

SHAKOPEE PUBLIC SCHOOLS



SCHOOL BOARD AGENDA





Shakopee Public Schools
School Board Regular Business Meeting

*Shakopee High School Studio Stage, 100 17th Avenue West, Shakopee

Monday, October 22, 2018
6:00 PM

1. CALL TO ORDER AND ROLL CALL - CHAIR SWANSON
2. PLEDGE OF ALLEGIANCE
3. WE ARE SHAKOPEE SCHOOLS - GOOD NEWS ITEMS 9
4. CONSIDERATION OF AGENDA AS PRESENTED AND ADDITIONS
5. CONSENT ITEMS

5. 1. Personnel Items

5.1.1 Acceptance of Resignations

Last Name, First Name, Position, Location, Effective Date

Beckrich, Michael, Custodian, District Office , 10/12/2018

DeSantiago, Alicia, Food Service Worker, Sun Path Elementary School, 10/26/2018

Garcia , Roberto, Teacher, Math, High School, 9/25/2018

Grosskurth, Dereck, Teacher, ESL, Jackson Elementary School, 10/05/2018

Harrington, Mary, Program Support Assistant, West Middle School, 9/25/2018

Inayath, Safeera, Program Support Assistant, Sun Path Elementary School, 10/26/2018

Meyer, Jessica , Program Support Assistant, High School, 10/16/2018

Pink, Kristina, Program Support Assistant, High School, 9/27/2018

Recommended Action

Accept the resignations and thank them for their service to the district as presented.

5.1.2 Approval of Certified Contracts for the 2018-19 School Year

Last Name, First Name, Position, Location, Grade, Step, FTE, Effective, Salary Annual

DeJong, Lindsay, Teacher, Technology, Red Oak Elementary School, BA+20, 10, 1.0, 8/29/2018, \$51,327.00

Hussong, Jill, Teacher, Grade 1, Sun Path Elementary School,

BA+30, 3, 1.0, 9/04/2018, \$45,307.00

O'Malia, Sarah, Teacher, Art, East Middle School, BA+30, 6, .50,
10/08/2018, \$20,838.29 prorated

Recommended Action

Approve certified contracts as presented.

5.1.3 Approval of Non-Certified Contracts for the 2018-19 School Year

Last Name, First Name, Position, Location, Salary, Effective

Blalock, Cassie, Program Support Assistant, Central Family Center,
\$14.59/hr, 9/24/2018

Braun, Anne, Program Support Assistant, Jackson Elementary
School, \$16.13/hr, 10/11/2018

Costa, Jannette, Program Support Assistant, Central Family Center,
\$14.59/hr, 9/24/2018

Cruz, Amy, Custodian, High School, \$16.41/hr, 10/01/2018

Danna, Elizabeth, Program Support Assistant, Central Family Center,
\$14.59/hr, 10/01/2018

Dodoo, Naa, Program Support Assistant, Jackson Elementary
School, \$13.55/hr, 9/26/2018

Galbetti, Hafso, Program Support Assistant, West Middle School,
\$14.87/hr, 10/08/2018

Gatimu, Joyce, Program Support Assistant, Jackson Elementary
School, \$13.74/hr, 9/26/2018

Gunderson, Noelle, Program Support Assistant, Central Family
Center, \$14.87/hr, 9/24/2018

Kalaus, Lance, Food Service Worker, High School, \$12.52/hr,
10/04/2018

Klecker, Kendra, Avid Tutor, HS/West/East, \$14.59/hr, 10/08/2018

Mohamed, Dalia, Program Support Assistant, Central Family Center,
\$14.59/hr, 10/15/2018

Moore, Erin, Custodian, High School, \$16.41/hr, 10/01/2018

O'Fallon, Jolyssa, Program Support Assistant, West Middle School,
\$14.87/hr, 10/08/2018

Pink, Kristina, Program Support Assistant, High School, \$14.59/hr,
9/25/2018

Sandberg, Mary Ellen, Program Support Assistant, Jackson
Elementary School, \$14.59/hr, 10/08/2018

Tiedemann, Sharla, Program Support Assistant, Sun Path
Elementary School, \$16.13/hr, 10/15/2018

Vangeti, Radha, Program Support Assistant, Eagle Creek Elementary
School, \$14.59/hr, 10/08/2018

Recommended Action

Approve the non-certified contracts as presented.

5.1.4 Approval of Long Term Substitute Contracts

Name LTS, Replacing, Position, Location, Approx. Dates,
Grade/Step, Approx. Days, FTE, Salary

Bauder, Cynthia, Angell, Kelsey, Teacher, High Potential, Jackson
Elementary School, 11/18/2018 through approx. 1/25/2019, MA Step
3, 1.0, \$256.86/day

Janowiec, Paul, Koenig, Kellie, Teacher, Math, East Middle School,
10/08/2018 through approx. 1/01/2019, MA + 30 Step 3, 1.0,
\$288.86/day

Reinhardt, Perry, Menden, Courtney, Teacher, Math, High School,
10/01/2018 through approx. 11/19/2018, BA Step 3, 1.0, \$214.35/day

Fracisco, Andre, Adams, Dawn, Teacher, Science, East Middle
School, 11/19/2018 through approx. 2/11/2019, BA Step 3, 1.0,
\$214.35/day

Ulrich, Jennifer, Henke, Megan, Teacher, Special Services, Jackson
Elementary School, 12/18/2018 through approx. 3/15/2019, BA Step
3, 1.0, \$214.35/day

Leroux, Karen, Goembel, Daniele, Teacher, Intervention, Sun Path
Elementary School, 10/29/2018 through approx. 2/11/2019, MA + 30
Step 8, 1.0, \$329.64/day

Prentice, Carolyn, Kurtt, Casey, Teacher, Intervention, Sweeney
Elementary School, 10/08/2018 through approx. 11/16/2018, MA
Step 3, 1.0, \$256.86/day

Recommended Action

Approve the Long Term Substitute contracts as presented.

5.1.5 Approval of Unaffiliated Contract

Last Name, First Name, Position, Location, Effective, Salary
Rolfsrud, Ford, Temporary Data and Testing Supervisor, District
Office, 10/1/2018 through approx. 6/14/2019, \$83,250.00 Prorated
amount

Recommended Action

Approve the unaffiliated contract as presented.

5.1.6 Approval of Co-Curricular Assignments

Last Name, First Name, Position Title

Elsner, Ashley, Assistant Girls Soccer Coach

Sayer, Samantha, Head Dance Coach

Altringer, Haley, Assistant Dance Coach

Dub, Katelynn, Assistant Dance Coach

Oliver, Tracy, Assistant Dance Coach

Dammann, Jacob, Head Boys Basketball
Schmitz, Eric, Assistant Boys Basketball
Tlougan, Stephen, Volunteer Boys Basketball
Eicher, Sam, Volunteer Boys Basketball
Lingenfelter, Steven, Assistant Boys Basketball
Flowers, Isaiah, Volunteer Boys Basketball
Olene, Tim, Assistant Boys Basketball
Snell, Brian, Assistant Boys Basketball
Mitchell, Juan, Head Girls Basketball
Hack, Steven, Assistant Girls Basketball
Russell, Daniel, Assistant Girls Basketball
Tiedens, Scott, Assistant Girls Basketball
Jackson, James, Head Wrestling
LeVesseur, Marcus, Assistant Wrestling
Boos, Dan, Assistant Wrestling
Harwood, Derek, Assistant Wrestling
Woiwor, Maolu, Assistant Wrestling
Trelstad, Jason, Assistant Wrestling
Neu, Mark, Junior High Wrestling
Farmer, William , Junior High Wrestling
Creamier, Nick, Volunteer Wrestling
Peterson, Trom, Volunteer Wrestling
DeVilbiss, Jayden, Volunteer Wrestling
Luna, Zabdiel, Volunteer Wrestling
Walker, Phillipe, Volunteer Wrestling
Baumgartner, Cole, Volunteer Wrestling
Davis, Justice, Volunteer Wrestling
Manville, David, Volunteer Wrestling
Hills, Eric, Head Boys Swim & Dive
Chmielewski, Megan, Assistant Boys Swim & Dive
Neuarth, Jared, Assistant Boys Swim & Dive
Neuarth, Beth, Assistant Boys Swim & Dive
Nyberg, Kirsten, Cheerleading
Fall, Alyssa, Assistant Cheerleading
Slaughter, Duane, Concessions Manager
Graba, Charlotte, Knowledge Bowl

Recommended Action

Approve the co-curricular assignments as presented.

5. 2. Approval of Minutes of the School Board Meetings

29

Recommended Action

Approve the minutes of the September 24, 2018 School Board Business Meeting, October 8, 2018 School Board Learning Session

	and October 15, 2018 School Board Special Business Meeting.	
5. 3.	Consideration of Bills and Authorization to Pay Same Recommended Action Approve the bills and authorize to pay same as presented.	37
5. 4.	Approval of Wires Report Recommended Action Approve the wires report as presented.	52
6.	OLD BUSINESS DISCUSSION ITEMS	
6. 1.	Monthly Budget Update Director of Finance & Operations Jeff Priess will provide a monthly budget update for the Board. Presenter: Director of Finance & Operations Jeff Priess Time: 10 minutes	53
6. 2.	October 1st Enrollment Update Interim Superintendent Dave Orłowsky will provide an October 1st Enrollment Update. Presenter: Interim Superintendent Dave Orłowsky Time: 10 minutes	55
6. 3.	Construction Update Ekalath Sophaphanh, ICS Consulting, will present a construction update for the board. Presenter: Ekalath Sophaphanh, ICS Consulting Time: 10 minutes	56
7.	OLD BUSINESS ACTION ITEMS	
7. 1.	Approval of Superintendent Contract for Dr. Mike Redmond Director of Human Resources Keith Gray and Personnel Chair Matt McKeand will present the contract for Dr. Mike Redmond as Superintendent of the Shakopee Public Schools for board approval. Note - Dr. Redmond is unable to attend due to the Goodhue Public Schools Board Meeting which is also occurring the evening of October 22nd. Recommended Action Approve the superintendent contract with Dr. Mike Redmond as presented. Presenter: Director of Human Resources Keith Gray and Personnel Chair Matt McKeand Time: 5 minutes	66
7. 2.	Approval of Academies of Shakopee Academy Champion School Board Chair Scott Swanson will present the Entrust Datacard as Entrust Datacard Academy of Science & Technology Academy	73

Champion.

Recommended Action

Approve Entrust Datacard as the Entrust Datacard Academy of Science & Technology Academy Champion as presented and thank them for their support of the students, families of the Shakopee Schools and the entire Shakopee community.

Presenter: School Board Chair Scott Swanson

Time: 10 minutes

7. 3. Approval of 2nd Readings of School District Policies 74

Policy Committee Chair Reggie Bowerman will present the following policies for final approval. Note - these policies were presented for 1st Reading on September 24, 2018.

102 Equal Educational Opportunity

401 Equal Employment Opportunity

402 Disability Nondiscrimination Policy

406 Public and Private Personnel Data

410 Family and Medical Leave Policy

413 Harassment and Violence

417 Chemical Use and Abuse

418 Drug-Free Workplace/Drug-Free School

419 Tobacco-Free Environment

427 Workload Limits for Certain Special Education Teachers

506 Student Discipline

516 Student Medication

520 Student Surveys

532 Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds

709 Student Transportation Safety Policy

903 Visitors to School District Buildings and Sites

The following policies were presented for 1st Reading on September 24, 2018 but are not being presented for approval at this time:

722 Public Data Requests

722FRM Public Data Request Form

The following policies were presented for 1st Reading on September 24, 2018 and are not being recommended for approval:

906 Community Notification of Predatory Offenders

907 Rewards

Recommended Action

Accept the school district policies for 1st Reading as presented.

Presenter: Policy Committee Chair Reggie Bowerman

Time: 5 minutes

7. 4. Approval of July 1, 2018-June 30, 2020 Service Employees International Union, Local 284 (SEIU) Custodial/Maintenance Contract

Human Resources Director Keith Gray will present highlights of the July 1, 2018-June 30, 2020 Service Employees International Union, Local 284 (SEIU) Custodial/Maintenance Contract for board review and approval.

Recommended Action

Approve the July 1, 2018-June 30, 2020 Service Employees International Union, Local 284 (SEIU) Custodial/Maintenance Contract as presented.

Presenter: Human Resources Director Keith Gray

Time: 10 minutes

8. NEW BUSINESS DISCUSSION ITEMS
9. NEW BUSINESS ACTION ITEMS
10. OTHER
11. COMMITTEE REPORTS
12. RECOGNITION OF VISITORS TO BOARD MEETING
13. UPCOMING MEETINGS AND IMPORTANT DATES
 - *October 22, 2018 Finance Committee Meeting 5:00PM
 - *held in the Admin Conference Room at Shakopee High School, 100 17th Avenue W
 - CANCELED October 24, 2018 BOC 5:00PM CANCELED
 - November 6, 2018 General Election 7:00AM-8:00PM
 - November 13, 2018 Policy Committee Meeting 5:00PM
 - November 13, 2018 School Board Business Meeting 6:00PM
 - November 14, 2018 BOC 5:00PM
 - November 26, 2018 Finance Committee Meeting 5:00PM
 - November 26, 2018 School Board Business Meeting 6:00PM
 - November 28, 2018 BOC 5:00PM
 - December 10, 2018 Finance Committee Meeting 5:00PM
 - December 10, 2018 Truth in Taxation Hearing & Business Meeting 6:00PM
 - December 12, 2018 BOC 5:00PM
14. ADJOURNMENT

SHAKOPEE SCHOOL BOARD

THANK YOU!



UNDER YOUR GOVERNANCE...

Our teachers and staff work together to provide quality, inclusive education for ALL students.

We develop students for success and strive for excellence inside the classroom.

AVID | ADVANCEMENT VIA INDIVIDUAL DETERMINATION | 2013

IS A COLLEGE READINESS PROGRAM THAT PREPARES STUDENTS FOR SUCCESS USING A SYSTEMATIC APPROACH DESIGNED TO SUPPORT STUDENTS AND EDUCATORS.



FULL-DAY KINDERGARTEN PROGRAMMING | FALL 2015



EXCELLENCE WITH EQUITY | FALL 2015



TECHNOLOGY IN OUR CLASSROOMS | VOTE 2015



TECHNOLOGY IN OUR CLASSROOMS | 1:1



VAUGHAN FIELD | 2015-2016



VAUGHAN FIELD | 2015-2016



YOUNG SCHOLARS | FALL 2016

IS A NATIONALLY RECOGNIZED PROGRAM THAT FOCUSES ON STUDENTS WHO ARE HISTORICALLY UNDERREPRESENTED FOR GIFTED SERVICES AND ADVANCED PROGRAMS.



SABER NATION STATION | SHS 2017



SABER NATION STATION | TLC 2018



NEW GRADE CONFIGURATION | FALL 2018

SHAKOPEE PUBLIC SCHOOLS

EAST MIDDLE SCHOOL | SERVING 6-8 GRADE STUDENTS



WEST MIDDLE SCHOOL | SERVING 6-8 GRADE STUDENTS



SHAKOPEE HIGH SCHOOL | SERVING 9-12 GRADE STUDENTS



SHAKOPEE HIGH SCHOOL EXPANSION | FALL 2018



SMALL LEARNING COMMUNITIES | FALL 2018



**ACADEMIES
OF SHAKOPEE**



2017-18 PROJECTED FUND BALANCE | FALL 2018

Preliminary audit figures report very positive results for the district's General Fund for the fiscal year ending June 30, 2018.

Preliminary numbers report a surplus of more than \$900,000, which projects an ending total fund balance of \$2,000,000.

THANK YOU FOR YOUR LEADERSHIP AND GUIDANCE!

We are committed to a great start.

We are developing students for success.

We are preparing students for college & career.

We are lifelong learners.

We are Education Forward.

We are Shakopee Public Schools.



Minutes of School Board Regular Business Meeting

School Board Shakopee Public Schools

A School Board Regular Business Meeting of the School Board of Shakopee Public Schools was held Monday, September 24, 2018, beginning at 6:00 PM in the District Office Board Room, 1200 Town Square, Shakopee, MN 55379.

1. CALL TO ORDER AND ROLL CALL - CHAIR SWANSON

PRESENT: Bowerman, Hallett, McKeand, Pass, Tomczik, Tucker & Swanson

ABSENT:

2. PLEDGE OF ALLEGIANCE

3. WE ARE SHAKOPEE SCHOOLS - GOOD NEWS ITEMS

3.1. Recognition of National Merit Scholarship Semifinalist Snigdha Panda

3.2. Recognition and Thank You

Thank you for your efforts and hard work to obtain life-saving AED's for the district:

Janni Hennes

Peggy Nerdahl

Jenny Ames

Donors include:

Lion's Club of Shakopee

Shakopee Rotary Club

HeartSafe Communities/ Allina

NHL Hockey Grant

JCI Shakopee (formerly Shakopee Jaycees)

MNA (Minnesota Nurses Association)

Shakopee Mdewakanton Sioux Community

St. Francis Hospital Saints Foundation

Reggie Bowerman - School Board member

Leo Budja - community member

Graduating Classes of Shakopee:

Class of 1979, Class of 1980, Class of 1981 donated 2, Class of 1982, Class of 1992 and Class of 2001

3.3. RECOGNITION OF VISITORS TO BOARD MEETING

3. CONSIDERATION OF AGENDA AS PRESENTED AND ADDITIONS

Hallett/McKeand moved to add 9.3 Rejection of 2018-19 Snow Plow Services Bids and approve the agenda as presented; motion passed unanimously.

4. CONSENT ITEMS

Bowerman/McKeand moved to approve the consent agenda as presented; motion passed unanimously.

5. 1. Personnel Items

5.1.1 Acceptance of Resignations

Last Name, First Name, Position, Location, Effective Date

Brandon, Yolanda, Program Support Assistant, West Middle School, 9/21/2018

Delarwell, Kristi, Physical Therapist, Central Family Center, 8/24/2018

Drew, Kendra, Soccer Coach, District Wide, 8/12/2018

Engler, Amy, Teacher, German, High School, 8/21/2018

Fredd, Brian, Teacher, Math, High School, 9/07/2018

Hammer, Paula, Technology Assistant, Jackson Elementary School, 9/21/2018

Hommerding, Gerilyn, Program Support Assistant, Jackson Elementary School, 8/27/2018

McLead, Tricia, Program Support Assistant, Central Family Center, 8/21/2018

Raffelson, Amy, Teacher, Special Services, East Middle School, 8/27/2018

Szynczak, Elizabeth, Teacher, Art, East Middle School, 9/07/2018

Vanhorn, Alexandra, Avid Tutor, High School, 8/23/2018

Webster, Noelle, Program Support Assistant, High School, 9/06/2018

Recommended Action

Accepted the resignations and thanked them for their service to the district as presented.

5.1.2 Approval of Certified Contracts for the 2018-19 School Year

Last Name, First Name, Position, Location, Grade, Step, FTE, Effective, Salary Annual

Bauder, Cynthia, Teacher, Building Substitute, Jackson Elementary School, NA, NA, 1.0, 9/04/2018, \$125.00/day

Benson, Brooke, Teacher, Science, West Middle School, BA, 3, 1.0, 8/20/2018, \$39,440.00

Dahl, Amber, Teacher, Math, High School, BA+30, 4, 1.0, 8/20/2018, \$46,590.00

Doheny, Dawn, Teacher, Building Substitute, Red Oak Elementary School, NA, NA, 1.0, 9/04/2018, \$125.00/day

Ellis, Krysten, Dean of Students, East Middle School, Spc/PhD, 12, 1.0, 8/20/2018, \$70,496.00

Garcia, Roberto, Teacher, Math, High School, MA, 11, 1.0, 9/04/2018, \$58,545.00

Gruber, Kaytlyn, Teacher, Building Substitute, Sweeney Elementary School, NA, NA, 1.0, 9/04/2018, \$125.00/day

Hasch, Tayla, School Nurse, Red Oak/Eagle Creek Elementary/Living Hope, BA, 6, 1.0, 9/04/2018, \$42,787.00

Kalthoff, Heather, Teacher, Eagle Creek Elementary School, BA, 3, 1.0, 8/20/2018, \$39,440.00

Kelm, Tyler, Teacher, German, High School, BA, 5, 1.0, 8/27/2018, \$41,671.00

Kersteter, Dianne, Teacher, Media, Sun Path/Jackson Elementary School, MA, 18, 1.0, 8/27/2018, \$68,193.00

Plummer, Kara, Teacher, East/West Middle School, MA, 3, 1.0, 8/20/2018, \$47,263.00

Sauter, Bernadine, Teacher, Special Services, East Middle School, Spc/PhD, 24, 1.0, 9/07/2018, \$89,700.00

Sayers, Kevin, Teacher, Digital Learning Coach, Sun Path Elementary School, MA+30, 20, 1.0, 8/27/2018, \$77,829.00

Schultz, Jack, Teacher, Social Studies, High School, BA, 3, 1.0, 8/27/2018, \$39,440.00

Recommended Action

Approved certified contracts as presented.

5.1.3 Approval of Non-Certified Contracts for the 2018-19 School Year

Last Name, First Name, Position, Location, Salary, Effective

Besse, Tracy, Program Support Assistant, East Middle School, \$14.59/hr, 9/05/2018

Boroos, Jean, Health Assistant, East Middle School, \$22.50/hr, 9/04/2018

Johnson, Amy, Health Assistant, Sun Path Elementary School, \$22.94/hr, 9/04/2018
 Larkin, Maxine, Food Service Worker, High School, \$12.94/hr, 9/04/2018
 Luce, Bart, Custodian, High School, \$17.31/hr, 9/17/2018
 Nemo, Abby, Program Support Assistant, Sweeney Elementary School, \$13.35/hr, 9/06/2018
 Neri, Jessica, Program Support Assistant, Central Family Center, \$16.30/hr, 9/06/2018
 Nielsen, Charleen, Custodian, High School, \$16.41/hr, 9/10/2018
 Petersen, Emerald, Technology Assistant, East Middle School, \$17.54/hr, 9/04/2018
 Pink, Kristina, Program Support Assistant, High School, \$14.59/hr, 9/05/2018
 Ploumen, Alexa, Program Support Assistant, Jackson Elementary School, \$14.59/hr, 9/06/2018
 Ramirez, Liz, Health Assistant, Sweeney Elementary School, \$20.99/hr, 9/24/2018
 Ruwart, Kaylene, Avid Tutor, West/East Middle School /High School, \$14.59/hr, 9/05/2018
 Schubbe, Connie, Program Support Assistant, High School, \$14.59/hr, 9/10/2018
 Sibinski, Melissa, Site Volunteer Coordinator, Sweeney Elementary School, \$2,700/yr stipend, 8/27/2018
 Suman, Susanna, Food Service Worker, West Middle School, \$12.52/hr, 9/05/2018
 Thayer, Jennifer, Program Support Assistant, Red Oak Elementary School, \$13.35/hr, 9/06/2018
 Washington, Rodney, Program Support Assistant, Red Oak Elementary School, \$13.35/hr, 9/06/2018
 Zins, Leah, Program Support Assistant, Sweeney Elementary School, \$13.35/hr, 9/06/2018

Recommended Action

Approved the non-certified contracts as presented.

5.1.4 Approval of Long Term Substitute Contracts

Name LTS, Replacing, Position, Location, Approx. Dates, Grade/Step, Approx. Days, FTE, Salary

Cohrs, Troy, Colburn, Heidi, Teacher, English, High School, 10/08/2018 through approx. 1/25/2019, MA Step 3, 66, 1.0, \$256.84/day
 Holle, James, Moya, Megan, Teacher, Math, West Middle School, 12/17/2018 through approx. 3/22/2019, BA Step 3, 58, 1.0, \$214.35/day
 Holle, James, Realander, Katie, Teacher, Math, West Middle School, 9/04/2018 through approx. 11/09/2018, BA Step 3, 46, 1.0, \$214.35/day
 Justic, Cole, Knutson, Nicole, Teacher, Grade 3, Red Oak Elementary School, 8/27/2018 through approx. 11/09/2018, BA Step 3, 48, 1.0, \$214.35/day
 Weier, Rachel, Bristor, Melaine, Teacher, Chemistry, High School, 9/13/2018 through approx. 11/23/2018, BA Step 3, 46, 1.0, \$214.35/day
 Scheu, Nicole, Borden, Heather, Teacher, Grade 5, Jackson Elementary School, 9/10/2018 through approx. 11/30/2018, MA Step 3, 54, 1.0, \$256.86/day
 Johnson, Michelle, Menden, Courtney, Teacher, Math, High School, 9/19/2018 through approx. 11/19/2018, MA+30 Step 3, 50, 1.0, \$288.76/day

Recommended Action

Approved the long term substitute contracts as presented.

5.1.5 Approval of Unaffiliated Contracts

Last Name, First Name, Position, Location, Effective, Salary

Younger, Christine, Community Education Program Coordinator, District Office, 1.0FTE, 8/28/2018, \$52,000.00
 Warden, Autumn, Community Education Program Coordinator, District Office, .6FTE, 9/04/2018, \$31,000.00

Recommended Action

Approved the unaffiliated contracts as presented.

5.1.6 Approval of Co-Curricular Assignments

Last Name, First Name, Position Title

Daumann, Jacob, Head Basketball Coach

Hoehn, Benjamin, Assistant Instrument Dir.

Hoehn, Benjamin, Ensembles

Hoehn, Benjamin, Pep Band

Lisner, Amy, Student Council Advisor

Goodrich, Claire, JH Volleyball Coach

Ostrom, Jaymee, JH Volleyball Coach

Pierce, Katherine, JH Volleyball Coach

Siegmeier, Emily, JH Volleyball Coach

Diatta, Sam, JH Soccer Coach

McGinn, Stephanie, JH Soccer Coach

Recommended Action

Approved the co-curricular assignments as presented.

