

MEMO TO: Board of Education  
TOPIC: Regular School Board Meeting  
FROM: Steve D. Cairns, Superintendent  
DATE: April 29, 2016

A Regular School Board Meeting of the Board of Education will be held May 2, 2016 at 7:30 PM in the High School Room 101.

### Agenda

**1. CALL TO ORDER**

A. Pledge - Chairman Broden

**2. PREVIEW OF AGENDA**

*During this time any board member may pull any item(s) from the Consent Agenda*

**3. ADDITIONS TO THE AGENDA**

**4. CONSENT AGENDA**

A. Minutes - April 18	4
B. Policy 102 - Equal Educational Opportunity - revision	6
C. Policy 214 - Out-of-State Travel by School Board Members - revision (no changes)	7
D. Policy 401 - Equal Employment Opportunity - revision	8
E. Policy 402 - Disability Nondiscrimination Policy - revision	14
F. Policy 406 - Public & Private Personnel Date & Form: Employee Authorization for Release of Information - revision	19
G. Policy 410 - Family & Medical Leave Policy - revision	29
H. Policy 412 - Expense Reimbursement - revision	39
I. Policy 413 - Harassment and Violence Policy & Form - revision	42

**5. COMMUNICATIONS**

**6. STUDENT INPUT AND RECOGNITION**

A. Athletes of the Week

- 1) April 20
  - Ben Thoma (JR., baseball)
  - Faith Broten (Fr., softball)
  - Maria Melbo (8th grade, softball)

- 2) April 27

McKenzie Dahl (so, girls golf)  
Wyatt Larson (Sr., baseball)  
Remington Aufforth (7th, baseball)  
Cori Bonik (8th, softball)

B. Elementary School Students of the Month - March

Maria Laesch, Mila Mathison, Christian Rodriguez, Lily Weller, Hannah Maruska, Noah LaCroix, Sora Waukazo, Kiana Wangstad, Allie Plante, Ashton Aust, Inez Auginaush, Kyrie Smith, Nora Stout, Evan LaFond, Logan Masurka, Montayna Leavitt, Theodor Tollefson, Preston Derheim, Abigail Martine, Caitlyn LaVine, Gabrielle Capshaw, Jenna Boe, Gunnar Olson, Latriva Pierce, Logan Mathison, Kaylin Sunderland, Kia Nelson, Jonathan Nepean.

**7. PUBLIC PARTICIPATION**

**8. COMMITTEE REPORTS**

- A. Transportation
- B. Policy
- C. Facilities
- D. Negotiations
- E. Athletics
- F. Security
- G. Wellness
- H. Other

**9. REPORTS AND PRESENTATIONS**

- A. Summer School - Corri Uhlir 51
- B. HVAC Project Update 58
  - 1. The Bagley High School Gymnasium HVAC project is back on track. On Wednesday, April 27, 2016, Ron McCollum and I met with representatives from Johnson Controls, Peterson Sheet Metal, and One Engineering. The whole group came to a consensus on a set of plans to complete the project by May 15, 2016, before graduation, pending any unforeseen complications. There are no new costs to the School District. The School District holds retainage around \$100,000 owed to these companies. (two attachments)
  
  - 2. On April 18, 2016, ventilation fans were installed in the bathrooms at the concession/announcer's building. These costs were covered under the original building plans but the project was never completed.
  
  - 3. There is a section of siding on the northeast side of Bagley Elementary Building

that has a large bubble in it. Johnson Controls examined this section of the building on April 27, 2016, and reassured the School District it was under warranty and will be replaced this summer.

**10. SCHOOL BOARD ACTION**

- A. Select Board Members to Present Diplomas at Graduation
- B. Select Board Member for District Curriculum Advisory Committee
- C. Policy 801 - Equal Access to School Facilities - Reading of 61
- D. Staffing
  - 1) Hire - Neltson Mcpherson, Bus Driver - Effective 2016-2017 SY
  - 2) Hire - Carl Jacobs as Head Girls Basketball Coach
  - 3) Hire - Brandy Mullan as an interim paraprofessional for the remainder of the 2015-2016 SY.
  - 4) Resolution of Nonrenewal - Tessa Larson 64
  - 5) Retirement - Joy Krogstad, BRIC Paraprofessional (FYI)
- E. Underground Wiring from the Bus Garage to the Propane Tank recommending Hill River Electric to install the underground wiring from the bus garage to the propane tank filling station on the north side of the bus parking area for the cost of \$4995.95.  
Hill River Electric - \$4995.952.  
Clearbrook Electric - \$7991.32
- F. Adoption - Resolution for Membership in the MSHSL 2016-2017 66
- G. This is an annual renewal.  
STEP 1: The agenda of your school board meeting should include an agenda item to designate the Identified Official with Authority to authorize user access to MDE secure websites for your local education agency. The school board meeting minutes must clearly designate you as the Identified Official with Authority, giving you the responsibility of assigning job duties to local education agency staff.  
  
STEP 2: Send an email to MDE (mde.school-verify@state.mn.us) with the name of the designated Identified Official with Authority and the associated school board meeting minutes attached.

**11. NEXT MEETING'S AGENDA ITEMS - *Chairman Broden***

**12. MEETING SCHEDULE- *Chairman Broden***

Monday, May 16, 2016, at 7:30pm in High School Room 101

**13. ADJOURNMENT**



**BAGLEY PUBLIC SCHOOLS  
REGULAR SCHOOL BOARD MEETING  
APRIL 18, 2016  
MINUTES**

The regular meeting of the School Board, Independent School District #162 was held on Monday, April 18, 2016, at 7:30 p.m. in High School Room 101. Members present: Adam Broden, Wendy Fultz, Amy Fontaine, LeAnn Agnes, Toby Anderson, Kathy Clark and Superintendent Cairns. Members absent: None.

Chairman Broden called the meeting to order and opened with the Pledge of Allegiance to the Flag.

1. A motion was made by LeAnn Agnes, seconded by Toby Anderson to renew the Lindfors Agency, Inc./Continental Western Group Insurance for 3 months for a July 1 renewal date in the amount of \$23,201. Motion passed 6-0.
2. A motion was made by Amy Fontaine, seconded by Wendy Fultz to approve the following consent agenda items:
  - A. Minutes – April 4
  - B. April 2016 Invoices - \$173,399.18 – Ck# 56944-57006
  - C. March 2016 Hand Payables - \$100,640.81 – Ck# 31178-31219
  - D. March 2016 Statement of Cash Balances – \$3,144,321.96
  - E. March 2016 Budget Comparison
  - F. March 2016 Wires Payments – \$42,827.32
  - G. Elementary School and High School Auxiliary AccountMotion passed 6-0.
3. Chairman Broden announced that Bella Halberg, Preston Busse, Aiden Rolfson, Kaden Bowman, Alexis Anderson, Aniyah Miller, Thomas Busse, Desirae Auginaush, Taelyn Voeltz, Elliana Derheim, Rebecca Mudge, Emma Crist, Ava Rolfson, Thomas Bahr, Hayden Camp, Natalie Tollefson, Mary Anderson, Dyanna Bergeson, Odessah Agnes, Dominic Stokes, Charlee Masurka, McKenna Melbo, Benjamin Olson, Bridget Looney, Sarah Pullins, Makaela Laferriere, and Emma LaCroix were the February Elementary School Students of the Month.
4. Chairman Broden announced that Matt Skansberg was the March Senior of the Month.
5. A motion was made by Wendy Fultz, seconded by Kathy Clark to authorize Walker Cage and Sam Roepke to attend the International Science and Engineering Fair in Phoenix, AZ. The district will provide transportation to and from Bemidji airport, the cost of hotel room and a substitute for Mr. Roepke. Motion passed 6-0.
6. A motion was made by Amy Fontaine, seconded by Toby Anderson to adopt resolution accepting gifts/donations to Bagley Public Schools:

**WHEREAS** the following; therefore, **BE IT RESOLVED** by the School Board of Independent School District #162 – Bagley School Board does hereby accepts the following donations:

- \* \$10,292.50 from Clearwater County for School Interventionist
  - \* \$3,484.38 from Mahube-Otwa for Pathways II/School Readiness
- Motion passed 6-0.

7. A motion was made by Amy Fontaine, seconded by Toby Anderson to authorize the purchase of a banner board and message center software from Ross Lewis Signs in the amount of \$49,072 including installation. Watchfire rebate - \$3,600, business advertising - \$35,472 , and ISD 162 contribution will be \$6,118 plus \$3,882 in NWMN Foundation Project Fund. Motion passed 6-0
8. A motion was made by Wendy Fultz, seconded by Kathy Clark to approve Amy Fontaine as head golf course and game worker.

9. Roll call: Wendy Fultz – yes; Toby Anderson – yes; Kathy Clark – yes; LeAnn Agnes – yes; Amy Fontaine – yes; Adam Broden – yes. Motion passed 6-0.

10. A motion was made by Amy Fontaine, seconded by Wendy Fultz to approve LeAnn Agnes employment as a substitute paraprofessional and custodian.

Roll call: Wendy Fultz – yes; Toby Anderson – yes; Kathy Clark – yes; LeAnn Agnes – yes; Amy Fontaine – yes; Adam Broden – yes. Motion passed 6-0.

11. A motion was made by Wendy Fultz, seconded by Amy Fontaine recommended School Board attendance and salary as follows:

- a. No more than two absences per pay period (6 months)
- b. Any special meeting missed would not be paid regardless
- c. Mileage for said missed meetings would not be reimbursed

Motion passed 6-0.

12. A motion was made by Toby Anderson, seconded by Kathy Clark to accept the resignation of Tyler Strom effective April 15, 2016. Motion passed 6-0.

13. A motion was made by LeAnn Agnes, seconded by Toby Anderson to accept the resignation of Amanda Boring, high school math teacher effective May 27, 2016, and varsity softball coach at the end of the season. Motion passed 6-0.

14. A motion was made by Kathy Clark, seconded by Toby Anderson to hire Kamae Leavitt as a paraprofessional contingent upon meeting the No Child Left Behind requirements and receipt of a satisfactory background check. Motion passed 6-0.

15. A motion was made by LeAnn Agnes, seconded by Amy Fontaine to hire Brittany Collins as a paraprofessional contingent upon meeting the No Child Left Behind requirements and receipt of a satisfactory background check. Motion passed 6-0.

