



ROCKFORD AREA SCHOOLS

INDEPENDENT SCHOOL DISTRICT 883
BOARD OF EDUCATION

A Tradition of Excellence, One Student at a Time

Agenda for September 19, 2022

6:30 PM

Rockford Community Center

7600 County Rd 50

Rockford, MN 55373

1. **CALL MEETING TO ORDER**
 - A. Pledge of Allegiance
 - B. Board Roll Call
2. **APPROVAL OF AGENDA**
3. **PUBLIC COMMENTS**
4. **CONSENT ITEMS**
 - A. Consent--Approval of Minutes 3
 - B. Consent--Personnel 12
 - C. Consent--Approval of Bills and Wire Transfers 13
 - D. Consent--Approval of Open Enrollments 28
5. **SAFE & WELCOMING ENVIRONMENT**
 - A. Celebrations: WEB & LINK Programs 29
6. **HIGH STUDENT ACHIEVEMENT**
 - A. Summer School Report 30
 - B. FFA National Convention Trip to Indianapolis, IN 39
7. **FISCAL RESPONSIBILITY**
 - A. Resolution of Acknowledgement of Contributions/Donations 47
 - B. Preliminary Levy Certification 48
8. **EFFICIENT & EFFECTIVE OPERATIONS**
 - A. Human Resources Update: Retirement Plan Review 50
 - B. Construction Update 66
 - C. Policy Updates 77
9. **BOARD AND SUPERINTENDENT UPDATES AND ANNOUNCEMENTS**
 - A. Work Session: Monday, October 3, 2022 at 6:30 pm, location TBD
Regular Meeting of the Board of Education: Monday, October 17, 2022 at 6:30 pm,
location TBD.
 - B. Board Committee Updates
10. **ADJOURNMENT**



ROCKFORD AREA SCHOOLS

INDEPENDENT SCHOOL DISTRICT 883
BOARD OF EDUCATION

- Our Mission:** *In partnership with our communities and families, Rockford Area Schools provides challenging opportunities to engage, inspire, and educate globally-minded citizens.*
- Our Vision:** *Rockford Area Schools provides a supportive, rigorous, and relevant learning culture producing courageous learners prepared to enter a global society.*

Rockford Board of Education

Brady Anderson
Eric Gordee
Jenny Kneeland

Amy Edwards
Jessica Johnson
Beth Praska

Superintendent Rhonda Dean



Independent School District #883

Regular School Board Meeting

August 22, 2022

Chair Edwards called the meeting to order at 6:30 p.m.

Pledge of Allegiance

The meeting opened with the Pledge of Allegiance.

Board Roll Call

Members present: *Anderson, Edwards, Gordee, Johnson, Kneeland, and Praska*. Also present were *Superintendent Rhonda Dean, Director of Buildings and Grounds James Leuer, Technology Director Jeff Kienitz and Director of Teaching and Learning Robert Danneker*.

APPROVAL OF AGENDA

Motion by Gordee seconded by Kneeland to approve the agenda as presented. Motion passed unanimously.

PUBLIC COMMENTS

There were no public comments.

CONSENT ITEMS

Motion by Gordee, seconded by Anderson to approve the consent items as presented. Motion carried.

- **Minutes:**
 - July 18, 2022 Work Session
 - July 18, 2022 Regular Meeting

● **Personnel:**

Status	First Name	Last Name	Position	Date(s)
Hire	Elizabeth	Borders	SpEd Para/Volleyball Coach - 7th	2022-2023
Hire	Kristy	Qualle	Assistant Teacher - ECFE	2022-2023
Hire	Courtney	Fogarty	Biology Teacher - High School	2022-2023
Hire	Alayna	Maher	PE/Health - High School	2022-2023
Hire	Abbilynn	Primus	Science Teacher - 8th Grade	2022-2023
Hire	Alyson	Reeves	Special Ed Teacher	2022-2023
Resignation	Kelly	Ebeling	Payroll and Benefits Coordinator	August 4, 2022
Resignation	Julie	Waschek	Assistant Teacher - ECFE	August 9, 2022
Resignation	Jay	Reeck	Math Teacher - Middle School	August 10, 2022
Resignation	Ivonne	Padilla	Executive Assistant	August 11, 2022

Addendum - Summer Programming Hiring (August 2022)					
Assignment	Staff		Location	Days	Notes
RMS-CES Targeted Services (RMS-CES only) July 11-14, 18-21 (M-Th) 3.6hrs/day (3hrs instruction; 0.6hrs prep)	Miller	Kelly	RMS-CES	8/8	Replacement teacher
Approved Program Substitutes	Gotz	Suzie	Various	As Needed	
	Nolby	Kristen	Various	As Needed	Updated Assignment
	Peterson	Colleen	Various	As Needed	

● **Bills and Wire Transfers:**

July 2022 Disbursements Paid (listings attached):

Fund 01 General Fund	\$1,236,104.53
Fund 02 Food Service	\$ 3,643.20
Fund 04 Community Services	\$ 5,943.48
Fund 06 Building Construction	\$ 0.00
Fund 07 Debt Redemption	\$ 500.00
Fund 21 Student Activities	\$ 2,095.90
Fund 45 OPEB Trust	\$ 0.00
Total All Funds	\$1,248,287.11

- **Open Enrollments:**

Resident Students Attending Other Schools

Grade	Non-Resident District	Number	Date Effective	NR/OE	Address Change/New Enrollment
K	Orono	278	9/6/2022	OE	Parent works at Orono, sibling attend there as well
K	Orono	278	9/6/2022	OE	Sibling attends Orono
3	Osseo	279	9/6/2022	OE	family choice
K	Osseo	279	9/6/2022	OE	family choice
5	Orono	278	9/6/2022	OE	closer to family that watches the kids
6	Delano	879	9/6/2022	OE	more opportunities
2	Delano	879	9/6/2022	OE	more opportunities
4	Delano	879	9/6/2022	OE	more opportunities
8	Delano	879	9/6/2022	OE	family move

Non-Resident Students Attending Rockford

Grade	Resident District	Number	Date Effective	NR/OE	Address Change/New Enrollment
9	St. Michael-Albertville	885	9/6/2022	NR	NEW ENROLLMENT--smaller class sizes and more opportunities
10	Osseo	279	9/6/2022	NR	NEW ENROLLMENT--smaller class sizes
K	Buffalo	877	9/6/2022	NR	NEW ENROLLMENT--closer to residence
6	Osseo	279	9/6/2022	NR	NEW ENROLLMENT--STEM focus drew them here
11	Buffalo	877	9/6/2022	NR	NEW ENROLLMENT
7	Osseo	279	9/6/2022	NR	NEW ENROLLMENT--previously homeschooled--drawn to STEM focus
7	Osseo	279	9/6/2022	NR	NEW ENROLLMENT--STEM focus
K	Anoka Hennepin	11	9/6/2022	NR	NEW ENROLLMENT--parent attended Rockford
1	Buffalo	877	9/6/2022	NR	family move
10	Anoka Hennepin	11	9/6/2022	NR	family move--wanted to stay in Rockford Schools
7	Buffalo	877	9/6/2022	NR	returning from homeschooling
K	Delano	879	9/6/2022	NR	NEW ENROLLMENT
6	Buffalo	877	9/6/2022	NR	NEW ENROLLMENT

- **2022-2023 Updated Adult Meal Prices**

At the July 18, 2022 School Board meeting, the following adult meal prices were approved:

- Breakfast: \$2.10
- Lunch: \$4.25

Per information received from MDE on August 3, 2022, School Nutrition Programs funds may not subsidize meals served to adults or other non-program meals, such as second meals. The meal price must cover the full cost of the meal. The required minimum meal prices for adults for 2022-2023 from MDE are:

- Breakfast: \$2.25
- Lunch: \$4.95

- **Taher 2022-2023 Food Service Contract** - The Taher Food Service Management Contract for 2022-2023 was approved.

SAFE & WELCOMING ENVIRONMENT

- **Director of Buildings and Grounds Report** - Director of Buildings and Grounds, James Leuer, presented an update of summer projects, acknowledged the Buildings and Grounds, Maintenance and Custodial Team for their hard work this summer. The buildings are clean and ready for the new school year. There is an in-depth investigation regarding the flooring issues in the RCC Fieldhouse. The RCC and RHS parking lots will be completed the week of August 22. One REAMS Playground was moved slightly to accommodate the new bus loop. The playground will be reassembled in its new location prior to the start of the school year. Bus loop projects are underway at RMS and at REAMS/RHS. There will be new bike racks in place at RMS before school starts.

FISCAL RESPONSIBILITY

Johnson motioned, seconded by Praska, to approve the following resolution as presented:

- **Resolution of Acknowledgement of Contributions/Donations**

WHEREAS Minnesota Statute 123B.02 permits school boards to “receive, for the benefit of the district, bequests, donations, or gifts for any proper purpose and apply the same to the purpose designated. On that behalf, the board may act as trustee of any trust created for the benefit of the district, and for the benefit of pupils thereof.”

THEREFORE, be it resolved by the School Board of Rockford Area Schools, Independent School District 883 that the School Board accepts, with appreciation, the contributions detailed below.

<i>Donor</i>	<i>Amount</i>	<i>Fund</i>
Medtronic (Blackbaud Giving Fund)	\$400.00	RHS Robotics
Medtronic (Blackbaud Giving Fund)	\$400.00	RHS Robotics
Rocket Boosters	\$160.00	Cross Country Activity Fund
Lisa Raley, in Memory of Brett Raley	3 large boxes of school supplies	General Fund (divided between REAMS, RMS and RHS)

On a roll call vote, the following voted in favor: Anderson, Gordee, Johnson, Praska, Kneeland and Edwards. And the following voted against: None.

Whereupon said resolution was declared duly passed and adopted.

EFFICIENT AND EFFECTIVE OPERATIONS

- ***Resolution relating to Election of School Board Members - Motioned by Anderson, seconded by Kneeland to approve the resolution relating to the Election of School Board Members.***

RESOLUTION RELATING TO THE ELECTION OF SCHOOL BOARD MEMBERS AND CALLING THE SCHOOL DISTRICT GENERAL ELECTION

BE IT RESOLVED by the School Board of Independent School District No. 883, State of Minnesota as follows:

1. It is necessary for the school district to hold its general election for the purpose of electing three school board members for terms of four (4) years each.

The clerk shall include on the ballot the names of the individuals who file or have filed affidavits of candidacy during the period established for filing such affidavits, as though they had been included by name in this resolution. The clerk shall not include on the ballot the names of individuals who file timely affidavits of withdrawal in the manner specified by law.

2. The general election is hereby called and elected to be held in conjunction with the state general election on Tuesday, the 8th day of November, 2022.

3. Pursuant to Minnesota Statutes, Section 205A.11, the precincts and polling places for this general election are those polling places and precincts or parts of precincts located within the boundaries of the school district and which have been established by the cities or towns located in whole or in part within the school district. The voting hours at those polling places shall be the same as for the state general election.

4. The clerk is hereby authorized and directed to cause written notice of said general election to be provided to the county auditor of each county in which the school district is located, in whole or in part, at least seventy-four (74) days before the date of said election. The notice shall include the date of said general election and the office or offices to be voted on at said general election. Any notice given prior to the date of the adoption of this resolution is ratified and confirmed in all respects.

The clerk is hereby authorized and directed to cause notice of said general election to be posted at the administrative offices of the school district at least ten (10) days before the date of said general election.

The clerk is hereby authorized and directed to cause a sample ballot to be posted at the administrative offices of the school district at least four (4) days before the date of said general election and to cause two sample ballots to be posted in each polling place on Election Day. The sample ballot shall not be printed on the same color paper as the official ballot. The sample ballot for a polling place must reflect the offices, candidates and rotation sequence on the ballots used in that polling place.

The clerk is hereby authorized and directed to cause notice of said general election to be published in the official newspaper of the school district for two (2) consecutive weeks with the last publication being at least one (1) week before the date of said election.

The notice of election so posted and published shall state the offices to be filled set forth in the form of ballot below, and shall include information concerning each established precinct and polling place.

The clerk is authorized and directed to cause the rules and instructions for use of the optical scan voting system to be posted in each polling place on Election Day.

5. The clerk is authorized and directed to acquire and distribute such election materials as may be necessary for the proper conduct of this election, and generally to cooperate with election authorities conducting other elections on that date. The clerk and members of the administration are authorized and directed to take such actions as may be necessary to coordinate this election with those other elections, including entering into agreements or understandings with appropriate election officials regarding preparation and distribution of ballots,

election administration and cost sharing.

6. The clerk is further authorized and directed to cause or to cooperate with the proper election officials to cause ballots to be prepared for use at said election in substantially the following form, with such changes in form, color and instructions as may be necessary to accommodate an optical scan voting system.

General Election Ballot

**Independent School District No. 883
(Rockford)**

November 8, 2022

Instructions to Voters:

To vote, completely fill in the oval(s) next to your choice(s) like this:



**School Board Member
Vote for Up to Three**

- Eric Gordee
- Lindsay Fenrich
- Jamie Hillstrom
- Beth Praska
- _____
write-in, if any
- _____
write-in, if any

Optical scan ballots must be printed in black ink on white material, except that marks to be read by the automatic tabulating equipment may be printed in another color ink. The name of the precinct and machine-readable identification must be printed on each ballot. Voting instructions must be printed at the top of the ballot on each side that includes ballot information. The instructions must include an illustration of the proper mark to be used to indicate a vote. Lines for initials of at least two election judges must be printed on one side of the ballot so that the judges' initials are visible when the ballots are enclosed in a secrecy sleeve.

7. The name of each candidate for office at this election shall be rotated with the names of the other candidates for the same office in the manner specified in Minnesota law.

8. If the school district will be contracting to print the ballots for this election, the clerk is hereby authorized and directed to prepare instructions to the printer for layout of the ballot. Before a contract in excess of \$1,000 is awarded for printing ballots, the printer shall, if requested by the election official, furnish, in accordance with Minnesota Statutes, Section 204D.04, a sufficient bond, letter of credit, or certified check acceptable to the clerk in an amount not less than \$1,000 conditioned on printing the ballots in conformity with the Minnesota election law and the instructions delivered. The clerk shall set the amount of the bond, letter of credit, or certified check in an amount equal to the value of the purchase.

9. The individuals designated as judges for the state general election shall act as election judges for this election at the various polling places and shall conduct said election in the manner described by law. The election judges shall act as clerks of election, count the ballots cast and submit them to the school board for canvass in the manner provided for other school district elections. The general election must be canvassed between the third and the tenth day following the general election.

10. The School District clerk shall make all Campaign Financial Reports required to be filed with the school district under Minnesota Statutes, Section 211A.02, available on the school district's website. The clerk must post the report on the school district's website as soon as possible, but no later than thirty (30) days after the date of the receipt of the report. The school district must make a report available on the school district's website for four years from the date the report was posted to the website. The clerk must also provide the Campaign Finance and Public Disclosure Board with a link to the section of the website where reports are made available.

On a roll call vote, the following voted in favor: Anderson, Kneeland, Gordee, Johnson, Praska, and Edwards. And the following voted against: None.

Whereupon said resolution was declared duly passed and adopted

- **Policy 731R Discussion** - Technology Director Jeff Kienitz, shared information regarding data governance planning and discussed Policy 731R to replace the outdated policy with a basic Information Security Policy. Technology Director Kienitz will return to the Board in September with a first reading of Policy 731R.
- **Annual Review of Select Policies** - Superintendent Dean presented the policies that need to be renewed annually: 410, 413, 414, 415, 506, 514, 522, 524, 616, and 806. This is the second reading for these policies, if no changes are needed, these policies are up for approval. *Motion by Gordee, seconded by Johnson to approve the consent items as presented. Motion carried.*
- **Safe Learning Plan** - Superintendent Dean presented the Safe Learning Plan for the 2022-2023 school year. *Motion by Praska, seconded by Kneeland to approve the Safe Learning Plan as presented. Motion carried.*

BOARD AND SUPERINTENDENT UPDATES AND ANNOUNCEMENTS

Work Session Meeting of the Board of Education: Monday, August 29, 2022 at 6:30pm, in the Rockford Community Center.

Work Session Meeting of the Board of Education: Monday, September 19, 2022 at 5:30pm, Location is TBD.

Regular Meeting of the Board of Education: Monday, September 19, 2022 at 6:30pm, Location is TBD.

The Board and Superintendent gave updates on their committee assignments and events attended.

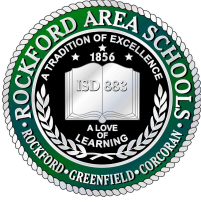
- Kneeland - helped in the Food Trailer at Rockford River Days, Chamber gathering
- Anderson - no updates—discussed Open Enrollments; Rockford River Days
- Gordee - Facilities Committee meetings, negotiations for principals, NWSISD Organizational work
- Johnson - Principal negotiations meeting, New Teacher Orientation, Policy Meeting, MAWSECO monthly meeting
- Edwards - facilities meetings, pre-meeting with vice chair and superintendent
- Praska - pre-meeting with Superintendent and Chair, negotiations for principals, New Teacher Orientation

- Superintendent Dean - New Teacher Orientation, Workshop Week, AMSD meeting, Facilities Meeting, LTFM Meeting, DAT retreats, negotiations with principals and 284, MDE Back to School Event, pre-meeting with the board chair and vice-chair, MAWSECO, Fall Sports Meeting, Safe Schools Meeting, NWSISD Vision Session, Rockford River Days Parade, SMART Training, Teamworks Meeting.

Johnson motioned to adjourn the meeting at 7:58 p.m. Kneeland seconded. Motion carried unanimously.

*Christa Larson
Recorder*

*Jessica Johnson
Clerk*



ROCKFORD AREA SCHOOLS
Independent School District 883
School Board Work Session Minutes
Monday, August 29, 2022

Pursuant to due call and notice, the Rockford Board of Education met in a work session on Monday, August 29, 2022 at Rockford Community Center. Beth Praska called the work session meeting to order at 6:30 pm. Members Anderson, Kneeland, Gordee, Johnson, Praska, and Edwards were present. Also present were Superintendent Rhonda Dean and Ray Queener from Teamworks International.

Gordee motioned to approve the agenda, as presented. Edwards seconded. Motion passed.

Ray Queener from Teamworks International discussed the Strategic Plan for Rockford Area Schools, including the Vision Card, Operational Plan and the Strategic Roadmap. The School Board Work Plan for previous and future years was also discussed, along with Board representation on other committees and Board committees.

Superintendent Dean shared her tentative goals for the coming year.

A Board Work Session is scheduled for Monday, September 19, 2022 at 5:30 pm, location TBD. A Regular Meeting of the Board of Education is scheduled for Monday, September 19, 2022 at 6:30 pm, location TBD.

Adjourned at 8:51 pm.

Christa Larson
Recorder

Jessica Johnson
Clerk



**ROCKFORD AREA SCHOOLS
INDEPENDENT SCHOOL DISTRICT 883
BOARD OF EDUCATION**

Subject: Consent Personnel

Meeting Date: September 19, 2022

Prepared By: Human Resources Office

Date Prepared: September 14, 2022

<input type="checkbox"/>	Information	<input type="checkbox"/>	Briefing	<input checked="" type="checkbox"/>	Action	<input type="checkbox"/>	Enclosure Item(s)
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Personnel Items:

Status	First Name	Last Name	Position	Date(s)
Hire	Cathleen	Egbert	ECFE Assistant	2022-2023
Hire	Kiley	Broste	Kindergarten Teacher	2022-2023
Hire	Mulbah	Nyerkeh	Safety Specialist	2022-2023
Hire	Jacie	Kolehmainen	SpEd Paraprofessional	2022-2023
Hire	Logan	Gusse	Grounds - Lawn Mower	2022-2023
Hire	Sally	Martinson	SpEd Long Term Sub	Aug. 29 - Nov. 2, 2022
Hire	Blake	Young	JV Boys Soccer Coach	2022-2023
Resignation	Andrew	Kenady	Assistant Varsity Girls Tennis Coach /Middle School Basketball Coach	September 12, 2022
Resignation	ShadowRae	Felknor	ECFE/Preschool/Screening	September 9, 2022
Resignation	Nina	Robin-Carmichiel	Paraprofessional	August 31, 2022
Leave of Absence	Madison	Wawrzaszek	SpEd Teacher	August 23, 2022-TBD
Leave of Absence	Brenda	Oeding	Kindergarten Teacher	September 28, 2022-TBD
Return from Leave	Ashley	DeLassus	4th Grade Teacher	August 29, 2022
Return from Leave	Susan	Kettenacker	SpEd Teacher	April 4, 2022
Return from Leave	Abbey	Kaufman	7th Grade Teacher	August 29, 2022
Lane Change	Kathy	Mattson	MA10-13 to MA 20-13	
Lane Change	Cheryl	Ulen	MA20-17 to MA 30-17	
Lane Change	Alexander	Vasseei	BA-5 to MA-5	
Lane Change	Calli	Zastoupil	BA20-9 to MA-9	



**ROCKFORD AREA SCHOOLS
INDEPENDENT SCHOOL DISTRICT 883
BOARD OF EDUCATION**

Subject: Consent–Bills and Wires, August 2022

Meeting Date: September 19, 2022

Prepared by: Business Office

Date Prepared: September 13, 2022

Information Briefing Action Enclosure Item(s)

August 2022 Disbursements Paid (listings attached):

Fund 01 General Fund \$704,955.39
Fund 02 Food Service \$133.50
Fund 04 Community Services \$25,658.37
Fund 06 Building Construction \$10,069.73
Fund 07 Debt Redemption \$ 0.00
Fund 21 Student Activities \$ 3,857.78
Fund 45 OPEB Trust \$ 0.00

Total All Funds \$744,674.77

Rockford ISD #0883 Payment Distributions

Co	L	Fd	Org	Pro	Crs	Fin	O/S	Ty	Description	Batch	Pmt	Pmt	Bank	Grp	Code	Rcd	Vendor	PD	JE	JE	Debit	Credit	
0883	B	01	101	000					F Cash & Cash Equiv		Co	No	Grp						Co	Cd	Amount	Amount	
0883	B	01	101	000							0883	55821	AS2	1	7786	REMI TERRAFORM PHOENIX 202302	0883	8079	0883	8079	172.90	0.00	
0883											0883	56469	AS2	1	1008	remit SUPREME SCHOOL SU 202302	0883	8079	0883	8079	0.00	81.48	
0883											0883	56470	AS2	1	1012	SCHOOL SPECIALTY IN 202302	0883	8079	0883	8079	0.00	80.48	
0883											0883	56470	AS2	1	1012	SCHOOL SPECIALTY IN 202302	0883	8079	0883	8079	0.00	24.50	
0883											0883	56470	AS2	1	1012	SCHOOL SPECIALTY IN 202302	0883	8079	0883	8079	0.00	470.40	
0883											0883	56471	AS2	1	1016	WRIGHT-HENNEPIN CC 202302	0883	8079	0883	8079	0.00	206.70	
0883											0883	56472	AS2	1	1053	FLINN SCIENTIFIC	202302	0883	8079	0883	8079	0.00	522.41
0883											0883	56473	AS2	1	1057	HILLYARD	202302	0883	8079	0883	8079	231.81	0.00
0883											0883	56473	AS2	1	1057	HILLYARD	202302	0883	8079	0883	8079	158.50	0.00
0883											0883	56473	AS2	1	1057	HILLYARD	202302	0883	8079	0883	8079	0.00	861.12
0883											0883	56473	AS2	1	1057	HILLYARD	202302	0883	8079	0883	8079	0.00	733.95
0883											0883	56473	AS2	1	1057	HILLYARD	202302	0883	8079	0883	8079	0.00	390.31
0883											0883	56474	AS2	1	1061	MINNESOTA CLAY USA 202302	0883	8079	0883	8079	0.00	363.88	
0883											0883	56475	AS2	1	1062	remit SCHOLASTIC INC	202302	0883	8079	0883	8079	0.00	104.39
0883											0883	56475	AS2	1	1062	remit SCHOLASTIC INC	202302	0883	8079	0883	8079	0.00	521.68
0883											0883	56476	AS2	1	1098	MACGILL & CO	202302	0883	8079	0883	8079	0.00	578.92
0883											0883	56477	AS2	1	1180	CENTERPOINT ENERG 202302	0883	8079	0883	8079	0.00	267.66	
0883											0883	56477	AS2	1	1180	CENTERPOINT ENERG 202302	0883	8079	0883	8079	0.00	34.09	
0883											0883	56478	AS2	1	1193	remit ZANER-BLOSER	202302	0883	8079	0883	8079	0.00	1,842.10
0883											0883	56479	AS2	1	1215	XCEL ENERGY	202302	0883	8079	0883	8079	0.00	27,880.21
0883											0883	56482	AS2	1	2374	DEMCO INC	202302	0883	8079	0883	8079	0.00	99.31
0883											0883	56483	AS2	1	2666	WRIGHT COUNTY CON 202302	0883	8079	0883	8079	0.00	4,000.00	
0883											0883	56484	AS2	1	3679	remit INNOVATIVE OFFICE S 202302	0883	8079	0883	8079	0.00	59.05	
0883											0883	56485	AS2	1	3727	VERNIER SOFTWARE 202302	0883	8079	0883	8079	0.00	257.30	
0883											0883	56486	AS2	1	4335	4 POINT O SCHOOL SET 202302	0883	8079	0883	8079	0.00	1,705.86	
0883											0883	56488	AS2	1	5065	remit MINNESOTA SECRETAR 202302	0883	8079	0883	8079	0.00	100.00	
0883											0883	56489	AS2	1	5137	B & H PHOTO	202302	0883	8079	0883	8079	0.00	5,182.80
0883											0883	56490	AS2	1	5992	ECM PUBLISHERS, INC 202302	0883	8079	0883	8079	0.00	94.98	
0883											0883	56493	AS2	1	6603	LAND EQUIPMENT -LOI 202302	0883	8079	0883	8079	0.00	15,756.00	
0883											0883	56494	AS2	1	7811	PASCO SCIENTIFIC	202302	0883	8079	0883	8079	0.00	76.00
0883											0883	56496	AS2	1	8405	TIREWIZ LLC	202302	0883	8079	0883	8079	0.00	1,093.00
0883											0883	56497	AS2	1	1057	HILLYARD	202302	0883	8079	0883	8079	0.00	1,703.25
0883											0883	56498	AS2	1	4613	KENNEDY AND GRAVE 202302	0883	8079	0883	8079	0.00	775.50	
0883											0883	56500	AS2	1	8399	AMPION PBC	202302	0883	8079	0883	8079	0.00	354.83
0883											0883	56501	AS2	1	8409	RUPP, ANDERSON, S 202302	0883	8079	0883	8079	0.00	628.50	
0883											0883	56502	AS2	1	1007	CMERDC	202302	0883	8079	0883	8079	0.00	1,323.00
0883											0883	56503	AS2	1	1012	SCHOOL SPECIALTY IN 202302	0883	8079	0883	8079	0.00	50.99	
0883											0883	56503	AS2	1	1012	SCHOOL SPECIALTY IN 202302	0883	8079	0883	8079	0.00	316.80	

Rockford ISD #0883 Payment Distributions

Co	L	Fd	Org	Pro	Crs	Fin	O/S	Ty	Description	Batch	Pmt	Pmt	Bank	Grp	Code	Rcd	Vendor	Pd	JE	JE	Debit	Credit
										Co	No								Co	Cd	Amount	Amount
0883	B	01	101	000				F	Cash & Cash Equiv													
										0883	56503	AS2	1	1012		SCHOOL SPECIALTY IN	202302	0883	8079		0.00	76.42
										0883	56504	AS2	1	1062	remit	SCHOLASTIC INC	202302	0883	8079		0.00	276.89
										0883	56504	AS2	1	1062	remit	SCHOLASTIC INC	202302	0883	8079		0.00	539.00
										0883	56505	AS2	1	1091		SCHMITT MUSIC CENT	202302	0883	8079		0.00	57.90
										0883	56506	AS2	1	1152		RESOURCE TRAINING	202302	0883	8079		0.00	17,267.91
										0883	56507	AS2	1	1180		CENTERPOINT ENERG	202302	0883	8079		0.00	265.24
										0883	56507	AS2	1	1180		CENTERPOINT ENERG	202302	0883	8079		0.00	29.22
										0883	56507	AS2	1	1180		CENTERPOINT ENERG	202302	0883	8079		0.00	563.76
										0883	56509	AS2	1	1230		RATWIK, ROSZAK & M	202302	0883	8079		0.00	350.00
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	519.00
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	576.66
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	605.18
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	175.00
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	188.77
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	557.08
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	63.50
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	219.99
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	187.41
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	630.99
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	276.42
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	165.00
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	206.56
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	69.75
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	51.00
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	103.92
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	179.90
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	111.84
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	144.98
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	95.60
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	170.26
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	96.95
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	181.99
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	209.85
										0883	56510	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	37.15
										0883	56511	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	7,698.53
										0883	56512	AS2	1	1394		MBNA/BUSINESS CAR	202302	0883	8079		0.00	533.88
										0883	56513	AS2	1	1489	Remit	SCHOOL SPECIALTY	202302	0883	8079		0.00	38.21

