	<ul style="list-style-type: none"> ● Gather ideas and feedback from our students, families, staff and community
School board preso	Oct	<ul style="list-style-type: none"> ● Share results of research and community feedback
Draft policy	Oct-Nov	<ul style="list-style-type: none"> ● Develop a draft policy based on research and community feedback
School board preso	Nov	<ul style="list-style-type: none"> ● Present first draft of policy
Community Conversations	Nov	<ul style="list-style-type: none"> ● Hold in-person conversations to gather feedback on draft policy
School board preso	Dec	<ul style="list-style-type: none"> ● Present policy for second reading and action
Implement policy	Semester 2	

FY 26 Long Term Facilities Maintenance List

Afton-Lakeland		
Sealcoat Parking lot Bituminous		\$58,500
Total	\$58,500	
Brookview Elementary		
Sealcoat parking lot to prevent further erosion		\$65,000
Total	\$65,000	
Central Services Building		
Replace electrical light fixtures in storage building		\$6,500
Replace building skylights and fasteners on Lester Building		\$45,500
Total	\$52,000	
Early Childhood Family Center		
Sealcoat parking lot		\$75,400
Total	\$75,400	
Lily Lake Elementary		
Replace light fixtures		\$78,000
Replace Windows		\$150,000
Replace worn carpet in 8 classrooms installed 2001		\$76,960
Replace worn doors and hardware		\$133,120
Replace original classroom casework		\$249,600
Replace chalkboards in 10 rooms		\$52,000
Replace wall tile in restrooms		\$140,400
Replace sinks and galvanized domestic water piping with copper piping.		\$175,000
Replace steam actuators		\$5,000
Total	\$1,060,080	
Oak Park Education Center		
Replace exterior entrance doors		\$26,000
Replace building signage		\$14,000
Total	\$40,000	

Oak-Land Middle School		
Replace outlets		\$5,850
Replace clocks as required.		\$3,250
Tuck Point wall by pool entrance		\$175,500
Replace Mansard panels		\$1,500,000
Replace band/orchestra/instrument storage flooring.		\$35,000
Replace flooring in classrooms.		\$76,000
Replace doors and hardware		\$30,000
Replace existing steam boilers.		\$988,000
Replace domestic hot water heaters.		\$31,200
Replace drinking fountains.		\$8,000
Replace existing domestic water master mixing station.		\$26,000
Replace pool ventilation unit.		\$702,000
Replace hose bibs		\$15,600
	Total	\$3,596,400
Rutherford Elementary		
Sealcoat Parking Lot		\$97,500
Replace purple and orange house lights		\$91,000
Replace 3 rooftop units serving gyms		\$105,000
	Total	\$293,500
Stillwater Area High School		
Replace clocks		\$4,875
Replace entryway flooring		\$15,000
Replace flooring in office		\$56,000
Replace ceilings and lights in office		\$28,000
Replace lights and ceiling in cafeteria		\$195,000
Replace restroom floor tile		\$37,500
Replace Casework		\$260,000
Replace three water coolers installed in 1993		\$11,700
Replace VFDs		\$78,000
Replace hydronic shut-off valves.		\$23,400
Replace South West Parking Lot		\$162,500
Sealcoat parking lot to prevent further erosion		\$70,200
Resurface track		\$400,400
Replace Pony Stadium Press Box		\$416,000
Replace Pony Stadium Sound system		\$195,000
Replace special needs restroom ceramic tile		\$200,000
Replace special needs restroom fixtures		\$150,000
	Total	\$2,303,575

Stillwater Middle School		
Seal coat bus parking lot to prevent further erosion		\$29,250
Seal coat staff parking lot to prevent further erosion		\$35,100
Replace clocks		\$4,875
Replace exterior building mount light fixtures		\$16,250
Replace base tile in Pool Area - installed		\$52,000
Replace carpeting in classrooms		\$88,400
Replace pool ductsox and Dust collection ductwork		\$39,000
Replace 3VFD's		\$19,500
Replace windows on pool chemical room and wrestling gym		\$28,000
Replace and add hydronic shut-off valves.		\$15,600
	Total	\$327,975
Stonebridge Elementary		
Replace ceilings and light fixtures classrooms.		\$36,000
Replace Exterior Doors and Hardware		\$35,100
Replace deteriorated kitchen ceiling and lights		\$26,000
Replace chalkboards		\$12,000
Replace classroom flooring		\$24,000
Replace Fulton Boiler		\$104,000
Replace staff toilets, sinks and domestic water piping.		\$312,000
Replace building HVAC controls		\$50,000
Replace classroom sinks, toilet and domestic water lines.		\$78,000
	Total	\$677,100
Transportation Terminal		
Replace light fixtures		\$71,500
Replace window sealant		\$32,500
Replace furnace and dx cooling		\$39,000
Paint exterior doors		\$6,240
	Total	\$149,240

District Wide		
Lift station pump repair		\$52,000
Project Design, Plans and Specifications		\$325,000
Project Management		\$325,000
Owner's Representative		\$325,000
Replace card readers and electric door hardware		\$20,000
Replace electric motors and VFD controls		\$125,000
Replace irrigation lines and valves		\$65,000
Replace lift station pump		\$12,000
Replace failed steam traps		\$20,000
Replace leaking heating and cooling coils		\$55,000
Replace plumbing fixtures		\$41,600
	Total	\$1,365,600
	Grand Total	\$10,064,370

10-Year Long-Term Facilities Maintenance Plan 2025-2026



Stillwater Area Public Schools #834

YEAR COSTS	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
	\$ 10,064,370	\$ 15,606,461	\$ 14,849,860	\$ 12,981,592	\$ 11,112,405	\$ 11,373,791	\$ 15,131,058	\$ 10,810,937	\$ 11,831,658	\$ 8,518,650

Building	Year 2026	Year 2027	Year 2028	Year 2029	Year 2030	Year 2031	Year 2032	Year 2033	Year 2034	Year 2035	Totals
Afton - Lakeland	\$ 58,500	\$ 4,480,414	\$ 908,700	\$ 39,000	\$ 473,200	\$ 91,000	\$ 1,352,650	\$ 832,000	\$ 2,119,000	\$ 243,000	\$ 10,354,464
Andersen	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Lake Elmo	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Lily Lake	\$ 1,060,080	\$ 1,129,680	\$ 3,637,400	\$ 548,912	\$ 197,600	\$ 128,700	\$ 59,280	\$ 500,240	\$ 585,000	\$ 679,000	\$ 7,846,892
Brookview	\$ 65,000	\$ 22,750	\$ 166,400	\$ 400,400	\$ 270,400	\$ 26,000	\$ 226,850	\$ 580,125	\$ 723,808	\$ -	\$ 2,481,733
Oak Park	\$ 40,000	\$ 312,000	\$ 58,500	\$ 906,750	\$ 442,000	\$ 33,345	\$ 703,365	\$ 767,000	\$ 114,400	\$ 493,750	\$ 3,377,360
Oakland MS	\$ 3,596,400	\$ 3,535,473	\$ 1,236,750	\$ 227,500	\$ 108,875	\$ 1,493,700	\$ 1,469,000	\$ 867,432	\$ 78,000	\$ 362,000	\$ 12,613,129
Rutherford	\$ 293,500	\$ 910,000	\$ 91,780	\$ 254,800	\$ 100,100	\$ 1,309,750	\$ 468,000	\$ 270,400	\$ 39,000	\$ 706,900	\$ 3,737,330
SAHS	\$ 2,303,575	\$ 1,942,850	\$ 2,497,755	\$ 4,484,480	\$ 2,859,480	\$ 3,801,200	\$ 4,836,000	\$ 66,300	\$ 66,300	\$ 1,841,500	\$ 22,857,940
Stillwater MS	\$ 327,975	\$ 1,102,400	\$ 2,572,700	\$ 1,161,550	\$ 1,445,600	\$ 1,106,196	\$ 2,444,000	\$ 145,600	\$ 1,842,750	\$ 384,500	\$ 12,148,771
Stonebridge	\$ 677,100	\$ 271,180	\$ 1,597,375	\$ 3,049,150	\$ 1,755,000	\$ 260,000	\$ 158,860	\$ 1,271,400	\$ 496,600	\$ 630,000	\$ 9,536,665
ECFC	\$ 75,400	\$ 73,750	\$ 83,200	\$ 180,700	\$ 312,000	\$ 124,800	\$ 296,953	\$ 41,600	\$ 585,000	\$ -	\$ 1,773,403
Transportation	\$ 149,240	\$ 275,600	\$ 46,800	\$ 64,350	\$ 425,300	\$ 91,000	\$ 227,500	\$ 688,740	\$ 1,319,500	\$ 36,000	\$ 3,288,030
Central Services	\$ 52,000	\$ 187,365	\$ 104,000	\$ 191,000	\$ 39,000	\$ 162,500	\$ 20,800	\$ 1,099,800	\$ 46,800	\$ 20,000	\$ 1,903,265
District Wide	\$ 1,365,600	\$ 1,363,000	\$ 1,848,500	\$ 1,473,000	\$ 2,683,850	\$ 2,745,600	\$ 2,867,800	\$ 3,680,300	\$ 3,815,500	\$ 3,122,000	\$ 21,843,150
Totals	\$ 10,064,370	\$ 15,606,461	\$ 14,849,860	\$ 12,981,592	\$ 11,112,405	\$ 11,373,791	\$ 15,131,058	\$ 10,810,937	\$ 11,831,658	\$ 8,518,650	\$ 113,762,131

- Mechanical
- Roof
- Site
- Turf/Track
- Classroom
- Restroom

EXPENDITURE APPROVAL FORM

Fiscal Year 2025-2026

Instructions: This form is to be completed any time a lease, purchase, or contract for goods or services exceeds \$100,000.