16. A motion was made by Amy Fontaine, seconded by Kathy Clark to hire Lindsay Paulson as a paraprofessional contingent upon meeting the No Child Left Behind requirements and receipt of a satisfactory background check. Motion passed 6-0.

17. ITEMS FOR THE NEXT AGENDA:

- A. Staffing
- B. Report High School HVAC System
- C. Select Board Members to Present Diplomas at Graduation
- D. Select Board Member for District Curriculum Advisory Committee

18. The next meeting of the School Board will be held on Monday, May 2, 2016, at 7:30 p.m. in High School Room 101.

19. A motion was made by Amy Fontaine to adjourn the meeting at 8:10 p.m.

Adam Broden, Chairman  
School Board  
Ind. School District #162

Wendy Fultz, Clerk  
School Board  
Ind. School District #162

## 102 EQUAL EDUCATIONAL OPPORTUNITY POLICY

Board Adopted: October 18, 2010

Board Revised: May 2, 2016

### I. PURPOSE

The purpose of this policy is to ensure that equal educational opportunity is provided for all students of the Bagley School District.

### II. GENERAL STATEMENT OF POLICY

- A. ~~It is the~~ policy of Bagley School District's policy is to provide equal educational opportunity for all students. The Bagley School District does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, gender, marital status, parental status, status with regard to public assistance, disability, sexual orientation or age. The Bagley School District also makes reasonable accommodations for disabled students.
- B. The Bagley School District prohibits the harassment of any individual for any of the categories listed above. For information about the types of conduct that constitute violation of the school district's policy on harassment and violence and the school district's procedures for addressing such complaints, refer to the school district's policy on harassment and violence.
- C. This policy applies to all areas of education including academics, coursework, co-curricular and extracurricular activities, or other rights or privileges of enrollment.
- D. ~~It is the responsibility of e~~Every school district employee shall be responsible for ~~to~~ complying with this policy conscientiously.
- E. Any student, parent or guardian having any questions regarding this policy should discuss it with the appropriate school district official as provided by policy. In the absence of a specific designee, an inquiry or a complaint should be referred to the superintendent.

## **214 OUT-OF-STATE TRAVEL BY SCHOOL BOARD MEMBERS**

Board Adopted: December 20, 2010

Board Revised: May 2, 2016

### **I. PURPOSE**

The purpose of this policy is to control out-of-state travel by school board members as required by law.

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

School board members have an obligation to become informed on the proper duties and functions of a school board member, to become familiar with issues that may affect the school district, to acquire a basic understanding of school finance and budgeting, and to acquire sufficient knowledge to comply with federal, state, and local laws, rules, regulations, and school district policies that relate to their functions as school board members. Occasionally, it may be appropriate for school board members to travel out of state to fulfill their obligations.

### **III. APPROPRIATE TRAVEL**

Travel outside the state is appropriate when the school board finds it proper for school board members to acquire knowledge and information necessary to allow them to carry out their responsibilities as school board members. Travel to regional or national meetings of the National School Boards Association is presumed to fulfill this purpose. Travel to other out-of-state meetings for which the member intends to seek reimbursement from the school district should be preapproved by the school board.

### **IV. REIMBURSABLE EXPENSES**

Expenses to be reimbursed may include transportation, meals, lodging, registration fees, required materials, parking fees, tips, and other reasonable and necessary school district-related expenses.

### **V. REIMBURSEMENT**

- A. Requests for reimbursement must be itemized on the official school district form and are to be submitted to the designated administrator. Receipts for lodging, commercial transportation, registration, and other reasonable and necessary expenses must be attached to the reimbursement form.
- B. Automobile travel shall be reimbursed at the mileage rate set by the school board. Commercial transportation shall reflect economy fares and shall be reimbursed only for the actual cost of the trip.
- C. Amounts to be reimbursed shall be within the school board's approved District Travel/Meal Reimbursement Policy, including attendance at workshops and conventions.

## 401 EQUAL EMPLOYMENT OPPORTUNITY

Board Revised: October 19, 2015

Board Revised: May 2, 2016

### I. PURPOSE

The purpose of this policy is to provide equal employment opportunity for all applicants for school district employment and school district employees.

### II. GENERAL STATEMENT OF POLICY

- A. The policy of the Bagley School District is to provide equal employment opportunity for all applicants and employees. The Bagley School District does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, **gender**, marital status, status with regard to public assistance, disability, sexual orientation, age, family care leave status, or veteran status. The school district also makes reasonable accommodations for disabled employees.
- B. The Bagley School District prohibits the harassment of any individual for any of the categories listed above. For information about the types of conduct that constitute impermissible harassment and the school district's internal procedures for addressing complaints of harassment, please refer to the school district's policy on harassment and violence.
- C. This policy applies to all areas of employment including hiring, discharge, promotion, compensation, facilities, or privileges of employment.
- D. ~~It is the responsibility of e~~Every school district employee **shall be responsible for to** following this policy.

### III. GRIEVANCE PROCEDURE FOR COMPLAINTS OF DISCRIMINATION

The following grievance procedure applies to claims of sex and disability discrimination:

- A. Any person who believes he or she has been the victim of unlawful discrimination or any person with knowledge or belief of conduct that may constitute unlawful discrimination shall report the alleged acts immediately to an appropriate school district official designated by this policy. The complaint must be filed within 30 calendar days of the alleged violation.
- B. The Human Rights Officer is responsible for receiving oral or written complaints of unlawful discrimination toward an employee or student. However, nothing in this policy shall prevent any person from reporting unlawful discrimination toward an employee or student directly with the Human Rights Officer, the school board or other school district official.
- C. While the school board has designated the Human Rights Officer to receive complaints of unlawful discrimination, if the complaint involves the Human Rights Officer, the complaint shall be made to the superintendent.

Human Rights Officer  
Principal ~~Helen Kennedy~~ David Gooch  
1130 Main Avenue North  
Bagley, MN 56621  
Tel (218) 694-3120  
[dgooch@bagley.k12.mn.us](mailto:dgooch@bagley.k12.mn.us)

Superintendent  
Steve Cairns  
202 Bagley Avenue NW  
Bagley, MN 56621  
Tel (218) 694-6184  
[scairns@bagley.k12.mn.us](mailto:scairns@bagley.k12.mn.us)

- D. Upon receipt of a complaint, the Human Rights Officer shall immediately notify the superintendent. If the superintendent is the subject of the complaint, the Human Rights Officer shall immediately notify the school board.
- E. The Human Rights Officer may request but not insist upon a written complaint. Alternative means of filing a complaint, such as through a personal interview or by tape recording, shall be made available upon request for qualified persons with a disability. If the complaint is oral, it shall be reduced to writing within 24 hours and forwarded to the superintendent. Failure to do so may result in disciplinary action. The school district encourages the reporting party to complete the complaint form for written complaints. It is available from the principal of each building or the school district office.
- F. The school district shall respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses, consistent with the school district's legal obligations to investigate, take appropriate action, and comply with any discovery or disclosure obligation.

#### **IV. INVESTIGATION**

- A. The Human Rights Officer, upon receipt of a complaint alleging unlawful discrimination shall promptly undertake an investigation if deemed appropriate. The investigation may be conducted by the Title IX coordinator for complaints of sex discrimination or the Section 504 coordinator for complaints of disability discrimination, or a school district official or neutral third party designated by the Title IX coordinator, Section 504 coordinator or Human Rights Officer. The investigation shall be completed within 30 days of the complaint, unless impracticable.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of other methods deemed pertinent by the investigator.
- C. In determining whether the alleged conduct constitutes a violation of this policy, the school district shall consider the facts and the surrounding circumstances such as the nature of the behavior, past incidents or continuing patterns of behavior,

the relationships between the parties involved and the context in which the alleged incident occurred.

- D. The school district may take immediate steps to protect the parties involved in the complaint process, pending completion of an investigation of alleged unlawful discrimination.
- E. Upon completion of the investigation, the school district investigator shall make a written report to the Human Rights Officer. If the complaint involves the Human Rights Officer, the report may be filed directly with the superintendent or school board. The report shall include the facts, a determination of whether the allegations have been substantiated, whether a violation of this policy has occurred as well as a description of any proposed resolution which may include alternative dispute resolution.
- F. The district shall comply with federal and state law pertaining to retention of records.

**V. APPEAL**

If the grievance has not been resolved to the satisfaction of the complainant, s/he may appeal to the Human Rights Officer within ten (10) school days of receipt of the findings of the school district investigation. The school district investigator shall conduct a review of the appeal and within ten (10) school days of receipt of the appeal, shall affirm, reverse, or modify the findings of the report. The decision of the school district investigator is final but does not preclude pursuit of alternative complaint procedures noted in the section entitled "Right to Alternative Complaint Procedures".

**VI. SCHOOL DISTRICT ACTION**

- A. Upon conclusion of the investigation and receipt of the findings, the school district shall take appropriate action. If it is determined that a violation has occurred, such action may include, but is not limited to, warning, suspension, expulsion, transfer, remediation or termination. School district action taken for violation of this policy shall be consistent with the requirements of application collective bargaining agreements, Minnesota and federal law and school district policies.
- B. The result of the school district's investigation of each complaint filed under these procedures shall be reported in writing to the complainant by the school district in accordance with state and federal law regarding data or records privacy.

**VII. RETALIATION**

The school district shall take appropriate action against any student, teacher, administrator or other school personnel who retaliates against any person who reports alleged unlawful discrimination toward an employee or student or any person who testifies, assists or participates in any investigation or hearing relating to such unlawful

discrimination. Retaliation includes, but is not limited to, any form of intimidation or harassment.

**VIII. CONFLICT OF INTEREST**

If there is a conflict of interest with respect to any party affected by this policy, appropriate action shall be taken such as, but not limited to, appointing or contracting with a neutral third party investigator to conduct the investigation or recusal from the process by the person for whom a conflict or potential conflict of interest exists.

**IX. DISSEMINATION OF POLICY**

The school district shall adopt and publish these procedures.

**X. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

These procedures do not deny the right of any individual to pursue other avenues of recourse, which may include filing charges with the agencies listed below or initiating action in state or federal court.