5. 2. Approval of Minutes of the School Board Meetings

Recommended Action

Approved the minutes of the August 27, 2018 School Board Business Meeting and September 10, 2018 School Board Special Business Meeting and School Board Learning Session as presented.

5. 3. Consideration of Bills and Authorization to Pay Same

Recommended Action

Approved the bills and authorized to pay same as presented.

5. 4. Approval of Wires Report

Recommended Action

Approved the wires report as presented.

6. OLD BUSINESS DISCUSSION ITEMS

7. OLD BUSINESS ACTION ITEMS

7. 1. Approval and Recognition of Academies of Shakopee Academy Champion

School Board Chair Scott Swanson presented the Shakopee Mdewakanton Sioux Community as the Academies of Shakopee - Arts & Communication Academy Champion, represented by Chairman Charlie Vig.

Recommended Action

Hallett/Pass moved to approve the Shakopee Mdewakanton Sioux Community as the Arts & Communication Academy Champion as presented and thank them for their support of the students, families of the Shakopee Schools and the entire Shakopee community as presented; motion passed unanimously.

7. 2. Approval of July 1, 2018- June 30, 2020 Minnesota School Employees Association (MSEA) Paraprofessional Contract

Human Resources Director Keith Gray presented highlights of the 2018-20 MSEA Paraprofessional contract for board review and approval.

Recommended Action

McKeand/Tucker moved to approve the 2018-20 Minnesota School Employees Association

(MSEA) Collective Bargaining Agreement as presented; motion passed unanimously.

8. NEW BUSINESS DISCUSSION ITEMS

8. 1. CoLD Days & Instructional Hours Count Update

Interim Superintendent Dave Orlowsky and Director of Instructional Technology Bryan Drozd provided an update regarding our CoLD Days along with the instructional hours count for the 2018-19 school year.

8. 2. Start of School Year

Interim Superintendent Dave Orlowsky along with High School Principal Jeff Pawlicki, Tokata Principal Eric Serbus, West Middle School Principal Lori Link and East Middle School Principal Jim Miklausich presented an overview of the start of the school year for our secondary buildings.

8. 3. Budget Reporting/Monitoring Plan for 2018-19 School Board Meetings

Director of Finance & Operations Jeff Priess presented a budget reporting/monitoring plan for the 2018-19 school board meetings.

9. NEW BUSINESS ACTION ITEMS

9. 1. Approval of 2018 Payable 2019 Preliminary Levy and TIF Overview

Director of Finance & Operations Jeff Priess presented the Preliminary Levy 2018 Payable 2019 for Board review and approval. He also provided an overview of Tax Increment Financing for the Board.

Recommended Action

Tucker/Bowerman moved to certify the maximum preliminary Levy 2018 Payable 2019 as presented; motion passed unanimously.

9. 2. Acceptance of School District Policies for 1st Reading

Policy Committee Chair Reggie Bowerman presented the following policies for 1st Reading. These policies will be presented for final approval at a future board meeting.

102 Equal Educational Opportunity

401 Equal Employment Opportunity

402 Disability Nondiscrimination Policy

406 Public and Private Personnel Data

410 Family and Medical Leave Policy

413 Harassment and Violence

417 Chemical Use and Abuse

418 Drug-Free Workplace/Drug-Free School

419 Tobacco-Free Environment

427 Workload Limits for Certain Special Education Teachers

506 Student Discipline

516 Student Medication

520 Student Surveys

532 Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds

709 Student Transportation Safety Policy

722 Public Data Requests

722FRM Public Data Request Form

903 Visitors to School District Buildings and Sites

907 Rewards

Recommended Action

Bowerman/McKeand moved to accept the school district policies for 1st Reading as presented; motion passed unanimously.

9.3 Rejection of 2018-19 Snow Plow Services Bids

After further review of our Snow Plow Services bid, we have concluded that there was some confusion with the specifications as they related to the (Cleaning and Scraping) component of the bid. We consulted legal opinion and our recommendation follows.

Recommended Action

Hallett/Tucker moved to reject all bids for the 2018-19 Snow Plow Services as a result of specification confusion around the Cleaning and Scraping component on the bid form as presented; motion passed unanimously.

10. OTHER

11. COMMITTEE REPORTS

12. RECOGNITION OF VISITORS TO BOARD MEETING

Community member Nick Brown addressed the Board.

13. UPCOMING MEETINGS AND IMPORTANT DATES

September 24, 2018	Policy Committee Meeting	4:00PM
September 24, 2018	Finance Committee Meeting	5:00PM
September 26, 2018	BOC	5:00PM
October 2, 2018	Personnel Committee Meeting	7:00AM
October 8, 2018	Personnel Committee Meeting	5:00PM
October 8, 2018	School Board Learning Session	6:00PM
October 10, 2018	BOC	5:00PM
October 22, 2018	Finance Committee Meeting	5:00PM
October 22, 2018	School Board Business Meeting	6:00PM
October 24, 2018	BOC	5:00PM
November 6, 2018	General Election	7:00AM-8:00PM
November 13, 2018	Policy Committee Meeting	5:00PM
November 13, 2018	School Board Business Meeting	6:00PM
November 14, 2018	BOC	5:00PM
November 26, 2018	Finance Committee Meeting	5:00PM
November 26, 2018	School Board Business Meeting	6:00PM
November 28, 2018	BOC	5:00PM
December 10, 2018	Finance Committee Meeting	5:00PM
December 10, 2018	Truth in Taxation Hearing & Business Meeting	6:00PM
December 12, 2018	BOC	5:00PM

14. ADJOURNMENT

At 8:10PM, Tucker/Tomczik moved to adjourn as presented; motion passed unanimously.

Minutes of School Board Learning Session

School Board Shakopee Public Schools

A School Board Learning Session of the School Board of Shakopee Public Schools was held Monday, October 8, 2018, beginning at 6:30 PM in the *Shakopee High School Studio Theater, 100 17th Avenue West, Shakopee.

1. CALL TO ORDER SCHOOL BOARD LEARNING SESSION AND ROLL CALL - CHAIR SWANSON

*Please note that the interviews for Superintendent will be held in the Shakopee High School Studio Stage, 100 17th Avenue West, Shakopee. Use the main, east entrance and there will be directions to the Studio Stage which is located in the Academy of Arts & Communication.

*Also note the time adjustment to 6:30PM.

PRESENT: Bowerman, Hallett, McKeand, Pass, Tomczik, Tucker and Swanson

ABSENT: None

2. PLEDGE OF ALLEGIANCE

3. CONSIDERATION OF AGENDA AS PRESENTED

Hallett/Pass moved to approve the agenda as presented; motion passed unanimously.

3. 1. 6:30PM - Superintendent Finalist - Dr. Mike Funk

3. 2. 7:30PM - Superintendent Finalist Dr. Mike Redmond

4. OTHER

5. UPCOMING MEETINGS AND IMPORTANT DATES

October 10, 2018	BOC	5:00PM
October 15, 2018	School Board Special Business Meeting	6:00PM
October 22, 2018	Finance Committee Meeting	5:00PM
October 22, 2018	School Board Business Meeting	6:00PM
October 24, 2018	BOC	5:00PM
November 6, 2018	General Election	7:00AM-8:00PM
November 13, 2018	Policy Committee Meeting	5:00PM
November 13, 2018	School Board Business Meeting	6:00PM
November 14, 2018	BOC	5:00PM
November 26, 2018	Finance Committee Meeting	5:00PM
November 26, 2018	School Board Business Meeting	6:00PM
November 28, 2018	BOC	5:00PM
December 10, 2018	Finance Committee Meeting	5:00PM
December 10, 2018	Truth in Taxation Hearing & Business Meeting	6:00PM
December 12, 2018	BOC	5:00PM

6. ADJOURNMENT OF SCHOOL BOARD LEARNING SESSION

At 8:37PM, Tucker/Tomczik moved to adjourn as presented; motion passed unanimously.

Minutes of School Board Special Business Meeting

School Board Shakopee Public Schools

A School Board Special Business Meeting of the School Board of Shakopee Public Schools was held Monday, October 15, 2018, beginning at 6:00 PM in the District Office Board Room, 1200 Town Square, Shakopee, MN 55379.

1. CALL TO ORDER AND ROLL CALL - CHAIR SWANSON

PRESENT: Bowerman, Hallett, McKeand, Pass, Tomczik, Tucker and Swanson

ABSENT:

2. PLEDGE OF ALLEGIANCE

The School Board also recognized the passing of former students Bushra Abdi and Zeynab Abdalla with a moment of silence.

3. CONSIDERATION OF AGENDA AS PRESENTED

Tucker/McKeand moved to approve the agenda as presented; motion passed unanimously.

4. OLD BUSINESS ACTION ITEMS

4. 1. Superintendent of Schools Position

The School Board had a discussion and determined a path forward as it applies to the Superintendent position within Shakopee Public Schools.

McKeand/Tucker moved to extend an offer and enter in to negotiations with Dr. Mike Redmond for the position of Superintendent of the Shakopee Public Schools; upon roll call, the motion passed unanimously.

5. ADJOURNMENT OF SPECIAL SCHOOL BOARD BUSINESS MEETING

At 7:52PM, McKeand/Tomczik moved to adjourn as presented; motion passed unanimously.

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
9/6/2018 10:18:18 AM	EDG	105252057	738360	Advanced First Aid, Inc.	5,000.00	Yes	No
9/6/2018 10:18:18 AM	EDG	105252057	738361	AG PARTNERS TOWN & COUNTRY STOR	685.86	Yes	No
9/6/2018 10:18:18 AM	EDG	105252057	738362	AIRGAS NATIONAL CARBONATION	293.45	Yes	No
9/6/2018 10:18:18 AM	EDG	105252057	738363	ALL FLAGS, LLC	281.25	Yes	No
9/6/2018 10:18:18 AM	EDG	105252057	738364	AMERICAN MODELING TEACHERS ASS	1,110.00	Yes	No
9/6/2018 10:18:18 AM	EDG	105252057	738365	ANCHOR PAPER	374.54	Yes	No
9/6/2018 10:18:19 AM	EDG	105252057	738366	ANCOM COMMUNICATIONS INC	65.00	Yes	No
9/6/2018 10:18:19 AM	EDG	105252057	738367	HOPKINS HIGH SCHOOL ACTIVITIES	102.21	Yes	No
9/6/2018 10:18:19 AM	EDG	105252057	738368	ANYTIME FITNESS	3,500.00	Yes	No
9/6/2018 10:18:19 AM	EDG	105252057	738369	BATTERIES R US	464.84	Yes	No
9/6/2018 10:18:19 AM	EDG	105252057	738370	BERANAK, MARI	100.00	Yes	No
9/6/2018 10:18:19 AM	EDG	105252057	738371	BUCKEYE CLEANING CENTER	3,292.08	Yes	No
9/6/2018 10:18:19 AM	EDG	105252057	738372	CATALYST SOURCING SOLUTIONS	1,683.00	Yes	No
9/6/2018 10:18:19 AM	EDG	105252057	738373	CHOICE ELECTRIC, INC	6,468.72	Yes	No
9/6/2018 10:18:19 AM	EDG	105252057	738374	DICKS SANITATION INC.	5,574.59	Yes	No
9/6/2018 10:18:20 AM	EDG	105252057	738375	ELMI, FARTUN	125.00	Yes	No
9/6/2018 10:18:20 AM	EDG	105252057	738376	ERTL, ROBERT	900.00	Yes	No
9/6/2018 10:18:20 AM	EDG	105252057	738377	FISHER SCIENTIFIC	7,127.56	Yes	No
9/6/2018 10:18:20 AM	EDG	105252057	738378	GAILFUS TRAILER MARKETING	1,031.07	Yes	No
9/6/2018 10:18:20 AM	EDG	105252057	738379	GET CUSTOM WRISTBANDS	930.00	Yes	No
9/6/2018 10:18:20 AM	EDG	105252057	738380	GOPHER SPORT	405.00	Yes	No
9/6/2018 10:18:20 AM	EDG	105252057	738381	HILLYARD FLOOR CARE HUTCHINSON	69,655.60	Yes	No
9/6/2018 10:18:20 AM	EDG	105252057	738382	HOLSTINE, KELLY	51.01	Yes	No
9/6/2018 10:18:21 AM	EDG	105252057	738383	HORIZON COMMERCIAL POOL SUPPLY	1,421.06	Yes	No
9/6/2018 10:18:21 AM	EDG	105252057	738384	HOUSE OF PRINT	6,507.88	Yes	No
9/6/2018 10:18:21 AM	EDG	105252057	738385	ICS CONSULTING INC	50,762.86	Yes	No
9/6/2018 10:18:21 AM	EDG	105252057	738386	INNOVATIVE OFFICE SOLUTIONS	822.85	Yes	No
9/6/2018 10:18:21 AM	EDG	105252057	738387	JASPERS MORIARTY & WETHERILLE PA	324.50	Yes	No
9/6/2018 10:18:21 AM	EDG	105252057	738388	JOHNSON CONTROLS	2,094.80	Yes	No
9/6/2018 10:18:21 AM	EDG	105252057	738389	KNUTSON FLYNN & DEANS	2,715.00	Yes	No
9/6/2018 10:18:21 AM	EDG	105252057	738390	KULLY SUPPLY CO	117.61	Yes	No
9/6/2018 10:18:21 AM	EDG	105252057	738391	LOUISVILLE LANES	40.00	Yes	No
9/6/2018 10:18:21 AM	EDG	105252057	738392	MACKIN EDUCATIONAL RESOURCES	210.54	Yes	No
9/6/2018 10:18:22 AM	EDG	105252057	738393	MAYCLIN, HILARY	40.00	Yes	No

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
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9/6/2018 10:18:22 AM	EDG	105252057	738395	MCIS	545.00	Yes	No
9/6/2018 10:18:22 AM	EDG	105252057	738396	METRO ECSU	2,850.00	Yes	No
9/6/2018 10:18:22 AM	EDG	105252057	738397	MF IRRIGATION SERVICES	507.00	Yes	No
9/6/2018 10:18:22 AM	EDG	105252057	738398	MINNEAPOLIS OXYGEN	115.32	Yes	No
9/6/2018 10:18:22 AM	EDG	105252057	738399	MINNESOTA COACHES, INC	949.20	Yes	No
9/6/2018 10:18:22 AM	EDG	105252057	738400	MN BOARD OF SCHOOL ADMIN	75.00	Yes	No
9/6/2018 10:18:22 AM	EDG	105252057	738401	MN CLAY USA	1,162.75	Yes	No
9/6/2018 10:18:23 AM	EDG	105252057	738402	OTTERSON, IRINA	100.00	Yes	No
9/6/2018 10:18:23 AM	EDG	105252057	738403	PARALLEL TECHNOLOGIES INC	30,785.08	Yes	No
9/6/2018 10:18:23 AM	EDG	105252057	738404	PLANSOURCE	2,017.20	Yes	No
9/6/2018 10:18:23 AM	EDG	105252057	738405	PLASTIC BAGMART	5,681.40	Yes	No
9/6/2018 10:18:23 AM	EDG	105252057	738406	PPG ARCHITECTURAL COATINGS	2,876.89	Yes	No
9/6/2018 10:18:23 AM	EDG	105252057	738407	PRIOR LAKE HIGH SCHOOL	140.00	Yes	No
9/6/2018 10:18:23 AM	EDG	105252057	738408	PROVISION MEDIA INC.	52,099.00	Yes	No
9/6/2018 10:18:24 AM	EDG	105252057	738409	QUALITY FORKLIFT SALES & SERVI	642.63	Yes	No
9/6/2018 10:18:24 AM	EDG	105252057	738410	RIVERFRONT PRINTING	135.00	Yes	No
9/6/2018 10:18:24 AM	EDG	105252057	738411	ROTO ROOTER	1,017.00	Yes	No
9/6/2018 10:18:24 AM	EDG	105252057	738412	SAFELINE MANAGEMENTSERVICES	7,200.00	Yes	No
9/6/2018 10:18:24 AM	EDG	105252057	738413	SCHOLASTIC , INC	3,410.00	Yes	No
9/6/2018 10:18:24 AM	EDG	105252057	738414	SCHOOL MATE	980.00	Yes	No
9/6/2018 10:18:24 AM	EDG	105252057	738415	SCHWICKERT'S, INC	2,852.25	Yes	No
9/6/2018 10:18:24 AM	EDG	105252057	738416	SECURITY CONTROL SYSTEMS, INC	22,398.27	Yes	No
9/6/2018 10:18:24 AM	EDG	105252057	738417	SHAKOPEE FIRE DEPARTMENT	398.00	Yes	No
9/6/2018 10:18:24 AM	EDG	105252057	738418	SOUTHERN PLAINS EDUCATION COOP	4,222.35	Yes	No
9/6/2018 10:18:25 AM	EDG	105252057	738419	ST CLOUD STATE UNIVERSITY - PLTW	1,225.00	Yes	No
9/6/2018 10:18:25 AM	EDG	105252057	738420	STAGES THEATRE COMPANY	647.00	Yes	No
9/6/2018 10:18:25 AM	EDG	105252057	738421	TRI DIM FILTER CORPORATION	10,342.66	Yes	No
9/6/2018 10:18:25 AM	EDG	105252057	738422	TRUSTED EMPLOYEES	715.95	Yes	No
9/6/2018 10:18:25 AM	EDG	105252057	738423	TWIN CITY SEED CO	1,645.00	Yes	No
9/6/2018 10:18:25 AM	EDG	105252057	738424	US AWARDS INC	1,976.87	Yes	No
9/6/2018 10:18:25 AM	EDG	105252057	738425	VANTHOURNOUT, JANA	40.00	Yes	No
9/6/2018 10:18:25 AM	EDG	105252057	738426	WAGNER EDUCATIONAL CONSULTING	1,553.21	Yes	No
9/6/2018 10:18:25 AM	EDG	105252057	738427	WENGER CORPORATION	3,605.00	Yes	No

**Ultimate EDGE Account's Payable
Check Register**

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
9/6/2018 10:18:25 AM	EDG	105252057	738428	WOLD ARCHITECTS & ENGINEERS	51,383.12	Yes	No
9/6/2018 10:18:26 AM	EDG	105252057	738429	WOOD MACHINERY SYSTEMS	5,533.00	Yes	No

*** Totals

Total Documents: 70

Total Amount: 396,672.03

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
9/13/2018 10:15:41 AM	EDG	105252057	738437	ACADEMIC ALL STAR TUTORING	712.00	Yes	No
9/13/2018 10:15:41 AM	EDG	105252057	738438	ADVANCED IMAGING SOLUTIONS	246.00	Yes	No
9/13/2018 10:15:41 AM	EDG	105252057	738439	AG PARTNERS TOWN & COUNTRY STOR	454.35	Yes	No
9/13/2018 10:15:41 AM	EDG	105252057	738440	AIRGAS NATIONAL CARBONATION	110.80	Yes	No
9/13/2018 10:15:42 AM	EDG	105252057	738441	ALL FURNITURE	3,413.68	Yes	No
9/13/2018 10:15:42 AM	EDG	105252057	738442	ALTMAN, ADAM	500.00	Yes	No
9/13/2018 10:15:42 AM	EDG	105252057	738443	ANCHOR PAPER	2,600.00	Yes	No
9/13/2018 10:15:42 AM	EDG	105252057	738444	ANDERSEN, AL	387.00	Yes	No
9/13/2018 10:15:42 AM	EDG	105252057	738445	AWARD DECALS.COM	1,172.88	Yes	No
9/13/2018 10:15:42 AM	EDG	105252057	738446	BATTERIES R US	1,199.97	Yes	No
9/13/2018 10:15:42 AM	EDG	105252057	738447	BAUMGARTNER, SARAH	64.00	Yes	No
9/13/2018 10:15:42 AM	EDG	105252057	738448	BENSON SCHOOL DISTRICT	4,495.92	Yes	No
9/13/2018 10:15:42 AM	EDG	105252057	738449	BERNARD FOOD INDUSTRIES, INC	8,862.74	Yes	No
9/13/2018 10:15:42 AM	EDG	105252057	738450	BERNDT, NANCY	60.00	Yes	No
9/13/2018 10:15:42 AM	EDG	105252057	738451	BIFFS INC	1,294.38	Yes	No
9/13/2018 10:15:43 AM	EDG	105252057	738452	BIX PRODUCE CO.	4,233.80	Yes	No
9/13/2018 10:15:43 AM	EDG	105252057	738453	BRANDT, KEVIN	67.00	Yes	No
9/13/2018 10:15:43 AM	EDG	105252057	738454	CATALYST SOURCING SOLUTIONS	249.99	Yes	No
9/13/2018 10:15:43 AM	EDG	105252057	738455	CDW GOVERNMENT	55,600.00	Yes	No
9/13/2018 10:15:43 AM	EDG	105252057	738456	CENGAGE LEARNING/GALE	8,102.88	Yes	No
9/13/2018 10:15:43 AM	EDG	105252057	738457	CENTERPOINT ENERGY MINNEGASCO	1,135.00	Yes	No
9/13/2018 10:15:43 AM	EDG	105252057	738458	CENTERPOINT ENERGY SERVICES	7,529.45	Yes	No
9/13/2018 10:15:43 AM	EDG	105252057	738459	CHOICE ELECTRIC, INC	2,823.53	Yes	No
9/13/2018 10:15:43 AM	EDG	105252057	738460	CLAYTON, JOHN J	69.00	Yes	No
9/13/2018 10:15:43 AM	EDG	105252057	738461	COFFEE MILL INC	43.00	Yes	No
9/13/2018 10:15:43 AM	EDG	105252057	738462	COMPUTER EXPLORERS	1,728.00	Yes	No
9/13/2018 10:15:43 AM	EDG	105252057	738463	CUB FOODS	42.50	Yes	No
9/13/2018 10:15:44 AM	EDG	105252057	738464	DAVIS, FORSTER	104.00	Yes	No
9/13/2018 10:15:44 AM	EDG	105252057	738465	DIVERSIFIED SNACK DISTRIBUTORS	9,144.86	Yes	No
9/13/2018 10:15:44 AM	EDG	105252057	738466	EARL F. ANDERSON, INC	239.00	Yes	No
9/13/2018 10:15:44 AM	EDG	105252057	738467	EARTHGRAINS	1,013.89	Yes	No
9/13/2018 10:15:44 AM	EDG	105252057	738468	EASTERN CARVER COUNTY SCHOOLS	11,570.79	Yes	No
9/13/2018 10:15:44 AM	EDG	105252057	738469	EDUCATORS BENEFIT CONSULTANTS	443.70	Yes	No
9/13/2018 10:15:44 AM	EDG	105252057	738470	FERNDALE MARKET LLC	3,015.60	Yes	No

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
9/13/2018 10:15:44 AM	EDG	105252057	738471	FULLER, JUSTIN	240.00	Yes	No
9/13/2018 10:15:44 AM	EDG	105252057	738472	GAILFUS TRAILER MARKETING	789.88	Yes	No
9/13/2018 10:15:44 AM	EDG	105252057	738473	GENERAL PARTS , INC	10,578.16	Yes	No
9/13/2018 10:15:44 AM	EDG	105252057	738474	GRIDER, DANIEL	67.00	Yes	No
9/13/2018 10:15:44 AM	EDG	105252057	738475	HASTINGS COOPERATIVE CREAMERY	2,177.91	Yes	No
9/13/2018 10:15:45 AM	EDG	105252057	738476	HILLSHIRE BRANDS CO	8,050.84	Yes	No
9/13/2018 10:15:45 AM	EDG	105252057	738477	HILLYARD FLOOR CARE HUTCHINSON	32,512.96	Yes	No
9/13/2018 10:15:45 AM	EDG	105252057	738478	HORIZON COMMERCIAL POOL SUPPLY	424.42	Yes	No
9/13/2018 10:15:45 AM	EDG	105252057	738479	HOWARD, DOMINIC	67.00	Yes	No
9/13/2018 10:15:45 AM	EDG	105252057	738480	HYVEE INC	20.15	Yes	No
9/13/2018 10:15:45 AM	EDG	105252057	738481	ICS CONSULTING INC	22,068.13	Yes	No
9/13/2018 10:15:45 AM	EDG	105252057	738482	INNOVATIVE GRAPHICS	1,200.00	Yes	No
9/13/2018 10:15:45 AM	EDG	105252057	738483	INNOVATIVE OFFICE SOLUTIONS	2,388.76	Yes	No
9/13/2018 10:15:45 AM	EDG	105252057	738484	JONCKOWSKI, DICK	65.00	Yes	No
9/13/2018 10:15:45 AM	EDG	105252057	738485	JUREWICZ, FRED	64.00	Yes	No
9/13/2018 10:15:46 AM	EDG	105252057	738486	JUREWICZ, MATT	67.00	Yes	No
9/13/2018 10:15:46 AM	EDG	105252057	738487	KELLEY, MARK	67.00	Yes	No
9/13/2018 10:15:46 AM	EDG	105252057	738488	KERR ATHLETICS	24,700.00	Yes	No
9/13/2018 10:15:46 AM	EDG	105252057	738489	KNUTSON FLYNN & DEANS	2,695.00	Yes	No
9/13/2018 10:15:46 AM	EDG	105252057	738490	KRUGER, JORDAN	87.00	Yes	No
9/13/2018 10:15:46 AM	EDG	105252057	738491	LAERDAL MEDICAL CORPORATION	4,189.50	Yes	No
9/13/2018 10:15:46 AM	EDG	105252057	738492	LANZI, BOB	363.00	Yes	No
9/13/2018 10:15:46 AM	EDG	105252057	738493	LOFFLER	864.35	Yes	No
9/13/2018 10:15:46 AM	EDG	105252057	738494	LUNCH LADY U, LLC	2,100.00	Yes	No
9/13/2018 10:15:46 AM	EDG	105252057	738495	MACKIN EDUCATIONAL RESOURCES	819.88	Yes	No
9/13/2018 10:15:46 AM	EDG	105252057	738496	MAILFINANCE - NEOPOST LEASE	549.27	Yes	No
9/13/2018 10:15:47 AM	EDG	105252057	738497	MARKET DISTRIBUTION INC	248.45	Yes	No
9/13/2018 10:15:47 AM	EDG	105252057	738498	MARSHALL, GREG	115.00	Yes	No
9/13/2018 10:15:47 AM	EDG	105252057	738499	MASBO	330.00	Yes	No
9/13/2018 10:15:47 AM	EDG	105252057	738500	MAVO SYSTEMS	1,690.77	Yes	No
9/13/2018 10:15:47 AM	EDG	105252057	738501	MCGREGOR, IAN P	67.00	Yes	No
9/13/2018 10:15:47 AM	EDG	105252057	738502	MEI TOTAL ELEVATOR SOLUTIONS	536.00	Yes	No
9/13/2018 10:15:47 AM	EDG	105252057	738503	MF IRRIGATION SERVICES	3,983.03	Yes	No
9/13/2018 10:15:47 AM	EDG	105252057	738504	MINNESOTA HIGHWAY SAFETY & RESE	360.00	Yes	No