REQUESTED BY: Mark Drommerhausen, Executive Director of Operations

DATE: May 15, 2024

DESCRIPTION OF REQUEST

State Statute 123B.595 Subdivision 3. states that upon approval through the adoption of the resolution by each member district or other cooperative units under section 123A.24, Subdivision 2, and the approval of the commissioner of education, a school district may include in its authority under this section a proportionate share of the long term maintenance costs of the intermediate district. The total FY 2025 member school districts cost is \$467,100.00.

FINANCIAL IMPACT

Budget(s) Impacted: \$46,544.00 Long-Term Facilities Maintenance Budget

Is This a One-Time Expenditure?

Yes, once implemented there will be no ongoing costs

No, it will need to be funded indefinitely

No, it will need to be funded for Fiscal Years

Is there an off-setting revenue source(s)?

Yes List Source(s): Long-Term Facilities Maintenance

No

PROGRESS MONITORING

EXTRACT OF MINUTES OF MEETING
OF SCHOOL BOARD OF
INDEPENDENT SCHOOL DISTRICT NO. 834
(Stillwater)
STATE OF MINNESOTA

Pursuant to due call and notice thereof, a School Board meeting of School District No. 834, State of Minnesota, was held on _____(date), at _____(time), for the purpose, in part, of approving the FY 2026 Long-Term Facility Maintenance budget and authorizing the inclusion of a proportionate share of Northeast Metro 916 Intermediate School District's long-term facility maintenance projects in the district's application for long-term facility maintenance.

Member _____ introduced the following resolution and moved its adoption:

Resolution approving Northeast Metro 916 Intermediate School District's long-term facility maintenance program budget and authorizing the inclusion of a proportionate share of those projects in the district's application for fiscal year (FY) 2026 long-term facility maintenance revenue.

BE IT RESOLVED by the School Board of School District No. 834, State of Minnesota, as follows:

1. The school board of Northeast Metro 916 Intermediate School District has approved a long-term facility maintenance program budget for its facilities for the 2025-2026 school year (Pay 2025 Levy) in the amount of \$467,100 of which School District No. 834's proportionate share is \$46,544.00 for pay as you go projects. The various components of this program budget are attached hereto and are incorporated herein by reference. Said budget is hereby approved.
2. Minnesota Statutes, Section 123B.595, subdivision 3, provides that if an intermediate school district's long-term facility maintenance budget is approved by the school boards of each of the intermediate school district's member school districts, each member district may include its proportionate share of the costs of the intermediate school district program in its long-term facility maintenance revenue application.
3. The proportionate share of the costs of the intermediate school district's long-term facility maintenance program for each member school district to be included in its application shall be determined by utilizing a blended rate where 25% of the rate is determined by multiplying the total cost of the intermediate school district long-term facility maintenance times the ratio of the member school district's net tax capacity to the total net tax capacity of the intermediate school district and 75% of the rate is determined by multiplying the total cost of the intermediate school district long-term facility maintenance times the ratio of ADM utilization by district to the total ADM utilization. The inclusion of this proportionate share in the district's long-term facility

maintenance revenue application for fiscal year 2026 is hereby approved, subject to approval by the Commissioner of Education. Upon receipt of the proportionate share of long-term facility maintenance revenue attributable to the intermediate school district program, the district shall promptly pay to the intermediate school district the applicable aid or levy proceeds.

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

And the following voted against:

WHEREUPON said resolution was approved and adopted by the school board of School District No. 834.

STATE OF MINNESOTA

COUNTY OF _____

I, the undersigned, being the duly qualified and acting Clerk of School District No. 834, State of Minnesota, hereby certify that I have carefully compared the attached and foregoing extract of minutes of a meeting of Independent School District No. 834 held on the date therein indicated, with the original of said minutes on file in my office, and the same is a full, true and complete transcript insofar as the same relates to the approval of Northeast Metro 916 Intermediate School District's long-term facility maintenance program budget and authorizing the inclusion of a proportionate share of the School District's long-term facility maintenance projects in the district's application for long-term facility maintenance revenue.

WITNESS MY HAND officially as such Clerk on _____ (date).

Clerk

Independent School District No. 834



Division of School Finance
400 NE Stinson Blvd
Minneapolis, MN 55413

Long-Term Facility Maintenance Ten-Year Expenditure Application (LTFM) - Fund 01 and Fund 06 Projects Only

ED - 02478-09

Instructions: Enter estimated, allowable LTFM expenditures (Fund 01 and/or Fund 06 only) under Minnesota Statutes 2021, section 123B.595, subd. 10. Enter by Uniform Financial and Accounting Reporting Standards (UFARS) finance code and by fiscal year in the cells provided.

District Info.		Enter Information		Fiscal Year (FY) Ending June 30									
District Name:		District Info.											
District Number:		Date:											
District Contact Name:		Email:											
Contact Phone #													
Enter Information		Enter Information											
District Name:		Date:											
District Number:		Email:											
District Contact Name:													
Contact Phone #													
Expenditure Categories		2024 (base year)	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	
Health and Safety - this section excludes project costs in Category 2 of \$100,000 or more for which additional revenue is requested for Finance Codes 358, 363 and 366.													
Finance Code		Category (1)											
347	Physical Hazards	\$36,650	\$37,150	\$38,650	\$33,650	\$38,650	\$33,650	\$38,650	\$33,650	\$46,150	\$41,150	\$46,150	
349	Other Hazardous Materials	\$11,500	\$12,000	\$14,500	\$8,500	\$8,500	\$11,500	\$11,500	\$14,500	\$12,500	\$12,500	\$12,500	
352	Environmental Health and Safety Management	\$93,800	\$94,800	\$95,800	\$96,800	\$97,800	\$98,800	\$99,800	\$100,800	\$109,300	\$109,300	\$109,300	
358	Asbestos Removal and Encapsulation	\$0	\$2,000	\$0	\$0	\$2,000	\$0	\$0	\$2,000	\$2,500	\$2,500	\$2,500	
363	Fire Safety	\$26,900	\$28,400	\$26,450	\$30,950	\$24,350	\$26,750	\$28,950	\$24,350	\$33,650	\$34,250	\$29,650	
366	Indoor Air Quality	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	
Total Health and Safety Capital Projects		\$181,350	\$186,850	\$187,900	\$182,400	\$183,800	\$183,200	\$191,400	\$187,800	\$216,600	\$212,200	\$212,600	
Health and Safety - Projects Costing \$100,000 or more per Project/Site/Year													
Finance Code		Category (2)											
358	Asbestos Removal and Encapsulation	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
363	Fire Safety	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
366	Indoor Air Quality	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Total Health and Safety Capital Projects \$100,000 or More		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Remodeling for Approved Voluntary Pre-K under Minnesota Statutes, section 124D.151													
Finance Code		Category 3 (a)											
355	Remodeling for prekindergarten (Pre-K) instruction approved by the commissioner.	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Total Remodeling for Approved Voluntary Pre-K Projects		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Remodeling for Gender-Neutral Single-User Restrooms													
Finance Code		Category 3 (b) LTFM REVENUE EFFECTIVE FY 2025											
UFARS Coding Pending	Remodeling for gender-neutral single user restroom per site.	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Total Remodeling for Gender-Neutral Single User Projects		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Accessibility													
Finance Code		Category (4)											
367	Accessibility	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Total Accessibility Projects		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Deferred Capital Expenditures and Maintenance Projects													
Finance Code		Category (5)											
368	Building Envelope	\$21,500	\$24,500	\$21,500	\$196,500	\$196,500	\$21,500	\$21,500	\$21,500	\$28,500	\$28,500	\$178,500	
369	Building Hardware and Equipment	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	
370	Electrical	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
379	Interior Surfaces	\$28,100	\$80,100	\$179,700	\$24,700	\$24,700	\$99,700	\$179,700	\$179,700	\$75,700	\$75,700	\$75,700	
380	Mechanical Systems	\$15,000	\$107,500	\$40,000	\$160,000	\$20,000	\$20,000	\$0	\$0	\$0	\$0	\$0	
381	Plumbing	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
382	Professional Services and Salary	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
383	Roof Systems	\$14,000	\$14,000	\$14,000	\$14,000	\$14,000	\$614,000	\$14,000	\$14,000	\$17,000	\$17,000	\$0	
384	Site Projects	\$15,000	\$15,000	\$20,000	\$16,000	\$70,000	\$71,000	\$20,000	\$16,000	\$20,000	\$16,000	\$0	
Total Deferred Capital Expense and Maintenance		\$97,600	\$245,100	\$279,200	\$415,200	\$329,200	\$830,200	\$239,200	\$235,200	\$145,200	\$141,200	\$258,200	
Total Annual 10-Year Plan Expenditures		\$278,950	\$431,950	\$467,100	\$597,600	\$513,000	\$1,013,400	\$430,600	\$423,000	\$361,800	\$353,400	\$470,800	
Fund Balance Section													
Fund 01													
Beginning Fund Balance 01-467-XX		\$262,096	\$415,096	\$450,246	\$580,746	\$496,146	\$996,546	\$413,746	\$406,146	\$344,946	\$336,546	\$453,946	
LTFM Fiscal Year Revenue - Levy		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
LTFM Fiscal Year Revenue - AID if Applicable		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
LTFM Fiscal Year Revenue Other		\$431,950	\$467,100	\$597,600	\$513,000	\$1,013,400	\$430,600	\$423,000	\$361,800	\$353,400	\$470,800	\$1,163,450	
LTFM Transfer IN from Fund 06 if applicable (see transfer guidance tab)		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
LTFM Transfer OUT from Fund 01 if applicable (see transfer guidance tab)		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
LTFM Transfer OUT if applicable - Special Legislation		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
LTFM Estimated Fiscal Year Expenditures		\$278,950	\$431,950	\$467,100	\$597,600	\$513,000	\$1,013,400	\$430,600	\$423,000	\$361,800	\$353,400	\$470,800	
Ending Fiscal Year Fund Balance 01-467-XX		\$415,096	\$450,246	\$580,746	\$496,146	\$996,546	\$413,746	\$406,146	\$344,946	\$336,546	\$453,946	\$1,146,596	