Claims of discrimination may also be pursued through the following agencies where appropriate:

U.S. Department of Education  
Office of Civil Rights, Region V  
500 West Madison Street, Suite 1475  
Chicago, IL 60661  
Tel: 312-730-1560  
TDD: 312-730-1609

MN Department of Human Rights  
190 East 5<sup>th</sup> Street  
St. Paul, MN 55101  
Toll Free: 800-657-3704  
Tel: 651-296-5663  
TDD: 651-296-1283

**For complaints of employment discrimination:**

Equal Employment Opportunity Commission  
330 S. 2<sup>nd</sup> Avenue, Suite 430  
Minneapolis, MN 55401  
Toll Free: 800-669-4000  
Tel: 612-335-4040  
TDD: 612-335-4045

This document provides general information and is not to be a substitute for legal advice. Changes in the law, including timelines for filing a complaint, may affect your rights.



INDEPENDENT SCHOOL DISTRICT NO. 162

401 FORM: EQUAL EMPLOYMENT OPPORTUNITY DISCRIMINATION GRIEVANCE REPORT FORM

General Statement of Policy Prohibiting Equal Employment Opportunity Discrimination

Independent School District No. 162 maintains a firm policy prohibiting all forms of discrimination on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, age, family care leave status, or veteran status. All persons are to be treated with respect and dignity. Discrimination will not be tolerated.

Complainant: \_\_\_\_\_

Home Address: \_\_\_\_\_

Work Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

I have been discriminated against based on \_\_\_\_\_  
because \_\_\_\_\_  
\_\_\_\_\_

Date of alleged incident(s): \_\_\_\_\_

Name of person you believe discriminated against you or another person: \_\_\_\_\_  
\_\_\_\_\_

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

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

Location of the incident(s): \_\_\_\_\_  
\_\_\_\_\_

List any witnesses that were present: \_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
(Complainant Signature)

\_\_\_\_\_  
(Date)

Received by: \_\_\_\_\_

\_\_\_\_\_  
(Date)

**402 DISABILITY NONDISCRIMINATION POLICY**

Board Adopted: January 2, 2011

Board Revised: May 2, 2016

**I. PURPOSE**

The purpose of this policy is to provide a fair employment setting for all persons and to comply with state and federal law.

**II. GENERAL STATEMENT OF POLICY**

- A. The school district shall not discriminate against qualified individuals with disabilities because of the disabilities of such individuals in regard to job application procedures, hiring, advancement, discharge, compensation, job training, and other terms, conditions, and privileges of employment.
- B. The school district shall not engage in contractual or other arrangements that have the effect of subjecting its qualified applicants or employees with disabilities to discrimination on the basis of disability. The school district shall not exclude or otherwise deny equal jobs or job benefits to a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a relationship or association.
- C. The school district shall make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless the accommodation would impose undue hardship on the operation of the business of the school district.
- D. Any job applicant or employee wishing to discuss the need for a reasonable accommodation, or other matters related to a disability or the enforcement and application of this policy, should contact the superintendent. This individual is the school district's appointed ADA/Section 504 coordinator.

**III. GRIEVANCE PROCEDURE FOR COMPLAINTS OF DISCRIMINATION**

The following grievance procedure applies to claims of disability discrimination:

- A. Any person who believes he or she has been the victim of unlawful discrimination or any person with knowledge or belief of conduct that may constitute unlawful discrimination shall report the alleged acts immediately to an appropriate school district official designated by this policy. The complaint must be filed within 30 calendar days of the alleged violation.
- B. The Human Rights Officer is responsible for receiving oral or written complaints of unlawful discrimination toward an employee or student. However, nothing in this policy shall prevent any person from reporting unlawful discrimination toward an employee or student directly with the Human Rights Officer, the school board or other school district official.

- C. While the school board has designated the Human Rights Officer to receive complaints of unlawful discrimination, if the complaint involves the Human Rights Officer, the complaint shall be made to the superintendent.

Human Rights Officer

Principal ~~Helen Kennedy~~ David Gooch  
1130 Main Avenue North  
Bagley, MN 56621  
Tel (218) 694-3120  
[dgooch@bagley.k12.mn.us](mailto:dgooch@bagley.k12.mn.us)

Superintendent

Steve Cairns  
202 Bagley Avenue NW  
Bagley, MN 56621  
Tel (218) 694-6184  
[scairns@bagley.k12.mn.us](mailto:scairns@bagley.k12.mn.us)

- D. Upon receipt of a complaint, the Human Rights Officer shall immediately notify the superintendent. If the superintendent is the subject of the complaint, the Human Rights Officer shall immediately notify the school board.
- E. The Human Rights Officer may request but not insist upon a written complaint. Alternative means of filing a complaint, such as through a personal interview or by tape recording, shall be made available upon request for qualified persons with a disability. If the complaint is oral, it shall be reduced to writing within 24 hours and forwarded to the superintendent. Failure to do so may result in disciplinary action. The school district encourages the reporting party to complete the complaint form for written complaints. It is available from the principal of each building or the school district office.
- F. The school district shall respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses, consistent with the school district's legal obligations to investigate, take appropriate action, and comply with any discovery or disclosure obligation.

#### **IV. INVESTIGATION**

- A. The Human Rights Officer, upon receipt of a complaint alleging unlawful discrimination shall promptly undertake an investigation if deemed appropriate. The investigation may be conducted by the Section 504 coordinator for complaints of disability discrimination, or a school district official or neutral third party designated by the Section 504 coordinator or Human Rights Officer. The investigation shall be completed within 30 days of the complaint, unless impracticable.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of other methods deemed pertinent by the investigator.
- C. In determining whether the alleged conduct constitutes a violation of this policy, the school district shall consider the facts and the surrounding circumstances such as the nature of the behavior, past incidents or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incident occurred.

- D. The school district may take immediate steps to protect the parties involved in the complaint process, pending completion of an investigation of alleged unlawful discrimination.
- E. Upon completion of the investigation, the school district investigator shall make a written report to the Human Rights Officer. If the complaint involves the Human Rights Officer, the report may be filed directly with the superintendent or school board. The report shall include the facts, a determination of whether the allegations have been substantiated, whether a violation of this policy has occurred as well as a description of any proposed resolution which may include alternative dispute resolution.
- F. The district shall comply with federal and state law pertaining to retention of records.

**V. APPEAL**

If the grievance has not been resolved to the satisfaction of the complainant, s/he may appeal to the Human Rights Officer within ten (10) school days of receipt of the findings of the school district investigation. The school district investigator shall conduct a review of the appeal and within ten (10) school days of receipt of the appeal, shall affirm, reverse, or modify the findings of the report. The decision of the school district investigator is final but does not preclude pursuit of alternative complaint procedures noted in the section entitled "Right to Alternative Complaint Procedures".

**VI. SCHOOL DISTRICT ACTION**

- A. Upon conclusion of the investigation and receipt of the findings, the school district shall take appropriate action. If it is determined that a violation has occurred, such action may include, but is not limited to, warning, suspension, expulsion, transfer, remediation or termination. School district action taken for violation of this policy shall be consistent with the requirements of application collective bargaining agreements, Minnesota and federal law and school district policies.
- B. The result of the school district's investigation of each complaint filed under these procedures shall be reported in writing to the complainant by the school district in accordance with state and federal law regarding data or records privacy.

**VII. RETALIATION**

The school district shall take appropriate action against any student, teacher, administrator or other school personnel who retaliates against any person who reports alleged unlawful discrimination toward an employee or student or any person who testifies, assists or participates in any investigation or hearing relating to such unlawful discrimination. Retaliation includes, but is not limited to, any form of intimidation or harassment.

**VIII. CONFLICT OF INTEREST**

If there is a conflict of interest with respect to any party affected by this policy, appropriate action shall be taken such as, but not limited to, appointing or contracting

with a neutral third party investigator to conduct the investigation or recusal from the process by the person for whom a conflict or potential conflict of interest exists.

**IX. DISSEMINATION OF POLICY**

The school district shall adopt and publish these procedures.

**X. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

These procedures do not deny the right of any individual to pursue other avenues of recourse, which may include filing charges with the agencies listed below or initiating action in state or federal court.

Claims of discrimination may also be pursued through the following agencies where appropriate:

U.S. Department of Education  
Office of Civil Rights, Region V  
500 West Madison Street, Suite 1475  
Chicago, IL 60661  
Tel: 312-730-1560  
TDD: 312-730-1609

MN Department of Human Rights  
190 East 5<sup>th</sup> Street  
St. Paul, MN 55101  
Toll Free: 800-657-3704  
Tel: 651-296-5663  
TDD: 651-296-1283

**For complaints of employment discrimination:**

Equal Employment Opportunity Commission  
330 S. 2<sup>nd</sup> Avenue, Suite 430  
Minneapolis, MN 55401  
Toll Free: 800-669-4000  
Tel: 612-335-4040  
TDD: 612-335-4045

This document provides general information and is not to be a substitute for legal advice. Changes in the law, including timelines for filing a complaint, may affect your rights.

*Legal References:*

34 C.P.R. Section 104.7(b) (Section 504 of the Rehabilitation Act)  
34 C.P.R. Section 106.8(b) (Title IX of the Education Amendments of 1972)

INDEPENDENT SCHOOL DISTRICT NO. 162

402 FORM: EMPLOYEE DISABILITY DISCRIMINATION GRIEVANCE REPORT FORM

General Statement of Policy Prohibiting Disability Discrimination

Independent School District No. 162 maintains a firm policy prohibiting all forms of discrimination on the basis of a disability. All persons are to be treated with respect and dignity. Discrimination on the basis of a disability will not be tolerated.

Complainant: \_\_\_\_\_
Home Address: \_\_\_\_\_
Work Address: \_\_\_\_\_
Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

I have been discriminated against based on (choose one or more):
[my disability] / [a record of my disability] / [being regarded as having a disability]
because \_\_\_\_\_

Date of alleged incident(s): \_\_\_\_\_

Name of person you believe discriminated against you or another person: \_\_\_\_\_

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

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

Location of the incident(s): \_\_\_\_\_

List any witnesses that were present: \_\_\_\_\_

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

(Complainant Signature)

(Date)

Received by: \_\_\_\_\_

(Date)

**406 PUBLIC AND PRIVATE PERSONNEL DATA**

Board Adopted: January 3, 2011

Board Revised: May 2, 2016

**I. PURPOSE**

The purpose of this policy is to provide guidance to school district employees as to the data the school district collects and maintains regarding its personnel.

**II. GENERAL STATEMENT OF POLICY**

- A. All data on individuals collected, created, received, maintained or disseminated by the school district, which is classified by statute or federal law as public, shall be accessible to the public pursuant to the procedures established by the school district.
- B. All other data on individuals is private or confidential.