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
9/13/2018 10:15:47 AM	EDG	105252057	738505	MINNESOTA WATER	149.85	Yes	No
9/13/2018 10:15:47 AM	EDG	105252057	738506	MN DEPT OF LABOR AND INDUSTRY	100.00	Yes	No
9/13/2018 10:15:48 AM	EDG	105252057	738507	MONOPRICE.COM	14.18	Yes	No
9/13/2018 10:15:48 AM	EDG	105252057	738508	Mood Media	162.06	Yes	No
9/13/2018 10:15:48 AM	EDG	105252057	738509	NELSON, DENISE	130.00	Yes	No
9/13/2018 10:15:48 AM	EDG	105252057	738510	NEOPOST	4,000.00	Yes	No
9/13/2018 10:15:48 AM	EDG	105252057	738511	NEW DOMINION SCHOOL/AUSTIN	1,164.24	Yes	No
9/13/2018 10:15:48 AM	EDG	105252057	738512	NORDBY, MONICA	513.00	Yes	No
9/13/2018 10:15:48 AM	EDG	105252057	738513	NWAOFUNE, PETER	260.00	Yes	No
9/13/2018 10:15:48 AM	EDG	105252057	738514	ODEGARD, TOM	87.00	Yes	No
9/13/2018 10:15:48 AM	EDG	105252057	738515	PALMER BUS SERVICES	10,107.80	Yes	No
9/13/2018 10:15:48 AM	EDG	105252057	738516	PEARSON, LANE	248.00	Yes	No
9/13/2018 10:15:48 AM	EDG	105252057	738517	PERFORMANCE FOOD GROUP	2,349.13	Yes	No
9/13/2018 10:15:49 AM	EDG	105252057	738518	PERFORMANCE HEALTH SUPPLY INC	450.00	Yes	No
9/13/2018 10:15:49 AM	EDG	105252057	738519	PITNEY BOWES PURCHASE POWER	500.00	Yes	No
9/13/2018 10:15:49 AM	EDG	105252057	738520	PPG ARCHITECTURAL COATINGS	435.36	Yes	No
9/13/2018 10:15:49 AM	EDG	105252057	738521	PROVISION MEDIA INC.	520.00	Yes	No
9/13/2018 10:15:49 AM	EDG	105252057	738522	QUALITY RESOURCE GROUP, INC.	3,182.93	Yes	No
9/13/2018 10:15:49 AM	EDG	105252057	738523	RAMIC, ALMIN	67.00	Yes	No
9/13/2018 10:15:49 AM	EDG	105252057	738524	RIVERFRONT PRINTING	189.00	Yes	No
9/13/2018 10:15:49 AM	EDG	105252057	738525	RUPNOW, CHARLES	272.00	Yes	No
9/13/2018 10:15:49 AM	EDG	105252057	738526	SCHOLASTIC , INC	181.50	Yes	No
9/13/2018 10:15:49 AM	EDG	105252057	738527	SCHWICKERT'S, INC	480.00	Yes	No
9/13/2018 10:15:50 AM	EDG	105252057	738528	SCHWICKERT'S, INC	622.00	Yes	No
9/13/2018 10:15:50 AM	EDG	105252057	738529	SECURITY CONTROL SYSTEMS, INC	264.00	Yes	No
9/13/2018 10:15:50 AM	EDG	105252057	738530	SHAKOPEE CHAMBER OF COMMERCE	350.00	Yes	No
9/13/2018 10:15:50 AM	EDG	105252057	738531	SHAKOPEE PUBLIC UTILITY COMMIS	117,236.94	Yes	No
9/13/2018 10:15:50 AM	EDG	105252057	738532	SHRED-N-GO, INC.	493.62	Yes	No
9/13/2018 10:15:50 AM	EDG	105252057	738533	SJOBERG, SUSAN	200.00	Yes	No
9/13/2018 10:15:50 AM	EDG	105252057	738534	SOLARWINDS	5,995.00	Yes	No
9/13/2018 10:15:50 AM	EDG	105252057	738535	Soulo Communications	12,707.50	Yes	No
9/13/2018 10:15:50 AM	EDG	105252057	738536	SOWADA, ANDREW	67.00	Yes	No
9/13/2018 10:15:50 AM	EDG	105252057	738537	STAR TRIBUNE	169.00	Yes	No
9/13/2018 10:15:51 AM	EDG	105252057	738538	STEPHAN, BILL	69.00	Yes	No

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
9/13/2018 10:15:51 AM	EDG	105252057	738539	SWANSON MEATS INC	5,164.80	Yes	No
9/13/2018 10:15:51 AM	EDG	105252057	738540	TECUMSEH POULTRY	979.44	Yes	No
9/13/2018 10:15:51 AM	EDG	105252057	738541	THE OTHER LUNCH LADY DOING BUSIN	200.00	Yes	No
9/13/2018 10:15:51 AM	EDG	105252057	738542	THOUSAND HILLS CATTLE CO	748.80	Yes	No
9/13/2018 10:15:51 AM	EDG	105252057	738543	TIME	123.75	Yes	No
9/13/2018 10:15:51 AM	EDG	105252057	738544	TRANE COMPANY	5,149.00	Yes	No
9/13/2018 10:15:51 AM	EDG	105252057	738545	TRIO SUPPLY COMPANY	6,730.11	Yes	No
9/13/2018 10:15:51 AM	EDG	105252057	738546	UNITED PROMOTIONS	664.00	Yes	No
9/13/2018 10:15:51 AM	EDG	105252057	738547	UNIVERSAL ATHLETIC SERVICE	3,491.64	Yes	No
9/13/2018 10:15:51 AM	EDG	105252057	738548	UNIVERSITY OF OREGON	350.00	Yes	No
9/13/2018 10:15:52 AM	EDG	105252057	738549	US FOODS, INC.	59,243.98	Yes	No
9/13/2018 10:15:52 AM	EDG	105252057	738550	US FOODS, INC.	0.00	Yes	No
9/13/2018 10:15:52 AM	EDG	105252057	738551	VALLEY SPORTS	286.00	Yes	No
9/13/2018 10:15:52 AM	EDG	105252057	738552	VERIZON WIRELESS	1,490.37	Yes	No
9/13/2018 10:15:52 AM	EDG	105252057	738553	VOGT, JASON	67.00	Yes	No
9/13/2018 10:15:52 AM	EDG	105252057	738554	WALTERS, JOHN	87.00	Yes	No
9/13/2018 10:15:52 AM	EDG	105252057	738555	WATER TO YOU	9.00	Yes	No
9/13/2018 10:15:52 AM	EDG	105252057	738556	WORM, NICK	67.00	Yes	No

*** Totals

Total Documents: 120

Total Amount: 505,865.17

**Ultimate EDGE Account's Payable
Check Register**

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
9/13/2018 10:29:07 AM	EDG	105252057	738557	ADVANCED IMAGING SOLUTIONS	8,938.38	Yes	No
9/13/2018 10:29:07 AM	EDG	105252057	738558	NEOPOST	2,061.23	Yes	No

*** Totals

Total Documents: 2

Total Amount: 10,999.61

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
9/20/2018 12:32:27 PM	EDG	105252057	738568	Advanced First Aid, Inc.	3,300.00	Yes	No
9/20/2018 12:32:27 PM	EDG	105252057	738569	AFFINITECH INC	28,968.36	Yes	No
9/20/2018 12:32:27 PM	EDG	105252057	738570	ALL FURNITURE	7,452.00	Yes	No
9/20/2018 12:32:27 PM	EDG	105252057	738571	ANCHOR PAPER	6,872.71	Yes	No
9/20/2018 12:32:28 PM	EDG	105252057	738572	ANDERSEN, AL	64.00	Yes	No
9/20/2018 12:32:28 PM	EDG	105252057	738573	ANDERSON, CLIFFORD	127.00	Yes	No
9/20/2018 12:32:28 PM	EDG	105252057	738574	ARCH LANGUAGE NETWORK INC	360.00	Yes	No
9/20/2018 12:32:28 PM	EDG	105252057	738575	APPLE VALLEY HIGH SCHOOL	650.00	Yes	No
9/20/2018 12:32:28 PM	EDG	105252057	738576	BATTERIES R US	1,199.97	Yes	No
9/20/2018 12:32:28 PM	EDG	105252057	738577	BAUMGARTNER, SARAH	32.00	Yes	No
9/20/2018 12:32:28 PM	EDG	105252057	738578	BERANAK, MARI	300.00	Yes	No
9/20/2018 12:32:28 PM	EDG	105252057	738579	BERNDT, NANCY	64.00	Yes	No
9/20/2018 12:32:28 PM	EDG	105252057	738580	BESSER, PATTY	115.00	Yes	No
9/20/2018 12:32:28 PM	EDG	105252057	738581	BIX PRODUCE CO.	8,768.62	Yes	No
9/20/2018 12:32:28 PM	EDG	105252057	738582	BLAND, DAVID	104.00	Yes	No
9/20/2018 12:32:28 PM	EDG	105252057	738583	BUCKEYE CLEANING CENTER	1,269.00	Yes	No
9/20/2018 12:32:28 PM	EDG	105252057	738584	BUSCH, MATT	403.81	Yes	No
9/20/2018 12:32:29 PM	EDG	105252057	738585	CABANA BANNERS	225.00	Yes	No
9/20/2018 12:32:29 PM	EDG	105252057	738586	CANON FINANCIAL SERVICES	220.22	Yes	No
9/20/2018 12:32:29 PM	EDG	105252057	738587	CAPFIRST EQUIPMENT FINANCE	750.00	Yes	No
9/20/2018 12:32:29 PM	EDG	105252057	738588	CDW GOVERNMENT	18,833.31	Yes	No
9/20/2018 12:32:29 PM	EDG	105252057	738589	CENTERPOINT ENERGY MINNEGASCO	695.76	Yes	No
9/20/2018 12:32:29 PM	EDG	105252057	738590	CHAMPLIN PARK HS	150.00	Yes	No
9/20/2018 12:32:29 PM	EDG	105252057	738591	CHOICE ELECTRIC, INC	16,680.26	Yes	No
9/20/2018 12:32:29 PM	EDG	105252057	738592	CITY OF SHAKOPEE	1,572.50	Yes	No
9/20/2018 12:32:29 PM	EDG	105252057	738593	DELL MARKETING LP	7,499.94	Yes	No
9/20/2018 12:32:29 PM	EDG	105252057	738594	DIVERSIFIED SNACK DISTRIBUTORS	4,600.79	Yes	No
9/20/2018 12:32:29 PM	EDG	105252057	738595	DOMEIER, DANIELLE NICOLE	115.00	Yes	No
9/20/2018 12:32:29 PM	EDG	105252057	738596	DOOR WORKS	75.00	Yes	No
9/20/2018 12:32:30 PM	EDG	105252057	738597	EARTHGRAINS	2,649.49	Yes	No
9/20/2018 12:32:30 PM	EDG	105252057	738598	ERICKSON, TYRUS B	127.00	Yes	No
9/20/2018 12:32:30 PM	EDG	105252057	738599	FARIBAULT HIGH SCH ACTIVITIES	180.00	Yes	No
9/20/2018 12:32:30 PM	EDG	105252057	738600	FOLLETT EDUCATIONAL SERVICES	199.00	Yes	No
9/20/2018 12:32:30 PM	EDG	105252057	738601	FORSYTHE, JOSHUA	127.00	Yes	No

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
9/20/2018 12:32:30 PM	EDG	105252057	738602	GENERAL BINDING CORP	358.70	Yes	No
9/20/2018 12:32:30 PM	EDG	105252057	738603	GENERAL PARTS , INC	1,552.71	Yes	No
9/20/2018 12:32:30 PM	EDG	105252057	738604	GILLETTE CHILDRENS SPECIALTY HEAL	75.00	Yes	No
9/20/2018 12:32:30 PM	EDG	105252057	738605	GOODHUE COUNTY EDUCATION DIST	125.00	Yes	No
9/20/2018 12:32:30 PM	EDG	105252057	738606	GROTH MUSIC	59.40	Yes	No
9/20/2018 12:32:30 PM	EDG	105252057	738607	HEART ZONES INC	306.42	Yes	No
9/20/2018 12:32:30 PM	EDG	105252057	738608	HILLYARD FLOOR CARE HUTCHINSON	2,600.44	Yes	No
9/20/2018 12:32:31 PM	EDG	105252057	738609	HOLIDAY STATION STORES LLC	4,505.13	Yes	No
9/20/2018 12:32:31 PM	EDG	105252057	738610	HOUGHTON MIFFLIN HARCOURT	2,805.00	Yes	No
9/20/2018 12:32:31 PM	EDG	105252057	738611	HUSSEIN, RAHMA	75.00	Yes	No
9/20/2018 12:32:31 PM	EDG	105252057	738612	ICS CONSULTING INC	32,780.00	Yes	No
9/20/2018 12:32:31 PM	EDG	105252057	738613	IHRKE, BARRY	32.00	Yes	No
9/20/2018 12:32:31 PM	EDG	105252057	738614	INNOVATIVE OFFICE SOLUTIONS	801.06	Yes	No
9/20/2018 12:32:31 PM	EDG	105252057	738615	INSIGHT PUBLIC SECTOR, INC	1,103.99	Yes	No
9/20/2018 12:32:31 PM	EDG	105252057	738616	INSTITUTE FOR ENVIRON ASSESS	868.96	Yes	No
9/20/2018 12:32:31 PM	EDG	105252057	738617	INTERMEDIATE DISTRICT 287	31,921.66	Yes	No
9/20/2018 12:32:31 PM	EDG	105252057	738618	INTERMEDIATE SCHOOL DIST 917	31,871.07	Yes	No
9/20/2018 12:32:31 PM	EDG	105252057	738619	INTERMEDIATE SCHOOL DIST 917	651.00	Yes	No
9/20/2018 12:32:31 PM	EDG	105252057	738620	JOHNSON CONTROLS	645.00	Yes	No
9/20/2018 12:32:32 PM	EDG	105252057	738621	JOHNSON, MICHAEL R	127.00	Yes	No
9/20/2018 12:32:32 PM	EDG	105252057	738622	JONCKOWSKI, DICK	65.00	Yes	No
9/20/2018 12:32:32 PM	EDG	105252057	738623	KAHMEYER, TROY	127.00	Yes	No
9/20/2018 12:32:32 PM	EDG	105252057	738624	KAHN, KIM	84.25	Yes	No
9/20/2018 12:32:32 PM	EDG	105252057	738625	KARST, BONNIE	184.00	Yes	No
9/20/2018 12:32:32 PM	EDG	105252057	738626	KOEHLER, BRIAN	127.00	Yes	No
9/20/2018 12:32:32 PM	EDG	105252057	738627	KOLLER, KRISTIN & CHRIS	930.11	Yes	No
9/20/2018 12:32:32 PM	EDG	105252057	738628	KROELLS KARATE CTR	858.00	Yes	No
9/20/2018 12:32:32 PM	EDG	105252057	738629	KUKAR, MAGGIE	272.00	Yes	No
9/20/2018 12:32:32 PM	EDG	105252057	738630	KULLY SUPPLY CO	217.00	Yes	No
9/20/2018 12:32:32 PM	EDG	105252057	738631	LAKEVILLE HIGH SCHOOL NORTH	240.00	Yes	No
9/20/2018 12:32:32 PM	EDG	105252057	738632	LEARNING A-Z	191.61	Yes	No
9/20/2018 12:32:32 PM	EDG	105252057	738633	LOFFLER	79.82	Yes	No
9/20/2018 12:32:33 PM	EDG	105252057	738634	MALDONADO, BENJAMIN DAVID	104.00	Yes	No
9/20/2018 12:32:33 PM	EDG	105252057	738635	MARKET DISTRIBUTING	97.80	Yes	No

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
9/20/2018 12:32:33 PM	EDG	105252057	738636	MASSP	2,892.00	Yes	No
9/20/2018 12:32:33 PM	EDG	105252057	738637	MASTER TECHNOLOGY GROUP	555.00	Yes	No
9/20/2018 12:32:33 PM	EDG	105252057	738638	MEI TOTAL ELEVATOR SOLUTIONS	385.40	Yes	No
9/20/2018 12:32:33 PM	EDG	105252057	738639	METRO ECSU	1,860.00	Yes	No
9/20/2018 12:32:33 PM	EDG	105252057	738640	MINNESOTA BOARD OF SCHOOL ADMIN	1,867.50	Yes	No
9/20/2018 12:32:33 PM	EDG	105252057	738641	MINNESOTA SCHOOL OF BUSINESS	43,086.42	Yes	No
9/20/2018 12:32:33 PM	EDG	105252057	738642	MN ASSN OF SECONDARY SCHOOL PRI	312.00	Yes	No
9/20/2018 12:32:33 PM	EDG	105252057	738643	MN BOARD OF SCHOOL ADMIN	225.00	Yes	No
9/20/2018 12:32:33 PM	EDG	105252057	738644	MN HARVEST, LLC	1,155.00	Yes	No
9/20/2018 12:32:33 PM	EDG	105252057	738645	MTI DISTRIBUTING CO	204.63	Yes	No
9/20/2018 12:32:34 PM	EDG	105252057	738646	MUNOS, SCOTT	87.00	Yes	No
9/20/2018 12:32:34 PM	EDG	105252057	738647	MUSIC MART	2,457.49	Yes	No
9/20/2018 12:32:34 PM	EDG	105252057	738648	NELSON, CHARLESETTA	133.50	Yes	No
9/20/2018 12:32:34 PM	EDG	105252057	738649	NELSON, DENISE	130.00	Yes	No
9/20/2018 12:32:34 PM	EDG	105252057	738650	NORTHSTAR AV LLC	874.00	Yes	No
9/20/2018 12:32:34 PM	EDG	105252057	738651	NWAOFUNE, PETER	52.00	Yes	No
9/20/2018 12:32:34 PM	EDG	105252057	738652	OELFKE, MARK	67.00	Yes	No
9/20/2018 12:32:34 PM	EDG	105252057	738653	OLINGER, CHRISTOPHER KYLE	104.00	Yes	No
9/20/2018 12:32:34 PM	EDG	105252057	738654	PALMER BUS SERVICES	7,157.77	Yes	No
9/20/2018 12:32:34 PM	EDG	105252057	738655	PARALLEL TECHNOLOGIES INC	245,791.06	Yes	No
9/20/2018 12:32:34 PM	EDG	105252057	738656	PERFORMANCE FOOD GROUP	636.41	Yes	No
9/20/2018 12:32:34 PM	EDG	105252057	738657	PPG ARCHITECTURAL COATINGS	545.04	Yes	No
9/20/2018 12:32:34 PM	EDG	105252057	738658	PRAIRIE RIVER HOME CARE, INC	503.75	Yes	No
9/20/2018 12:32:35 PM	EDG	105252057	738659	PREMIUM WATER CO	39.00	Yes	No
9/20/2018 12:32:35 PM	EDG	105252057	738660	RAMACHER, THUY	70.00	Yes	No
9/20/2018 12:32:35 PM	EDG	105252057	738661	REED, SCOTT	67.00	Yes	No
9/20/2018 12:32:35 PM	EDG	105252057	738662	ROCK, KEITH A	127.00	Yes	No
9/20/2018 12:32:35 PM	EDG	105252057	738663	ROSEMOUNT HIGH SCHOOL	300.00	Yes	No
9/20/2018 12:32:35 PM	EDG	105252057	738664	ROTO ROOTER	498.00	Yes	No
9/20/2018 12:32:35 PM	EDG	105252057	738665	ROUNDS RECYCLING AND WASTE LLC	531.81	Yes	No
9/20/2018 12:32:35 PM	EDG	105252057	738666	SCHALLER, WESLEY	104.00	Yes	No
9/20/2018 12:32:35 PM	EDG	105252057	738667	SCHOLASTIC , INC	202.50	Yes	No
9/20/2018 12:32:35 PM	EDG	105252057	738668	SCHUETZ, ANTHONY	50.00	Yes	No
9/20/2018 12:32:35 PM	EDG	105252057	738669	SM HENTGES & SONS INC	179,278.49	Yes	No

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
9/20/2018 12:32:35 PM	EDG	105252057	738670	SMSC	2,247.00	Yes	No
9/20/2018 12:32:36 PM	EDG	105252057	738671	SOUTHWEST METRO EDUCATIONAL CO	13,020.45	Yes	No
9/20/2018 12:32:36 PM	EDG	105252057	738672	SW NEWS MEDIA	505.00	Yes	No
9/20/2018 12:32:36 PM	EDG	105252057	738673	SULICH, KENNETH	52.00	Yes	No
9/20/2018 12:32:36 PM	EDG	105252057	738674	SUMMIT COMPANIES	902.67	Yes	No
9/20/2018 12:32:36 PM	EDG	105252057	738675	SUNQUIST, JIM	115.00	Yes	No
9/20/2018 12:32:36 PM	EDG	105252057	738676	SWANSON MEATS INC	1,076.00	Yes	No
9/20/2018 12:32:36 PM	EDG	105252057	738677	THEATRICAL RIGHTS WORLDWIDE	572.00	Yes	No
9/20/2018 12:32:36 PM	EDG	105252057	738678	TRANG, KRIS	165.00	Yes	No
9/20/2018 12:32:36 PM	EDG	105252057	738679	TRI DIM FILTER CORPORATION	617.28	Yes	No
9/20/2018 12:32:36 PM	EDG	105252057	738680	TRIO SUPPLY COMPANY	2,569.25	Yes	No
9/20/2018 12:32:36 PM	EDG	105252057	738681	UHL CO., INC	10,948.50	Yes	No
9/20/2018 12:32:37 PM	EDG	105252057	738682	US FOODS, INC.	46,993.61	Yes	No
9/20/2018 12:32:37 PM	EDG	105252057	738683	US FOODS, INC.	0.00	Yes	No
9/20/2018 12:32:37 PM	EDG	105252057	738684	VALLEY SPORTS	4,156.38	Yes	No
9/20/2018 12:32:37 PM	EDG	105252057	738685	VERSLUIS, JR FRANS	52.00	Yes	No
9/20/2018 12:32:37 PM	EDG	105252057	738686	VOYAGER SOPRIS LEARNING	1,167.10	Yes	No
9/20/2018 12:32:37 PM	EDG	105252057	738687	VOZNYUK, ALEKSANDR	127.00	Yes	No
9/20/2018 12:32:37 PM	EDG	105252057	738688	ZEYEN, DONALD W	67.00	Yes	No

*** Totals

Total Documents: 121

Total Amount: 809,295.88

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
9/27/2018 1:49:29 PM	EDG	105252057	738689	AFFINITECH INC	28,500.00	Yes	No
9/27/2018 1:49:29 PM	EDG	105252057	738690	AIDA OLMEDO LOPEZ	20.00	Yes	No
9/27/2018 1:49:29 PM	EDG	105252057	738691	ARCHETYPE	41,565.00	Yes	No
9/27/2018 1:49:29 PM	EDG	105252057	738692	AVID CENTER	13,302.00	Yes	No
9/27/2018 1:49:29 PM	EDG	105252057	738693	BERNARD FOOD INDUSTRIES, INC	584.22	Yes	No
9/27/2018 1:49:29 PM	EDG	105252057	738694	BIFFS INC	1,459.28	Yes	No
9/27/2018 1:49:29 PM	EDG	105252057	738695	SW NEWS MEDIA	2,627.66	Yes	No
9/27/2018 1:49:29 PM	EDG	105252057	738696	BIX PRODUCE CO.	2,390.68	Yes	No
9/27/2018 1:49:30 PM	EDG	105252057	738697	BRAUN INTERTEC CORPORATION	2,546.50	Yes	No
9/27/2018 1:49:30 PM	EDG	105252057	738698	CASPER, SARAH	60.00	Yes	No
9/27/2018 1:49:30 PM	EDG	105252057	738699	CENTERPOINT ENERGY MINNEGASCO	317.92	Yes	No
9/27/2018 1:49:30 PM	EDG	105252057	738700	CENTURYLINK	93.98	Yes	No
9/27/2018 1:49:30 PM	EDG	105252057	738701	COLORADO TIME SYSTEMS	11,445.00	Yes	No
9/27/2018 1:49:30 PM	EDG	105252057	738702	CRUNSTEDT, BOB	69.00	Yes	No
9/27/2018 1:49:30 PM	EDG	105252057	738703	CUB FOODS	234.64	Yes	No
9/27/2018 1:49:30 PM	EDG	105252057	738704	DAN'S COMPUTER SERVICE	63.58	Yes	No
9/27/2018 1:49:30 PM	EDG	105252057	738705	DE MEIRELES, VICTOR	127.00	Yes	No
9/27/2018 1:49:30 PM	EDG	105252057	738706	DEARLY, JERRY M	400.00	Yes	No
9/27/2018 1:49:30 PM	EDG	105252057	738707	DELPHI	92.25	Yes	No
9/27/2018 1:49:30 PM	EDG	105252057	738708	DIVERSIFIED SNACK DISTRIBUTORS	2,584.40	Yes	No
9/27/2018 1:49:30 PM	EDG	105252057	738709	EARTHGRAINS	1,198.87	Yes	No
9/27/2018 1:49:31 PM	EDG	105252057	738710	EASTERN CARVER COUNTY SCHOOLS	652.63	Yes	No
9/27/2018 1:49:31 PM	EDG	105252057	738711	ERICKSON, TYRUS B	179.00	Yes	No
9/27/2018 1:49:31 PM	EDG	105252057	738712	ERIN BRYAN	10.00	Yes	No
9/27/2018 1:49:31 PM	EDG	105252057	738713	EVJU, JON	20.00	Yes	No
9/27/2018 1:49:31 PM	EDG	105252057	738714	FARMINGTON HIGH SCHOOL	150.00	Yes	No
9/27/2018 1:49:31 PM	EDG	105252057	738715	FOLLETT EDUCATIONAL SERVICES	199.00	Yes	No
9/27/2018 1:49:31 PM	EDG	105252057	738716	FULTON, KYLE	800.00	Yes	No
9/27/2018 1:49:31 PM	EDG	105252057	738717	GAILFUS TRAILER MARKETING	181.50	Yes	No
9/27/2018 1:49:31 PM	EDG	105252057	738718	GENERAL PARTS , INC	5,991.82	Yes	No
9/27/2018 1:49:31 PM	EDG	105252057	738719	GOPHER SPORT	300.69	Yes	No
9/27/2018 1:49:31 PM	EDG	105252057	738720	HACHEM, DRISS	127.00	Yes	No
9/27/2018 1:49:32 PM	EDG	105252057	738721	HARKENRIDER, REGAN	20.00	Yes	No
9/27/2018 1:49:32 PM	EDG	105252057	738722	HILLYARD FLOOR CARE HUTCHINSON	727.80	Yes	No