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Fiscal Year 2024-25 Preliminary Budget Update

Presented to the School Board
Marie Schrul
Executive Director of Finance
June 11, 2024

2024-25 Preliminary Budget: Influencing Factors

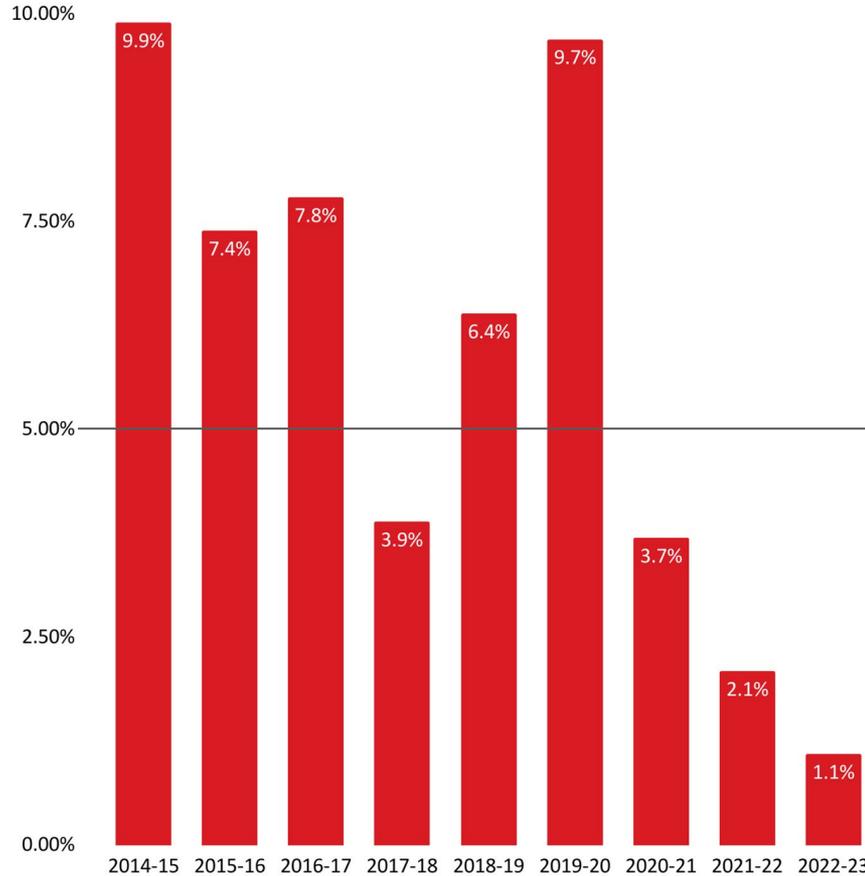
- **Priority-Based Budgeting** framework – aligning resources to strategic plan priorities
- Fiscal year-end **projected vs. actual** revenue & expenditures **impact fund balance**
- **Enrollment** fluctuations impact revenue, class size and building capacity
- Contractual settlements
- **Legislative adjustments** (impacting revenue or expenditure formulas)
- Bond ratings
- **Funding that is one-time only**, or expires after a given time period



Current Financial Reality

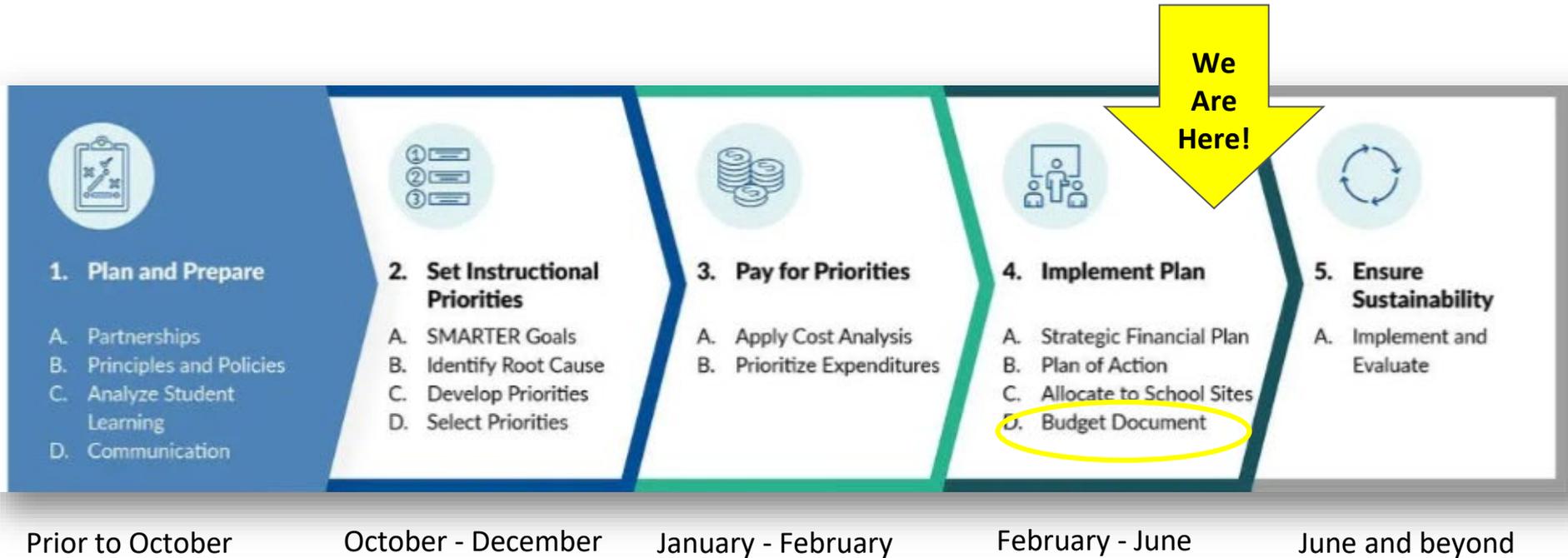


Unassigned Fund Balance History



Source:
Annual audited
financial
statements

Priority-Based Budgeting (PBB) Framework



Strategic Directions and Initiatives

Strategic Direction A: Ensure the learning process is adaptable to meet individual student needs

Strategic Direction B: Foster a safe, welcoming and inclusive environment for all staff and students

Strategic Direction C: Utilize systems and align resources in an efficient manner to support learning

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

2024-2025 Focus:

- Literacy
- School Culture/Equity & Inclusion
- Social Emotional Learning & Mental Health



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Prioritizing Our Investments

Strategic Plan Priorities 2024-2025

Expand	BARR	Amigos Unidos	Literacy
Keep/Segment	Contingency staffing	Social emotional support	Pathways
Fix/Replace	Instructional coaching	Achievement & Integration coordination	Data analysis
Eliminate	ESSER III/ARP positions	Additional staffing	Additional transportation services

Total Reductions/Realignment = **(\$1,784,769)**

2024-25 Preliminary General Fund Budget

	Revised Budget 2023-24	Preliminary Budget 2024-25
Revenue	\$142,701,205	\$149,339,664
Less: Expenditures	<u>144,364,075</u>	<u>150,186,343</u>
Balance	(1,662,870)	(846,679)
Add: Use of Restricted fund balance for planned capital projects	<u>1,662,870</u>	<u>846,679</u>
BALANCED BUDGET	\$0	\$0

- 2023-24: use of Restricted fund balance from the following sources: Operating Capital (for planned capital projects)
- 2024-25: use of Restricted fund balance from the following sources: Operating Capital (for planned capital projects, including a wireless network project)



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2024-25 General Fund Revenue

Revenue Source	Revised Budget 2023-24	Preliminary Budget 2024-25	Difference
Property Taxes/Levy	\$39,221,141	\$44,014,182	\$4,793,041
State Aids & Credits	95,780,326	97,556,640	1,776,314
Federal – Grants & Title Programs	2,861,792	3,724,990	863,198
Federal – ESSER/ARP	727,810	0	(727,810)
Other	4,110,136	4,043,852	(66,284)
Total General Fund Revenue	\$142,701,205	\$149,339,664	\$6,638,459



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2024-25 General Fund Expenditures

Program Expenditure Category	Revised Budget 2023-24	Preliminary Budget 2024-25	Difference
Administration	\$3,794,720	\$3,893,752	\$99,032
District Support Services	7,970,673	8,717,961	747,288
Regular & Vocational Instruction	58,637,381	60,897,208	2,259,827
Special Education Instruction	26,510,182	27,782,974	1,272,792
Instructional Support Services	9,224,386	9,139,416	(84,970)
Pupil Support Services	5,852,439	6,089,376	236,937
Transportation (Pupil Support)	11,675,808	11,663,498	(12,310)
Sites & Buildings	19,883,686	20,992,158	1,108,472
Fiscal & Other Fixed Costs	814,800	1,010,000	195,200
Total General Fund Expenditures	\$144,364,075	\$150,186,343	\$5,822,268



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2024-25 General Fund Expenditures

Expenditure Category	Revised Budget 2023-24	Inflation & Other Adj 2024-25	Priority-Based Budgeting Adj 2024-25	Preliminary Budget 2024-25	Difference (FY24 vs. FY25)
Salaries	\$69,393,238	\$4,233,956	(\$689,760)	\$72,937,434	\$3,544,196
Benefits	34,891,710	921,457	(366,310)	35,446,857	555,147
Purchased Services	24,575,931	2,052,884	(722,199)	25,906,616	1,330,685
Supplies, Materials & Other	15,503,196	398,740	(6,500)	15,895,436	392,240
Total Expenditures	\$144,364,075	\$7,607,037	(\$1,784,769)	\$150,186,343	\$5,822,268