**III. DEFINITIONS**

- A. "Public" means that the data is available to anyone who requests it.
- B. "Private" means the data is available to the subject of the data and to school district staff who need it to conduct the business of the school district.
- C. "Confidential" means the data is not available to the subject.
- D. "Parking space leasing data" means the following government data on an application for, or lease of, a parking space: residence address, home telephone number, beginning and ending work hours, place of employment, location of parking space, and work telephone number.
- E. "Personnel data" means government data on individuals maintained because they are or were employees of the school district, applicants for employment, or volunteers or independent contractors for the school district, or members of or applicants for an advisory board or commission. Personnel data include data submitted to the school district by an employee as part of an organized self-evaluation effort by the school district to request suggestions from all employees on ways to cut costs, make the school district more efficient, or to improve school district operations. An employee who is identified in a suggestion shall have access to all data in the suggestion except the identity of the employee making the suggestion.
- F. "Finalist" means an individual who is selected to be interviewed by the school board for a position.

- G. “Protected health information” means individually identifiable health information transmitted in electronic form by a school district acting as a health care provider. “Protected health information” excludes health information in education records covered by the Federal Family Educational Rights and Privacy Act and employment records held by a school district in its role as employer.
- H. “Public officials” means business managers; human resource directors; athletic directors whose duties include at least 50 percent of their time spent in administration, personnel, supervision, and evaluation; chief financial officers; directors; and individuals defined as superintendents and principals.

#### **IV. PUBLIC PERSONNEL DATA**

- A. The following information on employees, including volunteers and independent contractors, is public:
  - 1. name;
  - 2. employee identification number, which may not be the employee’s social security number;
  - 3. actual gross salary;
  - 4. salary range;
  - 5. terms and conditions of employment relationship;
  - 6. contract fees;
  - 7. actual gross pension;
  - 8. the value and nature of employer-paid fringe benefits;
  - 9. the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary;
  - 10. job title;
  - 11. bargaining unit;
  - 12. job description;
  - 13. education and training background;

14. previous work experience;
15. date of first and last employment;
16. the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action;
17. the final disposition of any disciplinary action, as defined in Minn. Stat. § 13.43, Subd. 2(b), together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the school district;
18. the complete terms of any agreement settling any dispute arising out of the employment relationship, including superintendent buyout agreements, except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money, and such agreement may not have the purpose or effect of limiting access to or disclosure of personnel data or limiting the discussion of information or opinions related to personnel data;
19. work location;
20. work telephone number;
21. badge number;
22. work-related continuing education;
23. honors and awards received; and
24. payroll time sheets or other comparable data that are used only to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.

B. The following information on applicants for employment is public:

1. veteran status;
2. relevant test scores;
3. rank on eligible list;

4. job history;
  5. education and training; and
  6. work availability.
- C. Names of applicants are private data except when certified as eligible for appointment to a vacancy or when they become finalists for an employment position.
- D. Applicants for appointment to a public body.
1. Data about applicants for appointment to a public body are private data on individuals except that the following are public:
    - a. name;
    - b. city of residence, except when the appointment has a residency requirement that requires the entire address to be public;
    - c. education and training;
    - d. employment history;
    - e. volunteer work;
    - f. awards and honors;
    - g. prior government service;
    - h. any data required to be provided or that are voluntarily provided in an application for appointment to a multimember agency pursuant to Minn. Stat. § 15.0597; and
    - i. veteran status.
  2. Once an individual is appointed to a public body, the following additional items of data are public:
    - a. residential address;
    - b. either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee;

- c. first and last dates of service on the public body;
  - d. the existence and status of any complaints or charges against an appointee; and
  - e. upon completion of an investigation of a complaint or charge against an appointee, the final investigative report is public, unless access to the data would jeopardize an active investigation.
3. Notwithstanding paragraph 2., any electronic mail address or telephone number provided by a public body for use by an appointee shall be public. An appointee may use an electronic mail address or telephone number provided by the public body as the designated electronic mail address or telephone number at which the appointee can be reached.
- E. Regardless of whether there has been a final disposition as defined in Minn. Stat. § 13.43, Subd. 2(b), upon completion of an investigation of a complaint or charge against a public official, as defined in Minn. Stat. § 13.43, Subd. 2(e), or if a public official resigns or is terminated from employment while the complaint or charge is pending, all data relating to the complaint or charge are public, unless access to the data would jeopardize an active investigation or reveal confidential sources.
- F. Data relating to a complaint or charge against a public official is public only if: (1) the complaint or charge results in disciplinary action or the employee resigns or is terminated from employment while the complaint or charge is pending; or (2) potential legal claims arising out of the conduct that is the subject of the complaint or charge are released as part of a settlement agreement. Data that is classified as private under another law is not made public by this provision.

**V. PRIVATE PERSONNEL DATA**

- A. All other personnel data are private and will only be shared with school district staff whose work requires such access. Private data will not be otherwise released unless authorized by law or by the employee's informed written consent.
- B. Data pertaining to an employee's dependents are private data on individuals.
- C. Data created, collected or maintained by the school district to administer employee assistance programs are private.
- D. Parking space leasing data are private.
- E. An individual's checking account number is private when submitted to a

government entity.

- F. Personnel data may be disseminated to labor organizations to the extent the school district determines it is necessary for the labor organization to conduct its business or when ordered or authorized by the Commissioner of the Bureau of Mediation Services.
- G. The school district may display a photograph of a current or former employee to prospective witnesses as part of the school district's investigation of any complaint or charge against the employee.
- H. The school district may, if the responsible authority or designee reasonably determines that the release of personnel data is necessary to protect an employee from harm to self or to protect another person who may be harmed by the employee, release data that are relevant to the concerns for safety to:
  - 1. the person who may be harmed and to the attorney representing the person when the data are relevant to obtaining a restraining order;
  - 2. a pre-petition screening team conducting an investigation of the employee under Minn. Stat. § 253B.07, Subd. 1; or
  - 3. a court, law enforcement agency, or prosecuting authority.
- I. Private personnel data or confidential investigative data on employees may be disseminated to a law enforcement agency for the purpose of reporting a crime or alleged crime committed by an employee, or for the purpose of assisting law enforcement in the investigation of such a crime or alleged crime.
- J. A complainant has access to a statement provided by the complainant to the school district in connection with a complaint or charge against an employee.
- K. When allegations of sexual or other types of harassment are made against an employee, the employee shall not have access to data that would identify the complainant or other witnesses if the school district determines that the employee's access to that data would:
  - 1. threaten the personal safety of the complainant or a witness; or
  - 2. subject the complainant or witness to harassment.

If a disciplinary proceeding is initiated against the employee, data on the complainant or witness shall be available to the employee as may be necessary for the employee to prepare for the proceeding.

- L. The school district shall make any report to the board of teaching or the state board of education as required by Minn. Stat. § 122A.20, Subd. 2, and shall, upon written request from the licensing board having jurisdiction over a teacher's license, provide the licensing board with information about the teacher from the school district's files, any termination or disciplinary proceeding, and settlement or compromise, or any investigative file in accordance with Minn. Stat. § 122A.20, Subd. 2.
- M. Private personnel data shall be disclosed to the department of economic security for the purpose of administration of the unemployment insurance program under Minn. Stat. Ch. 268.
- N. When a report of alleged maltreatment of a student in a school is made to the Commissioner of Education, data that are relevant and collected by the school about the person alleged to have committed maltreatment must be provided to the Commissioner on request for purposes of an assessment or investigation of the maltreatment report. Additionally, personnel data may be released for purposes of informing a parent, legal guardian, or custodian of a child that an incident has occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.
- O. The school district shall release to a requesting school district or charter school private personnel data on a current or former employee related to acts of violence toward or sexual contact with a student, if an investigation conducted by or on behalf of the school district or law enforcement affirmed the allegations in writing prior to release and the investigation resulted in the resignation of the subject of the data; or the employee resigned while a complaint or charge involving the allegations was pending, the allegations involved acts of sexual contact with a student, and the employer informed the employee in writing, before the employee resigned, that if the employee resigns while the complaint or charge is still pending, the employer must release private personnel data about the employee's alleged sexual contact with a student to a school district or charter school requesting the data after the employee applies for employment with that school district or charter school and the data remain classified as provided in Minn. Stat. Ch. 13. Data that are released under this paragraph must not include data on the student.
- P. The identity of an employee making a suggestion as part of an organized self-evaluation effort by the school district to cut costs, make the school district more efficient, or to improve school district operations is private.
- Q. Health information on employees is private unless otherwise provided by law. To the extent that the school district transmits protected health information, the school district will comply with all privacy requirements.

- R. Personal home contact information for employees may be used by the school district and shared with another government entity in the event of an emergency or other disruption to ensure continuity of operation for the school district or government entity.
- S. The personal telephone number, home address, and electronic mail address of a current or former employee of a contractor or subcontractor maintained as a result of a contractual relationship between the school district and a contractor or subcontractor entered on or after August 1, 2012, are private data. These data must be shared with another government entity to perform a function authorized by law. The data also must be disclosed to a government entity or any person for prevailing wage purposes.
- T. When a teacher is discharged immediately because the teacher's license has been revoked due to a conviction for child abuse or sexual abuse or when the Commissioner of the Minnesota Department of Education (MDE) makes a final determination of child maltreatment involving a teacher, the school principal or other person having administrative control of the school must include in the teacher's employment record the information contained in the record of the disciplinary action or the final maltreatment determination, consistent with the definition of public data under Minn. Stat. § 13.41, Subd. 5, and must provide the Board of Teaching and the licensing division at MDE with the necessary and relevant information to enable the Board of Teaching and MDE's licensing division to fulfill their statutory and administrative duties related to issuing, renewing, suspending, or revoking a teacher's license. In addition to the background check required under Minn. Stat. § 123B.03, a school board or other school hiring authority must contact the Board of Teaching and MDE to determine whether the teacher's license has been suspended or revoked, consistent with the discharge and final maltreatment determinations. Unless restricted by federal or state data practices law or by the terms of a collective bargaining agreement, the responsible authority for a school district must disseminate to another school district private personnel data on a current or former teacher (employee or contractor) of the district, including the results of background investigations, if the requesting school district seeks the information because the subject of the data has applied for employment with the requesting school district.

**VI. MULTIPLE CLASSIFICATIONS**

If data on individuals are classified as both private and confidential by Minn. Stat. Ch. 13, or any other state or federal law, the data are private.