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
9/27/2018 1:49:32 PM	EDG	105252057	738723	HUBERT, KENNETH JOHN	69.00	Yes	No
9/27/2018 1:49:32 PM	EDG	105252057	738724	INNOVATIVE GRAPHICS	400.00	Yes	No
9/27/2018 1:49:32 PM	EDG	105252057	738725	INNOVATIVE OFFICE SOLUTIONS	507.98	Yes	No
9/27/2018 1:49:32 PM	EDG	105252057	738726	KAKARLA, GOPINATH	28.70	Yes	No
9/27/2018 1:49:32 PM	EDG	105252057	738727	KARST, BONNIE	92.00	Yes	No
9/27/2018 1:49:32 PM	EDG	105252057	738728	KC, RAMAN	2,500.00	Yes	No
9/27/2018 1:49:32 PM	EDG	105252057	738729	LACH, THEAVY	75.00	Yes	No
9/27/2018 1:49:32 PM	EDG	105252057	738730	LAKESHORE LEARNING MATERIALS	3,863.99	Yes	No
9/27/2018 1:49:33 PM	EDG	105252057	738731	LICHTENWALTER, KIMBERLY	69.00	Yes	No
9/27/2018 1:49:33 PM	EDG	105252057	738732	LUNCH LADY U, LLC	45.00	Yes	No
9/27/2018 1:49:33 PM	EDG	105252057	738733	LYNCH, MIKE W.	300.00	Yes	No
9/27/2018 1:49:33 PM	EDG	105252057	738734	MAAP	75.00	Yes	No
9/27/2018 1:49:33 PM	EDG	105252057	738735	MACKIN EDUCATIONAL RESOURCES	41.58	Yes	No
9/27/2018 1:49:33 PM	EDG	105252057	738736	METRO ECSU	500.00	Yes	No
9/27/2018 1:49:33 PM	EDG	105252057	738737	MESPA	4,537.00	Yes	No
9/27/2018 1:49:33 PM	EDG	105252057	738738	MINNESOTA HIGHWAY SAFETY & RESE	396.00	Yes	No
9/27/2018 1:49:33 PM	EDG	105252057	738739	MN ASSN OF SECONDARY SCHOOL PRI	11,310.00	Yes	No
9/27/2018 1:49:33 PM	EDG	105252057	738740	MN HARVEST, LLC	1,155.00	Yes	No
9/27/2018 1:49:33 PM	EDG	105252057	738741	MOHN, MONICA	110.00	Yes	No
9/27/2018 1:49:34 PM	EDG	105252057	738742	MOORE, JAMES (JAY)	127.00	Yes	No
9/27/2018 1:49:34 PM	EDG	105252057	738743	MYRA	75.00	Yes	No
9/27/2018 1:49:34 PM	EDG	105252057	738744	NASCO	203.64	Yes	No
9/27/2018 1:49:34 PM	EDG	105252057	738745	NESS, BRAD	69.00	Yes	No
9/27/2018 1:49:34 PM	EDG	105252057	738746	NOW MICRO INC	1,600.00	Yes	No
9/27/2018 1:49:34 PM	EDG	105252057	738747	NWAOFUNE, PETER	208.00	Yes	No
9/27/2018 1:49:34 PM	EDG	105252057	738748	OELFKE, MARK	67.00	Yes	No
9/27/2018 1:49:34 PM	EDG	105252057	738749	OFFICE OF MN IT SERVICES	21.63	Yes	No
9/27/2018 1:49:34 PM	EDG	105252057	738750	PARALLEL TECHNOLOGIES INC	27,138.45	Yes	No
9/27/2018 1:49:34 PM	EDG	105252057	738751	PERFORMANCE FOOD GROUP	613.36	Yes	No
9/27/2018 1:49:34 PM	EDG	105252057	738752	RAMACHER, THUY	70.00	Yes	No
9/27/2018 1:49:34 PM	EDG	105252057	738753	RHOADES, MICHELLE	25.75	Yes	No
9/27/2018 1:49:35 PM	EDG	105252057	738754	RIVERFRONT PRINTING	308.00	Yes	No
9/27/2018 1:49:35 PM	EDG	105252057	738755	RUX, KELLY	20.00	Yes	No
9/27/2018 1:49:35 PM	EDG	105252057	738756	SAINTS COMMERCIAL FOOD SERVICE	52.68	Yes	No

Ultimate EDGE Account's Payable Check Register

Account: CASH

Print Date/Time	Oper	Account Number	Check Number	Payee	Amount	Imaged	Reprint
9/27/2018 1:49:35 PM	EDG	105252057	738757	SCHOLASTIC , INC	158.13	Yes	No
9/27/2018 1:49:35 PM	EDG	105252057	738758	SEEGER, JEFFREY M	127.00	Yes	No
9/27/2018 1:49:35 PM	EDG	105252057	738759	SHAW LUNDQUIST ASSOCIATES INC	2,399,040.67	Yes	No
9/27/2018 1:49:35 PM	EDG	105252057	738760	SHOUTPOINT, INC	9,660.00	Yes	No
9/27/2018 1:49:35 PM	EDG	105252057	738761	SW NEWS MEDIA	20.00	Yes	No
9/27/2018 1:49:35 PM	EDG	105252057	738762	SPANGBERG, SCOTT	220.00	Yes	No
9/27/2018 1:49:35 PM	EDG	105252057	738763	MINNEAPOLIS PUBLIC SCHOOLS	55.20	Yes	No
9/27/2018 1:49:36 PM	EDG	105252057	738764	ST. PETER PUBLIC SCHOOLS	817.76	Yes	No
9/27/2018 1:49:36 PM	EDG	105252057	738765	SUPREME SCHOOL SUPPLY	80.77	Yes	No
9/27/2018 1:49:36 PM	EDG	105252057	738766	SWANSON MEATS INC	1,614.00	Yes	No
9/27/2018 1:49:36 PM	EDG	105252057	738767	SWANSON, KATIE	10.00	Yes	No
9/27/2018 1:49:36 PM	EDG	105252057	738768	TDS METROCOM	3,657.72	Yes	No
9/27/2018 1:49:36 PM	EDG	105252057	738769	THE COLLEGE BOARD	235.00	Yes	No
9/27/2018 1:49:36 PM	EDG	105252057	738770	THOMPSON, KATHY	20.00	Yes	No
9/27/2018 1:49:36 PM	EDG	105252057	738771	THOUSAND HILLS CATTLE CO	3,120.00	Yes	No
9/27/2018 1:49:36 PM	EDG	105252057	738772	TRIMARK FOODSERVICE EQUIPMEMT	1,945.05	Yes	No
9/27/2018 1:49:36 PM	EDG	105252057	738773	TRIMARK HOCKENBERGS	11,795.63	Yes	No
9/27/2018 1:49:36 PM	EDG	105252057	738774	TRIO SUPPLY COMPANY	2,283.69	Yes	No
9/27/2018 1:49:36 PM	EDG	105252057	738775	UNDERLEE, ELAINE	29.00	Yes	No
9/27/2018 1:49:37 PM	EDG	105252057	738776	US FOODS, INC.	34,562.55	Yes	No
9/27/2018 1:49:37 PM	EDG	105252057	738777	VERIZON WIRELESS	1,605.17	Yes	No
9/27/2018 1:49:37 PM	EDG	105252057	738778	VOGT, JASON	67.00	Yes	No
9/27/2018 1:49:37 PM	EDG	105252057	738779	VOZNYUK, ALEKSANDR	127.00	Yes	No
9/27/2018 1:49:37 PM	EDG	105252057	738780	VU, HIEP	179.00	Yes	No
9/27/2018 1:49:37 PM	EDG	105252057	738781	WARMKA, MOLLY	24.00	Yes	No
9/27/2018 1:49:37 PM	EDG	105252057	738782	WESTERN PSYCHOLOGICAL SERVICES	924.00	Yes	No
9/27/2018 1:49:37 PM	EDG	105252057	738783	WOLLAN, JOE	87.00	Yes	No
9/27/2018 1:49:37 PM	EDG	105252057	738784	WOOD MACHINERY SYSTEMS	500.00	Yes	No
9/27/2018 1:49:37 PM	EDG	105252057	738785	ZEYEN, DONALD W	67.00	Yes	No

*** Totals

Total Documents: 97

Total Amount: 2,648,748.52

Bank Account - Wires Out

Date	Description	Amount
9/4/2018	403b Wire	129,317.06
9/4/2018	IRS Federal Tax ACH	511,254.18
9/5/2018	State of MN Taxes ACH	90,411.00
9/5/2018	Dependent/Medical Claim Reimbursement	9,676.58
9/7/2018	Teachers Retirement Association ACH	275,885.98
9/7/2018	Public Employee Retirement Association ACH	47,426.91
9/10/2018	403b Wire	126,934.39
9/11/2018	Dependent/Medical Claim Reimbursement	9,500.82
9/14/2018	Payroll Direct Deposit	1,400,304.43
9/17/2018	IRS Federal Tax ACH	501,999.45
9/18/2018	403b Wire	129,111.82
9/18/2018	State of MN Taxes ACH	86,813.00
9/18/2018	Dependent/Medical Claim Reimbursement	8,690.26
9/20/2018	Teachers Retirement Association ACH	269,858.90
9/20/2018	Public Employee Retirement Association ACH	61,686.11
9/20/2018	Employee Reimbursement ACH	16,929.29
9/25/2018	Voluntary Employees' Beneficiary Association Contributions	34,179.39
9/25/2018	Health Savings Account Contributions	22,091.04
9/25/2018	Dependent/Medical Claim Reimbursement	9,492.97
9/28/2018	Payroll Direct Deposit	1,468,745.46
		5,210,309.04



General Fund -Sept 30, 2018

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

REVENUE

REVENUE CATEGORIES	June 30, 2017	Prelim. Audit 6/30/2018	FY 19 Adopted Budget	FY19 Received YTD	Budget Remaining
STATE	74,409,199	76,282,488	78,185,014	15,121,880	63,063,134
FEDERAL	2,608,594	2,279,034	2,258,755	166	2,258,589
PROPERTY TAXES	13,303,807	13,962,451	15,769,200	-	15,769,200
LOCAL (FEES, INTEREST, ETC.)	2,010,115	2,581,005	3,048,812	539,334	2,509,478
TOTALS	92,331,715	95,104,978	99,261,781	15,661,380	83,600,401

	9/30/2018	9/30/2017	9/30/2016
% Budget Received	19.34%	19.93%	19.24%
% Actuals Received	0.01%	0.11%	0.00%
% Actuals Received	0.00%	0.00%	0.00%
% Actuals Received	17.69%	18.34%	26.07%
% Actuals Received	15.78%	16.49%	16.08%

EXPENDITURES

OBJECT SERIES	June 30, 2017	30-Jun-18	Adopted Budget	Expended YTD	Budget Remaining
SALARIES & WAGES	56,814,018	56,092,979	57,823,013	8,129,375	49,693,638
EMPLOYEE BENEFITS	16,535,540	16,559,677	17,288,291	2,209,326	15,078,965
PURCHASED SERVICES	12,421,607	12,280,956	12,843,228	1,211,715	11,631,513
SUPPLIES	3,097,134	2,735,529	2,940,392	864,229	2,076,163
EQUIPMENT	4,296,160	5,365,093	5,716,431	2,015,364	3,701,067
DEBT SERVICE	-	-	-	-	-
OTHER EXPENDITURES	621,008	409,627	797,858	112,295	685,563
TOTALS	93,785,468	93,443,861	97,409,213	14,542,304	82,866,909

% Budget Received	14.06%	14.27%	15.14%
% Actuals Received	12.78%	13.16%	12.89%
% Actuals Received	9.43%	11.24%	12.73%
% Actuals Received	29.39%	37.45%	78.61%
% Actuals Received	35.26%	64.34%	41.82%
% Actuals Received	14.07%	41.02%	24.03%
% Actuals Received	14.93%	17.35%	17.80%

Revenue over (under) Expenditures: 1,661,117 1,852,568

	Actual June 30, 2017	Prelim. Audit 6/30/2018	Projected June 30, 2019
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UFARS COMPLIANCE REPORT:

Non Spendable Fund Balance	657,884	212,933	212,933
Restricted Fund Balance	(303,080)	241,628	1,341,628
Assigned Fund Balance	20,882	293,909	293,909
Unassigned Fund Balance	691,569	1,979,902	2,732,470
Total Fund Balance	1,067,255	2,728,372	4,580,940

June 30, 2018 Preliminary Audit update:

Revenue-

Actual enrollment for the 2017-18 School year was at 99.7% of projected enrollment-

Preliminary audit revenue exceeds budget projection by -	\$178,354
Revenue budget variance projected at-	.18%

Expenditures-

Positive budget variances-

Budget for Staffing Contingency (salaries/benefits) not utilized-	\$840,000
Budget for certain Capital Expenses (software support/equip/textbooks) not utilized	\$391,000
Budget for Purchased Services exceeded actual expenditures -Jan budget revision not reqd.	\$456,000

Sep 30, 2018 Current year:

State aid payments aligned with CY enrollment projections and follow MDE cash flow projections

Local tax revenue for the current fiscal year will be received (Oct-Jan)

Salary and benefits expenses are tracking as expected-

Note- payroll expenses do not follow a quarterly pattern-

Majority of district staff paid over 26 pay periods

Licensed staff receive first fiscal year payment at the end of August

**October 1, 2018 Enrollment Update
Projected vs. Actual Enrollment 2018-19**

School	10/1/2017 Actual	10/1/2018 Actual
K	125	135
1st	134	121
2nd	126	134
3rd	143	117
4th	143	132
5th	156	138
Eagle Creek Total	827	777
K	159	133
1st	132	149
2nd	151	126
3rd	135	153
4th	157	129
5th	134	157
Jackson Total	868	847
K	111	86
1st	88	112
2nd	99	79
3rd	89	96
4th	111	85
5th	108	109
Red Oak Total	606	567
K	101	98
1st	107	105
2nd	118	105
3rd	96	116
4th	107	87
5th	129	104
Sun Path Total	658	615
K	111	109
1st	103	111
2nd	102	98
3rd	114	97
4th	107	121
5th	120	110
Sweeney Total	657	646
6th	N/A	256
7th	289	295
8th	295	305
East Middle School	881	856
6th	N/A	381
7th	400	366
8th	373	400
West Middle School	1152	1147
9th Grade		716
10th Grade	638	671
11th Infinite Campus Count	618.0	629.0
11th Grade PSEO	26.5	3.1
11th grade less PSEO	591.5	625.9
12th Infinite Campus Count	597.0	595.0
12th Grade PSEO	42.0	14.9
12th grade less PSEO	555.0	580.1
Sr. High Total	1,784.5	2,593.0
9th Grade	9.0	11.0
10th Grade	21.0	26.0
11th Grade	32.0	25.0
12th Grade	36.0	41.0
Tokata Total	98.0	103.0

Grade	10/1/2017 Actual	2018-19 Projected	10/1/2018 Actual	+/- from Projected
Kindergarten	607	573	561	-12
1st Grade	564	614	598	-16
2nd Grade	596	571	542	-29
3rd Grade	577	609	579	-30
4th Grade	625	577	554	-23
5th Grade	647	623	618	-5
6th Grade	641	654	637	-17
7th Grade	689	652	661	9
8th Grade	668	696	705	9
9th Grade	685	741	727	-14
10th Grade	659	669	697	28
11th Grade	624	624	651	27
12th Grade	591	584	621	37
District Total K-5	3616	3567	3452	-115
District Total 6-8	1998	2002	2003	1
District Total 9-12	2559	2618	2696	78
District Total K-12	8173	8187	8151	-36





Shakopee High School Construction Completion Presentation 10-22-2018



Architectural Partner



Front Entrance



Architectural Partner



Interior Entrance Vestibule

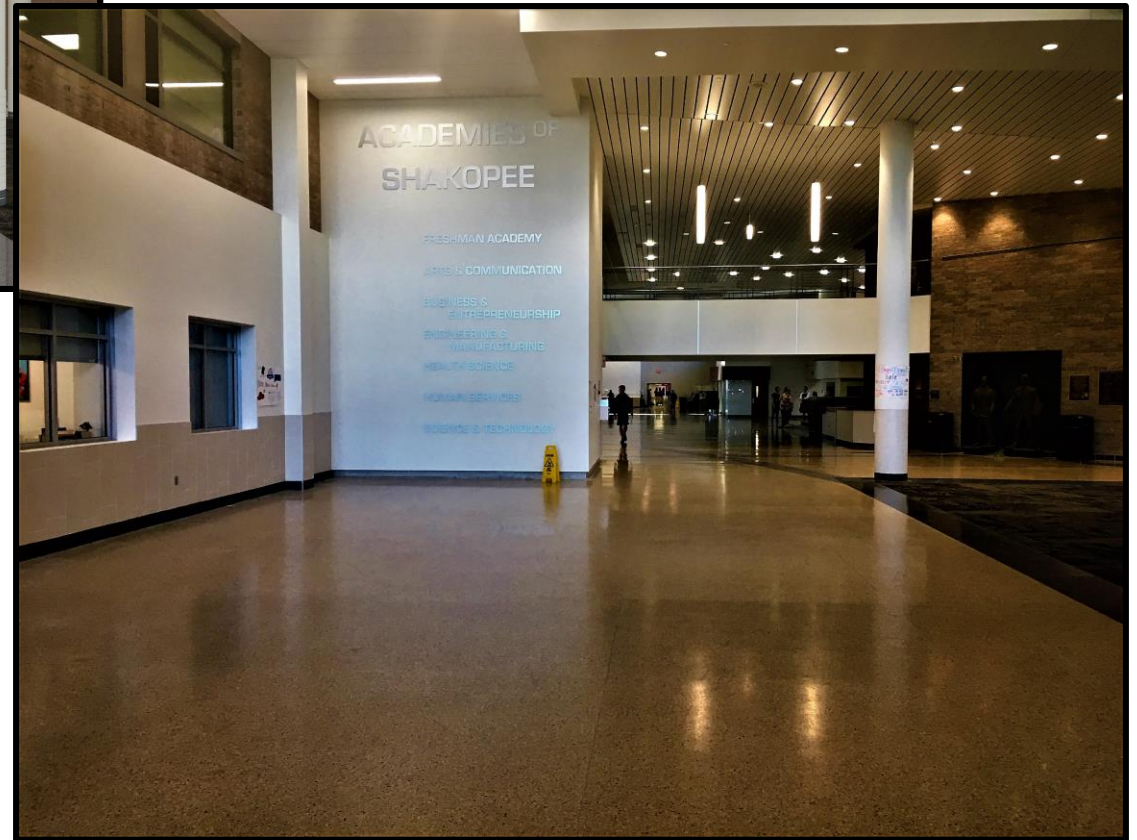


Wold

Architectural Partner

ics CONSULTING, INC

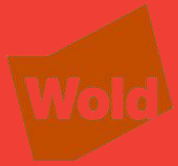
Interior Entrance Vestibule



Architectural Partner



Interior Entrance Vestibule

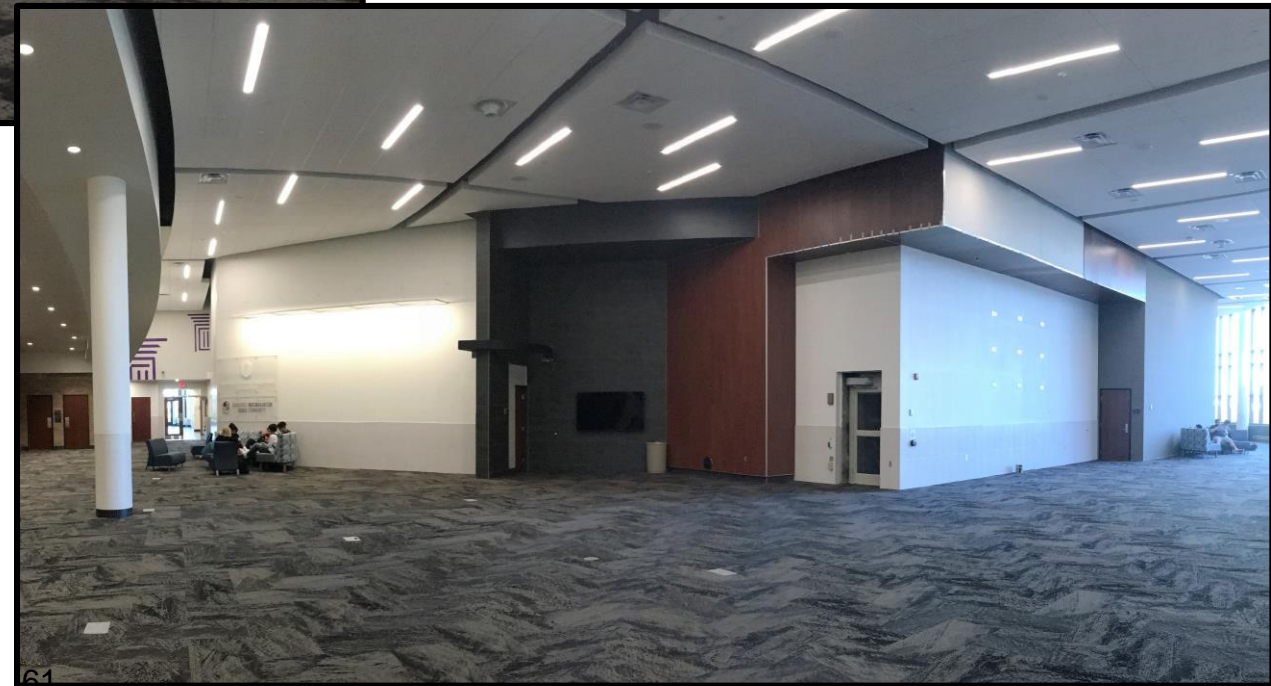
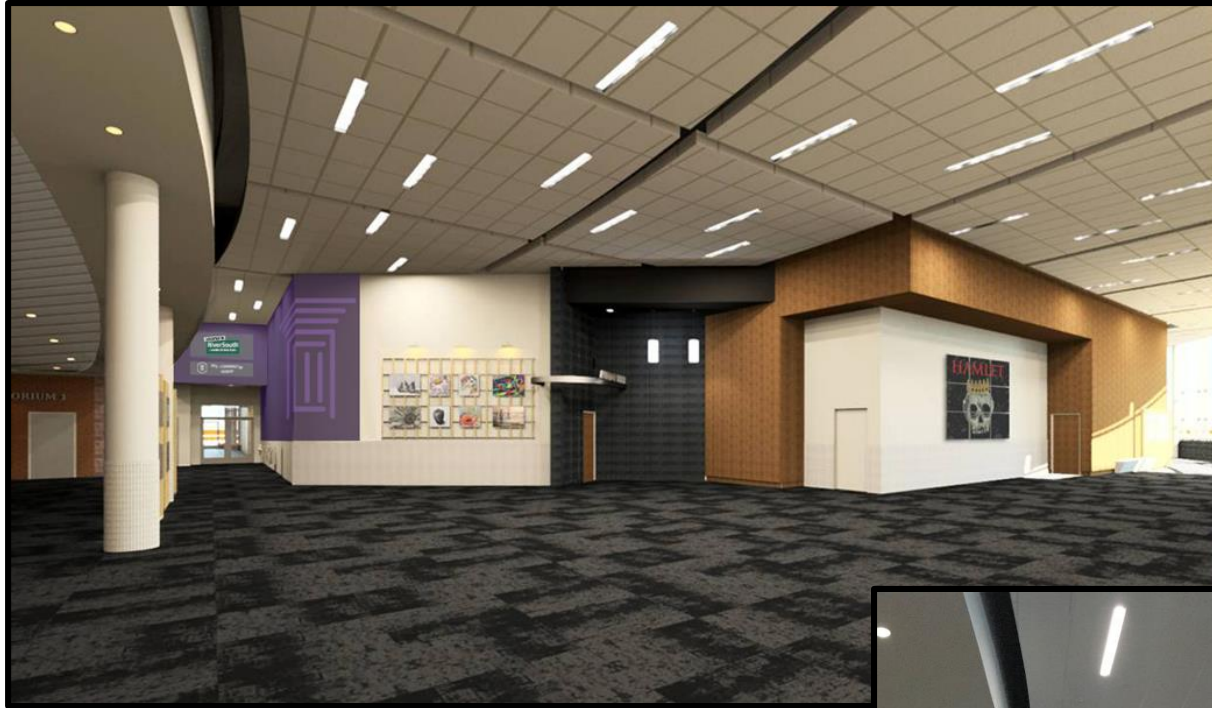