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2024-25 Revenue & Expenditure Summary

Fund	7/1/24 Projected Fund Balance	2024-25 Projected Revenue	2024-25 Projected Expenditures	Net Change in Fund Balance	6/30/25 Projected Fund Balance
General Fund	\$9,463,322	\$149,339,664	\$150,186,343	(\$846,679)	\$8,616,643
Food Service	2,736,437	7,087,758	7,095,588	(7,830)	2,728,607
Community Service	227,538	8,750,054	8,917,263	(167,209)	60,329
Building Construction	116,870,722	652,000	36,958,781	(36,306,781)	80,563,941
Debt Service	2,448,730	17,521,879	16,749,471	772,408	3,221,138
Custodial	59,174	7,000	7,000	0	59,174
Total All Funds	\$131,805,923	\$183,358,355	\$219,914,446	(\$36,556,091)	\$95,249,832

- Projection information as of June 9, 2024
- Use of fund balance is from Restricted fund balance sources only

7/1/24 Projected Fund Balance:

Non-spendable, Restricted, Assigned & Committed	\$7.9m
Unassigned	<u>1.6m</u> or 1.1%
Total	\$9.5m

2024-25 Budget Timeline

Dec 19	School Board Meeting: School board certifies 2023 Levy Payable 2024
Feb 15	Initial date for 2024-25 enrollment projections
Feb 20	School Board Meeting: Priority-Based Budgeting Update: 2024-25 Investments
Feb 20	School Board Meeting: 2024-25 Preliminary Budget Guidelines and Assumptions
Mar 15	Schools receive 2024-25 staffing allocations
April 23	School Board Meeting: 2024-25 Preliminary Budget Update
April 30	Schools and programs receive 2024-25 budget allocations
June 11	School Board Study Session: 2024-25 Preliminary Budget Update
June 25	School Board Meeting: 2024-25 Preliminary Budget presented to the School Board for approval



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Questions



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Principal Master Contract

Presented to the School Board
June 11, 2024

Kris Carlston
Executive Director of Human Resources

Tentative Agreement - Highlights

- Salary Schedule
 - 4% year 1 effective for half the year, steps increase effective 7/1/2023
 - 4.5% year 2 effective 7/1/2024, steps increase effective 7/1/2024
- Medical insurance - elimination of the gold plan, maintain current contribution percentage for 2024-2025, increase VEBA contribution to match deductible
- Longevity Pay - increased to \$1,000 at 5 years and \$2,000 at 10 years
- 403b - increased to 3.75% with a cap of \$5,500
- Elementary AP and middle school AP on the same lane
- These changes align us with the high and low averages for our comparators





Questions

STUDENTS

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Search of Student Lockers, Desks, Personal Possessions, and Student’s Person	502	Adopted: 10-10-2019 Reviewed:	Three Year

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

A. Lockers and Personal Possessions within a Locker

Pursuant to Minnesota Statutes, school lockers are the property of the school district. At no time does the school district relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school officials for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school officials have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student’s personal possessions, the school officials must provide notice of the search to students whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials.

B. Desks

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

C. Personal Possessions and Student’s Person

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

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

person or in their personal possessions.

III. ~~CANINE DETECTION~~

~~In order to maintain a safe and healthy educational environment, planned and generalized schoolwide canine detection procedure (commonly referred to as canine sniff) of student lockers, desks, vehicles when parked on school property, and school facilities and grounds may be conducted periodically in District 834. In addition, canine detection may also be utilized when an administrator has a specific suspicion that contraband is present on school property. The contraband the canine may detect includes drugs, bomb devices and firearms. Notification of canine detection will be provided annually prior to the start of the school year~~

IV. DEFINITIONS

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

V. PROCEDURES

- A. School officials may inspect the interiors of lockers and desks for any reason at any time, without notice, without student consent, and without a search warrant.
- B. School officials may inspect the personal possessions of a student and/or a student’s person based on a reasonable suspicion that the search will uncover a violation of law or school rules. A search of personal possessions of a student and/or a student’s person will be reasonable in its scope and intrusiveness.
- C. As soon as practicable after a search of personal possessions within a locker pursuant to this policy, the school officials must provide notice of the search to students whose possessions were searched unless disclosure would impede an ongoing investigation by police or school

officials.

- D. Whenever feasible, a search of a person shall be conducted in private by a school official of the same sex. A second school official of the same sex shall be present as an observer during the search of a person whenever feasible.
- E. A strip search is a search involving the removal of coverings or clothing from private areas. Mass strip searches, or body cavity searches, are prohibited. Strip searches will be conducted only in circumstances involving imminent danger.
- F. A school official conducting any other search may determine when it is appropriate to have a second official present as an observer.
- G. This policy will be included in the student handbook and disseminated in any other way which school officials deem appropriate. The school district shall provide a copy of this policy to a student when the student is given use of a locker.

VI. DIRECTIVES AND GUIDELINES

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

VII. SEIZURE OF CONTRABAND

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

VIII. VIOLATIONS

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

Legal References

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

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

Students

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
School Resource Officers	507.5		Annual

I. PURPOSE

The purpose of this policy is to establish the contractual duties and training requirements of a school resource officer.

II. GENERAL STATEMENT OF POLICY

The school district, upon securing the services of one or more school resource officers, is committed to establishing the qualifications and duties required of these officers. Any contract for the services of a school resources officer with the school district must meet the requirements of this policy.

III. DEFINITIONS

- A. "School" means an elementary school, middle school or secondary school, as defined in Minnesota Statutes, section 120A.05, subdivisions 9, 11, and 13.
- B. "School Resource Officer" means a peace officer who is assigned to work in an elementary school, middle school, or secondary school during the regular instructional school day as one of the officer's regular responsibilities through the terms of a contract entered between the peace officer's employer and the designated school district or charter school.

IV. CONTRACTUAL DUTIES

- A. A school resource officer's contractual duties with the school district shall include:
 - 1. fostering a positive school climate through relationship building and open communication;
 - 2. protecting students, staff, and visitors to the school grounds from criminal activity;
 - 3. serving as a liaison from law enforcement to school officials;
 - 4. providing advice on safety drills;
 - 5. identifying vulnerabilities in school facilities and safety protocols;
 - 6. educating and advising students and staff on law enforcement topics; and,
 - 7. enforcement of criminal laws.
- B. The school district may contract with a school resource officer's employer for the officer to perform additional duties to those described in paragraph IV.A.
- C. A school resource officer must not use force or the authority of their office solely to enforce school rules or policies or participate in the enforcement of discipline for violations of school rules.
- D. Nothing in this Article limits any other duty or responsibility imposed on peace officers; limits

the expectation that peace officers will exercise professional judgment and discretion to protect the health, safety, and general welfare of the public when carrying out their duties; or creates a duty for school resource officers to protect students, staff, or others on school grounds that is different from the duty to protect the public as a whole.

V. TRAINING

- A. Except as provided for in paragraphs V.B., V.C., and V.D. below, beginning September 1, 2025, a peace officer assigned to serve as a school resource officer must complete a training course that provides instruction on the learning objectives identified in Minnesota Statutes, section 626.8482, subdivision 4 prior to assuming the duties of a school resource officer.
- B. A peace officer who has completed either the School Safety Center standardized Basic School Resource Officer Training or the National School Resource Officer Basic School Resource Officer course prior to September 1, 2025, must complete the training mandated under paragraph V.A. above before June 1, 2027. A peace officer covered under this paragraph may complete a supplemental training course approved by the board pursuant to Minnesota Statutes, section 626.8482, subdivision 4, paragraph (b), to satisfy the training requirement.
- C. If an officer's employer is unable to provide the required training course to the officer prior to the officer assuming the duties of a school resource officer, the officer must complete the required training within six months of assuming the duties of a school resource officer. The officer is not required to perform the duties described in Minnesota Statutes, section 626.8482, subdivision 2, paragraph (a), clause (4) or (5), until the officer has completed the required training course. The officer must review any policy adopted by the officer's employer pursuant to section 626.8482, subdivision 6 before assuming the other duties of a school resource officer and must comply with that policy.
- D. An officer who is serving as a substitute school resource officer for fewer than 60 student contact days within a school year is not obligated to complete the required training or perform the duties described in Minnesota Statutes, section 626.8482 subdivision 2, paragraph (a), clause (4) or (5), but must review and comply with any policy adopted pursuant to subdivision 6 by the law enforcement agency that employs the substitute school resource officer.
- E. For each school resource officer employed by an agency, the chief law enforcement officer must maintain a copy of the most recent training certificate issued to the officer for completion of the training mandated under this section.

Legal References:

Minn. Stat. § 120A.05, subds. 9, 11, and 13 (Definitions)

Minn. Stat. § 120B.02, subd. 25 (General Powers of Independent School Districts – School Resource Officers)

Minn. Stat. § 626.8482 (School Resource Officers; Duties; Training; Model Policy)

Cross References:

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)

MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)

MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)

MSBA/MASA Model Policy 506 (Student Discipline)

STUDENTS

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Bullying Prohibition Policy	514	Adopted: 05-12-2011 Revised: 06-13-2019 Revised: 06-11-2020 Revised: 01-06-2022	3-Year

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. An act of bullying, by either an individual student or a group of students, is prohibited.
 - 1. on school premises, at school functions or activities, on school transportation;
 - 2. by the use of electronic technology and communications on the school premises, during the school functions or activities, on the school transportation, or on the school computers, networks, forums, and mailing lists; or
 - 3. by use of electronic technology and communications off the school premises to the extent such use substantially and materially disrupts student learning or the school environment.
- B. A school-aged child who voluntarily participates in a public school activity, such as a cocurricular or extracurricular activity, is subject to the policy provisions applicable to the public school students participating in the activity.
- C. This policy applies not only to students who directly engage in an act of bullying but

also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources. This policy also applies to sexual exploitation.