**VII. CHANGE IN CLASSIFICATIONS**

The school district shall change the classification of data in its possession if it is required to do so to comply with other judicial or administrative rules pertaining to the conduct of legal actions or with a specific statute applicable to the data in the possession of the disseminating or receiving agency.

**VIII. RESPONSIBLE AUTHORITY**

The school district has designated *[name and title, telephone]* as the authority responsible for personnel data. If you have any questions, contact *[him/her]*.

**IX. EMPLOYEE AUTHORIZATION/RELEASE FORM**

An employee authorization form is included as an addendum to this policy.

**Bagley Pubic Schools**  
**Consent to Release Data – Request from an Individual**

*An individual asks the government entity to release his/her private data to an outside entity or person. Because the entity does not have statutory authority to release the data, it must get the individual's written informed consent.*

**Explanation of Your Rights**

If you have a question about anything on this form, or would like more explanation, please talk to

\_\_\_\_\_ before you sign it.  
[entity contact person name and contact information]

I, \_\_\_\_\_, give my permission for \_\_\_\_\_  
[name of individual data subject] [name of government entity]

to release data about me to \_\_\_\_\_ as described on this form.  
[name of other entity or person]

1. The specific data I want \_\_\_\_\_ to release \_\_\_\_\_.  
[name of government entity] [explanation of data]

2. I understand that I have asked \_\_\_\_\_ to release the data.  
[name of government entity]

3. I understand that although the data are classified as private at \_\_\_\_\_, the  
[name of government entity]  
classification/treatment of the data at \_\_\_\_\_ depends on laws or  
[name of other entity or person]  
policies that apply to \_\_\_\_\_.  
[name of other entity or person]

This authorization to release expires \_\_\_\_\_.  
[date/time of expiration]

Individual data subject's signature \_\_\_\_\_ Date \_\_\_\_\_

Parent/guardian's signature [if needed] \_\_\_\_\_ Date \_\_\_\_\_

## **410 FAMILY AND MEDICAL LEAVE POLICY**

Board Adopted: December 20, 2010

Board Revised: May 2, 2016

### **I. PURPOSE**

The purpose of this policy is to provide for family and medical leave to school 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 school 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 U.S.C. § 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 school 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 the break is occasioned by the employee's fulfillment of his or her USERRA-covered service obligation or a written agreement, including a collective bargaining agreement, exists concerning the school 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 servicemember'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 parental care needs; and
  9. to address other events related to a covered military member that both the employee and school 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 U.S.C. § 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 covered 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.
  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:

- (i) 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
  - (ii) 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
  - (iii) 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
  - (iv) 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 school 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 school 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 in the discretion of the school 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 school 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 school district has reason to doubt the validity of a health care provider's certification, it may require a second opinion at the school district's expense. If the opinions of the first and second health care providers differ, the school district may require certification from a third health care provider at the school 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 school 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 school 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 school district, subject to and in coordination with the health care provider.
11. The school 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 school 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 school 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 school district for the cost of the health plan premiums paid by it.
13. The school 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 superintendent shall be responsible to develop directives and guidelines as necessary to implement this policy. Such directives and guidelines shall be submitted to the school board for annual review.

The school 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 by the employer. The employee may qualify if he or she has worked for the school 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 employer so that the total leave does not exceed 12 weeks, unless agreed by the employer, 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 employer 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 school 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 school 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 school district may require that the leave be continued until the end of the semester.
  - 2. If the employee begins leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the school 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 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, school district may require the employee to continue taking leave until the end of the semester.
- D. The entire period of leave taken under the special rules will be counted as leave. The school district will continue to fulfill the school 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 school district regarding family and medical leaves (if any) shall be followed.

## **VII. DISSEMINATION OF POLICY**

- A. This policy shall be conspicuously posted in each school district building in areas accessible to employees.

B. This policy will be reviewed at least annually for compliance with state and federal law.

**412 EXPENSE REIMBURSEMENT**

Board Revised: June 18, 2012

Board Revised: May 2, 2016

**I. PURPOSE**

The purpose of this policy is to identify school district business expenses that involve initial payment by an employee and qualify for reimbursement from the school district, and to specify the manner by which the employee seeks reimbursement.

**II. AUTHORIZATION**

All school district business expenses to be reimbursed must be approved by the supervising administrator. Such expenses to be reimbursed may include transportation, meals, lodging, registration fees, required materials, parking fees, tips, and other reasonable and necessary school district business-related expenses.

**III. REIMBURSEMENT**

- A. Requests for reimbursement must be itemized on the official school district form and are to be submitted to the designated administrator. Receipts for lodging, commercial transportation, registration, and other reasonable and necessary expenses must be attached to the reimbursement form.
- B. Automobile travel shall be reimbursed at the mileage rate set by the school board. Commercial transportation shall reflect economy fares and shall be reimbursed only for the actual cost of the trip.

**IV. AIRLINE TRAVEL CREDIT**

- A. Employees utilizing school district funds to pay for airline travel are required to ensure that any credits or other benefits issued by any airline accrue to the benefit of the school district rather than the employee.
  - 1. To the extent an airline will not honor a transfer or assignment of credit or benefit from the employee to the school district, the employee shall report receipt of the credit or benefit to the designated administrator within 90 days of receipt of the credit or benefit.
  - 2. Reports of the receipt of an airline credit or benefit shall be made in writing and shall include verification from the airline as to the credit or benefit received. Reimbursement for airline travel expenses will not be made until such documentation is provided.
- B. Employees who have existing credits or benefits issued by an airline based upon

previously reimbursed airline travel for school district purposes will be required to utilize those credits or benefits toward any subsequent airline travel related to school district purposes, prior to reimbursement for such travel, to the extent permitted and/or feasible.

- C. The requirements of this section apply to all airline travel, regardless of where or how the tickets are purchased.

## V. ESTABLISHMENT OF DIRECTIVES AND GUIDELINES

The superintendent with school board approval shall develop a schedule of reimbursement rates for school district business expenses, including those expenses requiring advance approval and specific rates of reimbursement. The school board shall also develop directives and guidelines to address methods and times for submission of requests for reimbursement.

## VI. DISTRICT TRAVEL/MEAL REIMBURSEMENT

Reimbursement for those who travel on school business is set as follows:

- A. Mileage - ~~\$.45~~ \$0.50/mile  
When personal vehicles are used for travel at the request of the employee, no reimbursement will be made unless the transportation director confirms a school vehicle was unavailable or that it is specified in an employees work agreement.
- B. Meals:
  - 1. Breakfast - \$7.00
  - 2. Lunch - ~~\$8.00~~ 9.00
  - 3. Dinner - ~~\$10.00~~ 15.00
  - 4. ~~\$25.00~~ 31.00/day may be used for one meal if gone all day.
  - 5. Board receives full reimbursement for meals and lodging.

Receipts must be submitted to the school accountant in order to be reimbursed. Concerning the advancement of travel monies, it shall be the policy of the Board of Education that:

- C. An employee may request an advance of the appropriate meal allowances whenever such employee will be outside of the district on official school business for a minimum of two consecutive full days.
- D. Whenever an employee is supervising district students outside of the district on official school business, the employee may receive an advance for the amount of pre-approved student expenses. Such monies shall be considered to be under the care and management of the employee.

The employee to whom the advance is paid (A or B above) shall be responsible for submitting appropriate receipts to the district office for all expenditures made from the advance. If such receipts are not submitted, the employee must reimburse the school district an amount equal to the difference between the advance and the sum of the submitted appropriate receipts.

## 413 HARASSMENT AND VIOLENCE

Board Adopted: August 10, 1993

Board Revised: ~~February 2, 2015~~ May 2, 2016

### I. PURPOSE

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

### II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, **gender**, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, **gender**, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.
- B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's race, color, creed, religion, national origin, sex, **gender**, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability, as defined by this policy. (For purposes of this policy, school district personnel includes school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)
- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's race, color, creed, religion, national origin, sex, **gender**, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, **gender**, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who is found to have violated this policy.

### III. DEFINITIONS

- A. "Assault" is:
  - 1. an act done with intent to cause fear in another of immediate bodily harm or death;
  - 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
  - 3. the threat to do bodily harm to another with present ability to carry out the threat.

- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability when the conduct:
1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
  2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
  3. otherwise adversely affects an individual's employment or academic opportunities.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
    - a. has a physical, sensory, or mental impairment which materially limits one or more major life activities;
    - b. has a record of such an impairment; or
    - c. is regarded as having such an impairment.
  2. "Familial status" means the condition of one or more minors being domiciled with:
    - a. their parent or parents or the minor's legal guardian; or
    - b. the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
  3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
  4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
  5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
  6. "Sexual orientation" means having or being perceived as having an emotional,

physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.

7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.
- F. Sexual Harassment; Definition
1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:
    - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
    - b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
    - c. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
  2. Sexual harassment may include, but is not limited to:
    - a. unwelcome verbal harassment or abuse;
    - b. unwelcome pressure for sexual activity;
    - c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
    - d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
    - e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with

regard to an individual's employment or educational status; or

- f. unwelcome behavior or words directed at an individual because of gender.

G. Sexual Violence; Definition

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

H. Violence; Definition

Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to, race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.

**IV. REPORTING PROCEDURES**

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct which may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.

- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal’s designee, or the building supervisor (hereinafter the “building report taker”) is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- G. In the District. The school board hereby designates superintendent as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.<sup>1</sup>
- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter’s future employment, grades, work assignments, or educational or work environment.

---

<sup>1</sup> In some school districts the superintendent may be the human rights officer. If so, an alternative individual should be designated by the school board.

- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

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

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

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

## **V. INVESTIGATION**

- A. By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action

or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.

- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

## **VI. SCHOOL DISTRICT ACTION**

- A. Upon completion of an investigation that determines a violation of this policy has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school district policies and regulations.
- B. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.
- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in acts of harassment or violence.

## **VII. RETALIATION OR REPRISAL**

The school district will discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged harassment or violence prohibited by this policy, who testifies, assists, or participates in an investigation of retaliation or alleged harassment or violence, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of

intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

#### **VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

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

#### **IX. HARASSMENT OR VIOLENCE AS ABUSE**

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minn. Stat. § 626.556 may be applicable.
- B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

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

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

**413F Harassment and Violence Report Form**

Board Adopted: August 10, 1993

Board Revised: ~~February 2, 2015~~ May 2, 2016

INDEPENDENT SCHOOL DISTRICT NO. 162

General Statement of Policy Prohibiting Harassment

Independent School District No. 162 maintains a firm policy prohibiting all forms of discrimination. Harassment or violence against students or employees or groups of students or employees on the basis of race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability is strictly prohibited. All persons are to be treated with respect and dignity. Harassment or violence on the basis of race, color, creed, religion, national origin, sex, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability by any pupil, teacher, administrator, or other school personnel, which create an intimidating, hostile, or offensive environment will not be tolerated under any circumstances.