Rockford ISD #0883 Payment Distributions

Co	L	Fd	Org	Pro	Crs	Fin	O/S	Ty	Description	Batch	Pmt	Pmt	Bank	Grp	Code	Rcd	Vendor	Pd	JE	JE	Debit	Credit
0883	B	01	101	000				F	Cash & Cash Equiv		Co	No	Grp						Co	Cd	Amount	Amount
0883	B	01	101	000				F	Cash & Cash Equiv		0883	56515	AS2	1	4719		TRACTOR SUPPLY CRE202302	0883	8079		0.00	61.99
											0883	56515	AS2	1	4719		TRACTOR SUPPLY CRE202302	0883	8079		0.00	89.99
											0883	56515	AS2	1	4719		TRACTOR SUPPLY CRE202302	0883	8079		0.00	35.98
											0883	56515	AS2	1	4719		TRACTOR SUPPLY CRE202302	0883	8079		0.00	146.47
											0883	56516	AS2	1	4797		MIDLAND NURSERV & I202302	0883	8079		0.00	129.00
											0883	56517	AS2	1	5065		remitt OFFICE OF THE SECRE202302	0883	8079		0.00	120.00
											0883	56519	AS2	1	6356		MITEL NETSOLUTIONS 202302	0883	8079		0.00	3,621.83
											0883	56520	AS2	1	6481		GRADY'S ACE HARDW/202302	0883	8079		0.00	1,053.06
											0883	56521	AS2	1	6623		ADVANCED IMAGING S 202302	0883	8079		0.00	5,718.00
											0883	56522	AS2	1	7738		REMI GRANITE TELECOMMU 202302	0883	8079		0.00	751.45
											0883	56523	AS2	1	7771		remitt MRI SOFTWARE, LLC 202302	0883	8079		0.00	2.00
											0883	56524	AS2	1	7873		ON SITE COMPANIES, I202302	0883	8079		0.00	77.00
											0883	56524	AS2	1	7873		ON SITE COMPANIES, I202302	0883	8079		0.00	308.00
											0883	56524	AS2	1	7873		ON SITE COMPANIES, I202302	0883	8079		0.00	167.00
											0883	56524	AS2	1	7873		ON SITE COMPANIES, I202302	0883	8079		0.00	77.00
											0883	56524	AS2	1	7873		ON SITE COMPANIES, I202302	0883	8079		0.00	334.00
											0883	56524	AS2	1	7873		ON SITE COMPANIES, I202302	0883	8079		0.00	167.00
											0883	56524	AS2	1	7873		ON SITE COMPANIES, I202302	0883	8079		0.00	215.58
											0883	56524	AS2	1	7873		ON SITE COMPANIES, I202302	0883	8079		0.00	334.00
											0883	56524	AS2	1	7873		ON SITE COMPANIES, I202302	0883	8079		0.00	77.00
											0883	56524	AS2	1	7873		ON SITE COMPANIES, I202302	0883	8079		0.00	308.00
											0883	56524	AS2	1	7873		ON SITE COMPANIES, I202302	0883	8079		0.00	154.00
											0883	56524	AS2	1	7873		ON SITE COMPANIES, I202302	0883	8079		0.00	976.00
											0883	56524	AS2	1	7873		ON SITE COMPANIES, I202302	0883	8079		0.00	231.00
											0883	56525	AS2	1	7981		AT&T MOBILITY 202302	0883	8079		0.00	38.23
											0883	56527	AS2	1	8355		CUB - MAPLE GROVE 202302	0883	8079		0.00	96.09
											0883	56527	AS2	1	8355		CUB - MAPLE GROVE 202302	0883	8079		0.00	97.41
											0883	56527	AS2	1	8355		CUB - MAPLE GROVE 202302	0883	8079		0.00	155.35
											0883	56527	AS2	1	8355		CUB - MAPLE GROVE 202302	0883	8079		0.00	66.02
											0883	56528	AS2	1	8402		REPUBLIC SERVICES, I202302	0883	8079		0.00	884.34
											0883	56530	AS2	1	4719		TRACTOR SUPPLY CRE202302	0883	8079		0.00	84.97
											0883	56531	AS2	1	6282		SOUTHWEST METRO E202302	0883	8079		0.00	17.97
											0883	56532	AS2	1	8143		SCRIBBLES SOFTWARE/202302	0883	8079		0.00	69.20
											0883	56533	AS2	1	2470		MSRS 202302	0883	8079		0.00	662.50
											0883	56533	AS2	1	2470		MSRS 202302	0883	8079		0.00	662.50
											0883	56533	AS2	1	2470		MSRS 202302	0883	8079		0.00	662.50
											0883	56533	AS2	1	2470		MSRS 202302	0883	8079		50.00	0.00
											0883	56533	AS2	1	2470		MSRS 202302	0883	8079		0.00	50.00
											0883	56535	AS2	1	1937		PUBLIC EMPLOYEES R 202302	0883	8079		0.00	140.00
											0883	56536	AS2	1	2006		US GOVERNMENT 202302	0883	8079		0.00	457.48
											0883	56537	AS2	1	2006		US GOVERNMENT 202302	0883	8079		0.00	396.82

Rockford ISD #0883 Payment Distributions

Co	L	Fd	Org	Pro	Crs	Fin	O/S	Ty	Description	Batch	Pmt	Pmt	Bank	Grp	Code	Rcd	Vendor	Pd	JE	JE	Debit	Credit
0883	B	01	101	000				F	Cash & Cash Equiv	Co	No	Grp	Code						Co	Cd	Amount	Amount
0883	B	01	101	000				F	Cash & Cash Equiv	0883	56538	AS2	1	1962			MINNESOTA DEPT OF F	202302	0883	8079	0.00	43.15
0883										0883	56539	AS2	1	1962			MINNESOTA DEPT OF F	202302	0883	8079	0.00	66.93
0883										0883	56540	AS2	1	1937			PUBLIC EMPLOYEES R	202302	0883	8079	0.00	103.64
0883										0883	56541	AS2	1	1937			PUBLIC EMPLOYEES R	202302	0883	8079	0.00	11,067.61
0883										0883	56542	AS2	1	1938			TRA	202302	0883	8079	0.00	5,735.70
0883										0883	56543	AS2	1	1938			TRA	202302	0883	8079	0.00	47,589.92
0883										0883	56544	AS2	1	3370			MIN CHILD SUPPORT PI	202302	0883	8079	0.00	323.50
0883										0883	56545	AS2	1	2470			MSRS	202302	0883	8079	0.00	662.50
0883										0883	56545	AS2	1	2470			MSRS	202302	0883	8079	0.00	662.50
0883										0883	56546	AS2	1	1938			TRA	202302	0883	8079	0.00	164.21
0883										0883	56549	AS2	1	3370			MIN CHILD SUPPORT PI	202302	0883	8079	0.00	323.50
0883										0883	56550	AS2	1	7786			REMITTERAFORM PHOENIX	202302	0883	8079	0.00	172.90
0883										0883	56551	AS2	1	1057			HILLYARD	202302	0883	8079	0.00	4,389.18
0883										0883	56551	AS2	1	1057			HILLYARD	202302	0883	8079	0.00	748.28
0883										0883	56551	AS2	1	1057			HILLYARD	202302	0883	8079	0.00	4,631.94
0883										0883	56552	AS2	1	1180			CENTERPOINT ENERG	202302	0883	8079	0.00	67.20
0883										0883	56552	AS2	1	1180			CENTERPOINT ENERG	202302	0883	8079	0.00	67.20
0883										0883	56554	AS2	1	5149			TOLL COMPANYY	202302	0883	8079	0.00	24.06
0883										0883	56555	AS2	1	5177			HOLT - PETERSON CH/	202302	0883	8079	0.00	557.38
0883										0883	56557	AS2	1	5806			remit UNIVERSAL ATHLETIC,	202302	0883	8079	0.00	192.97
0883										0883	56558	AS2	1	5992			ECM PUBLISHERS, INC	202302	0883	8079	0.00	102.90
0883										0883	56559	AS2	1	6437			TASC	202302	0883	8079	0.00	40.25
0883										0883	56560	AS2	1	7164			HUNTER, KEVIN	202302	0883	8079	0.00	180.00
0883										0883	56561	AS2	1	7224			BSN SPORTS, LLC	202302	0883	8079	0.00	198.22
0883										0883	56562	AS2	1	7545			TEACHERS ON CALL	202302	0883	8079	0.00	82.36
0883										0883	56563	AS2	1	7751			NATIONAL BUSINESS F	202302	0883	8079	0.00	940.65
0883										0883	56564	AS2	1	7853			KAPCO	202302	0883	8079	0.00	249.10
0883										0883	56565	AS2	1	8261			TOTAL NETWORK, INC.	202302	0883	8079	0.00	2,375.00
0883										0883	56566	AS2	1	8265			DOMINO'S PIZZA	202302	0883	8079	0.00	68.75
0883										0883	56567	AS2	1	8443			remit WOODBURN PRESS, LI	202302	0883	8079	0.00	215.82
0883										0883	56569	AS2	1	1006			NORTHWEST SUBURB.	202302	0883	8079	0.00	3,962.50
0883										0883	56570	AS2	1	8391			US OMNI & TSACG COM	202302	0883	8079	0.00	297.84
0883										0883	56570	AS2	1	8391			US OMNI & TSACG COM	202302	0883	8079	0.00	292.00
0883										0883	56571	AS2	1	1006			NORTHWEST SUBURB.	202302	0883	8079	0.00	4,422.25
0883										0883	56572	AS2	1	1007			CMERDC	202302	0883	8079	0.00	801.35
0883										0883	56572	AS2	1	1007			CMERDC	202302	0883	8079	0.00	70.21
0883										0883	56572	AS2	1	1007			CMERDC	202302	0883	8079	0.00	20.08
0883										0883	56572	AS2	1	1007			CMERDC	202302	0883	8079	0.00	896.36

**Rockford ISD #0883
Payment Distributions**

Co	L	Fd	Org	Pro	Crs	Fin	O/S	Ty	Description	Batch	Pmt	Pmt	Bank	Grp	Code	Rcd	Vendor	Pd	JE	JE	Debit	Credit
0883	B	01	101	000				F	Cash & Cash Equiv		0883	56572	AS2	1	1007				0883	8079	0.00	329.36
											0883	56573	AS2	1	1039		MINNESOTA ELEVATOR	202302	0883	8079	0.00	469.42
											0883	56574	AS2	1	1057		HILLYARD	202302	0883	8079	0.00	4,556.67
											0883	56575	AS2	1	1096		remit NASCO	202302	0883	8079	0.00	272.38
											0883	56576	AS2	1	1132		APPLE COMPUTER INC	202302	0883	8079	0.00	49.95
											0883	56577	AS2	1	1152		RESOURCE TRAINING	202302	0883	8079	0.00	1,214.58
											0883	56578	AS2	1	1230		RATWIK ROSZAK & MP	202302	0883	8079	0.00	360.00
											0883	56579	AS2	1	1841		WRIGHT TECHNICAL	202302	0883	8079	0.00	2,642.78
											0883	56580	AS2	1	2208		TECH/CHECK	202302	0883	8079	0.00	11,050.59
											0883	56580	AS2	1	2208		TECH/CHECK	202302	0883	8079	0.00	11,475.00
											0883	56581	AS2	1	3679		remit INNOVATIVE OFFICE	202302	0883	8079	0.00	69.98
											0883	56582	AS2	1	4335		4 POINT 0 SCHOOL SEI	202302	0883	8079	0.00	3,411.72
											0883	56582	AS2	1	4335		4 POINT 0 SCHOOL SEI	202302	0883	8079	0.00	3,411.72
											0883	56583	AS2	1	4673		INTEGRIPRINT	202302	0883	8079	0.00	259.64
											0883	56584	AS2	1	5258		HERC-LIFT	202302	0883	8079	0.00	158.36
											0883	56585	AS2	1	5507		CITY OF GREENFIELD	202302	0883	8079	0.00	33.00
											0883	56586	AS2	1	5574		SUMMIT FIRE PROTEC	202302	0883	8079	0.00	465.20
											0883	56587	AS2	1	5806		remit UNIVERSAL ATHLETIC	202302	0883	8079	0.00	330.00
											0883	56587	AS2	1	5806		remit UNIVERSAL ATHLETIC	202302	0883	8079	0.00	999.75
											0883	56587	AS2	1	5806		remit UNIVERSAL ATHLETIC	202302	0883	8079	0.00	51.00
											0883	56588	AS2	1	6082		remit UNIVERSAL ATHLETIC	202302	0883	8079	0.00	202.75
											0883	56589	AS2	1	6279		SAM'S LAWN & LANDS	202302	0883	8079	0.00	2,340.40
											0883	56590	AS2	1	6603		SHI INTERNATIONAL	202302	0883	8079	0.00	2,500.00
											0883	56591	AS2	1	6913		LANO EQUIPMENT	202302	0883	8079	0.00	515.13
											0883	56591	AS2	1	6913		LANO EQUIPMENT	202302	0883	8079	0.00	515.13
											0883	56592	AS2	1	6913		NEE INVESTMENT 9, LL	202302	0883	8079	0.00	539.77
											0883	56592	AS2	1	6913		NEE INVESTMENT 9, LL	202302	0883	8079	0.00	539.77
											0883	56592	AS2	1	7284		LVC COMPANIES, INC.	202302	0883	8079	0.00	458.71
											0883	56592	AS2	1	7284		LVC COMPANIES, INC.	202302	0883	8079	0.00	129.50
											0883	56592	AS2	1	7284		LVC COMPANIES, INC.	202302	0883	8079	0.00	190.10
											0883	56593	AS2	1	7570		LVC COMPANIES, INC.	202302	0883	8079	0.00	171.15
											0883	56594	AS2	1	7770		CST MN - BIN # 170065	202302	0883	8079	0.00	40,000.00
											0883	56595	AS2	1	7778		MIN ASSOC OF SECRET	202302	0883	8079	0.00	40.00
											0883	56596	AS2	1	7878		TEAMWORKS INTERN	202302	0883	8079	0.00	40.00
											0883	56597	AS2	1	8003		HERITAGE EMBROIDER	202302	0883	8079	0.00	1,447.50
											0883	56598	AS2	1	8031		remit TURINITIN, LLC	202302	0883	8079	0.00	3,312.00
											0883	56599	AS2	1	8031		remit ILLUMINATE EDUC	202302	0883	8079	0.00	2,315.25
											0883	56600	AS2	1	8038		remit SERGEANT LABORAT	202302	0883	8079	0.00	9,486.25
											0883	56601	AS2	1	8042		MASPASTATE NEGOTI	202302	0883	8079	0.00	12,329.59
											0883	56601	AS2	1	8099		remit EDPUZZLE, INC.	202302	0883	8079	0.00	550.00
											0883	56601	AS2	1	8099		remit EDPUZZLE, INC.	202302	0883	8079	0.00	1,950.00

Rockford ISD #0883
Payment Distributions

Co	L	Fd	Org	Pro	Crs	Fin	O/S	Ty	Description	Batch Co	Pmt No	Bank Grp	Code	Rcd	Vendor	Pd	JE Co	JE Cd	Debit Amount	Credit Amount
0883	B	01	101	000				F	Cash & Cash Equiv											
0883										0883	56602	AS2	1	8261	TOTAL NETWORX, INC. 202302	0883	8079	0.00	588.75	
0883										0883	56603	AS2	1	8390	BLUM OF MINNESOTA 202302	0883	8079	0.00	256.58	
0883										0883	56604	AS2	1	8412	PERFORMANCE FOOD-202302	0883	8079	0.00	821.24	
0883										0883	56604	AS2	1	8412	PERFORMANCE FOOD-202302	0883	8079	0.00	2,047.77	
0883										0883	56605	AS2	1	8422	SCHOOL BUSINESS M/202302	0883	8079	0.00	461.25	
0883										0883	56605	AS2	1	8422	SCHOOL BUSINESS M/202302	0883	8079	0.00	6,084.38	
0883										0883	56606	AS2	1	8439	COMMON THREAD CU 202302	0883	8079	0.00	621.00	
0883										0883	56607	AS2	1	2006	US GOVERNMENT	0883	8079	0.00	1,058.48	
0883										0883	56607	AS2	1	2006	US GOVERNMENT	0883	8079	0.00	27,233.29	
0883										0883	56607	AS2	1	2006	US GOVERNMENT	0883	8079	0.00	647.62	
0883										0883	56607	AS2	1	2006	US GOVERNMENT	0883	8079	0.00	64,164.97	
0883										0883	56607	AS2	1	2006	US GOVERNMENT	0883	8079	744.64	0.00	
0883										0883	56608	AS2	1	1938	TRA	0883	8079	535.62	0.00	
0883										0883	56608	AS2	1	1938	TRA	0883	8079	0.00	535.62	
0883										0883	56608	AS2	1	1938	TRA	0883	8079	0.00	321.00	
0883										0883	56609	AS2	1	1962	MINNESOTA DEPT OF F 202302	0883	8079	0.00	86.83	
0883										0883	56609	AS2	1	1962	MINNESOTA DEPT OF F 202302	0883	8079	0.00	4,574.82	
0883										0883	56609	AS2	1	1962	MINNESOTA DEPT OF F 202302	0883	8079	0.00	115.57	
0883										0883	56609	AS2	1	1962	MINNESOTA DEPT OF F 202302	0883	8079	0.00	10,935.72	
0883										0883	56609	AS2	1	1962	MINNESOTA DEPT OF F 202302	0883	8079	136.43	0.00	
0883										0883	56610	AS2	1	1937	PUBLIC EMPLOYEES R 202302	0883	8079	0.00	124.82	
0883										0883	56611	AS2	1	4050	AFLAC	0883	8079	0.00	66.76	
0883										0883	56611	AS2	1	4050	AFLAC	0883	8079	0.00	66.76	
0883										0883	56611	AS2	1	4050	AFLAC	0883	8079	0.00	143.40	
0883										0883	56611	AS2	1	4050	AFLAC	0883	8079	0.00	143.40	
0883										0883	56612	AS2	1	1937	PUBLIC EMPLOYEES R 202302	0883	8079	0.00	10,624.04	
0883										0883	56613	AS2	1	1938	TRA	0883	8079	0.00	1,473.01	
0883										0883	56613	AS2	1	1938	TRA	0883	8079	0.00	6,311.86	
0883										0883	56613	AS2	1	1938	TRA	0883	8079	0.00	47,589.95	
0883										0883	56614	AS2	1	7649	TSA CONSULTING GRC 202302	0883	8079	0.00	1,054.19	
0883										0883	56614	AS2	1	7649	TSA CONSULTING GRC 202302	0883	8079	0.00	532.49	
0883										0883	56614	AS2	1	7649	TSA CONSULTING GRC 202302	0883	8079	0.00	482.49	
0883										0883	56614	AS2	1	7649	TSA CONSULTING GRC 202302	0883	8079	0.00	1,155.84	
0883										0883	56614	AS2	1	7649	TSA CONSULTING GRC 202302	0883	8079	893.75	0.00	
0883										0883	56614	AS2	1	7649	TSA CONSULTING GRC 202302	0883	8079	0.00	1,054.19	
0883										0883	56614	AS2	1	7649	TSA CONSULTING GRC 202302	0883	8079	0.00	997.51	
0883										0883	56614	AS2	1	7649	TSA CONSULTING GRC 202302	0883	8079	0.00	893.75	
0883										0883	56614	AS2	1	7649	TSA CONSULTING GRC 202302	0883	8079	0.00	3,408.66	

Rockford ISD #0883 Payment Distributions

Co	L	Fd	Org	Pro	Crs	Fin	O/S	Ty	Description	Batch	Pmt	Pmt	Bank	Grp	Code	Rcd	Vendor	Pd	JE	JE	Debit	Credit	
										Co	No								Co	Cd	Amount	Amount	
0883	B	01	101	000				F	Cash & Cash Equiv														
										0883	56614	AS2	1	7649			TSA CONSULTING GRC	202302	0883	8079	0.00	2,782.91	
										0883	56614	AS2	1	7649			TSA CONSULTING GRC	202302	0883	8079	0.00	7,046.17	
										0883	56614	AS2	1	7649			TSA CONSULTING GRC	202302	0883	8079	0.00	3,484.56	
										0883	56614	AS2	1	7649			TSA CONSULTING GRC	202302	0883	8079	0.00	2,782.91	
										0883	56614	AS2	1	7649			TSA CONSULTING GRC	202302	0883	8079	0.00	7,045.93	
										0883	56615	AS2	1	1962			MINNESOTA DEPT OF F	202302	0883	8079	0.00	377.43	
										0883	56615	AS2	1	1962			MINNESOTA DEPT OF F	202302	0883	8079	0.00	4,642.04	
										0883	56616	AS2	1	2006			US GOVERNMENT	202302	0883	8079	0.00	10,935.73	
										0883	56616	AS2	1	2006			US GOVERNMENT	202302	0883	8079	0.00	3,546.31	
										0883	56616	AS2	1	2006			US GOVERNMENT	202302	0883	8079	0.00	27,262.25	
										0883	56616	AS2	1	2006			US GOVERNMENT	202302	0883	8079	0.00	64,164.95	
										0883	56617	AS2	1	1962			MINNESOTA DEPT OF F	202302	0883	8079	0.00	120.05	
										0883	56617	AS2	1	1962			MINNESOTA DEPT OF F	202302	0883	8079	0.00	622.27	
										0883	56618	AS2	1	1937			PUBLIC EMPLOYEES R	202302	0883	8079	0.00	190.38	
										0883	56619	AS2	1	2006			US GOVERNMENT	202302	0883	8079	0.00	819.09	
										0883	56619	AS2	1	2006			US GOVERNMENT	202302	0883	8079	0.00	24,338.32	
										0883	56620	AS2	1	1007			CMERDC	202302	0883	8079	0.00	151.40	
										0883	56620	AS2	1	1007			CMERDC	202302	0883	8079	0.00	1,947.02	
										0883	56620	AS2	1	1007			CMERDC	202302	0883	8079	0.00	114.66	
										0883	56620	AS2	1	1007			CMERDC	202302	0883	8079	0.00	890.84	
										0883	56620	AS2	1	1007			CMERDC	202302	0883	8079	0.00	923.02	
										0883	56622	AS2	1	3539			CENGAGE LEARNING	202302	0883	8079	0.00	17,444.95	
										0883	56623	AS2	1	4945			GOPHER SPORTS	202302	0883	8079	0.00	1,330.56	
										0883	56624	AS2	1	5149			TOLL COMPANY	202302	0883	8079	0.00	850.00	
										0883	56625	AS2	1	7786			REMITTERRAFORM PHOENIX	202302	0883	8079	0.00	386.92	
										0883	56626	AS2	1	8143			SCRIBBLES SOFTWARE	202302	0883	8079	0.00	111.50	
										0883	56627	AS2	1	8170			remit US BANCORP GOVNT	202302	0883	8079	0.00	7,569.12	
										0883	56628	AS2	1	8449			MANNING, KRISTIN	202302	0883	8079	0.00	180.00	
										0883	56629	AS2	1	1192			VERIZON WIRELESS	202302	0883	8079	0.00	350.63	
										0883	56630	AS2	1	1269			T-MOBILE	202302	0883	8079	0.00	1,260.00	
										Account Total:												\$3,629.65	\$704,955.39
0883	B	02	101	000				F	Cash & Cash Equiv														
										0883	56568	AS2	1	8447			MEYER, JENNIE	202302	0883	8079	0.00	133.50	
										Account Total:												\$0.00	\$133.50
0883	B	04	101	000				F	Cash & Cash Equiv														
										0883	56480	AS2	1	1369			ABC LETTERING	202302	0883	8079	0.00	1,400.00	
										0883	56484	AS2	1	3679			remit INNOVATIVE OFFICE S	202302	0883	8079	0.00	90.05	
										0883	56487	AS2	1	4945			GOPHER SPORTS	202302	0883	8079	0.00	209.50	
										0883	56491	AS2	1	6031			POSTMASTER	202302	0883	8079	0.00	1,201.07	

Rockford ISD #0883 Payment Distributions

Co	L	Fd Org	Pro	Crs	Fin	O/S	Ty	Description	Batch Co	Pmt No	Bank Grp	Code	Rcd	Vendor	Pd	JE Co	JE Cd	Debit Amount	Credit Amount
0883	B	04	101	000			F	Cash & Cash Equiv											
0883									0883	56492	AS2	1	6377	DISH	202302	0883	8079	0.00	114.06
0883									0883	56495	AS2	1	8049	remit RAAA BASKETBALL	202302	0883	8079	0.00	578.00
0883									0883	56499	AS2	1	8049	remit RAAA BASKETBALL	202302	0883	8079	0.00	6,882.00
0883									0883	56508	AS2	1	1200	CUB FOODS	202302	0883	8079	0.00	49.27
0883									0883	56508	AS2	1	1200	CUB FOODS	202302	0883	8079	0.00	71.57
0883									0883	56508	AS2	1	1200	CUB FOODS	202302	0883	8079	0.00	50.71
0883									0883	56508	AS2	1	1200	CUB FOODS	202302	0883	8079	0.00	142.99
0883									0883	56508	AS2	1	1200	CUB FOODS	202302	0883	8079	0.00	45.48
0883									0883	56508	AS2	1	1200	CUB FOODS	202302	0883	8079	0.00	45.48
0883									0883	56510	AS2	1	1394	MBNAB/BUSINESS CARL	202302	0883	8079	0.00	365.55
0883									0883	56510	AS2	1	1394	MBNAB/BUSINESS CARL	202302	0883	8079	0.00	141.81
0883									0883	56510	AS2	1	1394	MBNAB/BUSINESS CARL	202302	0883	8079	0.00	135.96
0883									0883	56510	AS2	1	1394	MBNAB/BUSINESS CARL	202302	0883	8079	0.00	419.68
0883									0883	56510	AS2	1	1394	MBNAB/BUSINESS CARL	202302	0883	8079	0.00	404.65
0883									0883	56510	AS2	1	1394	MBNAB/BUSINESS CARL	202302	0883	8079	50.00	0.00
0883									0883	56510	AS2	1	1394	MBNAB/BUSINESS CARL	202302	0883	8079	0.00	70.19
0883									0883	56510	AS2	1	1394	MBNAB/BUSINESS CARL	202302	0883	8079	0.00	81.34
0883									0883	56510	AS2	1	1394	MBNAB/BUSINESS CARL	202302	0883	8079	0.00	203.23
0883									0883	56514	AS2	1	4673	INTEGRIPRINT	202302	0883	8079	0.00	1,611.74
0883									0883	56518	AS2	1	5416	GRIMM DESIGN, LLC	202302	0883	8079	0.00	1,600.00
0883									0883	56526	AS2	1	8266	RAAA YOUTH WRESTL	202302	0883	8079	0.00	300.00
0883									0883	56526	AS2	1	8266	RAAA YOUTH WRESTL	202302	0883	8079	0.00	3,505.00
0883									0883	56556	AS2	1	5694	DELANO LANES	202302	0883	8079	0.00	576.00
0883									0883	56572	AS2	1	1007	CMERDC	202302	0883	8079	0.00	623.29
0883									0883	56572	AS2	1	1007	CMERDC	202302	0883	8079	0.00	290.79
0883									0883	56572	AS2	1	1007	CMERDC	202302	0883	8079	0.00	22.00
0883									0883	56572	AS2	1	1007	CMERDC	202302	0883	8079	0.00	712.08
0883									0883	56572	AS2	1	1007	CMERDC	202302	0883	8079	0.00	97.28
0883									0883	56621	AS2	1	2323	HOUSE OF PRINT	202302	0883	8079	0.00	3,562.90
0883									0883	56629	AS2	1	1192	VERIZON WIRELESS	202302	0883	8079	0.00	100.18
Account Total:																			
																		\$50.00	\$25,658.37
0883	B	06	101	000			F	Cash & Cash Equiv											
0883									0883	56481	AS2	1	2216	MENARDS INC	202302	0883	8079	0.00	311.73
0883									0883	56529	AS2	1	4692	BRAUN INTERTEC COF	202302	0883	8079	0.00	9,758.00
Account Total:																			
																		\$0.00	\$10,069.73
0883	B	21	101	000			F	Cash & Cash Equiv											
0883									0883	56510	AS2	1	1394	MBNAB/BUSINESS CARL	202302	0883	8079	0.00	290.00
0883									0883	56553	AS2	1	1312	NASSPINHS/NJHS	202302	0883	8079	0.00	385.00
0883									0883	56555	AS2	1	5177	HOLT - PETERSON CHJ	202302	0883	8079	0.00	227.62
0883									0883	56587	AS2	1	5806	remit UNIVERSALATHLETIC	202302	0883	8079	0.00	1,535.22