- D. Malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status with regard to public assistance, disability, religion, sexual harassment, and sexual orientation and gender identity as defined in Minnesota Statutes, chapter 363A is prohibited. This prohibition applies to students, independent contractors, teachers, administrators, and other school personnel.
- E. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.
- F. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.
- G. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- H. False accusations or reports of bullying against another student are prohibited.
- I. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures, including the school district's discipline policy. The school district may take into account the following factors:
 - 1. The developmental ages and maturity levels of the parties involved;
 - 2. The levels of harm, surrounding circumstances, and nature of the behavior;
 - 3. Past incidences or past or continuing patterns of behavior;
 - 4. The relationship between the parties involved; and
 - 5. The context in which the alleged incidents occurred.

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

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

Consequences for other individuals engaging in prohibited acts of bullying may include,

but not be limited to, exclusion from school district property and events.

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

III. DEFINITIONS

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

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

The term, “bullying,” specifically includes cyber bullying malicious and sadistic conduct as defined in this policy, and sexual exploitation.

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

appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.

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

IV. REPORTING PROCEDURE

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

be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

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

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

V. SCHOOL DISTRICT ACTION

- A. Within three school days of the receipt of a complaint or report of bullying or other prohibited conduct, the school district shall undertake or authorize an investigation by the building report taker or a third party designated by the school district.
- B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.
- C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

- D. Upon completion of an investigation that determines that bullying or other prohibited conduct has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy and other applicable school district policies; and applicable regulations.
- E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or respond to bullying or other prohibited conduct committed by or directed against a child with a disability, the school district shall, when determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in bullying or other prohibited conduct.

VI. RETALIATION OR REPRISAL

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

VII. TRAINING AND EDUCATION

- A. Consistent with its applicable policies and practices, the school district must discuss this policy with students, school personnel and volunteers and provide appropriate training for all school district personnel to prevent, identify, and respond to prohibited conduct. The school district must establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district.

The school district or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance.

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

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

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

- 1. Engage all students in creating a safe and supportive school environment;

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

VIII. NOTICE

- A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.
- B. Article II, paragraph D, regarding malicious and sadistic conduct must be conspicuously posted throughout each school building in the administrative offices of the school district and in the office of each school.
- C. This policy shall be conspicuously posted in the administrative offices of the school and school district in summary form.
- D. This policy must be distributed to each school district or school employee and independent contractor, if the contractor regularly interacts with students, at the time of employment with the district or the school.
- E. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy distributed to parents at the beginning of each school year.
- F. This policy shall be available to all parents and other school community members in an

electronic format in the language appearing on the school district's or a school's website, consistent with the district policies and practices.

- G. The school district shall provide an electronic copy of its most recently amended policy to the Commissioner of Education.

IX. POLICY REVIEW

To the extent practicable, the school board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with Minn. Stat. § 121A.031 and other applicable law.

Legal References:

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

Cross References:

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

STUDENTS

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Immunization Requirements	530	Adopted:	Annual

[Note: The provisions of this policy substantially reflect statutory requirements.]

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. STUDENT IMMUNIZATION REQUIREMENTS

- A. No student may be enrolled or remain enrolled, on a full-time, part-time, or shared-time basis, in any elementary or secondary school within the school district until the student or the student’s parent or guardian has submitted to the designated school district administrator the required proof of immunization. Prior to the student’s first date of attendance, the student or the student’s parent or guardian shall provide to the designated school district administrator one of the following statements:
 - 1. a statement from a physician, advanced practice registered nurse, physician assistant, or a public clinic which provides immunizations (hereinafter “medical statement”), affirming that the student received the immunizations required by law, consistent with medically acceptable standards; or
 - 2. a medical statement affirming that the student received the primary schedule of immunizations required by law and has commenced a schedule of the remaining required immunizations, indicating the month and year each immunization was administered, consistent with medically acceptable standards.

- B. The statement of a parent or guardian of a student or an emancipated student may be substituted for the medical statement. If such a statement is substituted, this statement must indicate the month and year each immunization was administered. Upon request, the designated school district administrator will provide information to the parent or guardian of a student or an emancipated student of the dosages required for each vaccine according to the age of the student.

- C. The parent or guardian of persons receiving instruction in a home school shall submit

one of the statements set forth in Section III.A. or III.B., above, or statement of immunization set forth in Section IV., below, to the superintendent of the school district by October 1 of the first year of their home schooling in Minnesota and the grade 7 and 12 year.

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

IV. EXEMPTIONS FROM IMMUNIZATION REQUIREMENTS

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

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

V. NOTICE OF IMMUNIZATION REQUIREMENTS

- A. The school district will develop and implement a procedure to:
 - 1. notify parents and students of the immunization and exemption requirements by use of a form approved by the Department of Health;
 - 2. notify parents and students of the consequence for failure to provide required documentation regarding immunizations;
 - 3. review student health records to determine whether the required information has been provided; and
 - 4. make reasonable arrangements to send a student home when the immunization requirements have not been met and advise the student and/or the student's

parent or guardian of the conditions for re-enrollment.

[See Attachments A, B, C, and D.]

- B. The notice provided shall contain written information describing the exemptions from immunization as permitted by law. The notice shall be in a font size at least equal to the font size and style as the immunization requirements and on the same page as the immunization requirements.

VI. IMMUNIZATION RECORDS

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

VII. OTHER

Within ~~60~~90 days of the commencement of each new school term, the school district will forward a report to the Commissioner of ~~Health~~ ~~the Department of Education~~ stating the number of students attending each school in the school district, including the number of students receiving instruction in a home school, the number of students who have not been immunized, and the number of students who received an exemption. ~~The school district also will forward a copy of all exemption statements received by the school district to the Commissioner of the Department of Health.~~

Legal References: Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.15 (Health Standards; Immunizations; School Children)
Minn. Stat. § 121A.17 (School Board Responsibilities)
Minn. Stat. § 144.29 (Health Records; Children of School Age)
Minn. Stat. § 144.3351 (Immunization Data)
Minn. Stat. § 144.441 (Tuberculosis Screening in Schools)
Minn. Stat. § 144.442 (Testing in Schools)
Minn. Rules Parts 4604.0100-4604.1020 (Immunization)
McCarthy v. Ozark Sch. Dist., 359 F.3d 1029 (8th Cir. 2004)
Op. Atty. Gen. 169-W (July 23, 1980)
Op. Atty. Gen. 169-W (Jan. 17, 1968)

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

STUDENTS

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Service Animals in Schools	535	Adopted:	Annual

I. PURPOSE

The purpose of this policy is to establish parameters for the use of service animals by students, employees, and visitors within school buildings and on school grounds.

II. GENERAL STATEMENT OF POLICY

Individuals with disabilities shall be permitted to bring their service animals into school buildings or on school grounds in accordance with, and subject to, this policy.

III. DEFINITIONS

A. Service Animal

“service animal” is a dog (regardless of breed or size) or miniature horse that is individually trained to perform “work or tasks” for the benefit of an individual with a disability, including an individual with a physical, sensory, psychiatric, intellectual, or mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals. Service animals are working animals that perform valuable functions; they are not pets. The work or tasks performed by the service animal must be directly related to the individual’s disability. An animal accompanying an individual for the sole purpose of providing emotional support, therapy, comfort, or companionship is not a service animal.

B. A “handler” is an individual with a disability who uses a service animal. In the case of an individual who is unable to care for and supervise the service animal for reasons such as age or disability, “handler” means the person who cares for and supervises the animal on that individual’s behalf. School district personnel are not responsible for the care, supervision, or handling responsibilities of a service animal.

C. Work or Tasks

1. “Work or tasks” are those functions performed by a service animal.
2. Examples of “work or tasks” include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting

individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

3. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship are not "work or tasks" for the purposes of this policy.

D. Trainer

A "trainer" is a person who is training a service animal and is affiliated with a recognized training program for service animals.

IV. ACCESS TO PROGRAMS AND ACTIVITIES; PERMITTED INQUIRIES

- A. In general, handlers (i.e., individuals with disabilities or trainers) are permitted to be accompanied by their service animals in all areas of school district properties where members of the public, students, and employees are allowed to go. A handler has the right to be accompanied by a service animal whenever and to the same extent that the handler has the right: (a) to be present on school district property or in school district facilities; (b) to attend or participate in a school- sponsored event, activity, or program; or (c) to be transported in a vehicle that is operated by or on behalf of the school district.
- B. When an individual with a disability brings a service animal to a school district property, school district employees shall not ask about the nature or extent of a person's disability, but may make the following two inquiries to determine whether the animal qualifies as a service animal:
 1. Is the service animal required because of a disability; and
 2. What work or tasks is the service animal trained to perform.
- C. School district employees shall not make these inquiries of an individual with a disability bringing a service animal to school district property when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability. However, school district employees may inquire whether the individual with a disability has completed and submitted the request form described in Part VI., below.
- D. An individual with a disability may not be required to provide documentation such as proof that the animal has been certified, trained, or licensed as a service animal.

V. REQUIREMENTS FOR ALL SERVICE ANIMALS

- A. The service animal must be required for the individual with a disability.

- B. The service animal must be individually trained to do work or tasks for the benefit of the individual with a disability.
- C. The notice provided shall contain written information describing the exemptions from immunization as permitted by law. The notice shall be in a font size at least equal to the font size and style as the immunization requirements and on the same page as the immunization requirements.