Wold

Architectural Partner

ics CONSULTING, INC

New Auditorium Entrance & Corridor



Architectural Partner

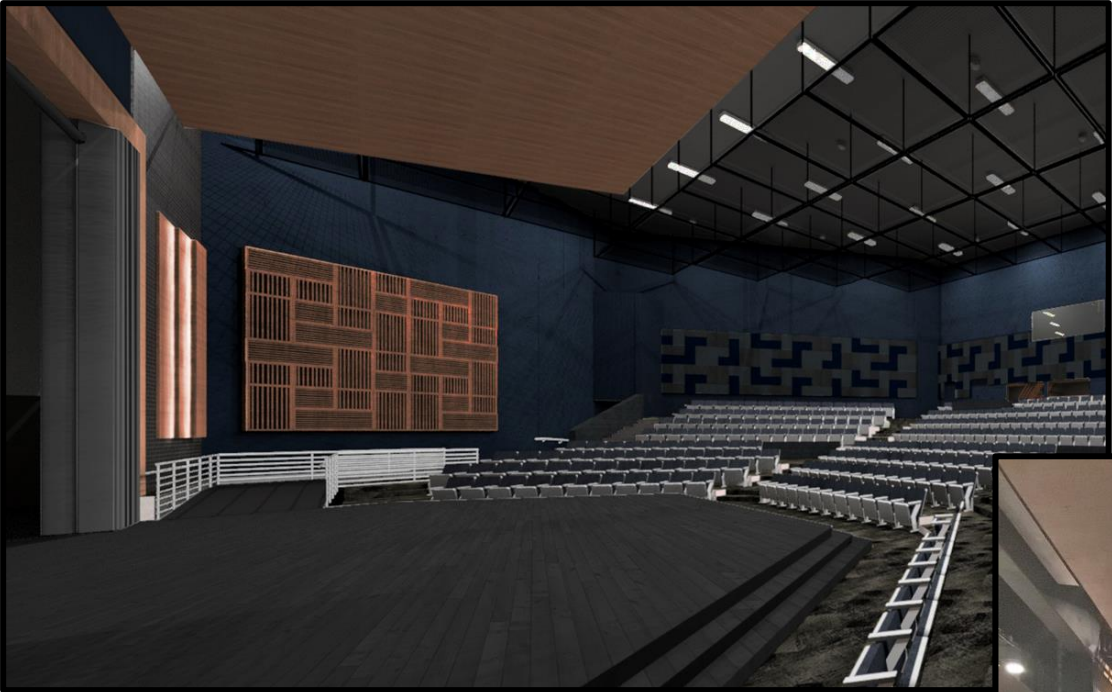


New Auditorium Entrance & Corridor



Architectural Partner

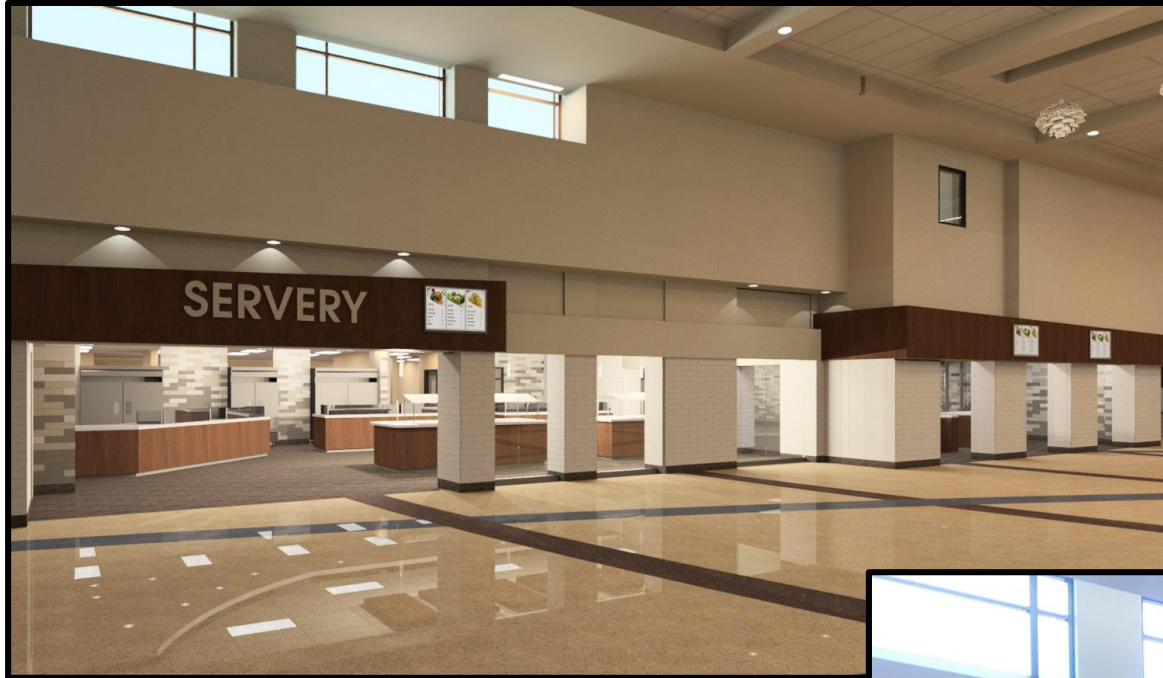
New Auditorium



Architectural Partner



Servery



Servery



**EMPLOYMENT AGREEMENT
FOR THE SUPERINTENDENT OF SCHOOLS
OF INDEPENDENT SCHOOL DISTRICT #720**

**ARTICLE I
PURPOSE**

This Contract is entered into between Independent School District No. 720, Shakopee, Minnesota, hereinafter referred to as the School District, and Mike Redmond, hereinafter referred to as the Superintendent, a legally qualified and licensed Superintendent who agrees to perform the duties of Superintendent of the School District. This Contract replaces all previous contracts entered into between the School District and Mike Redmond.

**ARTICLE II
APPLICABLE STATUE**

This Contract is entered into between the School District and the Superintendent in conformance with M.S. § 123B.143.

**ARTICLE III
LICENSE**

The Superintendent shall furnish the School Board, throughout the life of this Contract, a valid and appropriate license to act as Superintendent in the State of Minnesota as provided by applicable laws, rules and regulations.

**ARTICLE IV
DURATION, EXPIRATION, TERMINATION DURING THE TERM, MUTUAL CONSENT, AND
CONTINGENCY**

Section 1.Duration :

This Contract is for a term of approximately three (3) years commencing November 1, 2018, and ending June 30, 2021. It shall remain in full force and effect unless modified by mutual consent of the School Board and the Superintendent, or unless terminated as provided in this Contract.

Section 2. Expiration:

This Contract shall expire at the end of the term specified in Section 1 above. At the conclusion of its term, neither party shall have any further claim against the other, and the School District's employment of the Superintendent shall cease, unless a subsequent Contract is entered into in accordance with M.S.§ 123B.143, Subd.1.

Section 3.Termination During the Term:

The Superintendent's employment may be terminated during the term of this Contract only for cause as defined in M.S. § 122A.40, Subd. 9. and Subd. 13 but, except for purposes of describing grounds for discharge, the provisions of M.S. § 122A.40 shall not be applicable. If the School Board proposes to terminate the Superintendent during the term of this Contract for cause as described in M.S. §122A.40, Subd. 9. or Subd.13., it shall notify the Superintendent in writing of the proposed grounds for termination. The Superintendent shall be entitled to a hearing before an arbitrator provided the Superintendent makes such a request in writing to the School Board Chair within fifteen (15) calendar days after receipt of the written notice of the proposed termination. In such event, the parties shall jointly petition the Bureau of Mediation Services (BMS) for a list of

five (5) arbitrators. The parties through the normal striking process as provided by BMS rules shall select the arbitrator. The arbitrator shall conduct a hearing under normal arbitration procedure rules and issue a written decision. The decision of the arbitrator shall be final and binding upon the parties, subject to judicial review of arbitration decisions as provided by the law. The Superintendent may be suspended with pay by the School Board pending final determination by the arbitrator. If the Superintendent fails to request a hearing as provided in this section within the fifteen (15) day calendar period, he shall be deemed to have acquiesced to the School Board's proposed action, and the proposed action shall become final on such date determined by the School Board, and the Superintendent shall have no further claim or recourse.

Section 5. Mutual Consent:

This Contract may be terminated at any time by mutual consent of the School Board and the Superintendent.

ARTICLE V
DUTIES

The Superintendent shall have charge of the administration of the schools under the direction of the School Board. The Superintendent shall be the chief executive officer of the School District; shall direct and assign teachers and other School District employees under the Superintendent's supervision; shall organize, reorganize and arrange the administrative and supervisory staff, including instruction and business affairs, as best serves the School District subject to the approval of the School Board; shall select all personnel subject to the approval of the School Board; shall, from time to time, suggest policies, regulations, rules, and procedures deemed necessary for the School District; and, in general, perform all duties incident to the office of the Superintendent and such other duties as may be prescribed by the School Board from time to time. The Superintendent shall abide by the policies, regulations, rules and procedures established by the School Board and all State and Federal law.

The Superintendent shall have the right to attend all School Board meetings and all School Board and citizen committee meetings, serve as an ex-officio member of the School Board and all School Board committees, and provide administrative recommendations on each item of business considered by each of these groups.

ARTICLE VI
DUTY YEAR AND LEAVES

Section 1. Basic Work Year:

The Superintendent's duty year shall be for the entire twelve (12) month Contract year, and the Superintendent shall perform services on those legal holidays on which the School District is authorized to conduct school if the School Board so determines. The Superintendent shall be on duty during any emergency, natural or unnatural, unless otherwise excused in accordance with School Board administrative policy.

Section 2. Vacation:

The Superintendent shall earn twenty-five (25) working days of annual paid vacation prorated by number of days worked with a maximum accrual of forty-five (45) days. Upon termination of employment, the Superintendent will be paid the regular daily rate of pay derived from the Superintendent's annual salary, divided by two hundred sixty (260) days for each accrued vacation day unused.

Section 3.Holidays:

The Superintendent shall be entitled to eleven (11) paid holidays each Contract year as designated by the School Board. The Superintendent may choose that two (2) of the holidays be designated as "floating" and be taken when he wishes. Floating holidays will be prorated by the number of days worked.

New Year's Day	Thanksgiving Day	New Year's Eve
Memorial Day	Friday after Thanksgiving Day	
Independence Day	Christmas Eve	
Labor Day	Christmas	

Section 4. Sick Leave:

The Superintendent will start on November 1, 2018 with twenty (20) days of sick leave. Thereafter, on July 1st of each contract year the Superintendent shall be credited with an additional eighteen (18) days of sick leave prorated by the number of days worked in a year.

Section 5.Workers' Compensation:

Pursuant to M.S. Chapter 176, the Superintendent injured on the job in the service of the School District and collecting workers' compensation insurance may elect to apply accumulated sick leave credits to make up the difference between the Worker's Compensation payment and his current salary. Deductions from sick leave will be made on a prorated basis according to the supplementary payments to the Superintendent. In no event shall the additional compensation paid the Superintendent result in the payment of total daily, weekly, or monthly compensation in excess of such Superintendent's basic salary. Any time the Superintendent is working part-time, the School District will only cover wages earned as a part-time employee.

Section 6.Emergency Leave:

The Superintendent may be granted paid emergency leave at the discretion of the School Board. Unless the School Board directs otherwise, the School Board Chair may grant the leave on behalf of the Board.

Section 7.Disability:

If the Superintendent is unable to perform his regular duties because of personal illness or disability and has exhausted all accumulated sick leave, the School District shall provide additional paid sick leave at a salary equal to fifty (50) percent of the Superintendent's regular salary until the expiration of the waiting period for long-term disability insurance. Any time the Superintendent is working part-time, the School District will only cover wages earned as a part-time employee.

Section 8. Medical Leave:

Pursuant to M.S. § 122A.40, Subd.12. the Superintendent shall have a right to a leave of absence for health reasons.

Section 9.Bereavement Leave:

The Superintendent shall be granted bereavement leave for a death within the Superintendent's immediate or close family. The time utilized shall be in an amount to be determined after conferring with the School Board Chair. Days utilized will be deducted from the Superintendent's sick leave. "Immediate family" is defined as the Superintendent's spouse, child, parent, grandparent, grandchild, brother, sister, in-law relations, or other relative who was living in the same household as the Superintendent.

Section 10. Insurance Application:

A Superintendent on unpaid leave is eligible to continue to participate in group insurance programs if permitted under the insurance policy provisions. The Superintendent shall pay the entire premium for such insurance commencing with the beginning of the leave and shall pay to the School District the monthly premium in advance. In the event the Superintendent is on paid leave from the School District under Section 4 above or supplemented by sick leave pursuant to Section 5 above, the School District will continue insurance contributions as provided in this Contract until sick leave is exhausted. Thereafter, the Superintendent must pay the entire premium for any insurance retained.

ARTICLE VII
INSURANCE

Section 1. Health and Hospitalization, and Dental Insurance:

The School District shall provide the Superintendent and the Superintendent's dependents a \$21,500 allowance to cover the cost of health and hospitalization and dental insurance coverage under the School District's group health and hospitalization and dental insurance plans. If the cost of insurance selected is less than the allowance, the Superintendent shall receive the difference as additional salary up to the amount of \$21,500. If the cost of the plans is greater than the allowance, the additional cost shall be deducted from regular salary. The choice of the specific School District health and hospitalization and dental plan shall be made by the Superintendent. If the Superintendent works part-time or a partial year, the allowance will be prorated by the number of days worked.

In the event this Contract will cause or does cause penalties, fees, or fines to be assessed against the School District, the parties agree to reopen negotiations that result in a revised Contract between the parties that eliminates or reduces penalties, fees, or fines to be assessed against the School District. The amount of any reduction in the School District's contribution toward the Superintendent's healthcare benefits as a result of addressing the "highly compensated employee" component of the ACA will be placed into salary.

Section 2. Life Insurance:

Beginning January 1, 2019, the School District shall provide, at its own expense, group term life insurance for the Superintendent under the School District's group term life insurance plan at an amount of coverage equal to three (3) times the Superintendent's annual salary, payable to the Superintendent's named beneficiary(ies).

Section 3. Long-Term Disability Insurance:

The School District shall provide, at its own expense, long-term disability insurance for the Superintendent under the School District's group long-term disability insurance plan. Any time the Superintendent is working part-time, the School District will only cover wages earned as a part-time employee.

The Superintendent, when receiving compensation under long-term disability, may elect to apply accumulated sick leave credits to make up the difference between long-term disability payment and his current salary. Deductions from sick leave will be made on a prorated basis according to the supplementary payments to the Superintendent. In no event shall the additional compensation paid the Superintendent result in the payment of total daily, weekly, or monthly compensation in excess of such Superintendent basic salary.

Section 4. Liability Insurance:

The School District shall provide, at its own expense, liability insurance naming the Superintendent as an insured, along with the School District, in an amount not less than that, which is required by law for the School District.

Section 5: Eligibility:

The eligibility of the Superintendent and the Superintendent's dependent(s) and beneficiary(ies) for insurance benefits shall be governed by the terms of the insurance policies purchased by the School District pursuant to this article.

Section 5. Claims against the School District:

The School District's only obligation is to purchase the insurance policies described in this article, and no claim shall be made against the School District as a result of denial of insurance benefits by an insurer if the School District has purchased the policies and paid the premium described in this article.

ARTICLE VIII
OTHER BENEFITS

Section 1. Tax Sheltered Annuities:

The Superintendent shall be eligible to participate in a tax sheltered annuity plan through payroll deduction established pursuant to Section 403 (b) of the Internal Revenue Code of 1986, M.S. § 123B.02, qubd.15., School District policy, and as otherwise provided by law.

The Superintendent shall be entitled to a matching School District contribution to the Minnesota Deferred Compensation Plan (M.S. § 352.96 and 356.24 (a) (4) or a Tax Sheltered Annuity (M.S. § 356.24 and Internal Revenue Code 403(b)). The match shall equal up to 2.5% of the salary. In no case shall the match total more than the amount allowable under the law or IRS rule. If the amount of the matching 2.5% is above the level allowed by law for the matching programs, the difference will be given to the Superintendent as taxable salary.

Section 2. Automobile Expenses:

The School District shall provide the Superintendent with a monthly allowance of four hundred dollars (\$400) for business use of his private vehicle pursuant to M.S. § 471.665, Subd. 3.

Section 3. Health Savings Plan:

The Superintendent shall be eligible to participate in a Health Savings Plan.

Section 4. Conference and Meetings:

The Board recognizes the importance of encouraging the Superintendent to attend or participate in educational conferences or meetings as a necessary part of professional growth. The Superintendent is encouraged to attend appropriate professional meetings at the local, state and national level, the expenses of such attendance to be paid by the District. The Board expects the Superintendent to continue his professional development on an annual basis and expects him to participate in relevant learning experiences consistent with the budget adopted by the Board. The superintendent will receive pre-approval from the Personnel Committee, prior to participation in overnight or out-of-state professional development events. The Superintendent shall file an itemized expense statement with the Finance and Operations Director of the District, to be processed as provided by law. The Superintendent shall report to the Board on the content of the meetings and conferences he will be attending or has attended.

ARTICLE IX
SALARY

The Superintendent shall be paid an annual salary of \$189,000 for the 2018-19 Contract year which will be prorated based upon working half-time from November 1, 2018 to December 31, 2018 and full-time from January 1, 2019 to June 30, 2019. Should the Superintendent indicate an earlier start date for the 2018-19 Contract year, the School District will make the appropriate proration adjustment. The Superintendent shall be paid an annual salary of \$193,000 for the 2019-2020 Contract year, and \$197,000 for the 2020-2021 Contract year. Salary in all years will be prorated by full time equivalent for that year.

ARTICLE X
OTHER PROVISIONS

Section 1. Other Activities:

While the Superintendent shall devote full time and due diligence to the affairs and the activities of the School District, he may also serve as a consultant, lecture, engage in teaching, writing and speaking activities, and to engage in other activities if determined by the School Board Chair, such activities do not impede the Superintendent's ability to perform the duties of the superintendency. If during the normal work day time used for such outside activities exceeds four (4) hours per day, the time in excess of four (4) hours per day shall be reported as vacation.

Section 2. Indemnification and Provision of Counsel:

In the event that an action is brought or a claim is made against the Superintendent arising out of or in connection with his employment and the Superintendent is acting within the scope of employment or official duties, the School District shall defend and indemnify to the extent permitted by law. Indemnification, as provided in this section, shall not apply in the case of malfeasance in office or willful or wanton neglect of duty, and the obligation of the School District herein shall be subject to the limitations as provided in M.S. Chapter 466.

If, in the opinion of the Superintendent or School Board, a conflict exists as regards the defense to such claim between the legal position of the Superintendent and the legal position of the District, the Superintendent may engage a separate counsel, in which case the district or the district's insurer shall indemnify the Superintendent for the necessary and reasonable cost of legal defense.

Section 3. Dues:

The Superintendent is encouraged to belong to and participate in appropriate professional, educational, economic development, community, and civic organizations when such membership will serve the best interests of the School District. Accordingly, the School District will pay such membership dues for such organizations as are required, directed, or permitted by Minnesota Statute or School Board policy. The Superintendent shall present appropriate statements for approval as provided by law or school board policy.

Section 4. Business Expenses:

The Superintendent shall be reimbursed for reasonable business expenses incurred in the performance of his duties, subject to the approval of the School Board Chair or designee.

Section 6. Medical Examination:

The Superintendent shall have a comprehensive medical examination not less than once every two years. This may be in the form an annual executive physical provided said annual executive physical is reasonable, necessary, and/or appropriate, based on evidence-based clinical standards of care. A summary document from the physician certifying the fitness of the Superintendent to perform the duties of the position shall be provided to the School Board Chair, which shall be kept confidential to the extent provided by law. The cost of said examination not covered by the School District's insurance program shall be paid by the School District.

Section 7. Performance Review:

The School Board shall conduct an annual performance review between January and June of each Contract year.

Section 8. Amendments:

This Contract may be amended by mutual written agreement of the parties.

Section 9. Moving and Storage Expenses:

The School District will reimburse no more than \$9000 for moving and storage expenses for the 2018-19 school year. The Superintendent will provide receipts for all expense reimbursements requested.

ARTICLE XI
SEVERABILITY

The provisions of this Contract shall be severable, and if any such provision or the application of any such provision under any circumstances is held invalid, it shall not affect any other provisions of this Contract or the application of any provisions thereof.

IN WITNESS WHEREOF, I have subscribed my signature this 19th day of October, 2018.

Mike Redmond

FOR THE SCHOOL DISTRICT:

IN WITNESS WHEREOF, we have subscribed our signatures this 22nd day of October, 2018.

School Board Chair

School Board Clerk



SCIENCE & TECHNOLOGY
ACADEMY



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From: The Bowermans
To: [Scott Swanson](#); [Pass, Tony](#); [Angela Tucker](#); [Shawn Hallett](#)
Cc: [McKeand, Matt](#); [Tomczik, Judi](#); [Orlowsky, David](#); [Koehn, Sarah](#); [Reggie Bowerman](#)
Subject: 2nd reading Policy revisions update
Date: Monday, October 15, 2018 3:38:04 PM
Attachments: [SPD 48.2 Offender Registration.docx](#)

Hello Board. On behalf of the Policy Committee, let me provide an update on policy revisions as we move to a 2nd reading/approval of the latest bunch of policy updates.

I received no additional feedback from the Board, which is just fine. Most of these were of the sort where the revisions are mandatory or non-objectionable. However, there was helpful feedback from Dave and the admin team on two policies that will affect our 2nd reading.

1) **722**, the new MSBA policy on dealing with public data requests, has raised some questions regarding its interpretation and implementation. Thus we are being asked to hold off on that one. So we will NOT move 722 (and the accompanying form **722FRM**) to 2nd reading. We'll await additional feedback from administration.

2) As a reminder, we pulled **533** (Wellness) and **534** (Unpaid Meal Charges) from the 1st reading group b/c we knew admin would need time to review, comment and ensure we could comply with the numerous new responsibilities they place on the district. They will come to the board in the near future.

3) As requested, the administration did reach out to the Shakopee Police Dept regarding policy **906** (Community Notification of Predatory Offenders). You may recall this policy is not mandatory and a school board can adopt or decline. An MSBA version of this has existed for many years, but past SPS Boards have declined to adopt it. The committee questioned whether a) the district wanted to accept responsibility for such notifications.....and all that accompanies adopting a policy like this; and b) wanted to know what local law enforcement was doing regarding notification and if they felt our supplemental notifications were necessary.

In short, the feedback from SPD was that they already have a policy and procedure for community notifications (see attached) and did not feel the district needed to take any additional action.

As a result, the Committee recommends that we continue past practice and **DECLINE** to adopt policy 906. Thus it will not be brought forward for a 2nd reading.

4) Similarly, as mentioned during the 1st reading discussion, the Committee continues to recommend that we **DECLINE** to adopt policy **907** (Rewards). Prior SPS Boards have also declined, but nothing stops us in the future from quickly adopting this policy and offering a reward for "information" should the need ever arise. So 907 will not be brought forward for a 2nd reading.

5) Finally, that means that the following policies will be brought forward for a 2nd reading and approval of revisions as indicated in the redlines: **102, 401, 402, 406, 410, 413, 417, 418, 419, 427, 506, 516, 520, 532, 709, 903.**

There you have it. Any questions, let me know. Otherwise, we will proceed as noted above at

the next mtg where this is an agenda item for 2nd reading and approval. We'll have another bunch of revisions for 1st reading as well.....please contain your understandable excitement!

Reg

--

RWB

Reggie & Lesa Bowerman

RLSSB@comcast.net

48.2 PREDATORY OFFENDER REGISTRATION

This policy is intended to ensure this agency complies with the requirements of Minnesota Statutes 243.166, 243.167, 244.10, 244.052, 244.053, and Chapter 13 to provide for the registration of sexual offenders and other predatory offenders and to provide community notification relative to the release of certain offenders.

It is the policy of this agency to protect the public by disclosing information on predatory offenders residing in the City of Shakopee. The extent of the information disclosed and to whom is at the discretion of the agency unless otherwise noted. However, it must relate to the level of danger posed by the offender, to the offender's pattern of offending behavior, and to the need of the community members to enhance their individual and collective safety.

It is the policy of this agency to provide the maximum information authorized by law, consistent with the requirements of public safety and the legal right of the offender.

Definition: There are three possible risk levels that can be assigned to an offender. They are the following:

- 1) Level 1 - low risk of re-offending
- 2) Level 2 - moderate risk of re-offending
- 3) Level 3 - high risk of re-offending

Note: Some offenders are not assigned a risk level due to their offense being adjudicated prior to predatory offender legislation enactment or due to the offender's conviction not needing supervision by the Department of Correction. These offenders are still subject to the predatory offender registration statutes, though they are not subject to community notification.