Complainant \_\_\_\_\_  
Home Address \_\_\_\_\_  
Work Address \_\_\_\_\_  
Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_

Date of Alleged Incident(s) \_\_\_\_\_

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

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

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

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

Where and when did the incident(s) occur? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List any witnesses that were present \_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
(Complainant Signature)

\_\_\_\_\_  
(Date)

Received by \_\_\_\_\_

\_\_\_\_\_  
(Date)

**Summer School 2016-17**  
**June 2-15, 2016**  
**4/26/16**

**Budget Proposal**

BES Summer School Program 15 days

Expenses

Up to 4 teachers @ \$31.09 per hour for 52 hours (8:00-11:30) = \$6,466.72  
 1 Paraprofessional @\$15.00 per hour for 52 hours (8:30-11:30) = \$780.00

BHS Summer School Program

Expenses

Up to 2 teachers @ \$31.09 per hour for 30 hours (9:00-12:00) = \$1,865.40  
 7<sup>th</sup> & 8<sup>th</sup> grade Basic skills Math, Science, English, & Social Studies  
 1 teacher @ \$31.09 per hour up to 12 hours (4 days times 3 hrs per) = \$373.08  
 “N” Remediation

ALP Program

Expenses

4 Teachers @ \$31.09 per hour for 40 hours (12:00 -4:00) = \$4,974.40  
 Available for students at least age 16: Math, English, Science or Social Studies

Transportation

Expenses estimate \$5,200.00

**TOTAL EXPENSES(estimate) \$19,659.60**

BES Summer School Program

Revenues (Based on 2012) (Covered by Title I funds) = \$3,995.41  
 Revenues+(Covered by ADSIS funds) = \$4,500.00

ALP Program

Revenues

10 students x 5 earned Credits @ \$1,110.00 per credit = \$5,550.00  
 (Funds must follow Alternative Program)

Staff and transportation

Revenues

Title AMI estimate = (\$5,885.59 staffing, \$2,000.00 transportation) \$7,885.59

**TOTAL REVENUES(estimate) \$21,931.00**

.

4/26/16

# BAGLEY HIGH SCHOOL

2015-2016

## SUMMER SCHOOL

*Jr. High Math/Reading*

Remediation



Bagley High School  
1130 Main Ave. N  
Bagley, MN 56621

Bagley School District 162 will be providing numerous opportunities for students to improve skills, remediate failed courses or make up missed time which resulted in students losing credit.

It is our goal to help Bagley students succeed and continue on their intended educational path with the skills they need to be successful in their future.

**LUNCH PROGRAM:** Lunch will be provided in the BES Cafeteria from 11:00-1:00, Monday through Thursday, for students under the age of 18. On Fridays, students may bring their own bag lunch to eat in the commons

**TRANSPORTATION:** Please check the appropriate box on the reverse side if transportation is needed.

Please see reverse side for dates/times and registration, please complete, sign and return to BHS by: May 25, 2016

For more information contact:

Bagley High School @ 218-694-3120

Bagley School District does not discriminate on the basis of race, religion, color, creed, national origin, sex, disability, receipt of public assistance, or sexual orientation

# BAGLEY HIGH SCHOOL

2015-2016

## SUMMER SCHOOL

*Jr. High Math/Reading*

Remediation



Bagley High School  
1130 Main Ave. N  
Bagley, MN 56621

Bagley School District 162 will be providing numerous opportunities for students to improve skills, remediate failed courses or make up missed time which resulted in students losing credit.

It is our goal to help Bagley students succeed and continue on their intended educational path with the skills they need to be successful in their future.

**LUNCH PROGRAM:** Lunch will be provided in the BES Cafeteria from 11:00-1:00, Monday through Thursday, for students under the age of 18. On Fridays, students may bring their own bag lunch to eat in the commons

**TRANSPORTATION:** Please check the appropriate box on the reverse side if transportation is needed.

Please see reverse side for dates/times and registration, please complete, sign and return to BHS by: May 25, 2016

For more information contact:

Bagley High School @ 218-694-3120

Bagley School District does not discriminate on the basis of race, religion, color, creed, national origin, sex, disability, receipt of public assistance, or sexual orientation

**Jr. High Registration- Math/Reading Remediation**

Dates: June 2<sup>nd</sup> – 15<sup>th</sup>

Time: 9:00 am-Noon

Place: BHS-Room Assignments to be determined

**ATTENDANCE IS CRUCIAL**

Your student has been recommended by his/her teacher for Summer School. Students who have missed more than 20 school days, failed classes and are not proficient on the MCA Math and Reading test will need to complete summer school, if they are to be promoted to the next grade.

Please register my student \_\_\_\_\_,

who is in grade \_\_\_\_\_, for \_\_\_\_\_ Math and/or \_\_\_\_\_ Reading.

My Student \_\_\_\_\_ will or \_\_\_\_\_ will not require transportation

Address for transportation \_\_\_\_\_

\_\_\_\_\_  
Student Signature Date

\_\_\_\_\_  
Parent/Guardian Signature Date

\_\_\_\_\_  
Address City Zip

\_\_\_\_\_  
Phone Numbers where you may be reached

**Jr. High Registration- Math/Reading Remediation**

Dates: June 2<sup>nd</sup>-15<sup>th</sup>

Time: 9:00 am-Noon

Place: BHS-Room Assignments to be determined

**ATTENDANCE IS CRUCIAL**

Your student has been recommended by his/her teacher for Summer School. Students who have missed more than 20 school days, failed classes and are not proficient on the MCA Math and Reading test will need to complete summer school, if they are to be promoted to the next grade.

Please register my student \_\_\_\_\_,

who is in grade \_\_\_\_\_, for \_\_\_\_\_ Math and/or \_\_\_\_\_ Reading.

My Student \_\_\_\_\_ will or \_\_\_\_\_ will not require transportation

Address for transportation \_\_\_\_\_

\_\_\_\_\_  
Student Signature Date

\_\_\_\_\_  
Parent/Guardian Signature Date

\_\_\_\_\_  
Address City Zip

\_\_\_\_\_  
Phone Numbers where you may be reached

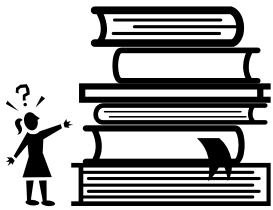
# BAGLEY HIGH SCHOOL

2015-2016

## SUMMER SCHOOL

### "N" Remediation

Bagley High School  
1130 Main Ave. N  
Bagley, MN 56621



Bagley School District 162 will be providing numerous opportunities for students to improve skills, remediate failed courses or make up missed time which resulted in students losing credit.

It is our goal to help Bagley students succeed and continue on their intended educational path with the skills they need to be successful in their future.

**LUNCH PROGRAM:** Lunch will be provided in the BES Cafeteria from 11:00-1:00, Monday through Thursday, for students under the age of 18. On Fridays, students may bring their own bag lunch to eat in the commons

**TRANSPORTATION:** Please check the appropriate box on the reverse side if transportation is needed.

Please see reverse side for dates/times and registration, please complete, sign and return to BHS by: May 26, 2016

For more information contact:  
Bagley High School @ 694-3120  
John Sutherland  
Belinda Schermerhorn

Bagley School District does not discriminate on the basis of race, religion, color, creed, national origin, sex, disability, receipt of public assistance, or sexual orientation

# BAGLEY HIGH SCHOOL

2014-2015

## SUMMER SCHOOL

### "N" Remediation

Bagley High School  
1130 Main Ave. N  
Bagley, MN 56621



Bagley School District 162 will be providing numerous opportunities for students to improve skills, remediate failed courses or make up missed time which resulted in students losing credit.

It is our goal to help Bagley students succeed and continue on their intended educational path with the skills they need to be successful in their future.

**LUNCH PROGRAM:** Lunch will be provided in the BES Cafeteria from 11:00-1:00, Monday through Thursday, for students under the age of 18. On Fridays, students may bring their own bag lunch to eat in the commons

**TRANSPORTATION:** Please check the appropriate box on the reverse side if transportation is needed.

Please see reverse side for dates/times and registration, please complete, sign and return to BHS by: May 26, 2016

For more information contact:  
Bagley High School @ 694-3120  
John Sutherland  
Belinda Schermerhorn

Bagley School District does not discriminate on the basis of race, religion, color, creed, national origin, sex, disability, receipt of public assistance, or sexual orientation

**Sr. High Registration- "N" Remediation**

Dates: June 2<sup>nd</sup>-7<sup>th</sup>  
Time: 9:00 am-Noon  
Place: BHS-Room 317

**Attendance and timeliness are crucial, tardiness and absences will result in loss of credit.**

**This is a project based class, not seat time, projects will be graded by the teacher before passing this class or a remediation of "N" grade is given.**

Name of class to remediate \_\_\_\_\_

Number of hours needed \_\_\_\_\_ Hours verified \_\_\_\_\_ Y \_\_\_\_\_ N

\_\_\_\_\_  
John Sutherland/Belinda Schermerhorn Date

My Student \_\_\_\_\_ will or \_\_\_\_\_ will not require transportation

Address for transportation \_\_\_\_\_

\_\_\_\_\_  
Student Signature Date

\_\_\_\_\_  
Parent/Guardian Signature Date

\_\_\_\_\_  
Address City Zip

\_\_\_\_\_  
Phone Numbers where you may be reached

**Sr. High Registration- "N" Remediation**

Dates: June 2<sup>nd</sup>-7<sup>th</sup>  
Time: 9:00 am-Noon  
Place: BHS-Room 317

**Attendance and timeliness are crucial, tardiness and absences will result in loss of credit.**

**This is a project based class, not seat time, projects will be graded by the teacher before passing this class or a remediation of "N" grade is given.**

Name of class to remediate \_\_\_\_\_

Number of hours needed \_\_\_\_\_ Hours verified \_\_\_\_\_ Y \_\_\_\_\_ N

\_\_\_\_\_  
John Sutherland/Belinda Schermerhorn Date

My Student \_\_\_\_\_ will or \_\_\_\_\_ will not require transportation

Address for transportation \_\_\_\_\_

\_\_\_\_\_  
Student Signature Date

\_\_\_\_\_  
Parent/Guardian Signature Date

\_\_\_\_\_  
Address City Zip

\_\_\_\_\_  
Phone Numbers where you may be reached

56

# BAGLEY HIGH SCHOOL

2015-2016

## SUMMER SCHOOL

ALP

Bagley High School  
1130 Main Ave. N  
Bagley, MN 56621



Bagley School District 162 will be providing numerous opportunities for students to improve skills, remediate failed courses or make up missed time which resulted in students losing credit.

