

GOODHUE COUNTY EDUCATION DISTRICT BOARD AGENDA

Thursday, November 3, 2022 at 7:00 PM
River Bluff Education Center, Red Wing
395 Guernsey Ln
Red Wing, MN 55066

AGENDA

- I. **Call to Order/Adoption of Agenda:**
- II. **Consent Agenda:**
 - A. Approval of September 22, 2022 Minutes

2

GOODHUE COUNTY EDUCATION DISTRICT BOARD
MINUTES
Thursday, September 22, 2022 at 7:00 PM
River Bluff Education Center
395 Guernsey Ln
Red Wing, MN 55066

MEMBERS PRESENT: J. Wendt, D. Balow, K. Lochner, A. Diercks (Alt), J. Stehr, K. Anderson

MEMBERS ABSENT: None

OTHERS PRESENT: C. Johnson, J. Paradis, C. Luhman

- I. Call to Order/Adoption of Agenda:** D. Balow called the meeting to order. J. Wendt motioned to adopt the agenda. K. Anderson seconded, motion carried.
- II. Consent Agenda:** J. Wendt motioned to approve the Consent Agenda. J. Stehr seconded, motion carried.
 - A. Approval of August 25, 2022 Minutes
 - B. Approval of Claims: Jim Wendt
 - C. Staff Updates:
 1. **Resignations:** *Brittnee Banitt, EC Paraprofessional - ZM; Emily Klapperich, EC Paraprofessional - ZM*
 2. **New Hire:**
 3. **Transfers:**
 4. **Re-assignment:**
- III. Public Input:** The policy of the education district board is to encourage discussion by persons of subjects related to the management of the district at board meetings. The board shall, as a matter of policy, protect the legal rights to privacy and due process of employees and students. Persons who wish to have a subject discussed at a public board meeting must notify the executive director's office in advance of the board meeting. The person should provide his or her name, address, the name of group represented (if any), and the subject to be covered or the issue to be addressed. The board retains the discretion to limit discussion of any agenda item to a reasonable period of time as determined by the board.
- IV. Reports and Communication:**
 - A. Business Manager Report: J. Paradis reported on the 2021-2022 budget as of 6/30/2022. We have received \$13,613,501 or 83.39% of the revised budget. We have expended \$15,287,823 or 92.39% of the revised expense budget. There are many audit entries yet to be made, plus invoices between GCED and its members that need to be processed. Our audit is scheduled for October 4-5, 2022. Cash flow: there are low spots in our cash flow for 22-23 that may require some payment shifting. We currently have \$1.6 million in outstanding accounts receivable we are waiting for payment on. 5RO invoices for 21-22 were sent out the week of September 12. For 2022-23, we will do progress billing for 5RO at the end of each term. The August bank reconciliation included in your packet for your information.
 - B. MOE Determinations: C. Johnson shared the letter from MDE that shows GCED has maintained effort for SFY 2021. C. Johnson shared the letter from MDE on the status of SFY 2023 special education application. We have met all of the requirements and the application has been approved. Both letters are included in the board packet to review.
 - C. House File 2 Data Collection - Recovery Services: C. Johnson mentioned that this law requires that districts that serve one or more students with an IEP report the services provided to students during the 2021-22 school year to address loss of learning or lack of progress on an IEP. The law also requires that districts report the money spent to provide the services to students. During this time over 2,000 meetings were held and 1,200 proposals for recovery services were made. Over ninety percent of IEP/IFSP Teams determined that no special education services were needed.
 - D. Minnesota Education District Association (MEDA): C. Johnson mentioned that MEDA was formed eight years ago to legislatively promote the needs of education districts. This is done through our annual membership in the MREA. MEDA was allotted one seat on the MREA board to be filled by a member endorsed by MEDA, terms are two years and you can be re-elected 3 times. GCED is the fiscal host for MEDA.
- V. Old Business:**
 - A. Recording of GCED Board Meetings: K. Lochner motioned to approve the recording of GCED board meetings and linking them on the GCED website beginning with the November 3, 2022 Board Meeting. J. Stehr seconded, motion carried.

VI. New Business:

- A. Data Sharing Agreement with GCED and Prairie Island Indian Community: This is a yearly agreement as we work closely with Prairie Island Indian Community and their liaisons. J. Wendt motioned to approve. K. Anderson seconded, motion carried.
- B. Office Support Staff Recommendations: C. Johnson mentioned that last September 2021 the GCED board approved up to a 1.0 which had been .2 for numerous years and was tied in with a building support specialist position. The number of enrollments have increased since bringing on 5RO, the amount of students coming and going continuously and Targeted Services and Credit Recovery creates a lot of entries. 5RO and other program growth has led us to the point where we need to review our support structures and respond to needs. C. Johnson will bring this to the next superintendent meeting for their input and bring it back to the board for more discussion. K. Lochner motioned to table the office support staff recommendations until the next meeting. J. Stehr seconded, motion carried.
- C. 1st Reading of Policies 209, 410, 415, 416: C. Johnson went over the 1st readings of Policies 209, 410, 415 & 416.

VII. Other:

VIII. Comments: Board/Director

IX. Next Meeting Date: November 3rd, 2022 at 7:00 PM at the River Bluff Education Center in Red Wing.

X. Adjournment: J. Wendt motioned to adjourn. K. Anderson seconded, motion carried.

B. Approval of Claims: Kevin Anderson (please come in early to review)

5

Goodhue County Ed District Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
MERC		37264		Wire	1	2216	KWIK TRIP EXTENDED NETWORK		No	Yes	No	09/22/2022	193.08
MERC		37265		Wire	1	3232	ENTERPRISE FM TRUST		No	Yes	No	09/22/2022	20,487.84
MERC		37266		Direct Pymt	1	00702	SOUTHPAW ENTERPRISES		Yes	Yes	No	09/22/2022	339.72
MERC		37267		Direct Pymt	1	09129	RED WING IND SCHOOL DIST 256		Yes	Yes	No	09/22/2022	243,684.97
MERC		37268		Direct Pymt	1	1483	LAKE CITY PUBLIC SCHOOLS		Yes	Yes	No	09/22/2022	2,828.72
MERC		37269		Direct Pymt	1	2284	E. B. C., LLC /ACS		Yes	Yes	No	09/22/2022	123.35
MERC		37270		Direct Pymt	1	2865	INTELLICENTS		Yes	Yes	No	09/22/2022	1,250.00
MERC		37271		Direct Pymt	1	3040	INTEREUM		Yes	Yes	No	09/22/2022	3,429.58
MERC		37272		Direct Pymt	1	3145	MARQUARDT, JENNIFER	S Corporation	Yes	Yes	No	09/22/2022	35.00
MERC		37273		Direct Pymt	1	3222	SPERGER, SARAH		Yes	Yes	No	09/22/2022	178.13
MERC		37274		Direct Pymt	1	3415	AMAZON CAPITAL SERVICES		Yes	Yes	No	09/22/2022	2,931.55
MERC		37275		Direct Pymt	1	3421	ALBIN ACQUISITION CORP		Yes	Yes	No	09/22/2022	234.50
MERC		37276		Direct Pymt	1	3425	KRONEMAN, PETER		Yes	Yes	No	09/22/2022	93.75
MERC		37277		Direct Pymt	1	3562	NOTABLE, INC	C Corporation	Yes	Yes	No	09/22/2022	495.00
MERC		37278		Direct Pymt	1	3589	ADDITION TREATMENT TECHNOLOGI	C Corporation	Yes	Yes	No	09/22/2022	27,881.00
MERC		37282		Wire	1	04060	PERA-PUBLIC EMPLOYEES RETIREMT		No	No	No	09/30/2022	9,635.01
MERC		37283		Wire	1	04062	MN TEACHERS RETIREMENT ASSOC		No	No	No	09/30/2022	52,639.89
MERC		37284		Wire	1	2284	E. B. C., LLC /ACS		No	No	No	09/30/2022	17,663.21
MERC		37285		Wire	1	2392	US Dept of Treasury		No	No	No	09/30/2022	91,485.67
MERC		37286		Wire	1	2396	MN Dept of Revenue		No	No	No	09/30/2022	16,046.25
MERC		37287		Wire	1	2501	Merchants Bank		No	Yes	No	09/30/2022	1,913.03
MERC		37315		Wire	1	03977	SOUTHEAST SERVICE COOPERATIVE		No	No	No	10/06/2022	77,550.10
MERC		37316		Wire	1	1280	DELTA DENTAL PLAN OF MN		No	No	No	10/06/2022	6,583.03
MERC		37317		Wire	1	2216	KWIK TRIP EXTENDED NETWORK		No	No	No	10/06/2022	1,029.32
MERC		37318		Direct Pymt	1	09318	BROOKES PUBLISHING CO		Yes	No	No	10/06/2022	621.50
MERC		37319		Direct Pymt	1	09427	ARENDT, RENE		Yes	No	No	10/06/2022	276.88
MERC		37320		Direct Pymt	1	1497	BODENHAMER, SUSAN		Yes	No	No	10/06/2022	157.73
MERC		37321		Direct Pymt	1	1784	NCS PEARSON, INC.	C Corporation	Yes	No	No	10/06/2022	439.11
MERC		37322		Direct Pymt	1	2284	E. B. C., LLC /ACS		Yes	No	No	10/06/2022	123.35
MERC		37323		Direct Pymt	1	2386	HANSEN, CARRIE		Yes	No	No	10/06/2022	283.13
MERC		37324		Direct Pymt	1	2440	LIBERTY'S RESTAURANT		Yes	No	No	10/06/2022	154.51
MERC		37325		Direct Pymt	1	2865	INTELLICENTS		Yes	No	No	10/06/2022	1,250.00
MERC		37326		Direct Pymt	1	2986	YUSTY-ROJAS, JEIMMY		Yes	No	No	10/06/2022	143.13
MERC		37327		Direct Pymt	1	3002	MOLDE-BOEDING, JAYNE		Yes	No	No	10/06/2022	352.50
MERC		37328		Direct Pymt	1	3220	BORAAS, TIFFANY		Yes	No	No	10/06/2022	47.50
MERC		37329		Direct Pymt	1	3249	BUCHAL, AMY		Yes	No	No	10/06/2022	98.75
MERC		37330		Direct Pymt	1	3287	KREMER, MICHELE		Yes	No	No	10/06/2022	193.75
MERC		37331		Direct Pymt	1	3414	COULSON, TESS		Yes	No	No	10/06/2022	195.00
MERC		37332		Direct Pymt	1	3415	AMAZON CAPITAL SERVICES		Yes	No	No	10/06/2022	3,036.57

Goodhue County Ed District Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
MERC		37333		Direct Pymt	1	3417	LEMMON, KELSEY		Yes	No	No	10/06/2022	65.00
MERC		37334		Direct Pymt	1	3468	YUSTEN, NIKKI		Yes	No	No	10/06/2022	170.00
MERC		37335		Direct Pymt	1	3527	BUCKINGHAM, GWEN		Yes	No	No	10/06/2022	67.50
MERC		37336		Direct Pymt	1	3544	OLSON, MEGAN		Yes	No	No	10/06/2022	45.00
MERC		37337		Direct Pymt	1	3547	NOLAN, REBECCA		Yes	No	No	10/06/2022	222.50
MERC		37338		Direct Pymt	1	3565	AMPION PBC		Yes	No	No	10/06/2022	6,001.18
MERC		37339		Direct Pymt	1	3593	ROSCHEN, CARIANNE		Yes	No	No	10/06/2022	107.50
MERC		37340		Direct Pymt	1	3596	GRAMMOND, LAUREN		Yes	No	No	10/06/2022	16.88
MERC		37344		Wire	1	04060	PERA-PUBLIC EMPLOYEES RETIREMT		No	No	No	10/14/2022	9,181.21
MERC		37345		Wire	1	04062	MIN TEACHERS RETIREMENT ASSOC		No	No	No	10/14/2022	49,696.63
MERC		37346		Wire	1	2284	E. B. C., LLC /ACS		No	No	No	10/14/2022	18,234.04
MERC		37347		Wire	1	2392	US Dept of Treasury		No	No	No	10/14/2022	86,241.20
MERC		37348		Wire	1	2396	MN Dept of Revenue		No	No	No	10/14/2022	15,453.47
MERC		37349		Wire	1	2501	Merchants Bank		No	No	No	10/14/2022	1,931.03
MERC		37350		Direct Pymt	1	1984	E. B. C., LLC/Flex		Yes	No	No	10/14/2022	1,164.59
MERC		37370		Wire	1	2216	KWIK TRIP EXTENDED NETWORK		No	No	No	10/20/2022	641.26
MERC		37371		Wire	1	2396	MN Dept of Revenue		No	No	No	10/20/2022	649.65
MERC		37372		Wire	1	3232	ENTERPRISE FM TRUST		No	No	No	10/20/2022	3,918.66
MERC		37373		Direct Pymt	1	03350	REGION V COMPUTER SERVICES		Yes	No	No	10/20/2022	1,557.75
MERC		37374		Direct Pymt	1	09129	RED WING IND SCHOOL DIST 256		Yes	No	No	10/20/2022	107,369.80
MERC		37375		Direct Pymt	1	1361	NOBLE, SHARON		Yes	No	No	10/20/2022	187.50
MERC		37376		Direct Pymt	1	1784	NCS PEARSON, INC.	C Corporation	Yes	No	No	10/20/2022	1,303.38
MERC		37377		Direct Pymt	1	1984	E. B. C., LLC/Flex		Yes	No	No	10/20/2022	125.00
MERC		37378		Direct Pymt	1	2197	JOHNSON, CHERYL		Yes	No	No	10/20/2022	1,320.63
MERC		37379		Direct Pymt	1	2780	HOUGHTON MIFFLIN HARCOURT PUBL		Yes	No	No	10/20/2022	10,423.71
MERC		37380		Direct Pymt	1	3184	MCLAREN, ARLIE		Yes	No	No	10/20/2022	396.25
MERC		37381		Direct Pymt	1	3328	LILJEVALL BRITTANY		Yes	No	No	10/20/2022	41.25
MERC		37382		Direct Pymt	1	3415	AMAZON CAPITAL SERVICES		Yes	No	No	10/20/2022	750.83
MERC		37383		Direct Pymt	1	3421	ALBIN ACQUISITION CORP		Yes	No	No	10/20/2022	228.00
MERC		37384		Direct Pymt	1	3466	JACOBSON, DIANE		Yes	No	No	10/20/2022	325.00
MERC		37385		Direct Pymt	1	3522	CUSTOM ALARM		Yes	No	No	10/20/2022	7,480.00
MERC		37386		Direct Pymt	1	3545	ROHAN, JILL		Yes	No	No	10/20/2022	430.63
MERC		37387		Direct Pymt	1	2985	OUT SOURCE PROJECTS, INC.	S Corporation	Yes	No	No	10/20/2022	2,350.00
MERC		37390		Wire	1	04060	PERA-PUBLIC EMPLOYEES RETIREMT		No	No	No	10/27/2022	9,218.65
MERC		37391		Wire	1	04062	MIN TEACHERS RETIREMENT ASSOC		No	No	No	10/27/2022	50,453.04
MERC		37392		Wire	1	2284	E. B. C., LLC /ACS		No	No	No	10/27/2022	18,359.04
MERC		37393		Wire	1	2392	US Dept of Treasury		No	No	No	10/27/2022	85,884.24
MERC		37394		Wire	1	2396	MN Dept of Revenue		No	No	No	10/27/2022	15,452.47
MERC		37395		Wire	1	2501	Merchants Bank		No	No	No	10/27/2022	1,931.03

Goodhue County Ed District Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
MERC		37396		Direct Pymt	1	1984	E. B. C., LLC/Flex		Yes	No	No	10/27/2022	1,164.59
MERC		37208	20387	Check	1	3586	ADAM'S PEST CONTROL - MAIN	S Corporation	Yes	No	Yes	09/23/2022	(51.00)
MERC		37258	20421	Check	1	3412	BAKER TILLY MUNICIPAL ADVISORS, LL	LLC - Partnership	Yes	Yes	No	09/22/2022	1,700.00
MERC		37255	20422	Check	1	3155	BREDEMUS HARDWARE COMPANY, INI		Yes	Yes	No	09/22/2022	95.00
MERC		37231	20423	Check	1	01903	CANNON FALLS ISD #252		Yes	Yes	No	09/22/2022	2,450.00
MERC		37256	20424	Check	1	3193	CITY OF RED WING - POLICE DEPT.		Yes	Yes	No	09/22/2022	75,898.42
MERC		37249	20425	Check	1	2959	CONTINENTAL PRESS		Yes	Yes	No	09/22/2022	480.48
MERC		37242	20426	Check	1	2135	DRIVER AND VEHICLE SERVICES		Yes	No	No	09/22/2022	5.00
MERC		37248	20427	Check	1	2871	EMC Insurance Companies		Yes	Yes	No	09/22/2022	11,245.26
MERC		37257	20428	Check	1	3396	FATHER FLANAGAN'S BOYS' HOME		Yes	Yes	No	09/22/2022	13,679.93
MERC		37254	20429	Check	1	3126	FERNBROOK FAMILY CENTER	S Corporation	Yes	Yes	No	09/22/2022	28,134.62
MERC		37245	20430	Check	1	2531	FIRST STUDENT		Yes	Yes	No	09/22/2022	329.61
MERC		37247	20431	Check	1	2664	GOODHUE COUNTY HEALTH & HUMAN		Yes	No	No	09/22/2022	100,000.00
MERC		37232	20432	Check	1	01904	GOODHUE PUBLIC SCHOOL		Yes	No	No	09/22/2022	300.00
MERC		37253	20433	Check	1	3108	GOVERNMENT LEASING & FINANCE, IN		Yes	Yes	No	09/22/2022	39,979.82
MERC		37237	20434	Check	1	09162	HILLYARD FLOOR CARE SUPPLY		Yes	Yes	No	09/22/2022	1,488.44
MERC		37243	20435	Check	1	2174	INNOVATIVE OFFICE SOLUTIONS		Yes	Yes	No	09/22/2022	183.35
MERC		37230	20436	Check	1	00367	KENYON-WANAMINGO PUBLIC SCHOC		Yes	No	No	09/22/2022	1,350.00
MERC		37250	20437	Check	1	2960	LANGUAGE LINE SERVICES	C Corporation	Yes	Yes	No	09/22/2022	305.15
MERC		37244	20438	Check	1	2435	LEARNING A-Z		Yes	Yes	No	09/22/2022	228.00
MERC		37235	20439	Check	1	05403	MASE		Yes	No	No	09/22/2022	1,595.00
MERC		37261	20440	Check	1	3467	MASSP		Yes	No	No	09/22/2022	160.00
MERC		37233	20441	Check	1	02672	METRO SALES, INC.		Yes	Yes	No	09/22/2022	210.67
MERC		37260	20442	Check	1	3464	NAVIGATE360,LLC	Ind/Sole Proprietor	Yes	Yes	No	09/22/2022	2,000.18
MERC		37240	20443	Check	1	1784	NCS PEARSON, INC.	C Corporation	Yes	Yes	No	09/22/2022	25,347.00
MERC		37239	20444	Check	1	1300	OAKTREE PRODUCTS, INC.		Yes	Yes	No	09/22/2022	157.50
MERC		37236	20445	Check	1	06510	PRO-ED, INC		Yes	Yes	No	09/22/2022	183.70
MERC		37262	20446	Check	1	3523	QUAVERED	S Corporation	Yes	Yes	No	09/22/2022	13,230.00
MERC		37238	20447	Check	1	09307	RED WING FAMILY YMCA		Yes	No	No	09/22/2022	960.00
MERC		37263	20448	Check	1	3595	ROSS W. GREENE, PH.D.	Ind/Sole Proprietor	Yes	No	No	09/22/2022	10,885.51
MERC		37259	20449	Check	1	3434	SCHOLASTIC		Yes	Yes	No	09/22/2022	510.69
MERC		37246	20450	Check	1	2585	TEACHERS ON CALL	C Corporation	Yes	Yes	No	09/22/2022	268.80
MERC		37252	20451	Check	1	3049	TWIN CITY HARDWARE		Yes	Yes	No	09/22/2022	1,223.00
MERC		37251	20452	Check	1	3011	U.S. BANK EQUIPMENT FINANCE		Yes	Yes	No	09/22/2022	290.00
MERC		37241	20453	Check	1	1789	UPS		Yes	Yes	No	09/22/2022	106.68
MERC		37234	20454	Check	1	04565	ZUMBROTA-MAZEPPA PUBLIC SCHOOL		Yes	Yes	No	09/22/2022	72,809.72
MERC		37280	20455	Check	1	1984	E. B. C., LLC/Flex		Yes	No	No	09/30/2022	1,164.59
MERC		37279	20456	Check	1	09118	EDUCATION MN - GCED		Yes	No	No	09/30/2022	3,230.89
MERC		37281	20457	Check	1	3235	Goodhue Co Ed Dist Paraprofessional Unic		Yes	No	No	09/30/2022	326.48

Goodhue County Ed District Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
MERC		37314	20458	Check	1	3586	ADAM'S PEST CONTROL - MAIN	S Corporation	Yes	No	No	10/06/2022	51.00
MERC		37294	20459	Check	1	09163	ALLEGRA		Yes	No	No	10/06/2022	93.34
MERC		37310	20460	Check	1	3505	CAPITAL ONE		Yes	No	No	10/06/2022	479.78
MERC		37308	20461	Check	1	3329	CHASE CARD SERVICES		Yes	No	No	10/06/2022	21,734.89
MERC		37290	20462	Check	1	00433	CITY OF RED WING		Yes	No	No	10/06/2022	1,820.53
MERC		37305	20463	Check	1	3117	EDMENTUM		Yes	No	No	10/06/2022	266.00
MERC		37297	20464	Check	1	2036	FALK AUTO BODY, INC.	C Corporation	Yes	No	No	10/06/2022	709.16
MERC		37292	20465	Check	1	01904	GOODHUE PUBLIC SCHOOL		Yes	No	No	10/06/2022	61,710.38
MERC		37301	20466	Check	1	2879	INFINITE CAMPUS INC	S Corporation	Yes	No	No	10/06/2022	450.00
MERC		37302	20467	Check	1	2941	IXL LEARNING	C Corporation	Yes	No	No	10/06/2022	2,350.00
MERC		37299	20468	Check	1	2251	KENNEDY & GRAVEN		Yes	No	No	10/06/2022	1,602.50
MERC		37309	20469	Check	1	3337	KEVIN'S SERVICE	Ind/Sole Proprietor	Yes	No	No	10/06/2022	901.09
MERC		37293	20470	Check	1	05403	MASE		Yes	No	No	10/06/2022	319.00
MERC		37307	20471	Check	1	3296	MUTUAL OF OMAHA		Yes	No	No	10/06/2022	3,394.58
MERC		37298	20472	Check	1	2200	PETERSEN, LYNN		Yes	No	No	10/06/2022	450.00
MERC		37289	20473	Check	1	00245	READ NATURALLY		Yes	No	No	10/06/2022	4,427.00
MERC	0	37311	20474	Check	1	3521	READING SIMPLIFIED	C Corporation	Yes	No	No	10/06/2022	147.00
MERC		37291	20475	Check	1	00443	RED WING ACE HARDWARE		Yes	No	No	10/06/2022	12.34
MERC		37312	20476	Check	1	3548	RED WING PLUMBING & HEATING LLC	LLC - S Corp	Yes	No	No	10/06/2022	880.00
MERC		37304	20477	Check	1	3078	SHRED-N-GO	S Corporation	Yes	No	No	10/06/2022	65.08
MERC		37306	20478	Check	1	3257	STAR AUTISM SUPPORT		Yes	No	No	10/06/2022	1,432.20
MERC		37300	20479	Check	1	2585	TEACHERS ON CALL	C Corporation	Yes	No	No	10/06/2022	2,060.80
MERC		37313	20480	Check	1	3561	THE RETROFIT COMPANIES, INC		Yes	No	No	10/06/2022	59,217.67
MERC		37295	20481	Check	1	1015	THREE RIVERS COMMUNITY ACTION		Yes	No	No	10/06/2022	125.00
MERC		37303	20482	Check	1	3011	U.S. BANK EQUIPMENT FINANCE		Yes	No	No	10/06/2022	689.00
MERC		37296	20483	Check	1	1789	UPS		Yes	No	No	10/06/2022	6.40
MERC		37288	20484	Check	1	00231	ZUMBRO EDUCATION DISTRICT		Yes	No	No	10/06/2022	600.00
MERC		37341	20485	Check	1	09118	EDUCATION MN - GCED		Yes	No	No	10/14/2022	3,230.89
MERC		37342	20486	Check	1	3235	Goodhue Co Ed Dist Paraprofessional Unic		Yes	No	No	10/14/2022	288.26
MERC		37343	20487	Check	1	3495	O'ROURKE MEDIA GROUP		Yes	No	No	10/14/2022	3,319.82
MERC		37366	20488	Check	1	3447	APTA		Yes	No	No	10/20/2022	435.00
MERC		37357	20489	Check	1	2324	BLUUM OF MINNESOTA, LLC		Yes	No	No	10/20/2022	1,433.50
MERC		37355	20490	Check	1	1235	BOYS TOWN PRESS		Yes	No	No	10/20/2022	528.08
MERC		37351	20491	Check	1	01903	CANNON FALLS ISD #252		Yes	No	No	10/20/2022	4,875.00
MERC		37361	20492	Check	1	3080	DAMIANI RAMONA		Yes	No	No	10/20/2022	225.00
MERC		37368	20493	Check	1	3597	DEELOH TECHNOLOGIES, INC	C Corporation	Yes	No	No	10/20/2022	131.88
MERC		37364	20494	Check	1	3297	DEL CARMEN POSADA JARAMILLO, MA	Ind/Sole Proprietor	Yes	No	No	10/20/2022	633.07
MERC		37362	20495	Check	1	3126	FERNBROOK FAMILY CENTER	S Corporation	Yes	No	No	10/20/2022	28,134.62
MERC		37359	20496	Check	1	2960	LANGUAGE LINE SERVICES	C Corporation	Yes	No	No	10/20/2022	347.78

Goodhue County Ed District Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
MERC	37369	20497	Check 1	3598		MAASFEP		Yes No	No	No	No	10/20/2022	60.00
MERC	37353	20498	Check 1	09346		MINNESOTA UC FUND		Yes No	No	No	No	10/20/2022	45.20
MERC	37363	20499	Check 1	3282		PRESENCE LEARNING, INC	C Corporation	Yes No	No	No	No	10/20/2022	98,500.00
MERC	37352	20500	Check 1	06510		PRO-ED, INC		Yes No	No	No	No	10/20/2022	1,210.00
MERC	37356	20501	Check 1	2021		GSP, INC.		Yes No	No	Yes	No	10/20/2022	0.00
MERC	37365	20502	Check 1	3434		SCHOLASTIC		Yes No	No	No	No	10/20/2022	125.27
MERC	37358	20503	Check 1	2585		TEACHERS ON CALL	C Corporation	Yes No	No	No	No	10/20/2022	2,491.52
MERC	37354	20504	Check 1	1015		THREE RIVERS COMMUNITY ACTION		Yes No	No	No	No	10/20/2022	200.00
MERC	37360	20505	Check 1	3011		U.S. BANK EQUIPMENT FINANCE		Yes No	No	No	No	10/20/2022	290.00
MERC	37367	20506	Check 1	3526		VAULT MEDICAL SERVICES, PA		Yes No	No	No	No	10/20/2022	4,700.00
MERC	37388	20507	Check 1	09118		EDUCATION MN - GCED		Yes No	No	No	No	10/27/2022	3,230.89
MERC	37389	20508	Check 1	3235		Goodhue Co Ed Dist Paraprofessional Unic		Yes No	No	No	No	10/27/2022	269.15

Bank Total: \$1,829,827.36

Report Total: \$1,829,827.36

C. Staff Updates:

1. **Resignations:** *Dena Schull, Setting IV Paraprofessional - RBEC effective 10/14/2022*
2. **New Hire:**
3. **Transfers:**
4. **Re-assignment:** *Lisa Banks, Building Support Specialist - 5RO from 9 month to 11 month contract.*

III. **Public Input:** The policy of the education district board is to encourage discussion by persons of subjects related to the management of the district at board meetings. The board shall, as a matter of policy, protect the legal rights to privacy and due process of employees and students. Persons who wish to have a subject discussed at a public board meeting must notify the executive director's office in advance of the board meeting. The person should provide his or her name, address, the name of group represented (if any), and the subject to be covered or the issue to be addressed. The board retains the discretion to limit discussion of any agenda item to a reasonable period of time as determined by the board.

IV. **Reports and Communication:**

A. Business Manager Report

**Goodhue County Ed District
Reconciliation Worksheet Report
09/30/2022**

Audit No	Statement Date	Co	Bank Code	Bank Name/Description
1485	09/30/2022	6051	MERC	MERCHANTS BANK GENERAL

Worksheet has been Finalized

Statement Amount	933,604.91
Deposits in Transit	0.00
<u>Outstanding Payments</u>	
Checks	131,910.42
Wires	187,749.20
SHR - Payments	0.00
SHR - Third Party	0.00
Cash	0.00
ACH	0.00

Adjustment Amount (75,580.16)

Amount Per Bank 538,365.13

GL Account Balance 538,365.13

Co	L	Fd	Org	Pro	Crs	Fin	O/S		Ty
6051	B	01	101	000					F

Difference 0.00

Adjustments

Manual	09/30/2022	KT	Wire		545.02	KWIK TRIP AUTOPAY
Manual	09/30/2022	MN TAX	Wire		(468.09)	MN TAX ADJ 9/30
Manual	09/30/2022	SWEEP	Direct Pymt		(75,657.09)	TRANSFER FROM SWEEP



**GOODHUE CO ED DISTRICT
2022-23 CASH FLOW**

AS OF 10-28-22

JULY

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
7/1/2022	-	-	4,420.75	-	-	328,507.53
7/1/2022	-	-	-	-	-	328,507.53
7/9/2022	-	-	192,045.25	-	-	520,552.78
7/15/2022	(527,984.68)	(258,490.28)	188,008.56	147,548.21	-	69,634.59
7/20/2022	-	-	428,203.01	-	-	497,837.60
7/31/2022	(394,212.36)	(226,502.63)	167.92	67,067.37	194,958.96	139,316.86
ENDING BALANCE	(922,197.04)	(484,992.91)	812,845.49	214,615.58	194,958.96	139,316.86

AUGUST

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
8/1/2022	-	-	10,250.00	-	-	149,566.86
8/4/2022	-	(4,377.68)	-	-	-	145,189.18
8/15/2022	(841,683.63)	(282,146.39)	575,795.00	254,855.99	262,725.72	114,735.87
8/17/2022	-	-	311,812.64	-	345,446.54	771,995.05
8/30/2022	(748,091.81)	(279,592.24)	272,130.92	317,975.22	-	334,417.14
ENDING BALANCE	(1,589,775.44)	(566,116.31)	1,169,988.56	572,831.21	608,172.26	334,417.14

SEPTEMBER

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
9/1/2022	(173,938.39)	-	91,147.10	-	-	251,625.85
9/15/2022	(190,041.56)	(266,559.30)	-	414,114.87	186,746.53	395,886.39
9/17/2022	(711,977.72)	-	764,771.00	-	-	448,679.67
9/30/2022	(194,108.88)	(264,484.10)	133,033.74	415,244.70	-	538,365.13
ENDING BALANCE	(1,270,066.55)	(531,043.40)	988,951.84	829,359.57	186,746.53	538,365.13

OCTOBER

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
10/1/2022	-	-	376,639.82	-	289.56	915,294.51
10/9/2022	(265,226.16)	-	268,337.02	-	42,130.10	960,535.47
10/15/2022	(188,741.14)	(255,373.63)	419,227.09	70,308.91	-	1,005,956.70
10/20/2022	(283,865.22)	-	217,644.81	-	-	939,736.29
10/31/2022	(185,963.10)	(254,442.30)	16.97	164,803.03	-	664,150.89
ENDING BALANCE	(923,795.62)	(509,815.93)	1,281,865.71	235,111.94	42,419.66	664,150.89

NOVEMBER

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
11/1/2022	-	-	-	-	-	664,150.89
11/5/2022	(208,182.95)	-	449,696.75	-	-	905,664.69
11/15/2022	(157,050.41)	(221,478.13)	178,129.72	88,143.15	-	793,409.02
11/20/2022	(153,132.14)	-	597,108.19	-	-	1,237,385.07
11/30/2022	(154,608.20)	(214,261.67)	27.36	141,029.05	-	1,009,571.62
ENDING BALANCE	(672,973.70)	(435,739.79)	1,224,962.03	229,172.20	-	1,009,571.62

DECEMBER

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
12/1/2022	(81,281.17)	-	-	-	474,074.05	1,402,364.50
12/8/2022	-	-	-	-	50,784.03	1,453,148.53
12/15/2022	(160,497.71)	(224,224.08)	451,581.95	193,914.95	-	1,713,923.64
12/20/2022	(131,193.05)	-	185,335.80	-	-	1,768,066.39
12/31/2022	(220,965.51)	(226,605.49)	41.72	105,771.79	-	1,426,308.90
ENDING BALANCE	(593,937.44)	(450,829.56)	636,959.47	299,686.74	524,858.08	1,426,308.90

JANUARY

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
1/1/2023	-	-	-	-	-	1,426,308.90
1/8/2023	-	-	173,263.77	-	-	1,599,572.67
1/15/2023	(1,082,015.17)	(222,005.09)	295,201.74	177,055.99	-	767,810.14
1/20/2023	(228,350.28)	-	-	-	-	539,459.86
1/31/2023	(3,524.71)	(223,011.20)	162,205.90	141,029.05	-	616,158.90
ENDING BALANCE	(1,313,890.16)	(445,016.29)	630,671.41	318,085.04	-	616,158.90

FEBRUARY

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
2/1/2023	(244,551.98)	-	-	-	265,748.17	637,355.09
2/15/2023	(162,629.65)	(226,455.41)	-	146,145.67	-	394,415.70
2/20/2023	-	-	290,006.39	-	-	684,422.09
2/28/2023	(248,025.50)	(224,907.45)	263,297.71	176,286.31	-	651,073.16
ENDING BALANCE	(655,207.12)	(451,362.86)	553,304.10	322,431.98	265,748.17	651,073.16

MARCH

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
3/1/2023	(163,511.47)	-	238,674.89	-	-	726,236.59
3/15/2023	(160,800.26)	(221,116.38)	220,505.24	176,286.32	-	741,111.52
3/20/2023	(70,404.74)	-	-	-	-	670,706.78
3/31/2023	(163,395.85)	(225,574.30)	130.70	211,543.57	-	493,410.90
ENDING BALANCE	(558,112.31)	(446,690.69)	459,310.84	387,829.89	-	493,410.90

APRIL

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
4/9/2023	(378,746.88)	-	329,434.49	-	-	444,098.51
4/15/2023	(162,743.84)	(224,013.70)	210,796.45	141,029.05	-	409,166.48
4/20/2023	-	-	1,051.29	-	-	410,217.77
4/30/2023	(381,043.52)	(223,493.34)	268,462.12	326,845.26	348,897.98	749,886.26
ENDING BALANCE	(922,534.24)	(447,507.04)	809,744.35	467,874.31	348,897.98	749,886.26

MAY

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
5/1/2023	(154,922.14)	-	-	-	2,372.23	597,336.35
5/15/2023	(297,456.72)	(439,314.66)	210,690.47	176,286.31	-	247,541.76
5/20/2023	(125,512.86)	-	222.75	-	-	122,251.65
5/31/2023	(172,475.73)	(239,625.55)	340,625.88	176,286.32	-	227,062.58
ENDING BALANCE	(750,367.45)	(678,940.21)	551,539.11	352,572.63	2,372.23	227,062.58

JUNE

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
6/1/2023	(140,613.84)	-	-	-	-	86,448.73
6/15/2023	(274,803.09)	(249,759.30)	56,036.48	-	-	(382,077.18)
6/20/2023	-	-	162,045.81	176,286.31	243,977.04	200,231.98
6/30/2023	(438,244.58)	(291,515.01)	265.87	-	-	(529,261.73)
ENDING BALANCE	(853,661.51)	(541,274.31)	218,348.16	176,286.31	243,977.04	(529,261.73)
TOTALS	(11,026,518.58)	(5,989,329.30)	9,338,491.06	4,405,857.40	2,418,150.90	(529,261.73)

Business Manager Report 11-3-22

Budget 2022-23 as of 9/30/22

We have received \$3,092,523 or 17.52% of the adopted budget, compared to 15.87% at Sept 30, 2021 and 9.12% at Sept 30, 2020. We have expended \$2,617,815 or 14.69% of the adopted expense budget, compared to 13.7% at Sept 30, 2021 and 7.15% at Sept 30, 2020.