Procedure: **Community Notification** - For questions regarding community notification or risk level assigned to an offender, officers should contact the Predatory Offender Unit of the Department of Corrections (DOC) at 651-361-7200 or notification.doc@state.mn.us. The DOC will answer questions about the process and responsibilities, and assist agencies in conducting public notification meetings when an offender subject to notification moves into a law enforcement jurisdiction.

Notification Process:

Level 1 - The purpose is to disclose information to raise awareness.

Mandatory - Victims who have requested disclosure.

Discretionary - Witnesses or victims, other law enforcement agencies.

Level 2 - The objective is to disclose information to safeguard facilities and protect the individuals within those facilities.

Mandatory - All persons and entities included in Level 1 disclosure.

NOTE: If the offender is placed or resides in a residential facility, do NOT disclose any information until the law enforcement agency is notified that the offender has been relocated.

Discretionary - Groups and agencies that the offender is likely to encounter including staff members of both public and private schools, day care facilities and organizations that would provide services to individuals likely to be victimized by the offender.

NOTE: Consider using the following to assist with discretionary disclosure - the offender's prior history; offense characteristics; employment; recreational, social and religious interests; and characteristics of likely victim.

Level 3 - The goal is to disclose information not only to safeguard facilities and protect the individuals they serve, but also to protect the community as a whole.

Mandatory - All persons and entities included in Level 1 and Level 2 disclosure. A good faith effort must be made to notify within 14 days of receiving documents from the DOC.

NOTE: If the offender is placed or resides in a residential facility, do NOT disclose any information until the law enforcement agency is notified that the offender has been relocated.

Discretionary - Other members of the community who the offender is likely to encounter, unless the public safety would be compromised by the disclosure or a more limited disclosure is necessary to protect the identity of the victim. The current standard for a Level 3 offender is to invite the community to a public meeting and disclose the necessary information.

Registration - For questions concerning registration, please contact the Bureau of Criminal Apprehension Predatory Offender Unit (BCA POR) at 651-793-7070 / 1-888-234-1248 or at www.dps.state.mn.us/bca or refer to the Predatory Offender Registration Manual (POR Manual) for detailed information.

When an offender arrives at your agency to register, determine if he/she is required to register (review list of registerable offenses in the POR Manual) and in what state the offense was committed.

If the offender is required to register, contact the BCA POR to clarify if the offender is registered and if a DNA sample has been submitted.

1. If the offender is already registered, complete a Change of Information Form included in the POR Manual.
2. If the offender is not registered, complete a Predatory Offender Registration Form included in the POR Manual.
3. If the offender is from another state, contact the state (information for each state is listed in the POR Manual) and request a copy of his/her original registration form, criminal complaint and sentencing documents.

This agency will verify the address and other contact information of offenders living in Shakopee at least three times a year.

If the offender is not living at the residence, contact the BCA POR to determine if a Change of Information Form was submitted. If it was not, the offender may be charged with failure to notify authorities of a change in residence.

Contact the BCA POR to request a Prosecution Packet. Submit the packet to the county attorney's office to file a formal charge.

It must be verified that the offender is no longer residing at his/her last address prior to submitting the Prosecution Packet for charging. Depending on the county attorney, formal statements may be needed from friends, co-workers, neighbors, caretakers, etc.

Adopted: 9-11-2006

MSBA/MASA Model Policy 102

Orig. 1995

Revised: 10-22-2018

Rev. 2018

102 EQUAL EDUCATIONAL OPPORTUNITY

I. PURPOSE

The purpose of this policy is to ensure that equal educational opportunity is provided for all students of the school district.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to provide equal educational opportunity for all students. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation, including gender identity and expression, or age. The school district also makes reasonable accommodations for disabled students.
- B. The 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. Every school district employee shall be responsible for complying with this policy conscientiously.
- E. Any student, parent, or guardian having a question 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.

Legal References: Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment)

and Violence Policy)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. § 1681 *et seq.* (Title IX of the Education Amendments of 1972)
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

Cross References: MSBA/MASA Model Policy 402 (Disability Nondiscrimination)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)

Adopted: 11-13-2006

MSBA/MASA Model Policy 401

Orig. 1995

Revised: 10-22-2018

Rev. 2018

401 EQUAL EMPLOYMENT OPPORTUNITY

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 school district is to provide equal employment opportunity for all applicants and employees. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, including gender identity or expression, age, family care leave status, or veteran status. The school district also makes reasonable accommodations for disabled employees.
- B. The 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. Every school district employee shall be responsible for following this policy.
- E. Any person having a question regarding this policy should discuss it with the Director of Human Resources (specify, e.g., the Personnel Manager).

Legal References: Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
29 U.S.C. § 2615 (Family and Medical Leave Act)
38 U.S.C. § 4211 *et seq.* (Employment and Training of Veterans)
38 U.S.C. § 4301 *et seq.* (Employment and Reemployment Rights of Members of the Uniformed Services)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
42 U.S.C. § 12101 *et seq.* (Equal Opportunity for Individuals with Disabilities)

Cross References: MSBA/MASA Model Policy 402 (Disability Nondiscrimination)
MSBA/MASA Model Policy 405 (Veteran's Preference)
MSBA/MASA Model Policy 413 (Harassment and Violence)

Adopted: 9-11-2006

MSBA/MASA Model Policy 402

Orig. 1995

Revised: 10-22-2018

Rev. 2018

402 DISABILITY NONDISCRIMINATION POLICY

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 Director of Human Resources, 1200 Town Square, Shakopee, MN 55379 952-496-5062. This individual is the school district's appointed ADA/Section 504 coordinator.

Legal References: Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
29 U.S.C. 794 *et seq.* (Rehabilitation Act of 1973, § 504)
42 U.S.C., Ch. 126 § 12112 (Americans with Disabilities Act)
29 C.F.R. Part 32
34 C.F.R. Part 104

Cross References: MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

406 PUBLIC AND PRIVATE PERSONNEL DATA

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 Minnesota Professional Educator Licensing and Standards Board 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 Minnesota Professional Educator Licensing and Standards Board and the licensing division at MDE with the necessary and relevant information to enable the Minnesota Professional Educator Licensing and Standards Board 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 Minnesota Professional Educator Licensing and Standards Board 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.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 13.02 (Definitions)
Minn. Stat. § 13.37 (General Nonpublic Data)
Minn. Stat. § 13.39 (Civil Investigation Data)

Minn. Stat. § 13.43 (Personnel Data)
Minn. Stat. § 13.601, Subd. 3 (Elected and Appointed Officials)
Minn. Stat. § 122A.20, Subd. 2 (Mandatory Reporting)
Minn. Stat. § 122A.40, Subds. 13 and 16 (Employment; Contracts;
Termination)
Minn. Stat. § 626.556, Subd. 7 (Reporting of Maltreatment of Minors)
P.L. 104-191 (HIPAA)
45 C.F.R. Parts 160 and 164 (HIPAA Regulations)

Cross References: MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA Service Manual, Chapter 13, School Law Bulletin “I” (School Records – Privacy – Access to Data)

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MSBA/MASA Model Policy 410

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410 FAMILY AND MEDICAL LEAVE POLICY

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:

- (1) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; or
 - (2) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability (VASRD) rating of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
 - (3) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
 - (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.
6. Eligible spouses employed by the 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.

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

Cross References: MSBA Service Manual, Chapter 13, School Law Bulletin “M” (Statutory Provisions Which Grant Leaves to Licensed as well as Non-Licensed School District Employees – Family and Medical Leave Act Summary)

Adopted: 11-27-2006

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413 HARASSMENT AND VIOLENCE

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, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, 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, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability. The school district prohibits any form 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, including gender identity or expression, 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, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, as defined by this policy. (For purposes of this policy, school district personnel include 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, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, 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, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, 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, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, 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 sexual orientation, including gender identity or expression.

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, including gender identity or expression, 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, including gender identity or expression, 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 the Human Resources Director 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.¹
- 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.
- 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, resourcefulness, and/or sexual abuse prevention.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

Legal References: Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)
Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
Minn. Stat. § 609.341 (Definitions)
Minn. Stat. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)

20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
29 U.S.C. § 794 (Rehabilitation Act of 1973, § 504)
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

Cross References: MSBA/MASA Model Policy 102 (Equal Educational Opportunity)
MSBA/MASA Model Policy 401 (Equal Employment Opportunity)
MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal)

of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect
or Physical or Sexual Abuse)
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment
of Vulnerable Adults)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil
Records)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety
Policy)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital
Status Nondiscrimination)

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MSBA/MASA Model Policy 417

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417 CHEMICAL USE AND ABUSE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. Use of controlled substances, medical cannabis, toxic substances, and alcohol is prohibited in the school setting in accordance with school district policies with respect to a Drug-Free Workplace/Drug-Free School.
- B. The policy of this school district is to provide an instructional program in every elementary and secondary school in chemical abuse and the prevention of chemical dependency.
- C. The school district shall establish and maintain in every school a chemical abuse preassessment team. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
- D. The superintendent, with the advice of the school board, shall be responsible for establishing a school and community advisory team to address chemical abuse problems in the district.
- E. The school district shall establish and maintain a program to educate and assist employees, students and others in understanding this policy and the goals of achieving drug-free schools and workplaces.

III. DEFINITIONS

- A. "Chemical abuse" means use of any psychoactive or mood-altering chemical substance, without compelling medical reason, in a manner that induces mental, emotional, or physical impairment and causes socially dysfunctional or socially disordering behavior, to the extent that the student's normal function in academic, school, or social activities is chronically impaired.
- B. "Chemicals" includes, but is not limited to, alcohol, toxic substances, medical

cannabis, and controlled substances as defined in the school district's Drug-Free Workplace/Drug-Free School policy.

- C. "Use" includes to sell, buy, manufacture, distribute, dispense, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration.
- D. "School location" includes any school building or on any school premises; on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off-school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.

IV. STUDENTS

A. Instruction

- 1. Every school shall provide an instructional program in chemical abuse and the prevention of chemical dependency. The school district may involve parents, students, health care professionals, state department staff, and members of the community in developing the curriculum.
- 2. Each school shall have age-appropriate and developmentally based activities that:
 - a. address the consequences of violence and the illegal use of drugs, as appropriate;
 - b. promote a sense of individual responsibility;
 - c. teach students that most people do not illegally use drugs;
 - d. teach students to recognize social and peer pressure to use drugs illegally and the skills for resisting illegal drug use;
 - e. teach students about the dangers of emerging drugs;
 - f. engage students in the learning process; and
 - g. incorporate activities in secondary schools that reinforce prevention activities implemented in elementary schools.
- 3. Each school shall have activities that involve families, community sectors (which may include appropriately trained seniors), and a variety of drug and violence prevention providers in setting clear expectations against violence and illegal use of drugs and appropriate consequences for

violence and illegal use of drugs.

4. Each school shall disseminate drug and violence prevention information within the school and to the community.
5. Each school shall have professional development and training for, and involvement of, school personnel, student services personnel, parents, and interested community members in prevention, education, early identification and intervention, mentoring, or rehabilitation referral, as related to drug and violence prevention.
6. Each school shall have drug and violence prevention activities that may include the following:
 - a. Community-wide planning and organizing activities to reduce violence and illegal drug use, which may include gang activity prevention.
 - b. The hiring and mandatory training, based on scientific research, of school security personnel who interact with students in support of youth drug and violence prevention activities under this policy that are implemented in the school.
 - c. Conflict resolution programs, including peer mediation programs that educate and train peer mediators and a designated faculty supervisor, and youth anti-crime and anti-drug councils and activities.
 - d. Counseling, mentoring, referral services, and other student assistance practices and programs, including assistance provided by qualified school-based mental health services providers and the training of teachers by school-based mental health services providers in appropriate identification and intervention techniques for students at risk of violent behavior and illegal use of drugs.
 - e. Programs that encourage students to seek advice from, and to confide in, a trusted adult regarding concerns about violence and illegal drug use.

B. Reports of Chemical Use and Abuse

1. In the event that a school district employee knows that a student is abusing, possessing, transferring, distributing, or selling chemicals in a school location:
 - a. The employee shall immediately either take the student to an administrator or notify an appropriate administrator of the observation and continue to observe the student until the

administrator arrives.

- b. The administrator will notify the student's parents. If there is a medical emergency, the administrator will notify the school nurse and/or outside medical personnel as appropriate.
 - c. The administrator will notify law enforcement officials, the student's counselor, and the chemical preassessment team.
 - d. The administrator and/or law enforcement officials will confiscate the chemicals and/or conduct a search of the student's person, effects, locker, vehicle, or areas within the student's control. Searches by school district officials shall be in accordance with school board policies regarding search and seizure.
 - e. The school district will take appropriate disciplinary action in compliance with the student discipline code. Such discipline may include immediate suspension, initiation of expulsion proceedings, and/or referral to a detoxification center or medical center.
2. If a school district employee has reason to believe that a student is abusing, possessing, transferring, distributing, or selling chemicals:
- a. The employee shall notify the building administrator or a member of the preassessment team and shall describe the basis for the suspicion. The building administrator and/or team will determine what action should be taken. Action may include conducting an investigation, gathering data, scheduling a conference with the student or parents, or providing a meeting between a single member of the team and the student to discuss the behaviors that have been reported and attempting to ascertain facts regarding chemical abuse.
 - b. The team may determine there is no chemical abuse. If the team determines there is chemical abuse, the team will select an appropriate course of action, which may include referral to a school counselor; referral to a treatment program; referral for screening, assessment, and treatment planning; participation in support groups; or other appropriate measures.
3. Students involved in the abuse, possession, transfer, distribution, or sale of chemicals shall be suspended in compliance with the student discipline policy and the Pupil Fair Dismissal Act, Minn. Stat. § 121A.40-121A.56, and proposed for expulsion.
4. Searches by school district officials in connection with the abuse, possession, transfer, distribution, or sale of chemicals will be conducted in accordance with school board policies related to search and seizure.

C. Preassessment Team

1. Every school shall have a chemical abuse preassessment team designated by the superintendent or designee. The team will be composed of classroom teachers, administrators, and other appropriate professional staff to the extent they exist in each school, such as the school nurse, school counselor or psychologist, social worker, chemical abuse specialist, or others.
2. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
3. Within forty-five (45) days after receiving an individual reported case, the team shall make a determination whether to provide the student and, in the case of a minor, the student's parents with information about school and community services in connection with chemical abuse.

D. Data Practices

1. Student data may be disclosed without consent in health and safety emergencies pursuant to Minn. Stat. § 13.32 and applicable federal law and regulations.

2. Destruction of Records

- a. If the preassessment team decides not to provide a student and, in the case of a minor, the student's parents with information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the determination is made.
- b. If the team decides to provide the student and, in the case of a minor or a dependent student, the student's parents with such information, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the student is no longer enrolled in the district.
- c. This section shall govern destruction of records notwithstanding provisions of the Records Management Act, Minn. Stat. § 138.163.

E. Consent

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

F. School and Community Advisory Team

1. The superintendent, with the advice of the school board, shall establish a school and community advisory team to address chemical abuse problems. The advisory team will be composed of representatives from the school preassessment teams to the extent possible, law enforcement agencies, county attorney's office, social service agencies, chemical abuse treatment programs, parents, and the business community.
2. The advisory team shall:
 - a. build awareness of the problem within the community, identify available treatment and counseling programs for students, and develop good working relationships and enhance communication between the schools and other community agencies; and
 - b. develop a written procedure clarifying the notification process to be used by the chemical abuse preassessment team when a student is believed to be in possession of or under the influence of alcohol or a controlled substance. The procedure must include contact with the student and the student's parents or guardian in the case of a minor student.

V. EMPLOYEES

- A. The superintendent or designee shall undertake and maintain a drug-free awareness and prevention program to inform employees, students, and others about:
 1. The dangers and health risks of chemical abuse in the workplace/school.
 2. The school district's drug-free workplace/drug-free school policy.
 3. Any available drug or alcohol counseling, treatment, rehabilitation, re-entry, and/or assistance programs available to employees and/or students.
 4. The penalties that may be imposed on employees for drug abuse violations.
- B. The superintendent or designee shall notify any federal granting agency required to be notified under the Drug-Free Workplace Act within ten (10) days after receiving notice of a conviction of an employee for a criminal drug statute violation occurring in the workplace. To facilitate the giving of such notice, any employee aware of such a conviction shall report the same to the superintendent.

Legal References: Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.25-121A.29 (Chemical Abuse)
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act) Minn. Stat. § 138.163 (Records Management Act)
Minn. Stat. § 144.343 (Pregnancy, Venereal Disease, Alcohol or Drug Abuse, Abortion)
Minn. Stat. § 152.22 (Medical Cannabis; Definitions) Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
20 U.S.C. §§ 7101-7165 (Safe and Drug-Free Schools and Communities Act)
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)
34 C.F.R. Part 84 (Government-wide Requirements for Drug-Free Workplace)

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

418 DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL

I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment for employees and students by prohibiting the use of alcohol, toxic substances, medical cannabis, and controlled substances without a physician's prescription.

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. "Alcohol" includes any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor.
- B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 U.S.C. § 812, including analogues and look-alike drugs.
- C. "Medical cannabis" means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of: (1) liquid, including, but not limited to, oil; (2) pill; (3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; or (4) any other method, excluding smoking, approved by the commissioner.
- D. "Toxic substances" includes glue, cement, aerosol paint, or other substances used

or possessed with the intent of inducing intoxication or excitement of the central nervous system.

- E. “Use” includes to sell, buy, manufacture, distribute, dispense, possess, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.
- F. “Possess” means to have on one’s person, in one’s effects, or in an area subject to one’s control.
- G. “School location” includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school- sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.

IV. EXCEPTIONS

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

V. PROCEDURES

- A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, must comply with the school district’s student medication policy.
- B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.

- C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.
- D. Employees are subject to the school district's drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances in a school location except with the express permission of the superintendent.
- F. No person is permitted to possess or use medical cannabis on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any child care facility.
- G. Possession of alcohol on school grounds pursuant to the exceptions of Minn. Stat. § 624.701, Subd. 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

VI. ENFORCEMENT

A. Students

- 1. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.
- 2. The student may be referred to a drug or alcohol assistance or rehabilitation program and/or to law enforcement officials when appropriate.

B. Employees

- 1. As a condition of employment in any federal grant, each employee who is engaged either directly or indirectly in performance of a federal grant shall abide by the terms of this policy and shall notify his or her supervisor in writing of his or her conviction of any criminal drug statute for a violation occurring in any of the places listed above on which work on a school district federal grant is performed, no later than five (5) calendar days after such conviction. Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
- 2. An employee who violates the terms of this policy is subject to

disciplinary action, including nonrenewal, suspension, termination, or discharge as deemed appropriate by the school board.

3. In addition, any employee who violates the terms of this policy may be required to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the school district. Any employee who fails to satisfactorily participate in and complete such a program is subject to nonrenewal, suspension, or termination as deemed appropriate by the school board.
4. Sanctions against employees, including nonrenewal, suspension, termination, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.

C. The Public

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

Legal References: Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
Minn. Stat. § 152.23 (Medical Cannabis; Limitations) Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)
Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)
Minn. Stat. § 609.684 (Sale of Toxic Substances to Children; Abuse of Toxic Substances)
Minn. Stat. § 624.701 (Alcohol in Certain Buildings or Grounds)
20 U.S.C. § 7101-7165 (Safe and Drug-Free Schools and Communities Act) 21 U.S.C. § 812 (Schedules of Controlled Substances) 41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)
21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)
34 C.F.R. Part 84 (Government-wide Requirements for Drug-Free Workplace)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 516 (Student Medication)

Adopted: 01-08-2007

MSBA/MASA Model Policy 419

Orig. 1995

Revised: 10-22-2018

Rev. 2018

419 TOBACCO-FREE ENVIRONMENT

I. PURPOSE

The purpose of this policy is to maintain a learning and working environment that is tobacco free.

II. GENERAL STATEMENT OF POLICY

- A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the school district, or person smokes or uses tobacco, tobacco-related devices, or electronic cigarettes—in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco, tobacco-related devices, or electronic cigarette in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.
- D. The school district will not solicit or accept any contributions or gifts of money, curricula, materials, or equipment from companies that directly manufacture and are identified with tobacco products, devices, or electronic cigarettes. The

school district will not promote or allow promotion of tobacco products or e-cigarettes on school property or at school-sponsored events.

III. TOBACCO AND TOBACCO-RELATED DEVICES DEFINED

- A. “Electronic cigarette” means any oral device that provides a vapor of liquid nicotine, lobelia, and/or other similar substance intended for human consumption, and the use or inhalation of which simulates smoking. The term shall include any such devices, whether they are manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pipes, or under another product name or descriptor.
- B. “Tobacco” means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco.
- C. “Tobacco-related devices” means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- D. “Smoking” means inhaling or exhaling smoke from any lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product. Smoking also includes carrying a lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product intended for inhalation and the use of electronic cigarettes, including the inhaling and exhaling of vapor from any electronic delivery device.

IV. EXCEPTIONS

- A. A violation of this policy does not occur when an Indian adult lights tobacco on school district property as a part of a traditional Indian spiritual or cultural ceremony. An Indian is a person who is a member of an Indian tribe as defined under Minnesota law.
- B. A violation of this policy does not occur when an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

V. ENFORCEMENT

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.
- C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.
- D. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other school district supervisory personnel responsible for the area or program at which the violation occurred.
- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

VI. DISSEMINATION OF POLICY

- A. This policy shall appear in the student handbook.
- B. The school district will develop a method of discussing this policy with students and employees.

Legal References: Minn. Stat. §§ 144.411-144.417 (Minnesota Clean Indoor Air Act)
Minn. Stat. § 609.685 (Sale of Tobacco to Children)
2007 Minn. Laws Ch. 82 (Freedom to Breathe Act of 2007)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA Service Manual, Chapter 2, Students; Rights, Responsibilities and Behavior

427 WORKLOAD LIMITS FOR CERTAIN SPECIAL EDUCATION TEACHERS

I. PURPOSE

The purpose of this policy is to establish general parameters for determining the workload limits of special education staff who provide services to children with disabilities receiving direct special education services 60 percent or less of the instructional day.

II. DEFINITIONS

A. Special Education Staff; Special Education Teacher

“Special education staff” and “special education teacher” both mean a teacher employed by the school district who is licensed under the rules of the Minnesota Professional Educator Licensing and Standards Board to instruct children with specific disabling conditions.

B. Direct Services

“Direct services” means special education services provided by a special education teacher when the services are related to instruction, including cooperative teaching.

C. Indirect Services

“Indirect services” means special education services provided by a special education teacher which include ongoing progress reviews; cooperative planning; consultation; demonstration teaching; modification and adaptation of the environment, curriculum, materials, or equipment; and direct contact with children with disabilities to monitor and observe.

D. Workload

“Workload” means a special education teacher’s total number of minutes required for all due process responsibilities, including direct and indirect services, evaluation and reevaluation time, management of individualized education programs (IEPs), travel time, parental contact, and other services required in the IEPs.

III. GENERAL STATEMENT OF POLICY

- A. Workload limits for special education teachers shall be determined by the appropriate special education administrator, in consultation with the building principal and the superintendent.
- B. In determining workload limits for special education staff, the school district shall take into consideration the following factors: student contact minutes, evaluation and reevaluation time, indirect services, management of IEPs, travel time, and other services required in the IEPs of eligible students.

IV. COLLECTIVE BARGAINING AGREEMENT UNAFFECTED

This policy shall not be construed as a reopening of negotiations between the school district and the special education teachers' exclusive representative, nor shall it be construed to alter or limit in any way the managerial rights or other authority of the school district set forth in the Public Employment Labor Relations Act or in the collective bargaining agreement between the school district and the special education teachers' exclusive representative.

Legal References: Minn. Stat. § 179A.07, Subd. 1 (Inherent Managerial Policy)
Minn. Rule 3525.0210, Subps. 14, 27, 44, and 49 (Definitions of "Direct Services," "Indirect Services," "Teacher," and "Workload")
Minn. Rule 3525.2340, Subp. 4.B. (Case Loads for School-Age Educational Service Alternatives)

Cross References: MSBA/MASA Model Policy 508 (Extended School Year for Certain Students with Individualized Education Programs)
MSBA/MASA Model Policy 608 (Instructional Services – Special Education)

Adopted: 10-08-2007

MSBA/MASA Model Policy 506

Orig. 1995

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Rev. 2018

506 STUDENT DISCIPLINE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

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

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

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

students of the school district.

III. AREAS OF RESPONSIBILITY

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

regarding the behavior of their children.

- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

IV. STUDENT RIGHTS

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

V. STUDENT RESPONSIBILITIES

All students have the responsibility:

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

indecent or obscene language;

M. To conduct themselves in an appropriate physical or verbal manner; and

N. To recognize and respect the rights of others.

VI. CODE OF STUDENT CONDUCT

A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.

1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
2. The use of profanity or obscene language, or the possession of obscene materials;
3. Gambling, including, but not limited to, playing a game of chance for stakes;
4. Violation of the school district's Hazing Prohibition Policy;
5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
6. Violation of the school district's Student Attendance Policy;
7. Opposition to authority using physical force or violence;
8. Using, possessing, or distributing tobacco, tobacco-related devices,

electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment Policy;

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

21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district' Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of

picture phones or other technology to accomplish this end;

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

VII. DISCIPLINARY ACTION OPTIONS

The general policy of the school district is to utilize progressive discipline to the extent reasonable and appropriate based upon the specific facts and circumstances of student misconduct. The specific form of discipline chosen in a particular case is solely within the discretion of the school district. At a minimum, violation of school district rules, regulations, policies, or procedures will result in discussion of the violation and a verbal warning. The school district shall, however, impose more severe disciplinary sanctions for any violation, including exclusion or expulsion, if warranted by the student's misconduct, as determined by the school district. Disciplinary action may include, but is not limited to, one or more of the following:

- A. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
- B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
- C. Parent contact;
- D. Parent conference;
- E. Removal from class;
- F. In-school suspension;
- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;

- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the school district.

