

Policy Committee Meeting

Monday, September 13, 2021 3:15 PM

Tate Hall Conference Room, 615 Olof Hanson Drive, Faribault, MN 55021

1. **Call to Order**

2. **Meeting Minutes Review**

3. **Policies to Review from MSBA**

A. Review MSBA/MSA Policies Comparison Chart

4. **Policies to Review for a Second Reading**

5. **Policies to Review to be Revised**

6. **Policies to Review Prior to a First Reading**

7. **Policies to Review for Reauthorization**

A. 202 - MSA Board Officers and Meetings

B. 209 - MSA Board Code of Conduct

C. 210 - Conflict of Interest - School Board
Members

D. 402 - Disability Non-Discrimination

E. 406 - Data Protection for Human Resource
Systems

F. 418.1 - Alcohol and Other Drug Use by State
Employees

G. 427 - Workload Limits for Certain Special
Education/Special Teachers

H. 512 - School Sponsored Student Publications and
Activities

I. 601 - School District Curriculum and
Instruction Goals

J. 603 - Curriculum Development

K. 606 - Textbooks and Instructional Materials

L. 607 - Organization of Grade Levels

M. 608 - Instructional Services - Special
Education

N. 614 - State-Mandated Tests

O. 750 - MN Resource Library Acquisition and
Collection

8. **Adjourn**

Minutes of Policy Committee Meeting Minnesota State Academies Board

A Policy Committee Meeting of the Minnesota State Academies Board was held Monday, August 9, 2021 beginning at 2:00pm in person Tate Hall and via Zoom video Meeting.

Present: Nicole Halabi; Board Member, Terry Wilding; Superintendent, Anne Grace Donatucci; MSAD School Director, Bridget Flier; HR Director, Jody Olson; MSAD Assistant Director, Heather Kerr; HR

Absent: Mary Cashman-Bakken, Board Member and Jamers Speier, Board Member

1. Call to Order at 3:03 pm
2. Meeting Minutes Review from May 24, 2021 meeting

No minutes to review, will review/approve the last two meeting minutes at the next meeting per Terry Wilding.

3. Policies to Review from MSBA
 - A. Review MSBA/MSA Policies Comparison Chart

Terry explained to the committee members what the different colors indicate. He also mentioned that MSBA policies are reviewed and the committee determines if it applies to MSA as a school or as a state agency, or is not applicable for MSA.

- B. Discuss Plan for Policy Committee Work for 2021-2022

Terry Wilding explained the process each policy has to go through prior to approval.

4. Policies to Review for a Second Reading - None
5. Policies to Review to be Revised – None
6. Policies to Review Prior to a First Reading -None

7. Policies to review for Reauthorization
 - A. 431.1 - Sexual Harassment and Violence
HR has not received any changes from MMB for this policy. Jody Olson questioned the process of Investigation and where to find it. Terry will add in a reference to the location of our investigation process (staff handbook).

B. 418 - Drug Free Workplace/Drug Free School

HR has not received any changes from MMB for this policy. Jody requested that HR be added in addition to the Supervisor for the employee to inform regarding Medical Marijuana card.

C. 445 - Respectful Workplace

HR has not received any changes from MMB for this policy, but is waiting for more information on this specific policy and will follow up. Terry will bring it back to the next meeting if there are any changes from MMB, if there are no changes he will move it to the next board meeting.

Terry informed the committee that we will need to add a Workplace Violence policy; MMB has put one out and we will review it and apply what is needed for our agency.

Jody mentioned that this is a small community and staff need to be respectful with confidentiality, and asked if that would go into this policy. Terry suggested that it would go in the Student Confidentiality policy. HR recommended and Nicole agreed that it also could go into the Employee Handbook.

Terry explained that the Staff/Student Relationship Policy is due for review this year and will be reviewed at a future meeting. Staff will need to read, understand and sign each policy prior to October and Jody expressed concern that some individuals may have trouble understanding policies due to the language used. Terry suggested that supervisors could review policies during meetings to support employees.

All 3 policies - #413.1, 418, and 445 will be sent to the board for reauthorization.

8. Adjourn at 3:24pm

Minnesota State Academies
MSBA and MSA Policies – Comparison Chart
8/4/2021

Series	MSBA	MSA	Title	Date of Policy	Mandatory Review Date	Notes:
100	SCHOOL DISTRICT					
	101	N/A	Legal Status of the School District	N/A	N/A	Defined in Statute
	101.1	N/A	Name of the School District	N/A	N/A	Defined in Statute
	102*	102*	Equal Education Opportunity	02-24-2021	02-24-2024	
	103	N/A	Complaints – Students, Employees, Parents, Other Persons	N/A	N/A	Covered in Parent-Student Handbook
	104	104	Vision, Mission, and Guiding Beliefs	09-16-2020	09-16-2023	
		110	Educational Excellence and Equity	02-24-2021	02-24-2024	
		120	MSA Website and Social Media Accessibility	12-16-2020	12-16-2023	
		121	Communication, Language, and Accessibility	06-27-2019	06-27-2022	
200	BOARD OF DIRECTORS					
	201	N/A	Legal Status of the School Board	N/A	N/A	Defined in Statute
	202	202	MSA Board Officers and Meetings	04-25-2019	04-25-2022	
	203	N/A	Operation of the School Board – Governing Rules	N/A	N/A	In MSA Policy 202
	203.1	N/A	School Board Procedures; Rules of Order	N/A	N/A	In MSA Policy 202
	203.2	N/A	Order of the Regular School Board Meeting	N/A	N/A	In MSA Policy 202
	203.5	N/A	School Board Meeting Agenda	N/A	N/A	In MSA Policy 202
	203.6	N/A	Consent Agendas	N/A	N/A	In MSA Policy 202
	204	N/A	School Board Meeting Minutes	N/A	N/A	In MSA Policy 202
	205	N/A	Open Meetings and Closed Meetings	N/A	N/A	In MSA Policy 202

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	206	N/A	Public Participation in School Board Meetings/Complaints about Persons at School Board meetings, and Data Privacy Considerations	N/A	N/A	In MSA Policy 202
	207	N/A	Public Hearings	N/A	N/A	In MSA Policy 202
	208	208	Development, Adoption, and Implementation of Policies	06-02-2021	06-02-2024	
	209	209 (A&B)	MSA Board Code of Conduct	04-25-2019	04-25-2022	
	210	210	Conflict of Interest – School Board Members	04-25-2019	04-25-2022	
	210.1	N/A	Conflict of Interest – Charter School Board Members	N/A	N/A	Not Applicable
	211	211	Criminal or Civil Action against MSA, School Board Member, Employee, or Student	02-24-2021	02-24-2024	
	212	212	School Board Member Development	09-16-2020	09-16-2023	
	213	213	MSA Board Committees	12-16-2020	12-16-2023	
	214*	214*	Out-of-State Travel by School Board Members	06-02-2021	06-02-2024	
300	ADMINISTRATION					
	301	N/A	School District Administration	N/A	N/A	Reviewed 12/16/2019. Not needed
	302	302	Role of the Academies Administrator (Superintendent)	09-16-2020	09-16-2023	
	303	303	Academies Administrator (Superintendent) Selection			Needs Research
	304*	304	Academies Administrator (Superintendent) Appointment, Duties, and Evaluation	01-24-2019	01-24-2022	
	305	N/A	Policy Implementation	N/A	N/A	Covered in Policy #208
	306	N/A	Administrator Code of Ethics	N/A	N/A	Covered by MMB Code of Ethics & Policy 455
400	PERSONNEL					
	401*	401*	Equal Employment Opportunity	06-02-2021	06-02-2024	
	402*	402*	Disability Non-Discrimination	01-24-2019	01-24-2022	

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	403	N/A	Discipline, Suspension, and Dismissal of School District Employees	N/A	N/A	Covered in Union Contracts
	404*	404 (A)	Employment Background Checks	4-21-2021	04-21-2024	
	405	N/A	Veterans' Preference	N/A	N/A	Covered in Union Contracts
	406*	406 (A)	Data Protection for Human Resource Systems	01-24-2019	01-24-2022	MSA follows MMB's Policy
	407	N/A	Employee Right to Know – Exposure to Hazardous Substances	N/A	N/A	Not Required – covered during Orientation
	408	N/A	Subpoena of a School District Employee	N/A	N/A	Not Required – Covered by Attorney General Office
	409	409	Employee Publications, Instructional Materials, Inventions, and Creations	01-20-2021	01-20-2024	
	410*	410* (A)	Family and Medical Leave (FMLA)	06-02-2021	Annual Review	MSA follows MMB's Policy
	412*	412* (A)	Expense Reimbursement	04-21-2021	04-21-2024	MSA follows MMB's Policy
	413*	413* (A)	Harassment and Violence	06-02-2021	Annual Review	
Aug		413.1 (A)	Sexual Harassment and Violence	08-23-2018	8-23-2021	MSA follows MMB's Policy
	414	414	Mandated Reporting of Child Neglect or Physical or Sexual Abuse	06-02-2021	Annual Review	
	415	415	Mandated Reporting of Maltreatment of Vulnerable Adults	06-02-2021	Annual Review	
	416	?	Drug and Alcohol Testing	?	?	To be investigated
	417*	417*	Chemical Use and Abuse	02-28-2019	02-28-2022	
Aug	418*	418*	Drug Free Workplace/Drug Free School	08-23-2018	08-23-2021	
		418.1 (A)	Alcohol and Other Drug Use by State Employees	01-24-2019	01-24-2022	MSA follows MMB's Policy
	419*	419*	Tobacco-Free Environment	02-24-2021	02-24-2024	

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	420	N/A	Students and Employees with Sexually Transmitted Infections and Diseases and Certain Other Communicable Diseases and Infectious Conditions	N/A	N/A	Not Required – no current need
	421	N/A	Gifts to Employees and School Board Members	N/A	N/A	Covered by MMB Code of Ethics
	423	423 (A&B)	Employee-Student Relationships	10-18-2017	10-18-2020	
	424	N/A	License Status	N/A	N/A	Covered in Employment Contracts
	425	425	Staff Development	02-28-2019	02-28-2022	
	426	426 (A)	Nepotism in Employment	10-18-2017	10-18-2020	
	427*	427*	Workload Limits for Certain Special Education/Special Teachers	03-28-2019	03-28-2022	
		440	Reasonable Accommodations	06-02-2021	06-02-2024	
		441	On-Call	04-25-2019	04-25-2022	
		442* (A)	Braille and Blind Awareness	01-24-2019	01-24-2022	
		443* (A-D)	Staff American Sign Language (ASL) Proficiency	06-12-2018	06-12-2021	
		444 (A)	Driver's License and Record Checks	06-02-2021	06-02-2024	
Aug		445	Respectful Workplace	08-23-2018	08-23-2021	
		446	Payroll Leave and Overtime Requests	04-25-2019	04-25-2022	
		450 (A-C)	School Volunteers	02-24-2021	02-24-2024	
		451	Social Media	06-02-2021	06-02-2024	
		455 (A&B)	Employee Code of Conduct	06-02-2021	06-02-2024	
		456 (A)	Temporary Teleworking	08-15-2019	08-15-2022	

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500	STUDENTS					
	501*	501*	School Weapons Prohibition	04-21-2021	04-21-2024	
	502*	502*	Search of Student Lockers, etc.	04-21-2021	04-21-2024	
	503	N/A	Student Attendance	N/A	N/A	Covered in Parent-Student Handbook
	504	N/A	Student Dress and Appearance	N/A	N/A	Covered in Parent-Student Handbook
	505	505	Distribution of Non School-Sponsored Materials on School Premises by Students and Employees	01-20-2021	01-20-2024	
	506*	506*	Student Discipline	06-02-2021	Annual Review	
	507	N/A	Corporal Punishment	N/A	N/A	Covered under MSA Policy #543 - CPI
	508	N/A	Extended School year for Certain Students with IEPs	N/A	N/A	Incorporated into our program
	509	N/A	Enrollment of Non-Resident Students	N/A	N/A	Not applicable
	510	N/A	School Activities	N/A	N/A	Incorporated into our program
	511	N/A	Student Fundraising	N/A	N/A	Refer to MSA Policy #744
	512	512	School Sponsored Student Publications and Activities	04-25-2019	04-25-2022	
	513	513	Student Promotion, Retention, and Program Design	N/A	N/A	Decisions made by IEP team
	514*	514*	Bullying Prohibition	06-02-2021	Annual Review	
	515*	515*	Protection and Privacy of Pupil Records	04-21-2021	04-21-2024	
	516*	516*	Student Medication	04-25-2019	04-25-2022	
	517	N/A	Student Recruiting	N/A	N/A	Not applicable
	518*	518*	DNR-DNI Orders	04-21-2021	04-21-2024	
	519	N/A	Interviews of Students By Outside Agencies	N/A	N/A	Covered in Policy 520

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	520*	520*	Participation in Research Projects and Student Surveys	04-21-2021	04-21-2024	
	521*	521* (A)	Student Disability Nondiscrimination	04-21-2021	04-21-2024	
	522*	522* (A)	Student Sex, Gender, Gender Identity Nondiscrimination	06-02-2021	Annual Review	
	524*	524* (A-E)	Appropriate Use of Electronic Communication and Technology	06-27-2019	Annual Review	
	525	?	Violence Prevention (applicable to students and staff)	?	?	To be discussed
	526*	526*	Hazing Prohibition	06-02-2021	06-02-2024	
	527	N/A	Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches	N/A	N/A	Covered in Parent-Student Handbook
	528	528	Student Parental, Family, and Marital Status Nondiscrimination	02-24-2021	02-24-2024	
	529	N/A	Staff Notification of Violent Behavior by Students	N/A	N/A	Not required – info is included in student IEPs
	530	?	Immunization Requirements	?	?	Covered in Parent-Student Handbook - discuss
	531*	531*	Pledge of Allegiance	10-23-2020	10-23-2023	
	532*	532*	Use of Peace Officer and Crisis Teams to Remove Students with IEPs from School Grounds	06-02-2021	06-02-2024	
	533*	533*	Wellness – Nutrition and Physical Activity	06-29-2017	06-29-2020	
	534*	534P	Unpaid Meal Charges – Placeholder	10-18-2017	N/A	N/A – Placeholder
	535	535	Service Animals in Schools			Needed? Check Procedure
		543	Crisis Prevention Intervention (CPI)	06-12-2018	06-12-2021	
		545	Guidelines for Research Involving Academy Students	N/A	N/A	Refer to Policy 520 – Repealed on 06-12-2018
		546	Initial Admission, Placement, Enrollment, and Exit	01-23-2020	01-23-2023	
600	EDUCATIONAL PROGRAM					
	601*	601*	School District Curriculum and Instruction Goals	06-27-2019	06-27-2022	

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	602	N/A	Organization of School Calendar and School Day	N/A	N/A	Reviewed 12/29/2015 Not needed
	603*	603*	Curriculum Development	06-27-2019	06-27-2022	
	604	N/A	Instructional Curriculum	N/A	N/A	Reviewed 2/18/2016 Not Needed
	605	N/A	Alternative Programs	N/A	N/A	Incorporated into our program
	606	606	Textbooks and Instructional Materials	06-27-2019	06-27-2022	
	607	607	Organization of Grade Levels	06-27-2019	06-27-2022	
	608	608	Instructional Services – Special Education	06-27-2019	06-27-2022	
	609	?	Religion	?	?	Covered in Parent-Student Handbook
	610	?	Field Trips	?	?	Covered in Registration Packet
	611*	611*	Home Schooling	N/A	N/A	Repealed – 4/25/2019 – not applicable to MSA
	612-1	N/A	Development of Parental Involvement Policies for Title 1 Programs	N/A	N/A	Does not Apply to MSA
	613	N/A	Graduation Requirements	N/A	N/A	Included in Parent-Student Handbook
	614*	614*	State-Mandated Tests	03-28-2019	03-28-2022	
	615	N/A	Testing accommodations, modifications, and exemptions for IEPs, Section 504 Plan, and LEP Students	N/A	N/A	Reviewed 12/29/2015 – Covered in IEPs
	616*	616*	School District System Accountability	06-02-2021	Annual Review	
	617	617	School District Ensurance of Preparatory and High School Standards			Review?
	618	N/A	Assessment of Student Achievement	N/A	N/A	Reviewed 1/26/2016 – Not Needed
	619	N/A	Staff Development for Standards	N/A	N/A	Included in Professional Development
	620*	N/A	Credit for Learning	N/A	N/A	Covered in Parent-Student Handbook

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	621	621	Record Keeping/Reporting/Advising of Student Achievement			Review?
	623	N/A	Mandatory Summer School Instruction	N/A	N/A	Reviewed 12/29/2015 – Not Needed
	624	N/A	Online Learning Options	N/A	N/A	Not applicable yet
		625	Inclement Weather	01-23-2020	01-23-2023	
700	NON-INSTRUCTIONAL OPERATIONS					
	701	N/A	Establishment and Adoption of School District Budget	N/A	N/A	Covered under State Procedures - MMB
	701-1	N/A	Modification of School District Budget	N/A	N/A	Covered under State Procedures - MMB
	702	N/A	Accounting	N/A	N/A	Covered under State Procedures - MMB
	703	N/A	Annual Audit	N/A	N/A	Covered under State Procedures - MMB
	704	N/A	Development and Maintenance of an Inventory of Fixed Assets and a Fixed Asset Accounting System	N/A	N/A	Covered under State Procedures - MMB
	705	N/A	Investments	N/A	N/A	Covered under State Procedures - MMB
	706	N/A	Acceptance of Gifts	N/A	N/A	Covered under State Procedures - MMB
	707	N/A	Transportation of Public School Students	N/A	N/A	Not applicable to MSA
	708	N/A	Transportation of NonPublic School Students	N/A	N/A	Not applicable to MSA
	709*	?	Student Transportation Safety	?	?	Combine 709-710 in one policy
	710	?	Extracurricular Transportation	?	?	Combine 709-710 in one policy
	711	N/A	Video Recording on School Buses	N/A	N/A	No current need
	712	?	Video Surveillance other than on Buses	?	?	To be discussed
	713	N/A	Student Activity Accounting	N/A	N/A	Covered under State Procedures - MMB

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	714	N/A	Fund Balances	N/A	N/A	Covered under State Procedures - MMB
	720	N/A	Vending Machines	N/A	N/A	No current need
	721*	?	Uniform Grant Guidance Policy Regarding Federal Revenue Sources	?	?	To be discussed
	722*	?	Public Data Requests and Public Data Request Form	?	?	To be discussed
		740	Special Expense / Outstate Travel	08-15-2019	08-15-2022	
		741	Employee Activity Expenses	03-28-2019	03-28-2022	
		742	Imprest Fund	08-23-2018	08-23-2021	
		743	Petty Cash	08-23-2018	08-23-2021	
		744	Fundraising	02-24-2021	02-24-2024	
		745	Purchasing Card Use	06-29-2017	06-29-2020	
		750	MN Resource Library Acquisition and Collection	03-28-2019	03-28-2022	
		751	MSA Library Collections Management	06-02-2021	06-02-2024	
		752	MSA Museums Collections Management	06-02-2021	06-02-2024	
800	BUILDINGS AND SITES					
	801	N/A	Equal Access to School Facilities	N/A	N/A	Covered in MSA Policy #902
	802	N/A	Disposition of Obsolete Equipment and Material	N/A	N/A	Covered under State Procedures - MMB
	805	?	Waste Reduction and Recycling	?	?	To be discussed
	806*	806*	Crisis Management	06-12-2018	Annual Review	
	807*	807*	Health and Safety	08-23-2018	08-23-2021	
		827	Naming of Buildings, Sites and Common Areas	02-16-2017	02-16-2020	

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		828	Keys and Keycards	08-15-2019	08-15-2022	
900	SCHOOL / COMMUNITY RELATIONS					
	901	N/A	Community Education	N/A	N/A	No Current Need
	902	902	Use of Facility and Equipment	11-17-2016	11-17-2019	
	903*	903*	Visitors to School District Buildings and Sites			Draft ready for Dept. Heads review
	904	904	Distribution of Materials on MSA Property by Non School Persons	06-02-2021	06-02-2024	
	905	?	Advertising	?	?	To be discussed
	906	906	Community Notification of Predatory Offenders	06-02-2021	06-02-2024	
	907	N/A	Rewards for Information	N/A	N/A	No Current Need

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Key	
MSBA # Policy (*Mandatory Policies)	MSA # Policy (*Mandatory Policies)
BLACK – Current Policies	
RED – (TBD) Needs to be discussed and/or added	
GRAY - Reviewed and not needed	
P = Placeholder for mandatory policies that are not applicable to MSA	

Mandatory Annual Review:		Last Reviewed
410	Family and Medical Leave Policy	06-02-2021
413	Harassment and Violence	06-02-2021
414	Mandated Reporting of Child Neglect or Physical or Sexual Abuse	06-02-2021
415	Mandated Reporting of Maltreatment of Vulnerable Adults	06-02-2021
506	Student Discipline	06-02-2021
514	Bullying Prohibition Policy	06-02-2021
522	Student Sex, Gender, Gender Identity Nondiscrimination	06-02-2021
616	School District System Accountability	06-02-2021
806	Crisis Management Policy	06-12-2018

Policies required to be printed in the Student Handbook	
413	Harassment and Violence
514	Bullying Prohibition
526	Hazing Prohibition

Policy #: 202
Title: MSA BOARD OFFICERS AND MEETINGS
Date of Initial Approval: 04/25/2019
Revision/Re-authorization Dates:
Reviewers: MSA Board Policy Committee

I. PURPOSE

The purpose of this policy is to provide structure and clarity to the composition and operations of the Governing Board for the Minnesota State Academies (MSA Board).

II. MEMBERSHIP

The MSA Board consists of 7 voting members and 2 non-voting ex-officio members (*MS 125A.62*). The voting members are appointed by the governor with the advice and consent of the Minnesota Senate, including the following representatives:

- 1) One present or former superintendent of an independent school district;
- 2) One present or former special education director;
- 3) The commissioner of education, or the commissioner's designee;
- 4) One member of the blind community;
- 5) One member of the deaf community;
- 6) Two members of the general public with business, administrative, or financial expertise;
- 7) One nonvoting, unpaid ex-officio member appointed by the site council for the State Academy for the Deaf (MSAD)
- 8) One nonvoting, unpaid ex-officio member appointed by the site council for the State Academy for the Blind (MSAB)
(Within the site council bylaws for each campus, it has been determined that the vice-chair of each campus' site council will be the ex-officio members of the board.)

III. OFFICERS

The officers of the MSA Board shall be the Chair, Vice-Chair, and Officer of Business Affairs, who shall be elected at the annual organizational meeting. The term of office for officers shall be one year, or until a successor is elected. No member shall serve more than two consecutive years as Chair of the MSA Board.

Duties of the Officers

1. Chair:

The Chair of the MSA Board shall preside at all board meetings and perform all other duties as prescribed by law or by the board. The chair also presides over the MSA Board Executive Committee meetings and appoints

chairs/members of all other MSA Board committees. The chair is responsible for collaborating with the MSA superintendent to develop the agenda for each board meeting. The chair represents the MSA Board in all actions and performs all duties a chair usually performs.

Biweekly, the chair must approve the MSA superintendent's time sheet in the state's Self-Service Time Entry system. In the event that the chair is unavailable to do so, the task will fall to the MSA Director of Fiscal Services.

2. Vice-Chair:

The Vice-Chair of the MSA Board shall perform the duties of the chair in the event of the chair's temporary absence. The Vice-Chair also serves on the Executive Committee.

3. Officer of Business Affairs:

The Officer of Business Affairs of the MSA Board shall sign approved board meeting minutes and other official documents as necessary. The Officer of Business Affairs also serves on the Executive Committee and chairs the MSA Board Finance Committee (*MS123B.14 Subd. 1*). The Officer of Business Affairs also performs the duties of the chair in the event of the chair and vice-chair's temporary absence.

The Officer of Business Affairs does not need to be a member of the MSA Board and can be appointed by the Chair if board members are unavailable to serve in this capacity. If the Office of Business Affairs is not a member of the board, the MSA Chair shall appoint a board member to chair the MSA Board Finance Committee.

Superintendent (Academies Administrator)

The superintendent is an ex-officio member of the MSA Board (*MS123B.14, Subd. 1*) and is hired at the discretion of the Board (*MSA Policy 304 – Superintendent Contract, Duties, and Evaluation*). The superintendent assists in the development of agendas and also serves on all board committees. The superintendent shall perform such duties as provided in the superintendent position description and as assigned by the chair, or by board action.

Vice Chairs of Site Councils

The vice chairs of each campus' site council serves as ex-officio members of the MSA Board and are responsible for communicating information, ideas, and proposals between the board and the site council that they represent. They are encouraged to gather input from the site council representatives on the posted agenda items and share that information during discussion of motions being considered.

IV. TRANSACTION OF BUSINESS

The MSA Board may transact official business only when in an official meeting publicly announced pursuant to Minnesota Open Meeting Law (*MS13D*). All meetings must be in Faribault (*MS 125A.62A, Subd.3*). An orderly board meeting allows members to participate in discussion and decisions regarding school district issues. Rules of order allow board members the opportunity to review school-related topics, discuss school business items, and bring matters to conclusion in a timely and consistent manner.

Rules of order for MSA Board meetings shall be as follows:

- A. Minnesota Statutes where specified;
- B. Minnesota State Academies Policies where specified;
- C. Specific rules of order as provided by the MSA Board, consistent with Minnesota statutes; and
- D. Robert's Rules of Order, Revised (latest edition) when not inconsistent with A. and B. above.

To ensure that board meetings are conducted in an orderly fashion, the board will follow rules of order which allow the board (*MSA Board Procedure #2000 – MSA Board Meeting Rules of Order*):

- To establish guidelines by which the business of the board can be conducted in a regular and internally consistent manner;
- To organize meetings so that all necessary matters can be brought to the board and decisions of the board can be made in an orderly and reasonable manner
- To ensure that members of the board have necessary information to make decisions on substantive issues and to ensure adequate discussion of decisions to be made; and
- To ensure that meetings and actions of the board are conducted in a manner that informs the staff and the public; and to produce a clear record of actions taken and decisions made.

For questions and guidance regarding legal issues, the board may consult with legal counsel through the Attorney General's office.

V. ORDER OF REGULAR MSA BOARD MEETINGS

- A. Call to Order
- B. Pledge of Allegiance
- C. Adoption of Agenda
- D. Public Comment
- E. Consent Agenda (consent agenda items are approved by one motion unless a board member requests separate action)
- F. Action Items
 - a. New Items
 - b. Unfinished Items (if any)
 - c. Policies for reauthorization or approval
- G. Informational Items (reports)

- H. Board Member Reports (committee reports)
- I. Policies for a First Reading
- J. Business Items Pending (non-action items for future consideration)
- K. Open Forum (this may be moved to the beginning of the meeting if visitors require a set time for their presentation)
- L. Announcements
- M. Adjournment

*The board may depart from the usual order of business with the consent of the majority of members present.

VI. AGENDA OF MSA BOARD MEETINGS

- A. While all board members may provide input, it shall be the responsibility of the board chair and superintendent to develop, prepare, and arrange the order of items for the tentative board meeting agenda for each board meeting.
- B. Persons wishing to place an item on the agenda must make a request to the board chair or superintendent in a timely manner. The person making the request is encouraged to state the person's name, purpose of the item, action desired, and pertinent background information. The chair and superintendent shall determine whether to place the matter on the tentative agenda. Site councils of each campus are also encouraged to request items to be placed on the agenda as necessary, following the same procedure.
- C. The tentative agenda and supporting documents shall be made accessible and sent (via mail, electronic means, or public posting) to the board members in advance of meetings, giving them at least three (3) days to review information and materials prior to the scheduled board meeting. The agenda becomes official upon approval by the full board at the beginning of each meeting. When the proposed agenda is posted for the members of the board, it will also be available to staff and the public via the MSA website.
- D. Items may only be added to the agenda by a motion adopted at the meeting. If an added item is acted upon, the minutes of the board meeting shall include a description of the matter.
- E. At least one copy of any printed materials, including electronic communications, relating to the agenda items of the meeting prepared or distributed by or at the direction of the board or its employees and: (i) distributed at the meeting to all members of the board; (ii) distributed before the meeting to all members; or (iii) available in the meeting room to all members shall be available in the meeting room for inspection by the public while the board considers their subject matter. A copy will also be made available to the public via the MSA website. This does not apply to materials classified by law as other than public or to materials relating to the agenda items of a closed meeting.

VII. CONSENT AGENDAS

- A. The superintendent, in consultation with the board chair, may place items on the consent agenda. By using a consent agenda, the board has consented to the consideration of certain items as a group under one motion. When a consent agenda is used, appropriate amounts of discussion time will be allowed to review any item upon request.
- B. Consent items are those which usually do not require discussion or explanation prior to board action, are noncontroversial and/or similar in content, or are items which have already been explained and/or discussed and do not require further discussion or explanation. Such agenda items might include routine tasks such as, but not limited to, approval of previous meeting minutes, approval of reports, approval of per-diem payments, routine resolutions, etc. Consent items may also include similar groups of decisions such as, but not limited to, approval of contracts, staff hiring, and/or schedules.
- C. Items may be removed from the consent agenda by a timely request by an individual board member for independent consideration. A request is timely if made prior to the vote on the consent agenda. The request does not require a second or a vote by the board. An item removed from the consent agenda will then be assigned by the chair to an appropriate place on the agenda.
- D. Consent agenda items are approved en masse by one vote by the board. The consent agenda items shall be recorded separately in the minutes.

VIII. BOARD MEETING MINUTES AND RECORDINGS

- A. The MSA Board must maintain records of board meetings so that they are available for inspection by members of the general public and to provide for publication of its meeting minutes in compliance with law. All board meetings will be recorded to the extent possible. The recordings of the meetings will be kept on file, on an independent digital device, in the superintendent's office for 3 years (*MSA records retention schedule*). Members of the public may listen to or make copies of the recordings but may not remove the recordings from the superintendent's office.
- B. The superintendent's office shall keep and maintain permanent records of the board, including records of the minutes of board meetings and other required records of the board. All votes taken at meetings required to be open to the public pursuant to the Minnesota Open Meeting Law shall be recorded in minutes of each meeting. Public records maintained by MSA shall be available for inspection by members of the public during MSA's regular business hours. Minutes of meetings shall be available for inspection at the superintendent's office after they have been prepared. Minutes of a board meeting shall be approved or modified by the board at a subsequent meeting,

which action shall be reflected in the official proceedings of that subsequent meeting.

C. Recordings of Closed Meetings

- a. All closed meetings, except those closed as permitted by the attorney-client privilege, must be electronically recorded at the expense of MSA. Recordings of closed meetings shall be made separately from the recordings of an open meeting, to the extent such meetings are recorded. If a meeting is closed to discuss more than one (1) matter, each matter shall be separately recorded.
- b. Recordings of closed meetings shall be preserved by MSA for three years after the meeting (*MSA Records Retention Schedule*)
- c. Recordings of closed meetings shall be classified by MSA as protected non-public data that is not accessible by the public or any subject of the data, with the following exceptions:
 - i. Recordings of meetings related to the purchase or sale of property shall be classified as public data and made available to the public after all real or personal property discussed at the meeting has been purchased or sold or MSA has abandoned the purchase or sale.
 - ii. Recordings of any other closed meetings shall be classified and/or released as required by court order.
- d. Recordings of closed meetings shall be maintained separately from recordings of open meetings, to the extent recordings of open meetings are maintained by the school district, with the exception of recordings that have been classified as public data as set forth in *subparagraph c* above. Recordings of closed meetings classified as non-public data also shall be maintained in a secure location, separate from recordings classified as public data.
 - i. Recordings of closed meetings shall be maintained in a manner to easily identify the data classification of the recording. The recordings shall be identified with at least the following information:
 1. The date of the closed meeting;
 2. The basis upon which the meeting was closed (i.e.: purchase or sale of real property, educational data, etc.); and
 3. The classification of the data.
 - ii. Recordings of closed meetings related to the purchase or sale of property shall be maintained and monitored in a manner that reclassifies the recording as public upon the occurrence of an event reclassifying that data as set forth in *subparagraph c* above.

D. Publication of Official Board Meeting Minutes –

The MSA board shall ensure that the minutes of each meeting to be published on the MSA website within ten (10) days after they have been approved by the board.

- a. The minutes must include the substance of all official actions taken by the board at any regular or special meeting, and at minimum, must include the subject matter of a motion, the persons making and seconding the motion, a listing of how each member present voted on the motion, the character of resolutions offered including a brief description of their subject matter and whether adopted or defeated.
- b. The minutes to be published must cover all essential elements of the meeting, following the outline of the posted agenda for that meeting. The minutes shall be written in a clear and coherent manner and shall, to the extent possible, avoid the use of technical or legal terms not generally familiar to the public. The posted minutes shall clearly indicate that accessible versions are available at the superintendent's office and that an electronic copy of the minutes, without attachments, is available for no cost. Paper copies will be made available to individuals at their expense.
- c. The official minutes of board meetings, signed by the Officer of Business Affairs, will be kept on file in the superintendent's office.

IX. OPEN MEETINGS AND CLOSED MEETINGS

- A. The MSA board embraces the philosophy of openness in the conduct of its business, in the belief that openness produces better programs, more efficiency in administration of programs, and an organization more responsive to public interest and less susceptible to private interest. The MSA board shall conduct its business under a presumption of openness. At the same time, the board recognizes and respects the privacy rights of individuals as provided by law. The board also recognizes that there are certain exceptions to the Minnesota Open Meeting Law as recognized in statute where it has been determined that, in limited circumstances, the public interest is best served by closing a meeting of the MSA board.
- B. Except as otherwise expressly provided by statute, all meetings of the MSA board shall be open to the public. Meetings shall be closed only when expressly authorized by law. (*Minn. Stat. Ch. 13D - Open Meeting Law*) For the purposes of this policy, "Meeting" means a gathering of at least a quorum or more members of the MSA board, or quorum of a committee or subcommittee of board members, at which members discuss, decide, or receive information as a group on issues relating to the official business of the MSA board. The term does not include a chance or social gathering or the use of social media by members of a public body so long as the social media use is limited to exchanges with all members of the general public. For purposes of the Open Meeting Law, social media does not include e-mail.

C. Although MSA is a school district in relation to state requirements for licensing, standards, and special education, etc., MSA is also a state educational institution (*Minn. Stat. sec. 125A.61*), thus our board is a state board rather than a school district board and subject to the requirements of a state board. The MSA board members are appointed by the governor and meetings must be held in Faribault. Members may participate in meetings via phone (or other electronic means). Members are expected to regularly attend scheduled board meetings or inform the chair or superintendent in advance of their absence. In the event that a board member has three consecutive unexcused absences, the chair may take appropriate action in accordance with *Minn. Stat. sec. 15.0575*.

D. Regular Meetings:

A schedule of the regular meetings of the MSA board shall be kept on file at the superintendent's office. If the board decides to hold a regular meeting at a time or place different from the time or place stated in its schedule, it shall give the same notice of the meeting as for a special meeting.

The board shall, at its June organizational meeting, adopt a regular meeting schedule for the next school year. The schedule shall include all regular board meetings, standing committee meetings, and the date, time, and location of those meetings. The schedule will be posted on the MSA website and on the official posting site in Tate Hall, across the hallway from the MSA superintendent's office.

E. Organizational Meeting:

Every June, during the last regular meeting of the year, the MSA board will hold an organizational meeting to complete the following tasks:

- a. Introduce new members – administer the Oath of Office; make plans for Board Orientation and Training, if not already completed.
- b. Review the Board Code of Conduct/Code of Ethics.
- c. Elect Board Officers (MSA Board Procedure #2001).
- d. Establish meeting schedule for the next school year.
- e. Begin consideration of appointments to standing committees.
- f. Approve the annual budget for the next Fiscal Year.
- g. Approve any adjustments to the MSA organizational chart.
- h. Approve any adjustments to the MSA Parent-Student Handbook.
- i. Approve memberships and appointments for MSA operations (i.e.; MSHSL membership; MDE official with Authority, etc.)
- j. Review and Reauthorize policies with annual review dates.
- k. Finalize the superintendent's evaluation with a summary of information shared during closed evaluation meeting.
- l. Review Strategic Plan Annual Reports and any other reports required in MSA policies.

F. Special Meetings:

For a special meeting, the MSA board shall post written notice of the date, time, place, and purpose of the meeting on the official posting site in Tate Hall, and the MSA website. The board's actions at the special meeting are limited to those topics included in the notice.

- a. The notice shall also be shared with each person who has filed a written request for notice of special meetings.
- b. This notice shall be posted and shared at least three days before the date of the meeting. The board shall publish the notice at least three days before the meeting on the MSA website.
- c. A person filing a request for notice of special meetings may limit the request to particular subjects, in which case the board is required to send notice to that person only concerning those particular subjects. The request expires at the end of each school year (after the June organizational meeting) and must be renewed if the individual wishes to continue receiving notices for the subsequent school year.

G. Emergency Meetings:

An emergency meeting is a special meeting called because of circumstances that, in the judgment of the board, require immediate consideration.

- a. If matters not directly related to the emergency are discussed or acted upon, the minutes of the meeting shall include a specific description of those matters.
- b. The board shall make good faith efforts to provide notice of the emergency meeting to stakeholders and post a notice on the MSA website.
- c. Notice of the emergency meeting shall be given by telephone or any other method used to notify the members of the board.
- d. The notice shall include the subject of the meeting. Posted or published notice of an emergency meeting is not be required.
- e. The notice requirements for an emergency meeting as set forth in this policy shall supersede any other statutory notice requirement for a special meeting that is an emergency meeting.

H. Recessed or Continued Meetings:

If a meeting is a recessed or continued session of a previous meeting, and the time and place of the meeting was established during the previous meeting and recorded in the minutes of that meeting, then no further published or mailed notice is necessary.

I. Closed Meetings:

The notice requirements of the Minnesota Open Meeting Law apply to closed meetings. MSA Board meetings may be closed for the following reasons:

a. Preliminary Consideration of Charges

The board shall close one or more meetings for preliminary consideration of any allegations or charges against the superintendent. If the board members conclude that discipline of any nature may be warranted as a result of those specific charges or allegations, further meetings or hearings relating to those specific charges or allegations held after that conclusion is reached must be open. A meeting must also be open at the request of the individual who is the subject of the meeting.

b. Performance Evaluations

The board may close a meeting to evaluate the performance of the superintendent. At its next open meeting, the board shall summarize its conclusions regarding the evaluation. A meeting may be open at the request of the individual who is the subject of the meeting.

c. Attorney-Client Meeting

A meeting may be closed if permitted by the attorney-client privilege. Attorney-client privilege applies when litigation is imminent or threatened, or when the board needs advice above the level of general legal advice, i.e., regarding specific acts and their legal consequences. *(Note: The board's legal counsel of record is the Minnesota Attorney General's Office)* A meeting may be closed to seek legal advice concerning litigation strategy, but the mere threat that litigation might be a consequence of deciding a matter one way or another does not, by itself, justify closing the meeting. The motion to close the meeting must specifically describe the matter to be discussed at the closed meeting, subject to relevant privacy and confidentiality considerations under state and federal law. The law does not require that such a meeting be recorded.

d. Dismissal Hearing

A hearing on dismissal of a student pursuant to the Pupil Fair Dismissal Act shall be closed unless the pupil, parent or guardian requests an open hearing. To the extent a student dismissal hearing is held before the board and is closed, the closed meeting must be recorded.

e. Meetings to Discuss Certain Not Public Data

Any portion of a meeting must be closed if the following types of data are discussed:

- i. data that would identify alleged victims or reporters of criminal sexual conduct, domestic abuse, or maltreatment of minors or vulnerable adults;

- ii. active investigative data collected or created by a law enforcement agency;
- iii. educational data, health data, medical data, welfare data, or mental health data that are not public data; or
- iv. an individual's personal medical records.

f. Security Matters

The board may close a meeting to receive security briefings and reports, to discuss issues related to security systems, to discuss emergency response procedures, and to discuss security deficiencies in or recommendations regarding public services, infrastructure, and facilities, if disclosure of the information discussed would pose a danger to public safety or compromise security procedures or responses.

Financial issues related to security matters must be discussed and all related financial decisions must be made at an open meeting.

Before closing a meeting, the board must refer to the facilities, systems, procedures, services, or infrastructures to be considered during the closed meeting.

g. Other Meetings

Other meetings shall be closed as provided by law, except as provided above.

Procedures for Closing a Meeting: The board shall provide notice of a closed meeting just as for an open meeting. A board meeting may be closed only after a majority vote at a public meeting. Before closing a meeting, the board shall state on the record the specific authority permitting the meeting to be closed and shall describe the subject to be discussed.

J. Actual Notice:

If a person receives actual notice of a meeting of the board at least 24 hours before the meeting, all notice requirements are satisfied with respect to that person, regardless of the method of receipt of notice.

X. PUBLIC PARTICIPATION IN MSA BOARD MEETINGS

- A. The MSA board recognizes the value of participation by the public in deliberations and decisions on MSA matters. At the same time, the board recognizes the importance of conducting orderly and efficient proceedings, with opportunity for expression of all participants' respective views. The board encourages discussion by citizens of subjects related to the management of the academies at board meetings. The board may adopt reasonable time, place, and manner restrictions on public expression in order

to facilitate free discussion by all interested parties, at the same time as protecting the legal rights to privacy and due process of employees and students.

- B. The board will strive to give all citizens of the school district 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 *MS 13.43, Subd.2 (Public Data)*.

C. Public Participation:

Members of the public who wish to have a subject discussed at a board meeting are encouraged to notify the superintendent's office in advance of the board meeting. The individual should provide their name, address, the name of group represented (if any), and the subject to be covered or the issue to be addressed. Individuals who wish to address the board on a particular subject should identify the subject and identify agenda item(s) to which their comments pertain. At each meeting, a sign-up sheet shall be made available for individuals who wish to make comments regarding items on the agenda.

- a. The 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 who are not recognized by the board chair are out of order. Individuals who interfere with or interrupt speakers, the board, or the proceedings may be directed to leave. Individuals who speak during meetings must be seated in the designated area for public comment for clarity of recording and documenting comments.
- b. The board retains the discretion to limit discussion of any agenda item to a reasonable period of time as determined by the board. If a group or organization wishes to address the board on a topic, the board reserves the right to require designation of one or more representatives or spokespersons to speak on behalf of the group or organization. ¹
- c. 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 board in accordance with governing law.
- d. The board chair shall promptly rule out of order any discussion by any person, including board members, that would violate the provisions of state or federal law, this policy or the statutory rights of privacy of an individual.

¹ The chair will consider individual communication needs in determining the time allocated to each person who wishes to address the board. Every effort will be made to provide consistency and equity for all individuals.

- e. Personal attacks by anyone addressing the board are unacceptable. Persistence in such remarks by an individual shall terminate that person's privilege to address the board.
- f. Depending upon the number of persons in attendance seeking to be heard, the 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.

D. Complaints:

Routine complaints about a teacher or other employee should first be directed to that teacher or employee or to the employee's immediate supervisor. 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 MSA's Human Resources Office. In the absence of a designated person, the matter should be referred to the MSA superintendent. Unresolved complaints or problems concerning the academies should be directed to the superintendent's office.

Complaints which are unresolved at the superintendent's level may be brought before the board by notifying the board in writing.

E. Open Forum:

The board shall normally provide a specified period of time when topics may be presented and discussed. Members of the public may request to participate in those open forums, subject to the limitations of this policy. The board reserves the right to allocate a specific period of time for this purpose and limit time for speakers accordingly. Examples of Open Forum topics that might be discussed include updates on construction projects; reports from events or conventions that MSA has hosted; updates on progress from new initiatives or programs; current information about instructional methodology, etc. People who participate in open forums to present proposals or informational items are encouraged to include written reports for the board members.

- F. The board may decide to hold certain types of meetings where the public will not be invited to address the board. Possible examples of this type of meeting 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.
- G. Except as determined by the board to be necessary or in an emergency, the board will not take action at the same meeting on an item raised for the first time by the public.

XI. PENALTIES FOR VIOLATIONS OF DATA PRIVACY

- A. MSA 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. (*MS 13.08, Subd. 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. (*MS 13.09*)

- C. In the case of an employee and/or board member, willful violation of the Minnesota data practices law, Chapter 13, and any rules adopted thereunder, including any action subject to a criminal penalty, constitutes just cause for suspension without pay or dismissal. (*MS 13.09*)

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 13D (Open Meeting Law)
Minn. Stat. § 13.43 (Personnel Data)
Minn. Stat. § 123B.09, Subds. 6, 7, and 10 (School Board Matters)
Minn. Stat. § 123B.09, Subds. 6 and 7 (School Board Powers)
Minn. Stat. § 123B.09, Subd. 10 (Publishing Proceedings)
Minn. Stat. § 123B.12 (Finance)
Minn. Stat. § 123B.14 (Officers)
Minn. Stat. § 123B.14, Subd. 7 (Record of Meetings)
Minn. Stat. § 123B.143 (Superintendent)

Cross References:

MSBA/MASA Model Policy 202 (School Board Officers)
MSBA/MASA Model Policy 203 (Operation of the School Board – Governing Rules)
MSBA/MASA Model Policy 203.2 (Order of the Regular School Board Meeting)
MSBA/MASA Model Policy 203.5 (School Board Meeting Agenda)
MSBA/MASA Model Policy 203.6 (Consent Agendas)
MSBA/MASA Model Policy 204 (School Board Meeting Minutes)
MSBA/MASA Model Policy 205 (Open Meetings and Closed Meetings)
MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

Policy #: 209
Title: MSA BOARD CODE OF CONDUCT
Date of Initial Approval: 04-25-2019
Revision/Re-authorization Dates:
Reviewers: MSA Board Policy Committee

I. PURPOSE

The purpose of this policy is to assist each Minnesota State Academies (MSA) board member in understanding their role as part of a board and in recognizing the contribution that each member must make to develop an effective and responsible board. All MSA board members are required to maintain a high standard of ethics in performing public service as a member of the MSA board. This includes, but is not limited to, abiding by the intent of the Open Meeting law; operating within board policy and procedures; honest representation of appropriate reimbursable expenses and per diems; and preparation for and attendance at meetings. Each board member is expected to participate in board meetings, fulfilling the mission of the Minnesota State Academies.

II. GENERAL STATEMENT OF POLICY

Each MSA board member shall follow the code of conduct as follows in this policy. All members shall sign the MSA Board Member Oath of Office and the MSA Board Code of Conduct when appointed to the board. The Code of Conduct will be reviewed and re-signed by all board members at the annual organizational meeting in June. (*Appendix 209A – MSA Board Member Oath of Office; Appendix 209B – MSA Board Code of Conduct*)

III. AS A MEMBER OF THE MSA BOARD:

1. Attend MSA board meetings.
2. Come to the meetings prepared for discussion of the agenda items.
3. Listen to the opinions and views of others (including, but not limited to, other MSA board members, administration, staff, students, and community members).
4. Vote their conscience after informed discussion, unless abstaining because a conflict of interest exists.
5. Support the decision of the MSA board, even if their position concerning the issue was different.
6. Recognize the integrity of their predecessors and associates and appreciate their work.
7. Be primarily motivated by a desire to provide the best possible education for the students of MSA.
8. Inform myself about the proper duties and functions of a MSA board member.

IV. IN PERFORMING THE PROPER FUNCTIONS OF A MSA BOARD MEMBER:

1. Understand the role and operations of the board, its relationship with other governmental entities, and the statutes and rules under which the MSA boards governs.
2. Focus on the educational welfare of students attending MSA as much as possible.
3. Remember that board members' responsibility is to set policy – not to implement policy; publicly participating in board policy-making discussions and decisions.
4. Do their best to protect, conserve, and advance MSA's progress.
5. Recognize that their responsibility, exercised through the actions of the MSA board as a whole, is to see that the schools are properly run – not to run them.
6. Work through the superintendent – not over or around the superintendent.
7. Delegate the implementation of MSA board decisions to the superintendent.

V. TO MAINTAIN RELATIONS WITH OTHER MEMBERS OF THE MSA BOARD:

1. Respect the rights of others to have and express opinions.
2. Recognize that authority rests with the MSA board in legal session – not with the individual members of the MSA board except as authorized by law.
3. Make no disparaging remarks, in or out of MSA board meetings, about other members of the MSA board or their opinions.
4. Keep an open mind about voting on any proposition until the board has met and fully discussed the issue.
5. Make decisions by voting in MSA board meetings after all sides of debatable questions have been presented.
6. Work with other board members to establish policies and procedures that appropriately assist in the advancement of the board's goals and objectives.
7. Recognize that committees are appointed to serve only in an advisory capacity to the MSA board.

VI. IN MEETING RESPONSIBILITIES TO THE MSA COMMUNITY:

1. Attempt to appraise and plan for both the present and future educational needs of MSA.

2. Attempt to support acquisition of adequate financial support for MSA's programs.
3. Ensure that business transactions of MSA are ethical and open.
4. Strive to uphold responsibilities and accountability.
5. Recognize that individual board members have no authority to speak or act for the board without express permission from the board.

VII. IN WORKING WITH THE SUPERINTENDENT OF MSA AND STAFF:

1. Delegate to the superintendent responsibility for the administration of MSA programs.
2. Give the superintendent authority commensurate with their responsibilities.
3. Ensure that MSA's hiring practices and policies are developed appropriately to employ the best professional personnel available.
4. Consider the recommendation of the superintendent in approving the hiring of new employees.
5. Participate in MSA board action after considering the recommendation of the superintendent and only after the superintendent has furnished adequate information supporting the recommendation.
6. Keep informed about MSA programs by reviewing communications from the superintendent.
7. Offer the superintendent counsel and advice.
8. Recognize the status of the superintendent as the chief executive officer and a non-voting, ex officio member of the MSA board.
9. Refer all complaints to the proper administrative officer or insist that they be presented in writing to the whole MSA board for proper referral according to the chain of command.
10. Present any personal criticisms of employees to the superintendent.
11. Provide support for the superintendent and employees of MSA so they may perform their proper functions on a professional level.

VIII. IN FULFILLING LEGAL OBLIGATIONS AS A MSA BOARD MEMBER:

1. Comply with all federal, state, and local laws relating to my work as a MSA board member.
2. Comply with all MSA policies as adopted by the MSA board.
3. Abide by all rules and regulations from the Minnesota Department of Education and other state and federal agencies with jurisdiction over school districts.

4. Recognize that MSA business may be legally transacted only in an open meeting of the MSA board.
5. Avoid conflicts of interest and refrain from using MSA board position for personal gain; recognizing that if there is a potential for personal conflict of interest in regard to a matter before the board, this information should be shared prior to any discussion and abstaining from voting on the matter.
6. Take no private action that will compromise the MSA board or administration.
7. Guard the confidentiality of information that is protected under applicable law.
8. Maintain accurate financial records and expect reimbursement only for those activities that advance collective board goals.
9. Take no individual action that will compromise the board's integrity and credibility.

Appendices:

Appendix 209A – MSA Board Member Oath of Office (form)

Appendix 209B – MSA Board Code of Conduct (form)

Legal References:

Minn. Stat. § 123B.02, Subd. 1 (School District Powers)

Minn. Stat. § 123B.09 (School Board Powers)

Minn. Stat. § 123B.143, Subd. 1 (Superintendent)

Cross References:

MSBA/MASA Model Policy 209 (Code of Ethics)

Policy #: 210
Title: MSA BOARD - CONFLICT OF INTEREST
Date of Initial Approval: 04-25-2019
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Reviewers: MSA Board Policy Committee

I. PURPOSE

The purpose of this policy is to observe state statutes regarding conflicts of interest and to engage in Minnesota State Academies (MSA) business activities in a fashion designed to avoid any conflict of interest or the appearance of impropriety.

II. GENERAL STATEMENT OF POLICY

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

III. GENERAL PROHIBITIONS AND RECOGNIZED STATUTORY EXCEPTIONS

- A. A MSA board member who is authorized to take part in any manner in making any sale, lease, or contract in their official capacity shall not voluntarily have a personal financial interest in that sale, lease, or contract or personally benefit financially therefrom.
- B. In the following circumstances, however, the MSA board may as an exception, by unanimous vote, contract for goods or services with a MSA board member of the school district:
 - a. In the designation of a bank or savings association, in which a MSA board member is interested, as an authorized depository for MSA funds and as a source of borrowing, provided such deposited funds are protected in accordance with Minn. Stat. Ch. 118A. Any MSA board member having said interest shall disclose that interest and the interest shall be entered upon the minutes of the MSA board. Disclosure must be made when such bank or savings association is first designated as a depository or source of borrowing, or when such MSA board member is elected, whichever is later. Disclosure serves as notice of the interest and must only be made once;
 - b. A contract with a cooperative association of which the MSA board member is a shareholder or stockholder but not an officer or manager;
 - c. A contract for which competitive bids are not required by law. A contract made under this exception will be void unless the following procedures are observed:

- i. The MSA board must authorize the contract in advance of its performance by adopting a resolution setting out the essential facts and determining that the contract price is as low as or lower than the price at which the goods or services could be obtained elsewhere.
 - ii. In the case of an emergency when the contract cannot be authorized in advance, payment of the claims must be authorized by a like resolution wherein the facts of the emergency are also stated.
 - iii. Before a claim is paid, the interested MSA board member must file with the clerk of the MSA board an affidavit stating:
 - 1. The name of the MSA board member and the office held;
 - 2. An itemization of the goods or services furnished;
 - 3. The contract price;
 - 4. The reasonable value;
 - 5. The interest of the MSA board member in the contract; and
 - 6. That to the best of the MSA board member's knowledge and belief, the contract price is as low as, or lower than, the price at which the goods or services could be obtained from other sources.
 - d. A MSA board member may contract with the state of Minnesota to provide construction materials or services, or both, when the sealed bid process is used.
 - e. A MSA board member may rent space from MSA at a rate commensurate with that paid by other members of the public.
- C. In the following circumstances, the MSA board may as an exception, by majority vote at a meeting where all MSA board members are present, contract for services or approve employment of a MSA board member: A MSA board member may be newly employed or may continue to be employed by MSA as an employee where there is a reasonable expectation on July 1, or at the time the contract or employment is entered into or extended, that the amount to be earned by that MSA board member under that contract or employment relationship, will not exceed \$8,000 in that fiscal year (July 1st through June 30th). If the MSA board member does not receive majority approval to be initially employed or to continue in employment at a meeting where all MSA board members are present, that employment must be immediately terminated and that MSA board member will have no further rights to employment at MSA while serving as a MSA board member.
- D. The MSA board may approve employment or short-term assignments (i.e.; extracurricular assignments) of spouses and/or children of a MSA board member if the spouse/child receives no special monetary or other benefit that is substantially different from the benefits that other employees receive. In order for the MSA board to invoke this exception, it must have a majority of disinterested MSA board members vote to approve the employment, and direct

the MSA board member spouse to abstain from voting. (*Refer to MSA Policy # 426 – Nepotism in Employment*)

IV. CONFLICTS PRIOR TO TAKING OFFICE

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

V. DETERMINATION AS TO WHETHER A CONFLICT OF INTEREST EXISTS

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

Legal References:

Minn. Stat. § 122A.40, Subd. 3 (Teacher Hiring, Dismissal)
Minn. Stat. § 123B.195 (Board Member's Right to Employment)
Minn. Stat. § 471.87 (Public Officers; Interest in Contract; Penalty)
Minn. Stat. § 471.88, Subds. 2, 3, 4, 5, 12, 13, and 21 (Exceptions)
Minn. Stat. § 471.89 (Contract, When Void)
Op. Atty. Gen. 90-A (Aug. 14, 1957)
Op. Atty. Gen. 90-C-5 (July 30, 1940)
Op. Atty. Gen. 437-A-4 (March 15, 1935)

Cross References:

MSBA/MASA Model Policy 209 (Code of Ethics)

Policy #: 402
Title: Disability Non-Discrimination
Date of Initial Approval: 11-13-2015
Revision/Re-authorization Dates: 01-21-2016: 01-24-2019
Reviewers: MSA Human Resources; MSA Superintendent

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

A. The Minnesota State Academies (MSA) shall not discriminate against qualified individuals with disabilities in regard to job application procedures, hiring, advancement, discharge, compensation, job training, and other terms, conditions and privileges of employment.

B. MSA shall not engage in contractual or other arrangements that have the effect of subjecting its qualified applicants or employees with disabilities to discrimination on the basis of disability. MSA shall not exclude or otherwise deny equal jobs or job benefits to a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a relationship or association.

C. MSA shall make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless the accommodation would impose undue hardship on the operations of MSA.

D. Any job applicant or employee wishing to discuss the need for a reasonable accommodation, or other matters related to a disability or the enforcement and application of this policy, should contact MSA's Human Resources Director. This is MSA's appointed ADA/Section 504 Coordinator.

Legal References:

29 U.S.C. 794 et seq. (Rehabilitation Act of 1973, § 504)
42 U.S.C., Ch. 126 § 12112 (Americans with Disabilities Act)
29 C.F.R. Part 32
34 C.F.R. Part 104

Cross References:

MSA Policy 401 Equal Employment Opportunity Policy

Policy #: 406
Title: Data Protection for Human Resource Systems
Date of Initial Approval: 12-22-2015
Revision/Re-authorization Dates: 02-18-2016; 01-24-2019
Reviewers: MSA Human Resources Office

I. PURPOSE AND GENERAL STATEMENT OF POLICY

Minnesota State Academies (MSA) is a state agency and is part of the executive branch of government in Minnesota; MSA follows the Data Protection Policy for Human Resources set forth by Minnesota Management and Budget.

The purpose of this policy is to ensure that non-public data contained in Human Resources Systems are accessible only to persons within the state agency whose work assignment and job duties reasonably require access to the data.

The State of Minnesota Data Protection policy and procedures can be found: https://mn.gov/mmb/assets/1429-dataprotectionhrsystemss_tcm1059-334111.pdf or in Appendix 406-A.

Appendix:
Appendix 406-A

Policy #: 418.1
Title: PROHIBITION OF ALCOHOL AND DRUG USE BY STATE EMPLOYEES
Date of Initial Approval: 03/18/1989
Revision/Re-authorization Dates: 01/20/2011; 01-24-2019
Reviewers: MSA Superintendent; MSA Human Resources Office; MSAD/MSAB Directors; MSA Director of Student Support Services

I. PURPOSE

The Minnesota State Academies (MSA) is a state agency and a school district. As part of our accountability and function as a government agency, employees of MSA are considered state employees, and thus required to follow policies set in place for all state employees. In regards to the prohibition of Alcohol and Drug Use, MSA desires to provide safe and effective services; protect the safety, health, and well-being of employees and others on our campuses; ensure that MSA employees perform their jobs efficiently, safely, and in a professional manner; and maintain an environment free from the illegal use of drugs and the use of alcohol. Towards this goal, the MSA board has determined that we will adhere to the Minnesota Management and Budget (MMB) HR/LR Policy #1418 – Prohibition of Alcohol and Drug Use by State Employees.

II. GENERAL STATEMENT OF POLICY

The state prohibits the unlawful manufacture, distribution, dispensation, possession, use, sale, trade, and/or offer for sale of alcohol or controlled substances in the work place or while performing work for the state. This policy applies to all employees of MSA.

The MMB HR/LR Policy #1418 – Prohibition of Alcohol and Drug Use by State Employees can be found at:

https://mn.gov/mmb/assets/1418DrugAndAlcoholPolicy2016_tcm1059-253325.pdf
or in Appendix 418.1-A.

MSA employees are directed to refer to this policy for guidance regarding the prohibition of alcohol and drug use.

Appendix:

Appendix 418.1-A – MMB HR/LR Policy #1418 – Prohibition of Alcohol and Drug Use by State Employees

Policy #: 427
Title: WORKLOAD LIMITS FOR SPECIAL EDUCATION/SPECIAL TEACHERS
Date of Initial Approval: 11-24-2015
Revision/Re-authorization Dates: 01-21-2016; 03-28-2019
Reviewers: MSA Human Resources Office; MSAB/MSAD Directors; MSA Director of Student Support Services.

I. PURPOSE

The purpose of this policy is to establish general parameters for determining the workload limits of special education staff at the Minnesota State Academies (MSA).

II. DEFINITIONS

- A. **“Special Education Staff; Special Education/Special Teacher”** means a teacher or support services staff member employed by MSA who is licensed under the Professional Educator Licensing and Standards Board (PELSB) to instruct children who are Blind/Visually Impaired (B/VI), Deaf/Hard of Hearing (D/HH), or DeafBlind (DB), including those with additional challenges/needs.
- B. **“Direct Services”** means special education services provided by a special education/special teacher when the services are related to instruction, including cooperative teaching and support services as indicated in the student’s Individual Education Programs (IEPs).
- C. **“Indirect Services”** means special education services provided by a special education/special teacher which include ongoing progress reviews; cooperative planning; consultation; demonstration teaching; modification and adaptation of the environment, curriculum, materials, or equipment; and direct contact with children with disabilities to monitor and observe.
- D. **“Workload”** means a special education/special teacher’s total number of minutes required for all due process responsibilities, including direct and indirect services, evaluation and reevaluation time, management of IEPs, travel time, parental contact, and other services required in the IEPs.

III. GENERAL STATEMENT OF POLICY

- A. The workload limits for special education/special teachers are based on the needs of students and accommodations identified in their IEPs and shall be determined by the directors of each campus and the director of student support services, in consultation with the superintendent.
- B. In determining workload limits for special education staff, MSA shall take into consideration the following factors: student contact minutes, evaluation and reevaluation time, indirect services, management of IEPs, travel time, and other services required in the IEPs of eligible students.

IV. COLLECTIVE BARGAINING AGREEMENT UNAFFECTED

This policy shall not be construed as a reopening of negotiations between MSA and the special education/special teachers’ exclusive representative, nor shall it be construed to

alter or limit in any way the managerial rights or other authority of MSA set forth in the Public Employers Labor Relations Act or in the collective bargaining agreement between MSA and the special education/special teachers' exclusive representative.

Legal References:

Minn. Stat. § 179A.07, Subd. 1 (Inherent Managerial Policy)

Minn. Rule 3525.0210, Subps. 14, 27, 44, and 49 (Definitions of Direct/Indirect Services, Teacher, and Workload)

Minn. Rule 3525.2340, Subp. 4.B. (Case Loads for School-Age Educational Service Alternatives)

Cross References:

MSBA/MASA Model Policy 508 (Extended School Year for Certain Students with IEPs)

MSBA/MASA Model Policy 608 (Instructional Services – Special Education)

Policy #: 512
Title: SCHOOL-SPONSORED STUDENT PUBLICATIONS AND ACTIVITIES
Date of Initial Approval: 03-24-2016
Revision/Re-authorization Dates: 04-25-2019
Reviewers: MSA Superintendent; MSA Instructional Leadership Team

I. PURPOSE

The purpose of this policy is to protect students' rights to free speech in production of official school publications and activities while at the same time balancing the Minnesota State Academies (MSA)'s role in supervising student publications and the operation of our academies.

II. GENERAL STATEMENT OF POLICY

- A. MSA may exercise editorial control over the style and content of student expression in school-sponsored publications and activities.
- B. Expressions and representations made by students in MSA-sponsored publications and activities are not expressions of official MSA policy. Faculty advisors shall supervise student writers to ensure compliance with the law and MSA policies.
- C. Students who believe their right to free expression has been unreasonably restricted in an official student publication or activity may seek review of the decision by the MSAB/MSAD director. The director shall issue a decision no later than three (3) school days after the review is requested.
 - 1. Students producing official school publications and activities shall be under the supervision of a faculty advisor and the campus director and/or assistant director. Official publications and activities shall be subject to the guidelines set forth below.
 - 2. Official school publications shall be distributed at reasonable times and locations.

III. DEFINITIONS

- A. **“Distribution”** means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying material, or placing materials in internal staff or student mailboxes.
- B. **“Official school publications”** means school newspapers, yearbooks, videos, social media posts, or material produced in communications, journalism, or other writing classes as a part of the curriculum.
- C. **“Obscene to minors”** means:
 - 1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
 - 2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested,

- sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and
3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.

D. **“Minor”** means any person under the age of eighteen (18).

E. **“Material and substantial disruption”** of a normal school activity means:

1. Where the normal school activity is an educational program of MSA for which student attendance is compulsory, “material and substantial disruption” is defined as any disruption which interferes with or impedes the implementation of that program.
2. Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods) “material and substantial disruption” is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecast, including past experience at MSA, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

F. **“School activities”** means any activity of students sponsored by MSA including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.

G. **“Libelous”** is a false and unprivileged statement about a specific individual that tends to harm the individual’s reputation or to lower that individual in the esteem of the community.

IV. GUIDELINES

A. Expression in an official school publication or school-sponsored activity is prohibited when the material:

1. is obscene to minors;
2. is libelous or slanderous;
3. advertises or promotes any product or service not permitted for minors by law;
4. encourages students to commit illegal acts or violate school regulations or substantially disrupts the orderly operation of school or school activities;
5. expresses or advocates disability specific sexual, racial, or religious harassment or violence or prejudice;
6. is distributed or displayed in violation of time, place, and manner regulations.

B. Expression in an official school publication or school-sponsored activity is subject to editorial control by MSA over the style and content so long as MSA’s actions are

reasonably related to legitimate pedagogical concerns. These may include, but are not limited to, the following:

1. assuring that participants learn whatever lessons the activity is designed to teach;
2. assuring that readers or listeners are not exposed to material that may be inappropriate for their level of maturity;
3. assuring that the views of the individual speaker are not erroneously attributed to the school;
4. assuring that the school is not associated with any position other than neutrality on matters of political controversy;
5. assuring that the sponsored student speech cannot reasonably be perceived to advocate conduct otherwise inconsistent with the shared values of a civilized social order;
6. assuring that the school is not associated with expression that is, for example, ungrammatical, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences.

C. Time, Place, and Manner of Distribution

Students shall be permitted to distribute written materials at school as follows:

1. Time:
Distribution shall be limited to the hours before the school day begins, during lunch hour and after school is dismissed.
2. Place:
Written materials may be distributed in locations so as not to interfere with the normal flow of traffic within the school hallways, walkways, entry ways, and parking lots. Distribution shall not impede entrance to or exit from school premises in any way.
3. Manner:
No one shall induce or coerce a student or staff member to accept a student publication.

Legal References:

U. S. Const., amend. I
Hazelwood School District v. Kuhlmeier, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)
Bystrom v. Fridley High School, I.S.D. No. 14, 822 F. 2d 747 (8th Cir. 1987)
Morse v. Frederick, 551 U.S. 393, 127 S.Ct. 2618, 168 L.Ed.2d 290 (2007)

Cross References:

MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)

Policy #: 601
Title: SCHOOL CURRICULUM AND INSTRUCTIONAL GOALS
Date of Initial Approval: 02-18-2016
Revision/Re-authorization Dates: 06-27-2019
Reviewers: MSAB/MSAD Directors; MSA Director of Student Support Services

I. PURPOSE

The purpose of this policy is to establish broad curriculum parameters for the Minnesota State Academies (MSA) that encompass the Minnesota Graduation Standards and are aligned with creating the world's best workforce.

II. GENERAL STATEMENT OF POLICY

The policy of MSA is to establish the "world's best workforce" towards which all learning at MSA should be directed and for which all MSA learners should be held accountable.

III. DEFINITIONS

- A. "Academic standard" means a summary description of student learning in a required content area or elective content area. Generally, MSA follows standards established by the Minnesota Department of Education, with accommodations and modifications as appropriate for each academy. For MSA-specific courses or uniquely designed programs that do not have standards established by the MDE, MSA establishes standards expected for each course or program that are included within the curriculum approved by the MSA Board.
- B. "Benchmark" means specific knowledge or skill that a student must master to complete part of an academic standard by the end of the grade level or grade band.
- C. "Curriculum" means district or school adopted programs and written plans for providing students with learning experiences that lead to expected knowledge, skills, and career and college readiness.
- D. "Instruction" means methods of providing learning experiences that enable students to meet state and district academic standards and graduation requirements.
- E. "Performance measures" are measures to determine school district and school site progress in striving to create the world's best workforce and must include data from the following areas:
 - 1. student performance on the National Assessment of Educational Progress if applicable;
 - 2. the size of the academic achievement gap and rigorous course taking, including college-level advanced placement, international baccalaureate, postsecondary enrollment options including concurrent enrollment, other statutorily recognized courses of study or industry certification courses or programs and enrichment experiences by student subgroup;
 - 3. student performance on the Minnesota Comprehensive Assessments;
 - 4. student performance on district assessments (i.e., NWEA Measures of Academic Performance)
 - 5. high school graduation rates; and

6. career and college readiness under *Minn. Stat. § 120B.30, Subd. 1.*
- F. “World’s best workforce” means striving to:
1. meet school readiness goals;
 2. have all third-grade students achieve grade-level literacy;
 3. close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty;
 4. have all students attain career and college readiness before graduating from high school; and
 5. have all students graduate from high school.
- G. “Experiential learning” means learning for students that includes career exploration through a specific class or course or through work-based experiences such as job shadowing, mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative work experience, youth apprenticeship, or employment.

IV. LONG-TERM STRATEGIC PLAN

- A. The MSA board, at a public meeting, shall adopt a comprehensive, long-term strategic plan to support and improve teaching and learning that is aligned with creating the world’s best workforce. Components of this plan shall be developed by the MSA school accountability committee (MSA Policy #616) and include the following:
1. clearly defined curriculum goals;
 2. a process for assessing and evaluating each student’s progress toward meeting state and local academic standards and identifying the strengths and weaknesses of instruction in pursuit of student and school success and curriculum affecting students’ progress and growth toward career and college readiness and leading to the world’s best workforce;
 3. a system to periodically review and evaluate the effectiveness of all instruction and curriculum, taking into account strategies and best practices, and student outcomes;
 4. strategies for improving instruction, curriculum, language development, and student achievement;
 5. education effectiveness practices that integrate high-quality instruction, rigorous curriculum, technology, and a collaborative professional culture that develops and supports teacher quality, performance, and effectiveness; and;
 6. annual budgets for continuing to implement the plan.

- B. MSA district and school goals shall include the following:
1. All students will be required to demonstrate essential skills to effectively participate in lifelong learning. These skills include the following:
 - a. reading, writing, speaking, listening, or communicating, (including bilingual language development in English and ASL at MSAD, and supporting Braille Literacy with Blind, Visually Impaired, and DeafBlind students)
 - b. mathematical and scientific concepts;
 - c. locating, organizing, communicating, and evaluating information and developing methods of inquiry (i.e., problem solving);
 - d. creative and critical thinking, decision making, and study skills;
 - e. work readiness skills;
 - f. global and cultural understanding.
 2. Each student will have the opportunity and will be expected to develop and apply essential knowledge that enables that student to:
 - a. live as a responsible, productive citizen and consumer within local, state, national, and global political, social, and economic systems;
 - b. bring many perspectives, including historical, to contemporary issues;
 - c. develop an appreciation and respect for democratic institutions;
 - d. communicate and relate effectively in languages and with cultures other than the student's own;
 - e. practice stewardship of the land, natural resources, and environment;
 - f. use a variety of tools and technology to gather and use information, enhance learning, solve problems, and increase human productivity.
 3. Students will have the opportunity to develop creativity and self-expression through visual and verbal images, music, literature, world languages, movement, and the performing arts.
 4. School practices and instruction will be directed toward developing within each student a positive self-image and a sense of personal responsibility for:
 - a. establishing and achieving personal and career goals;
 - b. adapting to change;
 - c. leading a healthy and fulfilling life, both physically and mentally;
 - d. living a life that will contribute to the well-being of society;
 - e. becoming a self-directed learner;
 - f. exercising ethical behavior.
 5. Students will be given the opportunity to acquire human relations skills necessary to:
 - a. appreciate, understand, and accept human diversity and interdependence;
 - b. address human problems through team effort;
 - c. resolve conflicts with and among others;
 - d. function constructively within a family unit;
 - e. promote a multicultural, gender-fair, disability-sensitive society.

Legal References:

Minn. Stat. § 120B.018 (Definitions)
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)
Minn. Stat. § 120B.11 (School District Process)
Minn. Stat. § 120B.30, Subd. 1 (Statewide Testing and Reporting System)
Minn. Stat. § 120B.35, Subd. 3 (Student Academic Achievement and Growth)
Minn. Stat. § 122A.40, Subd. 8 (Employment; Contracts; Termination)
Minn. Stat. § 122A.41, Subd. 5 (Teacher Tenure Act; Cities of the First Class; Definitions)
Minn. Stat. § 123B.147, Subd. 3 (Principals)
20 U.S.C. § 5801, et seq. (National Education Goals 2000)

Cross References:

MSBA/MASA Model Policy 104 (School District Mission Statement)
MSBA/MASA Model Policy 613 (Graduation Requirements)
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)
MSBA/MASA Model Policy 616 (School District System Accountability)
MSBA/MASA Model Policy 618 (Assessment of Student Achievement)

Policy #: 603
Title: CURRICULUM DEVELOPMENT
Date of Initial Approval: 02-18-2016
Revision/Re-authorization Dates:06-27-2019
Reviewers: MSA Directors

I. PURPOSE

The purpose of this policy is to provide direction for continuous review and improvement of the school curriculum at the Minnesota State Academies (MSA).

II. GENERAL STATEMENT OF POLICY

Curriculum development shall be directed toward the fulfillment of the goals and objectives of the educational programs at MSA.

III. RESPONSIBILITY

- A. The school accountability committee shall be responsible for curriculum development and for determining the most effective way of conducting research on MSA's curriculum needs and establishing a long range curriculum development program. Timelines shall be determined by the superintendent and MSA directors that will provide for periodic reviews of each curriculum area.
- B. For new curriculums, courses, and/or programs, the MSA directors shall establish an advisory committee to provide assistance/input into selection of new curriculums. The advisory committee membership shall, to the extent possible, include parents, teachers, support staff, students, alumni/community members, and/or administration representation that reflect the diversity of MSA.
- C. Within the ongoing process of curriculum development, the following needs shall be addressed:
 - a. Achievement of state standards established for each subject area/grade level
 - b. Provide for articulation of courses of study from early childhood through grade twelve/transition programs (i.e. Life Skills, Academy Plus)
 - c. Identify minimum objectives for each course and at each elementary grade level.
 - d. Ensure progress of students towards meeting their IEP goals and objectives
 - e. Provide for continuing evaluation of programs for the purpose of attaining school district objectives.
 - f. Provide a program for ongoing monitoring of student progress.

- g. Provide for specific, particular, and special needs of all members of the student community.
 - h. Integrate required and elective course standards in the scope and sequence of the MSA curriculum.
 - i. Meet all applicable requirements of the Minnesota Department of Education and the Every Student Succeeds Act (ESSA) and goals established within MSA's World's Best WorkForce plan.
- D. The superintendent shall be responsible for keeping the school board informed of all state-mandated curriculum changes, as well as recommended discretionary changes, and for periodically presenting recommended modifications for school board review and approval.
- E. The superintendent shall have discretionary authority to develop guidelines and directives to implement school board policy relating to curriculum development.

Legal References:

Minn. Stat. § 120B.10 (Findings; Improving Instruction and Curriculum)
Minn. Stat. § 120B.11 (School District Process)
Minn. Stat. § 125A.62 Subd. 4 (Most Beneficial/Least Restrictive)
Minn. Stat. § 125A.62 Subd. 5 (Planning, Evaluation, and Reporting)
Minn. Rules Part 3500.0550 (Inclusive Educational Program)
Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)
Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)
Minn. Rules Parts 3501.1000-3501.1190 (Graduation-Required Assessment for Diploma)
Minn. Rules Parts 3501.1200-3501.1210 (Academic Standards for English Language Development)
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)

Cross References:

MSBA/MASA Model Policy 604 (Instructional Curriculum)
MSBA/MASA Model Policy 605 (Alternative Programs)
MSBA/MASA Model Policy 613 (Graduation Requirements)
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)
MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
MSBA/MASA Model Policy 616 (School District System Accountability)
MSBA/MASA Model Policy 617 (School District Ensurance of Preparatory and High School Standards)
MSBA/MASA Model Policy 618 (Assessment of Student Achievement)
MSBA/MASA Model Policy 619 (Staff Development for Standards)
MSBA/MASA Model Policy 620 (Credit for Learning)
MSBA/MASA Model Policy 623 (Mandatory Summer School Instruction)

Policy #: 606
Title: TEXTBOOKS AND INSTRUCTIONAL MATERIALS
Date of Initial Approval: 02-18-2016
Revision/Re-authorization Dates:06-27-2019
Reviewers: MSA Directors

I. PURPOSE

The purpose of this policy is to provide direction for selection of textbooks and instructional materials at the Minnesota State Academies (MSA).

II. GENERAL STATEMENT OF POLICY

The MSA board recognizes that selection of textbooks and instructional materials is a vital component of the MSA curriculum. The MSA board also recognizes that it has the authority to make final decisions on selection of all textbooks and instructional materials. This policy is intended to address the selection and purchase of new textbooks and instructional materials that have not been previously approved. The purchase of newer editions of board-approved textbooks or supplemental/consumable materials that support board-approved curriculum does not require board approval.

III. DEFINITIONS

A. Textbooks

Textbooks include student and teacher versions of books utilized for delivery of curricular content, supplemental materials (i.e. workbooks), enrichment activities, and accommodations/modifications available to meet students' individual needs.

B. Instructional Materials

Instructional materials include items such as videos, computer applications, experiential activities (hands-on activities), kits, or other resources that are packaged with textbooks to support instruction. This does not include teacher-made materials such as power-point presentations, teacher videos, or other resources/materials that teachers utilize to support student learning within the classroom.

IV. RESPONSIBILITY OF SELECTION

A. While the MSA board retains its authority to make final decisions on the selection of textbooks and instructional materials, the MSA board recognizes the expertise of the professional staff at MSA and the vital need of such staff to be primarily involved in the recommendation of textbooks and instructional materials. Accordingly, the MSA board delegates to the superintendent the responsibility to direct the professional staff in formulating recommendations to the MSA board on textbooks and other instructional materials.

- B. In reviewing textbooks and instructional materials during the selection process, MSA professional staff shall select materials which:
- a. support the goals and objectives of the educational programs at MSA;
 - b. consider the needs, age, and maturity of students;
 - c. foster respect and appreciation for cultural diversity and empathy with varied perspectives/opinions;
 - d. fit within the constraints of the MSA budget;
 - e. are in accessible formats that match students' individual needs on both campuses and support the development of English and students' native language(s) (i.e. American Sign Language). Another language may be used, pursuant to *Minn. Stat. § 124D.61*
 - f. do not censor or restrain instruction in American or Minnesota state history or heritage based on religious references in original source documents, writings, speeches, proclamations, or records.
- C. The superintendent shall be responsible for developing procedures and guidelines to establish an orderly process for the review and recommendation of textbooks and other instructional materials by the professional staff. Such procedures and guidelines shall provide opportunity for input and consideration of the views of students, parents, and other interested members of the MSA community. This procedure shall be coordinated with MSA's curriculum development effort.

V. RESPONSIBILITY OF SELECTION

- A. The superintendent shall be responsible for keeping the MSA board informed of progress regarding the textbook and instructional materials review and selection process.
- B. The superintendent shall present a recommendation to the MSA board on the selection of textbooks and other instructional materials after completion of the review process as outlined in this policy.

VI. RECONSIDERATION OF TEXTBOOKS OR OTHER INSTRUCTIONAL MATERIALS

- A. The MSA board recognizes the possibility of differences of opinion on the part of some members of the MSA community relating to certain areas of the instruction programs at MSA. Upon inclusion of textbook/instructional materials recommendations to the board on board meeting agendas, interested persons may request an opportunity to review materials and submit feedback to the board.
- B. The superintendent shall be responsible for the development of procedures and guidelines to identify the steps to be followed to seek reconsideration of textbooks or other instructional materials. (MSA Procedure # 6006)

Legal References:

Minn. Stat. § 120A.22, Subd. 9 (Compulsory Instruction – Curriculum)
Minn. Stat. § 120B.235 (American Heritage Education)
Minn. Stat. § 123B.02, Subd. 2 (General Powers of Independent School Districts)
Minn. Stat. § 123B.09, Subd. 8 (School Board Responsibilities)
Minn. Stat. § 124D.59-124D.61 (Limited English Proficiency)
Minn. Stat. § 127A.10 (State Officials and School Board Members to be Disinterested; Penalty)
Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)
Pratt v. Independent Sch. Dist. No. 831, 670 F.2d 771 (8th Cir. 1982)

Cross References:

MSBA/MASA Model Policy 603 (Curriculum Development)
MSBA/MASA Model Policy 604 (Instructional Curriculum)

Policy #: 607
Title: ORGANIZATION OF GRADE LEVELS
Date of Initial Approval: 02-18-2015
Revision/Re-authorization Dates: 06-27-2019
Reviewers: MSA Directors

I. PURPOSE

The purpose of this policy is to address the grade level organization at the Minnesota State Academies (MSA).

II. GENERAL STATEMENT OF POLICY

A. The policy of the school district is to address the groupings of grade levels as recognized in *Minn. Stat. § 120A.05*, as follows:

- *Elementary:*
Grades prekindergarten through 6
- *Middle:*
Minimum of two consecutive grades above 4th but below 10th
- *Secondary:*
(Grades 7 through 12)
- *Middle School*
Grades 7 through 8
- *Senior High*
Grades 9 through 12
- *Vocational*
Grades 9 through 12

B. The superintendent may seek MSA board approval to administer certain programs on a non-graded basis or a design different than indicated above. Program proposals that seek MSA board approval must meet all state requirements and reflect the rationale for the modification.

C. At MSA, current programs are established as follows:

- a. Minnesota State Academy for the Blind
 - i. Multi-Disabilities Program: non-graded
 - ii. Academic Program
 - 1. Elementary School: Kindergarten through 5th grade
 - 2. Middle School: 6th-8th grade
 - 3. High School: 9th-12th grade
 - iii. Academy Plus (A+) Post-Secondary Program: non-graded (Ages 18-21)
- b. Minnesota State Academy for the Deaf
 - i. Birth-18 months of age (Home-based services through Individual Family Service Plans)
 - ii. Early Childhood Education: 18 months through Pre-Kindergarten

- iii. Elementary School: Kindergarten through 5th grade
- iv. Middle School: 6th-8th grade
- v. High School: 9th-12th grade
- vi. Life Skills Program: non-graded secondary students up to age 21
- vii. Academy Plus (A+) Post-Secondary Program: non-graded (Ages 18-21)

III. DEFINITIONS

- A. "Early Childhood" means a program designed for students between Birth and 5 years of age, including pre-kindergarten classes.
- B. "Pre-Kindergarten" means a program designed for students younger than five years of age on September 1 of the calendar year in which the school year commences that prepares students to enter kindergarten the following school year.
- C. "Kindergarten" means a program designed for students five years of age on September 1 of the calendar year in which the school year commences that prepares students to enter first grade the following school year.
- D. "Multiple Disabilities Program" is a program on the MSAB campus that is designed for blind/visually impaired students who also have additional mental, learning, physical, and/or other disabilities.
- E. "Life Skills Program" is a program on the MSAD campus that is designed for deaf/hard-of-hearing students in high school through age 21 who also have additional mental, learning, physical, and/or other disabilities that require a hands-on experiential approach to learning.
- F. "Academy Plus (A+) Program" means programs on both campuses that are designed to support transition and independent living needs of students who have met high school graduation requirements but require additional supports and training to be able to transition into post-secondary programs, training, work, and/or living situations.

Legal References:

Minn. Stat. § 120A.05, Subds. 9, 10a, 11, 13, 17 (Public Schools)

Minn. Stat. § 123B.02, Subd. 2 (General Powers of Independent School Districts)

Policy #: 608
Title: INSTRUCTIONAL SERVICES – SPECIAL EDUCATION
Date of Initial Approval: 02-18-2016
Revision/Re-authorization Dates:06-27-2019
Reviewers: MSA Directors

I. PURPOSE

The purpose of this policy is to set forth the position of the Minnesota State Academies (MSA) board on the need to provide special education services to students at MSA.

II. GENERAL STATEMENT OF POLICY

The MSA board recognizes that all MSA students have Individual Education Programs that adhere to federal and state laws/regulations related to special education and further recognizes the importance of providing a free appropriate public education and delivery systems designed for students who are deaf, hard-of-hearing, deafblind, blind, and visually impaired.

III. RESPONSIBILITIES

- A. The MSA board accepts its responsibility to ensure that MSA has appropriate programs and resources to identify, evaluate, and provide special education and related services for students who are deaf, hard-of-hearing, deafblind, blind, or visually impaired, including those with additional disabilities who are properly the responsibility of MSA and who meet the criteria to qualify for special education and related services as set forth in Minnesota and federal law.
- B. MSA shall ensure that all qualified students are provided special education and related services which are appropriate to their educational needs.
- C. When such services require or result from interagency cooperation, MSA shall participate in such interagency activities in compliance with applicable federal and state law.

Legal References:

- Minn. Stat. § 124D.03 (Enrollment Options Program)*
- Minn. Stat. § 125A.02 (Definition of Child with a Disability)*
- Minn. Stat. §§ 125A.027, 125A.03, 125A.08, 125A.15, and 125A.29 (District Obligations)*
- 20 U.S.C. § 1400 et seq. (Individuals with Disabilities Education Improvement Act of 2004)*

Cross References:

- MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)*
- MSBA/MASA Model Policy 508 (Extended School Year for Certain Students with IEPs)*
- MSBA/MASA Model Policy 509 (Enrollment of Nonresident Students)*
- MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)*

Policy #: 614
Title: STATE-MANDATED TESTS
Date of Initial Approval: 03-28-2019
Revision/Re-authorization Dates:
Reviewers: MSAB/MSAD Directors; MSA Director of Student Support Services

I. PURPOSE

The purpose of this policy is to establish the Minnesota State Academies (MSA)'s testing plan and procedures for testing, test security, documentation, and record keeping to ensure compliance with state-mandated testing protocols.

II. DUTIES OF MSA EMPLOYEES

A. Superintendent

Responsibilities before testing

1. Designate a district assessment coordinator (DAC) and district technology coordinator.
2. The superintendent, or a designee who has been authorized to be the identified official with authority by the MSA board, pre-authorizes staff access for applicable Minnesota Department of Education (MDE) secure systems.
3. Annually review and recertify staff who have access to MDE secure systems.
4. Read and complete the Assurance of Test Security and Non-Disclosure.
5. Establish a culture of academic integrity.
6. Fully cooperate with MDE representatives conducting site visits or Minnesota Test of Academic Skills (MTAS) audits during testing.
7. Via directors of MSAB/MSAD, ensure student information is current and accurate.
8. Via directors of MSAB/MSAD, ensure that a current district test security procedure is in place and that all relevant staff have been provided district training on test administration and test security.
9. Verify with the DAC that a current process is included for tracking which students tested with which test monitors and any other adult(s) who were present in the testing room (e.g., staff providing assistance, paraprofessionals, etc.).
10. Ensure that the DAC has current information and training specific to test security and the administration of statewide assessments.
11. Ensure that the DAC completes Pre-test Editing in the Test Web Edit System (WES).
12. Post on the MSA website and within the MSA Parent/Student Handbook, the complete Parent/Guardian Guide and Refusal for Student Participation in Statewide Testing form.

Responsibilities after testing

1. Ensure the DAC and Minnesota Automated Reporting Student System (MARSS) coordinator complete Post-test Editing in Test WES.
2. Verify with the DAC that all test security issues have been reported to MDE and are being addressed.
3. Verify with the MARSS coordinator that all student records for Post-test Editing are updated.

4. Verify that the DAC has finalized the district's assessment information prior to the close of Post-test Editing in Test WES.
5. Verify that the DAC, or designee, has access to the Graduation Requirements Records (GRR) system and enters necessary information.
6. Discuss assessment results with the DAC and school administrators.
7. Includes assessment results in a non-identifiable format within annual reports to the MSA board.

B. District Assessment Coordinator

Responsibilities before testing

1. Serve as primary contact with MDE regarding policy and procedure questions related to test administration.
2. Read and complete the Assurance of Test Security and Non-Disclosure.
3. Confirm all staff who handle test materials, administer tests, or have access to secure test content have completed the Assurance of Test Security and Non-Disclosure.
 - a. Maintain the completed Assurance of Test Security and Non-Disclosure for two years after the end of the academic school year in which testing took place.
4. Review with all staff the Assurance of Test Security and Non-Disclosure and their responsibilities thereunder.
5. Identify appropriate tests for students and ensure student data sent to service providers for testing are correct. Requests accessible tests for students according to accommodations listed in their IEPs.
6. Establish MSA testing schedule within the testing windows specified by the MDE and service providers.
7. Prepares/Coordinates testing conditions, including
 - a. user access to service provider websites,
 - b. preparing readiness for online testing,
 - c. preparing a plan for tracking which students test on which computers or devices,
 - d. ensuring that accommodations are indicated and implemented appropriately as necessary,
 - e. providing students with opportunity to become familiar with test format, item types, and tools prior to test administration;
 - f. establishing process for inventorying and distributing secure test materials where necessary;
 - g. preparing procedures for expected and unexpected situations occurring during testing;
 - h. planning for addressing technical issues while testing;
 - i. identifying staff who will enter student responses from paper accommodated test materials and scores from MTAS administration online.
8. Train school assessment coordinators, test monitors, MTAS test administrators, and ACCESS (test for English language learners) and Alternate ACCESS test administrators.
 - a. Provide training on proper test administration and test security, following guidance/instruction from the MDE.

- b. Verify staff complete any and all test-specific training.
9. Maintain security of test content, test materials, and record of all staff involved.
 - a. Receive secure paper test materials from the service provider and immediately lock them in a previously identified secure area, inventory same, and contact service provider with any discrepancies.
 - b. Organize secure test materials for online administrations and keep them secure.
 - c. Define chain of custody for providing test materials to test monitors and administrators. The chain of custody must address the process for providing test materials on the day of testing, distributing test materials to and collecting test materials from students at the time of testing, keeping test materials secure between testing sessions, and returning test materials after testing is completed.
10. Confirm that all students have appropriate and accessible test materials.

Responsibilities on testing day(s)

1. Conduct random, unannounced visits to testing rooms to observe staff adherence to test security and policies and procedures.
2. Fully cooperate with MDE representatives conducting site visits or MTAS audits.
3. Contact the MDE assessment contact within 24 hours of a security breach and submit the Test Security Notification in Test WES within 48 hours.
4. Address invalidations and test or accountability codes.

Responsibilities after testing

1. Ensure that student responses from paper accommodated test materials and MTAS scores are entered.
2. Arrange for secure disposal of all test materials that are not required to be returned within 48 hours after the close of the testing window.
3. Return secure test materials as outlined in applicable manuals and resources.
4. Collect security documents and maintain them for two years from the end of the academic school year in which testing took place.
5. Review student assessment data and resolve any issues.
6. Distribute Individual Student Reports no later than fall parent/teacher conferences.
7. Enter Graduation Requirements Records in the GRR system.

C. MSAB/MSAD Director

Responsibilities before testing

1. Designate a school assessment coordinator and technology coordinator for the campus.
2. Be knowledgeable about proper test administration and test security as outlined in manuals and directions.
3. Read and complete the Assurance of Test Security and Non-Disclosure.
4. Communicate the importance of test security and expectation that staff will keep test content secure and act with honesty and integrity during test administration.
5. Provide adequate secure storage space for secure test materials before, during, and after testing until they are returned to the service provider or securely disposed of.

6. Ensure adequate computers and/or devices are available and rooms appropriately set up for online testing.
7. Verify that all test monitors and test administrators receive proper training for test administration, including guidance on translating questions into ASL as necessary.
8. Ensure students taking specified tests have opportunity to become familiar with test format, item types, and tools prior to test administration.
9. Communicate test dates and tips for supporting student success with parents/guardians and dorm staff.

Responsibilities on testing day(s)

1. Ensure that test administration policies and procedures and test security requirements in all manuals and directions are followed.
2. Fully cooperate with MDE representatives conducting site visits or MTAS audits.

Responsibilities after testing

1. Ensure all secure test materials are collected, returned, and/or disposed of securely as required in any manual.
2. Ensure requirements for embargoed final assessment results are followed.
3. Ensure that parents receive copies of students' test results.

D. School Assessment Coordinator

Responsibilities before testing

1. Implement test administration and test security policies and procedures.
2. Read and complete the Assurance of Test Security and Non-Disclosure.
3. Ensure all staff who handle test materials, administer tests, or have access to secure test content read and complete the Assurance of Test Security and Non-Disclosure.
4. Identify appropriate tests for students and ensure student data sent to service providers for testing are correct.
5. Prepare testing conditions, including the following: schedule rooms and computer labs; arrange for test monitors and administrators; arrange for additional staff to assist with unexpected situations; arrange for technology staff to assist with technical issues; develop a plan for tracking which students test on which computers or devices; plan seating arrangements for students; ensure preparations are completed for Optional Local Purpose Assessment (OLPA), Minnesota Comprehensive Assessment (MCA), and ACCESS online testing; ensure accommodations are properly reported; confirm how secure paper test materials will arrive and quantities to expect; address accommodations and specific test administration procedures; determine staff who will enter the student responses from paper accommodated test materials and scores from MTAS administrations online.
6. Train staff, including all state-provided training materials, policies and procedures, and test-specific training.
7. Maintain security of test content and test materials.

- a. Receive secure paper test materials from the service provider and immediately lock them in a previously identified secure area, inventory same, and contact service provider with any discrepancies.
- b. Organize secure test materials for online administrations and keep them secure.
- c. Follow chain of custody for providing test materials to test monitors and administrators. The chain of custody must address the process for providing test materials on the day of testing, distributing test materials to and collecting test materials from students at the time of testing, keeping test materials secure between testing sessions, and returning test materials after testing is completed.
- d. Identify need for additional test materials to district assessment coordinator.
- e. Provide MTAS student data collection forms if necessary.
- f. Distribute applicable ACCESS and Alternate ACCESS Test Administrator Scripts and Test Administration Manuals to test administrators so they can become familiar with the script and prepare for test administration.
- g. Confirm that all students taking ACCESS and Alternate ACCESS have appropriate test materials and preprinted student information on the label is accurate.

Responsibilities on testing day(s)

1. Distribute materials to test monitors and ACCESS test administrators and ensure security of test materials between testing sessions and that district procedures are followed.
2. Ensure Test Monitor and Student Directions and Test Administrator Scripts are followed and answer questions regarding same.
3. Fully cooperate with MDE representatives conducting site visits or MTAS audits, as applicable.
4. Conduct random, unannounced visits to testing rooms to observe staff adherence to test security and test administration policies and procedures.
5. Report testing irregularities to district assessment coordinator using the Test Administration Report.
6. Report security breaches to the district assessment coordinator as soon as possible.

Responsibilities after testing

1. Ensure that all paper test materials are kept locked and secure and security checklists completed.
2. Ensure that student responses from paper accommodated test materials and MTAS scores are entered.
3. Arrange for secure disposal of all test materials that are not required to be returned within 48 hours after the close of the testing window.
4. Return secure test materials as outlined in applicable manuals and resources.
5. Prepare materials for pickup by designated carrier on designated date(s). Maintain security of all materials.
6. Ensure requirements for embargoed final assessment results are followed.

E. Technology Coordinator

1. Ensure that MSA is prepared for online test administration and provide technical support to district staff.
2. Acquire all necessary user identifications and passwords.
3. Read and complete the Assurance of Test Security and Non-Disclosure.
4. Fully cooperate with MDE representatives conducting site visits or MTAS audits.
5. Attend district training and any service provider technology training.
6. Review, use, and be familiar with all service provider technical documentation.
7. Prepare computers and devices for online testing.
8. Confirm site readiness.
9. Provide all necessary accessories for testing, technical support/troubleshooting during test administration and contact service provider help desks as needed.

F. Test Monitor

Responsibilities before testing

1. Read and complete the Assurance of Test Security and Non-Disclosure.
2. Attend trainings related to test administration and security.
3. Complete required training course(s) for tests administering.
4. Be knowledgeable about how to contact the school assessment coordinator during testing, where to pick up materials on day of test, and plan for securing test materials between test sessions.
5. Be knowledgeable regarding student accommodations.
6. Remove or cover any instructional posters or visual materials in the testing room.

Responsibilities on testing day(s)

1. Before test
 - a. Receive and maintain security of test materials.
 - b. Verify that all test materials are received.
 - c. Ensure proper number of computers/devices or paper accommodated test materials are present.
 - d. Verify student testing tickets and appropriate allowable materials.
 - e. Assign numbered test books to individual students.
 - f. Complete information as directed.
 - g. Record extra test materials.
2. During test
 - a. Verify that students are logged in and taking the correct test or using the correct grade-level and tier test booklet for students with paper accommodated test materials.
 - b. Follow all directions and scripts exactly.
 - c. Follow procedures for restricting student access to cell phones and other electronic devices, including wearable electronic devices.
 - d. Stay in testing room and remain attentive during entire test session. Practice active monitoring by circulating throughout the room during testing.
 - e. Be knowledgeable about responding to emergency or unusual circumstances and technology issues.

- f. Do not review, discuss, capture, email, post, or share test content in any format.
 - g. Ensure all students have been provided the opportunity to independently demonstrate their knowledge.
 - h. Fully cooperate with MDE representatives conducting site visits or MTAS audits.
 - i. Document the students who tested with the test monitor and any other adult(s) who were present in the testing room (e.g., staff providing assistance, paraprofessionals, etc.).
 - j. Document students who require a scribe or translated directions or any unusual circumstances and report to school assessment coordinator.
 - k. Report any possible security breaches as soon as possible.
3. After test
- a. Follow directions and scripts exactly.
 - b. Collect all materials and keep secure after each session. Upon completion return to the school assessment coordinator.
 - c. Immediately report any missing test materials to the school assessment coordinator.

G. MTAS Test Administrator

Responsibilities before testing

1. Read and complete the Assurance of Test Security and Non-Disclosure.
2. Attend trainings related to test administration and security.
3. Complete required training course(s) for tests administering.
4. Be knowledgeable as to when and where to pick up MTAS materials and the school's plan for keeping test materials secure.
5. Prepare test materials for administration, including objects and manipulatives, special instructions, and specific adaptations for each student.

Responsibility on testing day(s)

1. Before the test
 - a. Maintain security of materials.
 - b. Confirm appropriate MTAS materials are available and prepared for student.
2. During the test
 - a. Administer each task to each student and record the score.
 - b. Be knowledgeable about how to contact the district or school assessment coordinator, if necessary, and responding to emergency and unusual circumstances.
 - c. Fully cooperate with MDE representatives conducting site visits or MTAS audits.
 - d. Document and report and unusual circumstances to district or school assessment coordinator.
3. After the test

- a. Keep materials secure.
- b. Return all materials.
- c. Return objects and manipulatives to classroom.
- d. Enter MTAS scores online or return data collection forms to the district or school assessment coordinator.

H. **MARSS Coordinator**

Responsibilities before testing.

1. Confirm all eligible students have unique state student identification (SSID) or MARSS numbers.
2. Ensure English language and special education designations are current and correct for students testing based on those designations.
3. Submit MARSS data on an ongoing basis to ensure accurate student demographic and enrollment information.

Responsibilities after testing

1. Ensure accurate enrollment of students in schools during the accountability windows.
2. Ensure MARSS identifying characteristics are correct, especially for any student not taking an accountability test.
3. Work with district assessment coordinator to edit discrepancies during the Post-test Edit window in Test WES.

I. **Any Person with Access to Test Materials**

1. Read and complete the Assurance of Test Security and Non-Disclosure.

III. **TEST SECURITY**

A. Test Security Procedures will be adopted by the MSA administration, following guidelines shared by the DAC.

B. Students will be informed of the following:

1. The importance of test security;
2. Expectation that students will keep test content secure;
3. Expectation that students will act with honesty and integrity during test administration;
4. Expectation that students will not access cell phones, wearable technology (e.g., smart watches, fitness trackers), or other devices that can electronically send or receive information. The test of a student who wears a device during testing must be invalidated.
 - a. If a student completes testing and then accesses a cell phone or other prohibited device (including wearable technology), MSA must take further action to determine if the test should be invalidated, rather than automatically invalidating the test.
5. Availability of the online Test Security Tip Line on the MDE website for reporting suspected incidents of cheating or other improper or unethical behavior.

C. Staff will be informed of the following:

1. Availability of the online Test Security Tip Line on the MDE website for reporting suspected incidents of cheating or other improper or unethical behavior.
2. Other contact information and options for reporting security concerns.

IV. REQUIRED DOCUMENTATION FOR PROGRAM AUDIT

The school district shall maintain records necessary for program audits conducted by MDE. The records must include documentation consisting of the following:

1. Signed Assurance of Test Security and Non-Disclosure forms must be maintained for two years after the end of the academic year in which the testing took place.
2. MSA security checklists provided in the test materials shipment must be maintained for two years after the end of the academic school year in which testing took place.
3. School security checklists provided in the test materials shipment must be maintained for two years after the end of the academic school year in which testing took place.
4. Test Monitor Test Materials Security Checklist provided for each group of students assigned to a test monitor must be maintained for two years after the end of the academic school year in which testing took place.
5. MSA test monitor tracking documentation must be maintained for two years after the end of the academic year in which the tracking took place.
6. ACCESS and Alternate ACCESS Packing List and Security Checklist provided in the test materials shipment must be maintained for two years after the end of the academic school year in which testing took place.
7. Documentation of school district staff training on test administration and test security must be maintained for two years after the end of the academic school year in which testing took place.
8. Test Security Notification must be maintained for two years after the end of the academic school year in which testing took place.
9. Test Administration Report must be maintained for one year after the end of the academic school year in which testing took place.
10. Record of staff trainings and test-specific trainings must be maintained for one year after the end of the academic year in which testing took place.

Legal References:

Minn. Stat. § 13.34 (Examination Data)

Minn. Stat. § 120B.11 (School District Process)

Minn. Stat. § 120B.30 (Statewide Testing and Reporting System)

Minn. Stat. § 120B.36, Subd. 2 (Adequate Yearly Progress)

Minn. Rules Parts 3501.0010-3501.0180 (Graduation Standards – Mathematics and Reading) (repealed Minn. L. 2013, Ch. 116, Art. 2, § 22)

Minn. Rules Parts 3501.0200-3501.0290 (Graduation Standards – Written Composition) (repealed Minn. L. 2013, Ch. 116, Art. 2, § 22)

Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)

Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)

Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)

Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)

Minn. Rules Parts 3501.1000-3501.1190 (Graduation-Required Assessment for Diploma) (repealed Minn. L. 2013, Ch. 116, Art. 2, § 22)

Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)
Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)
20 U.S.C. § 6301, et seq. (Every Student Succeeds Act)

Cross References:

MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)
MSBA/MASA Model Policy 613 (Graduation Requirements)
MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
MSBA/MASA Model Policy 616 (School District System Accountability)

Policy #: 750
Title: MN RESOURCE LIBRARIES ACQUISITION AND COLLECTION
Date of Initial Approval: 03-28-2019
Revision/Re-authorization Dates:
Reviewers: MSA Librarian; MSA Superintendent; Minnesota Department of Education Blind/ Visually Impaired and Deaf/Hard of Hearing Specialists

I. PURPOSE

The MN Resource Libraries (MNRL) is a partnership between the Minnesota Department of Education (MDE) and the Minnesota State Academies (MSA) to provide information and resources to help families and educators meet the educational needs of Minnesota children and youth who are Blind/Visually Impaired (B/VI); Deaf/Hard of Hearing (D/HH), or DeafBlind (DB). The purpose of the MNRL is to serve as a lending library of curriculum, assessments, printed materials, and other resources to Minnesota educators, families and children who are B/VI; D/HH; or DB. (See MN Resources Libraries link on the MSA website for additional information about resources and eligibility for patrons) The purpose of this policy is to guide the MNRL in the selection and acquisition of library materials & resources and the overall development of the library collection.

II. ACQUISITION AND COLLECTION DEVELOPMENT PRINCIPLES

A. Responsibility for Acquisitions

The MDE B/VI and D/HH specialists will submit library acquisition recommendations to the MN Resource Librarian for purchase after prior approval from each respective advisory committee. The ultimate responsibility of library material selection resides with the MSA Librarian who operates within framework of this policy.

B. The MDE B/VI and D/HH specialists are responsible for generating budget submittals and processing within the MDE agency framework to fund purchases for the MNRL. After budgets are determined, the specialists will communicate with the MSA Librarian to update the budget for the MNRL.

C. Criteria for Selection

Primary criteria considered in the acquisition of library materials:

- a. Patron requests
- b. Quality, reliability, and accessibility of the content
- c. Current and permanent value
- d. Reputation of author(s) or creator(s)
- e. Popularity
- f. Diversity in viewpoints
- g. Suitability for distribution
- h. Existing library holdings
- i. Budget

D. Collection Maintenance

The MSA Librarian will maintain a current and relevant collection to serve the overall mission of the MNRL. The library will remove from its collection any outdated, inappropriate, or irrelevant materials that have little or no historical or research value, according to current library standards.