Cash Flow

We are starting to receive payments from districts for tuition to 5RO and Alt Ed Programs for 2021-22, which has improved our cashflow significantly until June. We plan to do a progress billing at the end of 1st semester for 5RO which should smooth that out.

Sept Bank Rec

For your information

REVENUE & EXPENDITURE SUMMARY BY SOURCE, OBJECT SERIES & PROGRAM SERIES

Goodhue Co Ed District | September 30, 2022

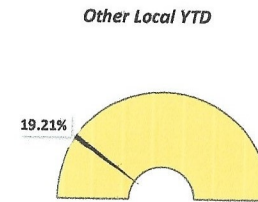
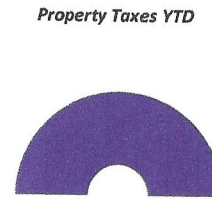
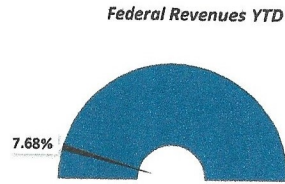
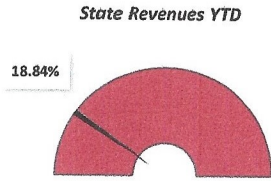
REVENUE CATEGORIES			September			September			Current YTD vs. PYTD	September 30, 2021	September 30, 2020
	June 30, 2021	June 30, 2022	Adopted Budget	Received YTD	Budget Remaining	% of Budget Received	% of Actuals Received	% of Actuals Received			
STATE	3,609,943	4,813,151	4,664,266	878,861	3,785,405	18.84%	15.08%	18.45%			
FEDERAL	2,036,519	2,251,202	2,432,443	186,747	2,245,696	7.68%	0.00%	0.14%	153,055	725,806	666,186
PROPERTY TAXES	0	0	0	0	0	0.00%	0.00%	0.00%	186,747	0	2,795
LOCAL SALES, INS RECOVERY & JUDGEMENTS	13,769	685	2,000	0	2,000	0.00%	0.00%	42.46%	0	0	0
SALE OF BONDS & LOANS	13,482,888	0	0	0	0	0.00%	0.00%	0.00%	0	0	5,846
INCOMING TRANSFERS FROM OTH FUNDS	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
LOCAL (FEES, INTEREST, ETC.)	7,804,973	9,223,672	10,551,321	2,026,915	8,524,406	19.21%	20.15%	22.84%	0	0	0
TOTALS	26,948,092	16,288,710	17,650,030	3,092,523	14,557,507	17.52%	15.87%	9.12%	168,235	1,858,680	1,782,525
									508,037	2,584,487	2,457,352

EXPENDITURES (OBJECT SERIES)			September			September			Current YTD vs. PYTD	September 30, 2021	September 30, 2020
	June 30, 2021	June 30, 2022	Adopted Budget	Expended YTD	Budget Remaining	% of Budget Expended	% of Actuals Expended	% of Actuals Expended			
SALARIES & WAGES	6,937,882	8,344,468	9,391,824	1,254,086	8,137,738	13.35%	11.76%	12.47%			
EMPLOYEE BENEFITS	1,779,020	2,223,951	2,500,603	323,399	2,177,204	12.93%	11.70%	13.19%	273,143	980,943	864,996
PURCHASED SERVICES	16,797,588	3,795,640	4,102,409	427,677	3,674,732	10.43%	4.57%	1.39%	63,096	260,303	234,647
SUPPLIES	386,950	890,342	661,489	358,386	303,104	54.18%	37.98%	58.94%	254,046	173,631	233,082
EQUIPMENT	1,028,313	1,128,431	1,139,354	238,223	901,131	20.91%	42.57%	34.40%	20,191	338,195	228,079
DEBT SERVICE	0	0	0	0	0	0.00%	0.00%	0.00%	(242,147)	480,370	353,769
OTHER EXPENDITURES	77,636	21,215	26,328	16,045	10,283	60.94%	66.00%	19.77%	0	0	0
OTHER FINANCING USES	0	0	0	0	0	0.00%	0.00%	0.00%	2,042	14,002	15,347
TOTALS	27,007,389	16,404,047	17,822,007	2,617,815	15,204,192	14.69%	13.70%	7.15%	370,371	2,247,444	1,929,920

EXPENDITURES (PROGRAM SERIES)			September			September			Current YTD vs. PYTD	September 30, 2021	September 30, 2020
	June 30, 2021	June 30, 2022	Adopted Budget	Expended YTD	Budget Remaining	% of Budget Expended	% of Actuals Expended	% of Actuals Expended			
SITE ADMINISTRATION	97,953	287,209	296,102	68,588	227,514	23.16%	21.90%	17.22%			
DISTRICT ADMINISTRATION	79,846	69,508	78,362	19,712	58,650	25.16%	34.54%	33.43%	5,699	62,889	16,872
SUPPORT SERVICES	227,526	245,155	233,940	137,533	96,407	58.79%	46.40%	51.55%	(4,298)	24,011	26,690
REGULAR INSTRUCTION	1,438,628	2,522,391	2,893,416	198,371	2,695,045	6.86%	4.87%	5.79%	23,787	113,746	117,299
EXTRA-CURRICULAR ACTIVITES	0	0	0	675	(675)	0.00%	0.00%	0.00%	75,471	122,900	83,244
VOCATIONAL INSTRUCTION	327,195	351,614	364,528	35,099	329,429	9.63%	9.44%	7.08%	675	0	0
SPECIAL EDUCATION	7,977,265	9,014,155	9,986,054	1,541,374	8,444,680	15.44%	11.38%	12.71%	1,893	33,205	23,158
COMMUNITY SERVICES	0	0	0	0	0	0.00%	0.00%	0.00%	515,479	1,025,895	1,013,590
INSTRUCTIONAL SUPPORT	448,170	698,392	405,605	179,930	225,675	44.36%	34.68%	30.95%	0	0	0
PUPIL SUPPORT SERVICES	1,586,429	1,800,017	2,087,135	183,580	1,903,555	8.80%	7.15%	8.74%	(62,281)	242,211	138,690
FACILITIES	1,502,112	1,415,606	1,476,865	252,954	1,223,911	17.13%	34.88%	24.74%	54,809	128,771	138,701
OTHER FINANCING USES	13,322,265	0	0	0	0	0.00%	0.00%	0.00%	(240,863)	493,816	371,677
TOTALS	27,007,389	16,404,047	17,822,007	2,617,815	15,204,192	14.69%	13.70%	7.15%	370,371	2,247,444	1,929,920

SUMMARY - ALL FUNDS			September			September			Current YTD vs. PYTD	September 30, 2021	September 30, 2020
	June 30, 2021	June 30, 2022	Adopted Budget	YTD	Budget Remaining	% of Budget Expended	% of Actuals Expended	% of Actuals Expended			
SUMMARY REVENUE	26,948,092	16,288,710	17,650,030	3,092,523	14,557,507	17.52%	15.87%	9.12%			
EXPENDITURES	27,007,389	16,404,047	17,822,007	2,617,815	15,204,192	14.69%	13.70%	7.15%	508,037	2,584,487	2,457,352
SPENDING VARIANCE	(59,297)	(115,336)	(171,977)	474,708	N/A	N/A	N/A	N/A	370,371	2,247,444	1,929,920
									137,665	337,043	527,432

YTD % Received vs. PYTD % Received



Prior YTD State Revenues

15.08%

Prior YTD Federal Revenues

0.00%

Prior Year to Date Property Taxes

#DIV/0!

Prior Year to Date Local Revenues

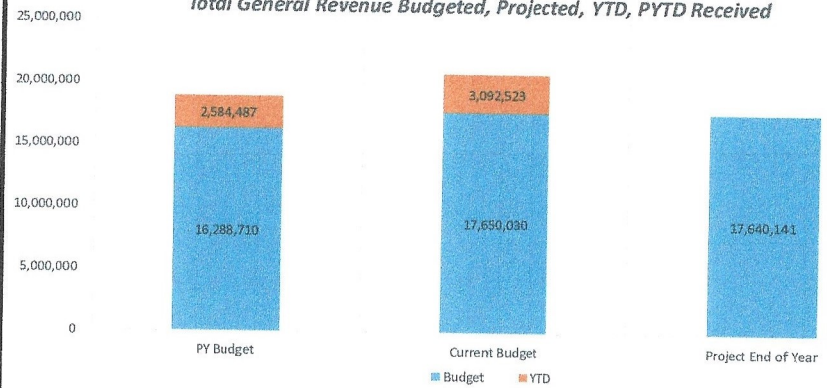
20.15%

Top 5 Revenues Received YTD by Source Code 3

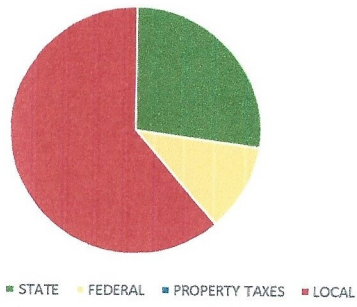
Variance from PYTD Received

	Current YTD	Variance vs. PYTD
1 GENERAL FUND TOTAL	\$3,092,523	\$508,037
2 Total LOCAL REVENUES	\$2,026,915	\$168,235
3 TUITION/REIMB MN DISTRICT	\$1,754,128	\$174,398
4 Total STATE REVENUES	\$878,861	\$153,055
5 STATE AID FOR SPECIAL EDU	\$847,868	\$148,745

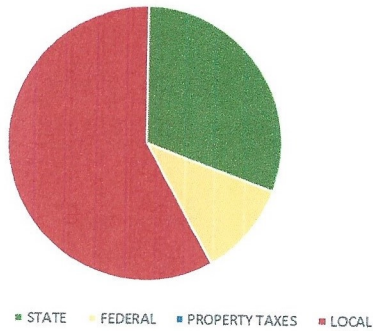
Total General Revenue Budgeted, Projected, YTD, PYTD Received



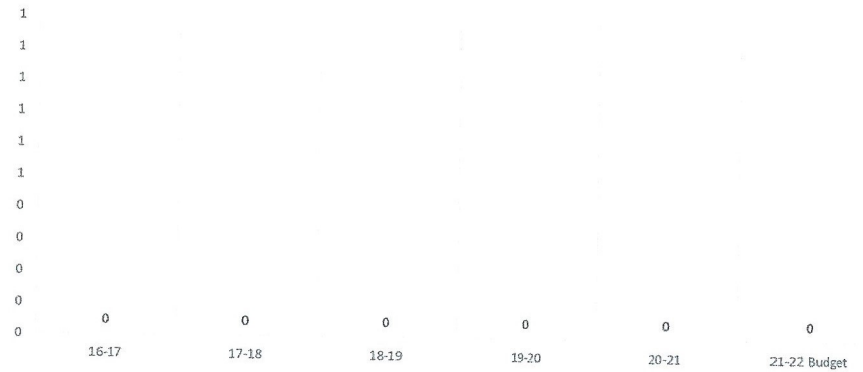
Current Year Revenue Budget



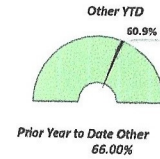
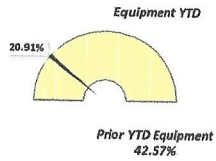
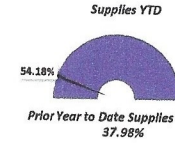
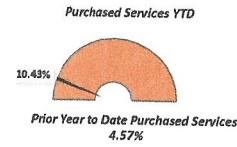
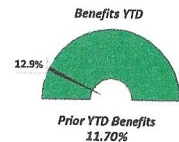
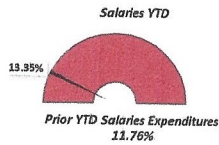
Prior Year Revenue Budget



End of Year ADM History



YTD % Expenditures vs. PYTD % Expenditures

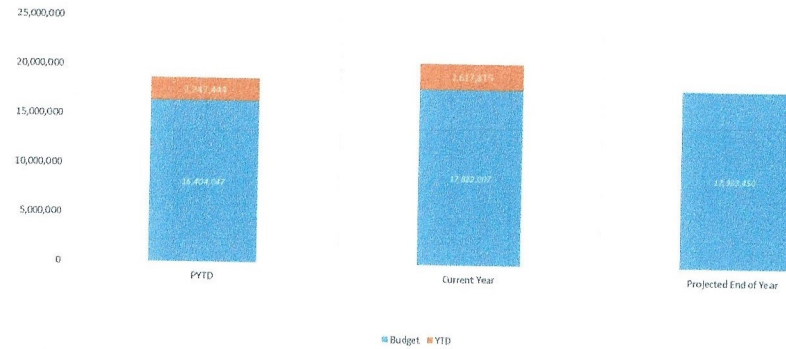


Top 10 Expenditures YTD by Object Code 3

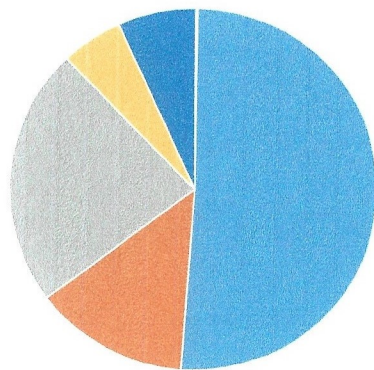
Variance from PYTD Received

	Current YTD	Variance vs. PYTD Received
1 TOTAL SALARIES AND WAGES	\$1,254,086	\$273,143
2 TOTAL EMPLOYEE BENEFITS	\$323,399	\$63,096
3 LICENSED CLASSROOM TEACHER	\$284,167	\$60,070
4 ADMINISTRATION/SUPERVISION	\$219,030	-\$2,321
5 NON-INSTRUCTIONAL SOFTWARE LICENSE	\$172,987	\$87,077
6 LICENSED INSTRUCTIONAL SUPPORT PERSONNEL	\$137,573	\$66,210
7 OTHER LICENSED/CERTIFIED SALARY	\$135,202	\$46,655
8 FEDERAL SUB AWARD <=\$25000	\$105,424	\$66,569
9 FICA/MEDICARE	\$92,921	\$21,256
10 CONSULTING FEES/FEES FOR SERVICE	\$91,511	\$39,044

Total General Expenditures Budgeted, Projected, YTD and , PYTD Expended

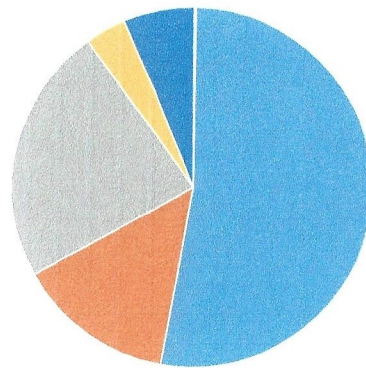


Prior Year Final



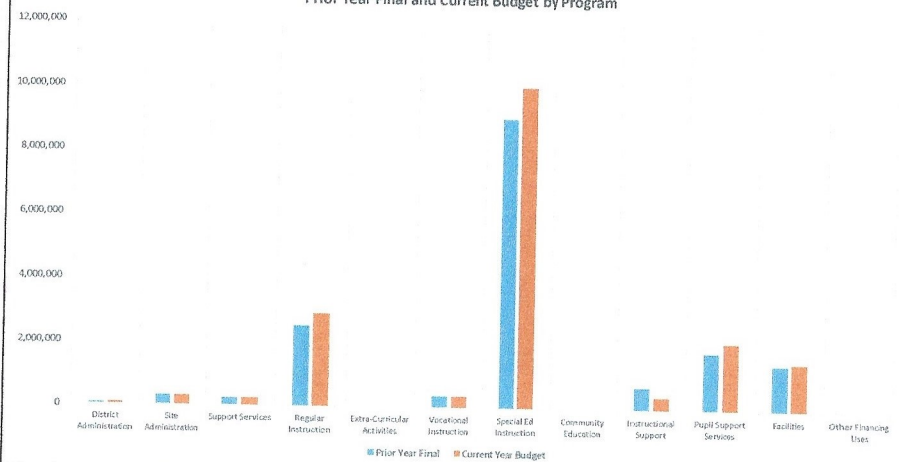
SALARIES BENEFITS PURCHASED SERVICES
 GENERAL SUPPLIES CAPITAL EXPENSES DEBT SERVICE
 DUES & OTHER

Current Year Budget



SALARIES BENEFITS PURCHASED SERVICES
 GENERAL SUPPLIES CAPITAL EXPENSES DEBT SERVICE
 DUES & OTHER

Prior Year Final and Current Budget by Program



GENERAL FUND - REVENUE SUMMARY

Goodhue Co Ed District | September 30, 2022



DESCRIPTION	June 30, 2021	June 30, 2022	Adopted Budget	Revenue YTD	Budget Remaining	September	September	September	Current YTD vs. Prior YTD	September 30, 2021	September 30, 2020
						30, 2022	30, 2021	30, 2020			
						% of Budget Received	% of Actuals Received	% of Actuals Received			
LOCAL REVENUES											
021 TUITION/REIMB MN DISTRICTS				1,754,128	8,058,018	17.88%	18.41%	21.01%	174,398	1,579,729	1,508,511
050 FEES FROM PATRONS	7,181,677	8,580,269	9,812,146	0	0	0.00%	0.00%	0.00%	0	0	0
071 MA REV/DEPT OF HUMAN SVCS	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
092 INTEREST EARNINGS	3,979	0	125,000	0	125,000	0.00%	0.00%	62.42%	0	0	2,484
093 RENT	848	1,330	3,500	924	2,576	26.39%	955.48%	28.45%	(11,788)	12,712	241
096 GIFTS AND BEQUESTS	4,245	3,577	7,000	0	7,000	0.00%	0.00%	0.00%	0	0	0
099 MISC REV FROM LOCAL SOURCES	1	9,988	0	0	0	0.00%	1.70%	0.00%	(170)	170	0
Total LOCAL REVENUES	7,804,973	9,223,672	10,551,321	2,026,915	8,524,406	19.21%	20.15%	22.84%	168,235	1,858,680	1,782,525
STATE REVENUES											
211 GENERAL EDUCATION AID				30,994	77,616	28.54%	9.38%	24.87%	4,706	26,288	30,721
300 STATE AID (REQUIRES FIN CODE)	123,538	280,307	108,610	0	170,554	0.00%	0.00%	0.00%	0	0	0
360 STATE AID FOR SPECIAL EDUCATION	163,487	171,137	170,554	0	170,554	0.00%	0.00%	0.00%	0	0	0
370 OTHER, MN DEPT OF EDUCATION	3,272,583	4,361,312	4,384,602	847,868	3,536,734	19.34%	16.03%	19.42%	148,745	699,123	635,464
397 TRA & PERA SPEC SITUATIONS PENSION	0	396	500	0	500	0.00%	100.00%	0.00%	(396)	396	0
Total STATE REVENUES	3,609,943	4,813,151	4,664,266	878,861	3,785,405	18.84%	15.08%	18.45%	153,055	725,806	666,186
FEDERAL REVENUES RECEIVED FROM STATE											
400 FEDERAL AID/MDE (REQUIRES FIN)				186,747	2,245,696	7.68%	0.00%	0.14%	186,747	0	2,795
406 REFUND OF FEDERAL OVERPAYMENT	2,036,519	2,243,008	2,432,443	0	0	0.00%	0.00%	0.00%	0	0	0
Total REVENUES RECEIVED FROM STATE	2,036,519	2,243,008	2,432,443	186,747	2,245,696	7.68%	0.00%	0.14%	186,747	0	2,795
FEDERAL REVENUES RECEIVED FROM FED SOURCES											
500 DIRECT FEDERAL AID (REQUIRES FIN)				0	0	0.00%	0.00%	0.00%	0	0	0
Total FEDERAL REVENUES RECEIVED FROM FED SOURCES	0	8,194	0	0	0	0.00%	0.00%	0.00%	0	0	0
LOCAL SALES, INSURANCE RECOVERY, AND JUDGEMENTS											
619 COST MATERIALS/REV PROD (CONTRA)				0	0	0.00%	0.00%	0.00%	0	0	0
620 SALES/REV PRODUCING ACTIVITIES	0	(77)	0	0	0	0.00%	0.00%	0.00%	0	0	0
622 SALES OF MATERIALS (NET OF TX)	0	287	0	0	0	0.00%	0.00%	0.00%	0	0	0
624 SALE OF EQUIPMENT	5,399	0	1,700	0	1,700	0.00%	0.00%	64.83%	0	0	3,500
625 INSURANCE RECOVERY	3,650	475	300	0	300	0.00%	0.00%	0.00%	0	0	0
628 JUDGMENT FOR DISTRICT	4,721	0	0	0	0	0.00%	0.00%	49.69%	0	0	2,346
Total LOCAL SALES, INSURANCE RECOVERY, AND JUDGEMENTS	13,769	685	2,000	0	2,000	0.00%	0.00%	42.46%	0	0	5,846
SALE OF BONDS AND LOANS											
635 CERTIFICATE OF PARTICIPATION				0	0	0.00%	0.00%	0.00%	0	0	0
636 CAPITAL LOANS	13,482,888	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
Total SALE OF BONDS AND LOANS	13,482,888	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
INCOMING TRANSFERS FROM OTHER FUNDS											
649 PERMANENT TRANSFERS/OTHER FUND				0	0	0.00%	0.00%	0.00%	0	0	0
Total INCOMING TRANSFERS FROM OTHER FUNDS	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
GENERAL FUND TOTAL	26,948,092	16,288,710	17,650,030	3,092,523	14,557,507	17.52%	15.87%	9.12%	508,037	2,584,487	2,457,352

GENERAL FUND - EXPENDITURES BY OBJECT CODE

Goodhue Co Ed District | September 30, 2022



DESCRIPTION			Adopted Budget	Expenses YTD	Budget Remaining	September 30, 2022	September 30, 2021	September 30, 2020	Current YTD vs. Prior YTD	September 30, 2021	September 30, 2020
	June 30, 2021	June 30, 2022				% of Budget Expended	% of Actuals Expended	% of Actuals Expended			
110 ADMINISTRATION/SUPERVISION	755,971	884,732	895,285	219,030	676,255	24.46%	25.02%	25.52%	(2,321)	221,350	192,940
140 LICENSED CLASSROOM TEACHER	2,260,065	2,803,346	3,203,209	284,167	2,919,042	8.87%	7.99%	8.95%	60,070	224,097	202,168
141 NON,LIC CLASSROOM PERSONNEL	200	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
143 LICENSED INSTRUCTIONAL SUPPORT	278,660	389,660	416,984	137,573	279,411	32.99%	18.31%	25.51%	66,210	71,363	71,090
144 NON,LIC INSTRUCTIONAL SUPPORT	0	4,272	0	0	0	0.00%	0.00%	0.00%	0	0	0
145 SUBSTITUTE TEACHER,LICENSED	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
146 SUBSTITUTE NON,LIC CLASSROOM	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
150 PHYSICAL THERAPIST	140,773	189,483	191,698	32,439	159,259	16.92%	12.80%	17.01%	8,182	24,257	23,949
151 OCCUPATIONAL THERAPIST	287,012	361,824	449,108	37,490	411,618	8.35%	7.04%	11.89%	12,008	25,482	34,118
152 SPEECH/LANGUAGE PATHOLOGIST	670,750	856,116	934,665	73,781	860,884	7.89%	7.70%	8.37%	7,868	65,912	56,150
153 AUDIOLOGIST	65,850	67,444	68,914	5,743	63,171	8.33%	8.14%	8.33%	255	5,488	5,488
154 SCHOOL NURSE	162,557	179,535	183,414	15,256	168,159	8.32%	8.11%	8.64%	696	14,559	14,047
155 LICENSED NURSING SERVICES	27,571	26,378	25,976	1,954	24,022	7.52%	7.31%	8.48%	24	1,929	2,337
156 SOCIAL WORKER	579,429	689,544	773,135	59,397	713,738	7.68%	7.24%	8.29%	9,485	49,912	48,025
157 SCHOOL PSYCHOLOGIST	740,035	861,336	991,664	69,845	921,819	7.04%	7.81%	8.37%	2,589	67,256	61,910
158 MENTAL HEALTH PROFESSIONAL	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
160 MENTAL HEALTH PRACTITIONER	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
161 CERTIFIED PARA/PCA	411,293	378,977	521,857	48,725	473,132	9.34%	7.96%	8.18%	18,577	30,148	33,662
162 CERTIFIED ONE ON ONE PARA	46,080	23,141	25,979	7,227	18,752	27.82%	20.90%	8.31%	2,391	4,836	3,830
163 FOREIGN LANGUAGE INTERPRETER	0	35	150	0	150	0.00%	0.00%	0.00%	0	0	0
164 INTERPRETER FOR THE DEAF	60,081	34,304	37,479	2,842	34,637	7.58%	6.49%	8.94%	615	2,227	5,370
165 SCHOOL COUNSELOR	0	55,156	73,999	6,167	67,832	8.33%	0.00%	0.00%	6,167	0	0
169 ALCOHOL AND CD COUNSELOR	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	19
170 NON,INSTRUCTIONAL SUPPORT	174,504	253,207	258,326	62,102	196,224	24.04%	15.88%	19.76%	21,883	40,220	34,484
174 REC SERVICES/DAPE SPECIALIST	40,183	30,161	48,094	2,665	45,429	5.54%	11.09%	8.33%	(681)	3,345	3,345
185 OTHER LICENSED/CERTIFIED SALARY	187,357	193,216	210,476	135,202	75,274	64.24%	45.83%	36.23%	46,655	88,547	67,880
186 OTHER NON LICENSED SALARY	49,512	62,602	81,412	52,484	28,928	64.47%	63.92%	8.49%	12,469	40,014	4,202
191 SEVERANCE	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
TOTAL SALARIES AND WAGES	6,937,882	8,344,468	9,391,824	1,254,086	8,137,738	13.35%	11.76%	12.47%	273,143	980,943	864,996
EMPLOYEE BENEFITS											
210 FICA/MEDICARE	504,793	613,028	677,737	92,921	584,816	13.71%	11.69%	12.63%	21,256	71,664	63,731
214 PERA	82,177	90,218	105,252	14,654	90,598	13.92%	11.05%	12.17%	4,686	9,968	10,002
218 TRA	457,804	585,441	654,152	86,126	568,026	13.17%	11.45%	12.38%	19,084	67,042	56,689
220 HEALTH INSURANCE	491,503	652,478	796,570	81,608	714,962	10.24%	9.64%	11.46%	18,726	62,882	56,311
230 LIFE INSURANCE	10,118	11,863	13,314	1,469	11,845	11.03%	10.55%	11.36%	218	1,251	1,149
235 DENTAL INSURANCE	17,437	21,629	26,799	2,822	23,977	10.53%	12.11%	12.62%	203	2,619	2,200
240 LONG TERM DISABILITY INSURANCE	9,437	10,794	12,528	1,214	11,314	9.69%	10.59%	11.12%	71	1,143	1,049
250 TSA/DEFERRED COMP	107,559	126,937	139,558	20,620	118,938	14.77%	15.24%	16.21%	1,273	19,347	17,430
251 TAX ADVANTAGE EMPLOYER HLTH AI	7,629	12,336	3,125	1,250	1,875	40.00%	9.83%	16.39%	37	1,213	1,250
270 WORKERS COMPENSATION	90,565	92,194	68,033	20,716	47,317	30.45%	25.14%	27.42%	(2,457)	23,173	24,836
280 UNEMPLOYMENT COMPENSATION	0	7,032	3,535	0	3,535	0.00%	0.00%	0.00%	0	0	0
291 OPEB (PAY AS YOU GO)	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
TOTAL EMPLOYEE BENEFITS	1,779,020	2,223,951	2,500,603	323,399	2,177,204	12.93%	11.70%	13.19%	63,096	260,303	234,647
PURCHASED SERVICES											
303 FEDERAL SUB AWARD <=\$25000	501,513	591,928	458,894	105,424	353,470	22.97%	6.56%	10.39%	66,569	38,854	52,093
304 FEDERAL SUB AWARD >\$25000	471,363	447,868	468,807	0	468,807	0.00%	0.00%	0.00%	0	0	0
305 CONSULTING FEES/FEES FOR SERVIC	13,646,680	227,139	205,945	91,511	114,434	44.43%	23.10%	0.32%	39,044	52,468	43,646
307 CONTRACT SUB FOR SPEC EDUCATIK	9,168	25,945	31,310	269	31,041	0.86%	0.87%	0.00%	43	225	0
308 FEDERAL TUITION PAYMENT <=\$2500	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
309 FEDERAL TUITION PAYMENT >\$25000	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
315 REPAIRS & MAINT FOR TECHNOLOGY	0	0	6,856	0	6,856	0.00%	0.00%	0.00%	0	0	0
316 SVC PURCH FROM MN JOINT POWER	6,231	6,231	6,231	1,558	4,673	25.00%	25.00%	25.00%	0	1,558	1,558
320 COMMUNICATION SERVICES	23,558	18,762	15,930	3,215	12,715	20.18%	15.47%	12.19%	313	2,903	2,872
329 POSTAGE & PARCEL SERVICES	4,175	3,633	5,120	396	4,724	7.73%	13.97%	6.59%	(112)	507	275

DESCRIPTION	June 30, 2021	June 30, 2022	Adopted Budget	Expenses YTD	Budget Remaining	September 30, 2022	September 30, 2021	September 30, 2020	Current YTD vs. Prior YTD	September 30, 2021	September 30, 2020
						% of Budget Expended	% of Actuals Expended	% of Actuals Expended			
330 UTILITY SERVICES	47,213	52,661	55,000	5,860	49,140	10.65%	6.30%	10.03%	2,543	3,316	4,734
335 SHORT TERM LEASE	0	6,615	16,720	0	16,720	0.00%	0.00%	0.00%	0	0	0
340 INSURANCE	45,515	53,261	55,619	34,211	21,408	61.51%	34.78%	46.11%	15,689	18,522	20,985
350 REPAIRS & MAINTENANCE	111,375	75,489	143,313	40,043	103,270	27.94%	14.23%	25.91%	29,299	10,745	28,858
360 TRANSPORT CONTR <=\$25,000	643	20,258	11,155	11,588	(433)	103.88%	5.24%	0.00%	10,527	1,061	0
365 INTERDEPART TRANSPORT (CHGBK)	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
366 TRAVEL CONVENTIONS/CONFERENCE	124,979	180,527	195,860	88,012	107,848	44.94%	15.93%	19.32%	59,254	28,757	24,143
368 OUT OF STATE TRAVEL/FEDERAL REI	0	15,771	17,500	834	16,666	4.77%	0.00%	0.00%	834	0	0
369 ENTRY FEES/STUDENT TRAVEL ALLO	0	410	0	0	0	0.00%	0.00%	0.00%	0	0	0
370 OPERATING LEASE/RENTAL	7,975	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
371 PHYSICAL THERAPY <=\$25000	0	0	0	0	0	0.00%	0.00%	36.12%	0	0	2,880
373 SPEECH SERVICES <=\$25000	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
377 SOCIAL WORKER <=\$25000	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
378 PSYCHOLOGIST SERVICES <=\$25000	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
379 MENTAL HLTH PROFESSIONAL <=\$251	9,418	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
389 STAFF TUITION REIMBURSEMENT	0	0	0	0	0	0.00%	0.00%	122.43%	0	0	11,530
390 PYMT FOR ED PURPOSE TO MN DISTI	0	1,668	2,000	0	2,000	0.00%	0.00%	0.00%	0	0	0
391 PYMT TO MN SCHOOL (COST SHARE)	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
393 SPEC ED TRANSITION/CHILD W/DISAE	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
394 PYMT FOR ED TO OTHER AGENCY	888,913	928,940	996,073	28,135	967,938	2.82%	0.24%	2.55%	25,945	2,189	22,629
396 SPEC ED SALARY/OTHER DISTRICT	675,300	880,398	1,066,671	12,406	1,054,265	1.16%	1.06%	1.87%	3,058	9,348	12,600
397 SPEC ED BENEFITS/OTHER DISTRICT	223,571	258,136	343,405	4,218	339,187	1.23%	1.23%	1.91%	1,040	3,178	4,279
TOTAL PURCHASED SERVICES	16,797,588	3,795,640	4,102,409	427,677	3,674,732	10.43%	4.57%	1.39%	254,046	173,631	233,082
SUPPLIES											
401 SUPPLIES, NON INSTRUCTIONAL	90,507	102,774	85,790	82,378	3,412	96.02%	30.76%	28.48%	50,767	31,611	25,780
405 NON-INSTRUCTIONAL SOFTWARE LIC	94,076	103,776	91,688	172,987	(81,299)	188.67%	82.78%	78.46%	87,077	85,910	73,812
406 INSTRUCTIONAL SOFTWARE LICENSE	49,784	250,281	211,790	49,563	162,227	23.40%	31.84%	158.90%	(30,133)	79,696	79,106
430 SUPPLIES & MATERIALS NON INDIV IN	6,111	50,456	17,825	14,506	3,319	81.38%	1.38%	12.56%	13,811	695	767
433 SUPPLIES & MATERIALS INDIV INSTR	87,393	138,519	150,695	30,399	120,296	20.17%	22.98%	46.06%	(1,428)	31,827	40,254
440 FUELS	11,527	23,851	17,300	682	16,618	3.94%	1.03%	1.48%	436	246	171
455 NONINSTRUCTIONAL TECH SUPPLIES	9,601	36,534	3,500	927	2,573	26.48%	36.62%	22.59%	(12,453)	13,380	2,169
456 INSTRUCTIONAL TECH SUPPLIES	6,162	5,782	19,800	0	19,800	0.00%	68.97%	94.74%	(3,988)	3,988	5,838
460 TEXTBOOKS	960	573	55,829	2,721	53,108	4.87%	60.56%	0.00%	2,374	347	0
461 STANDARDIZED TESTS	396	55,702	1,307	0	1,307	0.00%	0.10%	0.00%	(57)	57	0
465 NONINSTRUCTIONAL TECH DEVICES	6,166	18,159	715	1,189	(474)	166.32%	0.00%	0.00%	1,189	0	0
466 INSTRUCTIONAL TECH DEVICES	23,447	96,660	0	1,673	(1,673)	0.00%	92.80%	0.00%	(88,027)	89,700	0
490 FOOD	820	7,274	5,250	1,360	3,890	25.91%	10.15%	22.30%	622	738	183
TOTAL SUPPLIES	386,950	890,342	661,489	358,386	303,104	54.18%	37.98%	58.94%	20,191	338,195	228,079
SUPPLIES & EQUIPMENT											
510 SITE OR GROUNDS ACQUISITION	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
520 BUILDING ACQ OR CONSTRUCTION	0	18,066	92,877	0	92,877	0.00%	0.00%	0.00%	0	0	0
530 OTHER EQUIPMENT PURCHASE	12,922	67,822	7,180	3,113	4,067	43.36%	0.94%	69.21%	2,472	641	8,943
533 EQUIP SP ED DIRECT INSTRUCTION	2,014	0	2,000	450	1,550	22.52%	0.00%	0.00%	450	0	0
535 CAPITAL LEASES	13,530,000	96,100	0	0	0	0.00%	0.00%	0.00%	0	0	0
550 OTHER VEHICLES, PURCHASE	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
555 CAPITAL NONINSTR TECH HARDWAR	1,249	0	0	14,224	(14,224)	0.00%	0.00%	100.00%	14,224	0	1,249
556 CAPITALIZED INSTR TECH HARDWAR	10,855	8,848	0	0	0	0.00%	0.00%	0.00%	0	0	0
560 PRIN ON LONG TERM TECH	0	30,011	34,500	24,587	9,913	71.27%	9.79%	0.00%	21,650	2,937	0
561 INT ON LONG TERM TECH	0	1,900	0	0	0	0.00%	0.00%	0.00%	0	0	0
570 PRIN ON BLDG/LAND LEASE	0	678,069	684,847	37,199	647,648	5.43%	5.36%	0.00%	883	36,315	0
571 INT ON BLDG/LAND LEASE	0	319,765	313,450	156,950	156,500	50.07%	137.05%	0.00%	(281,277)	438,227	0
580 PRINCIPAL ON CAPITAL LEASE	666,334	0	0	0	0	0.00%	0.00%	48.47%	0	0	322,953
581 INTEREST ON CAPITAL LEASE	330,439	0	0	0	0	0.00%	0.00%	1.37%	0	0	4,527
589 LEASE TRANSACTIONS/INSTALL SALE	(13,530,000)	(96,100)	0	0	0	0.00%	0.00%	0.00%	0	0	0
590 OTHER CAPITAL EXPENDITURES	4,500	3,950	4,500	1,700	2,800	37.78%	20.25%	0.00%	900	800	0
TOTAL SUPPLIES & EQUIPMENT	1,028,313	1,128,431	1,139,354	238,223	901,131	20.91%	42.57%	34.40%	(242,147)	480,370	353,769
OTHER EXPENDITURES											
810 JUDGMENTS AGAINST DISTRICT	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
820 DUES, MEMBERSHIP, LICENSE, FEES	27,245	21,175	26,228	16,006	10,222	61.02%	65.94%	56.33%	2,044	13,962	15,347

DESCRIPTION	June 30, 2021	June 30, 2022	Adopted Budget	Expenses YTD	Budget Remaining	September 30, 2022	September 30, 2021	September 30, 2020	Current YTD vs. Prior YTD	September 30, 2021	September 30, 2020
						% of Budget Expended	% of Actuals Expended	% of Actuals Expended			
891 TRA & PERA SPEC SITUATION PENSIC	50,335	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
895 FED/NONPUBLIC INDIRECT (CHGBK)	0	(0)	0	0	0	0.00%	0.00%	0.00%	0	0	0
896 TAXES & SPECIAL ASSESSMENTS	56	40	100	39	61	39.00%	100.00%	0.00%	(1)	40	0
TOTAL OTHER EXPENDITURES	77,636	21,215	26,328	16,045	10,283	60.94%	66.00%	19.77%	2,042	14,002	15,347
OTHER FINANCING USES											
910 PERMANENT TRANSFER/OTHER FUNI	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
TOTAL OTHER FINANCING USES	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
GENERAL FUND TOTAL	27,007,389	16,404,047	17,822,007	2,617,815	15,204,192	14.69%	13.70%	7.15%	370,371	2,247,444	1,929,920

GENERAL FUND - EXPENDITURES BY PROGRAM CODE

Goodhue Co Ed District | September 30, 2022



DESCRIPTION	June 30, 2021		June 30, 2022		Adopted Budget	Expenses YTD	Budget Remaining	September 30, 2022	September 30, 2021	September 30, 2020	Current YTD vs. Prior YTD	September 30, 2021	September 30, 2020
	% of Budget Expended	% of Actuals Expended	% of Actuals Expended										
DISTRICT ADMINISTRATION													
010 BOARD OF EDUCATION	14,326	16,794	24,411	5,952	18,459	24.38%	52.86%	50.60%	(2,926)	8,877	7,249		
030 INSTRUCTIONAL ADMINISTRATION	65,520	52,714	53,951	13,761	40,190	25.51%	28.71%	29.67%	(1,373)	15,133	19,441		
TOTAL - DISTRICT ADMINISTRATION	79,846	69,508	78,362	19,712	58,650	25.16%	34.54%	33.43%	(4,298)	24,011	26,690		
SITE ADMINISTRATION													
050 SCHOOL ADMINISTRATION	97,953	287,209	296,102	68,588	227,514	23.16%	21.90%	17.22%	5,699	62,889	16,872		
TOTAL - SITE ADMINISTRATION	97,953	287,209	296,102	68,588	227,514	23.16%	21.90%	17.22%	5,699	62,889	16,872		
SUPPORT SERVICES													
105 GENERAL ADMINISTRATIVE SUPPORT	106,875	111,359	106,553	72,289	34,264	67.84%	51.28%	57.61%	15,182	57,107	61,566		
110 BUSINESS SUPPORT SERVICES	120,651	133,796	127,387	65,244	62,143	51.22%	42.33%	46.19%	8,605	56,639	55,733		
TOTAL - SUPPORT SERVICES	227,526	245,155	233,940	137,533	96,407	58.79%	46.40%	51.55%	23,787	113,746	117,299		
REGULAR INSTRUCTION													
203 EDUCATION, ELEMENTARY GENERAL	99,611	401,741	469,008	34,728	434,280	7.40%	2.95%	0.00%	22,893	11,834	0		
205 TITLE III, PART A LANGUAGE ACQUISITION	18,052	22,563	24,632	7,656	16,976	31.08%	6.44%	18.00%	6,202	1,454	3,249		
211 EDUCATION, SECONDARY GENERAL	545,999	844,665	906,932	24,914	882,018	2.75%	0.81%	1.24%	18,113	6,801	6,795		
212 VISUAL ART	0	77,730	76,105	7,436	68,669	9.77%	7.63%	0.00%	1,509	5,927	0		
219 ENGLISH LEARNER	390,669	421,675	515,086	68,634	446,452	13.32%	9.93%	10.70%	26,761	41,873	41,800		
220 ENGLISH, LANGUAGE ARTS	66,007	145,804	150,292	12,372	137,920	8.23%	7.82%	8.22%	970	11,402	5,428		
230 FOREIGN/NATIVE LANGUAGE	0	30,755	35,298	0	35,298	0.00%	0.00%	0.00%	0	0	0		
240 HEALTH, PHYSICAL ED & RECREATION	6,833	30,359	103,389	1,902	101,487	1.84%	1.61%	7.16%	1,413	489	489		
250 FAMILY LIVING SCIENCE	80,565	94,527	85,115	7,154	77,961	8.40%	7.04%	8.27%	498	6,656	6,663		
255 INDUSTRIAL EDUCATION	0	10,935	0	0	0	0.00%	0.00%	0.00%	0	0	0		
256 MATHEMATICS	78,769	150,134	174,970	7,067	167,903	4.04%	7.34%	8.12%	(3,958)	11,025	6,398		
257 COMPUTER SCIENCE/TECHNOLOGY ED	0	0	0	0	0	0.00%	0.00%	8.12%	0	0	0		
258 MUSIC	0	17,136	40,100	0	40,100	0.00%	40.06%	0.00%	(6,865)	6,865	0		
260 NATURAL SCIENCES	83,491	127,520	159,313	13,433	145,880	8.43%	5.40%	8.13%	6,546	6,887	6,786		
270 SOCIAL SCIENCES/SOCIAL STUDIES	68,633	146,845	153,176	13,076	140,100	8.54%	7.96%	8.21%	1,389	11,687	5,636		
TOTAL - REGULAR INSTRUCTION	1,438,628	2,522,391	2,893,416	198,371	2,695,045	6.86%	4.87%	5.79%	75,471	122,900	83,244		
EXTRA-CURRICULAR													
298 EXTRA-CURRICULAR ACTIVITIES	0	0	0	675	(675)	0.00%	0.00%	0.00%	675	0	0		
TOTAL - EXTRA-CURRICULAR ACTIVITIES	0	0	0	675	(675)	0.00%	0.00%	0.00%	675	0	0		
VOCATIONAL INSTRUCTION													
380 SPECIAL NEEDS	255,640	276,282	283,245	35,099	248,146	12.39%	9.88%	6.74%	7,807	27,292	17,223		
399 CAREER & TECHNICAL GENERAL	71,555	75,332	81,283	0	81,283	0.00%	7.85%	8.29%	(5,913)	5,913	5,934		
TOTAL - VOCATIONAL INSTRUCTION	327,195	351,614	364,528	35,099	329,429	9.63%	9.44%	7.08%	1,893	33,205	23,158		
SPECIAL ED INSTRUCTION													
400 GENERAL SPECIAL EDUCATION	129,400	89,386	91,490	30,360	61,130	33.18%	18.79%	12.60%	13,561	16,799	16,301		
401 SPEECH/LANGUAGE IMPAIRED	1,029,586	1,219,870	1,324,610	107,857	1,216,753	8.14%	7.43%	7.36%	17,205	90,652	75,822		
402 MILD, MODERATE COGNITIVE DISAB	86,123	47,429	51,855	8,691	43,164	16.76%	14.76%	19.67%	1,692	7,000	16,938		
403 SEVERE, PROFOUND COGNITIVE DISAB	14,407	8,250	10,875	332	10,543	3.05%	18.55%	6.61%	(1,199)	1,530	952		
404 PHYSICALLY IMPAIRED	639,551	793,457	901,526	102,049	799,477	11.32%	8.51%	11.83%	34,555	67,495	75,663		
405 DEAF, HARD OF HEARING	229,427	303,225	320,816	24,124	296,692	7.52%	5.75%	6.32%	6,699	17,425	14,493		
406 VISUALLY IMPAIRED	90,681	93,355	96,682	7,467	89,215	7.72%	6.0%	7.82%	377	7,090	7,090		
407 SPECIFIC LEARNING DISABILITY	164,476	227,334	211,130	96,437	114,693	45.68%	14.37%	13.76%	63,763	32,674	22,637		
408 EMOTIONAL/BEHAVIORAL DISORDER	1,333,715	1,481,281	1,590,945	120,722	1,470,223	7.59%	7.99%	8.80%	2,428	118,294	117,378		
410 OTHER HEALTH DISABILITIES	288,286	431,930	375,972	35,991	339,981	9.57%	4.40%	5.60%	16,995	18,995	16,155		
411 AUTISTIC SPECTRUM DISORDERS	700,550	725,487	761,375	69,269	692,106	9.10%	10.90%	6.14%	(9,798)	79,066	43,040		
412 DEVELOPMENTALLY DELAYED	895,693	802,868	938,577	111,879	826,698	11.92%	10.69%	10.44%	26,043	85,836	93,490		
414 TRAUMATIC BRAIN INJURY	27,155	1,892	1,628	0	1,628	0.00%	213.36%	1.90%	(4,037)	4,037	517		
416 SEVERELY MULTIPLY IMPAIRED	2,142	6,027	7,566	0	7,566	0.00%	98.98%	0.00%	(5,966)	5,966	0		
420 SPECIAL ED, AGGREGATE 3+	2,102,156	2,468,870	3,068,147	772,290	2,295,857	25.17%	17.24%	22.04%	346,602	425,688	463,250		
422 SPECIAL ED, STUDENT'S W/O DISABILITIES	243,917	313,495	232,860	53,906	178,954	23.15%	15.10%	20.44%	6,560	47,346	49,864		
TOTAL - SPECIAL ED INSTRUCTION	7,977,265	9,014,155	9,986,054	1,541,374	8,444,680	15.44%	11.38%	12.71%	515,479	1,025,895	1,013,590		
INSTRUCTIONAL SUPPORT													
610 CURRICULUM CONSULT & DEV	352,711	437,677	291,502	55,340	236,162	18.98%	22.67%	32.69%	(43,880)	99,220	115,284		
630 INSTRUCTION, RELATED TECHNOLOGY	93,319	254,650	99,803	44,841	54,962	44.93%	54.12%	22.94%	(92,983)	137,824	21,406		
640 STAFF DEVELOPMENT	2,140	6,064	14,300	79,748	(65,448)	557.68%	85.20%	93.45%	74,582	5,167	2,000		

DESCRIPTION				September 30, 2022			September 30, 2021			September 30, 2020		
	June 30, 2021	June 30, 2022	Adopted Budget	Expenses YTD	Budget Remaining	% of Budget Expended	% of Actuals Expended	% of Actuals Expended	Current YTD vs. Prior YTD	September 30, 2021	September 30, 2020	
TOTAL - INSTRUCTIONAL SUPPORT	448,170	698,392	405,605	179,930	225,675	44.36%	34.68%	30.95%	(62,281)	242,211	138,690	
PUPIL SUPPORT SERVICES												
710 SECONDARY COUNSELING/GUIDANCE	0	70,599	93,730	7,826	85,904	8.35%	0.00%	0.00%	7,826	0	0	
715 SCHOOL SECURITY	13,939	0	0	0	0	0.00%	0.00%	0.00%	0	0	0	
720 HEALTH SERVICES	251,592	287,496	275,755	22,499	253,256	8.16%	7.43%	8.69%	1,134	21,365	21,852	
730 PSYCHOLOGICAL AND HEALTH SERVICES	891,511	927,890	1,091,448	70,705	1,020,743	6.48%	8.10%	9.00%	(4,429)	75,133	80,228	
740 SOCIAL WORK SERVICES	422,317	506,954	612,647	45,846	566,801	7.48%	6.15%	7.99%	14,660	31,186	33,740	
760 PUPIL TRANSPORTATION	7,070	7,080	13,555	8,823	4,732	65.09%	15.35%	40.74%	7,737	1,087	2,880	
790 OTHER PUPIL SUPPORT SERVICES	0	0	0	27,881	(27,881)	0.00%	0.00%	0.00%	27,881	0	0	
TOTAL - PUPIL SUPPORT SERVICES	1,586,429	1,800,017	2,087,135	183,580	1,903,555	8.80%	7.15%	8.74%	54,809	128,771	138,701	
FACILITIES												
810 OPERATIONS & MAINTENANCE	260,215	293,259	333,358	27,556	305,802	8.27%	3.44%	5.12%	17,477	10,079	13,326	
850 CAPITAL FACILITIES	1,170,901	1,074,515	1,051,369	199,278	852,091	18.95%	44.30%	28.69%	(276,705)	475,983	335,969	
865 LTFM NOT PRO 866,867,868	70,995	47,833	92,138	26,119	66,019	28.35%	16.21%	31.53%	18,365	7,754	22,383	
870 BUILDING CONSTRUCTION	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0	
TOTAL - FACILITIES	1,502,112	1,415,606	1,476,865	252,954	1,223,911	17.13%	34.88%	24.74%	(240,863)	493,816	371,677	
OTHER FINANCING USES												
910 RETIRE LONG TERM OBLIGATIONS	13,322,265	0	0	0	0	0.00%	0.00%	0.00%	0	0	0	
920 RETIRE NON,BONDED OBLIGATIONS	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0	
950 TRANSFERS	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0	
TOTAL - OTHER FINANCING USES	13,322,265	0	0	0	0	0.00%	0.00%	0.00%	0	0	0	
GENERAL FUND TOTAL	27,007,389	16,404,047	17,822,007	2,617,815	15,204,192	14.69%	13.70%	7.15%	370,371	2,247,444	1,929,920	



Partnering with **aLEARNcoach LLC**

www.alearncoach.com

Explicit

Individualized

Incremental

Rating

Multisensory



TPT

Intensified

★★★★★ 4.8

209 votes

Research-Based Lessons

Cumulative

Sequential

Standards Aligned

Evidence-Based Skills



aLEARNcoach LLC

What Parents Say

Parent A was thankful,

“Thank you so much for everything!!!! I sincerely appreciate everything you did to help us with reading at home!”

Parent B also shared their child’s comments about the reading intervention at home,

“She even commented, ‘Mom, I couldn’t read before! But I can now!’ So something is working!”

Parent C had positive comments regarding the reading intervention at home and stated great reading outcomes,

"We really enjoyed the lessons and will continue. This program was great!

When I asked her teacher about her score, this is what I got: ‘She surpassed the winter benchmark scoring a 61 and first graders are expected to be at a 52. I am so incredibly proud of her reading progress!’

I’m so proud of her, too. Thanks for your help and the program."

Parent D had positive comments regarding the coaching support,

“Thank you for your encouragement and all of the time and energy you put into this project!”



FOUNDATIONAL READING INTERVENTION



LEVEL B

Review

y	w	r
---	---	---

Directions: I say sound and you echo sound (Repeat for next sound), we say sounds, you say sounds.

Error Correction: I say sound and you echo. (Repeat entire box)

Blend and Segment Onset and Rime

<p>1a-Blend: I say the first sound of a word and the rime. Then, <u>I</u> say the word. (Repeat for next word)</p> <p>1b-Seg: I say the word. Then, <u>I</u> say the first sound and the rime. (Repeat for next word)</p>	<p>2a-Blend: I say the first sound of a word and the rime. Then, <u>we</u> say the word. (Repeat for next word)</p> <p>2b-Seg: I say the word. Then, <u>we</u> say the first sound and the rime. (Repeat for next word)</p>	<p>3a-Blend: I say the first sound of a word and the rime. Then, <u>you</u> say the word. (Repeat for next word)</p> <p>3b-Seg: I say the word. Then, <u>you</u> say the first sound and the rime. (Repeat for next word)</p>									
p-in	z-ip	k-it	h-ug	t-in	s-ip	h-it	d-ug	k-in	r-ip	b-it	b-ug

Error Correction: I correctly blend or segment and you repeat practice for the word.

Common Consonant Sounds

z

Short Vowel Sounds

o

Directions: I say sound and you echo sound, we say sound, you say sound.

Error Correction: Repeat all steps.

Common Consonant Sound

z	•	z
•	z	•
z	•	z

Short Vowel Sound

o	•	o
•	o	•
o	•	o



Directions: You say sounds.

Error Correction: I say sound and you echo. (Repeat entire box)

Note: Dots are used as silent pauses.

Tracing


Incremental Rehearsal

	z	y	w	r	v	n	f
	o	i	e	a	• ^l		

1-Tracing Directions: I say “(letter name) says (letter sound)” and you echo letter sound and trace w/ support.

2-Incremental Rehearsal Directions: You say target sound (TS) in bold box. **Repeat and add one box:** TS, box 1; TS, box 1, box 2; repeat until all boxes are completed. **Error Correction:** I say correct sound and you echo sound, you repeat rehearsal (example: TS, box 1, box 2). *Note:* Dots are used as silent pauses.

Reading Fluency and Print Concepts (letters in words)

<h2 style="margin: 0;">Big Ben Not Gus</h2> <p style="font-size: 1.2em; margin: 10px 0;">Ben is big. Gus is not big. Big Ben ran a lap. Gus did not. Big Ben ran on and on.</p>	
---	---

1-Reading Fluency Directions: I read fluently. I ask you a simple question about the story (Examples: Who was in the story? What happened?). **Error Correction:** I say correct answer and share my thinking for answer.

2-Print Concept Directions: After story, you choose a word and tell me the letters (letter names) in the word.

Error Correction: I say the letters (letter names) in the word. You repeat the letters (letter names) in the word.

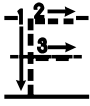

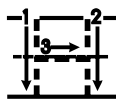




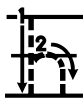


Sound Review

n	•	f
•		•
s	•	m

Directions: I say sound and you echo sound (Repeat for next sound), we say sounds, you say sounds.

Error Correction: I say sound and you echo. (Repeat entire box)

Note: Dots are used as silent pauses.

Directions: I say letter name and you echo name, you trace letter (begin at 1st arrow), you copy letter.

Error Correction: If letter formation error, you erase and correctly trace or copy letter w/ support.

Review

fed
beg
men
yes

Directions: You say sounds of a word. Then, you say the word. (Repeat for each word in column)

Error Correction: I correctly segment and say word. You repeat.

Blend and Segment Phonemes

1a-Blend: I say sounds of a word. Then, <u>I</u> say the word. (Repeat [RPT] for next word)				2a-Blend: I say sounds of a word. Then, <u>we</u> say the word. (RPT for next word)				3a-Blend: I say sounds of a word. Then, <u>you</u> say the word. (RPT for next word)			
1b-Seg: I say the word. Then, <u>I</u> say sounds of word. (RPT for next word)				2b-Seg: I say the word. Then, <u>we</u> say sounds of word. (RPT for next word)				3b-Seg: I say the word. Then, <u>you</u> say sounds of word. (RPT for next)			
r-e-d	p-e-g	h-e-m	t-e-n	v-e-t	y-e-t	w-e-d	j-e-t	b-e-d	p-e-g	h-e-n	y-e-t

Error Correction: I correctly blend or segment and you repeat practice for the word.

Short Vowel /e/

fed
yes
hem

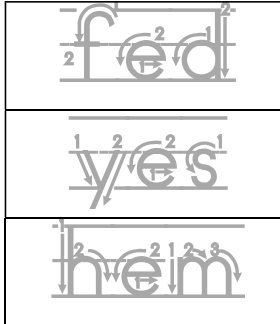
a-I Do: I say sounds of a word. Then, I say the word.

b-You Repeat: You say sounds of a word. Then, you say the word.
c-(Repeat for next word)

Error Correction: I correctly segment and say word. You repeat.

Note: /k/ spelled k before e.

Spelling



Directions: You say letter sound and trace sound (Repeat for each sound). You say word.

Error Correction: If error, you erase and correctly say sound and trace w/ support.

Note: /k/ spelled k before e.

Short Vowel /e/

led
beg
den
vet

Directions: We say sounds of a word. Then, we say the word. (Repeat for next word)

Error Correction: I correctly segment and say word. You repeat.

Short Vowel /e/

pen	yes
pep	wed
hex	leg
bet	ten

Directions: You say sounds of a word. Then, you say the word. (Repeat for next word)

Error Correction: I correctly segment and say word. You repeat.

Reading Fluency and Print Concepts (finger tracking)

ten men met. ten men ran.

1-Print Concept Directions: You follow along with your finger. **Error Correction:** I point to correct finger location.

2-Reading Fluency Directions: I read sentence and you echo, we read sentence, you read sentence. (Repeat for all sentences). You read all sentences. **Error Correction:** I say correct word and you echo, you repeat sentence.

Note: Lowercase letters are used to emphasize common letter-sound correspondence.

Set 2: Lesson 10

Short a Review

ran
van
max
zap

Directions: You say sounds of a word. Then, you say the word.
(Repeat for each word in column)

Error Correction: I correctly segment and say word. You repeat.

Common Consonants							Short Vowel		
m	s	l	f	n	v	r	a	•	e
w	y	z	b	t	c	h	•	i	•
j	k	d	g	p	q	x	o	•	u
<p>Directions: You say sounds (common consonants). Error Correction: I say sound and you echo. (Repeat entire box)</p>							<p>Directions: You say sounds. Error Correction: I say sound and you echo. (Repeat entire box) <i>Note:</i> Dots are used as silent pauses.</p>		

Review	Copy
this	_____
she	_____

Directions:
I say word and you echo, we say word, you say word, you copy w/ support. (Repeat for next word).

Read
this
she
be
but

Directions: I say words, we say words, you say words.
Error Correction: I say word and you echo. (Repeat entire column)

Onset Change	Middle Change	Ending Change
• fed led	• fad fed	• men met
• men pen ten	• ran run	• pen pet
• let met	• fan fin fun	• can cap cat



a-You recognize similar sounds in words and get ready to say words fast.
b-You say similar words fast.
c-(Repeat for next cluster)
Error Correction: I say words fast and say sound changes. (Repeat column)
Note: Dots are used as silent pauses to get ready.
Note: "Get ready." is a good verbal prompt.

Syllable Introduction	
<u>nap</u> cap gap lap zap	<u>at</u> sat rat cat bat

Directions:
I say rime and you echo. I say words, we say words, you say words. (Repeat for next column)
Error Correction: I say onset + rime and you echo. (Repeat entire column)

Long Vowel Sound
e

a-I say vowel letters can say their names.
b-I say long vowel and you echo, we say long vowel, you say long vowel.
Error Correction: I say long vowel sound and you echo.

Word	Trace	Word	Trace
the		you	

1-Word: I say word and you echo word, we say word, you say word. **Error Correction:** I correctly say word and you echo.

2-Trace: You say letter name and trace letter (Repeat for each letter). You say word. (Repeat steps 1-2 for next word) **Error Correction:** If error, you erase and correctly say letter name and trace w/ support.

Incremental Rehearsal

the	this	be	with	at	I	for
you	she	but	not	that	on	can

Incremental Rehearsal Directions: You say target word (TW) in bold box. **Repeat and add one box:** TW, box 1; TW, box 1, box 2; repeat until all boxes are completed. **Error Correction:** I say correct word and you echo word, you repeat rehearsal (example: TW, box 1, box 2). *Note:* Dots are used as silent pauses.

Reading Fluency and Print Concepts (finger tracking)

Red Bed

I got a bed. It is a red bed. I sit on a red bed. I nap on a red bed. I hop on a red bed.

1-Print Concept Directions: You follow along with your finger. **Error Correction:** I point to correct finger location.

2-Reading Fluency Directions: I read sentence and you echo, we read sentence, you read sentence (Repeat for all sentences in story). You read story. **Error Correction:** I say word and you echo, repeat sentence.

Weekly Words		Phonics Review	<p>a-Weekly: I say words, we say words, you say words (Repeat all steps for next column) Error Correction: I say word and you echo. (Repeat entire column)</p> <p>b- Phonics: You say sounds of a word. Then, you say the word. (Repeat for next word). You say words in column. Error Correction: I provide correct response and you echo.</p>
a	it	ran	
and	for	wed	
to	can	zip	
in	I	cob	
is	on	bus	

Review	Copy
does	_____

his	_____

Directions:
I say word and you echo, we say word, you say word, you copy w/ support. (Repeat for next word).

Read
does
his
by
when

Directions: I say words, we say words, you say words.
Error Correction: I say word and you echo. (Repeat entire column)

Syllable Introduction	
<u>ba</u> d	<u>ha</u> m
f <u>a</u> d	ra <u>m</u>
ha <u>d</u>	am
sa <u>d</u>	Sam
pa <u>d</u>	jam

Directions:
I say rime and you echo. I say words, we say words, you say words. (Repeat for next column)
Error Correction: I say onset + rime and you echo. (Repeat entire column)

Short Vowel e
met
red
ten
yes



Directions: I say words, we say words, you say words.
Error Correction: I say word and you echo. (Repeat entire column)

Long Vowel e
Pete
eve

a-I say the silent e at the end makes the first vowel long.
b-I say words, we say words, you say words.
Error Correction: I say word and you echo. (Repeat entire column)

Short Vowel Review					
Word	rap	beg	nip	mom	gut
Copy	_____	_____	_____	_____	_____
	-----	-----	-----	-----	-----
	_____	_____	_____	_____	_____

Directions: You say sounds of a word. Then, you say the word and copy the word. (Repeat for next word) **Error Correction:** I provide correct response and you echo.
Note: /k/ spelled c before a, o, and u. /k/ spelled k before e and i.

Word	Trace	Word	Trace
go		there	

1-Word: I say word and you echo word, we say word, you say word. **Error Correction:** I correctly say word and you echo.

2-Trace: You say letter name and trace letter (Repeat for each letter). You say word. (Repeat steps 1-2 for next word) **Error Correction:** If error, you erase and correctly say letter name and trace w/ support.

Incremental Rehearsal

go	by	one	what	said	have	they
there	when	as	do	if	how	from

Incremental Rehearsal Directions: You say target word (TW) in bold box. **Repeat and add one box:** TW, box 1; TW, box 1, box 2; repeat until all boxes are completed. **Error Correction:** I say correct word and you echo word, you repeat rehearsal (example: TW, box 1, box 2).

Reading Fluency and Print Concepts (finger tracking)

Bake a Cake

I had fun with Jen. We made a cake.

It was fun to mix it. It was fun to bake it.

We fed it to mom and dad. It is fun to bake.

1-Print Concept Directions: You follow along with your finger. **Error Correction:** I point to correct finger location.

2-Reading Fluency Directions: I read sentence and you echo, we read sentence, you read sentence (Repeat for all sentences in story). You read story. **Error Correction:** I say word and you echo, repeat sentence. **Note:** Underlined words or parts stretch phonetic word skills.