VIII. REMOVAL OF STUDENTS FROM CLASS

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

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

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

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

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

- B. If a student is removed from class more than ten (10) times in a school year, the school district shall notify the parent or guardian of the student's tenth removal from class and make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.

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

1. *Specify procedures to be followed by a teacher, administrator or other school district employee to remove a student from a class;*
2. *Specify required approvals necessary;*
3. *Specify paperwork and reporting procedures.*

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

1. *Designation of where student is to go when removed;*
2. *Designation of how student is to get to designated destination;*
3. *Whether student must be accompanied;*
4. *Statement of what student is to do when and while removed;*
5. *Designation of who has control over and responsibility for student after removal from class.*

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

1. *Specification of procedures;*
2. *Actions or approvals required such as notes, conferences, readmission plans.*

F. *Procedures for Notification.*

1. *Specify procedures for notifying students and parents/guardians of violations of the rules of conduct and resulting disciplinary action;*
2. *Actions or approvals required, such as notes, conferences, readmission plans.*

G. *Disabled Students; Special Provisions.*

1. *Procedures for consideration of whether there is a need for further assessment;*
2. *Procedures for consideration of whether there is a need for a review of the adequacy of the current Individualized Education Program (IEP) of a disabled student who is removed from class or disciplined; and*
3. *Any procedures determined appropriate for referring students in need of special education services to those services.*

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

1. *Establishment of a chemical abuse preassessment team pursuant to Minn. Stat. § 121A.26;*
2. *Establishment of a school and community advisory team to address chemical abuse problems in the district pursuant to Minn. Stat. § 121A.27; and*
3. *Establishment of teacher reporting procedures to the chemical abuse preassessment team pursuant to Minn. Stat. § 121A.29.*

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

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

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

IX. DISMISSAL

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

The school district shall not deny due process or equal protection of the law to

any student involved in a dismissal proceeding which may result in suspension, exclusion or expulsion.

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

B. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:

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

C. Suspension Procedures

1. “Suspension” means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.
2. If a student’s total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student’s parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian’s expense. The purpose of this meeting is to attempt to determine the student’s need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative

educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.

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

provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.

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

D. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent

enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.

3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56; describe alternative educational services accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE).
6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.
8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.
10. If the student designates a representative other than the parent or guardian,

the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.

11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.
14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation provided that neither party presents any evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the Commissioner of Education (Commissioner) of the basis and reason for the decision.
18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minn. Stat. § 121A.49. The decision of the school board shall be implemented during the appeal

to the Commissioner.

19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

X. ADMISSION OR READMISSION PLAN

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

XI. NOTIFICATION OF POLICY VIOLATIONS

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

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

XII. STUDENT DISCIPLINE RECORDS

The policy of the school district is that complete and accurate student discipline records

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

XIII. DISABLED STUDENTS

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

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

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

XIV. OPEN ENROLLED STUDENTS

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

XV. DISTRIBUTION OF POLICY

The school district will notify students and parents of the existence and contents of this policy in such manner as it deems appropriate. Copies of this discipline policy shall be made available to all students and parents at the commencement of each school year and

to all new students and parents upon enrollment. This policy shall also be available upon request in each principal's office.

XVI. REVIEW OF POLICY

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.26 (School Preassessment Teams)
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)
Minn. Stat. § 121A.582 (Reasonable Force)
Minn. Stat. §§ 121A.60-121A.61 (Removal From Class)
Minn. Stat. § 122A.42 (General Control of Schools)
Minn. Stat. § 123A.05 (Area Learning Center Organization)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.08 (Enrollment in Nonresident District)
Minn. Stat. Ch.125A (Students With Disabilities)
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
Minn. Stat. Ch. 260A (Truancy)
Minn. Stat. Ch. 260C (Juvenile Court Act)
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

Cross References: MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 501 (School Weapons)
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
MSBA/MASA Model Policy 503 (Student Attendance)
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 527 (Student Use and Parking of Motor

Vehicles; Patrols, Inspections, and Searches)
MSBA/MASA Model Policy 610 (Field Trips)
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on
Buses)

Adopted: _____

MSBA/MASA Model Policy 516

Orig. 1995

Revised: 10-22-2018

Rev. 2018

516 STUDENT MEDICATION

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. REQUIREMENTS

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

- E. Prescription medications are not to be carried by the student, but will be left with the appropriate school district personnel. Exceptions to this requirement are: prescription asthma medications self-administered with an inhaler (See Part J.5. below), and medications administered as noted in a written agreement between the school district and the parent or as specified in an IEP (individualized education program), Section 504 plan, or IHP (individual health plan).
- F. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student's prescription medication administration. A new medical authorization or container label with new pharmacy instructions shall be required immediately as well.
- G. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.
- H. The school nurse, or other designated person, shall be responsible for the filing of the Administering Prescription Medications form in the health records section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.
- I. Procedures for administration of drugs and medicine at school and school activities shall be developed in consultation with a school nurse, a licensed school nurse, or a public or private health organization or other appropriate party (if appropriately contracted by the school district under Minn. Stat. § 121A.21). The school district administration shall submit these procedures and any additional guidelines and procedures necessary to implement this policy to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy.
- J. Specific Exceptions:
 - 1. Special health treatments and health functions such as catheterization, tracheostomy suctioning, and gastrostomy feedings do not constitute administration of drugs and medicine;
 - 2. Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy;
 - 3. Drugs or medicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy;
 - 4. Drugs or medicines used at school in connection with services for which a minor may give effective consent are not governed by this policy;
 - 5. Drugs or medicines that are prescription asthma or reactive airway disease

medications can be self-administered by a student with an asthma inhaler if:

- a. the school district has received a written authorization from the pupil's parent permitting the student to self-administer the medication;
- b. the inhaler is properly labeled for that student; and
- c. the parent has not requested school personnel to administer the medication to the student.

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

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

6. Medications:
 - a. that are used off school grounds;
 - b. that are used in connection with athletics or extracurricular activities; or
 - c. that are used in connection with activities that occur before or after the regular school day

are not governed by this policy.

7. Nonprescription Medication. A secondary student may possess and use nonprescription pain relief in a manner consistent with the labeling, if the school district has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The school district may

revoke a student's privilege to possess and use nonprescription pain relievers if the school district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients. Except as stated in this paragraph, only prescription medications are governed by this policy.

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

The plan must designate the school staff responsible for implementing the student's health plan, including recognizing anaphylaxis and administering epinephrine auto-injectors when required, consistent with state law. This health plan may be included in a student's § 504 plan.

- K. "Parent" for students 18 years old or older is the student.
- L. Districts and schools may obtain and possess epinephrine auto-injectors to be maintained and administered by school personnel to a student or other individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for an epinephrine auto-injector. The administration of an epinephrine auto-injector in accordance with this section is not the practice of medicine.

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

- Legal References:*** Minn. Stat. § 13.32 (Student Health Data)
Minn. Stat. § 121A.21 (Hiring of Health Personnel)
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)
Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)
Minn. Stat. § 121A.2205 (Possession and Use of Epinephrine Auto-Injectors; Model Policy)
Minn. Stat. § 121A.2207 (Life-Threatening Allergies in Schools; Stock Supply of Epinephrine Auto-Injectors)
Minn. Stat. § 151.212 (Label of Prescription Drug Containers)
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
- Cross References:*** MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)

Adopted: 02-12-2007

MSBA/MASA Model Policy 520

Orig. 1995

Revised: 10-22-2018

Rev. 2018

520 STUDENT SURVEYS

I. PURPOSE

Occasionally, the school district utilizes surveys to obtain student opinions and information about students. The purpose of this policy is to establish the parameters of information that may be sought in student surveys.

II. GENERAL STATEMENT OF POLICY

Student surveys may be conducted as determined necessary by the school district. Surveys, analyses, and evaluations conducted as part of any program funded through the U.S. Department of Education must comply with 20 U.S.C. § 1232h.

III. STUDENT SURVEYS IN GENERAL

- A. Student surveys will be conducted anonymously and in an indiscernible fashion. No mechanism will be used for identifying the participating student in any way. No attempt will be made in any way to identify a student survey participant. No requirement that the student return the survey shall exist, and no record of the student's returning a survey will be maintained.
- B. The superintendent may choose not to approve any survey that seeks probing personal and/or sensitive information that could result in identifying the survey participant, or is discriminatory in nature based on age, race, color, sex, disability, religion, or national origin.
- C. Surveys containing questions pertaining to the student's or the student's parent(s) or guardian(s) personal beliefs or practices in sex, family life, morality, and religion will not be administered to any student unless the parent or guardian of the student is notified in writing that such survey is to be administered and the parent or guardian of the student gives written permission for the student to participate or has the opportunity to opt out of the survey depending upon how the survey is funded. Any and all documents containing the written permission of a parent for a student to participate in a survey will be maintained by the school district in a file separate from the survey responses.
- D. Although the survey is conducted anonymously, potential exists for personally

identifiable information to be provided in response thereto. To the extent that personally identifiable information of a student is contained in his or her responses to a survey, the school district will take appropriate steps to ensure the data is protected in accordance with Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act), 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act) and 34 C.F.R. Part 99.

- E. The school district must not impose an academic or other penalty on a student who opts out of participating in a student survey.

IV. STUDENT SURVEYS CONDUCTED AS PART OF DEPARTMENT OF EDUCATION PROGRAM

- A. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be available for inspection by the parents or guardians of the students.
- B. No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or, in the case of an unemancipated minor, without the prior written consent of the parent, to submit to a survey that reveals information concerning:
 - 1. political affiliations or beliefs of the student or the student's parent;
 - 2. mental and psychological problems of the student or the student's family;
 - 3. sex behavior or attitudes;
 - 4. illegal, antisocial, self-incriminating, or demeaning behavior;
 - 5. critical appraisals of other individuals with whom respondents have close family relationships;
 - 6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
 - 7. religious practices, affiliations, or beliefs of the student or the student's parent; or
 - 8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

C. A school district that receives funds under any program funded by the U.S. Department of Education shall develop local policies consistent with Sections IV.A. and IV.B., above, concerning student privacy, parental access to information, and administration of certain physical examinations to minors.

1. The following policies are to be adopted in consultation with parents:

a. The right of a parent to inspect, on request, a survey, including an evaluation, created by a third party before the survey is administered or distributed by a school to a student, including procedures for granting a parent's request for reasonable access to such survey within a reasonable period of time after the request is received.

“Parent” means a legal guardian or other person acting *in loco parentis* (in place of a parent), such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child.

b. Arrangements to protect student privacy in the event of the administration or distribution of a survey, including an evaluation, to a student which contains one or more of the items listed in Section IV.B., above, including the right of a parent of a student to inspect, on request, any such survey.

c. The right of a parent of a student to inspect, on request, any instructional material used as part of the educational curriculum for the student and procedures for granting a request by a parent for such access within a reasonable period of time after the request is received.

“Instructional material” means instructional content that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (i.e., materials accessible through the Internet). The term does not include academic tests or academic assessments.

d. The administration of physical examinations or screenings that the school district may administer to a student. This provision does not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. § 1400, *et seq.*).

e. The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that

information (or otherwise providing the information to others for that purpose), including arrangements to protect student privacy that are provided by the school district in the event of such collection, disclosure, or use.

- (1) “Personal information” means individually identifiable information including a student or parent’s first and last name; a home or other physical address (including street name and the name of the city or town); a telephone number; or a Social Security identification number.
- (2) This provision does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as:
 - (a) college or other post-secondary education recruitment or military;
 - (b) book clubs, magazines, and programs providing access to low cost literary products;
 - (c) curriculum and instructional materials used by elementary and secondary schools;
 - (d) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students, or to generate other statistically useful data for the purpose of securing such tests and assessments and the subsequent analysis and public release of the aggregate data from such tests and assessments;
 - (e) the sale by students of products or services to raise funds for school-related or education-related activities; and
 - (f) student recognition programs.
- (3) The right of a parent to inspect, on request, any instrument used in the collection of information, as described in Section IV.C.1., Subparagraph e., above, before the instrument is administered or distributed to a student and procedures for granting a request by a parent for reasonable

access to such an instrument within a reasonable period of time after the request is received.

2. The policies adopted under Section IV.C., Subparagraph 1., above, shall provide for reasonable notice of the adoption or continued use of such policies directly to parents of students enrolled in or served by the school district.
 - a. The notice will be provided at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in a policy.
 - b. The notice will provide parents with an opportunity to opt out of participation in the following activities:
 - (1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.
 - (2) The administration of any third-party survey (non-Department of Education funded) containing one or more of the items contained in Section IV.B., above.
 - (3) Any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school and scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or other students.

“Invasive physical examination” means any medical examination that involves the exposure of private body parts, or act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.
 - c. The notice will advise students of the specific or approximate dates during the school year when the activities in Section IV.C.2., Subparagraph b., above, are scheduled, or expected to be scheduled.
 - d. The notice provisions shall not be construed to preempt applicable provisions of state law that require parental notification and do not apply to any physical examination or screening that is permitted or required by applicable state law, including physical examinations

or screenings that are permitted without parental notification.

V. NOTICE

- A. The school district must give parents and students notice of this policy at the beginning of each school year and after making substantive changes to this policy.
- B. The school district must inform parents at the beginning of the school year if the district or school has identified specific or approximate dates for administering surveys and give parents reasonable notice of planned surveys scheduled after the start of the school year. The school district must give parents direct, timely notice when their students are scheduled to participate in a student survey by United States mail, e-mail, or another direct form of communication.
- C. The school district must give parents the opportunity to review the survey and to opt their students out of participating in the survey.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 121A.065 (District Surveys to Collect Student Information;
Parent Notice and Opportunity for Opting Out)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
20 U.S.C. § 1232h (Protection of Pupil Rights)
34 C.F.R. § 99 (Family Educational Rights and Privacy Act Regulations)
Gonzaga University v. Doe, 536 U.S. 273, 122 S.Ct. 2268, 153 L.Ed. 2d
309 (2002)
C.N. v. Ridgewood Bd. of Educ., 430 F.3d. 159 (3rd Cir. 2005)
Fields v. Palmdale School Dist., 427 F.3d. 1197 (9th Cir. 2005)

Cross References: MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil
Records)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)

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MSBA/MASA Model Policy 532

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Revised: 10-22-2018

Rev. 2018

532 USE OF PEACE OFFICERS AND CRISIS TEAMS TO REMOVE STUDENTS WITH IEPs FROM SCHOOL GROUNDS

I. PURPOSE

The purpose of this policy is to describe the appropriate use of peace officers and crisis teams to remove, if necessary, a student with an individualized education program (IEP) from school grounds.

II. GENERAL STATEMENT OF POLICY

The school district is committed to promoting learning environments that are safe for all members of the school community. It further believes that students are the first priority and that they should be reasonably protected from physical or emotional harm at all school locations and during all school activities.

In general, all students, including those with IEPs, are subject to the terms of the school district's discipline policy. Building level administrators have the leadership responsibility to maintain a safe, secure, and orderly educational environment within which learning can occur. Corrective action to discipline a student and/or modify a student's behavior will be taken by staff when a student's behavior violates the school district's discipline policy.

If a student with an IEP engages in conduct which, in the judgment of school personnel, endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, that student may be removed from school grounds in accordance with this policy.

III. DEFINITIONS

For purposes of this policy, the following terms have the meaning given them in this section:

- A. "Student with an IEP" or "the student" means a student who is eligible to receive special education and related services pursuant to the terms of an IEP or an individual interagency intervention plan (IIIP).
- B. "Peace officer" means an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the Board of Peace Officer Standards and Training, charged with the prevention and detection of crime and the enforcement of general criminal laws of the state and who has the full power of arrest. The term "peace officer" includes a person who serves as a

sheriff, a deputy sheriff, a police officer, or a state patrol trooper.

- C. “Police liaison officer” is a peace officer who, pursuant to an agreement between the school district and a political subdivision or law enforcement agency, is assigned to a school building for all or a portion of the school day to provide law enforcement assistance and support to the building administration and to promote school safety, security, and positive relationships with students.
- D. “Crisis team” means a group of persons, which may include teachers and non-teaching school personnel, selected by the building administrator in each school building who have received crisis intervention training and are responsible for becoming actively involved with resolving crises. The building administrator or designee shall serve as the leader of the crisis team.
- E. The phrase “remove the student from school grounds” is the act of securing the person of a student with an IEP and escorting that student from the school building or school activity at which the student with an IEP is located.
- F. “Emergency” means a situation where immediate intervention is needed to protect a child or other individual from physical injury.
- G. All other terms and phrases used in this policy shall be defined in accordance with applicable state and federal law or ordinary and customary usage.

IV. REMOVAL OF STUDENTS WITH IEPs FROM SCHOOL GROUNDS

A. Removal By Crisis Team

If the behavior of a student with an IEP escalates to the point where the student’s behavior endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the school building’s crisis team may be summoned. The crisis team may attempt to de-escalate the student’s behavior by means including, but not limited to, those described in the student’s IEP and/or behavior intervention plan. When such measures fail, or when the crisis team determines that the student’s behavior continues to endanger or may endanger the health, safety, or property of the student, other students, staff members, or school property, the crisis team may remove the student from school grounds.

If the student’s behavior cannot be safely managed, school personnel may immediately request assistance from the police liaison officer or a peace officer.

B. Removal By Police Liaison Officer or Peace Officer

If a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the school building’s crisis team, building administrator, or the building

administrator's designee, may request that the police liaison officer or a peace officer remove the student from school grounds.

If a student with an IEP is restrained or removed from a classroom, school building, or school grounds by a peace officer at the request of a school administrator or school staff person during the school day twice in a 30-day period, the student's IEP team must meet to determine if the student's IEP is adequate or if additional evaluation is needed.

Whether or not a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, school district personnel may report a crime committed by a student with an IEP to appropriate authorities. If the school district reports a crime committed by a student with an IEP, school personnel shall transmit copies of the special education and disciplinary records of the student for consideration by appropriate authorities to whom it reports the crime, to the extent that the transmission is permitted by the Family Education Rights and Privacy Act (FERPA), the Minnesota Government Data Practices Act, and school district's policy, Protection and Privacy of Pupil Records.

The fact that a student with an IEP is covered by special education law does not prevent state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by a student with an IEP.

C. Reasonable Force Permitted

In removing a student with an IEP from school grounds, a building administrator, other crisis team members, or the police liaison officer or other agents of the school district, whether or not members of a crisis team, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

In removing a student with an IEP from school grounds, police liaison officers and school district personnel are further prohibited from engaging in the following conduct:

1. Corporal punishment prohibited by Minn. Stat. § 121A.58;
2. Requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;
3. Totally or partially restricting a child's senses as punishment;
4. Denying or restricting a child's access to equipment and devices such as walkers, wheel chairs, hearing aids, and communication boards that facilitate the child's functioning except when temporarily removing the equipment or

device is needed to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible;

5. Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under Minn. Stat. § 626.556;
6. Physical holding (as defined in Minn. Stat. § 125A.0941) that restricts or impairs a child's ability to breathe, restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso;
7. Withholding regularly scheduled meals or water; and/or
8. Denying a child access to toilet facilities.

D. Parental Notification

The building administrator or designee shall make reasonable efforts to notify the student's parent or guardian of the student's removal from school grounds as soon as possible following the removal.

E. Continued Removals; Review of IEP

Continued and repeated use of the removal process described herein must be reviewed in the development of the individual student's IEP or IIIP.

F. Effect of Policy in an Emergency; Use of Restrictive Procedures

A student with an IEP may be removed in accordance with this policy regardless of whether the student's conduct would create an emergency.

If the school district seeks to remove a student with an IEP from school grounds under this policy due to behaviors that constitute an emergency and the student's IEP, IIIP, or behavior intervention plan authorizes the use of one or more restrictive procedures, the crisis team may employ those restrictive procedures, in addition to any reasonable force that may be necessary, to facilitate the student's removal from school grounds, as long as the crisis team members who are implementing the restrictive procedures have received the training required by Minn. Stat § 125A.0942, Subd. 5, and otherwise comply with the requirements of § 125A.0942.

G. Reporting to the Minnesota Department of Education (MDE)

Annually, stakeholders may recommend, as necessary, to the Commissioner of MDE (Commissioner) specific and measurable implementation and outcome goals for

reducing the use of restrictive procedures. The Commissioner must submit to the Legislature a report on districts' progress in reducing the use of restrictive procedures that recommends how to further reduce these procedures and eliminate the use of prone restraints. By June 30 of each year, districts must report summary data on the use of restrictive procedures to the MDE, in a form and manner determined by the Commissioner. The summary data must include information about the use of restrictive procedures, including the use of reasonable force by school personnel that is consistent with the definition of physical holding or seclusion of a child with a disability.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. §§ 121A.40-121A.56 (Minnesota Pupil Fair Dismissal Act)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)
Minn. Stat. § 121A.67, Subd. 2 (Aversive and Deprivation Procedures)
Minn. Stat. §§ 125A.094-125A.0942 (Restrictive Procedures for Children with Disabilities)
Minn. Stat. § 609.06 (Authorized Use of Force)
Minn. Stat. § 609.379 (Permitted Actions)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy (FERPA))
20 U.S.C. § 1415(k)(6) (Individuals with Disabilities Education Improvement Act of 2004 (IDEA))
34 C.F.R. § 300.535 (IDEA Regulation Regarding Involvement of Law Enforcement)

Cross References: MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 507 (Corporal Punishment)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 806 (Crisis Management Policy)

Adopted: _____

MSBA/MASA Model Policy 709

Orig. 1995

Revised: _____

Rev. 2014 2017

709 STUDENT TRANSPORTATION SAFETY POLICY

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

I. PURPOSE

The purpose of this policy is to provide safe transportation for students and to educate students on safety issues and the responsibilities of school bus ridership.

II. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING

A. School Bus Safety Week

The school district may designate a school bus safety week. The National School Bus Safety Week is the third week in October.

B. Student Training

1. The school district shall provide students enrolled in grades kindergarten (K) through 10 with age-appropriate school bus safety training of the following concepts:
 - a. transportation by school bus is a privilege, not a right;
 - b. school district policies for student conduct and school bus safety;
 - c. appropriate conduct while on the bus;
 - d. the danger zones surrounding a school bus;
 - e. procedures for safely boarding and leaving a school bus;
 - f. procedures for safe vehicle lane crossing; and
 - g. school bus evacuation and other emergency procedures.
2. All students in grades K through 6 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training by the end of the third week of school. All students in grades 7 through 10 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training or receive bus safety instruction materials by the end of the sixth week of school, if they have not previously received school bus

training. Students in grades K through 10 who enroll in a school after the second week of school, are transported by school bus, and have not received training in their previous school districts shall undergo school bus safety training or receive bus safety instructional materials within 4 weeks of their first day of attendance.

3. The school district and a nonpublic school with students transported by school bus at public expense must provide students enrolled in grades K through 3 school bus safety training twice during the school year.
4. Students taking driver's training instructional classes must receive training in the laws and proper procedures for operating a motor vehicle in the vicinity of a school bus as required by Minn. Stat. § 169.446, Subd. 2.
5. The school district and a nonpublic school with students transported by school bus at public expense must conduct a school bus evacuation drill at least once during the school year.
6. The school district will make reasonable accommodations in training for students known to speak English as a second language and students with disabilities.
7. The school district may provide kindergarten students with school bus safety training before the first day of school.
8. The school district may provide student safety education for bicycling and pedestrian safety for students in grades K through 5.
9. The school district shall adopt and make available for public review a curriculum for transportation safety education.
10. Nonpublic school students transported by the school district will receive school bus safety training by their nonpublic school. The nonpublic schools may use the school district's school transportation safety education curriculum. Upon request by the school district superintendent, the nonpublic school must certify to the school district's school transportation safety director that all students enrolled in grades K through 10 have received the appropriate training.

III. CONDUCT ON SCHOOL BUSES AND CONSEQUENCES FOR MISBEHAVIOR

- A. Riding the school bus is a privilege, not a right. The school district's general student behavior rules are in effect for all students on school buses, including nonpublic and charter school students.
- B. Consequences for school bus/bus stop misconduct will be imposed by the school district under adopted administrative discipline procedures. In addition, all school bus/bus stop misconduct will be reported to the school district's transportation

safety director. Serious misconduct may be reported to local law enforcement.

1. School Bus and Bus Stop Rules. The school district school bus safety rules are to be posted on every bus. If these rules are broken, the school district's discipline procedures are to be followed. In most circumstances, consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the school district's Transportation Office/School Office.
2. Rules at the Bus Stop
 - a. Get to your bus stop 5 minutes before your scheduled pick up time. The school bus driver will not wait for late students.
 - b. Respect the property of others while waiting at your bus stop.
 - c. Keep your arms, legs, and belongings to yourself.
 - d. Use appropriate language.
 - e. Stay away from the street, road, or highway when waiting for the bus.
 - f. Wait until the bus stops before approaching the bus.
 - g. After getting off the bus, move away from the bus.
 - h. If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
 - i. No fighting, harassment, intimidation, or horseplay.
 - j. No use of alcohol, tobacco, or drugs.
3. Rules on the Bus
 - a. Immediately follow the directions of the driver.
 - b. Sit in your seat facing forward.
 - c. Talk quietly and use appropriate language.
 - d. Keep all parts of your body inside the bus.
 - e. Keep your arms, legs, and belongings to yourself.

- f. No fighting, harassment, intimidation, or horseplay.
- g. Do not throw any object.
- h. No eating, drinking, or use of alcohol, tobacco, or drugs.
- i. Do not bring any weapons or dangerous objects on the school bus.
- j. Do not damage the school bus.

4. Consequences

a. Consequences for school bus/bus stop misconduct will apply to all regular and late routes. Decisions regarding a student’s ability to ride the bus in connection with cocurricular and extracurricular events (for example, field trips or competitions) will be in the sole discretion of the school district. Parents or guardians will be notified of any suspension of bus privileges.