Rockford ISD #0883 Payment Distributions

Co	L	Fd	Org	Pro	Crs	Fin	O/S	Ty	Description	Batch	Pmt	Pmt	Bank	Grp	Code	Rcd	Vendor	Pd	JE	JE	Debit	Credit		
										Co	No							Co	Co	Co	Amount	Amount		
0883	B	21	101	000				F	Cash & Cash Equiv	0883	56587	AS2	1	5806	remit	UNIVERSAL.ATHLETIC, 202302	0883	8079	8079	0.00	160.00			
										0883	56587	AS2	1	5806	remit	UNIVERSAL.ATHLETIC, 202302	0883	8079	8079	0.00	1,259.94			
Account Total:																					\$0.00	\$3,857.78		
Report Total:																							\$3,679.65	\$744,674.77

Rockford ISD #0883 Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
AS2		56533		Wire	2470		MSRS		No	No	No	08/12/2022	1,325.00
AS2		56535		Wire	1937		PUBLIC EMPLOYEES RETIREMENT AS:		No	No	No	08/12/2022	140.00
AS2		56536		Wire	2006		US GOVERNMENT		No	No	No	08/08/2022	457.48
AS2		56537		Wire	2006		US GOVERNMENT		No	No	No	08/12/2022	396.82
AS2		56538		Wire	1962		MINNESOTA DEPT OF REVENUE		No	No	No	08/08/2022	43.15
AS2		56539		Wire	1962		MINNESOTA DEPT OF REVENUE		No	No	No	08/12/2022	66.93
AS2		56540		Wire	1937		PUBLIC EMPLOYEES RETIREMENT AS:		No	No	No	08/12/2022	103.64
AS2		56541		Wire	1937		PUBLIC EMPLOYEES RETIREMENT AS:		No	No	No	08/17/2022	11,067.61
AS2		56542		Wire	1938		TRA		No	No	No	08/18/2022	5,735.70
AS2		56543		Wire	1938		TRA		No	No	No	08/18/2022	47,599.92
AS2		56544		Wire	3370		MAN CHIL D SUPP OR T PM T CEN T E R		No	No	No	08/15/2022	323.50
AS2		56545		Wire	2470		MSRS		No	No	No	08/15/2022	1,325.00
AS2		56546		Wire	1938		TRA		No	No	No	08/09/2022	164.21
AS2		56549		Wire	3370		MAN CHIL D SUPP OR T PM T CEN T E R		No	No	No	08/02/2022	323.50
AS2		56607		Wire	2006		US GOVERNMENT		No	No	No	08/16/2022	92,359.72
AS2		56608		Wire	1938		TRA		No	No	No	08/18/2022	321.00
AS2		56609		Wire	1962		MINNESOTA DEPT OF REVENUE		No	No	No	08/16/2022	95,576.51
AS2		56610		Wire	1937		PUBLIC EMPLOYEES RETIREMENT AS:		No	No	No	08/17/2022	124.62
AS2		56611		Wire	4050		AFLAC		No	No	No	08/19/2022	420.32
AS2		56612		Wire	1937		PUBLIC EMPLOYEES RETIREMENT AS:		No	No	No	08/12/2022	10,624.04
AS2		56613		Wire	1938		TRA		No	No	No	08/05/2022	55,374.82
AS2		56614		Wire	7849		TSA CONSULTING GROU P, INC.		No	No	No	08/15/2022	31,807.85
AS2		56615		Wire	1962		MINNESOTA DEPT OF REVENUE		No	No	No	08/02/2022	15,955.20
AS2		56616		Wire	2006		US GOVERNMENT		No	No	No	08/02/2022	94,973.51
AS2		56617		Wire	1962		MINNESOTA DEPT OF REVENUE		No	No	No	08/26/2022	742.32
AS2		56618		Wire	1937		PUBLIC EMPLOYEES RETIREMENT AS:		No	No	No	08/26/2022	190.38
AS2		56619		Wire	2006		US GOVERNMENT		No	No	No	08/26/2022	5,157.41
AS2		55821	102214	Check	7786	REMIT	TERRAFORM PHOENIX II ARCADIA		Yes	No	Yes	08/18/2022	(172.90)
AS2		56486	102787	Check	4335		4 POINT 0 SCHOOL SERVICES		Yes	No	No	08/04/2022	1,705.86
AS2		56480	102788	Check	1369		ABC LETTERING		Yes	No	No	08/04/2022	1,400.00
AS2		56489	102789	Check	5137		B & H PHOTO		Yes	No	No	08/04/2022	5,182.80
AS2		56477	102790	Check	1180		CENTERPOINT ENERGY		Yes	No	No	08/04/2022	301.75
AS2		56482	102791	Check	2374		DEMCO INC		Yes	No	No	08/04/2022	99.31
AS2		56492	102792	Check	6377		DISH		Yes	No	No	08/04/2022	114.06
AS2		56490	102793	Check	5992		ECM PUBLISHERS, INC.		Yes	No	No	08/04/2022	94.98
AS2		56472	102794	Check	1053		FLINN SCIENTIFIC		Yes	No	No	08/04/2022	522.41
AS2		56487	102795	Check	4945		GOPHER SPORTS		Yes	No	No	08/04/2022	209.50
AS2		56473	102796	Check	1057		HILLYARD		Yes	No	No	08/04/2022	1,595.07
AS2		56464	102797	Check	3679	remit	INNOVATIVE OFFICE SOLUTIONS		Yes	No	No	08/04/2022	149.10

Rockford ISD #0883
Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
AS2		56493	102798	Check	6603		LANO EQUIPMENT -LORETTO		Yes	No	No	08/04/2022	15,756.00
AS2		56476	102799	Check	1098		MACGILL & CO		Yes	No	No	08/04/2022	578.92
AS2		56481	102800	Check	2216		MENARDS INC		Yes	No	No	08/04/2022	311.73
AS2		56474	102801	Check	1061		MINNESOTA CLAY USA		Yes	No	No	08/04/2022	363.88
AS2		56488	102802	Check	5065	remi2	MINNESOTA SECRETARY OF STATE -BI		Yes	No	No	08/04/2022	100.00
AS2		56494	102803	Check	7811		PASCO SCIENTIFIC		Yes	No	No	08/04/2022	76.00
AS2		56491	102804	Check	6031		POSTMASTER		Yes	No	No	08/04/2022	1,201.07
AS2		56495	102805	Check	8049	remi1	RAAA BASKETBALL		Yes	No	No	08/04/2022	578.00
AS2		56475	102806	Check	1062	remi1	SCHOLASTIC INC		Yes	No	No	08/04/2022	626.07
AS2		56470	102807	Check	1012		SCHOOL SPECIALTY INC		Yes	No	No	08/04/2022	575.38
AS2		56469	102808	Check	1008	remi1	SUPREME SCHOOL SUPPLY INC		Yes	No	No	08/04/2022	81.48
AS2		56496	102809	Check	8405		TIREWIZ LLC	LLC - S Corp	Yes	No	No	08/04/2022	1,093.00
AS2		56485	102810	Check	3727		VERNIER SOFTWARE & TECH		Yes	No	No	08/04/2022	257.30
AS2		56483	102811	Check	2666		WRIGHT COUNTY CONFERENCE		Yes	No	No	08/04/2022	4,000.00
AS2		56471	102812	Check	1016		WRIGHT-HENNEPIN COOP. ELECTRIC		Yes	No	No	08/04/2022	206.70
AS2		56478	102813	Check	1215		XGEL ENERGY		Yes	No	No	08/04/2022	24,880.21
AS2		56500	102814	Check	1193	remi1	ZANER-BLOSER		Yes	No	No	08/04/2022	1,842.10
AS2		56497	102815	Check	8399		AMPION PBC	C Corporation	Yes	No	No	08/04/2022	354.83
AS2		56498	102816	Check	1057		HILLYARD		Yes	No	No	08/04/2022	1,703.25
AS2		56499	102817	Check	4613		KENNEDY AND GRAVEN		Yes	No	No	08/04/2022	775.50
AS2		56501	102818	Check	8049	remi1	RAAA BASKETBALL		Yes	No	No	08/04/2022	6,882.00
AS2		56521	102819	Check	8409		RUPP, ANDERSON, SQUIRES, WALDSP		Yes	No	No	08/04/2022	628.50
AS2		56525	102820	Check	6623		ADVANCED IMAGING SOLUTIONS		Yes	No	No	08/11/2022	5,718.00
AS2		56507	102821	Check	7981		AT&T MOBILITY		Yes	No	No	08/11/2022	38.23
AS2		56502	102822	Check	1180		CENTERPOINT ENERGY		Yes	No	No	08/11/2022	858.22
AS2		56527	102823	Check	1007		CMERDC		Yes	No	No	08/11/2022	1,323.00
AS2		56508	102824	Check	8355		CUB - MAPLE GROVE		Yes	No	No	08/11/2022	414.87
AS2		56520	102825	Check	1200		CUB FOODS		Yes	No	No	08/11/2022	360.02
AS2		56522	102826	Check	6481		GRADY'S ACE HARDWARE		Yes	No	No	08/11/2022	1,053.06
AS2		56518	102827	Check	7738	REMIT	GRANITE TELECOMMUNICATIONS, LLC		Yes	No	No	08/11/2022	751.45
AS2		56514	102828	Check	5416		GRIMM DESIGN, LLC		Yes	No	No	08/11/2022	1,600.00
AS2		56510	102829	Check	4673		INTEGRIPRINT		Yes	No	No	08/11/2022	1,611.74
AS2		56511	102830	Check	1394		MBNA/BUSINESS CARD		Yes	No	No	08/11/2022	9,673.32
AS2		56512	102831	Check	1394		MBNA/BUSINESS CARD		Yes	No	No	08/11/2022	7,688.53
AS2		56516	102832	Check	1394		MBNA/BUSINESS CARD		Yes	No	No	08/11/2022	533.88
AS2		56519	102833	Check	4797		MIDLAND NURSERY & LANDSCAPING, S Corporation		Yes	No	No	08/11/2022	129.00
AS2		56523	102834	Check	6356		MITEL NETSOLUTIONS		Yes	No	No	08/11/2022	3,621.83
AS2		56517	102835	Check	7771	remi1	MIRI SOFTWARE, LLC		Yes	No	No	08/11/2022	2.00
AS2		56517	102836	Check	5065	remi1	OFFICE OF THE SECRETARY OF STATE		Yes	No	No	08/11/2022	120.00

Rockford ISD #0883 Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
AS2		56524	102837	Check	7873		ON SITE COMPANIES, INC.		Yes	No	No	08/11/2022	1,602.58
AS2		56526	102838	Check	8266		RAAA YOUTH WRESTLING		Yes	No	No	08/11/2022	3,805.00
AS2		56509	102839	Check	1230		RATWIK, ROSZAK & MALONEY, P.A.		Yes	No	No	08/11/2022	350.00
AS2		56528	102840	Check	8402		REPUBLIC SERVICES, INC.	C Corporation	Yes	No	No	08/11/2022	884.34
AS2		56506	102841	Check	1152		RESOURCE TRAINING & SOLUTIONS		Yes	No	No	08/11/2022	17,267.91
AS2		56505	102842	Check	1091		SCHMITT MUSIC CENTER		Yes	No	No	08/11/2022	57.90
AS2		56504	102843	Check	1062	remitt	SCHOLASTIC INC		Yes	No	No	08/11/2022	815.89
AS2		56513	102844	Check	1489	Remitt	SCHOOL SPECIALTY INC		Yes	No	No	08/11/2022	38.21
AS2		56503	102845	Check	1012		SCHOOL SPECIALTY INC		Yes	No	No	08/11/2022	444.21
AS2		56515	102846	Check	4719		TRACTOR SUPPLY CREDIT PLAN		Yes	No	No	08/11/2022	334.43
AS2		56529	102847	Check	4692		BRAUN INTERTEC CORP		Yes	No	No	08/11/2022	9,758.00
AS2		56532	102848	Check	8143		SCRIBBLES SOFTWARE	C Corporation	Yes	No	No	08/11/2022	69.20
AS2		56531	102849	Check	6282		SOUTHWEST METRO EDUCATIONAL C		Yes	No	No	08/11/2022	17.97
AS2		56530	102850	Check	4719		TRACTOR SUPPLY CREDIT PLAN		Yes	No	No	08/11/2022	84.97
AS2		56550	102851	Check	7786	REMIT	TERRAFORM PHOENIX II ARCADIA		Yes	No	No	08/18/2022	172.90
AS2		56561	102852	Check	7224		BSN SPORTS, LLC		Yes	No	No	08/19/2022	198.22
AS2		56552	102853	Check	1180		CENTERPOINT ENERGY		Yes	No	No	08/19/2022	134.40
AS2		56556	102854	Check	5694		DELANO LANES		Yes	No	No	08/19/2022	576.00
AS2		56566	102855	Check	8265		DOMINO'S PIZZA		Yes	No	No	08/19/2022	68.75
AS2		56558	102856	Check	5992		ECM PUBLISHERS, INC.		Yes	No	No	08/19/2022	102.90
AS2		56551	102857	Check	1057		HILLYARD		Yes	No	No	08/19/2022	9,769.40
AS2		56555	102858	Check	5177		HOLT - PETERSON CHARTER BUS		Yes	No	No	08/19/2022	785.00
AS2		56560	102859	Check	7164		HUNTER, KEVIN		Yes	No	No	08/19/2022	180.00
AS2		56564	102860	Check	7853		KAPCO		Yes	No	No	08/19/2022	249.10
AS2		56568	102861	Check	8447		MEYER, JENNIE		Yes	No	No	08/19/2022	133.50
AS2		56553	102862	Check	1312		NASSPINHS/JHS		Yes	No	No	08/19/2022	385.00
AS2		56563	102863	Check	7751		NATIONAL BUSINESS FURNITURE, LLC		Yes	No	No	08/19/2022	940.65
AS2		56559	102864	Check	6437		TASC		Yes	No	No	08/19/2022	40.25
AS2		56562	102865	Check	7545		TEACHERS ON CALL		Yes	No	No	08/19/2022	82.36
AS2		56554	102866	Check	5149		TOLL COMPANY		Yes	No	No	08/19/2022	24.06
AS2		56565	102867	Check	8261		TOTAL NETWORK, INC.	S Corporation	Yes	No	No	08/19/2022	2,375.00
AS2		56557	102868	Check	5806	remitt	UNIVERSAL ATHLETIC, LLC		Yes	No	No	08/19/2022	192.97
AS2		56567	102869	Check	8443	remitt	WOODBURN PRESS, LLC	LLC - S Corp	Yes	No	No	08/19/2022	215.82
AS2		56569	102870	Check	1006		NORTHWEST SUBURBAN INTEGRATIO		Yes	No	No	08/19/2022	3,962.50
AS2		56570	102871	Check	8391		US OMNI & TSACG COMPLIANCE SERV	C Corporation	Yes	No	No	08/19/2022	589.84
AS2		56582	102872	Check	4335		4 POINT 0 SCHOOL SERVICES		Yes	No	No	08/22/2022	6,823.44
AS2		56576	102873	Check	1132		APPLE COMPUTER INC		Yes	No	No	08/22/2022	49.95
AS2		56603	102874	Check	8390		BLUUM OF MINNESOTA, LLC		Yes	No	No	08/22/2022	256.58
AS2		56585	102875	Check	5507		CITY OF GREENFIELD WATER & SEWE		Yes	No	No	08/22/2022	498.20

Rockford ISD #0883
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Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Date	Amount
AS2		56572	102876	Check	1007		CMERDC		Yes	No	No	08/22/2022	3,862.80
AS2		56606	102877	Check	8439		COMMON THREAD CUSTOM APPAREL	LLC - S Corp	Yes	No	No	08/22/2022	621.00
AS2		56593	102878	Check	7570		GST MN - BIN # 170065		Yes	No	No	08/22/2022	40,000.00
AS2		56601	102879	Check	8099		EDPUZZLE, INC.		Yes	No	No	08/22/2022	1,950.00
AS2		56584	102880	Check	5258		HERC-LIFT		Yes	No	No	08/22/2022	158.36
AS2		56596	102881	Check	7878		HERITAGE EMBROIDERY & DESIGN		Yes	No	No	08/22/2022	3,312.00
AS2		56574	102882	Check	1057		HILLYARD		Yes	No	No	08/22/2022	4,566.67
AS2		56598	102883	Check	8031		ILLUMINATE EDUCATION, INC.		Yes	No	No	08/22/2022	9,486.25
AS2		56581	102884	Check	3679		INNOVATIVE OFFICE SOLUTIONS		Yes	No	No	08/22/2022	69.98
AS2		56583	102885	Check	4673		INTEGRIPRINT		Yes	No	No	08/22/2022	259.64
AS2		56590	102886	Check	6603		LANO EQUIPMENT -LORETTO		Yes	No	No	08/22/2022	515.13
AS2		56592	102887	Check	7284		LVC COMPANIES, INC.		Yes	No	No	08/22/2022	490.75
AS2		56600	102888	Check	8042		MASPA/STATE NEGOTIATORS		Yes	No	No	08/22/2022	550.00
AS2		56573	102889	Check	1039		MINNESOTA ELEVATOR, INC		Yes	No	No	08/22/2022	469.42
AS2		56594	102890	Check	7770		MN ASSOC OF SECRETARIES TO THE I		Yes	No	No	08/22/2022	40.00
AS2		56575	102891	Check	1096		NASCO		Yes	No	No	08/22/2022	9,272.38
AS2		56591	102892	Check	6913		NEE INVESTMENT 9, LLC		Yes	No	No	08/22/2022	998.48
AS2		56571	102893	Check	1006		NORTHWEST SUBURBAN INTEGRATIO		Yes	No	No	08/22/2022	4,422.25
AS2		56604	102894	Check	8412		PERFORMANCE FOODSERVICE	C Corporation	Yes	No	No	08/22/2022	2,869.01
AS2		56578	102895	Check	1230		RATWIK, ROSZAK & MALONEY, P.A.		Yes	No	No	08/22/2022	360.00
AS2		56577	102896	Check	1152		RESOURCE TRAINING & SOLUTIONS		Yes	No	No	08/22/2022	1,214.58
AS2		56588	102897	Check	6082		SAM'S LAWN & LANDSCAPE, INC.		Yes	No	No	08/22/2022	2,340.40
AS2		56605	102898	Check	8422		SCHOOL BUSINESS MANAGEMENT SE	Ind/Sole Proprietor	Yes	No	No	08/22/2022	6,545.63
AS2		56599	102899	Check	8038		SERGEANT LABORATORIES, INC.		Yes	No	No	08/22/2022	12,329.59
AS2		56589	102900	Check	6279		SHI INTERNATIONAL CORP.		Yes	No	No	08/22/2022	2,500.00
AS2		56586	102901	Check	5574		SUMMIT FIRE PROTECTION		Yes	No	No	08/22/2022	330.00
AS2		56595	102902	Check	7778		TEAMWORKS INTERNATIONAL, INC		Yes	No	No	08/22/2022	1,447.50
AS2		56580	102903	Check	2208		TECH/CHECK		Yes	No	No	08/22/2022	22,525.59
AS2		56602	102904	Check	8261		TOTAL NETWORKX, INC.	S Corporation	Yes	No	No	08/22/2022	558.75
AS2		56597	102905	Check	8003		TURNITIN, LLC		Yes	No	No	08/22/2022	2,315.25
AS2		56587	102906	Check	5806		UNIVERSAL ATHLETIC, LLC		Yes	No	No	08/22/2022	4,208.66
AS2		56579	102907	Check	1841		WRIGHT TECHNICAL CENTER		Yes	No	No	08/22/2022	2,642.78
AS2		56622	102908	Check	3539		CENGAGE LEARNING		Yes	No	No	08/25/2022	17,444.95
AS2		56620	102909	Check	1007		CMERDC		Yes	No	No	08/25/2022	4,026.94
AS2		56623	102910	Check	4945		GOPHER SPORTS		Yes	No	No	08/25/2022	1,330.56
AS2		56621	102911	Check	2323		HOUSE OF PRINT		Yes	No	No	08/25/2022	3,562.90
AS2		56628	102912	Check	8449		MANNING, KRISTIN		Yes	No	No	08/25/2022	180.00
AS2		56626	102913	Check	8143		SCRIBBLES SOFTWARE	C Corporation	Yes	No	No	08/25/2022	111.50
AS2		56625	102914	Check	7786		TERRAFORM PHOENIX II ARCADIA		Yes	No	No	08/25/2022	386.92

Rockford ISD #0883
Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
AS2		56624	102915	Check	1 5149		TOLL COMPANY		Yes	No	No	08/25/2022	850.00
AS2		56627	102916	Check	1 8170	remit	US BANCORP GOVNT LEASING & FINA	C Corporation	Yes	No	No	08/25/2022	7,569.12
AS2		56630	102917	Check	1 1269		T-MOBILE		Yes	No	No	08/30/2022	1,260.00
AS2		56629	102918	Check	1 1192		VERIZON WIRELESS		Yes	No	No	08/30/2022	450.81
Bank Total:												<u>\$740,995.12</u>	
Report Total:												<u>\$740,995.12</u>	



**ROCKFORD AREA SCHOOLS
INDEPENDENT SCHOOL DISTRICT 883
BOARD OF EDUCATION**

Subject: Open Enrollments

Meeting Date: September 19, 2022

Prepared by: Business Office

Date Prepared: September 14, 2022

Information
 Briefing
 Action
 Enclosure Item(s)

Resident Students Attending Other Schools

Grade	Non-Resident District	Number	Date Effective	NR/OE	Address Change/New Enrollment
2	Delano	879	9/6/2022	OE	family move; wants to stay enrolled @ Delano
5	Delano	879	9/6/2022	OE	SPED programming
8	Delano	879	9/6/2022	OE	no reason given
8	Orono	278	9/6/2022	OE	family move, wants to stay enrolled at Orono
2	Orono	278	9/6/2022	OE	no reason given
K	Orono	278	9/6/2022	OE	no reason given
K	Osseo	279	9/6/2022	OE	no reason given

Non-Resident Students Attending Rockford

Grade	Resident District	Number	Date Effective	NR/OE	Address Change/New Enrollment
K	Annandale	876	9/6/2022	NR	family move, wants to stay enrolled at Rockford
1	Annandale	876	9/6/2022	NR	family move, wants to stay enrolled at Rockford
6	Brooklyn Center	286	9/6/2022	NR	new enrollment; enrolled due to Magnet School
4	Brooklyn Center	286	9/6/2022	NR	new enrollment; enrolled due to Magnet School
2	Osseo	279	9/6/2022	NR	family move, wants to stay enrolled at Rockford
3	Osseo	279	9/6/2022	NR	new enrollment; has older siblings who attended Rockford
5	Elk River	728	9/6/2022	NR	new enrollment; eventually moving to Rockford
8	Elk River	728	9/6/2022	NR	new enrollment; eventually moving to Rockford
1	Osseo	279	9/6/2022	NR	new enrollment
K	Buffalo	877	9/6/2022	NR	new enrollment; parent works at REAMS
8	Buffalo	877	9/6/2022	NR	family move, wants to stay enrolled at Rockford
5	Buffalo	877	9/6/2022	NR	family move, wants to stay enrolled at Rockford
9	Buffalo	877	9/6/2022	NR	family move, wants to stay enrolled at Rockford

Note : Non-resident agreements will not be signed for families requesting a release from our school district. The students listed above are covered under MN Statute 124D.03, thus meeting the legal requirements for open enrollment.



**ROCKFORD AREA SCHOOLS
INDEPENDENT SCHOOL DISTRICT 883
BOARD OF EDUCATION**

Subject: Celebrations: WEB and LINK Programs

Meeting Date: September 19, 2022

Prepared by: RMS WEB and RHS Link Advisors

Date Prepared: September 14, 2022

<input checked="" type="checkbox"/>	Information	<input type="checkbox"/>	Briefing	<input type="checkbox"/>	Action	<input type="checkbox"/>	Enclosure Item(s)
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WEB and Link students and Advisors will share an update with the School Board regarding the orientation events that kicked off the school year at RMS-CES and RHS.

Pictured below is the RHS Link Crew





**ROCKFORD AREA SCHOOLS
INDEPENDENT SCHOOL DISTRICT 883
BOARD OF EDUCATION**

Subject: Summer Programming 2022 – Final Review

Meeting Date: September 19, 2022

Prepared by: Robert Danneker, Director of Teaching & Learning

Date Prepared: September 14, 2022

Information Briefing Action Enclosure Item(s)

Director Danneker will provide the Board of Education with a final review of Summer Programming 2022.

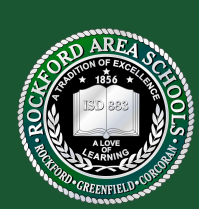


Summer Programming 2022 – Update

Robert Danneker, Director of Teaching & Learning

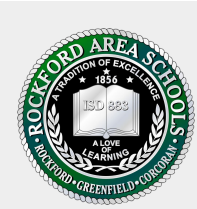


In partnership with our communities and families, Rockford Area Schools provides challenging opportunities to engage, inspire, and educate globally minded citizens.