It is our goal to help Bagley students succeed and continue on their intended educational path with the skills they need to be successful in their future.

**LUNCH PROGRAM:** Lunch will be provided in the BES Cafeteria from 11:00-1:00, Monday through Thursday, for students under the age of 18. On Fridays, students may bring their own bag lunch to eat in the commons

**TRANSPORTATION:** NO transportation will be provided for this program.

Please see reverse side for dates/times and registration, please complete, sign and return to BHS by: May 28, 2015

For more information contact:

Corrie Uhler @ 218-694-3232 or  
Bagley High School Office @ 218-694-3120

Bagley School District does not discriminate on the basis of race, religion, color, creed, national origin, sex, disability, receipt of public assistance, or sexual orientation

# BAGLEY HIGH SCHOOL

2015-2016

## SUMMER SCHOOL

ALP

Bagley High School  
1130 Main Ave. N  
Bagley, MN 56621



Bagley School District 162 will be providing numerous opportunities for students to improve skills, remediate failed courses or make up missed time which resulted in students losing credit.

It is our goal to help Bagley students succeed and continue on their intended educational path with the skills they need to be successful in their future.

**LUNCH PROGRAM:** Lunch will be provided in the BHS Cafeteria from 11:00-1:00, Monday through Thursday, for students under the age of 18. On Fridays, students may bring their own bag lunch to eat in the commons

**TRANSPORTATION:** NO transportation will be provided for this program.

Please see reverse side for dates/times and registration, please complete, sign and return to BHS by: May 28, 2015

For more information contact:

Corrie Uhler @ 218-694-3232 or  
Bagley High School Office @ 218-694-3120

Bagley School District does not discriminate on the basis of race, religion, color, creed, national origin, sex, disability, receipt of public assistance, or sexual orientation

**Sr. High Registration-Alternative Learning Program**

Dates: June 2<sup>nd</sup>-15<sup>th</sup>  
 Time: Noon-3:30 pm  
 Place: BHS-Room Assignments to be determined  
**Students must be at least 16 years old and be referred by our current counselor before attending ALP for credit remediation courses. Students may register for a total of one credit only. Attendance and timeliness are crucial, tardiness and absences will result in loss of credit.**  
**THERE MUST BE A MINIMUM OF 3 STUDENTS PER SUBJECT AREA TO PROVIDE PROGRAM.**

**Sr. High Registration-Alternative Learning Program**

Dates: June 2<sup>nd</sup>-15<sup>th</sup>  
 Time: Noon-3:30 pm  
 Place: BHS-Room Assignments to be determined  
**Students must be at least 16 years old and be referred by our current counselor before attending ALP for credit remediation courses. Students may register for a total of one credit only. Attendance and timeliness are crucial, tardiness and absences will result in loss of credit.**  
**THERE MUST BE A MINIMUM OF 3 STUDENTS PER SUBJECT AREA TO PROVIDE PROGRAM.**

58

<b><u>COURSE NAME</u></b> (Circle One)	<b><u>CREDITS</u></b> (Circle One)
English 9 10 11 12	.5 or 1
Civics 9	.5 or 1
U.S. History 10	.5 or 1
World History 11	.5 or 1
Economics	.5
Advance Geography	.5
Physical Science 9	.5 or 1
Biology 10	.5 or 1
Chemistry	.5 or 1
Physics	.5 or 1
Health 9	.5 or 1
Algebra I	.5 or 1
Geometry	.5 or 1
Algebra II	.5 or 1
Other Electives	.5 or 1
Please List _____	

<b><u>COURSE NAME</u></b> (Circle One)	<b><u>CREDITS</u></b> (Circle One)
English 9 10 11 12	.5 or 1
Civics 9	.5 or 1
U.S. History 10	.5 or 1
World History 11	.5 or 1
Economics	.5
Advance Geography	.5
Physical Science 9	.5 or 1
Biology 10	.5 or 1
Chemistry	.5 or 1
Physics	.5 or 1
Health 9	.5 or 1
Algebra I	.5 or 1
Geometry	.5 or 1
Algebra II	.5 or 1
Other Electives	.5 or 1
Please List _____	

\_\_\_\_\_  
 Student Signature Date

\_\_\_\_\_  
 Student Signature Date

\_\_\_\_\_  
 Parent/Guardian Signature Date

\_\_\_\_\_  
 Parent/Guardian Signature Date

\_\_\_\_\_  
 Phone Numbers where you may be reached

\_\_\_\_\_  
 Phone Numbers where you may be reached



Fargo ■ Grand Forks ■ Bismarck  
Alexandria ■ Minneapolis ■ 877.380.0501

**Construction Manager:**

Johnson Controls, Inc.  
Professional Service Group  
2320 12th St. N.  
Fargo, ND. 58102  
1-800-678-1130

This drawing is copyrighted and shall not be reproduced without Engineer's written permission.  
© 2016, Obermiller Nelson Engineering, Inc.

**Project Name:**  
**Bagley School  
Improvements**

**Project Location:**  
Bagley, MN

**Project Information:**

Project No. : 2013045  
Drawn By : TWJ  
Checked By : JLC  
Date : APRIL 20, 2016  
File Name: 2013045\_3MI.1.dwg

**Revision:**

**MPR# 13**

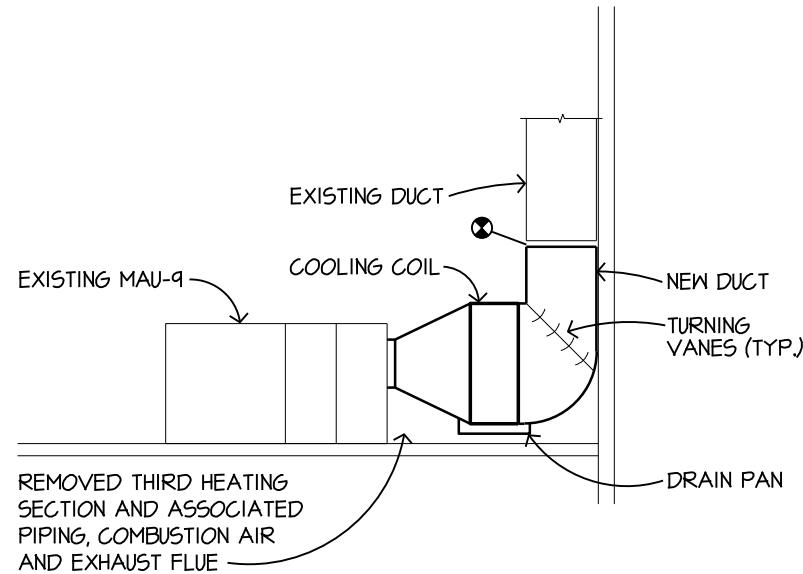
**Revision Number:**

**RI**

**Sheet Number:**

**3.MI.1**

59



7  
3MI.1

**EXISTING MAU-9 SECTION**

SCALE: 1/8" = 1'-0"

---

**MECHANICAL PROPOSAL REQUEST – MPR# 13**

**Date:** March 8, 2016  
**Project:** Bagley School Improvements  
**Proj. No.:** 2013045  
**RE:** Remove 3<sup>rd</sup> Gas Heat Section (MAU-9) and Add CO2 Control to Gym Units

---

**Please submit an itemized quotation for the change(s) described below to the proposed modifications to the Contract Documents.**

**THIS IS NOT A CHANGE ORDER OR DIRECTION TO PROCEED WITH WORK STATED HEREIN.**

---

1. Remove the 3<sup>rd</sup> gas heat section and all associated piping, exhaust flue and combustion air from existing make-up air handling unit MAU-9. Revise ductwork from cooling coil to 2<sup>nd</sup> gas heat section so duct transitions from outlet on 2<sup>nd</sup> gas heat section to inlet on cooling coil.
2. Add CO2 sensor in return air duct for both existing make-up air handling units MAU-8 & MAU-9. Add the following control sequence to existing controls of make-up air handling units MAU-8 & MAU-9 to control the outside air damper off of CO2.

OUTSIDE AIR DAMPER CONTROL: The outside air damper shall be controlled by carbon dioxide sensor in the return air duct. The outside air damper shall modulate to maintain 700 PPM (adjustable). When in heating mode, the outside air damper shall not be allowed to go past the maximum heating position of 50%.

ECONOMIZER CONTROL: When the outdoor air temperature is below 65 deg. F. (adjustable), the outside air damper and return air damper shall be modulated to maintain the mixed air temperature of 55 deg. F. (adjustable). When the outdoor air temperature is 65 deg. F. (adjustable) or above, the outside air damper shall be set to minimum position (10%). Whenever the supply fan is off, the fresh air damper shall be closed and the return air damper shall be open.

Respectfully,  
ONE, Inc.



Tony Johnson

Attachment(s): N/A

Cc: JCI, ONE

**FARGO**

2201 12<sup>th</sup> St. N. Suite E    t: 701.280.0500  
Fargo, ND 58102            f: 701.280.0522

**GRAND FORKS**

311 4<sup>th</sup> St. S. Suite 110    t: 701.775.2594  
Grand Forks, ND 58201    f: 701.775.0231

**MINNEAPOLIS**

6776 Lake Dr. NE Suite 110    t: 651.361.8728  
Lino Lakes, MN 55014        f: 701.280.0522

**801 EQUAL ACCESS TO SCHOOL FACILITIES**  
**School Board Adopted:**

**I. PURPOSE**

The purpose of this policy is to implement the Equal Access Act by granting equal access to secondary school facilities for students who wish to conduct a meeting for religious, political, or philosophical purposes during noninstructional time.

**II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is not to deny equal access or a fair opportunity to, or to discriminate against, any students who wish to conduct a meeting, on the basis of the religious, political, philosophical, or other content of the speech at such meetings.
- B. The school board has created a limited open forum for students enrolled in secondary schools during which noncurriculum-related student groups shall have equal access and a fair opportunity to conduct meetings during noninstructional time.
- C. Student use of facilities under this policy does not imply school district sponsorship, approval, or advocacy of the content of the expression at such meetings.
- D. The school district retains its authority to maintain order and discipline on school premises, to protect the well-being of students and faculty, and to assure that attendance of students at meetings is voluntary.
- E. In adopting and implementing this equal access policy, the school district will NOT:
  - 1. influence the form or content of any prayer or other religious activity;
  - 2. require any person to participate in prayer or other religious activity;
  - 3. expend public funds beyond the incidental cost of providing the space for student-initiated meetings;
  - 4. compel any school agent or employee to attend a school meeting if the content of the speech at the meeting is contrary to the beliefs of the agent or employee;
  - 5. sanction meetings that are otherwise unlawful;
  - 6. limit the rights of groups of students based on the size of the group;
  - 7. abridge the constitutional rights of any person.

**III. DEFINITIONS**

- A. "Limited open forum" means that the school grants an offering to or opportunity for one or more noncurriculum related student groups to meet on school premises during noninstructional time.
- B. "Secondary school" means any school with enrollment of pupils ordinarily in grades 7 through

12 or any portion thereof.

- C. "Sponsorship" includes the act of promoting, leading, or participating in a meeting. The assignment of a school employee for custodial, observation, or maintenance of order and discipline purposes does not constitute sponsorship of the meeting.
- D. "Meeting" includes activities of student groups which are permitted under a limited open forum and are not directly related to the school curriculum. Distribution of literature does not constitute a meeting protected by the Equal Access Act.
- E. "Noninstructional time" means time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends, including such other periods that occur during the school day when no classroom instruction takes place.

#### **IV. FAIR OPPORTUNITY CRITERIA**

Schools in this school district shall uniformly provide that:

- A. A meeting held pursuant to this policy is voluntary and student-initiated;
- B. There is no sponsorship of the meeting by the school or its agents or employees;
- C. Employees or agents of the school are present at religious meetings only in a nonparticipatory capacity;
- D. The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and
- E. Nonschool persons may not direct, control, or regularly attend activities of student groups.

#### **V. PROCEDURES**

- A. Any student who wishes to initiate a meeting under this policy shall apply to the principal of the building at least 48 hours in advance of the time of the activity or meeting. The student must agree to the following:
  - 1. All activities or meetings must comply with existing policies, regulations, and procedures that govern operation of school-sponsored activities.
  - 2. The activities or meetings are voluntary and student-initiated. The principal may require assurances of this fact.
- B. Student groups meeting under this policy must comply with the following rules:
  - 1. Those attending must not engage in any activity that is illegal, dangerous, or which materially and substantially interferes with the orderly conduct of the educational activities of the school. Such activities shall be grounds for discipline of an individual student and grounds for a particular group to be denied access.
  - 2. The groups may not use the school name, school mascot name, school emblems, the

school district name, or any name that might imply school or district sponsorship or affiliation in any activity, including fundraising and community involvement.

3. The groups must comply with school policies, regulations and procedures governing school-sponsored activities.
- C. Students applying for use of school facilities under this policy must provide the following information to the principal: time and date of meeting, estimated number of students in attendance, and special equipment needs.
- D. The building principal has responsibility to:
1. Keep a log of application information.
  2. Find and assign a suitable room for the meeting or activity. The number of students in attendance will be limited to the safe capacity of the meeting space.
  3. Note the condition of the facilities and equipment before and after use.
  4. Assure proper supervision. Assignment of staff to be present in a supervisory capacity does not constitute school district sponsorship of the meeting or activity.
  5. Assure that the meeting or activity does not interfere with the school's regular instructional activities.
- E. The school district shall not expend public funds for the benefit of students meeting pursuant to this policy beyond the incidental cost of providing space. The school district will provide no additional or special transportation.
- F. Nonschool persons may not direct, conduct, control, or regularly attend meetings and activities held pursuant to this policy.
- G. School district employees or agents may not promote, lead, participate in, or otherwise sponsor meetings or activities held pursuant to this policy.
- H. A copy of this policy and procedures shall be made available to each student who initiates a request to use school facilities.

Member \_\_\_\_\_

introduced the following resolution and moved its adoption:

RESOLUTION RELATING TO THE TERMINATION  
AND NONRENEWAL OF THE TEACHING CONTRACT  
OF TESSA R. LARSON,  
A PROBATIONARY TEACHER.

WHEREAS, Tessa R. Larson is a probationary teacher(s) in Independent School District No. 162.

BE IT RESOLVED, by the School Board of Independent School District No. 162, that pursuant to Minnesota Statutes 122A.40, Subdivision 5, that the teaching contract of Tessa R. Larson, a probationary teacher in Independent School District No. 162, is hereby terminated at the close of the current 2015-2016 school year and not to be renewed for the 2016-2017 school year.

BE IT FURTHER RESOLVED that written notice be sent to said teacher regarding termination and non-renewal of his contract as provided by law, and that said notice shall be in substantially the following form:

NOTICE OF TERMINATION  
AND NON-RENEWAL

Ms. Tessa R. Larson

\_\_\_\_\_  
\_\_\_\_\_

Dear Ms. Tessa Larson:

You are hereby notified that at a regularly scheduled meeting of the School Board of Independent School District No. 162 held on May 2, 2016, a resolution was adopted by a majority roll call vote to terminate your contract effective at the end of the current school year and not to renew your contract for the 2016-2017 school year. Said action of the board is taken pursuant to M.S. 122A.40, Subd. 5.

You may officially request that the school board give its reasons for the non-renewal of your teaching contract.

Sincerely,

SCHOOL BOARD OF  
INDEPENDENT SCHOOL DISTRICT NO. \_\_\_\_\_

\_\_\_\_\_  
Clerk of the School Board

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

**2016-2017 RESOLUTION FOR MEMBERSHIP  
IN THE MINNESOTA STATE HIGH SCHOOL LEAGUE**

**RESOLVED**, that the Governing Board of School District Number 162, County of Wanewater, State of Minnesota delegates the control, supervision and regulation of interscholastic athletic and fine arts events (referred to in MN Statutes, Section 128C.01) to the Minnesota State High School League, and so hereby certifies to the State Commissioner of Education as provided for by Minnesota Statutes.

**FURTHER RESOLVED**, that the high school(s) listed below (name all high schools in the district):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

is/are authorized by this, the Governing Board of said school district or school to:

1. \_\_\_\_\_ Make new application for membership in the Minnesota State High School League; School Enrollment (9-12): \_\_\_\_\_  
**OR;**  
 Renew its membership in the Minnesota State High School League; and,
2. Participate in the approved interschool activities sponsored by said League and its various subdivisions.

**FURTHER RESOLVED**, that this Governing Board hereby adopts the Constitution, Bylaws, Rules and Regulations of said League and all amendments thereto as the same as are published in the latest edition of the League's *Official Handbook*, on file at the office of the school district or as appears on the League's website, as the minimum standards governing participation in said League-sponsored activities, and that the administration and responsibility for determining student eligibility and for the supervision of such activities are assigned to the official representatives identified by the Governing Board.

**Signing the Resolution for Membership affirms that this Governing Board has reviewed the WHY WE PLAY training video which defines the purpose of education-based athletic and activity programs and will assist school communities in communicating a shared-common language as it relates to the value of these said programs.**

*Member schools must develop and publicize administrative procedures to address eligibility suspensions related to Code of Student Conduct violations for students participating in activity programs by member schools.*

The above Resolution was adopted by the Governing Board of this school district and is recorded in the official minutes of said Board and hereby is certified to the State Commissioner of Education as provided for by law.

Signed: \_\_\_\_\_ Signed: \_\_\_\_\_  
Clerk/Secretary - Local Governing Board Superintendent or Head of School

Date: \_\_\_\_\_ Date: \_\_\_\_\_

District Office Address, City, Zip: 202 Bayley Ave NW, Bayley MN 56621

School Superintendent's Phone: 718-694-6189 School Superintendent's Email: scarms@bayley.k12.mn.us

**RETURN ONE COPY TO THE MSHSL NOT LATER THAN SEPTEMBER 1, 2016**  
Retain one copy for the school files.

## IN THE MINNESOTA STATE HIGH SCHOOL LEAGUE

The following is taken from the MSHSL Constitution:

### 208.00 LOCAL CONTROL

#### 208.01 Designated School Representatives

At the beginning of the League's fiscal year, the governing board of each member school shall designate two (2) representatives who are authorized to vote for the member school at all district, region and section meetings and on mail ballots where member schools are called upon to vote, such as district meetings, region meetings, and mail ballots.

**One of the designated representatives shall be a member of the school's governing board and the other shall be an administrator or full-time faculty member of the member school.**

In school districts with multiple schools, the designated representative from the school district's governing body may represent more than one school and is entitled to one vote for each school they represent.

#### 208.02 Designated Activity Representatives

At the beginning of the League's fiscal year, the governing board of each member school shall select individuals to represent its school in the following areas: (a) boys sports; (b) girls sports; (c) speech; and (d) music.

#### 208.03 Local Advisory Committee

Each school is urged to form an advisory committee for League activities. Committee membership is not limited to but shall include a school board member, a student, a parent, and a faculty member, to advise the designated school representatives on all matters relating to the schools membership in the MSHSL.

**Please complete and return this form with your school's 2016-2017 Resolution for Membership. If the school board is responsible for more than one (1) high school, please complete a form for EACH high school.**

Bagley Public Schools  
Name of School (Please Print)

### VOTE ON BEHALF OF THE HIGH SCHOOL

Amy Fontaine  
Designated School Board Member  
(Please Print)

Steve Cairns  
Designated School Representative  
(Please Print)

afontaine@bagley.k12.mn.us  
Email Address

scairns@bagley.k12.mn.us  
Email Address

### ACTIVITY REPRESENTATIVES

Doreen Zierer  
Boys' Sports  
(Please Print)

Doreen Zierer  
Girls' Sports  
(Please Print)

Speech  
(Please Print)

Music  
(Please Print)

Doreen Zierer  
\*Mailing Representative (Please Print)

Joshua Gunderson

\* The Mailing Representative is the person to whom all mailings from the League office will be sent. Schools usually name the activity director as the primary recipient of the mailings or email messages.