(1) Elementary (K-6)

1st offense – warning

2nd offense – 3 school-day suspension from riding the bus

3rd offense – 5 school-day suspension from riding the bus

4th offense – 10 school-day suspension from riding the bus/meeting with parent

Further offenses – individually considered. Students may be suspended for longer periods of time, including the remainder of the school year.

(2) Secondary (7-12)

1st offense – warning

2nd offense – 5 school-day suspension from riding the bus

3rd offense – 10 school-day suspension from riding the bus

4th offense – 20 school-day suspension from riding the bus/meeting with parent

5th offense – suspended from riding the bus for the remainder of the school year

Note: When any student goes 60 transportation days without a report, the student’s consequences may start over at the first offense.

(3) Other Discipline

Based on the severity of a student’s conduct, more serious consequences may be imposed at any time. Depending on the nature of the offense, consequences such as suspension

or expulsion from school also may result from school bus/bus stop misconduct.

(4) Records

Records of school bus/bus stop misconduct will be forwarded to the individual school building and will be retained in the same manner as other student discipline records. Reports of student misbehavior on a school bus or in a bus-loading or unloading area that are reasonably believed to cause an immediate and substantial danger to the student or surrounding persons or property shall be provided by the school district to local law enforcement and the Department of Public Safety in accordance with state and federal law.

(5) Vandalism/Bus Damage

Students damaging school buses will be responsible for the damages. Failure to pay such damages (or make arrangements to pay) within 2 weeks may result in the loss of bus privileges until damages are paid.

(6) Notice

School bus and bus stop rules and consequences for violations of these rules will be reviewed with students annually and copies of these rules will be made available to students. School bus rules are to be posted on each school bus.

(7) Criminal Conduct

In cases involving criminal conduct (for example, assault, weapons, drug possession, or vandalism), the appropriate school district personnel and local law enforcement officials will be informed.

IV. PARENT AND GUARDIAN INVOLVEMENT

A. Parent and Guardian Notification

The school district school bus and bus stop rules will be provided to each family. Parents and guardians are asked to review the rules with their children.

B. Parents/Guardians Responsibilities for Transportation Safety

Parents/Guardians are responsible to:

1. Become familiar with school district rules, policies, regulations, and the principles of school bus safety, and thoroughly review them with their children;
2. Support safe riding and walking practices, and recognize that students are responsible for their actions;
3. Communicate safety concerns to their school administrators;
4. Monitor bus stops, if possible;
5. Have their children to the bus stop 5 minutes before the bus arrives;
6. Have their children properly dressed for the weather; and
7. Have a plan in case the bus is late.

V. SCHOOL BUS DRIVER DUTIES AND RESPONSIBILITIES

- A. School bus drivers shall have a valid Class A, B, or C Minnesota driver's license with a school bus endorsement. A person possessing a valid driver's license, without a school bus endorsement, may drive a type III vehicle set forth in Sections VII.B. and VII.C., below. Drivers with a valid Class D driver's license, without a school bus endorsement, may operate a "type A-I" school bus as set forth in Section VII.D., below.
- B. The school district shall conduct mandatory drug and alcohol testing of all school district bus drivers and bus driver applicants in accordance with state and federal law and school district policy.
- C. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of a criminal offense, a serious traffic violation, or of violating any other state or local law relating to motor vehicle traffic control, other than a parking violation, in any type of motor vehicle in a state or jurisdiction other than Minnesota, shall notify the Minnesota Division of Driver and Vehicle Services (Division) of the conviction within 30 days of the conviction. For purposes of this paragraph, a "serious traffic violation" means a conviction of any of the following offenses:
 1. excessive speeding, involving any single offense for any speed of 15 miles per hour or more above the posted speed limit;
 2. reckless driving;
 3. improper or erratic traffic lane changes;
 4. following the vehicle ahead too closely;

5. a violation of state or local law, relating to motor vehicle traffic control, arising in connection with a fatal accident;
 6. driving a commercial vehicle without obtaining a commercial driver's license or without having a commercial driver's license in the driver's possession.
- D. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of violating, in any type of motor vehicle, a Minnesota state or local law relating to motor vehicle traffic control, other than a parking violation, shall notify the person's employer of the conviction within 30 days of conviction. The notification shall be in writing and shall contain all the information set forth in Attachment A accompanying this policy.
- E. A school bus driver, with the exception of a driver operating a type A-I school bus ~~or type III vehicle~~, who has a Minnesota commercial driver's license suspended, revoked, or cancelled by the state of Minnesota or any other state or jurisdiction and who loses the right to operate a commercial vehicle for any period or who is disqualified from operating a commercial motor vehicle for any period shall notify the person's employer of the suspension, revocation, cancellation, lost privilege, or disqualification. Such notification shall be made before the end of the business day following the day the employee received notice of the suspension, revocation, cancellation, lost privilege, or disqualification. The notification shall be in writing and shall contain all the information set forth in Attachment B accompanying this policy.
- F. A person who operates a type III vehicle and who sustains a conviction as described in Section VII.C.1.g. (i.e., driving while impaired offenses), VII.C.1.h. (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor), or VII.C.1.i. (multiple moving violations) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the person's employer within 10 days of the date of the conviction. The notification shall be in writing and shall contain all the information set forth in Attachment C accompanying this policy.

VI. SCHOOL BUS DRIVER TRAINING

A. Training

1. All new school bus drivers shall be provided with pre-service training, including in-vehicle (actual driving) instruction, before transporting students and shall meet the competency testing specified in the Minnesota Department of Public Safety Model School Bus Driver Training Manual. All school bus drivers shall receive in-service training annually. For

purposes of this section, “annually” means at least once every 380 days from the initial or previous evaluation and at least once every 380 days from the initial or previous license verification. The school district shall retain on file an annual individual school bus driver “evaluation certification” form for each school district driver as contained in the Model School Bus Driver Training Manual.

[Note: The Model School Bus Driver Training Manual is available online through the Minnesota Department of Public Safety State Patrol web page.]

2. All bus drivers operating a type III vehicle will be provided with annual training and certification as set forth in Section VII.C.1.b., below, by either the school district or the entity from whom such services are contracted by the school district.

B. Evaluation

School bus drivers with a Class D license will be evaluated annually and all other bus drivers will be assessed periodically for the following competencies:

1. Safely operate the type of school bus the driver will be driving;
2. Understand student behavior, including issues relating to students with disabilities;
3. Ensure orderly conduct of students on the bus and handling incidents of misconduct appropriately;
4. Know and understand relevant laws, rules of the road, and local school bus safety policies;
5. Handle emergency situations; and
6. Safely load and unload students.

The evaluation must include completion of an individual “school bus driver evaluation form” (road test evaluation) as contained in the Model School Bus Driver Training Manual.

[Note: The school district may use alternative assessments rather than those set forth in the Model School Bus Driver Training Manual for bus driver training competencies with the approval of the Commissioner of Public Safety. A driver also may receive at least 8 hours of school bus in-service training in any year as an alternative to being assessed for bus driver competencies after the initial year of being assessed for bus driver competencies.]

VII. OPERATING RULES AND PROCEDURES

A. General Operating Rules

1. School buses shall be operated in accordance with state traffic and school bus safety laws and the procedures contained in the Minnesota Department of Public Safety Model School Bus Driver Training Manual.

[Note: The Model School Bus Driver Training Manual is available online through the Minnesota Department of Public Safety State Patrol web page.]

2. Only students assigned to the school bus by the school district shall be transported. The number of students or other authorized passengers transported in a school bus shall not be more than the legal capacity for the bus. No person shall be allowed to stand when the bus is in motion.
3. The parent/guardian may designate, pursuant to school district policy, a day care facility, respite care facility, the residence of a relative, or the residence of a person chosen by the parent or guardian as the address of the student for transportation purposes. The address must be in the attendance area of the assigned school and meet all other eligibility requirements.
4. Bus drivers must minimize, to the extent practical, the idling of school bus engines and exposure of children to diesel exhaust fumes.
5. To the extent practical, the school district will designate school bus loading/unloading zones at a sufficient distance from school air-intake systems to avoid diesel fumes from being drawn into the systems.

[Note: A school district is not required to comply with Section VII.A.5. if the school board determines that alternative locations block traffic, impair student safety, or are not cost effective.]

6. A bus driver may not operate a school bus while communicating over, or otherwise operating, a cellular phone for personal reasons, whether hand-held or hands free, when the vehicle is in motion or a part of traffic. For purposes of this paragraph, "school bus" has the meaning given in Minn. Stat. § 169.011, Subd. 71. In addition, "school bus" also includes type III vehicles when driven by employees or agents of the school district. "Cellular phone" means a cellular, analog, wireless, or digital telephone capable of sending or receiving telephone or text messages without an access line for service.

B. Type III Vehicles

1. Type III vehicles are restricted to passenger cars, station wagons, vans, and buses having a maximum manufacturer's rated seating capacity of 10 or fewer people including the driver and a gross vehicle weight rating of 10,000 pounds or less. A van or bus converted to a seating capacity of 10

or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.

2. Type III vehicles must be painted a color other than national school bus yellow.
3. Type III vehicles shall be state inspected in accordance with legal requirements.
4. A type III vehicle cannot be older than 12 years old unless excepted by state and federal law.
5. If a type III vehicle is school district owned, the school district name will be clearly marked on the side of the vehicle. The type III vehicle must not have the words “school bus” in any location on the exterior of the vehicle or in any interior location visible to a motorist.
6. A “type III vehicle” must not be outwardly equipped and identified as a type A, B, C, or D bus.
7. Eight-lamp warning systems and stop arms must not be installed or used on type III vehicles.
8. Type III vehicles must be equipped with mirrors as required by law.
9. Any type III vehicle may not stop traffic and may not load or unload before making a complete stop and disengaging gears by shifting into neutral or park. Any type III vehicle used to transport students must not load or unload so that a student has to cross the road, except where not possible or impractical, then the driver or assistant must escort a student across the road. If the driver escorts the student across the road, then the motor must be stopped, the ignition key removed, the brakes set, and the vehicle otherwise rendered immobile.
10. Any type III vehicle used to transport students must carry emergency equipment including:
 - a. Fire extinguisher. A minimum of one 10BC rated dry chemical type fire extinguisher is required. The extinguisher must be mounted in a bracket, and must be located in the driver’s compartment and be readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.
 - b. First aid kit and body fluids cleanup kit. A minimum of a 10-unit first aid kit and a body fluids cleanup kit is required. They must be contained in removable, moisture- and dust-proof containers mounted in an accessible place within the driver’s compartment

and must be marked to indicate their identity and location.

- c. Passenger cars and station wagons may carry a fire extinguisher, a first aid kit, and warning triangles in the trunk or trunk area of the vehicle if a label in the driver and front passenger area clearly indicates the location of these items.
11. Students will not be regularly transported in private vehicles that are not state inspected as type III vehicles. Only emergency, unscheduled transportation may be conducted in vehicles with a seating capacity of 10 or fewer without meeting the requirements for a type III vehicle. Also, parents may use a private vehicle to transport their own children under a contract with the district. The school district has no system of inspection for private vehicles.
12. All drivers of type III vehicles will be licensed drivers and will be familiar with the use of required emergency equipment. The school district will not knowingly allow a person to operate a type III vehicle if the person has been convicted of an offense that disqualifies the person from operating a school bus.
13. Type III vehicles will be equipped with child passenger restraints, and child passenger restraints will be utilized to the extent required by law.

C. Type III Vehicle Driven by Employees with a Driver's License Without a School Bus Endorsement

1. The holder of a Class A, B, C, or D driver's license, without a school bus endorsement, may operate a type III vehicle, described above, under the following conditions:
 - a. The operator is an employee of the entity that owns, leases, or contracts for the school bus, which may include the school district.
 - b. The operator's employer, which may include the school district, has adopted and implemented a policy that provides for annual training and certification of the operator in:
 - (1) safe operation of a type III vehicle;
 - (2) understanding student behavior, including issues relating to students with disabilities;
 - (3) encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately;
 - (4) knowing and understanding relevant laws, rules of the road, and local school bus safety policies;

- (5) handling emergency situations;
 - (6) proper use of seat belts and child safety restraints;
 - (7) performance of pretrip vehicle inspections;
 - (8) safe loading and unloading of students, including, but not limited to:
 - (a) utilizing a safe location for loading and unloading students at the curb, on the nontraffic side of the roadway, or at off-street loading areas, driveways, yards, and other areas to enable the student to avoid hazardous conditions;
 - (b) refraining from loading and unloading students in a vehicular traffic lane, on the shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane;
 - (c) avoiding a loading or unloading location that would require a student to cross a road, or ensuring that the driver or an aide personally escort the student across the road if it is not reasonably feasible to avoid such a location;
 - (d) placing the type III vehicle in “park” during loading and unloading;
 - (e) escorting a student across the road under clause (c) only after the motor is stopped, the ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile; and
 - (9) compliance with paragraph V.F. concerning reporting convictions to the employer within 10 days of the date of conviction.
- c. A background check or background investigation of the operator has been conducted that meets the requirements under Minn. Stat. § 122A.18, Subd. 8, or Minn. Stat. § 123B.03 for school district employees; Minn. Stat. § 144.057 or Minn. Stat. Ch. 245C for day care employees; or Minn. Stat. § 171.321, Subd. 3, for all other persons operating a type III vehicle under this section.
- d. Operators shall submit to a physical examination as required by Minn. Stat. § 171.321, Subd. 2.

- e. The operator's employer requires preemployment drug testing of applicants for operator positions. Current operators must comply with the employer's policy under Minn. Stat. § 181.951, Subds. 2, 4, and 5. Notwithstanding any law to the contrary, the operator's employer may use a breathalyzer or similar device to fulfill random alcohol testing requirements.
 - f. The operator's driver's license is verified annually by the entity that owns, leases, or contracts for the type III vehicle as required by Minn. Stat. § 171.321, Subd. 5.
 - g. A person who sustains a conviction, as defined under Minn. Stat. § 609.02, of violating Minn. Stat. § 169A.25, § 169A.26, § 169A.27 (driving while impaired offenses), or § 169A.31 (alcohol-related school bus driver offenses), or whose driver's license is revoked under Minn. Stat. §§ 169A.50 to 169A.53 of the implied consent law, or who is convicted of violating or whose driver's license is revoked under a similar statute or ordinance of another state, is precluded from operating a type III vehicle for 5 years from the date of conviction.
 - h. A person who has ever been convicted of a disqualifying offense as defined in Minn. Stat. § 171.3215, Subd.1(c), (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor) may not operate a type III vehicle.
 - i. A person who sustains a conviction, as defined under Minn. Stat. § 609.02, of a moving offense in violation of Minn. Stat. Ch. 169 within 3 years of the first of 3 other moving offenses is precluded from operating a type III vehicle for 1 year from the date of the last conviction.
 - j. Students riding the type III vehicle must have training required under Minn. Stat. § 123B.90, Subd. 2 (See Section II.B., above).
 - k. Documentation of meeting the requirements listed in this section must be maintained under separate file at the business location for each type III vehicle operator. The school district or any other entity that owns, leases, or contracts for the type III vehicle operating under this section is responsible for maintaining these files for inspection.
2. The type III vehicle must bear a current certificate of inspection issued under Minn. Stat. § 169.451.

3. An employee of the school district who is not employed for the sole purpose of operating a type III vehicle may, in the discretion of the school district, be exempt from paragraphs VII.C.1.d. (physical examination) and VII.C.1.e. (drug testing), above.

D. Type A-I “Activity” Buses Driven by Employees with a Driver’s License Without a School Bus Endorsement

1. The holder of a Class D driver’s license, without a school bus endorsement, may operate a type A-I school bus or a Multifunction School Activity Bus (MFSAB) under the following conditions:
 - a. The operator is an employee of the school district or an independent contractor with whom the school district contracts for the school bus and is not solely hired to provide transportation services under this paragraph.
 - b. The operator drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.
 - c. The operator is prohibited from using the 8-light system if the vehicle is so equipped.
 - d. The operator has submitted to a background check and physical examination as required by Minn. Stat. § 171.321, Subd. 2.
 - e. The operator has a valid driver’s license and has not sustained a conviction of a disqualifying offense as set forth in Minn. Stat. § 171.02, Subd. 2a(h) - 2a(j).
 - f. The operator has been trained in the proper use of child safety restraints as set forth in the National Highway Traffic Safety Administration’s “Guideline for the Safe Transportation of Pre-school Age Children in School Buses,” if child safety restraints are used by passengers, in addition to the training required in Section VI., above.
 - g. The bus has a gross vehicle weight rating of 14,500 pounds or less and is designed to transport 15 or fewer passengers, including the driver.
2. The school district shall maintain annual certification of the requirements listed in this section for each Class D license operator.
3. A school bus operated under this section must bear a current certificate of inspection.

4. The word "School" on the front and rear of the bus must be covered by a sign that reads "Activities" when the bus is being operated under authority of this section.

VIII. SCHOOL DISTRICT EMERGENCY PROCEDURES

- A. If possible, school bus drivers or their supervisors shall call "911" or the local emergency phone number in the event of a serious emergency.
- B. School bus drivers shall meet the emergency training requirements contained in Unit III "Crash & Emergency Preparedness" of the Minnesota Department of Public Safety Model School Bus Driver Training Manual. This includes procedures in the event of a crash (accident).

[Note: The Model School Bus Driver Training Manual is available online through the Minnesota Department of Public Safety State Patrol web page.]

- C. School bus drivers and bus assistants for special education students requiring special transportation service because of their handicapping condition shall be trained in basic first aid procedures, shall within 1 month after the effective date of assignment participate in a program of in-service training on the proper methods for dealing with the specific needs and problems of students with disabilities, assist students with disabilities on and off the bus when necessary for their safe ingress and egress from the bus; and ensure that protective safety devices are in use and fastened properly.
- D. Emergency Health Information shall be maintained on the school bus for students requiring special transportation service because of their handicapping condition. The information shall state:
 1. the student's name and address;
 2. the nature of the student's disabilities;
 3. emergency health care information; and
 4. the names and telephone numbers of the student's physician, parents, guardians, or custodians, and some person other than the student's parents or custodians who can be contacted in case of an emergency.

IX. SCHOOL DISTRICT VEHICLE MAINTENANCE STANDARDS

- A. All school vehicles shall be maintained in safe operating conditions through a systematic preventive maintenance and inspection program adopted or approved by the school district.
- B. All school vehicles shall be state inspected in accordance with legal requirements.

- C. A copy of the current daily pre-trip inspection report must be carried in the bus. Daily pre-trip inspections shall be maintained on file in accordance with the school district's record retention schedule. Prompt reports of defects to be immediately corrected will be submitted.
- D. Daily post-trip inspections shall be performed to check for any children or lost items remaining on the bus and for vandalism.

X. SCHOOL TRANSPORTATION SAFETY DIRECTOR

The school board has designated an individual to serve as the school district's school transportation safety director. The school transportation safety director shall have day-to-day responsibility for student transportation safety, including transportation of nonpublic school children when provided by the school district. The school transportation safety director will assure that this policy is periodically reviewed to ensure that it conforms to law. The school transportation safety director shall certify annually to the school board that each school bus driver meets the school bus driver training competencies required by Minn. Stat. § 171.321, Subd. 4. The transportation safety director also shall annually verify or ensure that the private contractor utilized by the school has verified the validity of the driver's license of each employee who regularly transports students for the school district in a type A, B, C, or D school bus, type III vehicle, or MFSAB with the National Driver Register or the Department of Public Safety. Upon request of the school district superintendent or the superintendent of the school district where nonpublic students are transported, the school transportation safety director also shall certify to the superintendent that students have received school bus safety training in accordance with state law. The name, address and telephone number of the school transportation safety director are on file in the school district office. Any questions regarding student transportation or this policy may be addressed to the school transportation safety director.

XI. STUDENT TRANSPORTATION SAFETY COMMITTEE

The school board may establish a student transportation safety committee. The chair of the student transportation safety committee is the school district's school transportation safety director. The school board shall appoint the other members of the student transportation safety committee. Membership may include parents, school bus drivers, representatives of school bus companies, local law enforcement officials, other school district staff, and representatives from other units of local government.

- Legal References:**
- Minn. Stat. § 122A.18, Subd. 8 (Board to Issue Licenses)
 - Minn. Stat. § 123B.03 (Background Check)
 - Minn. Stat. § 123B.42 (Textbooks; Individual Instructor or Cooperative Learning Material; Standard Tests)
 - Minn. Stat. § 123B.88 (Independent School Districts; Transportation)
 - Minn. Stat. § 123B.885 (Diesel School Buses; Operation of Engine; Parking)
 - Minn. Stat. § 123B.90 (School Bus Safety Training)
 - Minn. Stat. § 123B.91 (School District Bus Safety Responsibilities)

Minn. Stat. § 144.057 (Background Studies on Licensees and Other Personnel)
 Minn. Stat. Ch. 169 (Traffic Regulations)
 Minn. Stat. § 169.011, Subds. 15, 16, and 71 (Definitions)
 Minn. Stat. § 169.02 (Scope)
 Minn. Stat. § 169.443 (Safety of School Children; Bus Driver's Duties)
 Minn. Stat. § 169.446, Subd. 2 (Driver Training Programs)
 Minn. Stat. § 169.451 (Inspecting School and Head Start Buses; Rules; Misdemeanor)
 Minn. Stat. § 169.454 (Type III Vehicle Standards)
 Minn. Stat. § 169.4582 (Reportable Offense on School Buses)
 Minn. Stat. §§ 169A.25-169A.27 (Driving While Impaired)
 Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)
 Minn. Stat. §§ 169A.50-169A.53 (Implied Consent Law)
 Minn. Stat. § 171.02, Subds. 2, 2a, and 2b (Licenses; Types, Endorsements, Restrictions)
 Minn. Stat. § 171.168 (Notification of Conviction for Violation by a Commercial Driver)
 Minn. Stat. § 171.169 (Notification of Suspension of License of Commercial Driver)
 Minn. Stat. § 171.321 (Qualifications of School Bus Driver)
 Minn. Stat. § 171.3215, Subd. 1(c) (Canceling Bus Endorsement for Certain Offenses)
 Minn. Stat. § 181.951 (Authorized Drug and Alcohol Testing)
 Minn. Stat. Ch. 245C (Human Services Background Studies)
 Minn. Stat. § 609.02 (Definitions)
 Minn. Rules Parts 7470.1000-7470.1700 (School Bus Inspection)
 49 C.F.R. § 383.31 (Notification of Convictions for Driver Violations)
 49 C.F.R. § 383.33 (Notification of Driver's License Suspensions)
 49 C.F.R. § 383.5 (Transportation Definitions)

Cross References: MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)
 MSBA/MASA Model Policy 506 (Student Discipline)
 MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
 MSBA/MASA Model Policy 707 (Transportation of Public Students)
 MSBA/MASA Model Policy 708 (Transportation of Nonpublic Students)
 MSBA/MASA Model Policy 710 (Extracurricular Transportation)

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MSBA/MASA Model Policy 903

Orig. 1995

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903 VISITORS TO SCHOOL DISTRICT BUILDINGS AND SITES

I. PURPOSE

The purpose of this policy is to inform the school community and the general public of the position of the school board on visitors to school buildings and other school property.

II. GENERAL STATEMENT OF POLICY

- A. The school board encourages interest on the part of parents and community members in school programs and student activities. The school board welcomes visits to school buildings and school property by parents and community members provided the visits are consistent with the health, education and safety of students and employees and are conducted within the procedures and requirements established by the school district.
- B. The school board reaffirms its position on the importance of maintaining a school environment that is safe for students and employees and free of activity that may be disruptive to the student learning process or employee working environment.

III. POST-SECONDARY ENROLLMENT OPTIONS STUDENTS

- A. A student enrolled in a post-secondary enrollment options course may remain at the school site during regular school hours in accordance with established procedures.
- B. A student enrolled in a post-secondary enrollment options course may be provided with reasonable access, during regular school hours, to a computer and other technology resources that the student needs to complete coursework for a post-secondary enrollment course in accordance with established procedures.

IV. RESPONSIBILITY

- A. The school district administration shall present recommended visitor and post-secondary enrollment options student procedures and requirements to the school board for review and approval. The procedures should reflect input from employees, students and advisory groups, and shall be communicated to the school community and the general public. Upon approval by the school board, such procedures and requirements shall be an addendum to this policy.
- B. The superintendent shall be responsible for providing coordination that may be needed throughout the process and providing for periodic school board review and approval of the procedures.

V. VISITOR LIMITATIONS

- C. An individual, post-secondary enrollment options student, or group may be denied permission to visit a school or school property or such permission may be revoked if the visitor(s) does not comply with the school district procedures and regulations or if the visit is not in the best interest of students, employees or the school district.
- D. Visitors, including post-secondary enrollment options students, are authorized to park vehicles on school property at times and in locations specified in the approved visitor procedures and requirements which are an addendum to this policy or as otherwise specifically authorized by school officials. When unauthorized vehicles of visitors are parked on school property, school officials may:
1. move the vehicle or require the driver or other person in charge of the vehicle to move it off school district property; or
 2. if unattended, provide for the removal of the vehicle, at the expense of the owner or operator, to the nearest convenient garage or other place of safety off of school property.
- E. An individual, post-secondary enrollment options student, or group who enters school property without complying with the procedures and requirements may be guilty of criminal trespass and thus subject to criminal penalty. Such persons may be detained by the school principal or a person designated by the school principal in a reasonable manner for a reasonable period of time pending the arrival of a police officer.

Legal References: Minn. Stat. § 123B.02 (General Powers of Independent School Districts)
Minn. Stat. § 124D.09 (Post-Secondary Enrollment Options Program)
Minn. Stat. § 128C.08 (Assaulting a Sports Official Prohibited)
Minn. Stat. § 609.605, Subd. 4 (Trespasses on School Property)

Cross References: