

Forest Lake Area Schools

Policy Advisory Committee

TO: Policy Committee

FROM: Donna M Friedmann, Director of Administration & Human Resources

SUBJECT: Policy Committee Meeting

Thursday, December 18, 2025, 6:00 PM

District Office Board Room

Agenda:

- Policy 435 - Drug-Free Workplace/Drug-Free School w/ Attachment
- Policy 505 - Use of Student Records
- Policy 516 - Student Medication
- Policy 1206: Public Participation in a School Board Meeting

Upcoming meeting dates:

January ²²15, 2025

February 19, 2025

March 19, 2025

April 16, 2025

May 21, 2025

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. Use or possession of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products, and controlled substances, before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with control substances is prohibited. Possession and use of nonintoxicating cannabinoid products that are intended for use and actually used by application to an individual's skin is permitted by staff members, secondary students, and adult members of the public.
- 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, medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products except as permitted in Paragraph A, or controlled substances in any school location.
- C. An individual may not use or possess cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public school, as defined in Minnesota Statutes, section 120A.05, subdivisions 9, 11, and 13, including all facilities, whether owned, rented, or leased, and all vehicles that the school district owns, leases, rents, contracts for, or controls.
- D. 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, containing more than one-half of one percent alcohol by volume.

- J. "Use" means to sell, buy, manufacture, distribute, dispense, be under the influence of, or consume in any manner, including, but not limited to, consumption by injection, inhalation, ingestion, or by any other immediate means.

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, nonintoxicating cannabinoids, or edible cannabinoid products, 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 Minnesota Statutes section 624.701, subdivision 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).
- C. A violation of this policy does not occur when a person uses or possesses a toxic substance unless they do so with the intent of inducing or intentionally aiding another in inducing intoxication, excitement, or stupefaction of the central nervous system, except under the direction and supervision of a medical doctor.
- D. The school district may not refuse to enroll or otherwise penalize a patient or person enrolled in the Minnesota Patient Registry Program or a Tribal medical cannabis program as a pupil solely because the patient or person is enrolled in the registry program or a Tribal medical cannabis program, unless failing to do so would violate federal law or regulations or cause the school to lose a monetary or licensing-related benefit under federal law or regulations.

An employer or a school must provide written notice to a patient at least 14 days before the employer or school takes an action against the patient that is prohibited under Minnesota Statutes, section 342.57, subdivision 3 or 5. The written notice must cite the specific federal law or regulation that the employer or school believes would be violated if the employer or school fails to take action. The notice must specify what monetary or licensing-related benefit under federal law or regulations that the employer or school would lose if the employer or school fails to take action.

A school or an employer must not retaliate against a patient for asserting the patient's rights or seeking remedies under Minnesota Statutes, section 342.57 or section 152.32

- E. Notwithstanding any other provision to the contrary, it is not a violation of this policy for an approved person to possess and use nonintoxicating cannabinoid products that are intended for use and actually used by application to an individual's skin as permitted by Section II A above.

[NOTE: The 2025~~4~~ Minnesota legislature amended this law, to add this protection.]

V. PROCEDURES

- A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, must comply with the school district's student medication policy.

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

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

[Note: The Drug-Free Workplace Act requires that school district employees be notified by a published statement of the prohibition of the use of controlled substances and actions that will be taken against employees for violations of such prohibition. (41 United States Code section 8103; 34 Code of Federal Regulations Part 84.) An acknowledgment will document satisfaction by the school district of this federal requirement.]

- 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, intoxicating cannabinoids, or edible cannabinoid products, in a school location except with the express permission of the superintendent.
- F. No person is permitted to possess or use medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any child care facility. This prohibition includes (1) vaporizing or combusting medical cannabis on any form of public transportation where the vapor or smoke could be inhaled by a minor child or in any public place, including indoor or outdoor areas used by or open to the general public or place of employment; and (2) operating, navigating, or being in actual physical control of any motor vehicle or working on transportation property, equipment or facilities while under the influence of medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products.
- G. Possession of alcohol on school grounds pursuant to the exceptions of Minnesota Statutes section 624.701, subdivision 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. SCHOOL PROGRAMS

- A. Starting in the 2026-2027 school year, the school district must implement a comprehensive education program on cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, for students in middle school and high school. The program must include instruction on the topics listed in Minnesota Statutes, section 120B.215, subdivision 1 and must:

1. respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl; and
2. refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, and treatment for a substance use disorder.

[NOTE: MDE information on this requirement is provided in the Resources section of this model policy.]

- B. School district efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with Minnesota Statutes, sections 120B.10 and 120B.11.
- C. Notwithstanding any law to the contrary, the school district shall have a procedure for a parent, a guardian, or an adult student 18 years of age or older to review the content of the instructional materials to be provided to a minor child or to an adult student pursuant to this article. The district must allow a parent or adult student to opt out of instruction under this article with no academic or other penalty for the student and must inform parents and adult students of this right to opt-out.

VII. ENFORCEMENT

A. Students.

1. Students may be required to participate in programs and activities that provide education against the use of alcohol, tobacco, marijuana, smokeless tobacco products, electronic cigarettes, and nonintoxicating cannabinoids and edible cannabinoid products.
2. Students may be referred to a drug or alcohol assistance or rehabilitation programs; school based mental health services, mentoring and counseling, including identification of mental health symptoms, drug use and violence and appropriate referral to direct individual or group counselling service, which may be provide by school based mental health services providers; and/or to law enforcement officials when appropriate.

3. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.

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. § 120B.215 (Education on Cannabis Use and Substance Use)

Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.40-§ 121A.56 (Pupil Fair Dismissal Act)

	Minn. Stat. § 151.72 (Sale of Certain Cannabinoid Products)
	Minn. Stat. § 152.01. Subd. 15a (Definitions)
	Minn. Stat. § 152.0264 (Cannabis Sale Crimes)
	Minn. Stat. § 152.22, Subd. 6 (Definitions; Medical Cannabis)
	Minn. Stat. § 152.23 (Limitations; Medical Cannabis)
	Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus
Driving)	
	Minn. Stat. § 340A.101 (Definitions; Alcoholic Beverage)
	Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)
	Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)
	Minn. Stat. § 342.09 (Personal Adult Use of Cannabis)
	Minn. Stat. § 342.56 (Limitations)
	Minn. Stat. § 609.684 (Abuse of Toxic Substances)
	Minn. Stat. § 624.701 (Liquor in Certain Buildings or Grounds)
	20 U.S.C. § 7101-7122 (Student Support and Academic Enrichment
Grants)	
	21 U.S.C. § 812 (Schedules of Controlled Substances)
	41 U.S.C. §§ 8101–8106 (Drug-Free Workplace Act)
	21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)
	34 C.F.R. Part 84 (Government-Wide Requirements for Drug-Free Workplace)

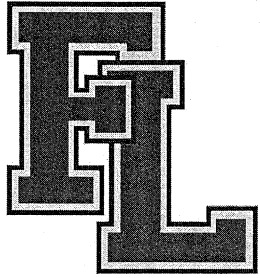
Cross References: Administering Medication Policy 528
Employee Alcohol & Other Drug Use Policy 422
Transportation Employee Drug & Alcohol Policy 430
Discipline Policy 515
Field Trips and Extended Travel Policy 606
Chemical Use and Abuse Policy 443
Tobacco-Free Environment; Possession and use of Tobacco,
Tobacco-Related Devices, and Electronic Delivery Devices; Vaping
Awareness and Prevention Instruction Policy 427
Student Medication Policy 528

Resources: To support the requirements for school districts and charter schools outlined in Minnesota Statute 2024, section 120B.215, subdivision 2, and in accordance with subdivision 1, MDE, in collaboration with MDH, the Minnesota Department of Human Services (DHS), and education experts. has created a
List of Model Cannabis Education Programs for School District and Charter School Consideration.