VI. REQUESTING THE USE OF A SERVICE ANIMAL AT SCHOOL

- A. Students with a disability seeking to be accompanied by a service animal are requested to submit the Approval Request Form to the building principal of the school the student attends. The principal will notify the superintendent or the administrator designated with responsibility to address such requests. School district employees seeking to be accompanied by a service animal are requested to submit the Approval Request Form to the superintendent or the administrator designated with responsibility to address such requests.
- B. Students or employees seeking to bring a service animal onto district premises are requested to identify whether the need for the service animal is required because of a disability and to describe the work or tasks that the service animal is trained to perform.
- C. The owner of the service animal shall provide written evidence that the service animal has received all vaccinations required by state law or local ordinance.

VII. REMOVAL OR EXCLUSION OF A SERVICE ANIMAL

- A. A school official may require a handler to remove a service animal from school district property, a school building, or a school-sponsored program or activity, if:
 - 1. Any of the requirements described in Part V., above, are not met.
 - 2. The service animal is out of control and/or the handler does not effectively control the animal's behavior;
 - 3. The presence of the service animal would fundamentally alter the nature of a service, program or activity; or
 - 4. The service animal behaves in a way that poses a direct threat to the health or safety of others, has a history of such behavior, or otherwise poses a significant health or safety risk to others that cannot be eliminated by reasonable accommodations.
- B. If the service animal is properly excluded, the school district shall give the individual with a disability the opportunity to participate in the service, program, or activity without the service animal, unless such individual has violated a law or school rule or regulation that would warrant the removal of the individual.

VIII. ADDITIONAL LIMITATIONS FOR MINIATURE HORSES

In assessing whether a miniature horse may be permitted in a school building or on school grounds as a service animal, the following factors shall be considered:

- A. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
- B. Whether the handler has sufficient control of the miniature horse;
- C. Whether the miniature horse is housebroken; and
- D. Whether the miniature horse's presence in a specific building or on school grounds compromises legitimate health and safety requirements.

IX. ALLERGIES; FEAR OF ANIMALS

If a student or employee notifies the school district that he or she is allergic to a service animal, the school district will balance the rights of the individuals involved. In general, allergies that are not life threatening are not a valid reason for prohibiting the presence of a service animal. Fear of animals is generally not a valid reason for prohibiting the presence of a service animal.

X. NON-SERVICE ANIMALS FOR STUDENTS WITH INDIVIDUALIZED EDUCATION PROGRAMS (IEPS) OR SECTION 504 PLANS

If a special education student or a student with a Section 504 plan seeks to bring an animal onto school property that is not a service animal, the request shall be referred to the student's IEP team or Section 504 team, as appropriate, to determine whether the animal is necessary for the student to receive a free appropriate public education (FAPE) or, in the case of a Section 504 student, to reasonably accommodate the student's access to the school district's programs and activities.

XI. NON-SERVICE ANIMAL AS AN ACCOMMODATION FOR EMPLOYEES

If an employee seeks to bring an animal onto school property that is not a service animal, the request shall be referred to the superintendent or the administrator designated to handle such requests. A school district employee who is a qualified individual with a disability will be allowed to bring such animal onto school property when it is determined that such use is required to enable the employee to perform the essential functions of his or her position or to enjoy the benefits of employment in a manner comparable to those similarly situated non-disabled employees.

XII. LIABILITY

- A. The owner of the service animal or non-service animal is responsible for any harm or injury to an individual and for any property damage caused by the service animal while on school district property.
- B. An individual who, directly or indirectly through statements or conduct, intentionally misrepresents an animal in that person's possession as a service animal may be subject to criminal liability.

Legal References:

Section 504 of the Rehabilitation Act of 1973

28 C.F.R. § 35.104, 28 C.F.R. § 35.130(b)(7), and 28 C.F.R. § 35.136 (ADA Regulations)

20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act)

Minn. Stat. § 256C.02 (Public Accommodations)

Minn. Stat. § 363A.19 (Discrimination Against Blind, Deaf, or Other Persons with Physical or Sensory Disabilities Prohibited)

Minn. Stat. § 609.226 (Harm Caused by Dog)

Minn. Stat. § 609.833 (Misrepresentation of Service Animal)

Cross References:

MSBA/MASA Policy 402 (Disability Nondiscrimination Policy)

MSBA/MASA Policy 521 (Student Disability Nondiscrimination)

<p>Students and Employees with Sexually Transmitted Infections and Diseases and Certain other Communicable Diseases and Infectious Conditions</p>	<p>420</p>	<p>Approved: 08-23-01 Renumbered: 03-11-2021</p>	
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I. PURPOSE

Public concern that students and staff of the school district be able to attend the schools of the district without becoming infected with serious communicable or infectious diseases, including, but not limited to, Human Immunodeficiency Virus (HIV), Acquired Immunodeficiency Syndrome (AIDS), Hepatitis B, and Tuberculosis, requires that the school board adopt measures effectively responding to health concerns while respecting the rights of all students, employees, and contractors, including those who are so infected. The purpose of this policy is to adopt such measures.

II. GENERAL STATEMENT OF POLICY

A. Students

The policy of the school board is that students with communicable diseases not be excluded from attending school in their usual daily attendance setting so long as their health permits and their attendance does not create a significant risk of the transmission of illness to students or employees of the school district. A procedure for minimizing interruptions to learning resulting from communicable diseases will be established by the school district in its IEP and Section 504 team process, if applicable, and in consultation with community health and private health care providers. Procedures for the inclusion of students with communicable diseases will include any applicable educational team planning processes, including the review of the educational implications for the student and others with whom the student comes into contact.

B. Employees

The policy of the school board is that Employees with communicable diseases will not be excluded from attending to their customary employment so long as they are physically, mentally and emotionally able to safely perform tasks assigned to them and so long as their employment does not create a significant risk of the transmission of illness to students, employees, or others in the school district. If a reasonable accommodation will eliminate the significant risk of transmission, such accommodation will be undertaken unless it poses an undue hardship to the school district.

C. Circumstances and Conditions

1. Determinations of whether a contagious individual's school attendance or job performance creates a significant risk of the transmission of the illness to

students or employees of the school district will be made on a case by case basis. Such decisions will be based upon the nature of the risk (how it is transmitted), the duration of the risk (how long the carrier is infectious), the severity of the risk (what is the potential harm to third parties), and the probabilities the disease will be transmitted and will cause varying degrees of harm. When a student is disabled, such a determination will be made in consultation with the educational planning team.

2. The school board recognizes that some students and some employees, because of special circumstances and conditions, may pose greater risks for the transmission of infectious conditions than other persons infected with the same illness. Examples include students who display biting behavior, students or employees who are unable to control their bodily fluids, who have oozing skin lesions, or who have severe disorders which result in spontaneous external bleeding. These conditions need to be taken into account and considered in assessing the risk of transmission of the disease and the resulting effect upon the educational program of the student or employment of the employee by consulting with the Commissioner of Health, the physician of the student or employee, and the parent(s)/guardian(s) of the student.

D. Students with Special Circumstances and Conditions

The licensed school nurse, along with the infected individual's physician, the infected individual or parent(s)/guardian(s), and others, if appropriate, will weigh risks and benefits to the student and to others, consider the least restrictive appropriate educational placement, and arrange for periodic reevaluation as deemed necessary by the state epidemiologist. The risks to the student shall be determined by the student's physician.

E. Extracurricular Student Participation

Student participation in nonacademic, extracurricular, and non-educational programs of the school district are subject to a requirement of equal access and comparable services.

F. Precautions.

The school district will develop routine procedures for infection control at school and for educating employees about these procedures. The procedures shall be developed through cooperation with health professionals taking into consideration guidelines of the Minnesota Department of Children, Families and Learning and the Minnesota Department of Health (last revised 1988). (These precautionary procedures shall be consistent with the school district's procedures regarding blood-borne pathogens developed pursuant to the school district's employee right to know policy.)

G. Information Sharing.

1. Employee and student health information shall be shared within the school district only with those whose jobs require such information and with those who have a legitimate educational interest (including health and safety) in such information legitimate educational goals and to comply with employees' right to know requirements.
2. Employee and student health data shall be shared outside the school district only in accordance with state and federal law and with the school district's policies on employee and student records and data.

H. Reporting.

If a medical condition of a student or staff threatens public health, it must be reported to

the Minnesota Commissioner of Health.

I. PREVENTION

The school district shall, with the assistance of the Minnesota Commissioners of Health and Education, implement a program to prevent and reduce the risk of sexually transmitted diseases in accordance with Minnesota Statute section 121A.23 that includes:

1. planning materials, guidelines, and other technically accurate and updated information;
2. a comprehensive, developmentally appropriate, technically accurate, and updated curriculum that includes helping students to abstain from sexual activity until marriage;
3. cooperation and coordination among school districts and Service Cooperatives;
4. a targeting of adolescents, especially those who may be at high risk of contracting sexually transmitted diseases and infections, for prevention efforts;
5. involvement of parents and other community members;
6. in-service training for district staff and school board members;
7. collaboration with state agencies and organizations having a sexually transmitted infection and disease prevention or risk reduction program;
8. collaboration with local community health services, agencies and organizations having a sexually transmitted infection and disease prevention or risk reduction program; and
9. participation by state and local student organizations.
10. The program must be consistent with the health and wellness curriculum.
11. The school district may accept funds for sexually transmitted infection and disease prevention programs developed and implemented under this section from public and private sources including public health funds and foundations, department professional development funds, federal block grants or other federal or state grants.

J. Vaccination and Screening

The school district will develop procedures regarding the administration of Hepatitis B vaccinations and Tuberculosis screenings in keeping with current state and federal law. The procedures shall provide that the Hepatitis B vaccination series be offered to all who have occupational exposure at no cost to the employee.

Legal References:

Minn. Stat. § 121A.23 (Programs to Prevent and Reduce the Risks of Sexually Transmitted Infections and Diseases)

Minn. Stat. § 142 (Testing in School Clinics)

Minn. Stat. Ch. 363 (Minnesota Human Rights Act)

Minn. Stat. § 144.441 (Tuberculosis Screening in Schools)

29 U.S.C. § 794 et seq. (§ 504 of Rehabilitation Act of 1973)

42 U.S.C. § 12101 et seq. (Americans with Disabilities Act)

Minn. Stat. § 144.442 (Testing in School Clinics)

Minn. Stat. Ch. 363A (Minnesota Human Rights Act)

20 U.S.C. § 1400 et seq. (Individuals with Disabilities Education Act)

29 C.F.R. 1910.1030 (Bloodborne Pathogens)

Kohl by Kohl v. Woodhaven Learning Center, 865 F.2d 930 (8th Cir.), cert. denied, 493 U.S. 892 (1989)

School Board of Nassau County, Fla. v. Arline, 480 U.S. 273 (1987)

16 EHLR 712, OCR Staff Memo, April 5, 1990

Cross References:

MSBA/MASA Model Policy 402 (Disability Nondiscrimination)

MSBA/MASA Model Policy 407 (Employee Right to Know – Exposure to Hazardous Substances)

MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Corporal Punishment and Prone Restraint	507		Annual

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

No employee or agent of the school district or charter school shall inflict corporal punishment or use prone restraint upon a student except as provided below.

III. DEFINITIONS

1. "Corporal punishment" means conduct involving:
 - a. hitting or spanking a person with or without an object; or
 - b. unreasonable physical force that causes bodily harm or substantial emotional harm.
2. "Employee or agent of the district" does not include a school resource officer as defined in Minnesota Statutes, section 626.8482, subdivision 1, paragraph (c).
3. "Prone restraint" means placing a child in a face-down position.

IV. PROHIBITIONS

1. An employee or agent of a district shall not inflict corporal punishment or cause corporal punishment to be inflicted upon a pupil to reform unacceptable conduct or as a penalty for unacceptable conduct.
2. An employee or agent of the school district shall not use prone restraint.
3. An employee or agent of a district, shall not inflict any form of physical holding that restricts or impairs a pupil's ability to breathe; restricts or impairs a pupil's ability to communicate distress; places pressure or weight on a pupil's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a pupil's torso.
4. Conduct that violates this Article is not a crime under Minnesota Statutes, section 645.241, but may be a crime under Minnesota Statutes, chapter 609 if the conduct violates a provision of

Minnesota Statutes, chapter 609. Conduct that violates IV.1 above is not per se corporal punishment under the statute. Nothing in this Minnesota Statutes, section 121A.58 or 125A.0941 precludes the use of reasonable force under Minnesota Statutes, section 121A.582. The use of reasonable force as set forth in Section V does not authorize conduct prohibited pursuant to Minnesota Statutes, section 125A.0942.

V. REASONABLE FORCE

1. Reasonable force may be used upon or toward the person of another without the other's consent when used by a teacher, school principal, school employee, school bus driver, or other agent of the school in the exercise of lawful authority, to restrain a child or pupil to prevent bodily harm or death to the child, pupil, or another.
2. Reasonable force may be used upon or toward the person of a child without the child's consent when used by a teacher, school principal, school employee, school bus driver, other agent of the district, or other member of the instructional, support, or supervisory staff upon or toward a child or pupil when necessary to restrain the child or pupil to prevent bodily harm or death to the child, pupil, or another pursuant to Minnesota Statutes, section 609.379. Nothing in section 609.379 limits any other authorization to use reasonable force including but not limited to authorizations under Minnesota Statutes, section 121A.582, subdivision 1, and section 609.06, subdivision 1.
3. A teacher, school principal, and other school staff may use reasonable force under the conditions set forth in Policy 506 (Student Discipline).

VI. VIOLATION

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

Legal References:

Minn. Stat. § 121A.58 (Corporal Punishment)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. § 123B.25 (Legal Actions Against Districts and Teachers)
Minn. Stat. § 125A.0941 (Definitions)\
Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)
Minn. Stat. § 609.06 Subd. 1 (6)(7) (Authorized Use of Force)
Minn. Stat. § 609.379 (Permitted Actions)
Minn. Stat. § 626.8482 (School Resource Officers; Duties; Training; Model Policy)
Minn. Stat. § 645,241 (Punishment for Prohibited Acts)

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

MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 507.5 (School Resource Officers)

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Extended School Year for Certain Students with Individualized Education Programs	508		Annual

I. PURPOSE

The purpose of this policy is to ensure that the school district complies with the overall requirements of law as mandated for certain students subject to individualized education programs (IEPs) when necessary to provide a free appropriate public education (FAPE).

II. GENERAL STATEMENT OF POLICY

- A. Extended School Year Services Must Be Available to Provide a FAPE. The school district shall provide extended school year (ESY) services to a student who is the subject of an IEP if the student’s IEP team determines the services are necessary during a break in instruction in order to provide a FAPE.
- B. Extended School Year Determination. At least annually, the IEP team must determine that a student is in need of ESY services if the student meets any of the following conditions:
 - 1. There will be significant regression of a skill or acquired knowledge from the student’s level of performance on an annual goal that requires more than the length of the break in instruction to recoup unless the IEP team determines a shorter time for recoupment is more appropriate; OR
 - 2. Services are necessary for the student to attain and maintain self-sufficiency because of the critical nature of the skill addressed by an annual goal, the student’s age and level of development, and the timeliness for teaching the skill; OR
 - 3. The IEP team otherwise determines, given the student’s unique needs, that ESY services are necessary to ensure the pupil receives a FAPE.
- C. Required Factors Schools Must Consider in Making ESY Determinations. The IEP team must decide ESY eligibility using information including:
 - 1. Prior observations of the student’s regression and recoupment over the summer;
 - 2. Observations of the student’s tendency to regress over extended breaks in instruction during the school year; and

3. Experience with other students with similar instructional needs.
- D. Additional Factors to Consider, Where Relevant. In making its determination of ESY needs, the following factors must be considered, where relevant:
1. The student's progress and maintenance of skills during the regular school year.
 2. The student's degree of impairment.
 3. The student's rate of progress.
 4. The student's behavioral or physical problems.
 5. The availability of alternative resources.
 6. The student's ability and need to interact with nondisabled peers.
 7. The areas of the student's curriculum which need continuous attention.
 8. The student's vocational needs.
- E. No Unilateral Decisions. In the course of providing ESY services to children with disabilities, the school district may not unilaterally limit the type, amount, or duration of those services.
- F. Services to Nonresident Students Temporarily Placed in School District. A school district may provide ESY services to nonresident children with disabilities temporarily placed in the school district in accordance with applicable state law.

Legal References:

Minn. Stat. § 125A.14 (Extended School Year)

Minn. Rules Part 3525.0755

20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act)

34 C.F.R. Part 300 (Assistance to States for the Education of Children with Disabilities)

Cross References: None

<p>Students and Employees with Sexually Transmitted Infections and Diseases and Certain other Communicable Diseases and Infectious Conditions</p>	<p>420</p>	<p>Approved: 08-23-01 Renumbered: 03-11-2021</p>	
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I. PURPOSE

Public concern that students and staff of the school district be able to attend the schools of the district without becoming infected with serious communicable or infectious diseases, including, but not limited to, Human Immunodeficiency Virus (HIV), Acquired Immunodeficiency Syndrome (AIDS), Hepatitis B, and Tuberculosis, requires that the school board adopt measures effectively responding to health concerns while respecting the rights of all students, employees, and contractors, including those who are so infected. The purpose of this policy is to adopt such measures.

II. GENERAL STATEMENT OF POLICY

A. Students

The policy of the school board is that students with communicable diseases not be excluded from attending school in their usual daily attendance setting so long as their health permits and their attendance does not create a significant risk of the transmission of illness to students or employees of the school district. A procedure for minimizing interruptions to learning resulting from communicable diseases will be established by the school district in its IEP and Section 504 team process, if applicable, and in consultation with community health and private health care providers. Procedures for the inclusion of students with communicable diseases will include any applicable educational team planning processes, including the review of the educational implications for the student and others with whom the student comes into contact.

B. Employees

The policy of the school board is that Employees with communicable diseases will not be excluded from attending to their customary employment so long as they are physically, mentally and emotionally able to safely perform tasks assigned to them and so long as their employment does not create a significant risk of the transmission of illness to students, employees, or others in the school district. If a reasonable accommodation will eliminate the significant risk of transmission, such accommodation will be undertaken unless it poses an undue hardship to the school district.

C. Circumstances and Conditions

1. Determinations of whether a contagious individual's school attendance or job performance creates a significant risk of the transmission of the illness to

students or employees of the school district will be made on a case by case basis. Such decisions will be based upon the nature of the risk (how it is transmitted), the duration of the risk (how long the carrier is infectious), the severity of the risk (what is the potential harm to third parties), and the probabilities the disease will be transmitted and will cause varying degrees of harm. When a student is disabled, such a determination will be made in consultation with the educational planning team.

2. The school board recognizes that some students and some employees, because of special circumstances and conditions, may pose greater risks for the transmission of infectious conditions than other persons infected with the same illness. Examples include students who display biting behavior, students or employees who are unable to control their bodily fluids, who have oozing skin lesions, or who have severe disorders which result in spontaneous external bleeding. These conditions need to be taken into account and considered in assessing the risk of transmission of the disease and the resulting effect upon the educational program of the student or employment of the employee by consulting with the Commissioner of Health, the physician of the student or employee, and the parent(s)/guardian(s) of the student.

D. Students with Special Circumstances and Conditions

The licensed school nurse, along with the infected individual's physician, the infected individual or parent(s)/guardian(s), and others, if appropriate, will weigh risks and benefits to the student and to others, consider the least restrictive appropriate educational placement, and arrange for periodic reevaluation as deemed necessary by the state epidemiologist. The risks to the student shall be determined by the student's physician.

E. Extracurricular Student Participation

Student participation in nonacademic, extracurricular, and non-educational programs of the school district are subject to a requirement of equal access and comparable services.

F. Precautions.

The school district will develop routine procedures for infection control at school and for educating employees about these procedures. The procedures shall be developed through cooperation with health professionals taking into consideration guidelines of the Minnesota Department of Children, Families and Learning and the Minnesota Department of Health (last revised 1988). (These precautionary procedures shall be consistent with the school district's procedures regarding blood-borne pathogens developed pursuant to the school district's employee right to know policy.)

G. Information Sharing.

1. Employee and student health information shall be shared within the school district only with those whose jobs require such information and with those who have a legitimate educational interest (including health and safety) in such information legitimate educational goals and to comply with employees' right to know requirements.
2. Employee and student health data shall be shared outside the school district only in accordance with state and federal law and with the school district's policies on employee and student records and data.

H. Reporting.

If a medical condition of a student or staff threatens public health, it must be reported to

the Minnesota Commissioner of Health.

I. PREVENTION

The school district shall, with the assistance of the Minnesota Commissioners of Health and Education, implement a program to prevent and reduce the risk of sexually transmitted diseases in accordance with Minnesota Statute section 121A.23 that includes:

1. planning materials, guidelines, and other technically accurate and updated information;
2. a comprehensive, developmentally appropriate, technically accurate, and updated curriculum that includes helping students to abstain from sexual activity until marriage;
3. cooperation and coordination among school districts and Service Cooperatives;
4. a targeting of adolescents, especially those who may be at high risk of contracting sexually transmitted diseases and infections, for prevention efforts;
5. involvement of parents and other community members;
6. in-service training for district staff and school board members;
7. collaboration with state agencies and organizations having a sexually transmitted infection and disease prevention or risk reduction program;
8. collaboration with local community health services, agencies and organizations having a sexually transmitted infection and disease prevention or risk reduction program; and
9. participation by state and local student organizations.
10. The program must be consistent with the health and wellness curriculum.
11. The school district may accept funds for sexually transmitted infection and disease prevention programs developed and implemented under this section from public and private sources including public health funds and foundations, department professional development funds, federal block grants or other federal or state grants.

J. Vaccination and Screening

The school district will develop procedures regarding the administration of Hepatitis B vaccinations and Tuberculosis screenings in keeping with current state and federal law. The procedures shall provide that the Hepatitis B vaccination series be offered to all who have occupational exposure at no cost to the employee.

Legal References:

Minn. Stat. § 121A.23 (Programs to Prevent and Reduce the Risks of Sexually Transmitted Infections and Diseases)

Minn. Stat. § 142 (Testing in School Clinics)

Minn. Stat. Ch. 363 (Minnesota Human Rights Act)

Minn. Stat. § 144.441 (Tuberculosis Screening in Schools)

29 U.S.C. § 794 et seq. (§ 504 of Rehabilitation Act of 1973)

42 U.S.C. § 12101 et seq. (Americans with Disabilities Act)

Minn. Stat. § 144.442 (Testing in School Clinics)

Minn. Stat. Ch. 363A (Minnesota Human Rights Act)

20 U.S.C. § 1400 et seq. (Individuals with Disabilities Education Act)

29 C.F.R. 1910.1030 (Bloodborne Pathogens)

Kohl by Kohl v. Woodhaven Learning Center, 865 F.2d 930 (8th Cir.), cert. denied, 493 U.S. 892 (1989)

School Board of Nassau County, Fla. v. Arline, 480 U.S. 273 (1987)

16 EHLR 712, OCR Staff Memo, April 5, 1990

Cross References:

MSBA/MASA Model Policy 402 (Disability Nondiscrimination)

MSBA/MASA Model Policy 407 (Employee Right to Know – Exposure to Hazardous Substances)

MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Corporal Punishment and Prone Restraint	507		Annual

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

No employee or agent of the school district or charter school shall inflict corporal punishment or use prone restraint upon a student except as provided below.

III. DEFINITIONS

1. "Corporal punishment" means conduct involving:
 - a. hitting or spanking a person with or without an object; or
 - b. unreasonable physical force that causes bodily harm or substantial emotional harm.
2. "Employee or agent of the district" does not include a school resource officer as defined in Minnesota Statutes, section 626.8482, subdivision 1, paragraph (c).
3. "Prone restraint" means placing a child in a face-down position.

IV. PROHIBITIONS

1. An employee or agent of a district shall not inflict corporal punishment or cause corporal punishment to be inflicted upon a pupil to reform unacceptable conduct or as a penalty for unacceptable conduct.
2. An employee or agent of the school district shall not use prone restraint.
3. An employee or agent of a district, shall not inflict any form of physical holding that restricts or impairs a pupil's ability to breathe; restricts or impairs a pupil's ability to communicate distress; places pressure or weight on a pupil's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a pupil's torso.

4. Conduct that violates this Article is not a crime under Minnesota Statutes, section 645.241, but may be a crime under Minnesota Statutes, chapter 609 if the conduct violates a provision of Minnesota Statutes, chapter 609. Conduct that violates IV.1 above is not per se corporal punishment under the statute. Nothing in this Minnesota Statutes, section 121A.58 or 125A.0941 precludes the use of reasonable force under Minnesota Statutes, section 121A.582. The use of reasonable force as set forth in Section V does not authorize conduct prohibited pursuant to Minnesota Statutes, section 125A.0942.

V. REASONABLE FORCE

1. Reasonable force may be used upon or toward the person of another without the other's consent when used by a teacher, school principal, school employee, school bus driver, or other agent of the school in the exercise of lawful authority, to restrain a child or pupil to prevent bodily harm or death to the child, pupil, or another.
2. Reasonable force may be used upon or toward the person of a child without the child's consent when used by a teacher, school principal, school employee, school bus driver, other agent of the district, or other member of the instructional, support, or supervisory staff upon or toward a child or pupil when necessary to restrain the child or pupil to prevent bodily harm or death to the child, pupil, or another pursuant to Minnesota Statutes, section 609.379. Nothing in section 609.379 limits any other authorization to use reasonable force including but not limited to authorizations under Minnesota Statutes, section 121A.582, subdivision 1, and section 609.06, subdivision 1.
3. A teacher, school principal, and other school staff may use reasonable force under the conditions set forth in Policy 506 (Student Discipline).

VI. VIOLATION

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

Legal References:

Minn. Stat. § 121A.58 (Corporal Punishment)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. § 123B.25 (Legal Actions Against Districts and Teachers)
Minn. Stat. § 125A.0941 (Definitions)\
Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)
Minn. Stat. § 609.06 Subd. 1 (6)(7) (Authorized Use of Force)
Minn. Stat. § 609.379 (Permitted Actions)
Minn. Stat. § 626.8482 (School Resource Officers; Duties; Training; Model Policy)
Minn. Stat. § 645,241 (Punishment for Prohibited Acts)

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

MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 507.5 (School Resource Officers)

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Extended School Year for Certain Students with Individualized Education Programs	508		Annual

I. PURPOSE

The purpose of this policy is to ensure that the school district complies with the overall requirements of law as mandated for certain students subject to individualized education programs (IEPs) when necessary to provide a free appropriate public education (FAPE).

II. GENERAL STATEMENT OF POLICY

- A. Extended School Year Services Must Be Available to Provide a FAPE. The school district shall provide extended school year (ESY) services to a student who is the subject of an IEP if the student’s IEP team determines the services are necessary during a break in instruction in order to provide a FAPE.
- B. Extended School Year Determination. At least annually, the IEP team must determine that a student is in need of ESY services if the student meets any of the following conditions:
 - 1. There will be significant regression of a skill or acquired knowledge from the student’s level of performance on an annual goal that requires more than the length of the break in instruction to recoup unless the IEP team determines a shorter time for recoupment is more appropriate; OR
 - 2. Services are necessary for the student to attain and maintain self-sufficiency because of the critical nature of the skill addressed by an annual goal, the student’s age and level of development, and the timeliness for teaching the skill; OR
 - 3. The IEP team otherwise determines, given the student’s unique needs, that ESY services are necessary to ensure the pupil receives a FAPE.
- C. Required Factors Schools Must Consider in Making ESY Determinations. The IEP team must decide ESY eligibility using information including:
 - 1. Prior observations of the student’s regression and recoupment over the summer;
 - 2. Observations of the student’s tendency to regress over extended breaks in instruction during the school year; and

3. Experience with other students with similar instructional needs.
- D. Additional Factors to Consider, Where Relevant. In making its determination of ESY needs, the following factors must be considered, where relevant:
1. The student's progress and maintenance of skills during the regular school year.
 2. The student's degree of impairment.
 3. The student's rate of progress.
 4. The student's behavioral or physical problems.
 5. The availability of alternative resources.
 6. The student's ability and need to interact with nondisabled peers.
 7. The areas of the student's curriculum which need continuous attention.
 8. The student's vocational needs.
- E. No Unilateral Decisions. In the course of providing ESY services to children with disabilities, the school district may not unilaterally limit the type, amount, or duration of those services.
- F. Services to Nonresident Students Temporarily Placed in School District. A school district may provide ESY services to nonresident children with disabilities temporarily placed in the school district in accordance with applicable state law.

Legal References:

Minn. Stat. § 125A.14 (Extended School Year)

Minn. Rules Part 3525.0755

20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act)

34 C.F.R. Part 300 (Assistance to States for the Education of Children with Disabilities)

Cross References: None