Summer Programming (September 19, 2022)

- Summer Programming 2022 – Final Review
 - Acknowledgements
 - Review of Summer Programming 2022
 - Review of Student Enrollment
 - Next Steps



Acknowledgements

RHS Credit Recovery: Samantha Bloom, Madison Holm, Nicki Luehrs, Lindsay Wurm

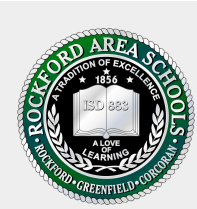
RMS-CES Targeted Services: Krista Bird, Kirstin Bowen, Kelly Miller

REAMS Targeted Services: Mali Anderson, Holly Biorn, Suzie Gotz, Tamara Hedeem, Marty Johnson, Meghan Larson, Becky Miller, Kristen Nolby, Alex Probst, Michelle Rist, Cara Tensen, Diane VanOrsdol, Rachel Yakesh

Buildings & Grounds: Jim Leuer and team

Administration & Administrative Support: Christa Larson, Paul Menard, Brenda Nyhus

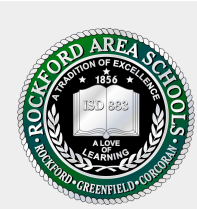
Note: The information contained within this presentation references "Summer Programming" only; Extended School Year (ESY) summer programs are distinct and separate and run through our Special Education department



Review: Summer Programming 2022

- **Priority 1:**
 - Serve At-Risk Students
 - K-8: Targeted Services for identified students
 - 9-12: Credit recovery

- **Priority 2:**
 - Expand RAS Summer Programming
 - Additional dates
 - Additional programming
 - Additional access



Review: Summer Programming 2022

Program Dates:

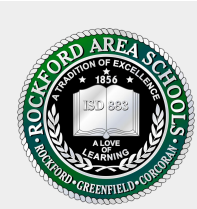
Mon June 13 - Thu Jun 30: RHS Credit Recovery & RHS Credit Recovery @ Maple Hill

Mon July 11 - Thu July 28: RHS Credit Recovery & RMS-CES Targeted Services

Mon July 11 - Thu Aug 4: REAMS Targeted Services

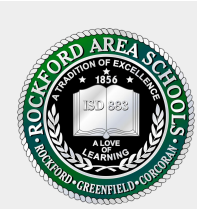
Mon July 25 - Thu Aug 4: RMS-CES Targeted Services @ Maple Hill

Mon July 25 - Thu Aug 18: REAMS Targeted Services @ Maple Hill



Review: Student Enrollment

School Year	# of Students Enrolled
2022	167 (82 + 27 + 58)
2021	237
2020	37
2019	91
2018	81
2017	94
2016	92
2015	78



Next Steps

Topics for further Summer Programming planning and discussion:

- 1) Progress Monitoring
- 2) Possible Expanded Offerings
 - a) RMS-CES: seat-based math instruction?
 - b) “Middle School 101” and/or “High School 101”?
 - c) Partnership w/ Community Ed?
 - d) MDE Summer Food Service Program approval?
- 3) End of COVID funding
 - a) Summers 2021 & 2022: Expanded participation
 - b) Summers 2021 & 2022: Expanded staffing
 - c) Summers 2021 & 2022: Expanded transportation
- 4) Homework Help at RHS continues for 2022-23 school year
- 5) Targeted Services at REAMS and/or RMS-CES?



Thank You.



**ROCKFORD AREA SCHOOLS
INDEPENDENT SCHOOL DISTRICT 883
BOARD OF EDUCATION**

Subject: National FFA Convention

Meeting Date: September 19, 2022

Prepared by: Joe Ramstad, RMS-CES and RHS Ag Ed Instructor and FFA Advisor

Date Prepared: August 31, 2022

Information

Briefing

Action

Enclosure Item(s)

Please find attached a brief presentation updating the board about the Rockford FFA chapter, the agricultural education and the upcoming National FFA Convention held in Indianapolis, IN from October 24 to October 29, 2022. We are looking for the board's support so that our members are able to attend the convention in an effort to: 1) have students gain additional skills, connections and experiences to prepare them for careers, 2) support Kyle Thomas ('21) as he runs for National FFA Office and receives his American FFA Degree, 3) support Keri Sidle (former RMS-CES agricultural education teacher) as she receives her Honorary American Degree and 4) inspire additional leadership opportunities and personal growth within our chapter's members.

Presentation Link:

https://docs.google.com/presentation/d/1ZCYBZwQE9MaVmR0pthgjRqF_PgEEB8ZKpEdQOQs0-38/edit?usp=sharing

NATIONAL FFA CONVENTION

FALL 2022 | JOE RAMSTAD | ROCKFORD AG ED

An overview of our agricultural education program, FFA
and the National FFA Convention travel opportunity.



INTRODUCTION

- Agricultural Education Teacher and FFA Advisor at RMS-CES and RHS.
 - ◆ 1st year in Rockford, 4th year in education.
- 2022-23 Program “Theme”: “Planting the Seeds”
- We strive to offer hands-on, minds-on instruction in agriculture, food and the environment to produce globally-minded innovators and leaders.
- Agriculture is more than farming!



PROGRAMMATIC MISSION

ROCKFORD AG ED DEPARTMENT

Through hands-on learning, students will be inspired to tackle grand challenges and innovate solutions. Today, we empower our students so they grow into tomorrow's analytical consumers and advocates for ag, food and the environment.

NATIONAL FFA ORGANIZATION

FFA makes a positive difference in the lives of students by developing their potential for premier leadership, personal growth and career success through agricultural education.

ROCKFORD SCHOOLS: *To foster the development of a caring environment by prioritizing **personal relationships** and creating a collaborative culture that prepares all students to become inquisitive **lifelong learners** who act as compassionate **global citizens**.*

2022-2023 FFA OFFICER TEAM GOALS

- We will double our membership by the end of the 2022-2023 school year.
- We will have 6 CDE or LDE teams qualified for the 2023 MN FFA Convention.
- We will host 10 new chapter or community events by March 1, 2023.



NATIONAL FFA CONVENTION

- Who: Up to 6 Rockford FFA members and 1 advisor.
- What:
 - ◆ Hands-on experiences
 - ◆ Leadership and “soft skill” development
 - ◆ Career exploration and engagement
 - ◆ Community building
- Where: Indianapolis, IN
 - ◆ Hotel would be near the convention center.
- When: October 24-29 (including tours and industry visits on the trip down).



NATIONAL FFA CONVENTION

→ Why:

- ◆ World's largest youth career expo; 1000 vendors, colleges and businesses present.
- ◆ Support Kyle Thomas ('21) as he earns his American FFA Degree and runs for National FFA Office and Keri Sidle as she receives her Honorary American Degree.
- ◆ Provide these students with opportunities they have been craving since pre-COVID.
- ◆ New experiences means learning for all!



NATIONAL FFA CONVENTION

→ Costs:

- ◆ Housing, registration and entertainment costs will be absorbed by the members attending and/or fundraising and donations.
- ◆ Minimal costs overall; likely <\$500 per student for 6 days of lodging, registration and entertainment.





ROCKFORD AREA SCHOOLS
INDEPENDENT SCHOOL DISTRICT 883
BOARD OF EDUCATION

Subject: *Preliminary Levy Certification*

Meeting Date: September 19, 2022

Prepared by: Mike McNulty

Date Prepared: September 14, 2022

Information Briefing Action Enclosure Item(s)

The School Board is required to adopt a proposed property tax levy for taxes payable in 2023 by September 30, 2022. MDE has not finalized the calculations and this will be completed for the final certification in December. Looking at the attached information, you can see (circled) a 5.71% increase. The three main factors are:

1. abatement bonds levied
2. inflation adjustment being higher
3. pupil count increase

I recommend that you approve the "maximum" levy for the preliminary certification.

Final certification will be at the board meeting on December 19, 2022.

I. COMPUTATION OF 2022 PAYABLE 2023 LEVY LIMITATION BY FUND (BEFORE COUNTY AUDITOR ADJUSTMENTS):

FUND	INITIAL LEVY LIMITATION	LIMITATION ADJUSTMENTS	ABATEMENT ADJUSTMENTS	OFFSET ADJUSTMENTS	TAC/MAX EFF ADJUSTMENT	MAXIMUM LEVY LIMITATION
GEN-RMV VOTER-EXEMP	1,534,716.89	13,757.99	N/A			1,548,474.88
GEN-RMV OTHER-EXEMP	1,461,285.38	92,250.63-	N/A			1,369,034.75
GEN-NTC VOTER-EXEMP	N/A	N/A	N/A			N/A
GEN-NTC OTHER-GENED	798,598.80	172,839.43-	38,683.21			664,442.58
GEN-NTC OTHER-EXEMP	3,794,601.07	251,332.07-	38,683.21			3,581,952.21
TOTAL GENERAL	120,748.10	15.87-	1,418.01			122,150.24
COM SERV-EXEMP	4,313,742.00	144,764.91-	44,098.21			4,213,075.30
DEBT-VOTER-NONEXEMP	682,382.25	26,006.92-				656,375.33
DEBT-OTHER-NONEXEMP	4,996,124.25	170,771.83-	44,098.21			4,869,450.63
TOTAL DEBT SERV	8,911,473.42	422,119.77-	84,199.43			8,573,553.08
OPEB-VOTER-NONEXEMP						
OPEB-OTHER-NONEXEMP						
TOTAL OPEB/PENSION						

II. COMPARISON OF 2021 PAYABLE 2022 LEVY LIMITATION WITH 2022 PAYABLE 2023 LEVY LIMITATION (BEFORE COUNTY AUDITOR ADJUSTMENTS):

FUND	2021 PAY 2022 LIMITATION	2022 PAY 2023 LIMITATION	INCREASE (DECREASE)	PERCENT CHANGE
GENERAL	3,658,900.72	3,581,952.21	76,948.51-	2.10-
COMMUNITY SERVICE	137,129.14	122,150.24	14,978.90-	10.92-
GENERAL DEBT SERVICE	4,314,791.40	4,869,450.63	554,659.23	12.85
OPEB DEBT SERVICE				
TOTAL	8,110,821.26	8,573,553.08	462,731.82	5.71

III. COMPARISON OF 2021 PAYABLE 2022 CERTIFIED LEVY PLUS COUNTY AUDITOR ADJUSTMENTS WITH 2022 PAYABLE 2023 CERTIFIED LEVY PLUS COUNTY AUDITOR ADJUSTMENTS:

FUND	2021 PAY 2022 CERTIFIED LEVY + ADJUSTMENTS	2022 PAY 2023 CERTIFIED LEVY + ADJUSTMENTS	INCREASE (DECREASE)	PERCENT CHANGE
GENERAL	3,658,900.72			
COMMUNITY SERVICE	137,129.14			
GENERAL DEBT SERVICE	4,314,791.40			
OPEB DEBT SERVICE				
TOTAL AFTER ADJUSTMENTS	8,110,821.26			



**ROCKFORD AREA SCHOOLS
INDEPENDENT SCHOOL DISTRICT 883
BOARD OF EDUCATION**

Subject: Rockford Retirement Plan Review

Meeting Date: September 19, 2022

Prepared by: HR Office

Date Prepared: September 12, 2022

Information Briefing Action Enclosure Item(s)

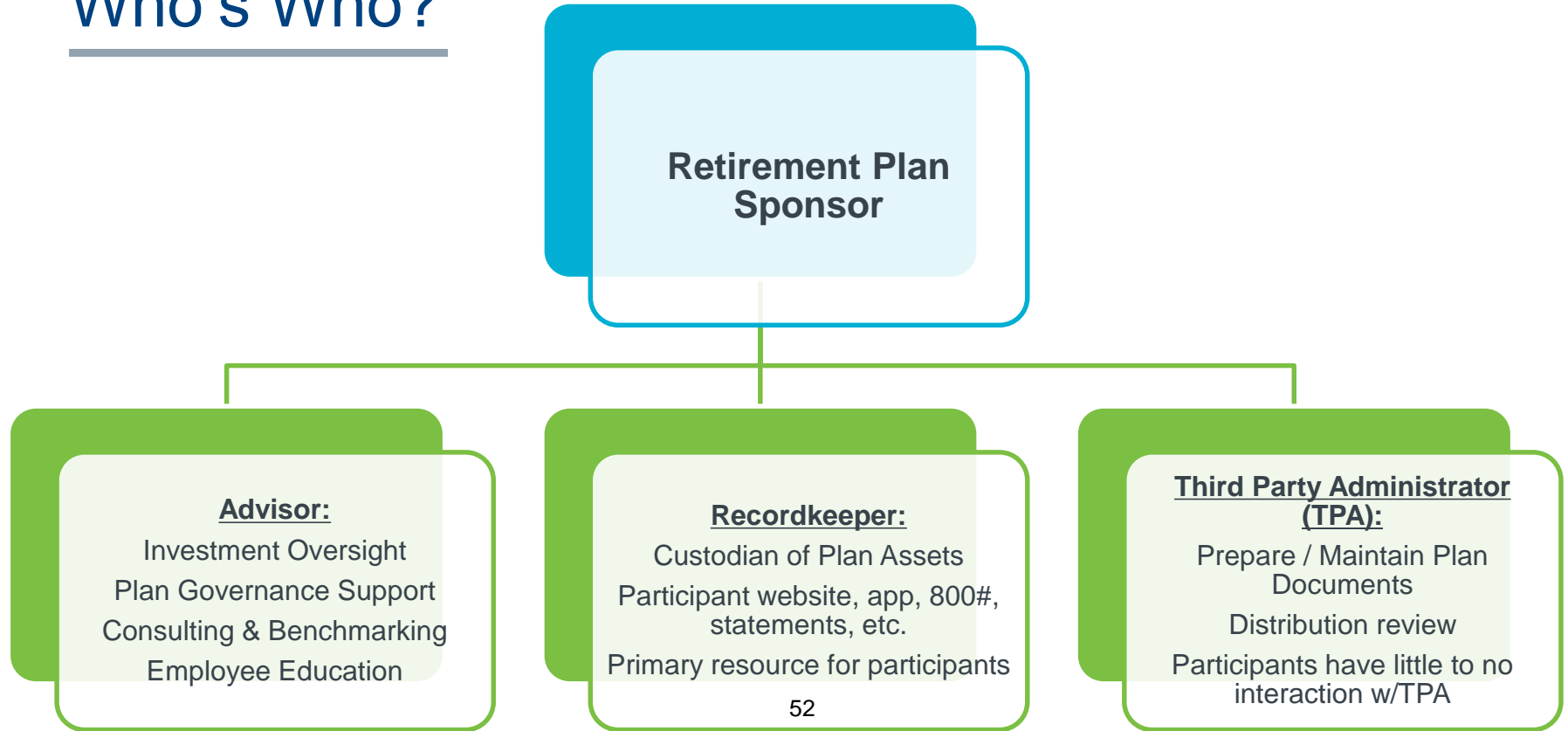
Jonathan Fredman, Marsh & McLennan Agency LLC, Retirement Services and Rockford Area Schools Human Resources Director, Miranda Harrision, will present more information regarding Rockford Area Schools Retirement Plan options.

Rockford Area Schools Retirement Plan Review

September 2022

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Who's Who?

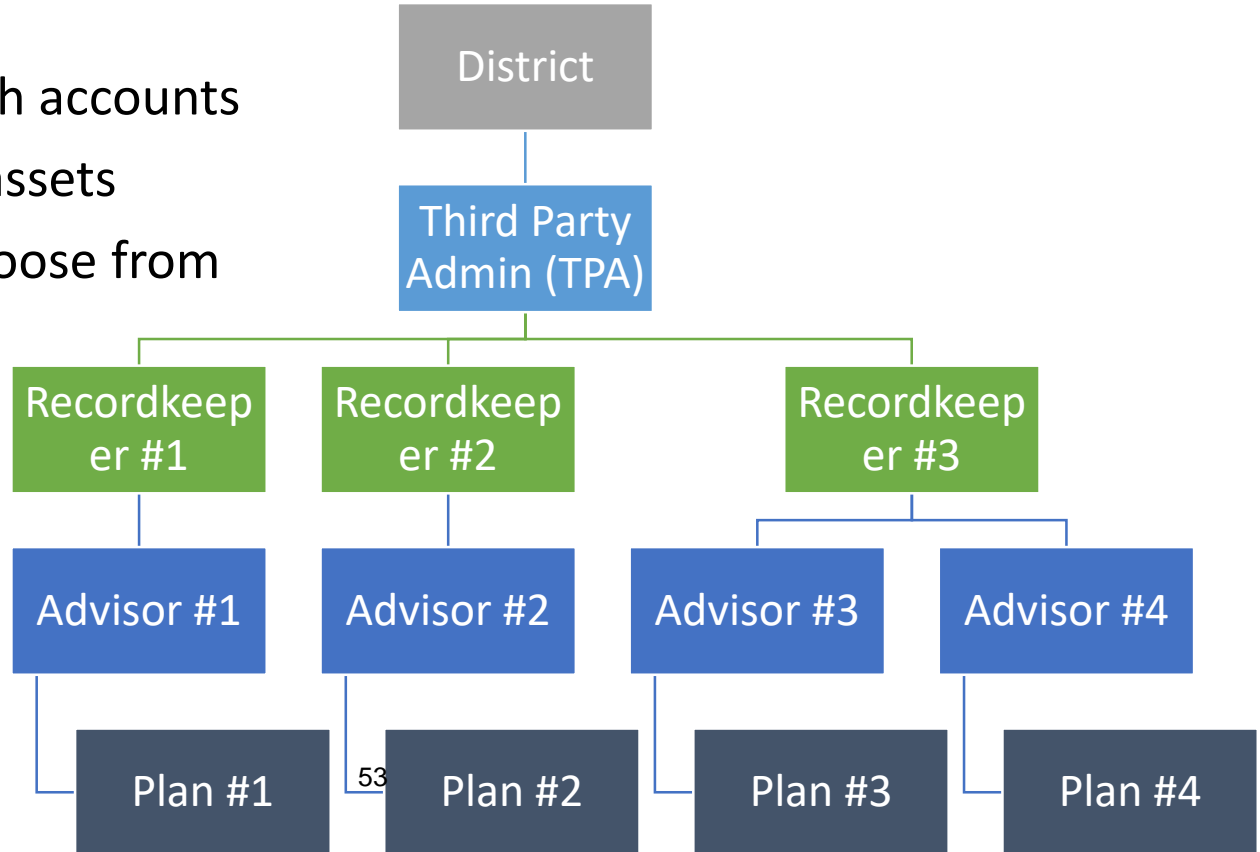


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*Not all plans use a TPA, when a separate TPA is not used (i.e. bundled model) then the recordkeeper absorbs the TPA duties

Case Study for Consolidation

- ~200 employees with accounts
- \$7+ million in total assets
- 4 plan options to choose from
 - 1 TPA
 - 3 Recordkeepers
 - 4 Advisors

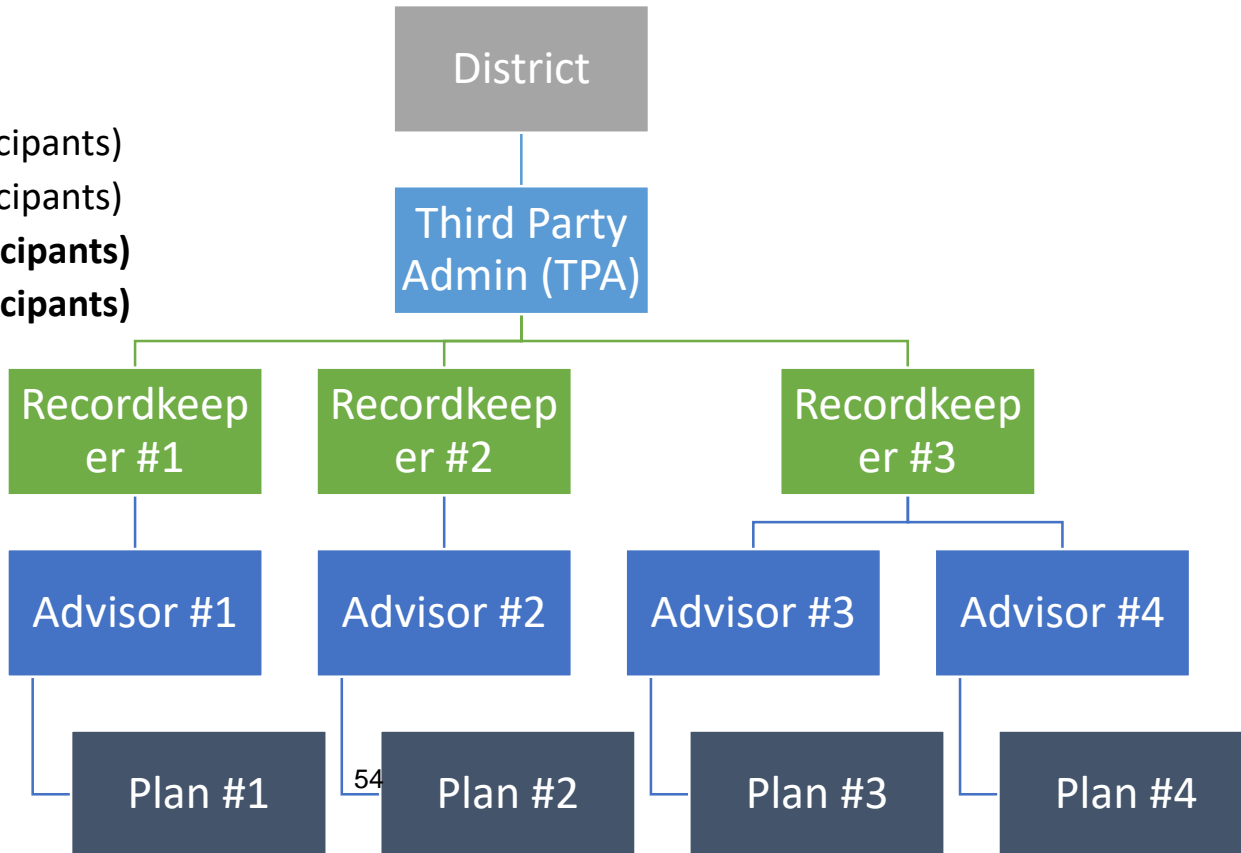


Case Study for Consolidation

- Fee Differences
 - Plan #1: 1.70% (45 participants)
 - Plan #2: 1.80% (55 participants)
 - **Plan #3: 2.15% (25 participants)**
 - **Plan #4: 1.67% (75 participants)**

Remember Plan #3 & #4 are with the *same* recordkeeper.

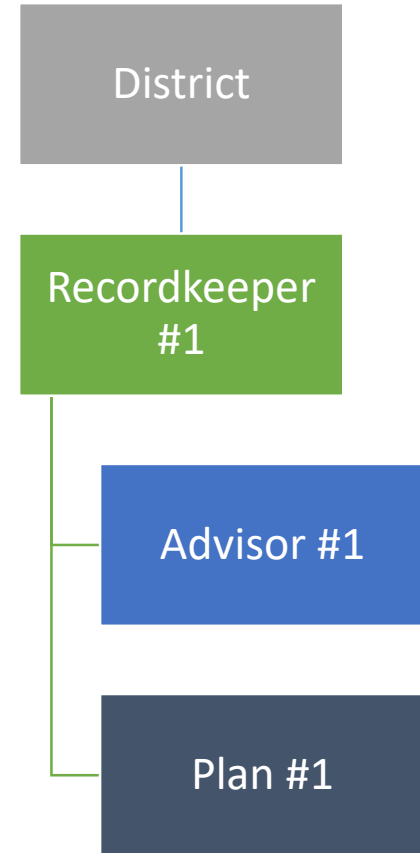
So two plans with different fee arrangements with the same recordkeeper



Case Study for Consolidation

Total All In Fees across all Plans, all TPAs, all Recordkeepers, all Advisors, etc.

- Previous: **\$142,800**
- New Structure: **\$32,500**
 - No TPA involved
 - Single Recordkeeper
 - Single Advisor
 - Lower Investment Fees
- Over a **75% decrease** in fees paid by the district's employees!



Current Situation (Numbers as of 2021)

- TSA: Serves as third party administrator (TPA) across all plans
- Voya: 1 plan
 - 43 participants, \$1.4 million in assets
- VALIC/AIG: 1 plan
 - 53 participants, \$3.4 million in assets
- Empower Retirement: 2 separate plans maintained, separate advisors for each plan
 - 01 Plan: 22 participants, \$448,000
 - 02 Plan: 73 participants, \$2.3 million

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Fee Comparison

Total All In Fees across all TPAs, Recordkeepers, Advisors, etc.

- Current: **\$142,800**
- Proposed w/MMA: **\$32,500**
 - Single Recordkeeper with Empower
 - No TPA involved (so no TSA necessary)
 - Lower Investment Fees

TSA

- Total Fees approximately \$6,685/year
 - They collect at least \$35/participant
 - Approximately 190 total participants across all the plans
 - It is possible they are collecting additional revenue via revenue sharing from the recordkeepers

Voya

- Total Fees are at least \$24,800/year (approximately), or 1.72%
- They collect approximately \$18,700/year for recordkeeping in the form of revenue sharing from investments (this can vary by investment option, overall it is ~1.30% across investments)
- Investment manager fees are approximately \$6,000/year (varies by investment option), or 0.42%
- Additional fees are collected from the money in the Fixed Accounts, but that is tough to quantify, as it is not disclosed. So this was *not* included in any fee estimates

VALIC/AIG

- Total Fees are at least \$62,000/year (approximately), or 1.80%
 - They collect approximately \$43,000/year for recordkeeping in the form of revenue sharing from investments (this can vary by investment option, overall it is ~1.25% across investments)
 - Investment manager fees are approximately \$19,000/year (varies by investment option), or 0.55%
 - Additional fees are collected from the money in the Fixed Accounts, but that is tough to quantify, as it is not disclosed. So this was *not* included in any fee estimates

Empower Plan 01 (Legacy Plan)

- Total Fees are \$9,600/year, or 2.15%
 - Asset Fee: \$5,600 via a 1.25% asset based fee
 - Per Participant Fee: \$264 via a \$12/participant annual fee (equates to 0.06%)
 - They collect an additional \$225/year for recordkeeping in the form of revenue sharing from investments (this can vary by investment option), or 0.05%
 - Investment manager fees are approximately \$2,400/year (varies by investment option), or 0.54%
 - Advisor fee to a Cetera Advisor is \$1,100, or 0.25%

Empower Plan 02 (Active Plan)

- Total Fees are \$39,600/year, or 1.67%
 - Asset Fee: \$17,800 via a 0.75% asset based fee
 - Per Participant Fee: \$876 via a \$12/participant annual fee (equates to 0.04%)
 - They collect an additional \$1,700/year for recordkeeping in the form of revenue sharing from investments (this can vary by investment option), or 0.07%
 - Investment manager fees are approximately \$13,300/year (varies by investment option), or 0.55%
 - Advisor fee to a LPL Financial Advisor is \$6,000, or 0.25%

Proposed Plan with MMA & Empower

- Total Fees are \$32,500/year, or 0.65%
 - Brand new plan at Empower, that consolidates the two current Empower plans, as well as the Voya and VALIC/AIG plans
 - Assumes \$5 million out of \$7.7 million transfers to Empower
 - Fees as a percent of assets would adjust downward if more assets come over
 - Empower Fee: Asset Fee: \$15,000 via a 0.30% asset based fee
 - Advisor fee: \$12,500 via a 0.25% asset based fee (MMA's fee)
 - Investment manager fees: \$5,000 via average expense ratio of 0.10%
 - No per participant Fees
 - No fees are collect from Revenue Sharing, as only zero revenue investments are used

Summary

- Current Plan Fees range from 1.67% to 2.15%, plus an additional fee (0.09%) for TSA as the TPA
- Can move to a single vendor solution at Empower with all in fees at 0.65%
- Employees would have the choice to keep their assets in the current AIG, Voya and Empower plans. All Future contributions would go to the new Empower Plan
- Empower & MMA would assist in education to explain benefits to participants of making the move
- Lower Cost investment options via Empower, plus investment oversight and monitoring via MMA
- Brokerage account option available so participants can elect options outside the “core” lineup (so prior funds with other recordkeepers could be used)



**MARSH & McLENNAN
AGENCY**

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**ROCKFORD AREA SCHOOLS
INDEPENDENT SCHOOL DISTRICT 883
BOARD OF EDUCATION**

Subject: Construction Update

Meeting Date: September 19, 2022

Prepared by: Ryan Hoffman, ICS

Date Prepared: September 14, 2022

Information Briefing Action Enclosure Item(s)

Ryan Hoffman from ICS will present a construction project update.



School Board Update

September 19, 2022

Rockford Area School District 883

Construction Update

2022 Abatement Bond Projects At a Glance

Rockford ES/HS

- HS parking lot chip coat/stripping complete
- ES playground has been deconstructed, relocated, and reinstalled to make room for new bus loop
- Erosion control and safety fencing has been installed at ES and initial removals began last week

Rockford MS

- Contractors arrived and established erosion control on August 24th
- Removal/stripping of topsoil and poor-quality sub grade complete
- Excavations for retention basin and exporting of unused soils complete
- Installation of storm sewer piping and structures complete
- Concrete footings for new stairwell leading to South end of MS are installed

Construction Update – Photos .



Removal of topsoil and drain tile installed for relocated playground



New Curbing installed for relocated playground

Construction Update – Photos .



Playground reinstatement underway



Reinstatement complete with mulch surfacing and fencing installed

Construction Update – Photos .



Initial removals of topsoil and aggregate lime for MS bus loop



Topsoil removed and erosion control installed in preparation of new sidewalk

Construction Update – Photos .