Weekly Words		Monthly Review	a-Weekly: I say words, we say words, you say words (Repeat all steps for next column) b-Monthly: I say words, we say words, you say words. Error Correction: I say word and you echo. (Repeat entire column)
all	from	on	
had	have	can	
are	how	I	
an	said	it	
they	if	for	

5RiversOnline Update

11.03.22



Part-time and Full-time

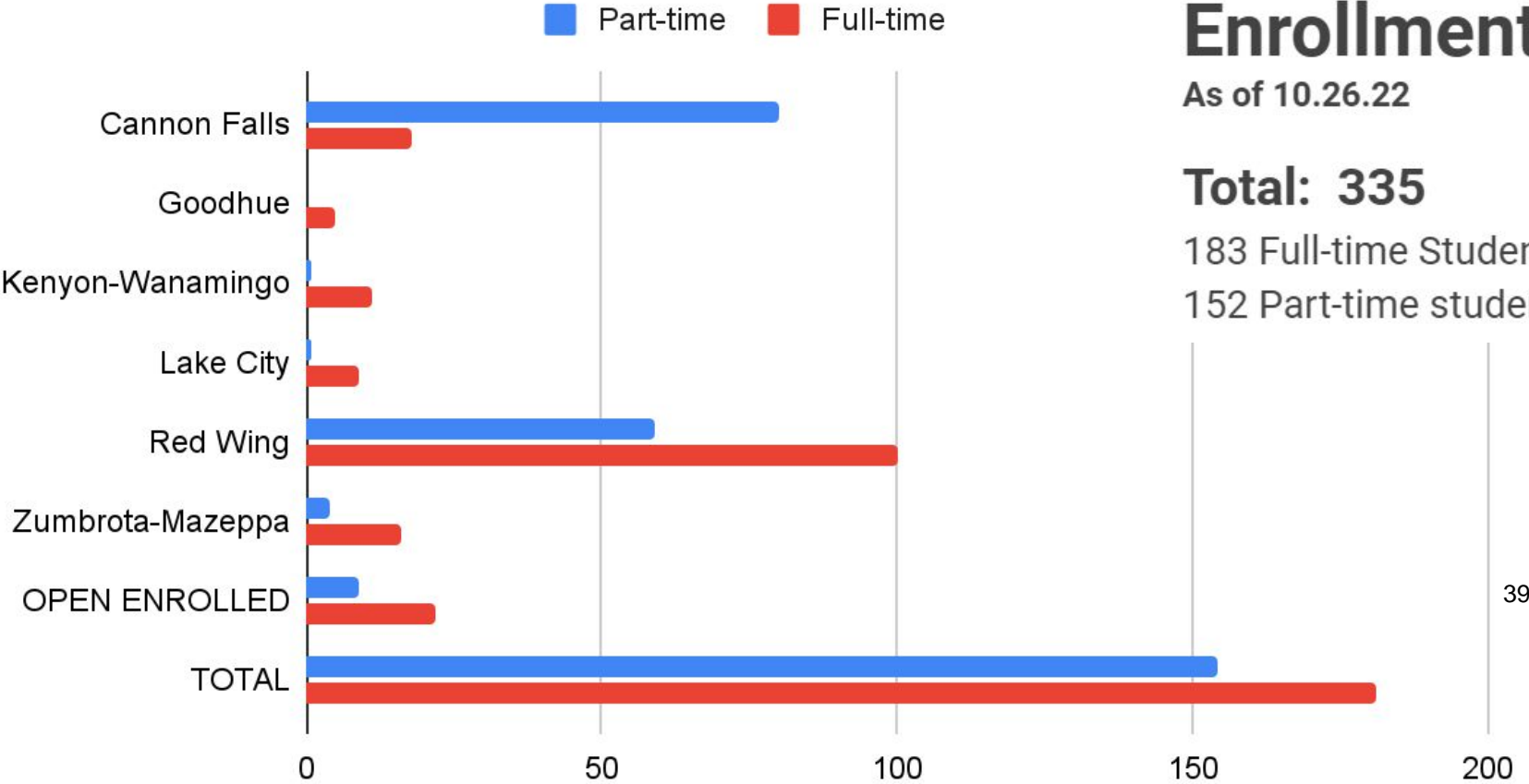
2022-23 Enrollment

As of 10.26.22

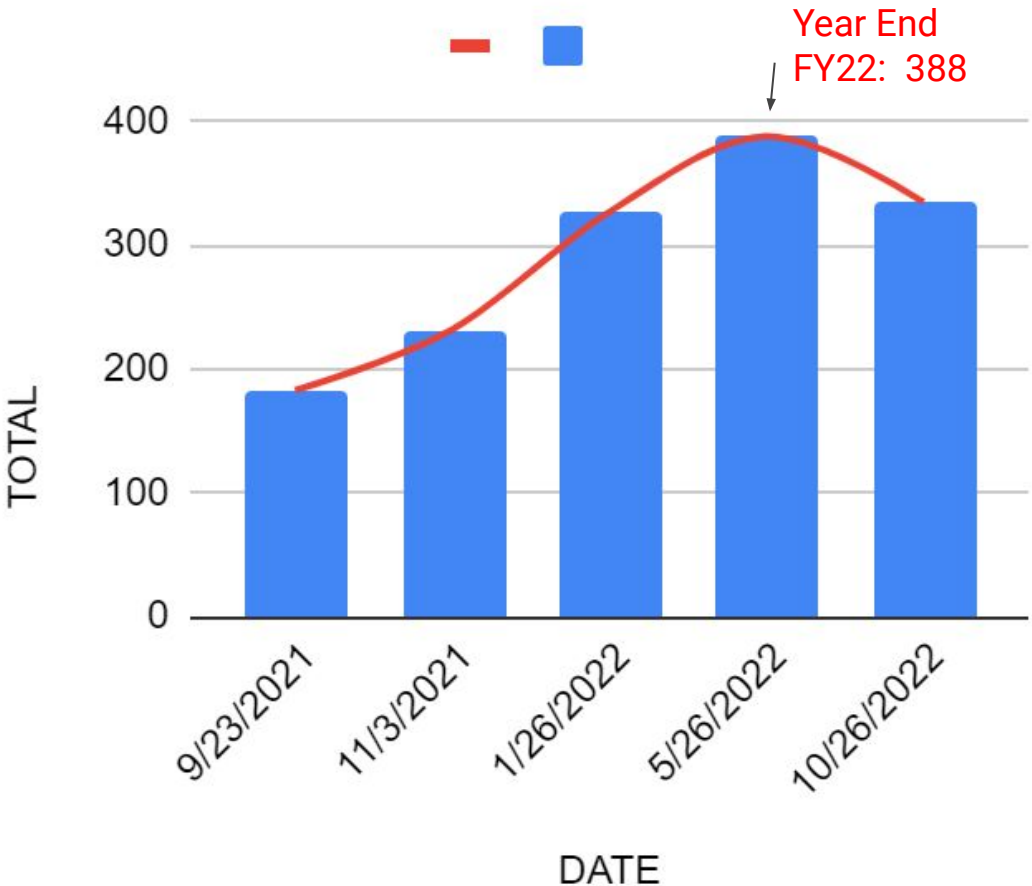
Total: 335

183 Full-time Students

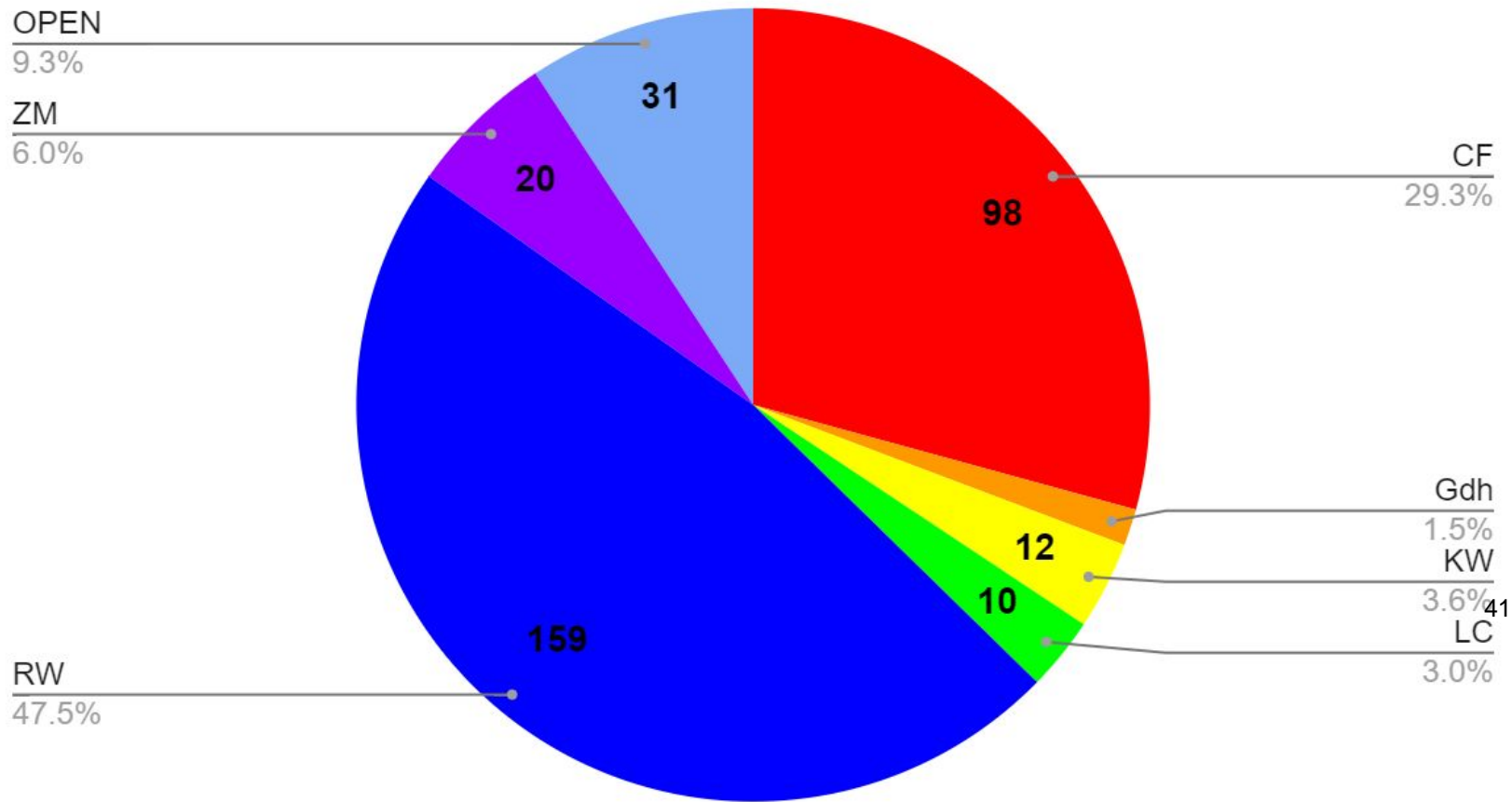
152 Part-time students



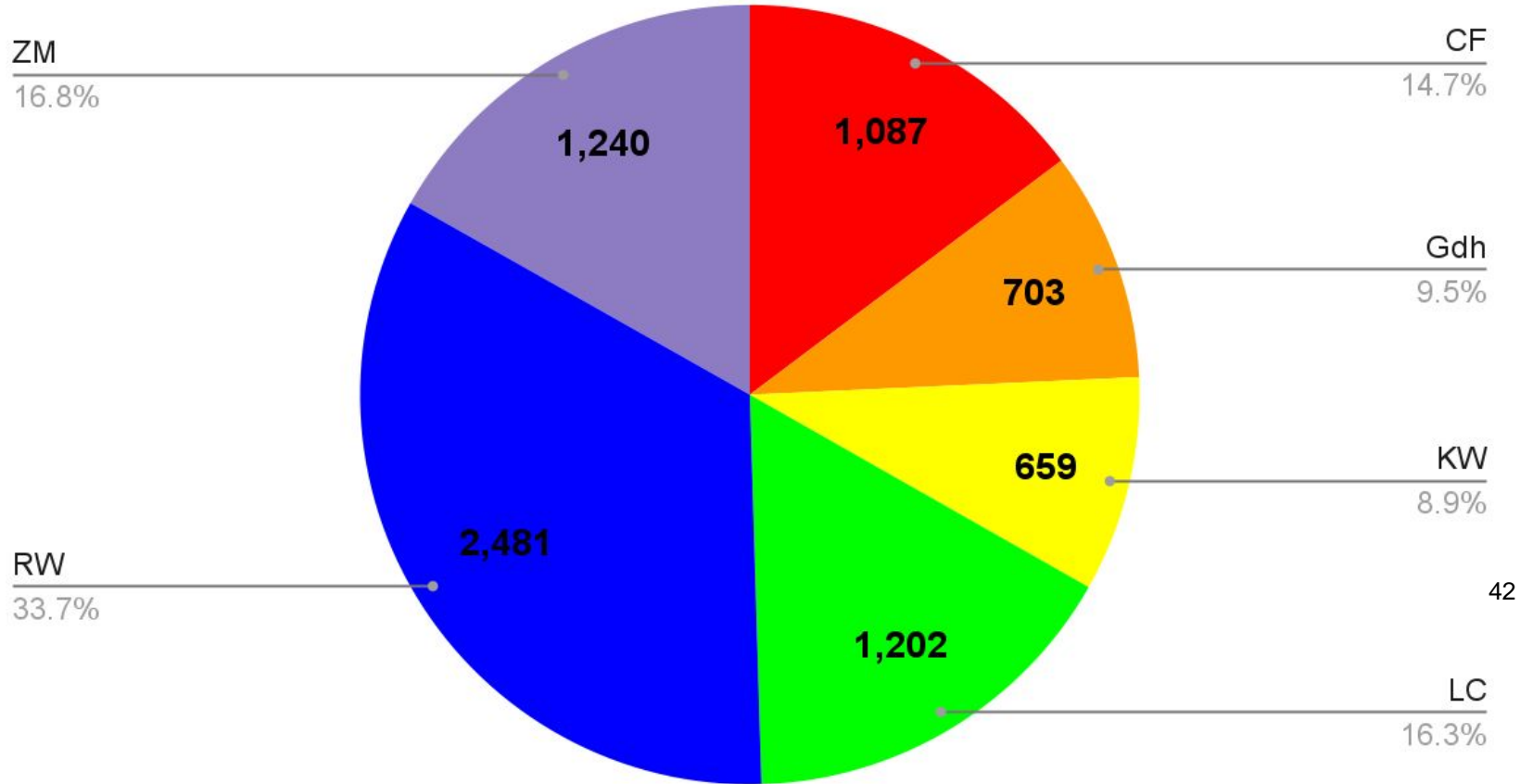
TOTAL ENROLLMENT



Total 5RO Enrollment



Oct. 1, 2021 MDE GCED Districts Enrollment



5RO Elementary Enrollment – 31 Students

5RO Secondary Enrollment– 304 Students

Changes this Year for Students, Families and Districts

- Synchronous learning for a portion of 7th & 8th grade day.
- Updated attendance procedures & requirements.
 - Revised truancy process for Goodhue County
 - Increased Communication with Member Districts
- Career Readiness Class for Seniors
- RW College Promise
- Monthly Field Trips/Meet-ups for elementary students
- Full time core area teachers
- Online registration

FY23 5RO Staff of Record

Full Time Staff

Jennifer Sharp - Grades K-3

Sara Thompson - Grades K-3

Amanda Ean - Grades 4-6

Dana Simmons - Grades 4-6

Heather Zeissler - English Language Arts 7-12

Mike Matuska - Math 7-12

Maggie Morse - Science 7-12

Catherine Roath - Social Studies 7-12

Doug Toivonen - Physical Ed/Health K-12

Alea Cekalla - K-6 Special Education

Stacey Hauschildt - 7-12 Special Education

PT Elective Staff

Katie Rausch - Art

Dan Marrs - Music & Social Emotional Lrng

Laurie McNallie - Family & Consumer Science

Kayla Anderson - Computer Science

Lisa Toivonen - World Languages

Support Staff

Heidi Raasch - Counselor

Carrie Hansen - Special Education Coordinator

Kendra Holdorf - Social Worker

Lisa Banks - Building Support Specialist

Works in Progress

- Infinite Campus scheduling/uploading of information **COMPLETE**
- Curriculum needs/delivery/checkout system **COMPLETE**
- MARSS coordination **COMPLETE**
- Non-Profits & Rol's coordination **COMPLETE**
- Parent Portal **COMPLETE**
- Procedures/flowcharts/policy proposals **ONGOING**
- Kim at TV **ONGOING**
- OLL submission/state group memberships **ONGOING**
- Semester billing **ONGOING**
- MTSS work **ONGOING**
- Staff teaming **ONGOING**
- Website updates **ONGOING**
- Budgeting **ONGOING**
- Newsletter/Online communication⁴⁵
!!
- Technology Integration with Edgenuity & Infinite Campus **SEMESTER 2**
- Future expansion planning **ONGOING**

Year One Revenues & Expenditures for 5R0



General Education **Basic** Formula Allowance

- The basic formula allowance comprises more than 70% of general education revenue.
- **The basic formula allowance for FY22 was \$6,728 per pupil unit** (adjusted weighted average daily membership).
- The basic formula allowance is the **same for every school district in the state.**



What is General Education Revenue (GER)?

GER is the primary formula for providing general operating funds to school districts and is composed of:

- basic formula allowance;
- extended time revenue;
- declining pupil revenue;
- local optional revenue;
- gifted and talented revenue;
- basic skills revenue, including EL and compensatory revenue;
- elementary and secondary sparsity revenue;
- transportation revenue;
- operating capital;
- equity revenue;
- small schools revenue;
- pension adjustment reserve;
- and transition revenue



Member District GER

Cannon

Goodhue

Kenyon-Wanamingo

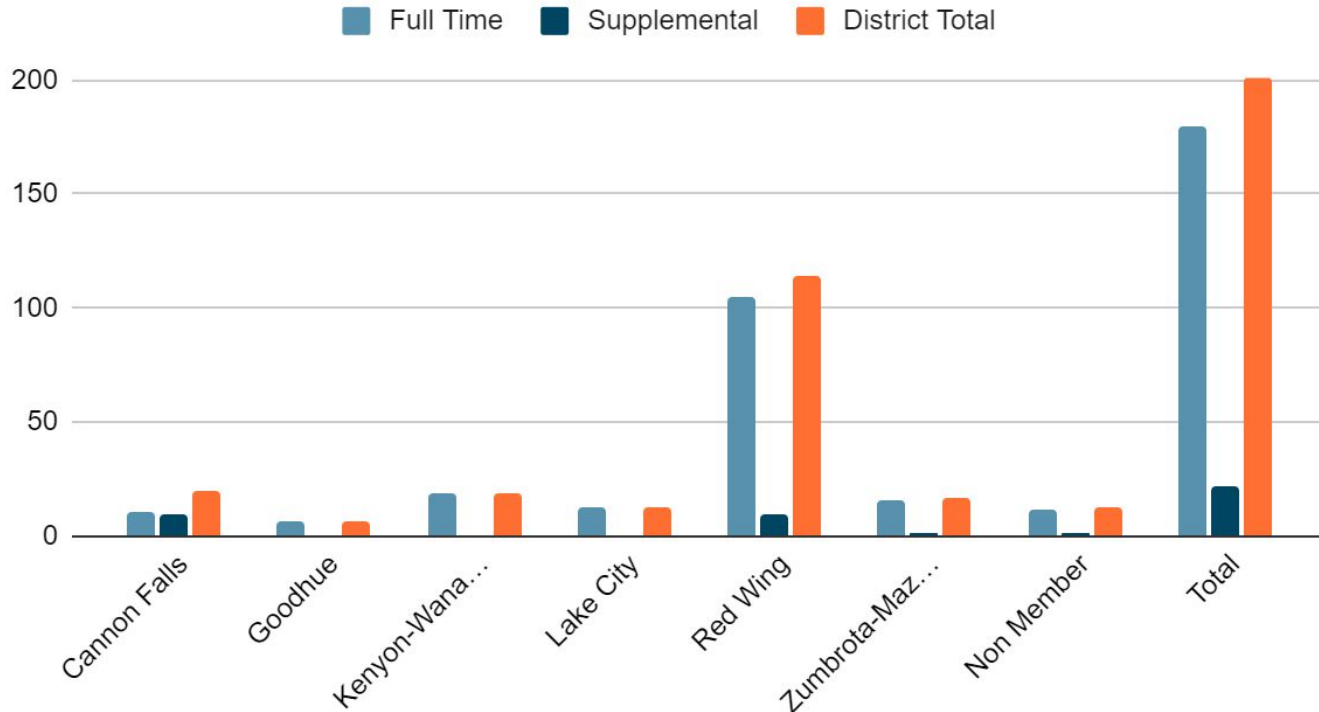
Lake City

Red Wing

Zumbrota-Mazeppa

Average Daily Membership (ADMs) 2021-22

2021-22 ADM Served



2021-22 Revenues

From **Non Members** - \$106,041.29

From **Members** - \$1,075,187.40

Total - \$1,181,228.69

53.7%

Cost per Adjusted Pupil Unit for Members

- Elementary - \$4,495.73
- Secondary - \$4,384.73

2021-22 Expenditures

Administrative Costs:

Principal Salary & Benefits - \$154,321.68

Advertising - \$16,186.48

Postage - \$523.90

Travel/Training - \$802.36

General Supplies - \$1471.61

Technology - \$24,543.58

Total Administrative Costs - \$197,849.61

2021-22 Expenditures

5RO Elementary

Staff Salaries & Benefits - \$237,407.03

Field Trips - \$410.00

Supplies - \$1924.83

Substitutes - \$2154.60

Total Elementary Costs - \$241,896.46

5RO Secondary

Staff Salaries & Benefits -
\$581,276.71

Supplies - \$2027.11

Contracted PSEO - \$1668

Edgenuity - \$155,301

Substitutes - \$1,209.80

Total Secondary Costs - \$741,482.62

Total Revenues and Expenditures

Revenues - \$1,181,228.69

Expenditures - \$1,181,228.69

Administrative - \$197,849.61

Elementary - \$241,896.46

Secondary - \$741,482.62

Net - \$0



Changes for Year Two

- Mid year billing for comprehensive students
- Quarterly or mid year reports to MDE for supplemental student revenue flow
- Having more trend data available for staffing projections will continue to help build sustainable programming



V. **Old Business:**

- A. Support Staff Data and Recommendation
- B. 2nd Reading of Policies 209, 410, 415, 416

57

415 MANDATED REPORTING OF MALTREATMENT OF VULNERABLE ADULTS

[Note: This policy reflects the mandatory law regarding reporting maltreatment of vulnerable adults and is not discretionary in nature.]

I. PURPOSE

The purpose of this policy is to make clear the statutory requirements of education district personnel to report suspected maltreatment of vulnerable adults.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the education district is to fully comply fully with Minnesota Statutes section 626.557 requiring education district personnel to report suspected maltreatment of vulnerable adults.
- B. A violation of this policy occurs when any district personnel fails to report suspected maltreatment of vulnerable adults when the district personnel has reason to believe that a vulnerable adult is being or has been maltreated, or has knowledge that a vulnerable adult has sustained a physical injury which is not reasonably explained.

III. DEFINITIONS

A. "Abuse" means:

1. An act against a vulnerable adult that constitutes a violation of, an attempt to violate, or aiding and abetting a violation of: (1) assault in the first through fifth degrees as defined in Minnesota Statutes sections 609.221 to 609.224; (2) the use of drugs to injure or facilitate crime as defined in Minnesota Statutes section 609.235; (3) the solicitation, inducement, and promotion of prostitution as defined in Minnesota Statutes section 609.322; and (4) criminal sexual conduct in the first through fifth degrees as defined in Minnesota Statutes sections 609.342 to 609.3451. A violation includes any action that meets the elements of the crime, regardless of whether there is a criminal proceeding or conviction.
2. Conduct which is not an accident or therapeutic conduct as defined in Minnesota Statutes section 626.5572 which produces or could reasonably be expected to produce physical pain or injury or emotional distress including, but not limited to, the following: (1) hitting, slapping, kicking, pinching, biting, or corporal punishment of a vulnerable adult; (2) use of repeated or malicious oral, written, or gestured language toward a vulnerable adult or the treatment of a vulnerable adult which would be considered by a reasonable person to be disparaging, derogatory, humiliating, harassing, or threatening; (3) use of any aversive or deprivation

procedure, unreasonable confinement, or involuntary seclusion, including the forced separation of the vulnerable adult from other persons against the will of the vulnerable adult or the legal representative of the

vulnerable adult; and (4) use of any aversive or deprivation procedures for persons with developmental disabilities or related conditions not authorized under Minnesota Statutes section 245.825.

3. Any sexual contact or penetration as defined in Minn. Stat. § 609.341 between a facility staff person or a person providing services in the facility and a resident, patient, or client of that facility.

4. The act of forcing, compelling, coercing, or enticing a vulnerable adult against the vulnerable adult's will to perform services for the advantage of another.

Abuse does not include actions specifically excluded by Minnesota Statutes section 626.5572, Subd. 2.\

- B. "Caregiver" means an individual or facility who has responsibility for the care of a vulnerable adult as a result of a family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, by contract, or by agreement.
- C. "Common entry point" means the entity responsible for receiving reports of alleged or suspected maltreatment of a vulnerable adult and designated by the Commissioner of the Minnesota Department of Human Services as the MN Adult Abuse Reporting Center (MAARC).
- D. "Financial Exploitation" means a breach of a fiduciary duty by an actor's unauthorized expenditure of funds entrusted to the actor for the benefit of the vulnerable adult or by an actor's failure to provide food, clothing, shelter, health care, therapeutic conduct or supervision, the failure of which results or is likely to result in detriment to the vulnerable adult. Financial exploitation also includes: the willful use, withholding or disposal of funds or property of a vulnerable adult; the obtaining of services for wrongful profit or advantage which results in detriment to the vulnerable adult; the acquisition of a vulnerable adult's funds or property through undue influence, harassment, duress, deception or fraud; and the use of force, coercion, or enticement to cause a vulnerable adult to perform services against the vulnerable adult's will for the profit or advantage of another.
- E. "Immediately" means as soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received.
- F. "Mandated Reporters" means a professional or professional's delegate while engaged in education.
- G. "Maltreatment" means the neglect, abuse, or financial exploitation of a vulnerable adult.
- H. "Neglect" means the failure or omission by a caregiver to supply a vulnerable adult with care or services, including but not limited to, food, clothing, shelter, health care, or supervision which is: (1) reasonable and necessary to obtain or maintain the vulnerable adult's physical or mental health or safety, considering the physical and mental capacity or dysfunction of the vulnerable adult; and (2) which is not the result

of an accident or therapeutic conduct.

- I. Neglect also means includes the absence or likelihood of absence of care or services, including but not limited to, food, clothing, shelter, health care, or supervision necessary to maintain the physical and mental health of the vulnerable adult which a reasonable person would deem essential to obtain or maintain the vulnerable adult's health, safety, or comfort considering the physical or mental capacity or dysfunction of the vulnerable adult. Neglect does not include actions specifically excluded by Minnesota Statutes section 626.5572, Subd. 17.
- J. "Education district personnel" means professional employees or their delegates of the education district engaged in providing health, educational, social, psychological, law enforcement, or other caretaking services of vulnerable adults.
- K. "Vulnerable Adult" means any person 18 years of age or older who: (1) is a resident or inpatient of a facility; (2) receives services required to be licensed under Minnesota Statutes chapter 245A, except as excluded under Minnesota Statutes section 626.5572, Subd. 21(a)(2); (3) receives services from a licensed home care provider or person or organization that offers, provides, or arranges for personal care assistance services under the medical assistance program; or (4) regardless of residence or whether any type of service received, possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction that impairs the person's ability to provide adequately for the individual's own care without assistance or supervision and, because of the dysfunction or infirmity and need for care or services, has an impaired ability to protect the individual's self from maltreatment.

IV. REPORTING PROCEDURES

- A. A mandated reporter as defined herein shall immediately report the suspected maltreatment to the common entry point responsible for receiving reports.
- B. Whenever a mandated reporter, as defined herein, knows or has reason to believe that an individual made an error in the provision of therapeutic conduct to a vulnerable adult which results in injury or harm, which reasonably requires the care of a physician, such information shall be reported immediately to the designated county agency. The mandated reporter also may report a belief that the error did not constitute neglect and why the error does not constitute neglect.
- C. The report shall, to the extent possible identify the vulnerable adult, the caregiver, the nature and extent of the suspected maltreatment, any evidence of previous maltreatment, the name and address of the reporter, the time, date, and location of the incident, and any other information that the reporter believes might be helpful in investigating the suspected abuse or neglect. A mandated reporter may disclose *not public data*, as defined under Minnesota Statutes section 13.02, to the extent necessary to comply with the above reporting requirements.
- D. A person mandated to report suspected maltreatment of a vulnerable adult who negligently or intentionally fails to report is liable for damages caused by the

failure. A negligent or intentional failure to report may result in discipline. A mandatory reporter who intentionally fails to make a report, who knowingly provides false or misleading information in reporting, or who intentionally fails to provide all the material circumstances surrounding the reported incident may be guilty of a misdemeanor.

- E. Retaliation against a person who makes a good faith report under Minnesota law and this policy, or against vulnerable adult who is named in a report is prohibited.
- F. Any person who intentionally makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury. The intentional making of a false report may result in discipline.

V. INVESTIGATION

The responsibility for investigating reports of suspected maltreatment of a vulnerable adult rests with the entity designated by the county for receiving reports.

VI. DISSEMINATION OF POLICY AND TRAINING

- A. This policy should appear in education district personnel handbooks where as appropriate.
- B. The education district will develop a method of discussing this policy with employees as appropriate.
- C. This policy should be reviewed at least annually for compliance with state law.

Legal References: Minn. Stat. § 13.02 (Government Data Practices; Definitions)
Minn. Stat. C. 245A (Human Services Licensing)
Minn. Stat. § 245.825 (Aversive and Deprivation Procedures; Licensed Facilities and Services)
Minn. Stat. §§ 609.221-609.224 (Assault)
Minn. Stat. § 609.232 (Crimes Against Vulnerable Adults; Definitions)
Minn. Stat. § 609.235 (Use of Drugs to Injure or Facilitate Crime)
Minn. Stat. § 609.322 (Solicitation, Inducement, and Promotion of Prostitution; Sex Trafficking)
Minn. Stat. § 609.341 (Definitions)
Minn. Stat. §§ 609.342-609.3451 (Criminal Sexual Conduct)
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)
Minn. Stat. § 626.5572 (Definitions)
In re Kleven, 736 N.W.2d 707 (Minn. App. 2007)

Cross References: MSBA/MASA Model Policy 103 (Complaints – Students, Employees, Parents, Other Persons)
MSBA/MASA Model Policy 211 (Criminal or Civil Action Against

School District, School Board Member, Employee, or Student)
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal
of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)

415-4

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

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

415-5

415-6

410 FAMILY AND MEDICAL LEAVE POLICY

[Note: School districts are required by statute to have a policy addressing these issues.]

I. PURPOSE

The purpose of this policy is to provide for family and medical leave to education district employees in accordance with the Family and Medical Leave Act of 1993 (FMLA) and also with parenting leave under state law.

II. GENERAL STATEMENT OF POLICY

The following procedures and policies regarding family and medical leave are adopted by the education district, pursuant to the requirements of the FMLA and consistent with the requirements of the Minnesota parenting leave laws.

III. DEFINITIONS

A. "Covered active duty" means:

1. in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
2. in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in 10 United States Code section 101(a)(13)(B).

B. "Covered servicemember" means:

1. a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
2. a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including a member of the National Guard or Reserves, and was discharged or released under conditions other than dishonorable, at any time during the period of five years preceding the first date the eligible employee takes FMLA leave to care for the covered veteran.

- C. "Eligible employee" means an employee who has been employed by the education district for a total of at least 12 months and who has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave. An employee returning from fulfilling his or her Uniformed Services Employment and Reemployment Rights Act (USERRA)-covered service obligation shall be credited with the hours of service that would have been performed but for the period of absence from work due to or necessitated by USERRA-covered service. In determining whether the employee met the hours of service requirement, and to determine the hours that would have been worked during the period of absence from work due to or necessitated by USERRA-covered service, the employee's pre-service work schedule can generally be used for calculations. While the 12 months of employment need not be consecutive, employment periods prior to a break in service of seven years or more may not be counted unless: (1) the break is occasioned by the employee's fulfillment of his or her USERRA-covered service obligation; or (2) a written agreement, including a collective bargaining agreement, exists concerning the education district's intention to rehire the employee after the break in service.
- D. "Military caregiver leave" means leave taken to care for a covered servicemember with a serious injury or illness.
- E. "Next of kin of a covered servicemember" means the nearest blood relative other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin, and the employee may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin.
- F. "Outpatient status" means, with respect to a covered servicemember who is a current member of the Armed Forces, the status of a member of the Armed Forces assigned to:
1. a military medical treatment facility as an outpatient; or
 2. a unit established for the purpose of providing command and control of members of the Armed Forces receiving care as outpatients.

G. “Qualifying exigency” means a situation where the eligible employee seeks leave for one or more of the following reasons:

1. to address any issues that arise from a short-notice deployment (seven calendar days or less) of a covered military member;
2. to attend military events and related activities of a covered military member;
3. to address issues related to childcare and school activities of a covered military member’s child;
4. to address financial and legal arrangements for a covered military member;
5. to attend counseling provided by someone other than a health care provider for oneself, a covered military member, or his/her child;
6. to spend up to 15 calendar days with a covered military member who is on short-term, temporary rest and recuperation leave during a period of deployment;
7. to attend post-deployment activities related to a covered military member;
8. to address care needs of a covered military member’s parent who is incapable of self-care; and
9. to address other events related to a covered military member that both the employee and education district agree is a qualifying exigency.

H. “Serious health condition” means an illness, injury, impairment, or physical or mental condition that involves:

1. inpatient care in a hospital, hospice, or residential medical care facility; or 2. continuing treatment by a health care provider.

I. “Spouse” means a husband or wife. For purposes of this definition, husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into or, in the case of a marriage entered into outside of any state, if the marriage is valid in the place where entered into and could have been entered into in at least one state. This definition includes an individual in a same-sex or common law marriage that either: (1) was entered into in a state that recognizes such marriages; or (2) if entered into outside of any state, is valid in the place where entered into and could have been entered into in at least one state.