Schools may choose to implement one of the listed programs or they may implement their own program(s) identified through a local curriculum adoption process by the 2026-27 school year. While it is not required for a school district or charter school to use one of the programs in the list, the list and rubric provided may be useful to school districts and charter schools in their own decision-making process.

Please visit MDE's Health Education webpage for more information.

ADOPTED: 01/05/06
REVISED: 02/04/16
REVISED: 02/02/23
REVISED: 01/04/24
REVISED: 01/02/25



FOREST LAKE AREA SCHOOLS

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— ACKNOWLEDGMENT —

DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL POLICY 435 - ATTACHMENT

I have received a copy of the Drug-Free Workplace/Drug-Free School Policy of Independent School District No. 831, Forest Lake, Minnesota.

Dated: _____

Signature of Employee/Applicant

Typed or Printed Name

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The following procedures and policies regarding the protection and privacy of parents and students are adopted by Independent School District No. 831, pursuant to the requirements of 20 U.S.C. § 1232g, et seq., 34 C.F.R. Part 99 and consistent with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and Minn. Rules Parts 1205.0100-1205.2000.

I. DEFINITIONS

A. Biometric Record

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

B. Dates of Attendance

“Dates of attendance,” as referred to in “Directory Information,” means the period of time during which a student attends or attended a school or schools in the school district, including attendance in person or by paper correspondence, satellite, internet or other electronic communication technologies for students who are not in the classroom, and including the period during which a student is working under a work-study program. The term does not include specific daily records of a student’s attendance at a school or schools in the school district.

C. Directory Information

“Directory Information” includes the following information relating to a student: The student’s name, dates of attendance, grade level, enrollment status (i.e. full-time or part time) participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees and awards received, photographs and other visual and audio representations (for school-approved publications, yearbooks, newspapers, public presentations, ID badges, and publication on school-approved internet pages) of students in school buildings, at District locations and at school activities, last known addresses (including e-mail) and telephone numbers of alumni, year of graduation, and other similar information. Directory information does include the student’s ID number for the purposes of inclusion on a student’s school ID card. Directory information does include user IDs or other unique personal identifiers used by a student for purposes of accessing or communicating in electronic systems or displayed on an ID badge to the extent necessary for the student to participate in school or class activities. It also includes the name and telephone number of the student’s parent(s). Directory information does not include a student’s social security number. Directory information does

not include identifying data which references religion, race, color, social position, nationality, or date of birth.

Note that the above provisions do not relate to requests by military recruiters, which are addressed in Section IX of this policy.

D. Education Records

"Education Records" means those records which are directly related to a student and are maintained by the School District.

1. The term does not include:

- a. Records of instructional personnel (teachers who are providing direct instruction to students) which:
 - i. Are in the sole possession of the maker thereof;
 - ii Used only as a personal memory aid;
 - iii. Are destroyed at the end of the school year; and
 - iv. Are not accessible or revealed to any other individual except a temporary substitute teacher. For the purpose of this definition, a "substitute" means an individual who performs on a temporary basis the duties of the individual who made the records and does not refer to an individual who permanently succeeds the maker of the record in his or her position.
- b. Records relating to an individual, including a student, who is employed by the School District which:
 - i. Are made and maintained in the normal course of business;
 - ii. Relate exclusively to the individual in that individual's capacity as an employee; and
 - iii. Are not available for use for any other purpose.
- c. Records relating to an eligible student which are:
 - i. Created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity, or assisting in that capacity, but not employed or compensated by the School

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

District at the time the record is prepared or created;

- ii. Created, maintained, or used only in connection with the provision of treatment to the student; and
 - iii. Not disclosed to anyone other than individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities which are part of the program of instruction within the School District.
- d. Alumni records which contain only information relating to a person after that person is no longer a student in the School District and which do not relate to the person as a student and that are not directly related to the individual's attendance as a student.
- e. Records created or received by the school district after an individual is no longer a student at the school district and that are not directly related to the individual's attendance as a student.
- f. Grades on peer-related papers before the papers are collected and recorded by a teacher.

E. Eligible Student

"Eligible Student" means a student who has attained eighteen years of age.

F. Legitimate Educational Interest

"Legitimate Educational Interest" includes interests directly related to a school official's professional responsibilities for classroom instruction, teaching, student achievement and progress, discipline of a student, and student health and welfare. It includes a person's need to know in order to:

1. perform an administrative task required in the school employee's or position description approved by the School Board;
2. perform a supervisory or instructional task directly related to the student's education;
3. perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid; or

4. perform a task directly related to responding to a request for data.

G. Parent

"Parent" includes a parent, a guardian, or an individual acting as a parent of a student in the absence of a parent or guardian. The School District may presume the parent has the authority to exercise the rights provided herein unless it has been provided with evidence that there is a State law or court order governing such matters as divorce, separation or custody, or a legally binding instrument which provides to the contrary.

H. Personally Identifiable

"Personally Identifiable" means that the data or information includes the name of a student, or the student's parent, or other family member; the address of the student or student's family; a personal identifier such as the student's social security number or student's number or biometric record; other direct or indirect identifiers, such as the student's date of birth, place of birth, and parent's former name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person whom the school district reasonably believes knows the identity of the student to whom the education record relates.

I. Record

"Record" means any information or data recorded in any medium, including, but not limited to: handwriting, print, digital media, video or audiotapes, file, digital medium, microfilm, and microfiche.

J. Responsible Authority

"Responsible Authority" means the Superintendent of Schools. The Superintendent of Schools may designate another employee to act on his/her behalf for the purposes of implementing and managing the terms of this Policy.

K. Student

"Student" includes any individual with respect to whom the School District maintains education records.

L. School Official

"School Official" includes a person duly elected to the School Board; a person employed by the School Board in an administrative, supervisory, instructional or other professional position; a person employed by the School Board as a temporary substitute in a

professional position for the period of his or her performance as a substitute; a person employed by or under contract to the School Board to perform a special task such as a secretary, a clerk, an attorney, a police liaison officer or an auditor for the period of his or her performance as an employee or contractor.

M. Summary Data

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

N. All other terms and phrases shall be defined in accordance with applicable State and Federal Law or ordinary custom and usage.

II. IN GENERAL

State Law provides that all data collected, created, received or maintained by a School District is public unless classified by State or Federal Law as not public or private or confidential. State Law classifies all data on individuals maintained by a School District which relates to a student as private data on individuals. This data may not be disclosed to parties other than the parent or eligible student without consent except pursuant to a valid court order, certain state statutes authorizing access, and the provision of 20 U.S.C. Sec. 1232g and the regulations promulgated thereunder.

III. STATEMENT OF RIGHTS

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

1. The right to inspect and review the student's education record.
2. The right to exercise a limited control over other people's access to the student's education record.
3. The right to seek to correct the student's education record; in a hearing if necessary.
4. The right to refuse release of names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions;
5. The right to report violations of the Federal Law to the Department of Health, Education and Welfare.

6. The right to be informed about rights under the Federal Law.
- B. All rights and protections given parents under this policy transfer to the student when he or she reaches age 18 or enrolls in an institution of post-secondary education. The student then becomes an “eligible student”.

IV. DISCLOSURE OF EDUCATION RECORDS

A. Consent Required for Disclosure:

1. The School District shall obtain the written consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of a student, other than directory information, except as provided herein.
2. Consent is not required under this section where the disclosure is to the parent of a student who is not an eligible student or the student himself or herself.
3. The written consent required by paragraph IV.A.1. must be signed and dated by the parent of the student or the eligible student given the consent and shall include:
 - a. A specification of the records to be disclosed;
 - b. The purpose or purposes of the disclosure;
 - c. The party or class of parties to whom the disclosure may be made; and
 - d. If appropriate, a termination date for the consent.

B. Eligible Student Consent

Whenever a student has attained eighteen years of age, or is attending an institution of post-secondary education, the rights accorded to and the consent required of the parent of the student shall thereafter only be accorded to and required of the eligible student. However, the parents of an eligible student who is also a “dependent student” are entitled to gain access to the education records of such student without first obtaining the consent of the student. In addition, parents of an eligible student may be given access to education records in connection with a health or safety emergency if the disclosure meets the conditions of any provision set forth in 34 C.F.R. § 99.31(a).

C. Prior Consent for Disclosure Not Required

The School District may disclose personally identifiable information from the education records of a student without the written consent of the parent of the student or the eligible student unless otherwise provided herein and if the disclosure is:

1. To school officials and their authorized staff within the School District, provided that they have a legitimate educational interest in such records;
2. To a contractor, consultant, volunteer, or other party to whom the school district has outsourced institutional services or functions provided that the outside party:
 - a. performs an institutional service or function for which the school district would otherwise use employees;
 - b. is under the direct control of the school district with respect to the use and maintenance of education records; and
 - c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made.
3. To officials of other schools, school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (see Section XIV), suspension and expulsion information pursuant to section 7917 of the federal Every Student Succeeds Act, 20 U.S.C. §7917, and, if applicable, data regarding a student's history of violent behavior. The records shall also include a copy of any probable cause notice or any disposition or court order under Minnesota Statutes section 260B.171, unless the data required to be destroyed under Minnesota Statutes section 120A.22, subdivision 7(c) or section 121A.75. Upon request, the School District will provide the parent or eligible student with a copy of the education records that have been transferred and provide an opportunity for a hearing to challenge the content of these records;
4. To authorized representatives of the Comptroller General of the United States, other federal educational authorities as provided by 20 U.S.C. Sec. 1232g, and the Commissioner of the State Department of Education or his representative, subject to the conditions relative to such disclosure provided under Federal Law;

5. In connection with financial aid for which a student has applied or received; if the information is necessary for such purposes as to:
 - a. determine eligibility for the aid;
 - b. determine the amount of the aid;
 - c. determine conditions for the aid; or
 - d. enforce the terms and conditions of the aid.
6. To State and local officials or authorities to whom such information is specifically required to be reported or disclosed by state statute;
7. To organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction; provided that the studies are conducted in a manner which will not permit the personal identification of students and their parents by individuals other than representatives of the organization and the information will be destroyed when no longer needed for the purposes for which the study was conducted; the term "organizations" includes, but is not limited to, Federal, State and local agencies, and independent organizations;
8. To accrediting organizations in order to carry out their accrediting functions;
9. To parents of an eligible student if the student is a dependent of the parents for income tax purposes;
10. To comply with a judicial order or lawfully issued subpoena; provided that the School District makes a reasonable effort to notify the parent of the student or the eligible student of the order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the

disclosure is in compliance with a federal grand jury subpoena, or any other subpoena issued for law enforcement purposes, and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or the disclosure is in compliance with an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. § 2332b(g)(5)(B) or an act of domestic or international terrorism as defined in 18 U.S.C. § 2331, or a parent is a party to a court proceeding involving child abuse and/or neglect or dependency matters, and the order is issued in the context of the proceeding. If the school district initiates legal action against a parent or student, it may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as plaintiff. Also, if a parent or eligible student initiates a legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself;

11. To appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health, including mental health, or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there is an articulable and significant threat to the health or safety of a student or other individuals. In making a determination whether to disclose information under this section, the school district may take into account the totality of the circumstances pertaining to a threat and may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other students. A record of this disclosure must be maintained pursuant to this policy. In addition, an educational agency or institution may include in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and school officials within the school district and/or teachers and school officials in other schools who have legitimate education interests in the behavior of the student;
12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to

protect the health or safety of the student or other individuals;

13. Information the school district has designated as "directory information" pursuant to this policy.
14. To military recruiting officers and post-secondary educational institutions pursuant to this policy.
15. To the parent of a student who is not an eligible student or to the student himself or herself;
16. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;

To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students;

17. To the juvenile justice system, on written request that certifies that the information will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student:
 - a. the following information about a student must be disclosed: a student's full name, home address, telephone number, date of birth; a student's school schedule, daily attendance record, and photographs, if any; and any parents' names, home addresses, and telephone numbers;
 - b. the existence of the following information about a student, not the actual data or other information contained in the student's education record, may be disclosed provided that a request for access must be submitted on the statutory form and it must contain an explanation of why access to the information is necessary to serve the student: (1) use of a controlled substance, alcohol, or tobacco; (2) assaultive or threatening conduct that could result in dismissal from school under the Pupil Fair Dismissal Act; (3) possession or use of weapons or look-alike weapons; (4) theft; or (5) vandalism or other damage to property. Prior to releasing this information, the principal or chief administrative officer of a school who receives such a request must, to the extent

permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information. If the student's parent or guardian notifies the school official of an objection to the disclosure within ten (10) days of receiving certified notice, the school official must not disclose the information and instead must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the school official must respond to the request for information.

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

18. Information provided to the school district concerning sex offenders and other individuals required to register in accordance with the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14071, and applicable federal guidelines.

- D. The student's parents or the eligible student may obtain a copy of records disclosed under this provision.

V. RELEASE OF DIRECTORY INFORMATION

- A. Directory information is public except as provided herein.

A parent's personal contact information must be treated as private data on individuals regardless of whether that contact information was previously designated as or treated as directory information under Minnesota Statutes, section 13.32, subdivision 2.

B. Former Students:

The School District may disclose directory information from the education records generated by it regarding an individual who is no longer in attendance within the School District unless the former student validly opted out of the release of directory information while the student was in attendance and has not rescinded the opt out request at any time.

C. Present Students:

The School District may disclose directory information from the education records of a student without the prior written consent of the parent of the student or eligible student except as provided herein. Prior to such disclosure the School District shall:

1. Give public notice in a newspaper of general circulation of the categories of personally identifiable information which it has designated as directory information.
 2. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the School District in writing that any or all of the information so designated should not be disclosed without the parent's or eligible student's prior written consent (except to the officials or agencies outlined in Section IV above).
 3. A parent or eligible student may not opt out of the directory information disclosures to prevent the school district from disclosing or requiring the student to disclose the student's name, identifier, or school district e-mail address in a class in which the student is enrolled.
 4. The school district shall not disclose or confirm directory information without meeting the written consent requirements contained in Section IV.A. of this policy if a student's social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student's records.
- D. Procedure for Obtaining Non-Disclosure of Directory Information:
The parent's or eligible student's written notice shall be directed to the responsible authority and shall include the following:
1. Name of student;
 2. Home address;
 3. School presently attended by student;
 4. Parent's legal relationship to student, if applicable; and
 5. Specific categories of directory information to be made not public without the parent's or eligible student's prior written consent.
- E. The designation of any information as directory information about a student will remain in effect until it is modified at the written direction of the student's parent or the eligible student.

VI. **DISCLOSURE OF PRIVATE RECORDS**

A. Private Records:

For the purpose herein, education records are records which are classified as private data on individuals by State Law and which are accessible only to the student subject of the data and the student's parent if the student is not an eligible student. The School District may not disclose private records or their contents, except as summary data

and except as provided in Section IV herein, without the prior written consent of the parent. The school district will use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other party to whom personally identifiable information from education records is disclosed.

B. Private Records Not Accessible To Parents:

In certain cases, State Law intends and clearly provides that certain information contained in the education records of the School District pertaining to a student be accessible to the student alone, and to the parent only under special circumstances, if at all.

VII. DISCLOSURE OF CONFIDENTIAL RECORDS

A. Confidential records are those records and data contained therein which are made not public by State or Federal Law and which are inaccessible to the student and the student's parent.

B. Reports Under the Maltreatment of Minors Reporting Act

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

C. Parents or eligible students may have access to investigative data of which the student is the subject, but only to the extent the data is not inextricably intertwined with data about other school district students, school district employees, and/or attorney data as defined in Minn. Stat. § 13.393.

D. Chemical Abuse Records

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

**VIII. DISCLOSURE OF SCHOOL RECORDS PRIOR TO EXCLUSION OR
EXPULSION HEARING**

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

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

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

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

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

C. A parent or eligible student has the right to refuse the release of the name, address, electronic mail addresses (which shall be the electronic mail addresses provided by the school, if available, that may be released to military recruiting officers only) or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the Superintendent in writing by September 1 each year. The written request must include the following information:

1. Name of student and parent, as appropriate;

2. Home address;
3. Student's grade level;
4. School presently attended by student;
5. Parent's legal relationship to student, if applicable;
6. Specific category or categories of information which are not to be released to military recruiting officers and post-secondary educational institutions; and
7. Specific category or categories of information which are not to be released to the public, including military recruiting officers and post-secondary educational institutions.

D. Annually, the school district will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse to release the names, addresses, and home phone numbers of students in grades 11 and 12 without prior consent.

E. A parent or eligible student's refusal to release the above information to military recruiting officers and post-secondary educational institutions does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII. of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, phone number, e-mail address, and grade level of students as directory information, absent a request from a parent or eligible student not to release such data, this information will be public data and accessible to members of the public, including military recruiting officers and post-secondary educational institutions.

X. LIMITATIONS ON REDISCLOSURE

A. Consistent with the requirements herein, the School District may only disclose personally identifiable information from the education records of a student on the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior written consent of the parent of the student or the eligible student, except that the personally identifiable information which is disclosed to an institution, agency or organization may be used by its officers, employees and agents, but only for the purposes for which the disclosure was made.

- B. Paragraph A of this Section does not prevent the School District from disclosing personally identifiable information under Section IV herein with the understanding that the information will be disclosed to other parties under that Section; provided that the recordkeeping requirements of Federal Law are met with respect to each of those parties.
- C. The information disclosed shall retain the same classification in the hands of the party receiving it as it had in the School District.
- D. The School District shall, except for the disclosure of directory information under Section V, inform the party to whom a disclosure is made of the requirements set forth in paragraph A of this Section.

XI. RESPONSIBLE AUTHORITY, RECORD SECURITY, AND RECORDKEEPING

- A. Responsible Authority:
The responsible authority for the maintenance and security of student records shall be the Superintendent of Schools.
- B. Record Security:
The Principal of each school, subject to the supervision and control of the responsible authority, shall be the records manager of his/her school and shall have the duty of maintaining and securing the privacy and/or confidentiality of student records.
- C. The building Principal will submit to the responsible authority a written plan with updates as needed for securing student records. The written plan shall contain the following information:
 - 1. A description of records maintained;
 - 2. Titles and addresses of person(s) responsible for the security of student records.
 - 3. Location of student records, by category, in the buildings;
 - 4. Means of securing student records; and
 - 5. Procedures for access and disclosure.

The responsible authority shall review these plans for compliance with law, this policy and the various administrative policies of the District.

- D. Recordkeeping
 - 1. The Principal shall for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record kept with the education records of the

student which indicates:

- a. The parties who have requested or obtained personally identifiable information from the education records of the student;
 - b. The legitimate interests these parties had in requesting or obtaining the information;
 - c. The date of the request;
 - d. The names of the state and local educational authorities and federal officials and agencies listed in Section IV.C.4. of this policy that may make further disclosures of personally identifiable information from the student's education records without consent, and
 - e. Whether the request was granted and, if it was, the date access was permitted or the disclosure was made.
2. Paragraph IX.D.1 of this Section does not apply to requests by or disclosures to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student when the consent is specific with respect to the party or parties to whom the disclosure is to be made, requests by or disclosures to school officials under paragraph IV.C.1 or to requests for or disclosures of directory information under Section V.
 3. The record of requests and disclosures may be inspected:
 - a. By the parent of the student or the eligible student.
 - b. By the responsible authority and the building Principals who are responsible for the custody of the records.
 - c. By the parties authorized by law to audit the recordkeeping procedures of the School District.

XII. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

- A. The School District shall permit the parent of a student or an eligible student who is or has been in attendance in the School District to inspect and review the education records of the student except those records which are made confidential by State or Federal Law or as otherwise provided in Section VI of this policy. The School District shall comply with a request immediately if possible, or within ten days of the date of the request, excluding Saturdays, Sundays, and legal holidays. If the District cannot comply with the request within that time,

the responsible authority shall so inform the requester and may have an additional five days within which to comply, excluding Saturdays, Sundays and legal holidays.

- B. The right to inspect and review education records under paragraph A of this Section includes:
1. The right to a response from the School District to reasonable requests for explanations and interpretations of the records; and
 2. The right to obtain copies of the records from the School District where failure of the School District to provide the copies would effectively prevent a parent or eligible student from exercising the right to inspect and review the education records.
 3. Parents or eligible students shall submit to the School District a written request to inspect educational records which identifies as precisely as possible the record or records he or she wishes to inspect.
 4. If a student's educational records are maintained in more than one location, the responsible authority may collect copies of records or the records themselves from the various locations so they may be inspected at one site. However, if the parent or eligible student wishes to inspect these records where they are maintained, the School District shall attempt to accommodate those wishes. The parent or eligible student shall be notified of the time and place when the records may be inspected.
 5. If the education records of a student contain information on more than one student, the parent or eligible student may inspect and review or be informed of only the specific information which pertains to that student.
 6. The School District may presume that either parent of the student has authority to inspect and review the education records of the student unless the School District has been provided with evidence that there is a legally binding instrument, or a State Law or court order governing such matters as divorce, separation or custody, which provides to the contrary.
 7. Fees of Copies of Records:
 - a. The school district shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the

reasonable fee, the school district shall consider the following:

- i. the cost of materials, including paper, used to provide the copies;
 - ii. the cost of the labor required to prepare the copies;
 - iii. any schedule of standard copying charges established by the school district in its normal course of operations;
 - iv. any special costs necessary to produce such copies from machine based record-keeping systems, including but not limited to computers and microfilm systems; and
 - v. mailing costs.
- b. If 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and, instead, the charge shall be no more than 25 cents for each page copied.
 - c. The cost of providing copies shall be borne by the parent or eligible student.

The responsible authority may waive this fee in whole or in part if he determines that failure to do so would effectively prevent the parent or eligible student from exercising the right to inspect and review those records.

- d. The responsible authority may waive this fee in whole or in part if he determines that failure to do so would effectively prevent the parent or eligible student from exercising the right to inspect and review those records.

XIII. REQUEST TO AMEND RECORDS: PROCEDURES TO CHALLENGE DATA

A. Request to Amend Education Records:

1. The parent of a student or an eligible student who believes that information contained in the education records of the student is inaccurate, misleading, incomplete or violates the privacy or other rights of the student may request that the School District amend

them.

2. The request shall be in writing, shall identify the item the requestor believes to be inaccurate, misleading, incomplete or in violation of the privacy or other rights of the student, shall state the reasons for this belief, and shall specify the correction the requestor wishes the District to make. The request shall be signed and dated by the requestor.
3. The school district shall decide whether to amend the education records of the student in accordance with the request within thirty (30) days after receiving the request.
4. If the school district decides to amend the education records, the District shall attempt to notify past recipients of the data, including recipients named by the requestor.
5. If the school district decides to refuse to amend the education records of the student in accordance with the request, he shall so inform the parent of the student or the eligible student of the refusal, and advise the parent or the eligible student of the right to a hearing under paragraph XI.B.

B. Right to Hearing

1. If the school district refuses to amend the education records of a student, the School District shall, on request, provide an opportunity for a hearing in order to challenge the content of a student's education records to insure that information in the education records of the student is not inaccurate, misleading, incomplete or otherwise in violation of the privacy or other rights of students. The hearing shall be conducted in accordance with paragraph XI.C.
2. If, as a result of the hearing, the School District decides that the information is inaccurate, misleading, incomplete or otherwise in violation of the privacy or other rights of students, it shall amend the education records of the student accordingly and so inform the parent of the student or the eligible student in writing, and attempt to so notify past recipients of the data.
3. If, as a result of the hearing, the School District decides that the information is not inaccurate, misleading, incomplete or otherwise in violation of the privacy or other rights of students, it shall inform the parent or eligible student of the right to place in the education records of the student a statement commenting upon the information in the education records and/or setting forth any reasons for disagreeing with the decision of the agency or

institution.

4. Any explanation placed in the education records of the student under paragraph XI.B.3 of this Section shall.
 - a. Be maintained by the School District as part of the education records of the student as long as the record or contested portion thereof is maintained by the School District; and
 - b. If the education records of the student or the contested portion thereof is disclosed by the School District to any party, the explanation shall also be disclosed to the party.

C. Conduct of Hearing

1. The hearing shall be held within a reasonable period of time after the School District has received the request and the parent of the student or the eligible student shall be given notice of the date, place and time reasonably in advance of the hearing.
2. The hearing may be conducted by any party approved by the School Board, including an official or employee of the School District who does not have a direct interest in the outcome of the hearing. The School Board attorney shall be in attendance to present the School District's position and advise the designated hearing officer on legal and evidentiary matters.
3. The parent of the student or eligible student shall be afforded a full and fair opportunity for hearing to present evidence relevant to the issues raised under paragraph XI.A and XI.B herein and may be assisted by individuals of his or her choice at his or her own expense, including an attorney.
4. The designated hearing officer shall make a recommendation in writing within a reasonable period of time after the conclusion of the hearing; the decision shall be based solely on evidence presented at the hearing and shall include a summary of evidence and reasons for the decision.
5. The School District shall issue its final determination in writing within a reasonable period of time after receiving the recommendation of the hearing officer.

D. Appeal

The final decision of the designated hearing officer may be appealed in

accordance with the applicable provisions of Minn. Stat. Ch. 14 relating to contested cases.

XIV. COMPLAINTS FOR NON-COMPLIANCE

A. Where to File Complaints

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

B. Content of Complaint

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

XV. WAIVER

A parent or eligible student may waive any of his or her rights provided herein pursuant to 20 U.S.C. Sec. 1232g. A waiver shall not be valid unless in writing and signed by the parent or eligible student. The School District may not require such a waiver.

XVI. ANNUAL NOTIFICATION OF RIGHTS

A. The School District shall give parents of students in attendance or eligible students in attendance annual notice by such means as are reasonably likely to inform them of the following:

1. Their rights under 20 U.S.C. Sec. 1232g, and 45 C.F.R., Part 99; the policy adopted under 45 C.F.R. Sec. 99.5 and the Minnesota Government Data Practices Act; the notice shall also inform parents of students or eligible students of the locations where copies of the policy may be obtained; and
2. The right to file complaints under 45 C.F.R. Sec. 99.63 concerning alleged failures by the School District to comply with the requirements of 20 U.S.C. Sec. 1232g.
3. That the school district forwards education records on request to a school in which a student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment or transfer and that such records may include suspension and expulsion records pursuant to the federal

No Child Left Behind Act and, if applicable, a student's history of violent behavior.

- B. The School District shall provide for the need to effectively notify parents of students identified as having a primary or home language other than English.

XVII. DESTRUCTION AND RETENTION OF RECORDS

The destruction and retention of records by the School District shall be controlled by State and Federal Law.

- XVIII. Copies of this policy may be obtained by parents and eligible students from the office of the Superintendent of Schools or by following the links to School Board policies on the district's website (www.forestlake.k12.mn.us).

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. State § 13.393 (Attorneys)
Minn. Stat. Ch. 14 (Administrative Procedures Act)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)
Minn. Stat. § 121A.75 (Receipt of Records: Sharing)
Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)
Minn. Stat. Ch. 256B (Medical Assistance for Needy Persons)
Minn. Stat. Ch. 256L (MinnesotaCare)
Minn. Stat. § 260B.171, subds. 3 and 5 (Disposition Order and Peace Officer Records of Children)
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
Minn. Stat. §363A.42 (Public Records; Accessibility)
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)
10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns; Compilation of Directory Information)
18 U.S.C. § 2331 (Definitions)
18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
20 U.S.C. § 6301 *et seq.* (Every Student Succeeds Act)
20 U.S.C. § 7908 (Armed Forces Recruiting Information)
20 U.S.C. § 7917 (Transfer of School Disciplinary Records)
25 U.S.C. §5304 (Definitions – Tribal Organization)
26 U.S.C. §§ 151 and 152 (Internal Revenue Code)
42 U.S.C. § 1711 *et seq.* (Child Nutrition Act)

42 U.S.C. § 1751 *et seq.* (Richard B. Russell National School Lunch Act)
42 U.S.C. § 14071 (Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program)
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)
34 C.F.R. § 300.610-300.627 (Confidentiality of Information)
42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records) *Gonzaga University v. Doe*, 536 U.S. 273, 309 (2002)

Cross References: Policy 522 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
Policy 435 (Drug-Free Workplace/Drug-Free School)
Policy 515 (Discipline)
Policy 504 (Interrogation of Students by Non-School Personnel)
Policy 707 (Community Notification of Sex Offenders)
MSBA School Law Bulletin "I" (School Records – Privacy – Access to Data)
MSBA/MASA Model Policy 722 (Public Data Requests)

REVISED: 10/6/75
REVISED: 5/19/81
REVISED: 5/3/99
REVISED: 7/10/00
REVISED: 5/5/11
REVISED: 2/5/15
REVISED: 3/1/18
REVISED: 1/10/19
REVISED: 4/07/22
REVISED: 11/02/23
REVISED: 12/07/23
REVISED: 04/04/24

I. PURPOSE

The purpose of this policy is to set forth the provisions that must be followed when school district staff members administer nonemergency and emergency 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, health office assistant, principal, other properly-trained staff member or teacher will administer prescribed medications, except any form of medical cannabis, in accordance with law and school district procedures.

III. DRUG AND MEDICATION REQUIREMENTS**A. Administration of Drugs and Medicine**

1. The administration of 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.
2. Drugs and medicine subject to Minnesota Statutes, 121A.22 must be administered, to the extent possible, according to school board procedures that must be developed in consultation with:
 - a. a licensed nurse, in a district that employs a licensed nurse under Minnesota Statutes, section 148.171;
 - b. a licensed school nurse, in a district that employs a licensed school nurse licensed under Minnesota Rules, part 8710.6100;
 - c. a public or private health-related organization, in a district that contracts with a public or private health or health-related organization, according to Minnesota Statutes, 121A.21; or
 - d. the appropriate party, in a district that has an arrangement approved by the Commissioner of the Minnesota Department of Education, according to Minnesota Statutes, 121A.21.

3. Exclusions

The provisions on administration of drugs and medicine above do not apply to drugs or medicine that are:

- a. purchased without a prescription;
- b. used by a pupil who is 18 years old or older;
- c. used in connection with services for which a minor may give effective consent:
- d. used in situations in which, in the judgment of the school personnel, including a licensed nurse, who are present or available, the risk to the pupil's life or health is of such a nature that drugs or medicine should be given without delay;
- e. used off the school grounds;
- f. used in connection with athletics or extracurricular activities;
- g. used in connection with activities that occur before or after the regular school day;
- h. provided or administered by a public health agency to prevent or control an illness or a disease outbreak as provided under Minnesota law;
- i. 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 each school year 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

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. **In order to aid this assessment, the school nurse may request a written statement as referenced in the paragraph above, as the student's prescribing professional is in the best situation to evaluate the student's ability to manage the inhaler.**

Students and families are strongly encouraged to also supply an appropriate medical authorization for school personnel to administer the inhaler in an exigent situation should a student become unable to do so.

- j. ~~epinephrine delivery systems auto-injectors~~, consistent with Minnesota Statutes, section 121A.2205, if the parent and prescribing medical professional annually inform the pupil's school in writing that
 - a. the pupil may possess the epinephrine or
 - b. the pupil is unable to possess the epinephrine and requires immediate access to epinephrine delivery systems ~~auto-injectors~~ that the parent provides properly labeled to the school for the pupil as needed.

[NOTE: The 2025 Minnesota legislature replaced "auto-injectors" with "delivery systems" in Minnesota Statutes, sections 121A.22, 121A.2205, and 121A.2207.]

- k. For the purposes of Minnesota Statutes, 121A.22, special health treatments and health functions, such as catheterization, tracheostomy suctioning, and gastrostomy feedings, do not constitute administration of drugs or medicine.
- l. Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy.

B. Prescription Medication

- 1. An "Authorization for Administration of Medication at School" form must

be completed at least annually (once per school year). A new form must be completed anytime there is a change in the prescription or requirements for administration. All prescriptions must comply with both state and federal law.

2. 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. Medication that may be purchased without a prescription must come to school in the original container and have the student's name marked on it by the parent.
3. The licensed school nurse or other qualified district employee designated by the licensed school nurse may request to receive further information about the prescription, if needed, prior to administration of the substance.
4. 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 K. 3. 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).
5. The school must be notified immediately by the parent or student 18 years old or older (provided the student is not subject to other legal guardianship) 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.
6. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.
7. The school nurse, or other designated person, shall be responsible for filing the "Authorization for Administration of Medication at School" 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 other personnel designated to administer the medication.
8. If the administration of a drug or medication described in this section requires the school district to store the drug or medication, the parent or legal guardian must inform the school if the drug or medication is a controlled substance. For a drug or medication that is not a controlled substance, the request must include a provision designating the school district as an authorized entity to transport the drug or medication for the purpose of destruction if any unused drug or medication remains in the possession of school personnel. For a drug or medication that is a controlled substance, the request must specify that the parent or legal guardian is required to retrieve the drug or controlled substance when requested by the school.

C. 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 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

D. Possession and Use of Epinephrine Delivery Systems ~~Auto-Injectors~~

1. Definitions

- a. "Administer" means the direct application of an epinephrine delivery system to the body of an individual.
- b. "Epinephrine delivery system" means a medication product approved by the United States Food and Drug Administration that automatically delivers a single, premeasured dose of epinephrine to prevent or treat a life-threatening allergic reaction.
- c. "School" means a public school under Minnesota Statutes, section 120A.22, subdivision 4, or a nonpublic school, excluding a home school, under section 120A.22, subdivision 4, that is subject to the federal Americans with Disabilities Act.

2. 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 delivery systems ~~auto-injectors~~; that enables the student to:

- a. ~~4.~~ possess epinephrine delivery systems ~~auto-injectors~~; or
- b. ~~2.~~ if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to epinephrine delivery systems ~~auto-injectors~~; ~~auto-injectors~~ in close proximity to the student at all times during the instructional day.

For the purposes of this policy, "instructional day" is defined as eight hours for each student contact 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 Section 504 plan.

Districts and schools may obtain and possess epinephrine auto-injectors to be maintained and administered by school personnel, including a licensed nurse, 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 ~~delivery systems auto-injectors~~. The administration of an epinephrine ~~delivery systems auto-injectors~~ in accordance with Minnesota Statutes, section 121A.2207 is not the practice of medicine.

~~Effective July 1, 2024, r~~Registered nurses may administer epinephrine ~~delivery systems auto-injectors~~ in a school setting according to a condition-specific protocol as authorized under Minnesota Statutes, section 148.235, subdivision 8. Notwithstanding any limitation in Minnesota Statutes, sections 148.171 to 148.285, licensed practical nurses may administer epinephrine ~~delivery systems auto-injectors~~ in a school setting according to a condition-specific protocol that does not reference a specific patient and that specifies the circumstances under which the epinephrine ~~delivery systems auto-injectors~~ is to be administered, when caring for a patient whose condition falls within the protocol.

A district or school may enter into arrangements with manufacturers of epinephrine ~~delivery systems auto-injectors~~ to obtain epinephrine ~~delivery systems 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 ~~delivery systems auto-injectors~~.

The Commissioner of the Minnesota Department of Health must provide a district or school with a standing order for distribution of epinephrine delivery systems under Minnesota Statutes, sections 148.235, subdivision 8 and 151.37, subdivision 2.

E. Sunscreen

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

F. Procedure regarding unclaimed drugs or medications

1. The school district has adopted the following procedure for the collection and transport of any unclaimed or abandoned prescription drugs or

medications remaining in the possession of school personnel in accordance with this policy. Before the transportation of any prescription drug or medication under this policy, the school district shall make a reasonable attempt to return the unused prescription drug or medication to the student's parent or legal guardian. Transportation of unclaimed or unused prescription drugs or medications will occur at least annually, but may occur more frequently at the discretion of the school district.

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

Legal References: Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.21 (School Health Services)
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.2205 (Possession and Use of Epinephrine Delivery Systems Auto-Injectors; Model Policy)
Minn. Stat. § 121A.2207 (Life-Threatening Allergies in Schools; Stock Supply of Epinephrine Delivery Systems Auto-Injectors)
Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)
Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)
Minn. Stat. § 121A.223 (Possession and Use of Sunscreen)
Minn. Stat. § 148.171 (Definitions; Title)
Minn. Stat. § 151.212 (Label of Prescription Drug Containers)
Minn. Stat. § 152.01 (Definitions)
Minn. Stat. § 152.22 (Definitions)
Minn. Stat. § 152.23 (Limitations)
Minn. Rule 8710.6100 (School Nurse)
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)

Cross References: Drug-Free Workplace/Drug-Free School Policy 435

ADOPTED: 11/19/79
REVISED: 10/04/07

REVISED: 06/04/15
REVISED: 02/04/16
REVISED: 11/14/19
REVISED: 12/03/20
REVISED: 01/05/23
REVISED: 02/06/25



Forest Lake Area Schools

ISD #831

1206 PUBLIC PARTICIPATION IN SCHOOL BOARD MEETINGS/COMPLAINTS ABOUT PERSONS AT SCHOOL BOARD MEETINGS AND DATA PRIVACY CONSIDERATIONS

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

I. PURPOSE

- A. The school board recognizes the value of participation by the public in deliberations and decisions on school district matters ~~at the same time,~~ The school board also recognizes the importance of conducting orderly and efficient proceedings, with opportunity for expression of all participants' respective views.
- B. The purpose of this policy is to provide procedures to assure open and orderly public discussion as well as to protect the due process and privacy rights of individuals under the law.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school board is to encourage discussion by persons of subjects related to the management of the school district at school board meetings. The school board may adopt reasonable time, place, and manner restrictions on public expression in order to facilitate free discussion by all interested parties.
- B. The school board shall, as a matter of policy, protect the legal rights to privacy and due process of employees and students.

III. DEFINITIONS

- A. "Personnel data" means government data on individuals maintained because the individual is or was an employee or applicant for employment. For purposes of this policy, "employee" includes a volunteer or an independent contractor.
- B. Personnel data on current and former employees that is "public" includes:

Name; employee identification number, which must not be the employee's social security number; actual gross salary; salary range; terms and conditions of employment relationship; contract fees; actual gross pension; the value and nature of employer paid fringe benefits; the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary; bargaining unit; job title; job description; education and training background; previous work experience; date of first and last employment; the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action; the final disposition of any disciplinary action as defined in Minnesota Statutes, section 13.43, subdivision 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 public body; the complete terms of any agreement settling any dispute arising out of the employment relationship, including a buyout agreement as defined in Minnesota Statutes, section 123B.143, subdivision 2, except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money; work location; work telephone number; badge number; work-related continuing education; honors and awards received; and payroll time sheets or other comparable data that are only used 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.
- C. Personnel data on current and former applicants for employment that is "public"



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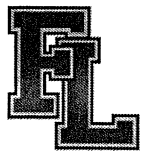
includes:

Veteran status; relevant test scores; rank on eligible list; job history; education and training; and work availability. Names of applicants shall be private data except when certified as eligible for appointment to a vacancy or when applicants are considered by the appointing authority to be finalists for a position in public employment. For purposes of this subdivision, "finalist" means an individual who is selected to be interviewed by the appointing authority prior to selection.

- D. "Educational data" means data maintained by the school district which relates to a student.
- E. "Student" means an individual currently or formerly enrolled or registered in the school district, or applicants for enrollment, or individuals who receive shared time services.
- F. Data about applicants for appointments to a public body, including a school board, collected by the school district as a result of the applicant's application for appointment to the public body are private data on individuals, except that the following are public: name; city of residence, except where the appointment has a residency requirement that requires the entire address to be public; education and training; employment history; volunteer work; awards and honors; prior government service; any data required to be provided or that is voluntarily provided in an application to a multimember agency pursuant to Minnesota Statutes, section 15.0597; and veteran status. Once an individual has been appointed to a public body, the following additional items of data are public: residential address; either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee; the first and last dates of service on the public body; the existence and status of any complaints or charges against an appointee; and, upon completion of an investigation of a complaint or charge against an appointee, the final investigative report unless access to the data would jeopardize an active investigation. 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.

IV. RIGHTS TO PRIVACY

- A. School district employees have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following:
 - 1. Right to a private hearing for teachers, pursuant to Minnesota Statutes, section 122A.40, subdivision 14 (Teacher Discharge Hearing);
 - 2. Right to privacy of personnel data as provided by Minnesota Statutes, section 13.43 (Personnel Data);
 - 3. Right to consideration by the school board of certain data treated as not public as provided in Minnesota Statutes, section 13D.05 (Not Public Data);
 - 4. Right to a private hearing for licensed or nonlicensed head varsity coaches to discuss reasons for nonrenewal of a coaching contract pursuant to Minnesota Statutes, section 122A.33, subdivision 3.
- B. School district students have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following:



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1. Right to a private hearing, Minnesota Statutes, section 121A.47, subdivision 5 (Student Dismissal Hearing);
2. Right to privacy of educational data (Minnesota Statutes, section 13.32 (Educational Data); 20 United States Code, section 1232g (FERPA);
3. Right to privacy of complaints as provided by child abuse reporting and discrimination laws, Minnesota Statutes, chapter 260E (Reporting of Maltreatment of Minors) and Minnesota Statutes, section 363A (Minnesota Human Rights Act).

V. THE PUBLIC'S OPPORTUNITY TO BE HEARD

The school board will strive to give all persons an opportunity to be heard and to have complaints considered and evaluated, within the limits of the law and this policy and subject to reasonable time, place, and manner restrictions. Among the rights available to the public is the right to access public data as provided by Minnesota Statutes, section 13.43, subdivision 2 (Public Data).

VI. PROCEDURES

A. Agenda Items

1. Persons who wish to have a subject discussed at a public school board meeting are encouraged to notify the board President or superintendent's office at least one week in advance of the school board meeting. The person should provide his or her name, the name of the group represented (if any), and the subject to be covered or the issue to be addressed.
2. Persons who wish to address the school board on a particular subject should identify the subject and identify agenda item(s) to which their comments pertain.
3. The school board chair will recognize one speaker at a time and will rule out of order other speakers who are not recognized. Only those speakers recognized by the chair will be allowed to speak. Comments by others are out of order. Individuals who interfere with or interrupt speakers, the school board, or the proceedings may be directed to leave.
4. The school board retains the discretion to limit discussion of any agenda item to a reasonable period of time as determined by the school board. If a group or organization wishes to address the school board on a topic, the school board reserves the right to require designation of one or more representatives or spokespersons to speak on behalf of the group or organization.
5. Matters proposed for placement on the agenda which may involve data privacy concerns, which may involve preliminary allegations, or which may be potentially libelous or slanderous in nature shall not be considered in public, but shall be processed as determined by the school board in accordance with governing law.
6. The school board chair shall promptly rule out of order any discussion by any person, including school board members, that would violate the provisions of state or federal law, this policy or the statutory rights of privacy of an individual.
7. Personal attacks by anyone addressing the school board are unacceptable. Persistence in such remarks by an individual shall terminate that person's



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privilege to address the school board.

8. Depending upon the number of persons in attendance seeking to be heard, the school board reserves the right to impose such other limitations and restrictions as necessary in order to provide an orderly, efficient, and fair opportunity for those present to be heard.

B. Complaints

1. Routine complaints about a teacher or other employee should first be directed to that teacher or employee or to the employee's immediate supervisor.
2. If the complaint is against an employee relating to child abuse, discrimination, racial, religious, or sexual harassment, or other activities involving an intimidating atmosphere, the complaint should be directed to the employee's supervisor or other official as designated in the school district policy governing that kind of complaint. In the absence of a designated person, the matter should be referred to the superintendent.
3. Unresolved complaints from Paragraph 1. of this section or problems concerning the school district should be directed to the superintendent's office.
4. Complaints which are unresolved at the superintendent's level may be brought before the school board by notifying the school board in writing.

C. Open Forum

The school board shall normally provide a specified period of time when persons may address the school board on any topic, subject to the limitations of this policy. The school board reserves the right to allocate a specific period of time for this purpose and limit time for speakers accordingly.

The school board may decide to hold certain types of public meetings where the public will not be invited to address the school board. Possible examples are work sessions and board retreats. The public will still be entitled to notice of these meetings and will be allowed to attend these meetings, but the public will not be allotted time during the meeting to address the board.

D. No Board Action at Same Meeting

Except as determined by the school board to be necessary ~~or~~, in an emergency, or if the item is already established on the adopted agenda the school board will not take action at the same meeting on an item raised for the first time by the public.

VII. **PENALTIES FOR VIOLATION OF DATA PRIVACY**

- A. The school district is liable for damages, costs and attorneys' fees, and, in the event of a willful violation, punitive damages for violation of state data privacy laws (Minnesota Statutes, section 13.08, subdivision 1).
- B. A person who willfully violates data privacy or whose conduct constitutes the knowing unauthorized acquisition of not public data is guilty of a misdemeanor (Minnesota Statutes, section 13.09).
- C. In the case of an employee, willful violation of the Minnesota data practices law (Minnesota Statutes, chapter 13), and any rules adopted thereunder, including any action subject to a criminal penalty, constitutes just cause for suspension without pay



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or dismissal (Minnesota Statutes, section 13.09).

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 13.43 (Personnel Data)
Minn. Stat. § 13.601, Subd. 3 (Applicants for Appointment)
Minn. Stat. § 13D.05 (Meetings Having Data Classified as Public)
Minn. Stat. § 121A.47, Subd. 5 (Exclusion and Expulsion Procedures; Closed or Open Meeting)
Minn. Stat. § 122A.33, Subd. 3 (License and Degree Exemption for Head Coach; Notice of Nonrenewal; Opportunity to Respond)
Minn. Stat. § 122A.40, Subd. 14 (Employment; Contracts; Termination; Hearing Procedures)
Minn. Stat. § 122A.44 (Contracting with Teachers; Substitute Teachers)
Minn. Stat. § 123B.02, Subd. 14 (General Powers of Independent School Districts; Employees; Contracts for Services)
Minn. Stat. § 123B.143, Subd. 2 (Superintendents; Disclose Past Buyouts or Contract is Void)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
Minn. Op. Atty. Gen. 852 (July 14, 2006)

Cross References: MSBA/MASA Model Policy 205 (Open Meetings and Closed Meetings)
MSBA/MASA Model Policy 207 (Public Hearings)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA School Law Bulletin "C" (Minnesota's Open Meeting Law)
MSBA School Law Bulletin "I" (School Records – Privacy – Access to Data)
FLAS Policy 1205 (School Board Meetings)
FLAS Policy 1207 (Public Hearings)

Adopted: 99/99/9999 (Replaced Policy #999)

Revised: 99/99/9999

Reviewed: 99/99/9999

Revised: 99/99/9999

Affirmation of Consultation and Agreement

Title I, Part A: Improving the Academic Achievement of the Disadvantaged

Name of Local Educational Agency (LEA) Forest Lake Area Schools ISD 831

Date December 15, 2025

Name of Nonpublic School St. Peter Catholic School

Date December 15, 2025

To ensure timely and meaningful consultation of Title I, Part A, the public school officials shall consult with appropriate private school officials during the design and development of the district's Title I program with the goal of reaching agreement on how to provide equitable and effective programs for eligible nonpublic school students, staff and families. Prior to the initial consultation the district should review their previous year's Title I program evaluation. The district may request from the nonpublic:

- the address of nonpublic students from low income families residing within the boundaries of the districts' Title I schools,
- the results from their comprehensive needs assessment for students and staff,
- their plans for staff development, along with what professional development they will provide for their staff, to ensure Title I, Part A services are supplemental.

The consultation shall include discussion and decisions for the following topics with ongoing discussion throughout the year. *ESEA Section 1117 (b)(1)(A-L)*

Topics to be discussed are listed below. *ESEA Section 1117(b)(1)*

Consultation Requirement	Key Information Exchanged and Agreement Reached
<p>What method or source of data was used to determine the number of children who:</p> <ul style="list-style-type: none"> a. are from low-income families, b. live within the boundaries of a district Title I public school, and c. are within the grade span of the district's Title I public schools? 	<p>FRP student count by grade level provided by FLAS Nutrition Services, address cross-checked by Enrollment Assistant to confirm students reside within attendance boundaries of Title I schools; Number of students enrolled in nonpublic and eligible for FRP residing within the boundaries of Title I schools multiplied by base PPFU.</p>
<p>How is the equitable share determined for the nonpublic Title I services the district will provide?</p>	<p>The LEA uses the calculator within the Minnesota Education Grant System provided by Minnesota Department of Education to determine equitable share. The LEA enters the total count of K-12 low income students (those eligible for nutrition benefits) in participating public and nonpublic schools to determine a proportion of the funds to be used for services to nonpublic school students and staff.</p>
<p>What is the amount of Title I funds currently</p>	

allocated for equitable nonpublic services?	\$17,862.89
How will the students' needs be identified? 1. What educationally-related, objective information will the nonpublic school provide, and 2. what criteria will be used to identify students not meeting academic standards? Criteria may include standardized tests and teacher referral based on objective assessments and grades.	Teacher recommendations; low standardized test scores
What services will be offered? What is the size and scope of the equitable services to be provided? 1. Grade levels served? 2. When, how, where and by whom will the services be provided? 3. How will the district provide services equitably? (Directly, Third-Party Contract) 4. How and when will the district make the decisions about the delivery of Title I services? 5. What other considerations are needed?	Academic intervention support will be provided in literacy and math with ongoing progress monitoring and periodic benchmarking assessment. Grades K-3 will be served. Services will be provided during student academic day outside of core instruction.
How will the services be evaluated? How will the results of the academic assessment be used to improve services?	Results will be reviewed following each assessment window and interventions will be modified accordingly.

Please indicate that district school official provided a timely and meaningful consultation with the nonpublic school official and considered the needs of the eligible nonpublic students, staff and families.

Yes X No

Note: If the Title I consultation was not meaningful and timely, the nonpublic school official shall have the right to file a complaint with the Minnesota Department of Education that the consultation was not meaningful and timely, did not give due consideration to the views of the private school official, or did not make a decision that treats the nonpublic students, staff and/or families equitably. *ESEA Section 1117 (b)(1)(A-K)*

We agree that this document reflects the consultation and agreement between the LEA and nonpublic school for the use of ESEA Title I, Part A funds.

Signature of nonpublic school official _____ Date: _____

Signature of public school official _____ Date: _____

The LEA must complete this document (or a similar document created by the LEA) and obtain signatures prior to the start of the school year. The document must be uploaded as part of the district's ESEA Consolidated Application in the Minnesota Education Grants System (MEGS) during the Fall Amendment Window (November 1-December 15).



Affirmation of Consultation and Agreement

Title II, Part A: Supporting Effective Instruction

Name of Local Educational Agency (LEA) Forest Lake Area Schools ISD 831 Date December 15, 2025

Name of Nonpublic School St. Peter Catholic School Date December 15, 2025

To ensure timely and meaningful consultation of Title II, Part A, the public school officials shall consult with private school officials during the design and development of district's Title II, Part A program with the goal of reaching agreement on how to provide equitable and effective programs for eligible nonpublic school staff. Prior to the initial consultation, the district should review their previous year's Title II, Part A services evaluation. The district may request from the nonpublic:

- the results from their comprehensive needs assessment for students and staff,
- their plans for staff development, along with what professional development they will be providing for their staff, to ensure Title II, Part A services are supplemental.

The consultation should include discussion and decisions for the following topics with ongoing discussion throughout the year. Topics to be discussed are listed below. *Section 8501(c)(1)*

Consultation Requirement	Key Information Exchanged and Agreement Reached
How is the equitable share determined for the nonpublic Title II, Part A services the district will provide?	The LEA uses the calculator within the Minnesota Education Grant System provided by Minnesota Department of Education to determine equitable share. The LEA enters the total count of K-12 low income students (those eligible for nutrition benefits) in participating public and nonpublic schools to determine a proportion of the funds to be used for services to nonpublic school students and staff.
What is the amount of Title II, Part A funds currently allocated for equitable nonpublic services?	\$12,937.23
What is the focus of the nonpublic school's improvement or strategic plan? Does the LEA have access to this plan?	Teachers will participate in professional development opportunities around literacy and math instruction. Needs have been identified through a needs assessment and strategic planning process; strategic plan is available on the school's website.

<p>What services will be offered?</p> <p>What is the size and scope of the equitable services to be provided by the district:</p> <ol style="list-style-type: none"> 1. When, how, where and by whom will the services be provided? 2. How will the district provide services equitably? (Directly, Third-Party Contract) 3. How and when will the district make the decisions about the delivery of Title II services? 	<p>Teachers will participate in professional development opportunities around literacy and math instruction. Professional development will be provided both on-site and off-site by third-party providers at conferences and professional development trainings. Decisions will be made on an ongoing basis throughout the year as opportunities become available.</p>
<p>How will the services be evaluated?</p>	<p>Staff will regularly review assessment results to determine impact of professional development in which teachers have participated.</p>

Section 8501(c) (1) (A-H)

Please indicate that district school official provided a timely and meaningful consultation with the nonpublic school official, considered the needs of the eligible nonpublic students, staff and families and agree, with the services being provided.

Yes X No

Note: if the Title II, Part A consultation was not meaningful and timely the nonpublic school official shall have the right to file a complaint with the Minnesota Department of Education that the consultation was not meaningful and timely, did not give due consideration to the views of the private school official, or did not make a decision that treats the nonpublic students, staff and/or families equitably.

Section 8501(c)(6)(A)

We agree that this document reflects the consultation and agreement between the LEA and nonpublic school for the use of ESEA Title II, Part A funds.

Signature of nonpublic school official _____ Date: _____

Name of public school official _____ Date: _____

The LEA must complete this document (or a similar document created by the LEA) and obtain signatures prior to the start of the school year. The document must be uploaded as part of the district's ESEA Consolidated Application in the Minnesota Education Grants System (MEGS) during the Fall Amendment Window (November 1-December 15).