Storm sewer piping and structures installed along Western edge of bus loop



Final excavation and exporting of soils from retention pond (sewer pipe is for ES bus loop)

Construction Schedule

Rockford Middle School Schedule

Tasks

Name	Begin date	End date
Erosion Control	8/22/22	8/23/22
Removals	8/24/22	8/26/22
Strip Topsoil	8/29/22	8/30/22
Cut/Fill Grading /Export	8/31/22	9/13/22
Steps/Walks	9/6/22	9/19/22
Utilities	9/14/22	9/16/22
Electrical Rough In	9/15/22	9/19/22
Drain Tile	9/16/22	9/19/22
Subgrade Ex	9/19/22	9/21/22
Agg Base	9/21/22	9/23/22
Light bases	9/21/22	9/23/22
Curbing	9/26/22	9/28/22
Finr Grade Lot/Walks	9/27/22	10/4/22
Topsoil Respread	10/3/22	10/4/22
Base Pave	10/3/22	10/3/22
Walks	10/4/22	10/11/22
Lighting	10/4/22	10/6/22
Restoration	10/11/22	10/20/22
Wear Paving	10/21/22	10/24/22
Striping	10/25/22	10/25/22

Rockford High/Elem Schedule

Tasks

Name	Begin date	End date
Erosion Control	9/15/22	9/16/22
Removals	9/15/22	9/20/22
Strip Topsoil	9/19/22	9/20/22
Cut/Fill Grading/Export	9/19/22	9/26/22
Utilities	9/26/22	10/5/22
Electrical Rough In	10/5/22	10/6/22
Drain Tile	10/5/22	10/6/22
Subgrade Ex	10/6/22	10/7/22
Agg Base	10/6/22	10/10/22
Light Bases	10/10/22	10/12/22
Curbing	10/12/22	10/17/22
Fine Grading	10/17/22	10/19/22
Base Pave	10/20/22	10/21/22
Lighting	10/24/22	10/26/22
Walks	10/24/22	10/28/22
Topsoil Grade/Restoration	10/24/22	11/2/22
Paving	10/31/22	11/1/22
Striping	11/1/22	11/1/22

Budget Update –

Funding – Abatement Only	\$3,000,000		
	Budget	Cost-to-Date	Cost-to-Complete
Permits/Owner Costs	\$24,500	\$1,250	\$23,250
Fees/Services	\$366,000	\$155,423	\$210,577
FF&E	\$240,000	\$0	\$240,000
Construction	\$2,250,000	\$149,771	\$2,100,229
Contingency	\$119,500	\$15,958	\$103,542
Totals	\$3,000,000	\$322,429	\$2,677,571

Planning Update

Abatement Projects - Underway

LTFM Projects – In Design

- ES/HS Roofing is in pre-design. Scheduled to be completed summer 2023
- HS/MS Exterior Façade repairs in pre-design. Scheduled to be completed summer 2023
- RCC flooring is being tested, options will be presented in October to Facility Committee. Potential replacement as early as winter 2022, to be determined.

Lease Leavy / Capital Facility Bonding Projects – In Planning

- Internal Users input last week
- Internal / External Stakeholder input first two weeks of October
- Initial concepts presented to Facility Committee end of October
- Revisions, Check ins, Budgeting in November
- Final concepts and potential project approvals in December

Questions



DEVETTER DESIGN GROUP





**ROCKFORD AREA SCHOOLS
INDEPENDENT SCHOOL DISTRICT 883
BOARD OF EDUCATION**

Subject: Policy Updates

Meeting Date: September 19, 2022

Prepared by: Superintendent's Office

Date Prepared: September 13, 2022

Information Briefing Action Enclosure Item(s)

Below is a summary of the changes of several policies. The revisions create substantive change or additions to existing policies. Some of the revisions come directly from federal or Minnesota law. This is a **first reading** of the following policies:

Policy Number	Policy Title	Notes
209	Code of Ethics	Add introductory note to consider
210	Conflict of Interest	Increase from \$8K to \$20K
410	Family Leave	Clarifies "parental care" and "employer"
415	Mandated Reporting/Adults	Update definitions
416	Drug and Alcohol Testing	Add Clearinghouse and cannabinoids
417	Chemical Use and Abuse	Updates statutory language and text
418	Drug-Free Workplace/School	Updates statutory language and text
515	Protection of Pupil Records	Adds "education support services data"
524	Internet Use	Adds notice and provider provisions
603	Curriculum Development	Updates District Advisory Committee
604	Instructional Curriculum	Adds Parental Curriculum Review
708	Transportation Nonpublic	Updates provisions
709	Student Transportation Safety	Updated references; updates "serious traffic violation"
721	Uniform Grant Guidance	Updates micro-purchase limit
722	Public Data Requests	Adds annual review and posting
731R	Information Security	Total policy revision; adds annual review



Adopted: 9/18/00

Reviewed: 2009

Revised: 8/22/11, 9/19/2022

Orig. 1995

209 CODE OF ETHICS

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

A. AS A MEMBER OF THE SCHOOL BOARD, I WILL:

1. Attend school 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 school board members, administration, staff, students, and community members).
4. Vote my conscience after informed discussion, unless I abstain because a conflict of interest exists.
5. Support the decision of the school board, even if my position concerning the issue was different.
6. Recognize the integrity of my predecessors and associates and appreciate their work.
7. Be primarily motivated by a desire to provide the best possible education for the students of my school district.
8. Inform myself about the proper duties and functions of a school board member.



B. IN PERFORMING THE PROPER FUNCTIONS OF A SCHOOL BOARD MEMBER, I WILL:

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

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

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

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

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



E. IN WORKING WITH THE SUPERINTENDENT OF SCHOOLS AND STAFF, I WILL:

1. Hold the superintendent responsible for the administration of the school district.
2. Give the superintendent authority commensurate with his or her responsibilities.
3. Assure that the school district will be administered by the best professional personnel available.
4. Consider the recommendation of the superintendent in hiring all employees.
5. Participate in school board action after considering the recommendation of the superintendent and only after the superintendent has furnished adequate information supporting the recommendation.
6. Insist the superintendent keep the school board adequately informed at all times.
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 school board.
9. Refer all complaints to the proper administrative officer or insist that they be presented in writing to the whole school 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 the school district so they may perform their proper functions on a professional level.

F. IN FULFILLING MY LEGAL OBLIGATIONS AS A SCHOOL BOARD MEMBER, I WILL:

1. Comply with all federal, state, and local laws relating to my work as a school board member.
2. Comply with all school district policies as adopted by the school board.
3. Abide by all rules and regulations as promulgated by the Minnesota Department of Education and other state and federal agencies with jurisdiction over school districts.
4. Recognize that school district business may be legally transacted only in an open meeting of the school board.



5. Avoid conflicts of interest and refrain from using my school board position for personal gain.
6. Take no private action that will compromise the school board or administration.
7. Guard the confidentiality of information that is protected under applicable law.

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

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



Adopted: 9/18/00

Reviewed: 2008, 2022

Revised: 2/09/09, 9/19/22

Orig. 1995

210 CONFLICT OF INTEREST – SCHOOL BOARD MEMBERS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. GENERAL PROHIBITIONS AND RECOGNIZED STATUTORY EXCEPTIONS

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



4. A contract for which competitive bids are not required by law. A contract made under this exception will be void unless the following procedures are observed:
 - a. The school board shall authorize the contract in advance of its performance by adopting a resolution setting out the essential facts and determining that the contract price is as low as or lower than the price at which the goods or services could be obtained elsewhere.
 - b. In the case of an emergency when the contract cannot be authorized in advance, payment of the claims must be authorized by a like resolution wherein the facts of the emergency are also stated.
 - c. Before a claim is paid, the interested school board member shall file with the clerk of the school board an affidavit stating:
 - (1) The name of the school 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 school board member in the contract; and
 - (6) That to the best of the school board member's knowledge and belief, the contract price is as low as, or lower than, the price at which the goods or services could be obtained from other sources.
 5. A school board member may contract with the school district to provide construction materials or services, or both, when the sealed bid process is used. When the contract comes before the school board for consideration, the interested school board member may not vote on the contract. *(Note: This section applies only when the school district has a population of 1,000 or less according to the last federal census.)*
 6. A school board member may rent space in a public facility at a rate commensurate with that paid by other members of the public.
- C. In the following circumstances, the school board may as an exception, by majority vote at a meeting at which all school board members are present, contract for services with a school board member of the school district: A school board member may be newly employed or may continue to be employed by the school district as an employee only if there is a reasonable expectation on July 1, or at the time the contract is entered into or extended, that the amount to be earned by that school board member under that contract or employment relationship, will not exceed ~~\$20,000~~ ~~\$8,000~~ in that fiscal year. If the school board member does not receive majority approval to be initially employed or to continue in



employment at a meeting at which all school board members are present, that employment is immediately terminated and that school board member has no further rights to employment while serving as a school board member in the school district.

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

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

IV. LIMITATIONS ON RELATED EMPLOYEES

- A. The school board must hire or dismiss teachers only at duly called meetings. When a husband and wife, brother and sister, or two brothers or sisters, constitute a quorum, no contract employing a teacher may be made or authorized except upon the unanimous vote of the full school board.
- B. The school board may not employ any teacher related by blood or marriage to a school board member, within the fourth degree as computed by the civil law, except by a unanimous vote of the full school board.

V. CONFLICTS PRIOR TO TAKING OFFICE

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

VI. DETERMINATION AS TO WHETHER A CONFLICT OF INTEREST EXISTS

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

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



Rockford Area School District #883 -- Policy 210

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

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

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

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

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

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

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

Cross References:

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

MSBA/MASA Model Policy 209 (Code of Ethics)



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410 FAMILY AND MEDICAL LEAVE POLICY

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

A. "Covered active duty" means:

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

B. "Covered servicemember" means:

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

C. "Eligible employee" means an employee who has been employed by the school district for a total of at least 12 months and who has been employed for at least 1,250 hours of service



during the 12-month period immediately preceding the commencement of the leave. An employee returning from fulfilling his or her Uniformed Services Employment and Reemployment Rights Act (USERRA)-covered service obligation shall be credited with the hours of service that would have been performed but for the period of absence from work due to or necessitated by USERRA-covered service. In determining whether the employee met the hours of service requirement, and to determine the hours that would have been worked during the period of absence from work due to or necessitated by USERRA-covered service, the employee's pre-service work schedule can generally be used for calculations. While the 12 months of employment need not be consecutive, employment periods prior to a break in service of seven years or more may not be counted unless (1) the break is occasioned by the employee's fulfillment of his or her USERRA-covered service obligation or (2) a written agreement, including a collective bargaining agreement, exists concerning the school district's intention to rehire the employee after the break in service.

- D. "Military caregiver leave" means leave taken to care for a covered servicemember with a serious injury or illness.

- E. "Next of kin of a covered servicemember" means the nearest blood relative other than the covered servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin, and the employee may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin.

- F. "Outpatient status" means, with respect to a covered servicemember who is a current member of the Armed Forces, the status of a member of the Armed Forces assigned to:
 - 1. a military medical treatment facility as an outpatient; or
 - 2. a unit established for the purpose of providing command and control of members of the Armed Forces receiving care as outpatients.

- G. "Qualifying exigency" means a situation where the eligible employee seeks leave for one or more of the following reasons:
 - 1. to address any issues that arise from a short-notice deployment (seven calendar days or less) of a covered military member;
 - 2. to attend military events and related activities of a covered military member;
 - 3. to address issues related to childcare and school activities of a covered military



- member's child;
 - 4. to address financial and legal arrangements for a covered military member;
 - 5. to attend counseling provided by someone other than a health care provider for oneself, a covered military member, or his/her child;
 - 6. to spend up to 15 calendar days with a covered military member who is on short-term, temporary rest and recuperation leave during a period of deployment;
 - 7. to attend post-deployment activities related to a covered military member;
 - 8. to address care needs of a covered military member's parent who is incapable of self-care; and~~to address parental care needs; and~~
 - 9. to address other events related to a covered military member that both the employee and school district agree is a qualifying exigency.
- H. "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:
- 1. inpatient care in a hospital, hospice, or residential medical care facility; or
 - 2. continuing treatment by a health care provider.
- I. "Spouse" means a husband or wife. For purposes of this definition, husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into or, in the case of a marriage entered into outside of any state, if the marriage is valid in the place where entered into and could have been entered into in at least one state. This definition includes an individual in a same-sex or common law marriage that either: (1) was entered into in a state that recognizes such marriages; or (2) if entered into outside of any state, is valid in the place where entered into and could have been entered into in at least one state.
- J. "Veteran" has the meaning given in 38 United States Code section~~U.S.C. §~~ 101.

IV. LEAVE ENTITLEMENT

A. Twelve-week Leave under Federal Law

- 1. Eligible employees are entitled to a total of 12 work weeks of unpaid family or medical leave during the applicable 12-month period as defined below, plus any additional leave as required by law. Leave may be taken for one or more of the following reasons in accordance with applicable law:
 - a. birth of the employee's child and to care for such child;



- b. placement of an adopted or foster child with the employee;
 - c. to care for the employee's spouse, son, daughter, or parent with a serious health condition;
 - d. the employee's serious health condition makes the employee unable to perform the functions of the employee's job; and/or
 - e. any qualifying exigency arising from the employee's spouse, son, daughter, or parent being on covered active duty, or notified of an impending call or order to covered active duty in the Armed Forces.
2. For the purposes of this policy, "year" is defined as a rolling 12-month period measured backward from the date an employee's leave is to commence.
3. An employee's entitlement to FMLA leave for the birth, adoption, or foster care of a child expires at the end of the 12-month period beginning on the date of the birth or placement.
4. A "serious health condition" typically requires either inpatient care or continuing treatment by or under the supervision of a health care provider, as defined by applicable law. Family and medical leave generally is not intended to cover short-term conditions for which treatment and recovery are very brief.
5. A "serious injury or illness," in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means:
- a. injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
 - b. in the case of a covered veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time, during the period of five years preceding the date on which the veteran undergoes the medical treatment, recuperation, or therapy, means a qualifying injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty in the Armed Forces and that manifested itself before or after the member became a veteran, and is:
 - (1) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to



- perform the duties of the servicemember's office, grade, rank, or rating; or
- (2) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability (VASRD) rating of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
 - (3) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
 - (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.
6. Eligible spouses employed by the school district are limited to an aggregate of 12 weeks of leave during any 12-month period for the birth and care of a newborn child or adoption of a child, the placement of a child for foster care, or to care for a parent. This limitation for spouses employed by the school district does not apply to leave taken: by one spouse to care for the other spouse who is seriously ill; to care for a child with a serious health condition; because of the employee's own serious health condition; or pursuant to Paragraph IV.A.1.e. above.
 7. Depending on the type of leave, intermittent or reduced schedule leave may be granted in the discretion of the school district or when medically necessary. However, part-time employees are only eligible for a pro-rata portion of leave to be used on an intermittent or reduced schedule basis, based on their average hours worked per week. Where an intermittent or reduced schedule leave is foreseeable based on planned medical treatment, the school district may transfer the employee temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position, and which has equivalent pay and benefits.
 8. If an employee requests a leave for the serious health condition of the employee or the employee's spouse, child, or parent, the employee will be required to submit sufficient medical certification. In such a case, the employee must submit the medical certification within 15 days from the date of the request or as soon as practicable under the circumstances.
 9. If the school district has reason to doubt the validity of a health care provider's certification, it may require a second opinion at the school district's expense. If the opinions of the first and second health care providers differ, the school



district may require certification from a third health care provider at the school district's expense. An employee may also be required to present a certification from a health care provider indicating that the employee is able to return to work.

10. Requests for leave shall be made to the school district. When leave relates to an employee's spouse, son, daughter, parent, or covered service member being on covered active duty, or notified of an impending call or order to covered active duty pursuant to Paragraph IV.A.1.e. above, and such leave is foreseeable, the employee shall provide reasonable and practical notice to the school district of the need for leave. For all other leaves, employees must give 30 days' written notice of a leave of absence where practicable. The failure to provide the required notice may result in a delay of the requested leave. Employees are expected to make a reasonable effort to schedule leaves resulting from planned medical treatment so as not to disrupt unduly the operations of the school district, subject to and in coordination with the health care provider.
11. The school district may require that a request for leave under Paragraph IV.A.1.e. above be supported by a copy of the covered military member's active duty orders or other documentation issued by the military indicating active duty or a call to active duty status and the dates of active duty service. In addition, the school district may require the employee to provide sufficient certification supporting the qualifying exigency for which leave is requested.
12. During the period of a leave permitted under this policy, the school district will provide health insurance under its group health plan under the same conditions coverage would have been provided had the employee not taken the leave. The employee will be responsible for payment of the employee contribution to continue group health insurance coverage during the leave. An employee's failure to make necessary and timely contributions may result in termination of coverage. An employee who does not return to work after the leave may be required, in some situations, to reimburse the school district for the cost of the health plan premiums paid by it.
13. The school district may request or require the employee to substitute accrued paid leave for any part of the 12-week period. Employees may be allowed to substitute paid leave for unpaid leave by meeting the requirements set out in the administrative directives and guidelines established for the implementation of this policy, if any. Employees eligible for leave must comply with the family and medical leave directives and guidelines prior to starting leave. The superintendent shall be responsible to develop directives and guidelines as necessary to implement this policy. Such directives and guidelines shall be submitted to the school board for annual review.

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



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

B. Twelve-week Leave under State Law

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

C. Twenty-six-week Servicemember Family Military Leave

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



employee's child or to care for the child after birth; for placement of a child with the employee for adoption or foster care or to care for the child after placement; to care for the employee's parent with a serious health condition; or to care for a covered service member with a serious injury or illness.

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

V. SPECIAL RULES FOR INSTRUCTIONAL EMPLOYEES

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



employee's own serious health condition during the last five weeks of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last more than two weeks or if the employee's return from leave would occur during the last two weeks of the semester.

3. If the instructional employee begins leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, school district may require the employee to continue taking leave until the end of the semester.

4. If the school district requires an instructional employee to extend leave through the end of a semester as set forth in this paragraph, only the period of leave until the employee is ready and able to return to work shall be charged against the employee's FMLA leave entitlement. Any additional leave required by the school district to the end of the school term is not counted as FMLA leave but as an unpaid or paid leave, to the extent the instructional employee has accrued paid leave available and the school district shall maintain the employee's group health insurance and restore the employee to the same or equivalent job, including other benefits, at the conclusion of the leave.

~~D. The entire period of leave taken under the special rules will be counted as leave. The school district will continue to fulfill the school district's leave responsibilities and obligations, including the obligation to continue the employee's health insurance and other benefits, if an instructional employee's leave entitlement ends before the involuntary leave period expires.~~

VI. OTHER

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

VII. DISSEMINATION OF POLICY

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

Legal References: Minn. Stat. §§ 181.940-181.944 (Parenting Leave and Accommodations)



- 10 U.S.C. § 101 *et seq.* (Armed Forces General Military Law)
29 U.S.C. § 2601 *et seq.* (Family and Medical Leave Act)
38 U.S.C. § 101 (Definitions)
29 C.F.R. Part 825 (Family and Medical Leave Act)
- Cross References:** MSBA Service Manual, Chapter 13, School Law Bulletin “M” (Statutory Provisions Which Grant Leaves to Licensed as well as Non-Licensed School District Employees – Family and Medical Leave Act Summary)



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Orig. 1995

415 MANDATED REPORTING OF MALTREATMENT OF VULNERABLE ADULTS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

A. "Abuse" means:

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



persons with developmental disabilities or related conditions not authorized under Minnesota Statutes section 245.825.

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

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

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

B. "Caregiver" means an individual or facility who has responsibility for the care of a vulnerable adult as a result of a family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, by contract, or by agreement.

C. "Common entry point" means the entity responsible for receiving reports of alleged or suspected maltreatment of a vulnerable adult and designated by the Commissioner of the Minnesota Department of Human Services as the MN Adult Abuse Reporting Center (MAARC).

D. "Financial Exploitation" means a breach of a fiduciary duty by an actor's unauthorized expenditure of funds entrusted to the actor for the benefit of the vulnerable adult or by an actor's failure to provide food, clothing, shelter, health care, therapeutic conduct or supervision, the failure of which results or is likely to result in detriment to the vulnerable adult. Financial exploitation also includes: the willful use, withholding or disposal of funds or property of a vulnerable adult; the obtaining of services for wrongful profit or advantage which results in detriment to the vulnerable adult; the acquisition of a vulnerable adult's funds or property through undue influence, harassment, duress, deception or fraud; and the use of force, coercion, or enticement to cause a vulnerable adult to perform services against the vulnerable adult's will for the profit or advantage of another.

E. "Immediately" means as soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received.

F. "Mandated reporter" means a professional or professional's delegate while engaged in education.

~~A. "Mandated Reporters" means any school personnel who has reason to believe that a vulnerable adult is being or has been maltreated.~~

~~G.B. "Maltreatment" means the neglect, abuse, or financial exploitation of a vulnerable adult.~~

H.C. "Neglect" means the failure or omission by a caregiver to supply a vulnerable adult with care or services, including but not limited to, food, clothing, shelter, health care, or supervision which is: (1) reasonable and necessary to obtain or maintain the vulnerable adult's physical or mental health or safety, considering the physical and mental capacity or dysfunction of the vulnerable adult; and (2) which is not the result of an accident or therapeutic conduct.



- I. Neglect also ~~means~~includes the absence or likelihood of absence of care or services, including but not limited to, food, clothing, shelter, health care, or supervision necessary to maintain the physical and mental health of the vulnerable adult which a reasonable person would deem essential to obtain or maintain the vulnerable adult's health, safety, or comfort considering the physical or mental capacity or dysfunction of the vulnerable adult. Neglect does not include actions specifically excluded by Minnesota Statutes section Minn. Stat. § 626.5572, Subd. 17.
- J. "School personnel" means professional employees or their delegates of the school district engaged in providing health, educational, social, psychological, law enforcement, or other caretaking services of vulnerable adults.
- ~~D. "Abuse" means: (a) An act against a vulnerable adult that constitutes a violation of, an attempt to violate, or aiding and abetting a violation of: (1) assault in the first through fifth degrees as defined in sections 609.221 to 609.224; (2) the use of drugs to injure or facilitate crime as defined in section 609.235; (3) the solicitation, inducement, and promotion of prostitution as defined in section 609.322; and (4) criminal sexual conduct in the first through fifth degrees as defined in sections 609.342 to 609.3451. A violation includes any action that meets the elements of the crime, regardless of whether there is a criminal proceeding or conviction. (b) Conduct which is not an accident or therapeutic conduct as defined in this section, which produces or could reasonably be expected to produce physical pain or injury or emotional distress including, but not limited to, the following: (1) hitting, slapping, kicking, pinching, biting, or corporal punishment of a vulnerable adult; (2) use of repeated or malicious oral, written, or gestured language toward a vulnerable adult or the treatment of a vulnerable adult which would be considered by a reasonable person to be disparaging, derogatory, humiliating, harassing, or threatening; (3) use of any aversive or deprivation procedure, unreasonable confinement, or involuntary seclusion, including the forced separation of the vulnerable adult from other persons against the will of the vulnerable adult or the legal representative of the vulnerable adult; and (4) use of any aversive or deprivation procedures for persons with developmental disabilities or related conditions not authorized under section 245.825. (c) Any sexual contact or penetration as defined in section 609.341, between a facility staff person or a person providing services in the facility and a resident, patient, or client of that facility. (d) The act of forcing, compelling, coercing, or enticing a vulnerable adult against the vulnerable adult's will to perform services for the advantage of another. Abuse does not include actions specifically excluded by Minn. Stat § 626.5572, Subd. 2.~~
- ~~E. "Financial Exploitation" means a breach of a fiduciary duty by an actor's unauthorized expenditure of funds entrusted to the actor for the benefit of the vulnerable adult or by an actor's failure to provide food, clothing, shelter, health care, therapeutic conduct or supervision, the failure of which results or is likely to result in detriment to the vulnerable adult. Financial exploitation also includes: the willful use, withholding or disposal of funds or property of a vulnerable adult; the obtaining of services for wrongful profit or advantage which results in detriment to the vulnerable adult; the acquisition of a vulnerable adult's funds or property through undue influence, harassment, duress, deception or fraud; and the use of force, coercion or enticement to cause a vulnerable adult to perform services against the vulnerable adult's will for the profit or advantage of another.~~



~~K.F.~~ "Vulnerable Adult" means any person 18 years of age or older who: (1) is a resident or inpatient of a facility; (2) receives services required to be licensed under Minnesota Statutes chapter 245A, except as excluded under Minnesota Statutes section Minn. Stat. Ch. 245A, except as excluded under Minn. Stat. § 626.5572, Subd. 21(a)(2); (3) receives services from a licensed home care provider or person or organization that offers, provides, or arranges for personal care assistance services under the medical assistance program; or (4) regardless of residence or whether any type of service is received, possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction that impairs the individual's ability to provide adequately for the individual's adequately provide the person's own care without assistance or supervision and, because of the dysfunction or infirmity and need for care or services, has an impaired ability to protect the individual's self from maltreatment.

~~G.~~ "Caregiver" means an individual or facility who has responsibility for the care of a vulnerable adult as a result of a family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, by contract, or by agreement.

~~H.~~ "School Personnel" means professional employees or their delegates of the school district engaged in providing health, educational, social, psychological, law enforcement or other caretaking services of vulnerable adults.

~~I.~~ "Immediately" means as soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received.

IV. REPORTING PROCEDURES

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



the reported incident may be guilty of a misdemeanor.

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

V. INVESTIGATION

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

VI. DISSEMINATION OF POLICY AND TRAINING

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

Legal References: Minn. Stat. § 13.02 (~~Government Data Practices; (Collection, Security, and Dissemination of Records; Definitions)~~
[Minn. Stat. Ch. 245A \(Human Services Licensing\)](#)
Minn. Stat. § 245.825 (Aversive and Deprivation Procedures; Licensed Facilities and Services)
Minn. Stat. §§ 609.221-609.224 (Assault)
Minn. Stat. § 609.232-34 (~~Crimes Against the Person~~)
[\(Crimes Against Vulnerable Adults; Definitions\)](#)
Minn. Stat. § 609.235 (Use of Drugs to Injure or Facilitate Crime)
Minn. Stat. § 609.322 (Solicitation, Inducement, and Promotion of Prostitution; Sex Trafficking)
Minn. Stat. § 609.341 (Definitions)
Minn. Stat. §§ 609.342-609.3451 (Criminal Sexual Conduct)
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)
Minn. Stat. § 626.5572 (Definitions)
In re Kleven, 736 N.W.2d 707 (Minn. App. 2007)

Cross References: MSBA/MASA Model Policy 103 (Complaints – Students, Employees, Parents, Other Persons)
MSBA/MASA Model Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee, or Student)
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)



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

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

[MSBA/MASA Model Policy 515 \(Protection and Privacy of Pupil Records\)](#)



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416 DRUG AND ALCOHOL TESTING

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. All school district employees and job applicants whose positions require a commercial driver's license will be required to undergo drug and alcohol testing in accordance with federal law and the applicable provisions of this policy. The school district also may request or require that drivers submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minnesota Statutes, sections Minn. Stat. §§ 181.950-181.957.
- B. The school district may request or require that any school district employee or job applicant, other than an employee or applicant whose position requires a commercial driver's license, submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minnesota Statutes, sections Minn. Stat. §§ 181.950-181.957.
- C. The use, possession, sale, purchase, transfer, or dispensing of any drugs not medically prescribed, including medical cannabis, ~~whether or not regardless of whether~~ it has been prescribed for the employee, is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of drugs ~~that~~which are not medically prescribed, including medical cannabis, ~~regardless of whether or not~~ it has been prescribed for the employee, is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of drugs ~~that~~which are not medically prescribed are prohibited from entering or remaining on school district property.
- D. The use, possession, sale, purchase, transfer, or dispensing of alcohol is prohibited on school district property (which includes school district vehicles), while operating school district



vehicles or equipment, and at any school-sponsored program or event. Use of alcohol is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of alcohol are prohibited from entering or remaining on school district property.

- E. Any employee who violates this section shall be subject to discipline ~~that~~which includes, but is not limited to, immediate suspension without pay and immediate discharge.

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

A. General Statement of Policy

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

B. Definitions

1. "Actual Knowledge" means actual knowledge by the school district that a driver has used alcohol or controlled substances based on: (a) direct observation of the employee's use (not observation of behavior sufficient to warrant reasonable suspicion testing); (b) information provided by a previous employer; (c) a traffic citation; or (d) an employee's admission, except when made in connection with a qualified employee self-admission program.
2. "Alcohol Screening Device" (ASD) means a breath or saliva device, other than an Evidential Breath Testing Device (EBT), that is approved by the National Highway Traffic Safety Administration and placed on its Conforming Products List for such devices.
3. "Breath Alcohol Technician" (BAT) means an individual who instructs and assists individuals in the alcohol testing process and who operates the EBT.
4. "Commercial Motor Vehicle" (CMV) includes a vehicle ~~that~~which is designed to transport 16 or more passengers, including the driver.
5. "Designated Employer Representative" (DER) means ~~an employee authorized by the school district a designated school district representative authorized~~ to take immediate action to remove employees from safety-sensitive duties, ~~or cause employees to be removed from these covered duties, and~~ to make required decisions in the testing and evaluation process. ~~The DER, and to receive~~ test results and other communications for the school district.
6. "Department of Transportation" (DOT) means United States Department of Transportation.
7. ~~"Direct Observation" means observation of alcohol or controlled substances~~



use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing.

- ~~8.7.~~ “Driver” is any person who operates a CMV, including full-time, regularly employed drivers, casual, intermittent or occasional drivers, leased drivers, and independent owner-operator contractors.
- ~~9.8.~~ “Evidential Breath Testing Device” (EBT) means a device approved by the National Highway Traffic Safety Administration for the evidentiary testing of breath for alcohol concentration and placed on its Conforming Products List for such devices.
- ~~10.~~ “Licensed Medical Practitioner” means a person who is licensed, certified, and/or registered, in accordance with applicable Federal, State, local, or foreign laws and regulations, to prescribe controlled substances and other drugs.
- ~~11.9.~~ “Medical Review Officer” (MRO) means a licensed physician responsible for receiving and reviewing laboratory results generated by the school district’s drug testing program and for evaluating medical explanations for certain drug tests.
- ~~12.0.~~ “Refusal to Submit” (to an alcohol or controlled substances test) means that a driver: (a) fails to appear for any test within a reasonable time, as determined by the school district, consistent with applicable DOT regulations, after being directed to do so; (b) fails to remain at the testing site until the testing process is complete; (c) fails to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test; (d) fails to permit the observation or monitoring of the driver’s provision of a specimen in the case of a directly observed or monitored collection in a drug test; (e) fails to provide a sufficient breath specimen or sufficient amount of urine when directed and a determination has been made that no adequate medical explanation for the failure exists; (f) fails or declines to take an additional test as directed by the school district or the collector; (g) fails to undergo a medical examination or evaluation, as directed by the MRO or the DER; (h) fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector, fails to sign the certification on the forms; (i) fails to follow the observer’s instructions, in an observed collection, to raise the driver’s clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the driver has any type of prosthetic or other device that could be used to interfere with the collection process; (j) possesses or wears a prosthetic or other device that could be used to interfere with the collection process; (k) admits to the collector or MRO that the driver adulterated or substituted the specimen; or (l) is reported by the MRO as having a verified adulterated or substituted test result. An applicant who fails to



appear for a pre-employment test, who leaves the testing site before the pre-employment testing process commences, or who does not provide a urine specimen because he or she has left before it commences is not deemed to have refused to submit to testing.

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

C. Policy and Educational Materials

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



district will maintain the original signed certificate and will provide a copy to the driver if the driver so requests.

D. Alcohol and Controlled Substances Testing Program Manager

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

E. Specific Prohibitions for Drivers

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



ability to safely operate a CMV. Controlled substance includes medical cannabis, regardless of whether the driver is enrolled in the state registry program.

8. Positive, Adulterated, or Substituted Test for Controlled Substance. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive for controlled substances, including medical cannabis, or has adulterated or substituted a test specimen for controlled substances.
9. General Prohibition. Drivers are also subject to the general policies and procedures of the school district ~~that~~which prohibit ~~the~~possession, transfer, sale, exchange, reporting to work under the influence of drugs or alcohol, and consumption of drugs or alcohol while at work or while on school district premises or operating any school district vehicle, machinery, or equipment.

F. Other Alcohol-Related Conduct

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

G. Prescription Drugs/Cannabinoid Products

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

H. Testing Requirements

1. Pre-Employment Testing

- a. A driver applicant shall undergo testing for alcohol and controlled substances, including medical cannabis, before the first time the driver performs safety-sensitive functions for the school district.
- b. Tests shall be conducted only after the applicant has received a conditional offer of employment.
- c. ~~In order t~~Io be hired, the applicant must test negative and must sign an



agreement in the form of Attachment B to this policy, authorizing former employers to release to the school district all information on the applicant's alcohol tests with results of blood alcohol concentration of 0.04 or higher, or verified positive results for controlled substances, including medical cannabis, or refusals to be tested (including verified adulterated or substituted drug test results), or any other violations of DOT agency drug and alcohol testing regulations, or, if the applicant violated the testing regulations, documentation of the applicant's successful completion of DOT return-to-duty requirements (including follow-up tests), within the preceding two (2) years.

- d. The applicant also must be asked whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee, during the last two (2) years, applied for, but did not obtain, safety-sensitive transportation work covered by DOT testing rules.

e. Before employing a driver subject to controlled substances and alcohol testing, the school district must conduct a full pre-employment query of the federal Commercial Driver's License (CDL) Drug and Alcohol Clearinghouse ("Clearinghouse") to obtain information about whether the driver (1) has a verified positive, adulterated, or substituted controlled substances test result; (2) has an alcohol confirmation test with a concentration of 0.04 or higher; (3) has refused to submit to a test in violation of federal law; or (4) that an employer has reported actual knowledge that the driver used alcohol on duty, before duty, or following an accident in violation of federal law or used a controlled substance in violation of federal law. The applicant must give specific written or electronic consent for the school district to conduct the Clearinghouse full query. The school district shall retain the consent for three (3) years from the date of the query.

2. Post-Accident Testing

- a. As soon as practicable following an accident involving CMV, the school district shall test the driver for alcohol and controlled substances, including medical cannabis, if the accident involved the loss of human life or if the driver receives a citation for a moving traffic violation arising from an accident which results in bodily injury or disabling damage to a motor vehicle.
- b. Drivers should be tested for alcohol use within two (2) hours and no later than eight (8) hours after the accident.
- c. Drivers should be tested for controlled substances, including medical cannabis, no later than thirty-two (32) hours after the accident.
- d. A driver subject to post-accident testing must remain available for



testing, or shall be considered to have refused to submit to the test.

- e. If a post-accident alcohol test is not administered within two (2) hours following the accident, the school district shall prepare and maintain on file a record stating the reasons the test was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours.
- f. If a post-accident alcohol test is not administered within eight (8) hours following the accident or a post-accident controlled substances test is not administered within thirty-two (32) hours following the accident, the school district shall cease attempts to administer the test, and prepare and maintain on file a record stating the reasons for not administering the test.

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

3. Random Testing

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

4. Reasonable Suspicion Testing



- a. The school district shall require a driver to submit to an alcohol test and/or controlled substances, including medical cannabis, test when a supervisor or school district official, who has been trained in accordance with the regulations, has reasonable suspicion to believe that the driver has used alcohol and/or controlled substances, including medical cannabis, on duty ~~or~~ within four (4) hours before coming on duty, or just after the period of the work day. The test shall be done as soon as practicable following the observation of the behavior indicative of the use of controlled substances or alcohol.
 - b. The reasonable suspicion determination must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech, or body odors. The required observations for reasonable suspicion of a controlled substances violation may include indications of the chronic and withdrawal effects of controlled substances.
 - c. Alcohol testing shall be administered within two (2) hours following a determination of reasonable suspicion. If it is not done within two (2) hours, the school district shall prepare and maintain a record explaining why it was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours. If an alcohol test is not administered within eight (8) hours following the determination of reasonable suspicion, the school district shall cease attempts to administer the test and state in the record the reasons for not administering the test.
 - d. The supervisor or school district official who makes observations leading to a controlled substances reasonable suspicion test shall make and sign a written record of the observations within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.
5. Return-To-Duty Testing. A driver found to have violated this policy shall not return to work until a SAP has determined the employee has successfully complied with prescribed education and/or treatment and until undergoing return-to-duty tests indicating an alcohol concentration of less than 0.02 and a confirmed negative result for the use of controlled substances. The school district is not required to return a driver to safety-sensitive duties because the driver has met these conditions; this is a personnel decision subject to collective bargaining agreements or other legal requirements.
6. Follow-Up Testing. When a SAP has determined that a driver is in need of assistance in resolving problems with alcohol and/or controlled substances, the driver shall be subject to unannounced follow-up testing as directed by the SAP for up to sixty (60) months after completing a treatment program.
7. Refusal to Submit and Attendant Consequences



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

I. Testing Procedures

1. Drug Testing

- a. Drug testing is conducted by analyzing a donor's urine specimen. Split urine samples will be collected in accordance with federal regulations. The donor will provide a urine sample at a designated collection site. The collection site personnel will then pour the sample into two sample bottles, labeled "primary" and "split," seal the specimen bottles, complete the chain of custody form, and prepare the specimen bottles for shipment to the testing laboratory for analysis. The specimen preparation shall be conducted in sight of the donor.
- b. If the donor is unable to provide the appropriate quantity of urine, the collection site person shall instruct the individual to drink up to forty (40) ounces of fluid distributed reasonably through a period of up to three (3) hours to attempt to provide a sample. If the individual is still unable to provide a complete sample, the test shall be discontinued and the school district notified. The DER shall refer the donor for a medical evaluation to determine if the donor's inability to provide a specimen is genuine or constitutes a refusal to test. For pre-employment testing, the school district may elect to not have a referral made, and revoke the



employment offer.

- c. Drug test results are reported directly to the MRO by the testing laboratory. The MRO reports the results to the DER. If the results are negative, the school district is informed and no further action is necessary. If the test result is confirmed positive, adulterated, substituted, or invalid, the MRO shall give the donor an opportunity to discuss the test result. The MRO will contact the donor directly, on a confidential basis, to determine whether the donor wishes to discuss the test result. The MRO shall notify each donor that the donor has seventy-two (72) hours from the time of notification in which to request a test of the split specimen at the donor's expense. No split specimen testing is done for an invalid result.
- d. If the donor requests an analysis of the split specimen within seventy-two (72) hours of having been informed of a confirmed positive test, the MRO shall direct, in writing, the laboratory to provide the split specimen to another Department of Health and Human Services – SAMHSA certified laboratory for analysis. If the donor has not contacted the MRO within seventy-two (72) hours, the donor may present the MRO information documenting that serious illness, injury, inability to contact the MRO, lack of actual notice of the confirmed positive test, or other circumstances unavoidably prevented the donor from timely making contact. If the MRO concludes that a legitimate explanation for the donor's failure to contact him/her within seventy-two (72) hours exists, the MRO shall direct the analysis of the split specimen. The MRO will review the confirmed positive test result to determine whether an acceptable medical reason for the positive result exists. The MRO shall confirm and report a positive test result to the DER and the employee when no legitimate medical reason for a positive test result as received from the testing laboratory exists.
- e. If, after making reasonable efforts and documenting those efforts, the MRO is unable to reach the donor directly, the MRO must contact the DER who will direct the donor to contact the MRO. If the DER is unable to contact the donor, the donor will be suspended from performing safety-sensitive functions.
- f. The MRO may confirm the test as a positive without having communicated directly with the donor about the test results under the following circumstances:
 - (1) The donor expressly declines the opportunity to discuss the test results;
 - (2) The donor has not contacted the MRO within seventy-two (72) hours of being instructed to do so by the DER; or



- (3) The MRO and the DER, after making and documenting all reasonable efforts, have not been able to contact the donor with ten (10) days of the date the confirmed test result was received from the laboratory.

2. Alcohol Testing

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

J. Driver/Driver Applicant Rights

1. All drivers and driver applicants subject to the controlled substances testing provisions of this policy who receive a confirmed positive test result for the use of controlled substances have the right to request, at the driver’s or driver applicant’s expense, a confirming retest of the split urine sample. If the confirming retest is negative, no adverse action will be taken against the driver, and a driver applicant will be considered for employment.
2. The school district will not discharge a driver who, for the first time, receives a confirmed positive drug or alcohol test UNLESS:
 - a. The school district has first given the employee an opportunity to participate in, at the employee’s own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with the SAP; and
 - b. The employee refuses to participate in the recommended program, or



fails to successfully complete the program as evidenced by withdrawal before its completion or by a positive test result on a confirmatory test after completion of the program.

- c. This limitation on employee discharge does not bar discharge of an employee for reasons independent of the first confirmed positive test result.

K. Testing Laboratory

The testing laboratory for controlled substances will be a laboratory certified by the Department of Health and Human Services – SAMHSA to perform controlled substances testing pursuant to federal regulations.

L. Confidentiality of Test Results

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

M. Recordkeeping Requirements and Retention of Records

- 1. The school district shall keep and maintain records in accordance with the federal regulations in a secure location with controlled access.
- 2. The required records shall be retained for the following minimum periods:

Basic records	5 years
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“Basic records” includes records of: (a) alcohol test results with concentration of 0.02 or greater; (b) verified positive drug test results; (c) refusals to submit to required tests (including substituted or adulterated drug test results); (d) SAP reports; (e) all follow-up tests and schedules for follow-up tests; (f) calibration documentation; (g) administration of the testing programs; and (h) each annual calendar year summary.

Information obtained from previous employers	3 years
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Alcohol and controlled substance collection procedures Collection records	2 years
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Negative and cancelled controlled substance drug tests	1 year
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Alcohol tests with less than 0.02 concentration	1 year
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Education and training records	indefinite
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“Education and training records” must be maintained while the individuals perform the functions which require training and for the two



(2) years after ceasing to perform those functions.

3. Personal Information

Personal information about all individuals who undergo any required testing under this policy will be shared with the U.S. DOT Drug & Alcohol Clearinghouse ("Clearinghouse) as required under federal law, including:

- a. The name of the person tested;
- b. Any verified positive, adulterated, or substituted drug test result;
- c. Any alcohol confirmation test with a BAC concentration of 0.04 or higher;
- d. Any refusal to submit to any test required hereunder;
- e. Any report by a supervisor of actual knowledge of use as follows
 - i. Any on-duty alcohol use;
 - ii. Any pre-duty alcohol use;
 - iii. Any alcohol use following an accident; and
 - iv. Any controlled substance use.
- f. Any report from a substance abuse professional certifying successful completion of the return-to-work process;
- g. Any negative return-to-duty test; and
- h. Any employer's report of completion of follow-up testing.

N. Training

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

O. Consequences of Prohibited Conduct and Enforcement

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



- a. A driver or driver applicant who has engaged in prohibited conduct shall be provided a listing of SAPs readily available to the driver or applicant and acceptable to the school district.
- b. If the school district offers a driver an opportunity to return to a DOT safety-sensitive duty following a violation, the driver must be evaluated by SAP and the driver is required to successfully comply with the SAP's evaluation recommendations (education, treatment, follow-up evaluation(s), and/or ongoing services). The school district is not required to provide a SAP evaluation or any subsequent recommended education or treatment.
- c. Drivers are responsible for payment for SAP evaluations and services unless a collective bargaining agreement or employee benefit plan provides otherwise.
- d. Drivers who engage in prohibited conduct also are required to comply with follow-up testing requirements.

3. Disciplinary Action

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

P. Other Testing

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



Q. Report to Clearinghouse

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

R. Annual Clearinghouse Query

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

IV. DRUG AND ALCOHOL TESTING FOR OTHER EMPLOYEES

The school district may request or require drug and alcohol testing for other school district



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

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

1. General Limitations

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

2. Job Applicant Testing

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

3. Random Testing

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

4. Reasonable Suspicion Testing

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



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

5. Treatment Program Testing

The school district may request or require any employee to undergo drug and alcohol testing if the employee has been referred by the school district for chemical dependency treatment or evaluation or is participating in a chemical dependency treatment program under an employee benefit plan, in which case the employee may be requested or required to undergo drug and alcohol testing without prior notice during the evaluation or treatment period and for a period of up to two (2) years following completion of any prescribed chemical dependency treatment program.

6. Routine Physical Examination Testing

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

B. No Legal Duty to Test

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

C. Definitions

1. "Drug" means a controlled substance as defined in Minnesota Statutes, including medical cannabis, regardless of enrollment in the state registry program.
2. "Drug and ~~a~~Alcohol ~~t~~Iesting," "~~d~~Drug or ~~a~~Alcohol ~~t~~Iesting," and "~~d~~Drug or



~~a~~Acohol ~~†~~Test” mean analysis of a body component sample by a testing laboratory that meets one of the criteria according to the standards established under one of the programs listed in Minnesota Statutes, § section 181.953, Ssubdivision- 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested.

3. “Other Employees” means any persons, independent contractors, or persons working for an independent contractor who perform services for the school district for compensation, either full time or part time, in whatever form, except for persons whose positions require a commercial driver’s license, and includes both professional and nonprofessional personnel. Persons whose positions require a commercial driver’s license are primarily governed by the provisions of the school district’s drug and alcohol testing policy relating to school bus drivers (Section III.). To the extent that the drug and alcohol testing of persons whose positions require a commercial driver’s license is not mandated by federal law and regulations, such testing shall be governed by Section IV. of this policy and the drivers shall fall within this definition of “other employees.”
4. “Job ~~a~~Applicant” means a person, independent contractor, or person working for an independent contractor who applies to become an employee of the school district in a position that does not require a commercial driver’s license, and includes a person who has received a job offer made contingent on the person’s passing drug or alcohol testing. Job applicants for positions requiring a commercial driver’s license are governed by the provisions of the school district’s drug and alcohol testing policy relating to school bus drivers (Section III.).
5. “Positive ~~†~~Test ~~†~~Result” means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minnesota Statutes, § section 181.953, Ssubdivision- 1.
6. “Random ~~s~~Selection ~~b~~Basis” means a mechanism for selection of employees that:
 - a. results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected; and
 - b. does not give the school district discretion to waive the selection of any employee selected under the mechanism.
7. “Reasonable ~~s~~Ssuspicion” means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.
8. “Safety-~~s~~Ssensitive ~~p~~Position” means a job, including any supervisory or management position, in which an impairment caused by drug or alcohol usage would threaten the health or safety of any person.



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

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

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

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

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

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

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

E. Reliability and Fairness Safeguards

1. Pretest Notice

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

2. Notice of Test Results

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

3. Notice of and Right to Test Result Report

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



test result report on any drug or alcohol test.

4. Notice of and Right to Explain Positive Test Result

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

5. Notice of and Right to Request Confirmatory Retests

- a. If an employee or job applicant has a positive test result on a confirmatory test, the school district shall provide ~~the individual him or her~~ with notice of the test results and, at the same time, written notice of the right to request a confirmatory retest of the original sample at his or her expense.
- b. An employee or job applicant may request a confirmatory retest of the original sample at his or her own expense after notice of a positive test result on a confirmatory test. Within five (5) working days after notice of the confirmatory test result, the employee or job applicant shall notify the school district in writing of his or her intention to obtain a confirmatory retest. Within three (3) working days after receipt of the notice, the school district shall notify the original testing laboratory that the employee or job applicant has requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under Minn~~esota~~-Statutes- ~~§-section~~ 181.953, ~~S~~ubdivision- 1



to conduct the confirmatory retest. The original testing laboratory shall ensure that appropriate chain-of-custody procedures are followed during transfer of the sample to the other laboratory. The confirmatory retest must use the same drug or alcohol threshold detection levels as used in the original confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against the employee or job applicant.

6. If an employee or job applicant has a positive test result on a confirmatory test, the school district, at the time of providing notice of the test results, shall also provide written notice to inform the individual ~~him or her~~ of other rights provided under Sections F. or G., below, whichever is applicable.

Attachments E and F to this policy provide the Notices described in Paragraphs 2. through 6. of this Section E.

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

1. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.
2. In the case of a positive test result on a confirmatory test, the employee shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge, pursuant to the provisions of this policy.
3. The school district may not discharge an employee for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test requested by the school district, unless the following conditions have been met:
 - a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with a certified chemical abuse counselor or a physician trained in the diagnosis and treatment of chemical dependency; and
 - b. The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program.
4. Notwithstanding Paragraph 1., the school district may temporarily suspend the



tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the school district believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.

5. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information or the employee's status as a patient enrolled in the medical cannabis registry program revealed to the school district, unless the employee was under an affirmative duty to provide the information before, upon, or after hire, or failing to do so would violate federal law or regulations or cause the school district to lose money or licensing-related benefit under federal law or regulations.
6. The school district may not discriminate against any employee in termination, discharge, or any term of condition of employment or otherwise penalize an employee based upon an employee registered patient's positive drug test for cannabis components or metabolites, unless the employee used, possessed, or was impaired by medical cannabis on school district property during the hours of employment.
7. An employee must be given access to information in the individual's his or her personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

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

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

H. Chain-of-Custody Procedures

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

1. Possession of a sample must be traceable to the employee from whom the sample is collected, from the time the sample is collected through the time the sample is delivered to the laboratory;



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

I. Privacy, Confidentiality and Privilege Safeguards

1. Privacy Limitations

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

2. Confidentiality Limitations

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

3. Exceptions to Privacy and Confidentiality Disclosure Limitations

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

4. Privilege

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

J. Notice of Testing Policy to Affected Employees

The school district shall provide written notice of this drug and alcohol testing policy to all



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

V. POSTING

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

- Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 43A (State Personnel Management)
[Minn. Stat. § 151.72 \(Sale of Certain Cannabinoid Products\)](#)
[Minn. Stat. § 152.01 \(Definitions\)](#)
Minn. Stat. § 152.22 (~~Definitions~~; Medical Cannabis; ~~Definitions~~)
Minn. Stat. § 152.23 (~~Limitations~~; Medical Cannabis; ~~Limitations~~)
Minn. Stat. § 152.32 (Protections for Registry Program Participation)
[Minn. Stat. § 176.011, subd. 16 \(Definitions; Personal Injury\)](#)
Minn. Stat. §§ 181.950-181.957 (Drug and Alcohol Testing in the Workplace)
Minn. Stat. § 221.031 (Motor Carrier Rules)
49 U.S.C. § 31306 (Omnibus Transportation Employee Testing Act of 1991)
[49 U.S.C. 31306a \(National Clearinghouse for Controlled Substance and Alcohol Test Results of Commercial Motor Vehicle Operators\)](#)
49 U.S.C. § 521(b) (Civil and Criminal Penalties for Violations)
49 C.F.R. Parts 40 and 382 (Department of Transportation Rules Implementing Omnibus Transportation Employee Testing Act of 1991)
- Cross-References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)



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417 CHEMICAL USE AND ABUSE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. Use or possession of controlled substances, toxic substance, medical cannabis, ~~toxic substances~~, and alcohol before, during, or after school hours, at school or in any other school location, is prohibited ~~in the school setting~~ in accordance with school district policies with respect to a Drug-Free Workplace/Drug-Free School.
- B. The ~~policy of this~~ school district shall develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievement.
~~is to provide an instructional program in every elementary and secondary school in chemical abuse and the prevention of chemical dependency.~~
- C. ~~The Every~~ school that participates in a school district chemical abuse program district shall ~~establish and maintain in every school~~ a chemical abuse preassessment team. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
- ~~D. The superintendent, with the advice of the school board, shall be responsible for establishing a school and community advisory team to address chemical abuse problems in the district.~~
- ~~ED.~~ The school district shall establish and maintain a drug-free awareness program for its to educate and assist employees, students and others in understanding this policy and the goals of achieving drug free schools and workplaces.

III. DEFINITIONS

- A. "Chemical abuse," as applied to students, means use of any psychoactive or mood-altering chemical substance, without compelling medical reason, in a manner that induces mental, emotional, or physical impairment and causes socially dysfunctional or socially disordering



behavior, to the extent that the ~~minor's/student's~~ normal function in academic, school, or social activities is chronically impaired.

- ~~B. "Chemicals" includes, but is not limited to, alcohol, toxic substances, medical cannabis and controlled substances as defined in the school district's Drug-Free Workplace/Drug-Free School policy.~~
- ~~B. "Controlled substances," as applied to the chemical abuse assessment of students, means a drug, substance, or immediate precursor in Schedules I through V of Minnesota Statutes section 152.02 and "marijuana" as defined in Minnesota Statutes section 152.01, subdivision 9 but not distilled spirits, wine, malt beverages, intoxicating liquors or tobacco. As otherwise defined in this policy, "controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code section 812, including analogues and look-alike drugs.~~
- ~~C. "Drug prevention" means prevention, early intervention, rehabilitation referral, recovery support services, or education related to the illegal use of drugs, such as raising awareness about the consequences of drug use that are evidence based.~~
- ~~C. "Use" includes to sell, buy, manufacture, distribute, dispense, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration.~~
- ~~D. "School location" includes any school building or on any school premises; on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off-school property at any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.~~
- ~~D. "Teacher" means all persons employed in a public school or education district or by a service cooperative as members of the instructional, supervisory, and support staff including superintendents, principals, supervisors, secondary vocational and other classroom teachers, librarians, counselors, school psychologists, school nurses, school social workers, audio-visual directors and coordinators, recreation personnel, media generalists, media supervisors, and speech therapists.~~

IV. STUDENTS

A. Districtwide School Discipline Policy

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

AB. Programs and Activities Instruction

1. The school district shall develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievements. The programs



~~and activities may include, among other programs and activities, drug prevention activities and programs that may be evidence based, including programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes.¹ Every school shall provide an instructional program in chemical abuse and the prevention of chemical dependency. The school district may involve parents, students, health care professionals, state department staff, and members of the community in developing the curriculum.~~

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

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

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

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

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

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

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

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

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

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

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

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



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

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

1. ~~In the event that a school district employee knows that a student is abusing, possessing, transferring, distributing or selling chemicals in a school location:~~
 - a. ~~The employee shall immediately either take the student to an administrator or notify an appropriate administrator of the observation and continue to observe the student until the administrator arrives.~~
 - b. ~~The administrator will notify the student's parents. If there is a medical emergency, the administrator will notify the school nurse and/or outside medical personnel as appropriate.~~
 - c. ~~The administrator will notify law enforcement officials, the student's counselor, and the chemical preassessment team.~~
 - d. ~~The administrator and/or law enforcement officials will confiscate the chemicals and/or conduct a search of the student's person, effects, locker, vehicle, or areas within the student's control. Searches by school district officials shall be in accordance with school board policies~~



~~regarding search and seizure.~~

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

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

~~a. The employee shall notify the building administrator or a member of the preassessment team and shall describe the basis for the suspicion. The building administrator and/or team will determine what action should be taken. Action may include conducting an investigation, gathering data, scheduling a conference with the student or parents, or providing a meeting between a single member of the team and the student to discuss the behaviors that have been reported and attempting to ascertain facts regarding chemical abuse.~~

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

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

~~32. Students involved in the abuse, possession, transfer, distribution or sale of chemicals shall may be suspended and proposed for expulsion in compliance with the student discipline policy and the Pupil Fair Dismissal Act, Minnesota Statutes, §section 121A.40-121A.56, and proposed for expulsion.~~

~~43. Searches by school district officials in connection with the abuse, possession, or transfer, distribution or sale of alcohol or a controlled substance chemicals will be conducted in accordance with school board policies related to search and seizure.~~

~~4. Nothing in paragraph IV.B.1. prevents a teacher or any other school employee from reporting to a law enforcement agency any violation of law occurring on school premises or at school sponsored events.~~



CD. Preassessment Team

1. Every school that participates in a school district chemical abuse program shall ~~establish~~ have a chemical abuse preassessment team designated by the superintendent or designee. The team ~~will~~ must be composed of classroom teachers, administrators, and to the extent they exist in the school, school nurse, school counselor or psychologist, social worker, chemical abuse specialist, and other appropriate professional staff. ~~to the extent they exist in each school, such as the school nurse, school counselor or psychologist, social worker, chemical abuse specialist, or others. For schools that do not have a chemical abuse program and team, the superintendent or designee will assign these duties to a designated school district employee.~~
2. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
3. Within forty-five (45) days after receiving an individual reported case, the team shall make a determination whether to provide the student and, in the case of a minor, the student's parents with information about school and community services in connection with chemical abuse.

DE. Data Practices

1. Student data may be disclosed without consent in health and safety emergencies pursuant to Minnesota Statutes ~~§ section~~ 13.32 and applicable federal law and regulations.
2. Destruction of Records
 - a. If the preassessment team decides not to provide a student and, in the case of a minor, the student's parents with information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the determination is made.
 - b. If the team decides to provide the student and, in the case of a minor or a dependent student, the student's parents with such information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the student is no longer enrolled in the district.
 - c. ~~This section shall govern d~~ Destruction of records identifying individual students shall be governed by paragraph IV.E.2. notwithstanding provisions of the Records Management Act, Minnesota Statutes-§ section 138.163. (Preservation and Disposal of Public Records).



~~EF.~~ Consent

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

~~F.~~ School and Community Advisory Team

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

V. EMPLOYEES

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



To facilitate the giving of such notice, any employee aware of such a conviction shall report the same to the superintendent.

- Legal References:**
- Minn. Stat. § 13.32 (Educational Data)
 - Minn. Stat. § 121A.25-121A.29 (Chemical Abuse)
 - Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)
 - Minn. Stat. § 138.163 (Records Management Act)
 - Minn. Stat. § 144.343 (Pregnancy, Venereal Disease, Alcohol or Drug Abuse, Abortion)
 - Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
 - Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
 - 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
 - 20 U.S.C. §§ 7101-71-65 (Safe and Drug-Free Schools and Communities Act)
 - 41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)
 - 34 C.F.R. Part 84 (Government-wide Requirements for Drug-Free Workplace)

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



Adopted: 04/16/01

Reviewed: 2015

Revised: 07/23/18, 9/19/2022

Orig. 1995

418 DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. "Alcohol" includes any alcoholic beverage containing more than one-half of one percent alcohol by volume, malt beverage, fortified wine, or other intoxicating liquor.
- B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code section ~~U.S.C.~~ §-812, including analogues and look-alike drugs.
- C. "Edible cannabinoid product" means any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in combination with food ingredients, and is not a drug.
- D. "Nonintoxicating cannabinoid" means substances extracted from certified hemp plants that do not produce intoxicating effects when consumed by any route of administration.



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

IV. EXCEPTIONS

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

V. PROCEDURES



- A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, must comply with the school district's student medication policy.
- B. Employees who have a prescription from a physician for medical treatment with a controlled substance are permitted to possess such controlled substance, except medical cannabis, and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.
- C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.
- D. Employees are subject to the school district's drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances in a school location except with the express permission of the superintendent.
- F. No person is permitted to possess or use medical cannabis on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any child care facility. This prohibition includes (1) vaporizing or combusting medical cannabis on any form of public transportation where the vapor or smoke could be inhaled by a minor child or in any public place, including indoor or outdoor areas used by or open to the general public or place of employment; and (2) operating, navigating, or being in actual physical control of any motor vehicle or working on transportation property, equipment or facilities while under the influence of medical cannabis.
- G. Possession of alcohol on school grounds pursuant to the exceptions of Minnesota Statutes section-§624.701, Subdivision- 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

VI. ENFORCEMENT

A. Students

1. Students may be required to participate in programs and activities that provide education against the use of alcohol, tobacco, marijuana, smokeless tobacco products, electronic cigarettes, and nonintoxicating cannabinoids (including edible cannabinoid products).
2. Students may be referred to drug or alcohol assistance or rehabilitation programs; school based mental health services, mentoring and counseling, including early identification of mental health symptoms, drug use and



violence and appropriate referral to direct individual or group counselling service. which may be provide by school based mental health services providers; and/or referral to law enforcement officials when appropriate.

- ~~13.~~ A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.
- ~~2.~~ ~~The student may be referred to a drug or alcohol assistance or rehabilitation program and/or to law enforcement officials when appropriate.~~

B. Employees

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

C. The Public

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

Legal References: Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.40-§ 121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 151.72 (Sale of Certain Cannabinoid Products)



Minn. Stat. § 152.22, subd. 6 (~~Medical Cannabis~~; Definitions; Medical Cannabis)
Minn. Stat. § 152.23 (~~Medical Cannabis~~; Limitations; Medical Cannabis)
Minn. Stat. § 340A.101 (Definitions; Alcoholic Beverage)
Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)
Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)
Minn. Stat. § 609.684 (~~Sale of Toxic Substances to Children~~; Abuse of Toxic Substances)
Minn. Stat. § 624.701 (Alcohol in Certain Buildings or Grounds)
20 U.S.C. § 7101-716522 (~~Safe and Drug-Free Schools and Communities Act~~Student Support and Academic Enrichment Grants)
21 U.S.C. § 812 (Schedules of Controlled Substances)
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)
21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)
34 C.F.R. Part 84 (Government-~~w~~Wide Requirements for Drug-Free Workplace)

Cross References:

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



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515 PROTECTION AND PRIVACY OF PUPIL RECORDS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

A. Authorized Representative

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

B. Biometric Record

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

C. Dates of Attendance

“Dates of attendance,” as referred to in “Directory Information,” means the period of time during which a student attends or attended a school or schools in the school district, including attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students



who are not in the classroom, and including the period during which a student is working under a work-study program. The term does not include specific daily records of a student's attendance at a school or schools in the school district.

D. Directory Information

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

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

E. Education Records

1. What constitutes "education records." Education records means those records that are: (1) directly related to a student; and (2) maintained by the school district or by a party acting for the school district.
2. What does not constitute education records. The term "education records"



does not include:

- a. Records of instructional personnel that are:
 - (1) kept in the sole possession of the maker of the record; and
 - (2) used only as a personal memory aid;
 - (3) not accessible or revealed to any other individual except a temporary substitute teacher; and
 - (4) are destroyed at the end of the school year.

- b. Records of a law enforcement unit of the school district, provided education records maintained by the school district are not disclosed to the unit, and the law enforcement records are:
 - (1) maintained separately from education records;
 - (2) maintained solely for law enforcement purposes; and
 - (3) disclosed only to law enforcement officials of the same jurisdiction.

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

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

- d. Records relating to an eligible student, or a student attending an institution of post-secondary education, that are:
 - (1) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity or assisting in that capacity;
 - (2) made, maintained, or used only in connection with the



provision of treatment to the student; and

- (3) disclosed only to individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are a part of the program of instruction within the school district.
- e. Records created or received by the school district after an individual is no longer a student at the school district and that are not directly related to the individual's attendance as a student.
- f. Grades on peer-related papers before the papers are collected and recorded by a teacher.

F. Education Support Services Data

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

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

FG. Eligible Student

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

GH. Juvenile Justice System

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

HJ. Legitimate Educational Interest

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



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

~~H~~. Parent

"Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent of the student in the absence of a parent or guardian. The school district may presume the parent has the authority to exercise the rights provided herein, unless it has been provided with evidence that there is a state law or court order governing such matters as marriage dissolution, separation or child custody, or a legally binding instrument which provides to the contrary.

~~J~~. Personally Identifiable

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

~~K~~. Record

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

~~L~~. Responsible Authority

"Responsible authority" means **District Superintendent** and **Building Principal**.

~~M~~. Student

"Student" includes any individual who is or has been in attendance, enrolled, or registered at the school district and regarding whom the school district maintains education records. Student also includes applicants for enrollment or registration at the school district and



individuals who receive shared time educational services from the school district.

NO. School Official

“School official” includes: (a) a person duly elected to the school board; (b) a person employed by the school board in an administrative, supervisory, instructional, or other professional position; (c) a person employed by the school board as a temporary substitute in a professional position for the period of his or her performance as a substitute; and (d) a person employed by, or under contract to, the school board to perform a special task such as a secretary, a clerk, a public information officer or data practices compliance official, an attorney, or an auditor for the period of his or her performance as an employee or contractor.

OP. Summary Data

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

PQ. Other Terms and Phrases

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

IV. GENERAL CLASSIFICATION

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

V. STATEMENT OF RIGHTS

A. Rights of Parents and Eligible Students

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

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



contained in the student's education records, except to the extent that such consent is not required for disclosure pursuant to this policy, state or federal law, or the regulations promulgated thereunder;

4. The right to refuse release of names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions;
5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school district to comply with the federal law and the regulations promulgated thereunder;
6. The right to be informed about rights under the federal law; and
7. The right to obtain a copy of this policy at the location set forth in-Section XXI of this policy.

B. Eligible Students

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

C. Students with a Disability

The school district shall follow 34 [Code of Federal Regulations sections C.F.R. §§ 300.610-300.617](#) with regard to the privacy, notice, access, record keeping and accuracy of information related to students with a disability.

VI. DISCLOSURE OF EDUCATION RECORDS

A. Consent Required for Disclosure

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



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



used by any of the parties named in Clause e. above, both at the time of the disclosure and at any time in the future; and

- g. specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for: (i) life insurance or noncancellable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or (ii) medical assistance under Minnesota Statutes Chapter 256B or Minnesota Care under Minnesota Statutes Chapter 256L, which shall be ongoing during all terms of eligibility, for individualized education program health-related services provided by a school district that are subject to third party reimbursement.

6. Eligible Student Consent

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

B. Prior Consent for Disclosure Not Required

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

1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records;
2. To a contractor, consultant, volunteer, or other party to whom the school district has outsourced institutional services or functions provided that the outside party:
 - a. performs an institutional service or function for which the school district would otherwise use employees;
 - b. is under the direct control of the school district with respect to the use and maintenance of education records; and
 - c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made.
3. To officials of other schools, school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already



enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (see Section XIX.), suspension and expulsion information pursuant to section 7917 of the federal Every Student Succeeds Act, 20 [United States Code section U.S.C. § 7917](#), and, if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minnesota Statutes section 260B.171, unless the data are required to be destroyed under Minnesota ~~Statutes~~[Statutes](#) section 120A.22, subdivision 7(c) or section 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records that have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with Section XV of this policy;

4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;
5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:
 - a. determine eligibility for the aid;
 - b. determine the amount of the aid;
 - c. determine conditions for the aid; or
 - d. enforce the terms and conditions of the aid.

"Financial aid" for purposes of this provision means a payment of funds provided to an individual or a payment in kind of tangible or intangible property to the individual that is conditioned on the individual's attendance at an educational agency or institution;

6. To state and local officials or authorities to whom such information is specifically allowed to be reported or disclosed pursuant to state statute adopted:
 - a. before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system's ability to effectively serve the student whose records are released; or
 - b. after November 19, 1974, if the reporting or disclosure allowed by state statute concerns the juvenile justice system and the system's ability to



effectively serve, prior to adjudication, the student whose records are released, provided the officials and authorities to whom the records are disclosed certify in writing to the school district that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the parent of the student. At a minimum, the school district shall disclose the following information to the juvenile justice system under this paragraph: a student's full name, home address, telephone number, and date of birth; a student's school schedule, attendance record, and photographs, if any; and parents' names, home addresses, and telephone numbers.

7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction; provided that the studies are conducted in a manner which does not permit the personal identification of parents or students by individuals other than representatives of the organization who have a legitimate interest in the information, the information is destroyed when no longer needed for the purposes for which the study was conducted, and the school district enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy all personally identifiable information when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed. For purposes of this provision, the term, "organizations," includes, but is not limited to, federal, state, and local agencies and independent organizations. In the event the Department of Education determines that a third party outside of the school district to whom information is disclosed violates this provision, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years;
8. To accrediting organizations in order to carry out their accrediting functions;
9. To parents of a student eighteen (18) years of age or older if the student is a dependent of the parents for income tax purposes;
10. To comply with a judicial order or lawfully issued subpoena, provided, however, that the school district makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a federal grand jury subpoena, or any other subpoena



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

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



15. To the parent of a student who is not an eligible student or to the student himself or herself;
16. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;
17. To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students;
18. To the juvenile justice system, on written request that certifies that the information will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student:
 - a. the following information about a student must be disclosed: a student's full name, home address, telephone number, date of birth; a student's school schedule, daily attendance record, and photographs, if any; and any parents' names, home addresses, and telephone numbers;
 - b. the existence of the following information about a student, not the actual data or other information contained in the student's education record, may be disclosed provided that a request for access must be submitted on the statutory form and it must contain an explanation of why access to the information is necessary to serve the student: (1) use of a controlled substance, alcohol, or tobacco; (2) assaultive or threatening conduct that could result in dismissal from school under the Pupil Fair Dismissal Act; (3) possession or use of weapons or look-alike weapons; (4) theft; or (5) vandalism or other damage to property. Prior to releasing this information, the principal or chief administrative officer of a school who receives such a request must, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information. If the student's parent or guardian notifies the school official of an objection to the disclosure within ten (10) days of receiving certified notice, the school official must not disclose the information and instead must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the school official must respond to the request for information.

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



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

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



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

21. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more programs authorized under the National School Lunch Act or the Child Nutrition Act of 1966 for which the results will be reported in an aggregate form that does not identify any individual, on the conditions that: (a) any data collected shall be protected in a manner that will not permit the personal identification of students and their parents by other than the authorized representatives of the Secretary; and (b) any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measurements; or
22. To an agency caseworker or other representative of a State or local child welfare agency, or tribal organization (as defined in [25 United States Code section 5304](#))~~section 450b of Title 25~~), who has the right to access a student's case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the State or tribal laws applicable to protecting the confidentiality of a student's education records.

C. Nonpublic School Students

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

1. Pursuant to a valid court order;
2. Pursuant to a statute specifically authorizing access to the private data; or
3. To appropriate health authorities to the extent necessary to administer



immunization programs and for bona fide epidemiological investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted.

VII. RELEASE OF DIRECTORY INFORMATION

A. Classification

Directory information is public except as provided herein.

B. Former Students

Unless a former student validly opted out of the release of directory information while the student was in attendance and has not rescinded the opt out request at any time, the school district may disclose directory information from the education records generated by it regarding the former student without meeting the requirements of Paragraph C. of this section. In addition, under an explicit exclusion from the definition of an "education record," the school district may release records that only contain information about an individual obtained after he or she is no longer a student at the school district and that are not directly related to the individual's attendance as a student (e.g., a student's activities as an alumnus of the school district).

C. Present Students and Parents

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

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



2. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the school district in writing that any or all of the information so designated should not be disclosed without the parent's or eligible student's prior written consent, except as provided in Section VI of this policy.
3. A parent or eligible student may not opt out of the directory information disclosures to:
 - a. prevent the school district from disclosing or requiring the student to disclose the student's name, ID, or school district e- mail address in a class in which the student is enrolled.; or
 - b. prevent the school district from requiring a student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information that may be designated as directory information and that has been properly designated by the school district as directory information.
4. The school district shall not disclose or confirm directory information without meeting the written consent requirements contained in Section VI.A. of this policy if a student's social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student's records.

D. Procedure for Obtaining Nondisclosure of Directory Information

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

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

E. Duration

The designation of any information as directory information about a student or parents will



remain in effect for the remainder of the school year unless the parent or eligible student provides the written notifications provided herein.

VIII. DISCLOSURE OF PRIVATE RECORDS

A. Private Records

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

B. Private Records Not Accessible to Parent

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

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



provided pursuant to Minnesota Statutes sections 144.341-144.347, in which case the data may be released only if the failure to inform the parent would seriously jeopardize the health of the minor.

C. Private Records Not Accessible to Student

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

D. Military-Connected Youth Identifier

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

IX. DISCLOSURE OF CONFIDENTIAL RECORDS

A. Confidential Records

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

B. Reports Under the Maltreatment of Minors Reporting Act

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

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

C. Investigative Data

Data collected by the school district as part of an active investigation undertaken for the



purpose of the commencement or defense of pending civil legal action, or are retained in anticipation of a pending civil legal action are classified as protected nonpublic data in the case of data not on individuals, and confidential data in the case of data on individuals.

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

D. Chemical Abuse Records

To the extent the school district maintains records of the identity, diagnosis, prognosis, or treatment of any student which are maintained in connection with the performance of any drug abuse prevention function conducted, regulated, or directly or indirectly assisted by any department or agency of the United States, such records are classified as confidential



and shall be disclosed only for the purposes and under the circumstances expressly authorized by law.

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

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

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

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

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

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

C. A parent or eligible student has the right to refuse the release of the name, address, electronic mail addresses (which shall be the electronic mail addresses provided by the school, if available, that may be released to military recruiting officers only) or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the responsible authority, **building principal**, in writing by **September 15** each year. The written request must include the following information:

1. Name of student and parent, as appropriate;
2. Home address;
3. Student's grade level;



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

XII. LIMITS ON REDISCLOSURE

A. Redisclosure

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

B. Redisclosure Not Prohibited

1. Subdivision A. of this section does not prevent the school district from disclosing personally identifiable information under Section VI of this policy with the understanding that the party receiving the information may make further disclosures of the information on behalf of the school district provided:
 - a. The disclosures meet the requirements of Section VI of this policy; and



b. The school district has complied with the record-keeping requirements of Section XIII of this policy.

2. Subdivision A. of this section does not apply to disclosures made pursuant to court orders or lawfully issued subpoenas or litigation, to disclosures of directory information, to disclosures to a parent or student or to parents of dependent students, or to disclosures concerning sex offenders and other individuals required to register under 42 [United States Code section U.S.C. § 14071](#). However, the school district must provide the notification required in Section XII.D of this policy if a redisclosure is made based upon a court order or lawfully issued subpoena.

C. Classification of Disclosed Data

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

D. Notification

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

XIII. RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING

A. Responsible Authority

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

B. Record Security

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



C. Plan for Securing Student Records

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

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

D. Review of Written Plan for Securing Student Records

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

E. Record Keeping

1. The principal shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record with the education records of the student that indicates:
 - a. the parties who have requested or received personally identifiable information from the education records of the student;
 - b. the legitimate interests these parties had in requesting or obtaining the information; and
 - c. the names of the state and local educational authorities and federal officials and agencies listed in Section VI.B.4 of this policy that may make further disclosures of personally identifiable information from the student's education records without consent.
2. In the event the school district discloses personally identifiable information from an education record of a student pursuant to Section XII.B of this policy, the record of disclosure required under this section shall also include:
 - a. the names of the additional parties to which the receiving party may disclose the information on behalf of the school district;



- b. the legitimate interests under Section VI of this policy which each of the additional parties has in requesting or obtaining the information; and
 - c. a copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 [Code of Federal Regulations section C.F.R. § 99.32](#) and to whom the school district disclosed information from an education record. The school district shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to whom education records were disclosed upon a request from a parent or eligible student to review the record of requests for disclosure.
3. Section XIII.E.1 does not apply to requests by or disclosure to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other school officials Section VI.B.1 of this policy, to requests for disclosures of directory information under Section VII of this policy, or to a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or agency has ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18. [United States Code section U.S.C. § 2332b\(g\)\(5\)\(B\)](#) or an act of domestic or international terrorism.
4. The record of requests of disclosures may be inspected by:
 - a. the parent of the student or the eligible student;
 - b. the school official or his or her assistants who are responsible for the custody of the records; and
 - c. the parties authorized by law to audit the record-keeping procedures of the school district.
5. The school district shall record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:
 - a. the articulable and significant threat to the health or safety of a student or other individual that formed the basis for the disclosure; and
 - b. the parties to whom the school district disclosed the information.



6. The record of requests and disclosures shall be maintained with the education records of the student as long as the school district maintains the student's education records.

XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

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

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

B. Response to Request for Access

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

C. Right to Inspect and Review

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

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

D. Form of Request

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

E. Collection of Student Records



If a student's education records are maintained in more than one location, the responsible authority may collect copies of the records or the records themselves from the various locations so they may be inspected at one site. However, if the parent or eligible student wishes to inspect these records where they are maintained, the school district shall attempt to accommodate those wishes. The parent or eligible student shall be notified of the time and place where the records may be inspected.

F. Records Containing Information on More Than One Student

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

G. Authority to Inspect or Review

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

H. Fees for Copies of Records

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



education record made for a parent or eligible student if doing so would effectively prevent or, in the case of a student with a disability, impair the parent or eligible student from exercising their right to inspect or review the student's education records.

XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA

A. Request to Amend Education Records

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

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

B. Right to a Hearing

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

1. If, as a result of the hearing, the school district decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall amend the education records of the student accordingly and so inform the parent of the student or the eligible student in writing.
2. If, as a result of the hearing, the school district decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the school



district, or both.

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

C. Conduct of Hearing

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

D. Appeal

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

XVI. PROBLEMS ACCESSING DATA

- A. The data practices compliance official is the designated employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.



- B. Data practices compliance official means ***Building Principal***.
- C. Any request by an individual with a disability for reasonable modifications of the school district's policies or procedures for purposes of accessing records shall be made to the data practices compliance official.

XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA

A. Where to File Complaints

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

B. Content of Complaint

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

XVIII. WAIVER

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

XIX. ANNUAL NOTIFICATION OF RIGHTS

A. Contents of Notice

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

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;
2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records;
3. That the parent or eligible student has a right to consent to disclosures of



personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosure without consent;

4. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of FERPA and the rules promulgated thereunder;
5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing education records to other school officials whom the school district has determined to have legitimate educational interests; and
6. That the school district forwards education records on request to a school in which a student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment or transfer and that such records may include suspension and expulsion records pursuant to the federal No Child Left Behind Act and, if applicable, a student's history of violent behavior.

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

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

C. Notification to Parents or Eligible Students Who are Disabled

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

XX. DESTRUCTION AND RETENTION OF RECORDS

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

XXI. COPIES OF POLICY

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 13.393 (Attorneys)
Minn. Stat. Ch. 14 (Administrative Procedures Act)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)
Minn. Stat. § 121A.75 (Receipt of Records; Sharing)



Minn. Stat. § 127A.852 (Military-Connected Youth Identifier)
Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)
Minn. Stat. Ch. 256B (Medical Assistance for Needy Persons)
Minn. Stat. Ch. 256L (MinnesotaCare)
Minn. Stat. § 260B.171, subds. 3 and 5 (Disposition Order and Peace Officer Records of Children)
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
Minn. Stat. § 363A.42 (Public Records; Accessibility)
[Minn. Stat. § 626.557 \(Reporting of Maltreatment of Vulnerable Adults\)](#)
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)
10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns; Compilation of Directory Information)
18 U.S.C. § 2331 (Definitions)
18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
20 U.S.C. § 6301 *et seq.* (Every Student Succeeds Act)
20 U.S.C. § 7908 (Armed Forces Recruiting Information)
20 U.S.C. § 7917 (Transfer of School Disciplinary Records)
25 U.S.C. § 5304 (Definitions – Tribal Organization)
26 U.S.C. §§ 151 and 152 (Internal Revenue Code)
42 U.S.C. § 1711 *et seq.* (Child Nutrition Act)
42 U.S.C. § 1751 *et seq.* (Richard B. Russell National School Lunch Act)
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)
34 C.F.R. § 300.610-300.627 (Confidentiality of Information)
42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records)
Gonzaga University v. Doe, 536 U.S. 273 309 (2002)
[Dept. of Admin. Advisory Op. No. 21-008 \(December 8, 2021\)](#)

Cross References:

MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
MSBA/MASA Model Policy 520 (Student Surveys)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 722 (Public Data Requests)
MSBA/MASA Model Policy 906 (Community Notification of Predatory Offenders)
MSBA, School Law Bulletin "I" (School Records – Privacy – Access to Data)



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Orig. 1996

524 INTERNET ACCEPTABLE USE AND SAFETY POLICY

I. PURPOSE

The purpose of this policy is to set forth policies and guidelines for access to the school district computer system and acceptable and safe use of the Internet, including electronic communications.

II. GENERAL STATEMENT OF POLICY

In making decisions regarding student and employee access to the school district computer system and the Internet, including electronic communications, the school district considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the school district computer system and to the Internet enables students and employees to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The school district expects that faculty will blend thoughtful use of the school district computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

III. LIMITED EDUCATIONAL PURPOSE

The school district is providing students and employees with access to the school district computer system, which includes Internet access. The purpose of the system is more specific than providing students and employees with general access to the Internet. The school district system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the school district and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network.

IV. USE OF SYSTEM IS A PRIVILEGE

The use of the school district system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the school district system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school district policies, including suspension, expulsion, exclusion or termination of employment; or civil or criminal liability under other applicable laws.



V. UNACCEPTABLE USES

- A. The following uses of the school district system and Internet resources or accounts are considered unacceptable:
1. Users will not use the school district system to access, review, upload, download, store, print, post, receive, transmit or distribute:
 - a. pornographic, obscene or sexually explicit material or other visual depictions that are harmful to minors;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
 - c. materials that use language, images, or content that are inappropriate in the education setting or disruptive to the educational process;
 - d. information or materials that could cause damage or danger of disruption to the educational process;
 - e. materials that use language, images, or content that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
 2. Users will not use the school district system to knowingly or recklessly post, transmit or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
 3. Users will not use the school district system to engage in any illegal act or violate any local, state or federal statute or law.
 4. Users will not use the school district system to vandalize, damage or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software or system performance by spreading computer viruses or by any other means, will not tamper with, modify or change the school district system software, hardware or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
 5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information or files without the implied or direct permission of that person.
 6. Users will not use the school district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses,



identification numbers, account numbers, access codes or passwords, labeled photographs or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.

- a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
- b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
 - (1) such information is classified by the school district as directory information, and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or
 - (2) such information is not classified by the school district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

In addition, prior to posting any personal contact or personally identifiable information on a school-related webpage, employees shall obtain written approval of the content of the postings from the building administrator.

- c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited to, social networks such as "Facebook," "Twitter", "Instagram," "Snapchat," and "Reddit," and similar websites or applications.
7. Users must keep all account information and passwords on file with the designated school district official. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person's account, or use computer accounts, access codes or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities.
 8. Users will not use the school district system to violate copyright laws or usage



licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer or personal device while using school district network (including wireless), and will not plagiarize works they find on the Internet.

9. Users will not use the school district system or school district computers for conducting business, for unauthorized commercial purposes or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district official.
 10. Users will not use the school district system to engage in bullying or cyberbullying in violation of the school district's Bullying Prohibition Policy (MSBA/MASA Model Policy 514). This prohibition includes using any technology or other electronic communication off school premises to the extent that student learning or the school environment is substantially and materially disrupted.
- B. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations are, but are not limited to, situations where the school district system is compromised or if a school district employee or student is negatively impacted. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.
- C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.

VI. FILTER

- A. With respect to any of its computers with Internet access while connected through the school district network, the school district will monitor the online activities of both minors



and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:

1. Obscene;
 2. Child pornography; or
 3. Harmful to minors.
- B. The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:
1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
 2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.
- D. An administrator, supervisor, or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.
- E. The school district will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber-bullying awareness and response.

VII. CONSISTENCY WITH OTHER SCHOOL POLICIES

Use of the school district computer system and use of the Internet shall be consistent with school district policies and the mission of the school district.

VIII. LIMITED EXPECTATION OF PRIVACY

- A. By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school district system.
- B. Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.



- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.
- D. Parents have the right at any time to investigate or review the contents of their child's files and e-mail files. Parents have the right to request the termination of their child's individual account at any time.
- E. School district employees should be aware that the school district retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, school district employees should be aware that data and other materials in files maintained on the school district system may be subject to review, disclosure or discovery under Minn. Stat. Ch. 13 (the Minnesota Government Data Practices Act).
- F. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

IX. INTERNET USE AGREEMENT

- A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents and employees of the school district.
- B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.
- C. The Internet Use Agreement form for students must be read and signed by the user, and the parent or guardian. The Internet Use Agreement form for employees must be signed by the employee. The form must then be filed at the school office.