J. “Veteran” has the meaning given in 38 United States Code section 101.

IV. LEAVE ENTITLEMENT

A. Twelve-week Leave under Federal Law

1. Eligible employees are entitled to a total of 12 work weeks of unpaid family or medical leave during the applicable 12-month period as defined below, plus any additional leave as required by law. Leave may be taken for one or more of the following reasons in accordance with applicable law:
 - a. birth of the employee's child and to care for such child;
 - b. placement of an adopted or foster child with the employee;
 - c. to care for the employee's spouse, son, daughter, or parent with a serious health condition;
 - d. the employee's serious health condition makes the employee unable to perform the functions of the employee's job; and/or
 - e. any qualifying exigency arising from the employee's spouse, son, daughter, or parent being on covered active duty, or notified of an impending call or order to cover active duty in the Armed Forces.
2. For the purposes of this policy, "year" is defined as a rolling 12-month period measured backward from the date an employee's leave is to commence.

[Note: An employer is permitted to choose any one of the following methods for determining the 12-month period in which the 12 weeks of FMLA leave entitlement occurs: (a) the calendar year; (b) any fixed 12-month leave year, such as a fiscal year, a year required by State law, or a year starting on an employee's anniversary date; (c) the 12-month period measured forward from the date any employee's first FMLA leave; or (d) a "rolling" 12-month period measured backward from the date an employee uses any FMLA leave. It is recommended, however, that districts use the 12-month rolling measurement as it prevents employees from stacking 12-week leave entitlement that could occur if, for example, a calendar or fiscal year is utilized. Where a calendar, fiscal or similar period is used, an employee could use 12 weeks at the end of the period and then again at the beginning of the period, providing an entitlement to a leave of 24 consecutive weeks. If a district changes its definition of a "year" in this policy, it must give employees notice of at least 60 days before implementing this change.]

3. An employee's entitlement to FMLA leave for the birth, adoption, or foster care of a child expires at the end of the 12-month period beginning on the date of the birth or placement.
4. A "serious health condition" typically requires either inpatient care or continuing treatment by or under the supervision of a health care provider, as defined by applicable law. Family and medical leave generally is not intended to cover short-term conditions for which treatment and recovery are very brief.

5. A “serious injury or illness,” in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means:

- a. injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; and
- b. in the case of a covered veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time, during the period of five years preceding the date on which the veteran undergoes the medical treatment, recuperation, or therapy, means a qualifying injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member’s active duty and was aggravated by service in the line of duty in the Armed Forces and that manifested itself before or after the member became a veteran, and is:
 - (1) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember’s office, grade, rank, or rating; or
 - (2) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service Related Disability (VASRD) rating of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
 - (3) a physical or mental condition that substantially impairs the covered veteran’s ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
 - (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

6. Eligible spouses employed by the education district are limited to an aggregate of 12 weeks of leave during any 12-month period for the birth and care of a newborn child or adoption of a child, the placement of a child for foster care, or to care for a parent. This limitation for spouses employed by the education district does not apply to leave taken: by one spouse to care for the other spouse who is seriously ill; to care for a child with a serious health condition; because of the employee's own serious health condition; or pursuant to Paragraph IV.A.1.e. above.
7. Depending on the type of leave, intermittent or reduced schedule leave may be granted at the discretion of the education district or when medically necessary. However, part-time employees are only eligible for a pro-rata portion of leave to be used on an intermittent or reduced schedule basis, based on their average hours worked per week. Where an intermittent or reduced schedule leave is foreseeable based on planned medical treatment, the education district may transfer the employee temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position, and which has equivalent pay and benefits.
8. If an employee requests a leave for the serious health condition of the employee or the employee's spouse, child, or parent, the employee will be required to submit sufficient medical certification. In such a case, the employee must submit the medical certification within 15 days from the date of the request or as soon as practicable under the circumstances.
9. If the education district has reason to doubt the validity of a health care provider's certification, it may require a second opinion at the education district's expense. If the opinions of the first and second health care providers differ, the education district may require certification from a third health care provider at the education district's expense. An employee may also be required to present a certification from a health care provider indicating that the employee is able to return to work.
10. Requests for leave shall be made to the education district. When leave relates to an employee's spouse, son, daughter, parent, or covered servicemember being on covered active duty, or notified of an impending call or order to covered active duty pursuant to Paragraph IV.A.1.e. above, and such leave is foreseeable, the employee shall provide reasonable and practical notice to the education district of the need for leave. For all other leaves, employees must give 30 days' written notice of a leave of absence where practicable. The failure to provide the required notice may result in a delay of the requested leave. Employees are expected to make a reasonable effort to schedule leaves resulting from planned medical treatment so as not to disrupt unduly the operations of the education district, subject to and in coordination with the health care provider.

11. The education district may require that a request for leave under Paragraph IV.A.1.e. above be supported by a copy of the covered military member's active duty orders or other documentation issued by the military indicating active duty or a call to active duty status and the dates of active duty service. In addition, the education district may require the employee to provide sufficient certification supporting the qualifying exigency for which leave is requested.
12. During the period of a leave permitted under this policy, the education district will provide health insurance under its group health plan under the same conditions coverage would have been provided had the employee not taken the leave. The employee will be responsible for payment of the employee contribution to continue group health insurance coverage during the leave. An employee's failure to make necessary and timely contributions may result in termination of coverage. An employee who does not return to work after the leave may be required, in some situations, to reimburse the education district for the cost of the health plan premiums paid by it.
13. The education district may request or require the employee to substitute accrued paid leave for any part of the 12-week period. Employees may be allowed to substitute paid leave for unpaid leave by meeting the requirements set out in the administrative directives and guidelines established for the implementation of this policy, if any. Employees eligible for leave must comply with the family and medical leave directives and guidelines prior to starting leave. The executive director shall be responsible to develop directives and guidelines as necessary to implement this policy. Such directives and guidelines shall be submitted to the education district board for annual review.

The education district shall comply with written notice requirements as set forth in federal regulations.

14. Employees returning from a leave permitted under this policy are eligible for reinstatement in the same or an equivalent position as provided by law. However, the employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the leave.

B. Twelve-week Leave under State Law

An employee who does not qualify for parenting leave under Paragraphs IV.A.1.a. or IV.A.1.b. above may qualify for a 12-week unpaid leave which is available to a biological or adoptive parent in conjunction with the birth or adoption of a child, or to a female employee for prenatal care or incapacity due to pregnancy, childbirth, or related health conditions. The length of the leave shall be determined by the employee but must not exceed 12 weeks unless agreed to by the education district. The employee may qualify if he or she has worked for the education district for at least 12 months and has worked an average number of hours per week equal to one-half of the full time equivalent during the 12-month period immediately preceding the leave. This leave is separate and exclusive of the family and medical leave described in the preceding paragraphs but may be reduced by any period of paid parental, disability, personal, or medical, or sick leave, or accrued vacation provided by the education district, so that the total leave does not exceed 12 weeks, unless agreed to by the school district, or leave taken for the same purpose under the FMLA. The leave taken under this section shall begin at a time requested by the employee. An employee who plans to take leave under this section must give the school district reasonable notice of the date the leave shall commence and the estimated duration of the leave. For leave taken by a biological or adoptive parent in conjunction with the birth or adoption of a child, the leave must begin within 12 months of the birth or adoption; except that, in the case where the child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital.

C. Twenty-six-week Servicemember Family Military Leave

1. An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember shall be entitled to a total of 26 work weeks of leave during a 12-month period to care for the servicemember. The leave described in this paragraph shall be available only during a single 12-month period. For purposes of this leave, the need to care for a servicemember includes both physical and psychological care.
2. During a single 12-month period, an employee shall be entitled to a combined total of 26 work weeks of leave under Paragraphs IV.A. and IV.C. above.
3. The 12-month period referred to in this section begins on the first day the eligible employee takes leave to care for a covered servicemember and ends 12 months after that date.
4. Eligible spouses employed by the education district are limited to an aggregate of 26 weeks of leave during any 12-month period if leave is taken for birth of the employee's child or to care for the child after birth; for placement of a child with the employee for adoption or foster care or to care for the child after placement; to care for the employee's parent with a serious health condition; or to care for a covered servicemember with a serious injury or illness.

5. The education district may request or require the employee to substitute accrued paid leave for any part of the 26-week period. Employees may be allowed to substitute paid leave for unpaid leave by meeting the requirements set out in the administrative directives and guidelines established for the implementation of this policy, if any. Employees eligible for leave must comply with the family and medical leave directives and guidelines prior to starting leave.
6. An employee will be required to submit sufficient medical certification issued by the health care provider of the covered servicemember and other information in support of requested leave and eligibility for such leave under this section within 15 days from the date of the request or as soon as practicable under the circumstances.
7. The provisions of Paragraphs IV.A.7., IV.A.10., IV.A.12., IV.A.13., and IV.A.14. above shall apply to leaves under this section.

V. SPECIAL RULES FOR INSTRUCTIONAL EMPLOYEES

- A. An instructional employee is one whose principal function is to teach and instruct students in a class, a small group, or an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors, and special education assistants.
- B. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule leave greater than 20 percent of the work days in the leave period may be required to:
 1. take leave for the entire period or periods of the planned medical treatment; or
 2. move to an available alternative position for which the employee is qualified, and which provides equivalent pay and benefits, but not necessarily equivalent duties.
- C. Instructional employees who request continuous leave near the end of a semester may be required to extend the leave through the end of the semester. The number of weeks remaining before the end of a semester does not include scheduled school breaks, such as summer, winter, or spring break.
 1. If an instructional employee begins leave for any purpose more than five weeks before the end of a semester and it is likely the leave will last at least three weeks, the education district may require that the leave be continued until the end of the semester.
 2. If the instructional employee begins leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the education district may require that the leave be continued until the end of the semester if the leave will last more than two weeks or if the employee's return from leave would occur during the last two weeks of the semester.

3. If the instructional employee begins leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, the education district may require the employee to continue taking leave until the end of the semester.
 4. If the education district requires an instructional employee to extend leave through the end of a semester as set forth in this paragraph, only the period of leave until the employee is ready and able to return to work shall be charged against the employee's FMLA leave entitlement. Any additional leave required by the education district to the end of the school term is not counted as FMLA leave but as an unpaid or paid leave, to the extent the instructional employee has accrued paid leave available and the education district shall maintain the employee's group health insurance and restore the employee to the same or equivalent job, including other benefits, at the conclusion of the leave.
- D. The entire period of leave taken under the special rules will be counted as leave. The education district will continue to fulfill the education district's leave responsibilities and obligations, including the obligation to continue the employee's health insurance and other benefits, if an instructional employee's leave entitlement ends before the involuntary leave period expires.

VI. OTHER

- A. The provisions of this policy are intended to comply with applicable law, including the FMLA and applicable regulations. Any terms used from the FMLA will have the same meaning as defined by the FMLA and/or applicable regulations. To the extent that this policy is ambiguous or contradicts applicable law, the language of the applicable law will prevail.
- B. The requirements stated in the collective bargaining agreement between employees in a certified collective bargaining unit and the education district regarding family and medical leaves (if any) shall be followed.

VII. DISSEMINATION OF POLICY

- A. A poster prepared by the U.S. Department of Labor summarizing the major provisions of the Family and Medical Leave Act and informing employees how to file a complaint shall be conspicuously posted in each education district building in areas accessible to employees and applicants for employment.
- B. This policy will be reviewed at least annually for compliance with state and federal law.

Legal References: Minn. Stat. §§ 181.940-181.944 (Parenting Leave and Accommodations) 10
U.S.C. § 101 *et seq.* (Armed Forces General Military Law)
29 U.S.C. § 2601 *et seq.* (Family and Medical Leave Act)
38 U.S.C. § 101 (Definitions)
29 C.F.R. Part 825 (Family and Medical Leave Act)

Cross References: MSBA

School Law Bulletin “M” (Licensed and Non-Licensed School District
Employee Leave)

209 CODE OF ETHICS

NOTE: A code of ethics establishes standards of conduct that members of a school board create and agree to follow. The principles and values embodied in this code of ethics prioritize board members' obligations to students, the district, and the community. As a written set of expectations, a code of ethics guides board members' decision making and behavior. This model policy offers a starting point for school boards as they create a code that establishes parameters for board member conduct that best serve their district. Minnesota law and rules of parliamentary procedure establish sanctions that a board may choose to pursue.]

I. PURPOSE

The purpose of this policy is to assist the individual education board member in understanding his or her role as part of an education district board and in recognizing the contribution that each member must make to develop an effective and responsible education district board.

II. GENERAL STATEMENT OF POLICY

Each education district board member shall follow the code of ethics stated in this policy.

A. AS A MEMBER OF THE EDUCATION DISTRICT BOARD, I WILL: 1. Attend

education district board meetings.

2. Come to the meetings prepared for discussion of the agenda items.

3. Listen to the opinions and views of others (including, but not limited to, other education district board members, administration, staff, students, and community members).

4. Vote my conscience after informed discussion, unless I abstain because a conflict of interest exists.

5. Support the decision of the education district board, even if my position concerning the issue was different.

6. Recognize the integrity of my predecessors and associates and appreciate their work.

7. Be primarily motivated by a desire to provide the best possible education for the students of my education district.

8. Inform myself about the proper duties and functions of an education district board member.

B. IN PERFORMING THE PROPER FUNCTIONS OF AN EDUCATION DISTRICT BOARD MEMBER, I WILL:

1. Focus on education policy as much as possible.
2. Remember my responsibility is to set policy – not to implement policy.
3. Consider myself a trustee of public education and do my best to protect, conserve, and advance its progress.
4. Recognize that my responsibility, exercised through the actions of the education district board as a whole, is to see that the education district programs are properly run – not to run them myself.
5. Work through the executive director – not over or around the executive director.
6. Delegate the implementation of education district board decisions to the executive director.

C. TO MAINTAIN RELATIONS WITH OTHER MEMBERS OF THE EDUCATION DISTRICT BOARD, I WILL:

1. Respect the rights of others to have and express opinions.
2. Recognize that authority rests with the education district board in legal session not with the individual members of the education district board except as authorized by law.
3. Make no disparaging remarks, in or out of education district board meetings, about other members of the education district board or their opinions.
4. Keep an open mind about how I will vote on any proposition until the board has met and fully discussed the issue.
5. Make decisions by voting in education district board meetings after all sides of debatable questions have been presented.
6. Insist that committees be appointed to serve only in an advisory capacity to the education district board.

D. IN MEETING MY RESPONSIBILITIES TO MY COMMUNITY, I WILL:

1. Attempt to appraise and plan for both the present and future educational needs of the education district and community.
2. Attempt to obtain adequate financial support for the education district's programs.
3. Insist that business transactions of the education district be ethical and open.
4. Strive to uphold my responsibilities and accountability to the taxpayers in my education district.

E. IN WORKING WITH THE EXECUTIVE DIRECTOR OF EDUCATION DISTRICTS AND STAFF, I WILL:

1. Hold the executive director responsible for the administration of the education district.
2. Give the executive director authority commensurate with his or her responsibilities.
3. Assure that the education district will be administered by the best professional personnel available.
4. Consider the recommendation of the executive director in hiring all employees.
5. Participate in education district board action after considering the recommendation of the executive director and only after the executive director has furnished adequate information supporting the recommendation.
6. Insist the executive director keep the education district board adequately informed at all times.
7. Offer the executive director counsel and advice.
8. Recognize the status of the executive director as the chief executive officer and a non-voting, ex officio member of the education district board.
9. Refer all complaints to the proper administrative officer or insist that they be presented in writing to the whole education district board for proper referral according to the chain of command.
10. Present any personal criticisms of employees to the executive director.

11. Provide support for the executive director and employees of the education district so they may perform their proper functions on a professional level.

F. IN FULFILLING MY LEGAL OBLIGATIONS AS AN EDUCATION DISTRICT BOARD MEMBER, I WILL:

1. Comply with all federal, state, and local laws relating to my work as an education district board member.
2. Comply with all education district policies as adopted by the education district board.
3. Abide by all rules and regulations as promulgated by the Minnesota Department of Education and other state and federal agencies with jurisdiction over education districts.
4. Recognize that education district business may be legally transacted only in an open meeting of the education district board.
5. Avoid conflicts of interest and refrain from using my education district board position for personal gain.
6. Take no private action that will compromise the education district board or administration.
7. Guard the confidentiality of information that is protected under applicable law.

Legal References: Minn. Stat. § 123B.02, Subd. 1 (School District Powers)
Minn. Stat. § 123B.09 (School Board Powers)
Minn. Stat. § 123B.143, Subd. 1 (Superintendent)

Cross References: MSBA Service Manual, Chapter 1, School Board Member Code of Ethics

416 DRUG AND ALCOHOL TESTING

[Note: Drug and alcohol testing of school bus drivers and applicants is mandatory under federal law. The mandatory testing is described under Part III. of the policy. Testing of other employees or testing of school bus drivers beyond that mandated by federal law is optional can be done under state law only if a policy containing provisions such as the provisions of Part IV. of this policy are adopted. To preserve the right to request or require education district employees who are not bus drivers and applicants to undergo drug and/or alcohol testing or to require bus drivers to submit to testing that is not federally mandated, an education district should adopt Part IV. as part of its drug and alcohol testing policy.]

I. PURPOSE

- A. The education district board recognizes the significant problems created by drug and alcohol use in society in general, and the public schools in particular. The education district board further recognizes the important contribution that the education districts have in shaping the youth of today into the adults of tomorrow.
- B. The education district board believes that a work environment free of drug and alcohol use will be not only safer, healthier, and more productive but also more conducive to effective learning. To provide such an environment, the purpose of this policy is to provide authority so that the education district board may require all employees and/or job applicants to submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in federal law and Minnesota Statutes, sections 181.950-181.957.

II. GENERAL STATEMENT OF POLICY

- A. All education district employees and job applicants whose positions require a commercial driver's license will be required to undergo drug and alcohol testing in accordance with federal law and the applicable provisions of this policy. The education district also may request or require that drivers submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minnesota Statutes, sections 181.950-181.957.
- B. The education district may request or require that any education district employee or job applicant, other than an employee or applicant whose position requires a commercial driver's license, submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minnesota Statutes, sections 181.950-181.957.

- C. The use, possession, sale, purchase, transfer, or dispensing of any drugs not medically prescribed, including medical cannabis, whether it has been prescribed for the employee, is prohibited on education district property (which includes education district vehicles), while operating education district vehicles or equipment, and at any education district-sponsored program or event. Use of drugs that are not medically prescribed, including medical cannabis, regardless of whether or not it has been prescribed for the employee, is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off education district property. Employees under the influence of drugs that are not medically prescribed are prohibited from entering or remaining on education district property.
- D. The use, possession, sale, purchase, transfer, or dispensing of alcohol is prohibited on education district property (which includes education district vehicles), while operating education district vehicles or equipment, and at any education district sponsored program or event. Use of alcohol is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off education district property. Employees under the influence of alcohol are prohibited from entering or remaining on education district property.
- E. Any employee who violates this section shall be subject to discipline that includes, but is not limited to, immediate suspension without pay and immediate discharge.

III. FEDERALLY MANDATED DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS

A. General Statement of Policy

All persons subject to commercial driver's license requirements shall be tested for alcohol, marijuana (including medical cannabis), cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP), pursuant to federal law. Drivers who test positive for alcohol or drugs shall be subject to disciplinary action, which may include termination of employment.

B. Definitions

1. "Actual Knowledge" means actual knowledge by the education district that a driver has used alcohol or controlled substances based on: (a) direct observation of the employee's use (not observation of behavior sufficient to warrant reasonable suspicion testing); (b) information provided by a previous employer; (c) a traffic citation; or (d) an employee's admission, except when made in connection with a qualified employee self-admission program.
2. "Alcohol Screening Device" (ASD) means a breath or saliva device, other than an Evidential Breath Testing Device (EBT), that is approved by the National Highway Traffic Safety Administration and placed on its Conforming Products List for such devices.

3. “Breath Alcohol Technician” (BAT) means an individual who instructs and assists individuals in the alcohol testing process and who operates the EBT.
4. “Commercial Motor Vehicle” (CMV) includes a vehicle that is designed to transport 16 or more passengers, including the driver.
5. “Designated Employer Representative” (DER) means an employee authorized by the school district to take immediate action to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation process. The DER receives test results and other communications for the education district.
6. “Department of Transportation” (DOT) means United States Department of Transportation.
7. “Direct Observation” means observation of alcohol or controlled substances use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing.
8. “Driver” is any person who operates a CMV, including full-time, regularly employed drivers, casual, intermittent or occasional drivers, leased drivers, and independent owner-operator contractors.
- 9 “Evidential Breath Testing Device” (EBT) means a device approved by the National Highway Traffic Safety Administration for the evidentiary testing of breath for alcohol concentration and placed on its Conforming Products List for such devices.
10. “Licensed Medical Practitioner” means a person who is licensed, certified, and/or registered, in accordance with applicable Federal, State, local, or foreign laws and regulations, to prescribe controlled substances and other drugs.
11. “Medical Review Officer” (MRO) means a licensed physician responsible for receiving and reviewing laboratory results generated by the education district’s drug testing program and for evaluating medical explanations for certain drug tests.
12. “Refusal to Submit” (to an alcohol or controlled substances test) means that a driver: (a) fails to appear for any test within a reasonable time, as determined by the education district, consistent with applicable DOT regulations, after being directed to do so; (b) fails to remain at the testing site until the testing process is complete; (c) fails to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test; (d) fails to permit the observation or monitoring of the driver’s provision of a specimen in the case of a directly observed or monitored collection in a drug test;

(e) fails to provide a sufficient breath specimen or sufficient amount of urine when directed and a determination has been made that no adequate medical explanation for the failure exists; (f) fails or declines to take an additional test as directed by the education district or the collector; (g) fails to undergo a medical examination or evaluation, as directed by the MRO or the DER; (h) fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector, fails to sign the certification on the forms); (i) fails to follow the observer's instructions, in an observed collection, to raise the driver's clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the driver has any type of prosthetic or other device that could be used to interfere with the collection process; (j) possesses or wears a prosthetic or other device that could be used to interfere with the collection process; (k) admits to the collector or MRO that the driver adulterated or substituted the specimen; or (l) is reported by the MRO as having a verified adulterated or substituted test result. An applicant who fails to appear for a pre-employment test, who leaves the testing site before the pre-employment testing process commences, or who does not provide a urine specimen because he or she has left before it commences is not deemed to have refused to submit to testing.

13. "Safety-sensitive functions" are on-duty functions from the time the driver begins work or is required to be in readiness to work until relieved from work and all responsibility for performing work, and include such functions as driving, loading and unloading vehicles, or supervising or assisting in the loading or unloading of vehicles, servicing, repairing, obtaining assistance to repair, or remaining in attendance during the repair of a disabled vehicle.
14. "Screening Test Technician" (STT) means anyone who instructs and assists individuals in the alcohol testing process and operates an ASD.
15. "Stand Down" means the practice of temporarily removing an employee from performing safety-sensitive functions based only upon a laboratory report to the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test before the MRO completes the verification process.
16. "Substance Abuse Professional" (SAP) means a qualified person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

C. Policy and Educational Materials

[Note: Federal regulations require that education districts provide materials to bus drivers explaining the education district's policies and procedures and the

federal requirements with respect to the mandatory drug and alcohol testing of bus drivers. 49 Code of Federal Regulations section 382.601. Most of the required information is contained within this model policy. Additional materials to be provided to employees are described in Paragraph 2. of Section C.]

1. The education district shall provide a copy of this policy and procedures to each driver prior to the start of its alcohol and drug testing program and to each driver subsequently hired or transferred into a position requiring driving of a CMV.
2. The education district shall provide to each driver information required under Title 49 of the Code of Federal Regulations, including information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or drug problem (the driver's or the co-worker's); and available methods of intervening when an alcohol or controlled substance problem is suspected, including confrontation, referral to an employee assistance program, and/or referral to management.
3. The education district shall provide written notice to representatives of employee organizations that the information described above is available.
4. The education district shall require each driver to sign a statement certifying that the driver has received a copy of the policy and materials. This statement should be in the form of Attachment A to this policy. The education district will maintain the original signed certificate and will provide a copy to the driver if the driver so requests.

[Note: The federal regulations require an education district to obtain a signed statement from each driver certifying that he or she has received a copy of these materials. 49 Code of Federal Regulations 382.601(d). The original signed certificate must be maintained by the education district and a copy may be provided to the driver.]

D. Alcohol and Controlled Substances Testing Program Manager

[Note: Education districts are required by federal regulations to designate a person to answer driver questions about the policy and the education materials described in Section C. above and to notify the drivers of the designation. 49 Code of Federal Regulations section 382.601(b)(1).]

1. The program manager will coordinate the implementation, direction, and administration of the alcohol and controlled substances testing policy for bus drivers. The program manager is the principal contact for the collection site, the testing laboratory, the MRO, the BAT, the SAP, and the person submitting to the test. Employee questions concerning this policy shall be directed to the program manager.
2. The education district shall designate a program manager and provide written notice of the designation to each driver along with this policy.

E. Specific Prohibitions for Drivers

[Note: The specific prohibitions for drivers are contained, in large part, in 49 Code of Federal Regulations 382.201-382.215.]

1. Alcohol Concentration. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. Drivers who test greater than 0.04 will be taken out of service and will be subject to evaluation by a professional and retesting at the driver's expense.
2. Alcohol Possession. No driver shall be on duty or operate a CMV while the driver possesses alcohol.
3. On-Duty Use. No driver shall use alcohol while performing safety-sensitive functions.
4. Pre-Duty Use. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.
5. Use Following an Accident. No driver required to take a post-accident test shall use alcohol for eight (8) hours following the accident, or until the driver undergoes a post-accident alcohol test, whichever occurs first.
6. Refusal to Submit to a Required Test. No driver shall refuse to submit to an alcohol or controlled substances test required by post-accident, random, reasonable suspicion, return-to-duty, or follow-up testing requirements. A verified adulterated or substituted drug test shall be considered a refusal to test.
7. Use of Controlled Substances. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to instructions (which have been presented to the education district) from a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that the substance does not adversely affect the driver's ability to safely operate a CMV. Controlled substances include medical cannabis, regardless of whether the driver is enrolled in the state registry program.
8. Positive, Adulterated, or Substituted Test for Controlled Substance. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive for controlled substances, including medical cannabis, or has adulterated or substituted a test specimen for controlled substances.

9. General Prohibition. Drivers are also subject to the general policies and procedures of the education district that prohibit possession, transfer, sale, exchange, reporting to work under the influence of drugs or alcohol, and consumption of drugs or alcohol while at work or while on education district premises or operating any education district vehicle, machinery, or equipment.

F. Other Alcohol-Related Conduct

[Note: Consequences for drivers engaging in alcohol-related conduct are described in the federal regulations. 49 Code of Federal Regulations section 382.505.]

No driver found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall perform safety-sensitive functions for at least twenty-four (24) hours following administration of the test. The education district will not take any action under this policy other than removal from safety-sensitive functions based solely on test results showing an alcohol concentration of less than 0.04 but may take action otherwise consistent with law and the policies of the education district.

G. Prescription Drugs/Cannabinoid Products

A driver shall inform the driver's supervisor if at any time the driver is using a controlled substance pursuant to a physician's prescription. The physician's instructions shall be presented to the education district upon request. Use of a prescription drug shall be allowed if the physician has advised the driver that the prescribed drug will not adversely affect the driver's ability to safely operate a CMV. Use of medical cannabis is prohibited notwithstanding the driver's enrollment in the patient registry. Use of nonintoxicating cannabinoids or edible cannabinoid products is not a legitimate medical explanation for a confirmed positive test result for marijuana. MROs will verify a drug test confirmed as positive, even if a driver claims to have only used non-intoxicating cannabinoids or edible cannabinoid products.

H. Testing Requirements

1. Pre-Employment Testing

[Note: 49 Code of Federal Regulations section 382.301 details the requirements for pre-employment testing.]

- a. A driver applicant shall undergo testing for [alcohol and] controlled substances, including medical cannabis, before the first time the driver performs safety-sensitive functions for the education district.

[Note: A education district is permitted, but not required, to conduct pre-employment testing for the use of alcohol. If an education district elects to require pre-employment testing for alcohol, it should include the bracketed text in Subparagraph a., above, and test all applicants uniformly.]

- b. Tests shall be conducted only after the applicant has received a conditional offer of employment.
- c. To be hired, the applicant must test negative and must sign an agreement in the form of Attachment B to this policy, authorizing former employers to release to the education district all information on the applicant's alcohol tests with results of blood alcohol concentration of 0.04 or higher, or verified positive results for controlled substances, including medical cannabis, or refusals to be tested (including verified adulterated or substituted drug test results), or any other violations of DOT agency drug and alcohol testing regulations, or, if the applicant violated the testing regulations, documentation of the applicant's successful completion of DOT return-to-duty requirements (including follow-up tests), within the preceding two (2) years.

[Note: The Federal regulations require education districts to inquire about, obtain, and review alcohol and controlled substances information from prior employers pursuant to a driver's written authorization, prior to the time a driver performs safety-sensitive functions, if feasible. 49 Code of Federal Regulations section 382.413 and 49 Code of Federal Regulations section 40.25. If not feasible, education districts must not permit the employee to perform safety-sensitive functions for more than thirty (30) days from the date a safety-sensitive function was performed unless the education districts make good faith efforts to obtain the information and to make a record of those efforts to be retained in the driver's qualification file.]

- d. The applicant also must be asked whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee, during the last two (2) years, applied for, but did not obtain, safety-sensitive transportation work covered by DOT testing rules.
- e. Before employing a driver subject to controlled substances and alcohol testing, the school district must conduct a full pre-employment query of the federal Commercial Driver's License (CDL) Drug and Alcohol Clearinghouse ("Clearinghouse") to obtain information about whether the driver (1) has a verified positive, adulterated, or substituted controlled substances test result;

(2) has an alcohol confirmation test with a concentration of 0.04 or higher; (3) has refused to submit to a test in violation of federal law; or (4) that an employer has reported actual knowledge that the driver used alcohol on duty, before duty, or following an accident in violation of federal law or used a controlled substance in violation of federal law. The applicant must give specific written or electronic consent for the education district to conduct the Clearinghouse full query. The education district shall retain the consent for three (3) years from the date of the query.

3. Post-Accident Testing

[Note: 49 Code of Federal Regulations section 382.303 governs post-accident testing of drivers.]

- a. As soon as practicable following an accident involving a CMV, the education district shall test the driver for alcohol and controlled substances, including medical cannabis, if the accident involved the loss of human life or if the driver receives a citation for a moving traffic violation arising from an accident which results in bodily injury or disabling damage to a motor vehicle.
- b. Drivers should be tested for alcohol use within two (2) hours and no later than eight (8) hours after the accident.
- c. Drivers should be tested for controlled substances, including medical cannabis, no later than thirty-two (32) hours after the accident.
- d. A driver subject to post-accident testing must remain available for testing, or shall be considered to have refused to submit to the test.
- e. If a post-accident alcohol test is not administered within two (2) hours following the accident, the education district shall prepare and maintain on file a record stating the reasons the test was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours.
- f. If a post-accident alcohol test is not administered within eight (8) hours following the accident or a post-accident controlled substances test is not administered within thirty-two (32) hours following the accident, the education district shall cease attempts to administer the test, and prepare and maintain on file a record stating the reasons for not administering the test.

- g. The school district shall report drug and alcohol program violations to the Clearinghouse as required under federal law.

4. Random Testing

[Note: 49 Code of Federal Regulations section 382.305 governs random testing of drivers.]

- a. The education district shall conduct tests on a random basis at unannounced times throughout the year, as required by the federal regulations.

[Note: The Federal Highway Administration (FHWA) sets the random alcohol selection and testing rate at 10% of the average number of driver positions and evaluates this minimum percentage each year. Education districts can elect to stay at the 1998 level of 25% (or a higher percentage) if they do not want to monitor the minimum annual percentage rate set by the FHWA. The random controlled substances selection and testing rate has remained at 50% each year and has not been lowered to 25% as is possible under the regulations.]

- b. The education district shall test for alcohol at a minimum annual percentage rate of 10% of the average number of driver positions, and for controlled substances, including medical cannabis, at a minimum annual percentage of 50%.
- c. The education district shall adopt a scientifically valid method for selecting drivers for testing, such as random number table or a computer-based random number generator that is matched with identifying numbers of the drivers. Each driver shall have an equal chance of being tested each time selections are made. Each driver selected for testing shall be tested during the selection period.
- d. Random tests shall be unannounced. Dates for administering random tests shall be spread reasonably throughout the calendar year.
- e. Drivers shall proceed immediately to the collection site upon notification of selection; provided, however, that if the driver is performing a safety-sensitive function, other than driving, at the time of notification, the driver shall cease to perform the function and proceed to the collection site as soon as possible.

5. Reasonable Suspicion Testing

[Note: 49 Code of Federal Regulations section 382.307 governs reasonable suspicion testing of drivers.]

- a. The education district shall require a driver to submit to an alcohol test and/or controlled substances, including medical cannabis, test when a supervisor or education district official, who has been trained in accordance with the regulations, has reasonable suspicion to believe that the driver has used alcohol and/or controlled substances, including medical cannabis, on duty or within four (4) hours before coming on duty, or just after the period of the work day. The test shall be done as soon as practicable following the observation of the behavior indicative of the use of controlled substances or alcohol.
- b. The reasonable suspicion determination must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech, or body odors. The required observations for reasonable suspicion of a controlled substances violation may include indications of the chronic and withdrawal effects of controlled substances.
- c. Alcohol testing shall be administered within two (2) hours following a determination of reasonable suspicion. If it is not done within two (2) hours, the education district shall prepare and maintain a record explaining why it was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours. If an alcohol test is not administered within eight (8) hours following the determination of reasonable suspicion, the education district shall cease attempts to administer the test and state in the record the reasons for not administering the test.
- d. The supervisor or education district official who makes observations leading to a controlled substance's reasonable suspicion test shall make and sign a written record of the observations within twenty four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

[Note: 49 Code of Federal Regulations sections 382.309, 40.23(d), and 40.305 govern return-to-duty testing.]

6. Return-To-Duty Testing. A driver found to have violated this policy shall not return to work until an SAP has determined the employee has successfully complied with prescribed education and/or treatment and until undergoing return-to-duty tests indicating an alcohol concentration of less than 0.02 and a confirmed negative result for the use of controlled substances. The education district is not required to return a driver to safety-sensitive duties because the driver has met these conditions; this is a personnel decision subject to collective bargaining agreements or other legal requirements.

[Note: 49 C.F.R. §§ 382.311, 40.307, and 40.309 govern follow-up testing.]

7. Follow-Up Testing. When an SAP has determined that a driver is in need of assistance in resolving problems with alcohol and/or controlled substances, the driver shall be subject to unannounced follow-up testing as directed by the SAP for up to sixty (60) months after completing a treatment program.
8. Refusal to Submit and Attendant Consequences

[Note: Consequences for refusals to submit to required drug and alcohol tests are addressed generally in 49 Code of Federal Regulations sections 40.191, 40.261, and 382.211. They are more specifically addressed in 49 Code of Federal Regulations sections 382.501- 382.507 and in 49 U.S.C. § United States Code section 521(b).]

- a. A driver or driver applicant may refuse to submit to drug and alcohol testing.
- b. Refusal to submit to a required drug or alcohol test subjects the driver or driver applicant to the consequences specified in federal regulations as well as the civil and/or criminal penalty provisions of 49 United States Code section 521(b). In addition, a refusal to submit to testing establishes a presumption that the driver or driver applicant would test positive if a test were conducted and makes the driver or driver applicant subject to discipline or disqualification under this policy.
- c. A driver applicant who refuses to submit to testing shall be disqualified from further consideration for the conditionally offered position.
- d. An employee who refuses to submit to testing shall not be permitted to perform safety-sensitive functions and will be considered insubordinate and subject to disciplinary action, up to and including dismissal. If an employee is offered an opportunity to return to a DOT safety-sensitive duty, the employee will be evaluated by an SAP and must submit to a return-to-duty test prior to being considered for reassignment to safety-sensitive functions.
- e. Drivers or driver applicants who refuse to submit to required testing will be required to sign Attachment C to this policy.

I. Testing Procedures

1. Drug Testing

[Note: The Federal Drug Testing Custody and Control Form (CCF) must be used to document every urine collection required by the DOT drug testing program. 49 Code of Federal Regulations section 40.45.]

- a. Drug testing is conducted by analyzing a donor's urine specimen. Split urine samples will be collected in accordance with federal regulations. The donor will provide a urine sample at a designated collection site. The collection site personnel will then pour the sample into two sample bottles, labeled "primary" and "split," seal the specimen bottles, complete the chain of custody form, and prepare the specimen bottles for shipment to the testing laboratory for analysis. The specimen preparation shall be conducted in sight of the donor.
- b. If the donor is unable to provide the appropriate quantity of urine, the collection site person shall instruct the individual to drink up to forty (40) ounces of fluid distributed reasonably through a period of up to three (3) hours to attempt to provide a sample. If the individual is still unable to provide a complete sample, the test shall be discontinued and the education district notified. The DER shall refer the donor for a medical evaluation to determine if the donor's inability to provide a specimen is genuine or constitutes a refusal to test. For pre-employment testing, the education district may elect to not have a referral made, and revoke the employment offer.
- c. Drug test results are reported directly to the MRO by the testing laboratory. The MRO reports the results to the DER. If the results are negative, the education district is informed and no further action is necessary. If the test result is confirmed positive, adulterated, substituted, or invalid, the MRO shall give the donor an opportunity to discuss the test result. The MRO will contact the donor directly, on a confidential basis, to determine whether the donor wishes to discuss the test result. The MRO shall notify each donor that the donor has seventy-two (72) hours from the time of notification in which to request a test of the split specimen at the donor's expense. No split specimen testing is done for an invalid result.

- d. If the donor requests an analysis of the split specimen within seventy-two (72) hours of having been informed of a confirmed positive test, the MRO shall direct, in writing, the laboratory to provide the split specimen to another Department of Health and Human Services – SAMHSA certified laboratory for analysis. If the donor has not contacted the MRO within seventy-two (72) hours, the donor may present the MRO information documenting that serious illness, injury, inability to contact the MRO, lack of actual notice of the confirmed positive test, or other circumstances unavoidably prevented the donor from timely making contact. If the MRO concludes that a legitimate explanation for the donor's failure to contact him/her within seventy-two (72) hours exists, the MRO shall direct the analysis of the split specimen. The MRO will review the confirmed positive test result to determine whether an acceptable medical reason for the positive result exists. The MRO shall confirm and report a positive test result to the DER and the employee when no legitimate medical reason for a positive test result as received from the testing laboratory exists.
- e. If, after making reasonable efforts and documenting those efforts, the MRO is unable to reach the donor directly, the MRO must contact the DER who will direct the donor to contact the MRO. If the DER is unable to contact the donor, the donor will be suspended from performing safety-sensitive functions.
- f. The MRO may confirm the test as a positive without having communicated directly with the donor about the test results under the following circumstances:
- (1) The donor expressly declines the opportunity to discuss the test results;
 - (2) The donor has not contacted the MRO within seventy-two (72) hours of being instructed to do so by the DER; or
 - (3) The MRO and the DER, after making and documenting all reasonable efforts, have not been able to contact the donor within ten (10) days of the date the confirmed test result was received from the laboratory.

2. Alcohol Testing

[Note: The DOT Alcohol Testing Form (ATF) must be used for every DOT alcohol test. 49 Code of Federal Regulations 40.225]

- a. The federal alcohol testing regulations require testing to be administered by a BAT using an EBT or an STT using an ASD. EBTs and ASDs can be used for screening tests but only EBTs can be used for confirmation tests.
- b. Any test result less than 0.02 alcohol concentration is considered a “negative” test.
- c. If the donor is unable to provide sufficient saliva for an ASD, the DER will immediately arrange to use an EBT. If the donor attempts and fails to provide an adequate amount of breath, the education district will direct the donor to obtain a written evaluation from a licensed physician to determine if the donor’s inability to provide a breath sample is genuine or constitutes a refusal to test.
- d. If the screening test results show alcohol concentration of 0.02 or higher, a confirmatory test conducted on an EBT will be required to be performed between fifteen (15) and thirty (30) minutes after the completion of the screening test.
- e. Alcohol tests are reported directly to the DER.

J. Driver/Driver Applicant Rights

1. All drivers and driver applicants subject to the controlled substances testing provisions of this policy who receive a confirmed positive test result for the use of controlled substances have the right to request, at the driver’s or driver applicant’s expense, a confirming retest of the split urine sample. If the confirming retest is negative, no adverse action will be taken against the driver, and a driver applicant will be considered for employment.

[Note: The limitation on discharge in Paragraph 2., below, is contained solely in Minnesota law. State law is preempted by federal laws and regulations as it relates to drivers of commercial motor vehicles (such as bus drivers). See Minnesota Statute section 221.031, Subd. 10. Nevertheless, education districts may decide to comply with the state law requirements for various reasons (such as to treat all education district employees equally since employees subject to testing only under state law are accorded these additional rights). Consultation with the education district’s legal counsel is recommended.]

2. The education district will not discharge a driver who, for the first time, receives a confirmed positive drug or alcohol test UNLESS:
 - a. The education district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the education district after consultation with the SAP; and
 - b. The employee refuses to participate in the recommended program, or fails to successfully complete the program as evidenced by withdrawal before its completion or by a positive test result on a confirmatory test after completion of the program.
 - c. This limitation on employee discharge does not bar discharge of an employee for reasons independent of the first confirmed positive test result.

K. Testing Laboratory

The testing laboratory for controlled substances will be [*name, address, telephone number*], which is a laboratory certified by the Department of Health and Human Services – SAMHSA to perform controlled substances testing pursuant to federal regulations.

L. Confidentiality of Test Results

All alcohol and controlled substances test results and required records of the drug and alcohol testing program are considered confidential information under federal law and private data on individuals as that phrase is defined in Minnesota Statute Chapters 13. Any information concerning the individual's test results and records shall not be released without written permission of the individual, except as provided for by regulation or law.

M. Recordkeeping Requirements and Retention of Records

1. The education district shall keep and maintain records in accordance with the federal regulations in a secure location with controlled access.

[Note: The federal recordkeeping requirements for education districts are detailed in the federal regulations 49 Code of Federal Regulations sections 382.401 et seq. and 40.331. The DOT publishes a guide to the recordkeeping requirements of mandatory drug and alcohol testing for persons with a commercial driver's license as part of its Alcohol & Drugs: DOT Compliance Manual.]

2. The required records shall be retained for the following minimum periods: Basic records 5 years “Basic records” includes records of: (a) alcohol test results with concentration of 0.02 or greater; (b) verified positive drug test results; (c) refusals to submit to required tests (including substituted or adulterated drug test results); (d) SAP reports; (e) all follow-up tests and schedules for follow-up tests; (f) calibration documentation; (g) administration of the testing programs; and (h) each annual calendar year summary. Information obtained from previous employers 3 years Alcohol and controlled substance collection procedures 2 years Negative and canceled controlled substance tests 1 year Alcohol tests with less than 0.02 concentration 1 year Education and training records indefinite “Education and training records” must be maintained while the individuals perform the functions which require training and for the two (2) years after ceasing to perform those functions.

3. Personal information about all individuals who undergo any required testing under this policy will be shared with the U.S. DOT Drug & Alcohol Clearinghouse (“Clearinghouse) as required under federal law, including:
 - a. The name of the person tested;
 - b. Any verified positive, adulterated, or substituted drug test result;
 - c. Any alcohol confirmation test with a BAC concentration of 0.04 or higher;
 - d. Any refusal to submit to any test required hereunder;
 - e. Any report by a supervisor of actual knowledge of use as follows
 - i. Any on-duty alcohol use;
 - ii. Any pre-duty alcohol use;
 - iii. Any alcohol use following an accident; and
 - iv. Any controlled substance use.
 - f. Any report from a substance abuse professional certifying successful completion of the return-to-work process;
 - g. Any negative return-to-duty test; and
 - h. Any employer’s report of completion of follow-up testing.

N. Training

The education district shall ensure all persons designated to supervise drivers receive training. The designated employees shall receive at least sixty (60) minutes of training on alcohol misuse and at least sixty (60) minutes of training on controlled substances use. The training shall include physical, behavioral, speech, and performance indicators of probable misuse of alcohol and use of controlled substances. The training will be used by the supervisors to make determinations of reasonable suspicion.

O. Consequences of Prohibited Conduct and Enforcement

1. Removal. The education district shall remove a driver who has engaged in prohibited conduct from safety-sensitive functions. A driver shall not be permitted to return to safety-sensitive functions until and unless the return to-duty requirements of federal DOT regulations have been completed.

2. Referral, Evaluation, and Treatment

a. A driver or driver applicant who has engaged in prohibited conduct shall be provided a listing of SAPs readily available to the driver or applicant and acceptable to the education district.

[Note: Subparagraphs b. and c., below, are based on the provisions of 49 Code of Federal Regulations section 40.289.]

b. If the education district offers a driver an opportunity to return to a DOT safety-sensitive duty following a violation, the driver must be evaluated by an SAP and the driver is required to successfully comply with the SAP's evaluation recommendations (education, treatment, follow-up evaluation(s), and/or ongoing services). The education district is not required to provide an SAP evaluation or any subsequent recommended education or treatment.

[Note: Education districts are not required to comply with state law governing drug and alcohol testing when the individuals are subject to the federal laws and regulations (i.e., bus drivers). If a education district, after consultation with legal counsel, chooses to comply voluntarily with these requirements, Subparagraph b., above, can be modified as follows:

b. The education district will offer a driver an opportunity to return to a DOT safety-sensitive duty following an employee's first positive test result on a confirmatory test if no reasons independent of the first test result for discharge exist. Otherwise, the education district may choose, but is not required, to provide an SAP evaluation or any subsequent recommended education or treatment.]

c. Drivers are responsible for payment for SAP evaluations and services unless a collective bargaining agreement or employee benefit plan provides otherwise.

d. Drivers who engage in prohibited conduct also are required to comply with follow-up testing requirements.

3. Disciplinary Action

- a. Any driver who refuses to submit to post-accident, random, reasonable suspicion, or follow-up testing not only shall not perform or continue to perform safety-sensitive functions, but also may be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.
- b. Drivers who test positive with verification of a confirmatory test or are otherwise found to be in violation of this policy or the federal regulations shall be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.
- c. Nothing in this policy limits or restricts the right of the education district to discipline or discharge a driver for conduct which not only constitutes prohibited conduct under this policy but also violates the education district's other rules or policies.

P. Other Testing

The education district may request or require that drivers submit to drug and alcohol testing other than that required by federal law. For example, drivers may be requested or required to undergo drug and alcohol testing on an annual basis as part of a routine physical examination. Such additional testing of drivers will be conducted only in accordance with the provisions of this policy and as provided in Minnesota Statute sections 181.950-181.957. For purposes of such additional, non-mandatory testing, drivers fall within the definition of "other employees" covered by Section IV. of this policy.

[Note: When the testing of drivers complies with federal testing requirements and procedures, education districts clearly are exempt from the state drug and alcohol testing requirements in Minnesota Statute sections 181.950-181.957. See Minnesota Statute section 221.031, subdivision 10. When testing beyond the federally mandated requirements, however, education districts still must comply with state law.]

Q. Report to Clearinghouse

The education district shall promptly submit to the Clearinghouse any record generated of an individual who refuses to take an alcohol or controlled substance test required under Title 49, Code of Federal Regulations, tests positive for alcohol or a controlled substance in violation of federal regulations, or violates subpart B of Part 382 of Title 49, Code of Federal Regulations (or any subsequent corresponding regulations).

R. Annual Clearinghouse Query

1. The school district must conduct a query of the Clearinghouse record at least once per year for information for all employees subject to controlled substance and alcohol testing related to CMV operation to determine whether information exists in the Clearinghouse about those employees. In lieu of a full query, the education district may obtain the individual driver's consent to conduct a limited query to satisfy the annual query requirement. The limited query will tell the employer whether there is information about the driver in the Clearinghouse but will not release that information to the employer. If the limited query shows that information exists in the Clearinghouse about the driver, the education district must conduct a full query within twenty-four (24) hours or must not allow the driver to continue to perform any safety-sensitive function until the employee conducts the full query and the results confirm the driver's Clearinghouse record contains no prohibitions showing the driver has a verified positive, adulterated or substitute controlled substance test, no alcohol confirmation test with a concentration of 0.04 or higher, refuses to submit to a test, or was reported to have used alcohol on duty, before duty, following an accident or otherwise used a controlled substance in violation of the regulations except where the driver completed the SAP evaluation, referral and education/treatment process as required by the regulations. The education district shall comply with the query requirements set forth in 49 Code of Federal Regulations 382.701.
- 2 The education district may not access an individual's Clearinghouse record unless the education district (1) obtains the individual's prior written or electronic consent for access to the record; and (2) submits proof of the individual's consent to the Clearinghouse. The education district must retain the consent for three (3) years from the date of the last query. The education district shall retain for three (3) years a record of each request for records from the Clearinghouse and the information received pursuant to the request.
3. The education district shall protect the individual's privacy and confidentiality of each Clearinghouse record it receives. The education district shall ensure that information contained in a Clearinghouse record is not divulged to a person or entity not directly involved in assessing and evaluating whether a prohibition applies with respect to the individual to operate a CMV for the education district.
4. The education district may use an individual's Clearinghouse record only to assess and evaluate whether a prohibition applies with respect to the individual to operate a CMV for the education district.

IV. DRUG AND ALCOHOL TESTING FOR OTHER EMPLOYEES

The education district may request or require drug and alcohol testing for other education district personnel, i.e., employees who are not school bus drivers, or job applicants for such positions. The education district does not have a legal duty to request or require any employee or job applicant to undergo drug and alcohol testing as authorized in this policy, except for school bus drivers and other drivers of CMVs who are subject to federally mandated testing. (See Section III. of this policy.) If a school bus driver is requested or required to submit to drug or alcohol testing beyond that mandated by federal law, the provisions of Section IV. of this policy will be applicable to such testing.

A. Circumstances Under Which Drug or Alcohol Testing May Be Requested or Required:

1. General Limitations

- a. The education district will not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug or alcohol testing, unless the testing is done pursuant to this drug and alcohol testing policy; and is conducted by a testing laboratory that meets one of the criteria listed in Minnesota Statute section 181.953, subdivision 1.
- b. The education district will not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing on an arbitrary and capricious basis.

2. Job Applicant Testing

The education district may request or require any job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing, provided a job offer has been made to the applicant and the same test is requested or required of all job applicants conditionally offered employment for that position. If a job applicant has received a job offer that is contingent on the applicant's passing drug and alcohol testing, the education district may not withdraw the offer based on a positive test result from an initial screening test that has not been verified by a confirmatory test. In the event the job offer is subsequently withdrawn, the education district shall notify the job applicant of the reason for its action.

3. Random Testing

The education district may request or require employees to undergo drug and alcohol testing on a random selection basis only if they are employed in safety-sensitive positions.

4. Reasonable Suspicion Testing

The education district may request or require any employee to undergo drug and alcohol testing if the education district has a reasonable suspicion that the employee:

- a. is under the influence of drugs or alcohol;
- b. has violated the education district's written work rules prohibiting the use, possession, sale, or transfer of drugs or alcohol while the employee is working or while the employee is on the education district's premises or operating the education district's vehicles, machinery, or equipment;
- c. has sustained a personal injury, as that term is defined in Minnesota Statute section 176.011, subdivision 16, or has caused another employee to sustain a personal injury; or
- d. has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work related accident.

5. Treatment Program Testing

The education district may request or require any employee to undergo drug and alcohol testing if the employee has been referred by the education district for chemical dependency treatment or evaluation or is participating in a chemical dependency treatment program under an employee benefit

plan, in which case the employee may be requested or required to undergo drug and alcohol testing without prior notice during the evaluation or treatment period and for a period of up to two (2) years following completion of any prescribed chemical dependency treatment program.

6. Routine Physical Examination Testing

The education district may request or require any employee to undergo drug and alcohol testing as part of a routine physical examination provided the drug or alcohol test is requested or required no more than once annually and the employee has been given at least two weeks' written notice that a drug or alcohol test may be requested or required as part of the physical examination.

B. No Legal Duty to Test

The education district does not have a legal duty to request or require any employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing.

C. Definitions

1. "Drug" means a controlled substance as defined in Minnesota Statutes, including medical cannabis, regardless of enrollment in the state registry program.
2. "Drug and Alcohol Testing," "Drug or Alcohol Testing," and "Drug or Alcohol Test" mean analysis of a body component sample by a testing laboratory that meets one of the criteria listed in Minnesota Statutes section 181.953, subdivision 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested.
3. "Other Employees" means any persons, independent contractors, or persons working for an independent contractor who perform services for the education district for compensation, either full time or part time, in whatever form, except for persons whose positions require a commercial driver's license, and includes both professional and nonprofessional personnel. Persons whose positions require a commercial driver's license are primarily governed by the provisions of the education district's drug and alcohol testing policy relating to school bus drivers (Section III.). To the extent that the drug and alcohol testing of persons whose positions require a commercial driver's license is not mandated by federal law and regulations, such testing shall be governed by Section IV. of this policy and the drivers shall fall within this definition of "other employees."
4. "Job Applicant" means a person, independent contractor, or person working for an independent contractor who applies to become an employee of the education district in a position that does not require a commercial driver's license, and includes a person who has received a job offer made contingent on the person's passing drug or alcohol testing. Job applicants for positions requiring a commercial driver's license are governed by the provisions of the education district's drug and alcohol testing policy relating to school bus drivers (Section III.).
5. "Positive Test Result" means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minnesota Statutes section 181.953, subdivision 1.
6. "Random Selection Basis" means a mechanism for selection of employees that:
 - a. results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected; and

b. does not give the education district discretion to waive the selection of any employee selected under the mechanism.

7. “Reasonable Suspicion” means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.

8. “Safety Sensitive Position” means a job, including any supervisory or management position, in which an impairment caused by drug or alcohol usage would threaten the health or safety of any person.

D. Right of Other Employee or Job Applicant to Refuse Drug and Alcohol Testing and Consequences of Such Refusal

1. Right of Other Employee or Job Applicant to Refuse Drug and Alcohol Testing

Any employee or job applicant whose position does not require a commercial driver’s license has the right to refuse drug and alcohol testing subject to the provisions contained in Paragraphs 2. and 3. of section IV. D.

2. Consequences of an Employee’s Refusal to Undergo Drug and Alcohol Testing

Any employee in a position that does not require a commercial driver’s license who refuses to undergo drug and alcohol testing in the circumstances set out in the Random Testing, Reasonable Suspicion Testing, and Treatment Program Testing provisions of this policy may be subject to disciplinary action, up to and including immediate discharge.

3. Consequences of a Job Applicant’s Refusal to Undergo Drug and Alcohol Testing

Any job applicant for a position which does not require a commercial driver’s license who refuses to undergo drug and alcohol testing pursuant to the Job Applicant Testing provision of this policy shall not be employed.

E. Reliability and Fairness Safeguards

1. Pretest Notice

Before requesting an employee or job applicant whose position does not require a commercial driver’s license to undergo drug or alcohol testing, the education district shall provide the employee or job applicant with a Pretest Notice in the form of Attachment D to this policy on which to acknowledge that the employee or job applicant has received the education district’s drug and alcohol testing policy.

2. Notice of Test Results

Within three (3) working days after receipt of a test result report from the testing laboratory, the education district shall inform in writing an employee or job applicant who has undergone drug or alcohol testing of a negative test result on an initial screening test or of a negative or positive test result on a confirmatory test.

3. Notice of and Right to Test Result Report

Within three (3) working days after receipt of a test result report from the testing laboratory, the education district shall inform in writing, an employee or job applicant who has undergone drug or alcohol testing of the employee or job applicant's right to request and receive from the education district a copy of the test result report on any drug or alcohol test.

4. Notice of and Right to Explain Positive Test Result

- a. If an employee or job applicant has a positive test result on a confirmatory test, the education district shall provide the individual with notice of the test results and, at the same time, written notice of the right to explain the results and to submit additional information.
- b. The education district may request that the employee or job applicant indicate any over-the-counter or prescription medication that the individual is currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result.
- c. The employee may present verification of enrollment in the medical cannabis patient registry as part of the employee's explanation.
- d. Use of nonintoxicating cannabinoids or edible cannabinoid products is not a legitimate medical explanation for a confirmed positive test result for marijuana. MROs will verify a drug test confirmed as positive, even if an employee claims to have only used non intoxicating cannabinoids or edible cannabinoid products.
- e. Within three (3) working days after notice of a positive test result on a confirmatory test, an employee or job applicant may submit information (in addition to any information already submitted) to the education district to explain that result.

5. Notice of and Right to Request Confirmatory Retests

- a. If an employee or job applicant has a positive test result on a confirmatory test, the education district shall provide the individual with notice of the test results and, at the same time, written notice of the right to request a confirmatory retest of the original sample at his or her expense.
 - b. An employee or job applicant may request a confirmatory retest of the original sample at his or her own expense after notice of a positive test result on a confirmatory test. Within five (5) working days after notice of the confirmatory test result, the employee or job applicant shall notify the education district in writing of his or her intention to obtain a confirmatory retest. Within three (3) working days after receipt of the notice, the education district shall notify the original testing laboratory that the employee or job applicant has requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under Minnesota Statutes section 181.953, subdivision 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that appropriate chain-of-custody procedures are followed during transfer of the sample to the other laboratory. The confirmatory retest must use the same drug or alcohol threshold detection levels as used in the original confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against the employee or job applicant.
6. If an employee or job applicant has a positive test result on a confirmatory test, the education district, at the time of providing notice of the test results, shall also provide written notice to inform the individual of other rights provided under Sections F. or G., below, whichever is applicable. Attachments E and F to this policy provide the Notices described in Paragraphs 2. through 6. of this Section E.

F. Discharge and Discipline of Employees Whose Positions Do Not Require a Commercial Driver's License

1. The education district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.
2. In the case of a positive test result on a confirmatory test, the employee shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge, pursuant to the provisions of this policy.

3. The education district may not discharge an employee for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test requested by the education district, unless the following conditions have been met:
 - a. The education district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the education district after consultation with a certified chemical abuse counselor or a physician trained in the diagnosis and treatment of chemical dependency; and
 - b. The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program.
4. Notwithstanding Paragraph 1., the education district may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the education district believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.
5. The education district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information or the employee's status as a patient enrolled in the medical cannabis registry program revealed to the education district, unless the employee was under an affirmative duty to provide the information before, upon, or after hire, or failing to do so would violate federal law or regulations or cause the education district to lose money or licensing-related benefit under federal law or regulations.
6. The education district may not discriminate against any employee in termination, discharge, or any term of condition of employment or otherwise penalize an employee based upon an employee registered patient's positive drug test for cannabis components or metabolites, unless the employee used, possessed, or was impaired by medical cannabis on education district property during the hours of employment.
7. An employee must be given access to information in the individual's personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

G. Withdrawal of Job Offer for an Applicant for a Position That Does Not Require a Commercial Driver's License

If a job applicant has received a job offer made contingent on the applicant's passing drug and alcohol testing, the education district may not withdraw the offer based on a positive test result from an initial screening test that has not been verified by a confirmatory test. In the case of a positive test result on a confirmatory test, the education district may withdraw the job offer.

H. Chain-of-Custody Procedures

The education district has established its own reliable chain-of-custody procedures to ensure proper record keeping, handling, labeling, and identification of the samples to be tested. The procedures require the following:

1. Possession of a sample must be traceable to the employee from whom the sample is collected, from the time the sample is collected through the time the sample is delivered to the laboratory;
2. The sample must always be in the possession of, must always be in view of, or must be placed in a secure area by a person authorized to handle the sample;
3. A sample must be accompanied by a written chain-of-custody record; and
4. Individuals relinquishing or accepting possession of the sample must record the time the possession of the sample was transferred and must sign and date the chain-of-custody record at the time of transfer.

I. Privacy, Confidentiality and Privilege Safeguards

1. Privacy Limitations

A laboratory may only disclose to the education district test result data regarding the presence or absence of drugs, alcohol or their metabolites in a sample tested.

2. Confidentiality Limitations

With respect to employees and job applicants, test result reports and other information acquired in the drug or alcohol testing process are private data on individuals as that phrase is defined in Minnesota Statutes Chapter 13, and may not be disclosed by the education district or laboratory to another employer or to a third-party individual, governmental agency, or private organization without the written consent of the employee or job applicant tested.

3. Exceptions to Privacy and Confidentiality Disclosure Limitations

Notwithstanding Paragraphs 1. and 2., evidence of a positive test result on a confirmatory test may be: (1) used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under Minnesota Statutes Chapter 43A or other applicable state or local law, or a judicial proceeding, provided that information is relevant to the hearing or proceeding; (2) disclosed to any federal agency or other unit of the United States government as required under federal law, regulation or order, or in accordance with compliance requirements of a federal government contract; and (3) disclosed to a substance abuse treatment facility for the purpose of evaluation or treatment of the employee.

4. Privilege

Positive test results from the education district drug or alcohol testing program may not be used as evidence in a criminal action against the employee or job applicant tested.

J. Notice of Testing Policy to Affected Employees

The education district shall provide written notice of this drug and alcohol testing policy to all affected employees upon adoption of the policy, to a previously non affected employee upon transfer to an affected position under the policy, and to a job applicant upon hire and before any testing of the applicant if the job offer is made contingent on the applicant's passing drug and alcohol testing. Affected employees and applicants will acknowledge receipt of this written notice in the form of Attachment G to this policy.

V. POSTING

The education district shall post notice in an appropriate and conspicuous location on its premises that it has adopted a drug and alcohol testing policy and that copies of the policy are available for inspection during regular business hours by its employees or job applicants in its personnel office or other suitable locations.

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

Minn.Stat. Ch. 43A (State Personnel Management)

Minn. Stat. § 151.72 (Sale of Certain Cannabinoid Products)

Minn. Stat. § 152.01 (Definitions)

Minn. Stat. § 152.22 (Definitions; Medical Cannabis)

Minn. Stat. § 152.23 (Limitations; Medical Cannabis)

Minn. Stat. § 152.32 (Protections for Registry Program Participation)

Minn. Stat. § 176.011, subd. 16 (Definitions; Personal Injury)

Minn. Stat. §§ 181.950-181.957 (Drug and Alcohol Testing in the Workplace)
Minn. Stat. § 221.031 (Motor Carrier Rules)
49 U.S.C. § 31306 (Omnibus Transportation Employee Testing Act of 1991)
49 U.S.C. 31306a (National Clearinghouse for Controlled Substance and Alcohol Test
Results of Commercial Motor Vehicle Operators)
49 U.S.C. § 521(b) (Civil and Criminal Penalties for Violations)
49 C.F.R. Parts 40 and 382 (Department of Transportation Rules Implementing
Omnibus Transportation Employee Testing Act of 1991)

Cross-References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of
Education district Employees)

MSBA/MASA Model Policy 406 (Public and Private Personnel Data)

MSBA/MASA Model Policy 417 (Chemical Use and Abuse)

MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)

VI. **New Business:**
A. 1st Reading of Policies 208, 210, 417, 418, 515, 516

515 PROTECTION AND PRIVACY OF PUPIL RECORDS

[Note: ~~education~~school districts are required by statute to have a policy addressing these issues.]

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

The following procedures and policies regarding the protection and privacy of parents and students are adopted by the ~~education~~school district, pursuant to the requirements of 20 United States Code section ~~U.S.C. § 1232g, et seq.~~, (Family Educational Rights and Privacy Act (FERPA)) 34 Code of Federal Regulations ~~C.F.R. Part 99~~ and consistent with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes ~~Chapter 13~~, and Minnesota ~~Rules Parts 1205.0100-1205.2000~~.

III. DEFINITIONS

A. Authorized Representative

“Authorized representative” means any entity or individual designated by the ~~education~~school district, state, or an agency headed by an official of the Comptroller of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or state and local educational authorities to conduct, with respect to federal or state supported education programs, any audit or evaluation or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

B. Biometric Record

“Biometric record,” as referred to in “Personally Identifiable,” means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting).

C. Dates of Attendance

“Dates of attendance,” as referred to in “Directory Information,” means the period

of time during which a student attends or attended a school or schools in the ~~education~~ school district, including attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not in the classroom, and including the period during which a student is working under a work-study program. The term does not include specific daily records of a student's attendance at a school or schools in the ~~education~~ school district.

D. Directory Information

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

1. a student's social security number;
2. a student's identification number (ID), user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems if the identifier may be used to access education records without use of one or more factors that authenticate the student's identity such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user;
3. a student ID or other unique personal identifier that is displayed on a student ID badge if the identifier can be used to gain access to educational records when used in conjunction with one or more factors that authenticate the student's identity, such as a PIN, password, or other factor known or possessed only by the student;
4. personally identifiable data which references religion, race, color, social position, or nationality; or
5. data collected from nonpublic school students, other than those who receive shared time educational services, unless written consent is given by the student's parent or guardian.

[Note: This definition includes all of the types of information specifically referenced by state and federal law as directory information. A ~~education~~ school

district may choose not to designate some or all of the enumerated information as directory information. A ~~education~~ school district also may add to the list of directory information, as long as the added data is not information that generally would be deemed as an invasion of privacy or information that references the student's religion, race, color, social position, or nationality. Federal law now allows a ~~education~~ school district to specify that the disclosure of directory information will be limited to specific parties, for specific purposes, or both. The identity of those parties and/or purposes should be identified. To the extent a ~~education~~ school district adds these restrictions, it must then limit its directory information disclosures to those individuals and/or purposes specified in this public notice. Procedures to address how these restrictions will be enforced by the ~~education~~ school district are advised. Designation of directory information is an important policy decision for the local education districts~~school~~ board who must balance not only the privacy interests of the student against public disclosure but also the additional administrative requirements such restrictions on disclosures will place on the education ~~school~~ district.]

E. Education Records

1. What constitutes “education records.” Education records means those records that are: (1) directly related to a student; and (2) maintained by the education ~~school~~ district or by a party acting for the education ~~school~~ district.
2. What does not constitute education records. The term “education records” does not include:
 - a. Records of instructional personnel that are:
 - (1) kept in the sole possession of the maker of the record;
 - (2) used only as a personal memory aid;
 - (3) not accessible or revealed to any other individual except a temporary substitute teacher; and
 - (4) destroyed at the end of the school year.
 - b. Records of a law enforcement unit of the education ~~school~~ district, provided education records maintained by the education ~~school~~ district are not disclosed to the unit, and the law enforcement records are:
 - (1) maintained separately from education records;

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

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

- d. Records relating to an eligible student, or a student attending an institution of post-secondary education, that are:
- (1) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity or assisting in that capacity;
 - (2) made, maintained, or used only in connection with the provision of treatment to the student; and
 - (3) disclosed only to individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are a part of the program of instruction within the education ~~school~~ district.
- e. Records created or received by the education ~~school~~ district after an individual is no longer a student at the education ~~school~~ district and that are not directly related to the individual's attendance as a student.
- f. Grades on peer-related papers before the papers are collected and recorded by a teacher.

F. Education Support Services Data

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

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

G. Eligible Student

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

HG. Juvenile Justice System

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

IH. Legitimate Educational Interest

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

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

JH. Parent

"Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent of the student in the absence of a parent or

guardian. The education ~~school~~ district may presume the parent has the authority to exercise the rights provided herein, unless it has been provided with evidence that there is a state law or court order governing such matters as marriage dissolution, separation or child custody, or a legally binding instrument which provides to the contrary.

KJ. Personally Identifiable

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

LK. Record

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

ME. Responsible Authority

“Responsible authority” means *[designate title and actual name of individual]*.

NM. Student

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

ON. education district~~School~~ Official

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

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

[Note: education ~~School~~ districts may wish to reference police liaison officers in the definition of a “education district~~school~~ official.” Depending on the circumstances of the relationship, this may be added in subpart (d) of the definition or in a new subpart (e). Caution should be used to ensure that police liaison officers are considered “education district~~school~~ officials” only when performing duties as a police liaison officer and that they are trained as to their obligations pursuant to this policy. Consultation with the education ~~school~~ district’s legal counsel is recommended.]

PΘ. Summary Data

“Summary data” means statistical records and reports derived from data on individuals but in which individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify the individual is ascertainable.

QP. Other Terms and Phrases

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

IV. GENERAL CLASSIFICATION

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

V. STATEMENT OF RIGHTS

A. Rights of Parents and Eligible Students

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

1. The right to inspect and review the student’s education records;
2. The right to request the amendment of the student’s education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student’s privacy or other rights;

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that such consent is not required for disclosure pursuant to this policy, state or federal law, or the regulations promulgated thereunder;
4. The right to refuse release of names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions;
5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the education ~~school~~ district to comply with the federal law and the regulations promulgated thereunder;
6. The right to be informed about rights under the federal law; and
7. The right to obtain a copy of this policy at the location set forth in Section XXI. of this policy.

B. Eligible Students

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

C. Students with a Disability

The education ~~school~~ district shall follow 34 Code of Federal Regulations sections ~~C.F.R. §§~~ 300.610-300.617 with regard to the privacy, notice, access, recordkeeping, and accuracy of information related to students with a disability.

VI. DISCLOSURE OF EDUCATION RECORDS

A. Consent Required for Disclosure

1. The education ~~school~~ district shall obtain a signed and dated written informed consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the student, except as provided herein.
2. The written consent required by this subdivision must be signed and dated

by the parent of the student or the eligible student giving the consent and shall include:

- a. a specification of the records to be disclosed;
 - b. the purpose or purposes of the disclosure;
 - c. the party or class of parties to whom the disclosure may be made;
 - d. the consequences of giving informed consent; and
 - e. if appropriate, a termination date for the consent.
3. When a disclosure is made under this subdivision:
- a. if the parent or eligible student so requests, the education ~~school~~ district shall provide him or her with a copy of the records disclosed; and
 - b. if the parent of a student who is not an eligible student so requests, the education ~~school~~ district shall provide the student with a copy of the records disclosed.
4. A signed and dated written consent may include a record and signature in electronic form that:
- a. identifies and authenticates a particular person as the source of the electronic consent; and
 - b. indicates such person's approval of the information contained in the electronic consent.
5. If the responsible authority seeks an individual's informed consent to the release of private data to an insurer or the authorized representative of an insurer, informed consent shall not be deemed to have been given unless the statement is:
- a. in plain language;
 - b. dated;
 - c. specific in designating the particular persons or agencies the data subject is authorizing to disclose information about the data subject;
 - d. specific as to the nature of the information the subject is authorizing to be disclosed;

- e. specific as to the persons or agencies to whom the subject is authorizing information to be disclosed;
- f. specific as to the purpose or purposes for which the information may be used by any of the parties named in Clause e. above, both at the time of the disclosure and at any time in the future; and
- g. specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for: (i) life insurance or noncancellable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or (ii) medical assistance under Minnesota Statutes Chapter 256B or Minnesota Care under Minnesota Statutes Chapter 256L, which shall be ongoing during all terms of eligibility, for individualized education program health-related services provided by a education ~~school~~ district that are subject to third party reimbursement.

6. Eligible Student Consent

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

B. Prior Consent for Disclosure Not Required

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

- 1. To other education district ~~school~~ officials, including teachers, within the education ~~school~~ district whom the education ~~school~~ district determines have a legitimate educational interest in such records;
- 2. To a contractor, consultant, volunteer, or other party to whom the education ~~school~~ district has outsourced institutional services or functions provided that the outside party:
 - a. performs an institutional service or function for which the education ~~school~~ district would otherwise use employees;
 - b. is under the direct control of the education ~~school~~ district with

respect to the use and maintenance of education records; and

- c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made;
3. To officials of other schools, education ~~school~~ districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (see Section XIX.), suspension and expulsion information pursuant to section 7917 of the federal Every Student Succeeds Act, 20 United States Code section ~~U.S.C. § 7917~~, *[insert the following if the school district has a policy regarding Staff Notification of Violent Behavior by Students]* and, if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minnesota Statutes section 260B.171, unless the data are required to be destroyed under Minnesota Statutes section 120A.22, subdivision 7(c) or section 121A.75. On request, the education ~~school~~ district will provide the parent or eligible student with a copy of the education records that have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with Section XV. of this policy;
 4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;
 5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:
 - a. determine eligibility for the aid;
 - b. determine the amount of the aid;
 - c. determine conditions for the aid; or
 - d. enforce the terms and conditions of the aid.

“Financial aid” for purposes of this provision means a payment of funds provided to an individual or a payment in kind of tangible or intangible property to the individual that is conditioned on the individual's

attendance at an educational agency or institution;

6. To state and local officials or authorities to whom such information is specifically allowed to be reported or disclosed pursuant to state statute adopted:
 - a. before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system's ability to effectively serve the student whose records are released; or
 - b. after November 19, 1974, if the reporting or disclosure allowed by state statute concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released, provided the officials and authorities to whom the records are disclosed certify in writing to the education ~~school~~ district that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the parent of the student. At a minimum, the education ~~school~~ district shall disclose the following information to the juvenile justice system under this paragraph: a student's full name, home address, telephone number, and date of birth; a student's school schedule, attendance record, and photographs, if any; and parents' names, home addresses, and telephone numbers;
7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction; provided that the studies are conducted in a manner which does not permit the personal identification of parents or students by individuals other than representatives of the organization who have a legitimate interest in the information, the information is destroyed when no longer needed for the purposes for which the study was conducted, and the education ~~school~~ district enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy all personally identifiable information when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed. For purposes of this provision, the term, "organizations," includes, but is not limited to, federal, state, and local agencies and independent organizations. In the event the Department of Education determines that a third party outside of

the education ~~school~~ district to whom information is disclosed violates this provision, the education ~~school~~ district may not allow that third party access to personally identifiable information from education records for at least five (5) years;

8. To accrediting organizations in order to carry out their accrediting functions;
9. To parents of a student eighteen (18) years of age or older if the student is a dependent of the parents for income tax purposes;
10. To comply with a judicial order or lawfully issued subpoena, provided, however, that the education ~~school~~ district makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a federal grand jury subpoena, or any other subpoena issued for law enforcement purposes, and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or the disclosure is in compliance with an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 United States Code section ~~U.S.C. § 2332b(g)(5)(B)~~, an act of domestic or international terrorism as defined in 18 U.S.C. § 2331, or a parent is a party to a court proceeding involving child abuse and neglect or dependency matters, and the order is issued in the context of the proceeding. If the education ~~school~~ district initiates legal action against a parent or student, it may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the education ~~school~~ district to proceed with the legal action as a plaintiff. Also, if a parent or eligible student initiates a legal action against the education ~~school~~ district, the education ~~school~~ district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the education ~~school~~ district to defend itself;
11. To appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health, including the mental health, or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there is an articulable and significant threat to the health or safety of a student or other individuals. In making a determination whether to disclose information under this section, the education ~~school~~ district may take into account the totality of the circumstances pertaining to a threat and may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of

the student or other students. A record of this disclosure must be maintained pursuant to Section XIII.E. of this policy. In addition, an educational agency or institution may include in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and education ~~school~~ officials within the education ~~school~~ district and/or teachers and education ~~districts~~~~school~~ officials in other schools who have legitimate educational interests in the behavior of the student;

12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;
13. Information the education ~~school~~ district has designated as “directory information” pursuant to Section VII. of this policy;
14. To military recruiting officers and post-secondary educational institutions pursuant to Section XI. of this policy;
15. To the parent of a student who is not an eligible student or to the student himself or herself;
16. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;
17. To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students;
18. To the juvenile justice system, on written request that certifies that the information will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student:
 - a. the following information about a student must be disclosed: a student’s full name, home address, telephone number, date of birth; a student’s school schedule, daily attendance record, and photographs, if any; and any parents’ names, home addresses, and telephone numbers;
 - b. the existence of the following information about a student, not the actual data or other information contained in the student’s

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

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

19. To the principal where the student attends and to any counselor directly supervising or reporting on the behavior or progress of the student if it is information from a disposition order received by a executive directors~~superintendent~~ under Minnesota Statutes section 260B.171, subdivision 3. The principal must notify the counselor immediately and must place the disposition order in the student's permanent education record. The principal also must notify immediately any teacher or administrator who directly supervises or reports on the behavior or progress of the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other education ~~school~~ district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student, outline the offense, and describe any conditions of probation about which the school must provide information if this information is provided in the disposition order. Disposition order information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information may not be further disseminated by the counselor, teacher,

administrator, staff member, substitute, or volunteer except as necessary to serve the student, to protect students and staff, or as otherwise required by law, and only to the student or the student's parent or guardian;

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

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

21. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more programs authorized under the National School Lunch Act or the Child Nutrition Act of 1966 for which the results will be reported in an aggregate form that does not identify any individual, on the conditions that: (a) any data collected shall be protected in a manner that will not permit the personal identification of students and their parents by other

than the authorized representatives of the Secretary; and (b) any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measurements; or

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

C. Nonpublic School Students

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

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

VII. RELEASE OF DIRECTORY INFORMATION

A. Classification

Directory information is public except as provided herein.

B. Former Students

Unless a former student validly opted out of the release of directory information while the student was in attendance and has not rescinded the opt out request at any time, the education ~~school~~ district may disclose directory information from

the education records generated by it regarding the former student without meeting the requirements of Paragraph C. of this section. In addition, under an explicit exclusion from the definition of an “education record,” the education ~~school~~ district may release records that only contain information about an individual obtained after he or she is no longer a student at the education ~~school~~ district and that are not directly related to the individual’s attendance as a student (e.g., a student’s activities as an alumnus of the education ~~school~~ district).

C. Present Students and Parents

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

1. Annually give public notice by any means that are reasonably likely to inform the parents and eligible students of:
 - a. the types of personally identifiable information regarding students and/or parents that the education ~~school~~ district has designated as directory information;
 - b. the parent’s or eligible student’s right to refuse to let the education ~~school~~ district designate any or all of those types of information about the student and/or the parent as directory information; and
 - c. the period of time in which a parent or eligible student has to notify the education ~~school~~ district in writing that he or she does not want any or all of those types of information about the student and/or the parent designated as directory information.

[Note: Federal law allows a education ~~school~~ district to specify that the disclosure of directory information will be limited to specific parties, for specific purposes, or both. If the education ~~school~~ district chooses to impose these limitations, it is advisable to add a new paragraph VII.C.1.d. that specifies that disclosures of directory information will be limited to specific parties and/or for specific purposes and identify those parties and/or purposes. To the extent a education ~~school~~ district adds these restrictions, it must then limit its directory information disclosures to those individuals and/or purposes specified in this public notice. Procedures to address how these restrictions will be enforced by the education ~~school~~ district are advised. This is an important policy decision for the local education districts~~school~~ board which must balance not only the privacy interests of the student against public disclosure, but also the additional administrative requirements such restrictions will place on the education ~~school~~ district.]

2. Allow a reasonable period of time after such notice has been given for a

parent or eligible student to inform the education ~~school~~ district in writing that any or all of the information so designated should not be disclosed without the parent's or eligible student's prior written consent, except as provided in Section VI. of this policy.

3. A parent or eligible student may not opt out of the directory information disclosures to:
 - a. prevent the education ~~school~~ district from disclosing or requiring the student to disclose the student's name, ID, or education ~~school~~ district e-mail address in a class in which the student is enrolled; or
 - b. prevent the education ~~school~~ district from requiring a student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information that may be designated as directory information and that has been properly designated by the education ~~school~~ district as directory information.
4. The education ~~school~~ district shall not disclose or confirm directory information without meeting the written consent requirements contained in Section VI.A. of this policy if a student's social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student's records.

D. Procedure for Obtaining Nondisclosure of Directory Information

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

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

E. Duration

The designation of any information as directory information about a student or parents will remain in effect for the remainder of the school year unless the parent or eligible student provides the written notifications provided herein.

VIII. DISCLOSURE OF PRIVATE RECORDS

A. Private Records

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

B. Private Records Not Accessible to Parent

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

1. The responsible authority may deny access to private data by a parent when a minor student who is the subject of that data requests that the responsible authority deny such access. The minor student's request must be submitted in writing setting forth the reasons for denying access to the parent and must be signed by the minor. Upon receipt of such request the responsible authority shall determine if honoring the request to deny the parent access would be in the best interest of the minor data subject. In making this determination the responsible authority shall consider the following factors:
 - a. whether the minor is of sufficient age and maturity to be able to explain the reasons for and understand the consequences of the request to deny access;
 - b. whether the personal situation of the minor is such that denying parental access may protect the minor data subject from physical or emotional harm;
 - c. whether there are grounds for believing that the minor data subject's reasons for precluding parental access are reasonably accurate;
 - d. whether the data in question is of such a nature that disclosure of it to the parent may lead to physical or emotional harm to the minor

data subject; and

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

C. Private Records Not Accessible to Student

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

D. Military-Connected Youth Identifier

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

IX. DISCLOSURE OF CONFIDENTIAL RECORDS

A. Confidential Records

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

B. Reports Under the Maltreatment of Minors Reporting Act

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

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

occurred, and the nature of the conduct that may constitute maltreatment.

C. Investigative Data

Data collected by the education ~~school~~ district as part of an active investigation undertaken for the purpose of the commencement or defense of pending civil legal action, or are retained in anticipation of a pending civil legal action are classified as protected nonpublic data in the case of data not on individuals, and confidential data in the case of data on individuals.

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

proceedings.

D. Chemical Abuse Records

To the extent the education ~~school~~ district maintains records of the identity, diagnosis, prognosis, or treatment of any student which are maintained in connection with the performance of any drug abuse prevention function conducted, regulated, or directly or indirectly assisted by any department or agency of the United States, such records are classified as confidential and shall be disclosed only for the purposes and under the circumstances expressly authorized by law.

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

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

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

A. The education ~~school~~ district will release the names, addresses, electronic mail address (which shall be the electronic mail addresses provided by the education ~~school~~ district, if available, that may be released to military recruiting officers only), and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request unless a parent or eligible student has refused in writing to release this data pursuant to Paragraph C. below.

B. Data released to military recruiting officers under this provision:

1. may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military;
2. cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces; and
3. copying fees shall not be imposed.

C. A parent or eligible student has the right to refuse the release of the name, address, electronic mail addresses (which shall be the electronic mail addresses

provided by the school, if available, that may be released to military recruiting officers only) or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the responsible authority [*designate title of individual, i.e., building principal*] in writing by [*date*] each year. The written request must include the following information:

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

XII. LIMITS ON REDISCLOSURE

A. Redisclosure

Consistent with the requirements herein, the education ~~school~~ district may only disclose personally identifiable information from the education records of a student on the condition that the party to whom the information is to be disclosed will not disclose the information to any other party without the prior written consent of the parent of the student or the eligible student, except that the officers, employees, and agents of any party receiving personally identifiable information under this section may use the information, but only for the purposes for which the disclosure was made.

B. Redisclosure Not Prohibited

1. Subdivision A. of this section does not prevent the education ~~school~~ district from disclosing personally identifiable information under Section VI. of this policy with the understanding that the party receiving the information may make further disclosures of the information on behalf of the education ~~school~~ district provided:
 - a. The disclosures meet the requirements of Section VI. of this policy; and
 - b. The education ~~school~~ district has complied with the record-keeping requirements of Section XIII. of this policy.
2. Subdivision A. of this section does not apply to disclosures made pursuant to court orders or lawfully issued subpoenas or litigation, to disclosures of directory information, to disclosures to a parent or student or to parents of dependent students, or to disclosures concerning sex offenders and other individuals required to register under 42 United States Code section ~~U.S.C.~~ § 14071. However, the education ~~school~~ district must provide the notification required in Section XII.D. of this policy if a redisclosure is made based upon a court order or lawfully issued subpoena.

[Note: 42 United States Code section ~~U.S.C.~~ § 14071 was repealed. education ~~School~~ districts should retain this statutory reference, however, as it remains a reference in FERPA and the Minnesota Government Data Practices Act and still may apply to individuals required to register prior to the repeal of this law.]

C. Classification of Disclosed Data

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

D. Notification

The education ~~school~~ district shall inform the party to whom a disclosure is made of the requirements set forth in this section, except for disclosures made pursuant

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

XIII. RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING

A. Responsible Authority

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

B. Record Security

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

C. Plan for Securing Student Records

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

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

D. Review of Written Plan for Securing Student Records

The responsible authority shall review the plans submitted pursuant to Paragraph

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

E. Record Keeping

1. The principal shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record, with the education records of the student, that indicates:
 - a. the parties who have requested or received personally identifiable information from the education records of the student;
 - b. the legitimate interests these parties had in requesting or obtaining the information; and
 - c. the names of the state and local educational authorities and federal officials and agencies listed in Section VI.B.4. of this policy that may make further disclosures of personally identifiable information from the student's education records without consent.
2. In the event the education ~~school~~ district discloses personally identifiable information from an education record of a student pursuant to Section XII.B. of this policy, the record of disclosure required under this section shall also include:
 - a. the names of the additional parties to which the receiving party may disclose the information on behalf of the education ~~school~~ district;
 - b. the legitimate interests under Section VI. of this policy which each of the additional parties has in requesting or obtaining the information; and
 - c. a copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 Code of Federal Regulations section ~~C.F.R. §~~ 99.32 and to whom the education ~~school~~ district disclosed information from an education record. The education ~~school~~ district shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to whom education records were disclosed upon a request from a parent or eligible student to review the record of requests for disclosure.
3. Section XIII.E.1. does not apply to requests by or disclosure to a parent of

a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other education district~~school~~ officials under Section VI.B.1. of this policy, to requests for disclosures of directory information under Section VII. of this policy, or to a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or agency has ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18: U.S.C. §United States Code section 2332b(g)(5)(B) or an act of domestic or international terrorism.

[Note: While Section XIII.E.1. does not apply to requests for or disclosures of directory information under Section VII. of this policy, to the extent the education ~~school~~ district chooses to limit the disclosure of directory information to specific parties, for specific purposes, or both, it is advisable that records be kept to identify the party to whom the disclosure was made and/or purpose for the disclosure.]

4. The record of requests of disclosures may be inspected by:
 - a. the parent of the student or the eligible student;
 - b. the education district~~school~~ official or his or her assistants who are responsible for the custody of the records; and
 - c. the parties authorized by law to audit the record-keeping procedures of the education ~~school~~ district.
5. The education ~~school~~ district shall record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:
 - a. the articulable and significant threat to the health or safety of a student or other individual that formed the basis for the disclosure; and
 - b. the parties to whom the education ~~school~~ district disclosed the information.
6. The record of requests and disclosures shall be maintained with the education records of the student as long as the education ~~school~~ district maintains the student's education records.

XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

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

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

B. Response to Request for Access

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

C. Right to Inspect and Review

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

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

D. Form of Request

Parents or eligible students shall submit to the education ~~school~~ district a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect.

E. Collection of Student Records

If a student's education records are maintained in more than one location, the responsible authority may collect copies of the records or the records themselves from the various locations so they may be inspected at one site. However, if the

parent or eligible student wishes to inspect these records where they are maintained, the education ~~school~~ district shall attempt to accommodate those wishes. The parent or eligible student shall be notified of the time and place where the records may be inspected.

F. Records Containing Information on More Than One Student

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

G. Authority to Inspect or Review

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

H. Fees for Copies of Records

1. The education ~~school~~ district shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the reasonable fee, the education ~~school~~ district shall consider the following:
 - a. the cost of materials, including paper, used to provide the copies;
 - b. the cost of the labor required to prepare the copies;
 - c. any schedule of standard copying charges established by the education ~~school~~ district in its normal course of operations;
 - d. any special costs necessary to produce such copies from machine-based record-keeping systems, including but not limited to computers and microfilm systems; and
 - e. mailing costs.
2. If 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and, instead, the charge shall be no more than 25 cents for each page copied.
3. The cost of providing copies shall be borne by the parent or eligible student.

4. The responsible authority, however, may not impose a fee for a copy of an education record made for a parent or eligible student if doing so would effectively prevent or, in the case of a student with a disability, impair the parent or eligible student from exercising their right to inspect or review the student's education records.

XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA

A. Request to Amend Education Records

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

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

B. Right to a Hearing

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

1. If, as a result of the hearing, the education ~~school~~ district decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall amend the education records of the student accordingly and so inform the parent of the student or the eligible student in writing.
2. If, as a result of the hearing, the education ~~school~~ district decides that the

information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the education ~~school~~ district, or both.

3. Any statement placed in the education records of the student under Subdivision B. of this section shall:
 - a. be maintained by the education ~~school~~ district as part of the education records of the student so long as the record or contested portion thereof is maintained by the education ~~school~~ district; and
 - b. if the education records of the student or the contested portion thereof is disclosed by the education ~~school~~ district to any party, the explanation shall also be disclosed to that party.

C. Conduct of Hearing

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

D. Appeal

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

XVI. PROBLEMS ACCESSING DATA

- A. The data practices compliance official is the designated employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.
- B. Data practices compliance official means *[designate title and actual name of individual]*.
- C. Any request by an individual with a disability for reasonable modifications of the education ~~school~~ district's policies or procedures for purposes of accessing records shall be made to the data practices compliance official.

XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA

A. Where to File Complaints

Complaints regarding alleged violations of rights accorded parents and eligible students by FERPA, and the rules promulgated thereunder, shall be submitted in writing to the U.S. Department of Education, Student Privacy Policy Office, 400 Maryland Avenue S.W., Washington, D.C. 20202-8520.

B. Content of Complaint

A complaint filed pursuant to this section must contain specific allegations of fact giving reasonable cause to believe that a violation of FERPA and the rules promulgated thereunder has occurred.

XVIII. WAIVER

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

XIX. ANNUAL NOTIFICATION OF RIGHTS

A. Contents of Notice

The education ~~school~~ district shall give parents of students currently in attendance and eligible students currently in attendance annual notice by such means as are reasonably likely to inform the parents and eligible students of the following:

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;

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

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

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

C. Notification to Parents or Eligible Students Who are Disabled

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

XX. DESTRUCTION AND RETENTION OF RECORDS

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

XXI. COPIES OF POLICY

Copies of this policy may be obtained by parents and eligible students at the executive directorsuperintendent's office.

- Legal References:**
- Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
 - Minn. Stat. § 13.393 (Attorneys)
 - Minn. Stat. Ch. 14 (Administrative Procedures Act)
 - Minn. Stat. § 120A.22 (Compulsory Instruction)
 - Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)
 - Minn. Stat. § 121A.75 (Receipt of Records; Sharing)
 - Minn. Stat. § 127A.852 (Military-Connected Youth Identifier)
 - Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)
 - Minn. Stat. Ch. 256B (Medical Assistance for Needy Persons)
 - Minn. Stat. Ch. 256L (MinnesotaCare)
 - Minn. Stat. § 260B.171, Subds. 3 and 5 (Disposition Order and Peace Officer Records of Children)
 - Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
 - Minn. Stat. § 363A.42 (Public Records; Accessibility)
 - Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)
 - Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)
 - 10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns; Compilation of Directory Information)
 - 18 U.S.C. § 2331 (Definitions)
 - 18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)
 - 20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
 - 20 U.S.C. § 6301 *et seq.* (Every Student Succeeds Act)
 - 20 U.S.C. § 7908 (Armed Forces Recruiting Information)
 - 20 U.S.C. § 7917 (Transfer of School Disciplinary Records)
 - 25 U.S.C. § 5304 (Definitions – Tribal Organization)
 - 26 U.S.C. §§ 151 and 152 (Internal Revenue Code)
 - 42 U.S.C. § 1711 *et seq.* (Child Nutrition Act)
 - 42 U.S.C. § 1751 *et seq.* (Richard B. Russell National School Lunch Act)
 - 34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)
 - 34 C.F.R. § 300.610-300.627 (Confidentiality of Information)
 - 42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records)
 - Gonzaga University v. Doe*, 536 U.S. 273 309 (2002)
 - Dept. of Admin. Advisory Op. No. 21-008 (December 8, 2021)
- Cross References:**
- MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
 - MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
 - MSBA/MASA Model Policy 506 (Student Discipline)
 - MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
 - MSBA/MASA Model Policy 520 (Student Surveys)
 - MSBA/MASA Model Policy 711 (Video Recording on School Buses)

MSBA/MASA Model Policy 722 (Public Data Requests)
MSBA/MASA Model Policy 906 (Community Notification of Predatory
Offenders)
MSBA School Law Bulletin “I” (School Records – Privacy – Access to
Data)

418 DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL

*[Note: ~~education district~~**School** districts are required by statute to have a policy addressing these issues.]*

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. Use or possession of ~~alcohol, controlled substances,~~ toxic substances, medical cannabis, ~~nonintoxicating cannabinoids (including edible cannabinoid products), and controlled substances~~ alcohol before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.
- B. A violation of this policy occurs when any student, teacher, administrator, other ~~education school~~ district personnel, or member of the public uses or possesses alcohol, toxic substances, ~~controlled substances,~~ or medical cannabis, ~~nonintoxicating cannabinoids (including edible cannabinoid products), or controlled substances~~ in any school location.
- C. The ~~education school~~ district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, ~~education districts~~**School** personnel, or member of the public who violates this policy.

III. DEFINITIONS

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

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

IV. EXCEPTIONS

- A. A violation of this policy does not occur when a person brings onto a **education district/school** location, for such person's own use, a controlled substance, except medical cannabis, which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.
- B. A violation of this policy does not occur when a person possesses an alcoholic beverage in a **education district/school** location when the possession is within the exceptions of ~~Minnesota Statutes, section § 624.701, Subdivision 1a~~ (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).

V. PROCEDURES

- A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, must comply with the **education school** district's student medication policy.

*[Note: **education district/school** districts are required by ~~Minnesota Statutes, § section 121A.22~~ to develop procedures for the administration of drugs and medicine. If the **education school** district does not have a student medication policy such as MSBA/MASA Model Policy 516, this Paragraph A. can be modified to provide: "Students who have a prescription from a physician for medical treatment with a controlled substance must provide a copy of the prescription and the medication to the school nurse, principal, or other designated staff member. The **education school** district's licensed school nurse, trained health clerk, principal, or teacher will administer the prescribed medication in accordance with **education school** district procedures."]*

- B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.
- C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.

*[Note: The Drug-Free Workplace Act requires that **education school** district employees be notified by a published statement of the prohibition of the use of controlled substances and actions that will be taken against employees for violations of such prohibition. 41 ~~United States Code section U.S.C. § 8103; 34 C.F.R. Code of Federal Regulations Part 84.~~ An acknowledgment will document*

satisfaction by the education school district of this federal requirement.]

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

VI. ENFORCEMENT

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

~~rehabilitation program and/or to law enforcement officials when appropriate.~~

B. Employees

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

C. The Public

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

Legal References: Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.40-§ 121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 151.72 (Sale of Certain Cannabinoid Products)
Minn. Stat. § 152.22, subd. 6 (~~Medical Cannabis~~; Definitions; **Medical Cannabis**)
Minn. Stat. § 152.23 (~~Medical Cannabis~~; Limitations; **Medical Cannabis**)
Minn. Stat. § 340A.101 (Definitions; **Alcoholic Beverage**)
Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)
Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)

Minn. Stat. § 609.684 (~~Sale of Toxic Substances to Children~~; Abuse of Toxic Substances)
Minn. Stat. § 624.701 (Alcohol in Certain Buildings or Grounds)
20 U.S.C. § 7101-716522 (~~Safe and Drug-Free Schools and Communities Act~~ Student Support and Academic Enrichment Grants)
21 U.S.C. § 812 (Schedules of Controlled Substances)
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)
21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)
34 C.F.R. Part 84 (Government-wide Requirements for Drug-Free Workplace)

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

417 CHEMICAL USE AND ABUSE

[Note: This policy reflects mandatory provisions of state and federal law and is not discretionary.]

I. PURPOSE

The ~~education districts~~school board recognizes that chemical use and abuse constitutes a grave threat to the physical and mental well-being of students and employees and significantly impedes the learning process. Chemical use and abuse also creates significant problems for society in general. The ~~education districts~~school board believes that the public school has a role in education, intervention, and prevention of chemical use and abuse. The purpose of this policy is to assist the ~~education~~ school district in its goal to prevent chemical use and abuse by providing procedures for education and intervention.

II. GENERAL STATEMENT OF POLICY

A. Use ~~or possession~~ of controlled substances, ~~toxic substance~~, medical cannabis, ~~toxic substances~~, and alcohol ~~before, during, or after school hours, at school or in any other school location~~, is prohibited in ~~the school setting in~~ accordance with ~~education districts~~school district policies with respect to a Drug-Free Workplace/Drug-Free School.

B. ~~The policy of this~~education school district shall develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievement. ~~is to provide an instructional program in every elementary and secondary school in chemical abuse and the prevention of chemical dependency.~~

~~¶~~
C. ~~Every~~The school district that participates in a ~~education~~ school district chemical abuse program shall establish ~~and maintain in every school~~ a chemical abuse preassessment team. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.¶

~~D. The superintendent, with the advice of the school board, shall be responsible for establishing a school and community advisory team to address chemical abuse problems in the district.¶~~

~~ED.~~ The ~~education~~ school district shall establish ~~and maintain~~ a drug-free awareness program ~~to for~~ educate and assist its employees. ~~and may establish a students.,~~

~~and others in understanding this policy and the goals of achieving drug-free schools and workplaces.~~

[Note: ~~education school~~ districts are required to establish a drug-free awareness program for ~~education school~~ district employees pursuant to the Drug-Free Workplace Act. In addition, state law requires that the written districtwide school discipline policy must include procedures for detecting and addressing chemical abuse problems of a student while on the school premises. Further, ~~education school~~ districts are required to develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievement if receiving funding under the federal Student Support and Academic Enrichment Grants law. ~~Comprehensive drug prevention programs are required to be adopted and carried out by school districts pursuant to the Safe and Drug-Free Schools and Communities Act. In addition, school districts are required by the Drug-Free Workplace Act to establish drug-free awareness programs for school district employees. Further, state law authorizes school districts to provide instructional programs in chemical abuse and the prevention of chemical dependency.]~~

III. DEFINITIONS

- A. “Chemical abuse,” as applied to students, means use of any psychoactive or mood-altering chemical substance, without compelling medical reason, in a manner that induces mental, emotional, or physical impairment and causes socially dysfunctional or socially disordering behavior, to the extent that the ~~minor’s student’s~~ normal function in academic, school, or social activities is chronically impaired. ¶
- B. ~~“Chemicals” includes, but is not limited to, alcohol, toxic substances, medical cannabis, and controlled substances as defined in the school district’s Drug-Free Workplace/Drug-Free School policy.~~
- B. “Controlled substances,” as applied to the chemical abuse assessment of students, means a drug, substance, or immediate precursor in Schedules I through V of Minnesota Statutes section 152.02 and “marijuana” as defined in Minnesota Statutes section 152.01, subdivision 9; but not distilled spirits, wine, malt beverages, intoxicating liquors or tobacco. As otherwise defined in this policy, “controlled substances” include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code section 812, including analogues and look-alike drugs.
- C. “Drug prevention” means prevention, early intervention, rehabilitation referral, recovery support services, or education related to the illegal use of drugs, such as raising awareness about the consequences of drug use that are evidence based. ¶
- C. ~~“Use” includes to sell, buy, manufacture, distribute, dispense, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration. ¶~~
- ¶
- D. ~~“School location” includes any school building or on any school premises; on any~~

~~school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off-school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.~~

- D. “Teacher” means all persons employed in a public school or education district or by a service cooperative as members of the instructional, supervisory, and support staff including ~~executive directors~~ ~~superintendents~~, principals, supervisors, secondary vocational and other classroom teachers, librarians, counselors, school psychologists, school nurses, school social workers, audio-visual directors and coordinators, recreation personnel, media generalists, media supervisors, and speech therapists.

IV. STUDENTS

A. Districtwide School Discipline Policy

Procedures for detecting and addressing chemical abuse problems of a student while on school premises are included in the districtwide school student discipline policy.

~~AB.~~ Programs and Activities ~~Instruction~~

14. ~~Every~~ ~~The education school~~ district shall develop, implement, and evaluate comprehensive ~~provide an instructional~~ programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievements. The programs and activities may include, among other programs and activities, drug prevention activities and programs that may be evidence based, including programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes. ~~in chemical abuse and the prevention of chemical dependency. The school district may involve parents, students, health care professionals, state department staff, and members of the community in developing the curriculum.~~ ¶

~~[Note: The Safe and Drug-Free Schools and Communities Act requires school districts to adopt and carry out a comprehensive drug and violence prevention program with funds received. Since a comprehensive drug prevention program is required and a school district is specifically authorized by state law to provide instructional programs in chemical abuse and the prevention of chemical dependency, this should be a component of each school district’s mandatory program. In addition, the Safe and Drug-Free Schools and Communities Act specifies additional items which that may be included as part of the mandatory comprehensive drug prevention program. Some of the suggested items relating to instruction or training are detailed in Paragraphs 2. Through 6. Below and a~~

~~school district may wish to adopt one or all of the listed components as part of its mandatory program.]~~

2. As part of its drug-free programs, the education school district may implement the drug abuse resistance education program (DARE) that enables peace officers to undergo the training to teach a curriculum on drug abuse resistance in schools.

~~2. Each school shall have age-appropriate and developmentally based activities that:~~

~~¶
¶~~

~~a. address the consequences of violence and the illegal use of drugs, as appropriate;~~

~~¶~~

~~b. promote a sense of individual responsibility;~~

~~¶~~

~~c. teach students that most people do not illegally use drugs;~~

~~¶~~

~~d. teach students to recognize social and peer pressure to use drugs illegally and the skills for resisting illegal drug use;~~

~~¶~~

~~e. teach students about the dangers of emerging drugs;~~

~~¶~~

~~f. engage students in the learning process; and~~

~~¶~~

~~g. incorporate activities in secondary schools that reinforce prevention activities implemented in elementary schools.~~

~~¶~~

~~3. Each school shall have activities that involve families, community sectors (which may include appropriately trained seniors), and a variety of drug and violence prevention providers in setting clear expectations against violence and illegal use of drugs and appropriate consequences for violence and illegal use of drugs.~~

~~¶~~

~~4. Each school shall disseminate drug and violence prevention information within the school and to the community.~~

~~¶~~

~~5. Each school shall have professional development and training for, and involvement of, school personnel, student services personnel, parents, and interested community members in prevention, education, early identification and intervention, mentoring, or rehabilitation referral, as related to drug and violence prevention.~~

~~¶~~

~~6. Each school shall have drug and violence prevention activities that may include the following:~~

~~¶~~

~~a. Community-wide planning and organizing activities to reduce violence and illegal drug use, which may include gang activity prevention.~~

~~¶~~

~~b. The hiring and mandatory training, based on scientific research, of school security personnel who interact with students in support of youth drug and violence prevention activities~~

~~under this policy that are implemented in the school.~~

~~¶~~

~~c. Conflict resolution programs, including peer mediation programs that educate and train peer mediators and a designated faculty supervisor, and youth anti-crime and anti-drug councils and activities.~~

~~¶~~

~~d. Counseling, mentoring, referral services, and other student assistance practices and programs, including assistance provided by qualified school-based mental health services providers and the training of teachers by school-based mental health services providers in appropriate identification and intervention techniques for students at risk of violent behavior and illegal use of drugs.~~

~~¶~~

~~e. Programs that encourage students to seek advice from, and to confide in, a trusted adult regarding concerns about violence and illegal drug use.~~

CB. Reports of Use, Possession, or Transfer of Alcohol or a Controlled Substance
Chemical Use and Abuse

~~¶~~

~~1. In the event that a school district employee knows that a student is abusing, possessing, transferring, distributing, or selling chemicals in a school location.~~

~~¶~~

~~a. The employee shall immediately either take the student to an administrator or notify an appropriate administrator of the observation and continue to observe the student until the administrator arrives.~~

~~¶~~

~~b. The administrator will notify the student's parents. If there is a medical emergency, the administrator will notify the school nurse and/or outside medical personnel as appropriate.~~

~~¶~~

~~c. The administrator will notify law enforcement officials, the student's counselor, and the chemical preassessment team.~~

~~¶~~

~~d. The administrator and/or law enforcement officials will confiscate the chemicals and/or conduct a search of the student's person, effects, locker, vehicle, or areas within the student's control. Searches by school district officials shall be in accordance with school board policies regarding search and seizure.~~

~~¶~~

~~e. The school district will take appropriate disciplinary action in compliance with the student discipline code. Such discipline may include immediate suspension, initiation of expulsion proceedings, and/or referral to a detoxification center or medical center.~~

~~¶~~

~~2. If a school district employee has reason to believe that a student is abusing, possessing, transferring, distributing, or selling chemicals:~~

~~¶~~

~~a. The employee shall notify the building administrator or a member of the preassessment team and shall describe the basis for the suspicion. The building administrator and/or team will determine what action should be taken. Action may include conducting an investigation, gathering data, scheduling a conference with the student or parents, or providing a meeting~~

~~between a single member of the team and the student to discuss the behaviors that have been reported and attempting to ascertain facts regarding chemical abuse.~~ ¶

¶

~~b. The team may determine there is no chemical abuse. If the team determines there is chemical abuse, the team will select an appropriate course of action, which may include referral to a school counselor, referral to a treatment program, referral for screening, assessment, and treatment planning, participation in support groups, or other appropriate measures.~~ ¶

1. ~~1.~~ A teacher in a nonpublic school participating in a **education school** district chemical use program, or a public school teacher, who knows or has reason to believe that a student is using, possessing, or transferring alcohol or a controlled substance while on the school premises or involved in school-related activities, shall immediately notify the school's chemical abuse preassessment team, or staff member assigned duties similar to those of such a team, of this information.

*[Note: **education School** districts are not required to participate in a chemical abuse program or establish a chemical abuse preassessment team pursuant to state law. **education Schools** are required to have procedures for detecting student chemical abuse and can obtain federal funding if they establish drug prevention, detection, intervention, and recovery support services. Thus, it is recommended that **education districtschools** establish these programs and activities. For those schools that do not establish a chemical abuse preassessment team, those obligations could be assigned to a specified staff member such a school counselor or administrator.]*

¶

32. Students involved in the abuse, possession, transfer, distribution, or sale of chemicals ~~shall~~ **may** be suspended **and proposed for expulsion** in compliance with the student discipline policy and the Pupil Fair Dismissal Act, ~~Minnesota Statutes section §~~ 121A.40-121A.56, and proposed for expulsion.
43. Searches by **education school** district officials in connection with the ~~abuse, possession, or transfer, distribution, or sale of alcohol or a controlled substance chemicals~~ will be conducted in accordance with **education districtschool** board policies related to search and seizure.
4. Nothing in paragraph IV.B.1. prevents a teacher or any other **education districtschool** employee from reporting to a law enforcement agency any violation of law occurring on **education districtschool** premises or at **education districtschool** sponsored events.

DC. Preassessment Team

1. Every school that participates in a school district chemical abuse program

shall ~~establish~~ have a chemical abuse preassessment team designated by the ~~executive directors~~ superintendent or designee. The team ~~must~~ will be composed of classroom teachers, administrators, and ~~to the extent they exist in the school, school nurse, school counselor or psychologist, social worker, chemical abuse specialist, and other appropriate professional staff-~~ to the extent they exist in each school, such as the school nurse, school counselor or psychologist, social worker, chemical abuse specialist, or ~~others~~. For schools that do not have a chemical abuse program and team, the ~~executive directors~~ superintendent or designee will assign these duties to a designated school district employee.

2. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
3. Within forty-five (45) days after receiving an individual reported case, the team shall make a determination whether to provide the student and, in the case of a minor, the student's parents with information about school and community services in connection with chemical abuse.

~~ED.~~ Data Practices

1. Student data may be disclosed without consent in health and safety emergencies pursuant to Minnesota Statutes section § 13.32 and applicable federal law and regulations. ¶

2. Destruction of Records

- a. If the preassessment team decides not to provide a student and, in the case of a minor, the student's parents with information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the determination is made.
- b. If the team decides to provide the student and, in the case of a minor or a dependent student, the student's parents with ~~such~~ information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the student is no longer enrolled in the district.
- c. ~~This section shall govern d~~ Destruction of records identifying individual students shall be governed by paragraph IV.E.2. notwithstanding provisions of the Records Management Act, Minnesota Statutes section § 138.163 (Preservation and Disposal of

FE. Consent

Any minor may give effective consent for medical, mental, and other health services to determine the presence of or to treat conditions associated with alcohol and other drug abuse, and the consent of no other person is required.

[Note: State law permits schools to provide these services to minor students without the consent of a parent. If, however, a school district provides these or other services pursuant to a grant received under the Student Support and Academic Enrichment Grants law, this funding could be jeopardized if the requirements of federal law, to obtain prior written, informed consent from the parent of each child who is under 18 years of age is not obtained.]

¶

¶

~~F. School and Community Advisory Team~~¶

¶

~~1. The superintendent, with the advice of the school board, shall establish a school and community advisory team to address chemical abuse problems. The advisory team will be composed of representatives from the school preassessment teams to the extent possible, law enforcement agencies, county attorney's office, social service agencies, chemical abuse treatment programs, parents, and the business community.~~¶

¶

~~2. The advisory team shall:~~¶

¶

~~a. build awareness of the problem within the community, identify available treatment and counseling programs for students, and develop good working relationships and enhance communication between the schools and other community agencies; and~~¶

¶

~~b. develop a written procedure clarifying the notification process to be used by the chemical abuse preassessment team when a student is believed to be in possession of or under the influence of alcohol or a controlled substance. The procedure must include contact with the student and the student's parents or guardian in the case of a minor student.~~¶

V. **EMPLOYEES**

A. The education ~~school~~ district shall establish ~~superintendent or designee shall undertake and maintain~~ a drug-free awareness and prevention program to inform employees, students, and others about:

1. The dangers ~~and health risks of chemical~~ of drug abuse in the workplace/school.

2. The education ~~school~~ district's drug-free workplace/drug-free school policy of maintaining a drug-free workplace.

3. ~~Any available drug or alcohol counseling, treatment, rehabilitation, re-entry, and/or employee assistance programs available to employees and/or students.~~
 4. The penalties that may be imposed on employees for drug abuse violations.
- B. The ~~education school district superintendent or designee~~ shall notify any federal granting agency required to be notified under the Drug-Free Workplace Act within ten (10) days after receiving notice ~~from the employee or otherwise receiving actual notice~~ of any ~~criminal drug statute~~ conviction ~~of an employee for a criminal drug statute violation occurring in the workplace. To facilitate the giving of such notice, any employee aware of such a conviction shall report the same to the superintendent.~~

¶

~~[Note: Notification to the federal granting agency within ten (10) days is required by the Drug-Free Workplace Act. 41 U.S.C. § 8103.]~~¶

Legal References:

- Minn. Stat. § 13.32 (Educational Data)
- Minn. Stat. § 121A.25-121A.29 (Chemical Abuse)
- Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)
- Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)
- Minn. Stat. § 124D.695 (Approved Recovery Program Funding)
- Minn. Stat. § 126C.44 (Safe Schools Levy)
- Minn. Stat. § 138.163 (Preservation and Disposal of Public Records)
~~Records Management Act)~~
- Minn. Stat. § 144.343 (Pregnancy, Venereal Disease, Alcohol or Drug Abuse, Abortion)
- Minn. Stat. § 152.01 (Definitions)
- Minn. Stat. § 152.02 (Schedules of Controlled Substances; Administration of Chapter)
- Minn. Stat. § 152.22 (~~Medical Cannabis; Definitions; Medical Cannabis)~~
- Minn. Stat. § 152.23 (~~Medical Cannabis; Limitations; Medical Cannabis)~~¶
- Minn. Stat. § 299A.33 (DARE Program)
- Minn. Stat. § 466.07, subd. 1 (Indemnification Required)
- Minn. Stat. § 609.101, subd. 3(e) (Controlled Substance Offenses; Minimum Fines)
- 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
- 20 U.S.C. §§ 7101-716522 (~~Student Support and Academic Enrichment Grants~~Safe and Drug-Free Schools and Communities Act)
- 20 U.S.C. § 5812 (National Education Goals)
- 20 U.S.C. § 7175 (Local Activities)
- 41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)
- 34 C.F.R. Part 84 (Government-~~w~~Wide Requirements for Drug-Free Workplace)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug Free School)
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction)
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)

210 CONFLICT OF INTEREST – ~~education district~~SCHOOL BOARD MEMBERS

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

I. PURPOSE

The purpose of this policy is to observe state statutes regarding conflicts of interest and to engage in ~~education~~school district business activities in a fashion designed to avoid any conflict of interest or the appearance of impropriety.

II. GENERAL STATEMENT OF POLICY

It is the policy of the ~~education districts~~school board to contract for goods and services in conformance with statutory conflict of interest laws and in a manner that will avoid any conflict of interest or the appearance thereof. Accordingly, the ~~education districts~~school board will contract under the statutory exception provisions only when it is clearly in the best interest of the ~~education~~ school district because of limitations that may exist on goods or services otherwise available to the ~~education~~ school district.

III. GENERAL PROHIBITIONS AND RECOGNIZED STATUTORY EXCEPTIONS

- A. A ~~education districts~~school board member who is authorized to take part in any manner in making any sale, lease, or contract in his or her official capacity shall not voluntarily have a personal financial interest in that sale, lease, or contract or personally benefit financially therefrom.
- B. In the following circumstances, however, the ~~education districts~~school board may as an exception, by unanimous vote, contract for goods or services with a ~~education districts~~school board member of the ~~education~~ school district:
 1. In the designation of a bank or savings association, in which a ~~education districts~~school board member is interested, as an authorized depository for ~~education~~ school district funds and as a source of borrowing, provided such deposited funds are protected in accordance with ~~Minn. Stat. Ch. Minnesota Statutes~~ chapter 118A. Any ~~education districts~~school board member having said interest shall disclose that interest and the interest shall be entered upon the ~~education districts~~school board minutes ~~of the school board~~. Disclosure ~~must~~ shall be made when such bank or savings association is first designated as a depository or source of borrowing, or when such ~~education districts~~school board member is elected, whichever is later. Disclosure serves as notice of the interest and ~~must~~ need only be made once;

2. The designation of an official newspaper, or publication of official matters therein, in which the **education districts** board member is interested when it is the only newspaper complying with statutory requirements relating to the designation or publication;
3. A contract with a cooperative association of which the **education districts** board member is a shareholder or stockholder but not an officer or manager;
4. A contract for which competitive bids are not required by law. A contract made under this exception will be void unless the following procedures are observed:
 - a. The **education districts** board ~~must~~ shall authorize the contract in advance of its performance by adopting a resolution setting out the essential facts and determining that the contract price is as low as or lower than the price at which the goods or services could be obtained elsewhere.
 - b. In the case of an emergency when the contract cannot be authorized in advance, payment of the claims must be authorized by a like resolution wherein the facts of the emergency are also stated.
 - c. Before a claim is paid, the interested **education districts** board member shall ~~must~~ file with the clerk of the **education districts** board an affidavit stating:
 - (1) The name of the **education districts** board member and the office held;
 - (2) An itemization of the goods or services furnished;
 - (3) The contract price;
 - (4) The reasonable value;
 - (5) The interest of the **education districts** board member in the contract; and
 - (6) That to the best of the **education districts** board member's knowledge and belief, the contract price is as low as, or lower than, the price at which the goods or services could be obtained from other sources.
5. A **education districts** board member may contract with the **education**

~~school~~ district to provide construction materials or services, or both, when the sealed bid process is used. When the contract comes before the education district ~~school~~ board for consideration, the interested education district ~~school~~ board member may not vote on the contract. (*Note: This section applies only when~~re~~ the education ~~school~~ district has a population of 1,000 or less according to the last federal census.*)

6. A education districts~~school~~ board member may rent space in a public facility at a rate commensurate with that paid by other members of the public.
- C. In the following circumstances, the education districts~~school~~ board may as an exception, by majority vote at a meeting ~~where—at which~~ all education districts~~school~~ board members are present, contract for services with a education districts~~school~~ board member of the education ~~school~~ district: A education districts~~school~~ board member may be newly employed or may continue to be employed by the education ~~school~~ district as an employee ~~where—only if~~ there is a reasonable expectation on July 1, or at the time the contract is entered into or extended, that the amount to be earned by that education district ~~school~~ board member under that contract or employment relationship, will not exceed \$208,000 in that fiscal year. If the education district ~~school~~ board member does not receive majority approval to be initially employed or to continue in employment at a meeting ~~where—at which~~ all education district ~~school~~ board members are present, that employment ~~must be is~~ immediately terminated and that education district ~~school~~ board member ~~will have has~~ no further rights to employment while serving as a education district ~~school~~ board member in the education ~~school~~ district.

[Note: The \$8,000 figure increased to \$20,000 effective July 1, 2022]

- D. The education districts~~school~~ board may contract with a class of education ~~school~~ district employees, such as teachers or custodians, ~~where—when~~ the spouse of a education districts~~school~~ board member is a member of the class of employees contracting with the education districts~~school~~ board and the employee spouse receives no special monetary or other benefit that is substantially different from the benefits that other members of the class receive under the employment contract. ~~In—order for—~~For the education districts~~school~~ board to invoke this exception, it must have a majority of disinterested education districts~~school~~ board members vote to approve the contract, direct the education districts~~school~~ board member spouse to abstain from voting to approve the contract, and publicly set out the essential facts of the contract at the meeting ~~where—in~~ which the contract is approved.

IV. LIMITATIONS ON RELATED EMPLOYEES

- A. The education districts~~school~~ board ~~can—~~must hire or dismiss teachers only at duly called meetings. ~~Where—~~When a husband and wife, brother and sister, or two brothers or sisters, constitute a quorum, no contract employing a teacher may be

made or authorized except upon the unanimous vote of the full education district school board.

- B. The education district school board may not employ any teacher related by blood or marriage to a education district school board member, within the fourth degree as computed by the civil law, except by a unanimous vote of the full education district school board.

V. CONFLICTS PRIOR TO TAKING OFFICE

A education district school board member with personal financial interest in a sale, lease, or contract with the education school district which was entered before the education district school board member took office and presents an actual or potential conflict of interest, shall immediately notify the education district school board of such interest. It shall thereafter be the responsibility of the education district school board member to refrain from participating in any action relating to the sale, lease, or contract. At the time of renewal of any such sale, lease, or contract, the education district school board may enter into or renew such sale, lease, or contract only if it falls within one of the enumerated exceptions for contracts relating to goods or services provided above and if the procedures provided in this policy are followed.

VI. DETERMINATION AS TO WHETHER A CONFLICT OF INTEREST EXISTS

The determination as to whether a conflict of interest exists is to be made by the education district school board. Any education district school board member who has an actual or potential conflict shall notify the education district school board of such conflict immediately. The education district school board member shall thereafter cooperate with the education district school board as necessary for the education district school board to make its determination.

Legal References: Minn. Stat. § 122A.40, Subd. 3 (Employment; Contracts; Termination) ~~Teacher Hiring, Dismissal)~~

Minn. Stat. § 123B.195 (Board Member's Right to Employment)

Minn. Stat. § 471.87 (Public Officers, Interest in Contract; Penalty)

Minn. Stat. § 471.88, Subds. 2, 3, 4, 5, 12, 13, and 21 (Exceptions)

Minn. Stat. § 471.89 (Contract, When Void)

Op. Atty. Gen. 437-A-4, March 15, 1935

Op. Atty. Gen. 90-C-5, July 30, 1940

Op. Atty. Gen. 90-A, August 14, 1957

Cross References: MSBA/MASA Model Policy 101 (Legal Status of the School Board)

MSBA/MASA Model Policy 209 (Code of Ethics)

~~MSBA Service Manual, Chapter 1, School District Governance, Powers and Duties~~

208 DEVELOPMENT, ADOPTION, AND IMPLEMENTATION OF POLICIES

[Note: The provisions of this policy are recommendations. The procedures for policy development, adoption, and implementation are not specifically provided by statute.]

I. PURPOSE

The purpose of this policy is to emphasize the importance of the policy-making role of the ~~education districts~~ school board and provide the means for it to be an ongoing effort.

II. GENERAL STATEMENT OF POLICY

Formal guidelines are necessary to ensure the school community that the school system responds to its mission and operates in an effective, efficient, and consistent manner. A set of written policies shall be maintained and modified as needed. Policies should define the desire and intent of the ~~education districts~~ school board and should be in a form that is sufficiently explicit to guide administrative action.

III. DEVELOPMENT OF POLICY

- A. The ~~education districts~~ school board has jurisdiction to legislate policy with the force and effect of law for the ~~education school~~ district. ~~education School~~ district policy provides the ~~education districts~~ school board's general direction for the ~~education school~~ district while delegating policy implementation to the administration.
- B. The ~~education school~~ district's policies provide guidelines and goals to the school community. The policies are the basis for guidelines and directives created by the administration. The ~~education districts~~ school board shall determine the effectiveness of policies by evaluating periodic reports from the administration.
- C. Policies may be proposed by a ~~education districts~~ school board member, employee, student, or resident of the ~~education school~~ district. Proposed policies or ideas shall be submitted to the ~~executive directors~~ superintendent for review prior to possible placement on the ~~education districts~~ school board agenda.

IV. ADOPTION AND REVIEW OF POLICY

- A. The ~~education districts~~ school board shall give notice of proposed policy changes or adoption of new policies by placing the item on the agenda of two ~~education districts~~ school board meetings. The proposals shall be distributed and public comment will be allowed at both meetings.

- B. The final action taken to adopt the proposed policy shall be approved by a simple majority vote of the ~~education districts~~~~school~~ board at a meeting after the two meetings at which public input was received. The policy will be effective on the latter of the date of passage or the date stated in the motion.
- C. In an emergency, a new or modified policy may be adopted by a majority vote of a quorum of the ~~education districts~~~~school~~ board in a single meeting. A statement regarding the emergency and the need for immediate adoption of the policy shall be included in the minutes. The policy adopted in an emergency shall expire within one year following the emergency action unless the policy adoption procedure stated above is followed and the policy is reaffirmed. The ~~education districts~~~~school~~ board shall have discretion to determine what constitutes an emergency.
- D. If a policy is modified with minor changes that do not affect the substance of the policy or because of a legal change over which the ~~education districts~~~~school~~ board has no control, the modified policy may be approved at one meeting at the discretion of the ~~education districts~~~~school~~ board.

V. IMPLEMENTATION OF AND ACCESS TO POLICY

- A. The ~~executive directors~~~~superintendent~~ shall be responsible for implementing ~~education districts~~~~school~~ board policies, other than the policies that cover how the ~~education districts~~~~school~~ board will operate. The ~~executive directors~~~~superintendent~~ shall develop administrative guidelines and directives to provide greater specificity and consistency in the process of implementation. These guidelines and directives, including employee and student handbooks, shall be subject to annual review and approval by the ~~education districts~~~~school~~ board.
- B. Each ~~education districts~~~~school~~ board member shall have access to ~~education school~~ district policies. A copy of the ~~education school~~ district policies shall be placed in the office of each school attendance center and in the central ~~education school~~ district office and shall be available for reference purposes to other interested persons.
- C. The ~~executive directors~~~~superintendent~~, employees designated by the ~~executive directors~~~~superintendent~~, and individual ~~education districts~~~~school~~ board members shall be responsible for keeping the policy current.
- D. The ~~education districts~~~~school~~ board shall review policies at least once every three years. The ~~executive directors~~~~superintendent~~ shall be responsible for developing a system of periodic review, addressing approximately one third of the policies annually. In addition, the ~~education districts~~~~school~~ board shall review the following policies annually: ~~410 Family and Medical Leave Policy; 413 Harassment and Violence; 414 Mandated Reporting of Child Neglect or Physical or Sexual Abuse; 415 Mandated Reporting of Maltreatment of Vulnerable Adults;~~

~~506 Student Discipline; 514 Bullying Prohibition Policy; 522 Student Sex Nondiscrimination; 524 Internet Acceptable Use and Safety Policy; 616 School District System Accountability; 722 Public Data Requests; and 806 Crisis Management Policy.~~

- E. When no ~~education districts~~~~school~~ board policy exists to provide guidance on a matter, the ~~executive directors~~~~superintendent~~ is authorized to act appropriately under the circumstances keeping in mind the mission, educational philosophy, and financial condition of the ~~education~~ ~~school~~ district. Under such circumstances, the ~~executive directors~~~~superintendent~~ shall advise the ~~education districts~~~~school~~ board of the need for a policy and present a recommended policy to the ~~education districts~~~~school~~ board for approval.

Legal References: Minn. Stat. § 123B.02, Subd. 1 (School District Powers)
Minn. Stat. § 123B.09, Subd. 1 (School Board Powers)

Cross References: MSBA/MASA Model Policy 305 (Policy Implementation)

516 STUDENT MEDICATION

[Note: The necessary provisions for complying with Minnesota Statutes sections 121A.22, Administration of Drugs and Medicine, 121A.221, Possession and Use of Asthma Inhalers by Asthmatic Students, and 121A.222, Possession and Use of Nonprescription Pain Relievers by Secondary Students are included in this policy. The statutes do not regulate administration of drugs and medicine for students age 18 and over or other nonprescription medications. Please note that §121A.22 does not require school districts to apply the administration of medication rule to drugs or medicine used off school grounds, drugs or medicines used in connection with athletics or extra-curricular activities, and drugs and medicines that are used in connection with activities that occur before or after the regular school day.]

I. PURPOSE

The purpose of this policy is to set forth the provisions that must be followed when administering nonemergency prescription medication to students at school.

II. GENERAL STATEMENT OF POLICY

The education district acknowledges that some students may require prescribed drugs or medication during the school day. The education district's licensed school nurse, trained health clerk, principal, or teacher will administer prescribed medications, except any form of medical cannabis, in accordance with law and education district procedures.

III. REQUIREMENTS

- A. The administration of prescription medication or drugs at school requires a completed signed request from the student's parent. An oral request must be reduced to writing within two school days, provided that the education district may rely on an oral request until a written request is received.
- B. An "Administering Prescription Medications" form must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs. Prescription medication as used in this policy does not include any form of medical cannabis as defined in Minnesota Statutes section 152.22, Subd. 6.
- C. Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with law, and must be administered in a manner consistent with the instructions on the label.

- D. The school nurse may request to receive further information about the prescription, if needed, prior to administration of the substance.
- E. Prescription medications are not to be carried by the student, but will be left with the appropriate education district personnel. Exceptions to this requirement are: prescription asthma medications self-administered with an inhaler (See Part J.5. below), and medications administered as noted in a written agreement between the education district and the parent or as specified in an IEP (individualized education program), Section 504 plan, or IHP (individual health plan).
- F. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student's prescription medication administration. A new medical authorization or container label with new pharmacy instructions shall be required immediately as well.
- G. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.
- H. The school nurse, or other designated person, shall be responsible for the filing of the Administering Prescription Medications form in the health records section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.
- I. Procedures for administration of drugs and medicine at school and school activities shall be developed in consultation with a school nurse, a licensed school nurse, or a public or private health organization or other appropriate party (if appropriately contracted by the education district under Minnesota Statutes section 121A.21). The education district administration shall submit these procedures and any additional guidelines and procedures necessary to implement this policy to the education district board for approval. Upon approval by the education district board, such guidelines and procedures shall be an addendum to this policy.
- J. ~~If the administration of a drug or medication described in this section requires the education district to store the drug or medication, the parent or legal guardian must inform the school if the drug or medication is a controlled substance. For a drug or medication that is not a controlled substance, the request must include a provision designating the education district as an authorized entity to transport the drug or medication for the purpose of destruction if any unused drug or medication remains in the possession of education district personnel. For a drug or medication that is a controlled substance, the request must specify that the parent or legal guardian is required to retrieve the drug or controlled substance when requested by the school.~~
- ~~K~~ J. Specific Exceptions:

1. Special health treatments and health functions such as catheterization, tracheostomy suctioning, and gastrostomy feedings do not constitute administration of drugs and medicine;
2. Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy;
3. Drugs or medicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy;
4. Drugs or medicines used at school in connection with services for which a minor may give effective consent are not governed by this policy;
5. Drugs or medicines that are prescription asthma or reactive airway disease medications can be self-administered by a student with an asthma inhaler if:
 - a. the education district has received a written authorization from the pupil's parent permitting the student to self-administer the medication;
 - b. the inhaler is properly labeled for that student; and
 - c. the parent has not requested education district personnel to administer the medication to the student.

The parent must submit written authorization for the student to self-administer the medication each school year. In a school that does not have a school nurse or school nursing services, the student's parent or guardian must submit written verification from the prescribing professional which documents that an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.

If the education district employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers;

6. Medications:
 - a. that are used off school grounds;

- b. that are used in connection with athletics or extracurricular activities; or
- c. that are used in connection with activities that occur before or after the regular school day

are not governed by this policy.

[Note: The provisions of paragraph 6 are optional and the education district board may choose to include or exclude any of the provisions specified.]

- 7. Nonprescription Medication. A secondary student may possess and use nonprescription pain relief in a manner consistent with the labeling, if the education district has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The education district may revoke a student's privilege to possess and use nonprescription pain relievers if the education district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients. Except as stated in this paragraph, only prescription medications are governed by this policy.

[Note: Education districts should consult with licensed medical and nursing personnel to address whether nonprescription medications will be allowed at elementary schools and whether and under what conditions school personnel will participate in storing or administering nonprescription medications.]

- 8. At the start of each school year or at the time a student enrolls in school, whichever is first, a student's parent, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an individualized written health plan for a student who is prescribed epinephrine auto-injectors that enables the student to:
 - a. possess epinephrine auto-injectors; or
 - b. if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to epinephrine auto-injectors in close proximity to the student at all times during the instructional day.

The plan must designate the education district staff responsible for implementing the student's health plan, including recognizing anaphylaxis

and administering epinephrine auto-injectors when required, consistent with state law. This health plan may be included in a student's § 504 plan.

9. A student may possess and apply a topical sunscreen product during the school day while on school property or at a school-sponsored event without a prescription, physician's note, or other documentation from a licensed health care professional. School personnel are not required to provide sunscreen or assist students in applying sunscreen.

~~K.~~ "Parent" for students 18 years old or older is the student.

~~M.L.~~ Districts and schools may obtain and possess epinephrine auto-injectors to be maintained and administered by education district personnel to a student or other individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for an epinephrine auto-injector. The administration of an epinephrine auto-injector in accordance with this section is not the practice of medicine.

A district or school may enter into arrangements with manufacturers of epinephrine auto-injectors to obtain epinephrine auto-injectors at fair-market, free, or reduced prices. A third party, other than a manufacturer or supplier, may pay for a school's supply of epinephrine auto-injectors.

~~M.~~ The District will obtain and possess Narcan (naloxone) to be maintained and administered by trained school staff to a student or other individual if it is determined in good faith that person is experiencing an opioid overdose.

1. Minnesota Statute (604A.04) "Good Samaritan Overdose Protection" allows for "A person who is not a healthcare professional who acts in good faith in administering an opiate antagonist to another person whom the person believes in good faith to be suffering an opioid overdose is immune from criminal prosecution for the act and is not liable for any civil damages for acts or omissions resulting from the act."

2. In accordance with this statute, the individual who is seeking assistance and the individual who is experiencing an overdose have a limited immunity from prosecution.

3. The District will obtain a standing order for Narcan (naloxone) by a licensed medical prescriber and update as needed.

4. Stock Narcan (naloxone) will be clearly labeled and stored in a secured location that is accessible by trained staff.

5. Health Services and School Administration will identify appropriate staff to be trained annually at each school site

~~N. Procedure regarding unclaimed drugs or medications. ¶~~

¶

~~The education district has adopted the following procedure for the collection and transport of any unclaimed or abandoned prescription drugs or medications remaining in the possession of education district personnel in accordance with this policy. Before the transportation of any prescription drug or medication under this policy, the education district shall make a reasonable attempt to return the unused prescription drug or medication to the student's parent or legal guardian. Transportation of unclaimed or unused prescription drugs or medications will occur at least annually, but may occur more frequently at the discretion of the education district.~~

- ~~1. If the unclaimed or abandoned prescription drug is not a controlled substance as defined under Minnesota Statutes section 152.01, subdivision 4, or is an over-the-counter medication, the education district will either designate an individual who shall be responsible for transporting the drug or medication to a designated drop-off box or collection site or request that a law enforcement agency transport the drug or medication to a drop-off box or collection site on behalf of the education district.¶~~
- ~~¶~~
- ~~2. If the unclaimed or abandoned prescription drug is a controlled substance as defined in Minnesota Statutes section 152.01, subdivision 4, the education district or education district personnel is prohibited from transporting the prescription drug to a drop off box or collection site for prescription drugs identified under this paragraph. The education district must request that a law enforcement agency transport the prescription drug or medication to a collection bin that complies with Drug Enforcement Agency regulations, or if a site is not available, under the agency's procedure for transporting drugs.~~

Legal References:

Minn. Stat. § 13.32 (Student Health Data)
Minn. Stat. § 121A.21 (Hiring of Health Personnel)
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.2205 (Possession and Use of Epinephrine Auto-Injectors; Model Policy)

Minn. Stat. § 121A.2207 (Life-Threatening Allergies in Schools; Stock Supply of Epinephrine Auto-Injectors)
Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)
Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)
Minn. Stat. § 121A.223 (Possession and Use of Sunscreen)
Minn. Stat. § 151.212 (Label of Prescription Drug Containers)
Minn. Stat. § 152.01 (Definitions)

Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education

Improvement Act of 2004)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)

Cross References: MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)



GOODHUE COUNTY EDUCATION DISTRICT #6051

395 Guernsey Lane, Red Wing, MN 55066 • Phone 651.388.4441 • Fax 651.388.9557

Member Districts: Cannon Falls #252 • Goodhue #253 • Kenyon-Wanamingo #2172 • Lake City #813 • Red Wing #256 • Zumbrota-Mazeppa #2805

Education Identity and Access Management Board Resolution

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

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

It is strongly recommended that only one person at the local educational agency or organization (the superintendent or director) is designated as the IOwA. The IOwA will grant the IOwA Proxy role(s). Designation of the Identified Official with Authority for Education Identity and Access Management

Organization Name: Goodhue County Education District

6-Digit Organization Number: 6051-61

The Director recommends the Board authorize the below named individual(s) to act as the Identified Official with Authority (IOwA) for this organization:

Print Name: Cheryl L Johnson

Title: Executive Director

Board Member Signature: _____

Name: Dawn Balow, Goodhue County Board Chair

Date: November 3, 2022

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

- VII. **Other:**
- VIII. **Comments: Board/Director**
- IX. **Next Meeting Date: Wednesday, December 7, 2022 at 6:30 PM at Liberty's Restaurant, 303 W. 3rd St., Red Wing, MN 55066**
- X. **Adjournment**