X. LIMITATION ON SCHOOL DISTRICT LIABILITY

Use of the school district system is at the user's own risk. The system is provided on an "as is, as available" basis. The school district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage or unavailability of data stored on school district diskettes, tapes, hard drives or servers, or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. The school district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school district system. The school district will not be responsible for financial obligations arising through unauthorized use of the school district system or the Internet.

XI. USER NOTIFICATION

- A. All users shall be notified of the school district policies relating to Internet use.



- B. This notification shall include the following:
1. Notification that Internet use is subject to compliance with school district policies.
 2. Disclaimers limiting the school district's liability relative to:
 - a. Information stored on school district compact disks, digital video disks, hard drives or servers.
 - b. Information retrieved through school district computers, networks or online resources.
 - c. Personal property used to access school district computers, networks or online resources.
 - d. Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.
 3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.
 4. Notification that, even though the school district may use technical means to limit Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
 5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student and/or the student's parents.
 6. Notification that the collection, creation, reception, maintenance and dissemination of data via the Internet, including electronic communications, is governed by Policy 406, Public and Private Personnel Data, and Policy 515, Protection and Privacy of Pupil Records.
 7. Notification that, should the user violate the school district's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.
 8. Notification that all provisions of the acceptable use policy are subordinate to local, state and federal laws.

XII. PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE

- A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies and other possibly offensive media. Parents are responsible for monitoring their student's use of the



school district system and of the Internet if the student is accessing the school district system from home or a remote location.

- B. Parents will be notified that their students will be using school district resources/accounts to access the Internet and that the school district will provide parents the option to request alternative activities not requiring Internet access. This notification should include:
 - 1. A copy of the user notification form provided to the student user.
 - 2. A description of parent/guardian responsibilities.
 - 3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.
 - 4. A statement that the Internet Use Agreement must be signed by the user, and the parent or guardian prior to use by the student.
 - 5. A statement that the school district's acceptable use policy is available for parental review.

XIII. NOTIFICATION REGARDING TECHNOLOGY PROVIDERS

- A. "Technology provider" means a person who:
 - 1. contracts with the school district, as part of a one-to-one program or otherwise, to provide a school-issued device for student use; and
 - 2. creates, receives, or maintains educational data pursuant or incidental to a contract with the school district.
- B. "Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.
- C. Within 30 days of the start of each school year, the school district must give parents and students direct and timely notice, by United States mail, e-mail, or other direct form of communication, of any curriculum, testing, or assessment technology provider contract affecting a student's educational data. The notice must:
 - 1. identify each curriculum, testing, or assessment technology provider with access to educational data;
 - 2. identify the educational data affected by the curriculum, testing, or assessment technology provider contract; and
 - 3. include information about the contract inspection and provide contact information for a school department to which a parent or student may direct questions or concerns regarding any program or activity that allows a curriculum, testing, or assessment technology provider to access a student's educational data.



- D. The school district must provide parents and students an opportunity to inspect a complete copy of any contract with a technology provider.
- E. A contract between a technology provider and the school district must include requirements to ensure appropriate security safeguards for educational data. The contract must require that:
 - 1. the technology provider's employees or contractors have access to educational data only if authorized; and
 - 2. the technology provider's employees or contractors may be authorized to access educational data only if access is necessary to fulfill the official duties of the employee or contractor.
- F. All educational data created, received, maintained, or disseminated by a technology provider pursuant or incidental to a contract with a public educational agency or institution are not the technology provider's property.

XIV. SCHOOL-ISSUED DEVICES

- A. "School-issued device" means hardware or software that the school district, acting independently or with a technology provider, provides to an individual student for that student's dedicated personal use. A school-issued device includes a device issued through a one-to-one program.
- B. Except as provided in paragraph C, the school district or a technology provider must not electronically access or monitor:
 - 1. any location-tracking feature of a school-issued device;
 - 2. any audio or visual receiving, transmitting, or recording feature of a school-issued device; or
 - 3. student interactions with a school-issued device, including but not limited to keystrokes and web-browsing activity.
- C. The school district or a technology provider may only engage in activities prohibited by paragraph B if:
 - 1. the activity is limited to a noncommercial educational purpose for instruction, technical support, or exam-proctoring by school district employees, student teachers, staff contracted by the school district, a vendor, or the Minnesota Department of Education, and notice is provided in advance;
 - 2. the activity is permitted under a judicial warrant;
 - 3. the school district is notified or becomes aware that the device is missing or stolen;
 - 4. the activity is necessary to respond to an imminent threat to life or safety and the access is limited to that purpose;
 - 5. the activity is necessary to comply with federal or state law, including but not



limited to Minnesota Statutes section 121A.031; or

6. the activity is necessary to participate in federal or state funding programs, including but not limited to the E-Rate program.

D. If the school district or a technology provider interacts with a school-issued device as provided in paragraph C, clause 4, it must, within 72 hours of the access, notify the student to whom the school-issued device was issued or that student's parent and provide a written description of the interaction, including which features of the device were accessed and a description of the threat. This notice is not required at any time when the notice itself would pose an imminent threat to life or safety, but must instead be given within 72 hours after that imminent threat has ceased.

XV. LIMIT ON SCREEN TIME FOR CHILDREN IN PRESCHOOL AND KINDERGARTEN

A child in a publicly funded preschool or kindergarten program may not use an individual-use screen, such as a tablet, smartphone, or other digital media, without engagement from a teacher or other students. This section does not apply to a child for whom the school has an individualized family service plan, an individualized education program, or a 504 plan in effect.

XIVXVI. IMPLEMENTATION; POLICY REVIEW

- A. The school district administration may develop appropriate user notification forms, guidelines and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines, forms and procedures shall be an addendum to this policy.
- B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.
- C. The school district Internet policies and procedures are available for review by all parents, guardians, staff and members of the community.
- D. Because of the rapid changes in the development of the Internet, the school board shall conduct an annual review of this policy.

Legal References:

- Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
- Minn. Stat. § 13.32 (Educational Data)
- Minn. Stat. § 121A.031 (School Student Bullying Policy)
- Minn. Stat. § 124D.166 (Limit on Screen Time for Children in Preschool and Kindergarten)
- Minn. Stat. § 125B.15 (Internet Access for Students)
- Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
- 15 U.S.C. § 6501 et seq. (Children's Online Privacy Protection Act)
- 17 U.S.C. § 101 et seq. (Copyrights)
- 47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))
- 47 C.F.R. § 54.520 (FCC rules implementing CIPA)
- Minn. Stat. § 121A.0695 (School Board Policy; Prohibiting Intimidation and Bullying)
- Minn. Stat. § 125B.15 (Internet Access for Students)



Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
United States v. Amer. Library Assoc., 539 U.S. 194, 123 S.Ct. 2297, 56 L.Ed.2d 221 (2003)
Doninger v. Niehoff, 527 F.3d 41 (2nd Cir. 2008)
R.S. v. Minnewaska Area Sch. Dist. No. 2149, No. 12-588, 2012 WL 3870868 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), *aff'd* on other grounds 816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee's Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)
Kowalski v. Berkeley County Sch., 652 F.3d 565 (4th Cir. 2011)
Layshock v. Hermitage Sch. Dist., 650 F.3d 205 (3rd Cir. 2011)
Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)
MSBA/MASA Model Policy 603 (Curriculum Development)
MSBA/MASA Model Policy 604 (Instructional Curriculum)
MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)
MSBA/MASA Model Policy 806 (Crisis Management Policy)
MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)



Adopted: 2/11/02

Reviewed: 2019, 2022

Revised: 10/21/19, 9/19/2022

Orig. 1995

603 CURRICULUM DEVELOPMENT

I. PURPOSE

The purpose of this policy is to provide direction for continuous review and improvement of the school curriculum.

II. GENERAL STATEMENT OF POLICY

Curriculum development shall be directed toward the fulfillment of the goals and objectives of the education program of the school district.

III. RESPONSIBILITY

~~A.~~—The superintendent shall be responsible for curriculum development and for determining the most effective way of conducting research on the school district’s curriculum needs and establishing a long range curriculum development program. Timelines shall be determined by the superintendent that will provide for periodic reviews of each curriculum area.

IV. District Advisory Committee

~~A.~~ The school board shall establish an advisory committee to ensure active community participation in all phases of planning and improving the instruction and curriculum affecting state and district academic standards.

~~B.~~ The district advisory committee, to the extent possible, shall reflect the diversity of the district and its school sites, include teachers, parents, support staff, students, and other community residents, and provide translation to the extent appropriate and practicable. Whenever possible, parents and other community residents shall comprise at least two-thirds of advisory committee members.

~~C.~~ The district advisory committee shall pursue community support to accelerate the academic and native literacy and achievement of English learners with varied needs, from young children to adults, consistent with Minnesota Statutes section 124D.59, subdivisions 2 and 2a.

~~D.~~ The district may establish site teams as subcommittees of the district advisory committee.

~~E.~~ The district advisory committee shall recommend to the school board

1. rigorous academic standards, student achievement goals and measures consistent with Minnesota Statutes section 120B.11, subdivision 1a, section 120B.022, subdivisions 1a and 1b, and section 120B.35,

2. district assessments,



3. means to improve students' equitable access to effective and more diverse teachers, and

4. program evaluations.

F. School sites may expand upon district evaluations of instruction, curriculum, assessments, or programs.

V. School Site Team

Each school must establish a site team to develop and implement strategies and education effectiveness practices to improve instruction, curriculum, cultural competencies, including cultural awareness and cross-cultural communication, and student achievement at the school site. The site team must include an equal number of teachers and administrators and at least one parent. The site team advises the board and the advisory committee about developing the annual budget and creates an instruction and curriculum improvement plan to align curriculum, assessment of student progress, and growth in meeting state and district academic standards and instruction.

VI. Curriculum Development Process

~~B. A district advisory committee shall provide assistance at the request of the superintendent. The advisory committee membership shall be a reflection of the community and, to the extent possible, shall reflect the diversity of the district and its school sites, and shall include parent, teacher, support staff, student, community residents and administration representation and shall provide translation to the extent appropriate and practicable. Whenever possible, parents and other community residents shall comprise at least two-thirds of advisory committee members.~~

~~C.~~ A. Within the ongoing process of curriculum development, the following needs shall be addressed:

1. Provide for articulation of courses of study from kindergarten through grade twelve.
2. Identify minimum objectives for each course and at each elementary grade level.
3. Provide for continuing evaluation of programs for the purpose of attaining school district objectives.
4. Provide a program for ongoing monitoring of student progress.
5. Provide for specific, particular and special needs of all members of the student community.
6. Develop a local literacy plan to have every child reading at or above grade level no later than the end of grade 3, including English learners, and teachers



providing comprehensive, scientifically based reading instruction consistent with law.

7. Integrate required and elective course standards in the scope and sequence of the district curriculum.
8. Meet all applicable requirements of the Minnesota Department of Education and the federal law.

~~D.B~~ Students identified as not reading at grade level by the end of kindergarten, grade 1, and grade 2 must be screened for characteristics of dyslexia. Students in grade 3 or higher who demonstrate a reading difficulty to a classroom teacher must be screened for characteristics of dyslexia, unless a different reason for the reading difficulty has been identified. See Minnesota Statutes section 120B.12, Subd. 2.

~~EC~~. Students who do not meet or exceed Minnesota academic standards, as measured by the Minnesota Comprehensive Assessments that are administered during high school, shall be informed that admission to a public school is free and available to any resident under 21 years of age or who meets the requirements of Minnesota Statutes section 120A.20, Subd. 1(c). A student's plan under this section shall continue while the student is enrolled.

~~FD~~. It shall be the responsibility of the superintendent to keep the school board informed of all state-mandated curriculum changes, as well as recommended discretionary changes and to periodically present recommended modifications for school board review and approval.

~~GE~~. 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. § 120B.12 (Reading Proficiently No Later than the End of Grade 3)
- Minn. Stat. § 120B.125(f) (Planning for Students' Successful Transition to Postsecondary Education and Employment)
- Minn. Rules Part 3500.0550 (Inclusive Educational Program)
- Minn. Rules Parts 3501.0505-3501.0550 (Academic Standards for Language Arts)
- Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
- Minn. Rules Parts 3501.0820 (Academic Standards for the Arts)
- Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)

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)

Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)

20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)



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- 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 IEP, Section 504 Plans, and LEP Students)
 - MSBA/MASA Model Policy 616 (School District System Accountability)
 - MSBA/MASA Model Policy 618 (Assessment of Standard 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)



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Reviewed: 2017, 2022

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Orig. 1995

604 INSTRUCTIONAL CURRICULUM

I. PURPOSE

The purpose of this policy is to provide for the development of course offerings for students.

II. GENERAL STATEMENT OF POLICY

A. Instruction must be provided in at least the following subject areas:

1. Language arts and basic communication skills including reading and writing, literature, and fine arts;
2. Mathematics and science;
3. Social studies, including history, geography, economics, government, and citizenship that includes civics (see II.I);
4. Health and physical education;
5. The arts;
6. Career and technical education; and
7. World languages.

B. The basic instructional program shall include all courses required for each grade level by the Minnesota Department of Education (MDE) and all courses required in all elective subject areas. The instructional approach will be nonsexist and multicultural.

C. Elementary and middle schools shall offer at least three, and require at least two, of the following four art areas: dance, music, theater, and visual arts. High schools shall offer at least three, and require at least one, of the following five art areas: media arts, dance, music, theater, and visual arts.

D. The school board, at its discretion, may offer additional courses in the instructional program at any grade level.

E. Each instructional program shall be planned for optimal benefit taking into consideration the financial condition of the school district and other relevant factors. Each program plan



should contain goals and objectives, materials, minimum student competency levels, and methods for student evaluation.

- F. The superintendent shall have discretionary authority to develop guidelines and directives to implement school board policy relating to instructional curriculum.

III. PARENTAL CURRICULUM REVIEW

The school district shall have a procedure for a parent, guardian, or an adult student, 18 years of age or older, to review the content of the instructional materials to be provided to a minor child or to an adult student and, if the parent, guardian, or adult student objects to the content, to make reasonable arrangements with school personnel for alternative instruction. Alternative instruction may be provided by the parent, guardian, or adult student if the alternative instruction, if any, offered by the school board does not meet the concerns of the parent, guardian, or adult student. The school board is not required to pay for the costs of alternative instruction provided by a parent, guardian, or adult student. School personnel may not impose an academic or other penalty upon a student merely for arranging alternative instruction under this section. School personnel may evaluate and assess the quality of the student's work.

IV. CPR AND AED INSTRUCTION

The school district will provide onetime cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) instruction as part of its grade 7 to 12 curriculum.

- A. In the school district's discretion, training and instruction may result in CPR certification.
- B. CPR and AED instruction must include CPR and AED training that have been developed:
 - a1. by the American Heart Association or the American Red Cross and incorporate psychomotor skills to support the instruction; or
 - b2. using nationally recognized, evidence-based guidelines for CPR and incorporate psychomotor skills to support the instruction. "Psychomotor skills" means hands-on practice to support cognitive learning; it does not mean cognitive-only instruction and training.
- C. The school district may use community members such as emergency medical technicians, paramedics, police officers, firefighters, and representatives of the Minnesota Resuscitation Consortium, the American Heart Association, or the American Red Cross, among others, to provide instruction and training.
- D. A school administrator may waive this curriculum requirement for a high school transfer student regardless of whether or not the student previously received instruction under this section, an enrolled student absent on the day the instruction occurred under this section, or an eligible student who has a disability.



V. COLLEGE AND CAREER PLANNING

- HA.** The school district shall assist all students by no later than grade 9 to explore their educational college and career interests, aptitudes, and aspirations and develop a plan for a smooth and successful transition to postsecondary education or employment. All students' plans must:
1. provide a comprehensive plan to prepare for and complete career and college-ready curriculum by meeting state and local academic standards and developing career and employment-related skills such as team work, collaboration, creativity, communication, critical thinking, and good work habits;
 2. emphasize academic rigor and high expectations and inform the student and the student's parent or guardian, if the student is a minor, of the student's achievement level score on the Minnesota Comprehensive Assessments that are administered during high school;
 3. help students identify interests, aptitudes, aspirations, and personal learning styles that may affect their career and college-ready goals and postsecondary education and employment choices;
 4. set appropriate career and college-ready goals with timelines that identify effective means for achieving those goals;
 5. help students access education and career options;
 6. integrate strong academic content into career-focused courses and applied and experiential learning opportunities and integrate relevant career-focused courses and applied and experiential learning opportunities into strong academic content;
 7. help identify and access appropriate counseling and other supports and assistance that enable students to complete required coursework, prepare for postsecondary education and careers, and obtain information about postsecondary education costs and eligibility for financial aid and scholarship;
 8. help identify collaborative partnerships among pre-kindergarten through grade 12 schools, postsecondary institutions, economic development agencies, and local and regional employers that support students' transitions to postsecondary education and employment and provide students with applied and experiential learning opportunities; and
 9. be reviewed and revised at least annually by the student, the student's parent or guardian, and the school district to ensure that the student's course-taking schedule keeps the student making adequate progress to meet state and local academic standards and high school graduation requirements and with a reasonable chance to succeed with employment or postsecondary education



without the need to first complete remedial course work.

B. The school district may develop grade-level curricula or provide instruction that introduces students to various careers, but must not require any curriculum, instruction, or employment-related activity that obligates an elementary or secondary student to involuntarily select or pursue a career, career interest, employment goals, or related job training.

C. Educators must possess the knowledge and skills to effectively teach all English learners in their classrooms. School districts must provide appropriate curriculum, targeted materials, professional development opportunities for educators, and sufficient resources to enable English learners to become career and college-ready.

D. When assisting students in developing a plan for a smooth and successful transition to postsecondary education and employment, school districts must recognize the unique possibilities of each student and ensure that the contents of each student's plan reflect the student's unique talents, skills, and abilities as the student grows, develops, and learns.

E. If a student with a disability has an Individualized Education Program (IEP) or standardized written plan that meets the plan components herein, the IEP satisfies the requirement, and no additional transition plan is needed.

F. Students who do not meet or exceed the Minnesota Academic Standards, as measured by the Minnesota Comprehensive Assessments that are administered during high school, shall be informed that admission to a public school is free and available to any resident under 21 years of age or who meets the requirements of the compulsory attendance law. A student's plan under this provision shall continue while a student is enrolled.

VI. CIVICS TEST

~~A.~~ A student enrolled in a public school must correctly answer at least 30 of 50 civics test questions. A school or district may record on a student's transcript that the student answered at least 30 of 50 civics test questions correctly.

B. 1- "Civics test questions" means 50 of the 100 questions that, as of January 1, 2015, United States Citizenship and Immigration Services officers use to select the questions they pose to applicants for naturalization so the applicants can demonstrate their knowledge and understanding of the fundamentals of United States history and government, as required by federal law. The Learning Law and Democracy Foundation, in consultation with Minnesota civics teachers, must select by July 1 each year 50 of the 100 questions under this paragraph to serve as the state's civics test questions for the proximate school year and immediately transmit the 50 selected civics test questions to MDE and to the Legislative Coordinating Commission, which must post the 50 questions it receives on the Minnesota's Legacy website by August 1 of that year.



- ~~2C.~~ The school district may exempt a student with disabilities from this requirement if the student’s IEP team determines the requirement is inappropriate and establishes an alternative requirement.
- ~~3D.~~ The school district may administer the civics test questions in a language other than English to students who qualify for English learner services.
- ~~4E.~~ The school district may administer civics test questions as part of the social studies curriculum.
- ~~5F.~~ The school district must not prevent a student from graduating or deny a student a high school diploma for failing to correctly answer at least 30 of 50 civics test questions.
- ~~6G.~~ The school district cannot charge a fee related to this requirement.

Legal References:

- Minn. Stat. § 120A.22 (Compulsory Instruction)
- Minn. Stat. § 120B.20 (Parental Curriculum Review)
- Minn. Stat. § 120B.021 (Required Academic Standards)
- Minn. Stat. § 120B.022 (Elective Standards)
- Minn. Stat. § 120B.125 (Planning for Students’ Successful Transition to Postsecondary Education and Employment Personal Learning Plans)
- Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)
- Minn. Stat. § 120B.236 (Cardiopulmonary Resuscitation and Automatic External Defibrillator Instruction)

Cross References:

- MSBA/MASA Model Policy 603 (Curriculum Development)
- MSBA/MASA Model Policy 605 (Alternative Programs)



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Orig. 1995

708 TRANSPORTATION OF NONPUBLIC SCHOOL STUDENTS

[Note: The obligations stated in this policy are largely governed by statute. ~~Statutory references are included throughout the policy.~~ A school district may choose to add obligations to the model policy.]

I. PURPOSE

The purpose of this policy is to address transportation rights of nonpublic school students and to provide equality of treatment in transporting such students pursuant to law.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is to recognize the rights of nonpublic school students and to provide equal transportation to those students as required by law.

III. ELIGIBILITY

- A. The school district shall provide equal transportation within the ~~school~~ district for all students to any school when transportation is deemed necessary by the school district because of distance or traffic conditions in like manner and form as provided in ~~Minn. Stat. § Minnesota Statutes sections 123B.88 and §-123B.92~~ when applicable. ~~{Minn. Stat. § 123B.86, Subd. 1}~~
- B. Upon the request of a parent or guardian, the school district ~~shall~~ **must** provide school bus transportation to the school district boundary for students residing in the school district at least the same distance from a nonpublic school actually attended in another school district as public school students are transported in the transporting school district. Such transportation ~~shall~~ **must** be provided whether ~~there is~~ or ~~is not~~ **there is** another nonpublic school within the transporting school district, if the transportation is to schools maintaining grades or departments not maintained in the school district or if the attendance of such students at school can more safely, economically, or conveniently be provided for by such means. ~~{Minn. Stat. § 123B.86, Subd. 2(a)}~~
- C. The school district may provide school bus transportation to a nonpublic school in another school district for students residing in the school district and attending that school, whether there is or is not another nonpublic school within the transporting school district, if the transportation is to schools maintaining grades or departments not maintained in the school district or if the attendance of such students at school can more safely, economically, or conveniently be provided for by such means. If the school district transports students to a nonpublic school located in another school district, the nonpublic school shall pay the cost of such transportation provided outside the school district boundaries. ~~{Minn. Stat. § 123B.86, Subd. 2(b)}~~



- D. The school district ~~shall~~must provide the necessary transportation within school district boundaries between the nonpublic school and a public school or neutral site for nonpublic school students who are provided pupil support services, if the school district elects to provide pupil support services at a site other than a nonpublic school. ~~(Minn. Stat. § 123B.44, Subd. 1)~~
- E. When transportation is provided, the scheduling of routes, manner and method of transportation, control and discipline of students and any other matter relating thereto shall be within the sole discretion, control and management of the school district. A nonpublic or charter school student transported by the school district shall comply with school district student bus conduct and student bus discipline policies. ~~(Minn. Stat. § 123B.86, Subd. 3; Minn. Stat. § 123B.91, Subd. 1a)~~
- F. Additional transportation to and from a nonpublic school may be provided at the expense of the school district ~~where~~when such services are provided in the discretion of the school district.

IV. STUDENTS WITH DISABILITIES

- A. If a resident student with a disability attends a nonpublic school located within the school district, the school district ~~shall~~must provide necessary transportation for the student within the school district between the nonpublic school and the educational facility where special instruction and services are provided on a shared-time basis. If a resident student with a disability attends a nonpublic school located in another school district and if no agreement exists for the provision of special instruction and services on a shared time basis to that student by the school district of attendance and where the special instruction and services are provided within the school district, the school district shall provide necessary transportation for that student between the school district boundary and the educational facility. The school district may provide necessary transportation for that student between its boundary and the nonpublic school attended, but the nonpublic school shall pay the cost of transportation provided outside the school district boundary. School districts may make agreements for who provides transportation. Parties serving students on a shared time basis have access to a due process hearing system as provided by law. ~~(Minn. Stat. § 125A.18)~~
- B. When the disabling conditions of a student with a disability are such that the student cannot be safely transported on the regular school bus and/or school bus route and/or when the student is transported on a special route for the purpose of attending an approved special education program, the student shall be entitled to special transportation at the expense of the school district or the day training and habilitation program attended by the student. The school district shall determine the type of vehicle used to transport students with a disability on the basis of the disabling conditions and applicable laws. This section shall not be applicable to parents who transport their own child under a contract with the school district. ~~(Minn. Stat. § 123B.88, Subd. 19, Minn. Rules Part 7470.1600, Subd. 1)~~
- C. ~~Each driver and aide assigned to a vehicle transporting students with a disability must~~ (1) be instructed in basic first aid and procedures for the students under their care:



(2) within one month after the effective date of assignment, participate in a program of in-service training on the proper methods of dealing with the specific needs and problems of students with disabilities; (3) assist students with disabilities on and off the bus when necessary for their safe ingress and egress from the bus; and (4) ensure that proper safety devices are in use and fastened properly.

D. Each driver and aide assigned to a vehicle transporting students with a disability shall have available to them the following information in hard copy or immediately accessible through a two-way communication system: (1) the student's name and address; (2) the nature of the student's disabilities; (3) emergency health care information; and (4) the names and telephone numbers of the student's physician, parents, guardians, or custodians, and some person other than the student's parents or custodians who can be contacted in case of an emergency.

~~Each driver and aide assigned to a vehicle transporting students with a disability will be provided with appropriate training for the students in their care, will assist students with their safe ingress and egress from the bus, will ensure the proper use of protective safety devices, and will be provided with access to emergency health care information as required by law. (Minn. Rules Part 7470.1700)~~

~~DE. Any parent of a student with a disability who believes that the transportation services provided for that child are not in compliance with the applicable law may utilize the alternative dispute resolution and due process procedures provided for in Minn. Stat. Ch. Minnesota Statutes chapter 125A. (Minn. Rules Part 7470.1600, Subd. 2)~~

V. APPLICATION OF GENERAL POLICY

The provisions of the school district's policy on transportation of public school students [Policy 707] shall apply to the transportation of nonpublic school students except as specifically provided herein.

Legal References:

- Minn. Stat. § 123B.44 (Provision of Pupil Support Services)
- Minn. Stat. § 123B.84 (Policy)
- Minn. Stat. § 123B.86 (Equal Treatment)
- Minn. Stat. § 123B.88 (Independent School Districts, Transportation)
- Minn. Stat. § 123B.91, Subd. 1a (School District Bus Safety Requirements)~~Compliance by Nonpublic and Charter School Students~~)
- Minn. Stat. § 123B.92 (Transportation Aid Entitlement)
- Minn. Stat. Ch. 125A (Special Education and Special Programs)~~Children With a Disability~~)
- Minn. Stat. § 125A.18 (Special Instruction; Nonpublic Schools)
- Minn. Rules Part 7470.1600 (Transporting Pupils with Disability)
- Minn. Rules Part 7470.1700 (Drivers and Aides for Pupils with Disabilities)~~Disability~~)
- Americans United, Inc. as Protestants and Other Am. United for Separation of Church and State, et al. v. Independent Sch. Dist. No. 622, et al.*, 288 Minn. 1996, 179 N.W.2d 146 (Minn. 1970)



Eldredge v. Independent Sch. Dist. No. 625, 422 N.W.2d 319 (Minn. App. 1988)
Healy v. Independent Sch. Dist. No. 625, 962 F.2d 1304 (8th Cir. 1992)
Minn. Op. Atty. Gen. 166a-7 (June 3, 1983)
Minn. Op. Atty. Gen. 166a-7 (Sept. 14, 1981)
Minn. Op. Atty. Gen. 166a-7 (July 15, 1976)
Minn. Op. Atty. Gen. 166a-7 (July 17, 1970)
Minn. Op. Atty. Gen. 166a-7 (Oct. 3, 1969)
Minn. Op. Atty. Gen. 166a-7 (Sept. 12, 1969)

Cross References: MSBA/MASA Model Policy 707 (Transportation of Public School Students)
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
~~MSBA Service Manual, Chapter 2, Transportation~~



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Orig. 1995

709R STUDENT TRANSPORTATION SAFETY POLICY

I. PURPOSE

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

II. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING

A. School Bus Safety Week

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

B. Student Training

1. The school district shall provide students enrolled in grades kindergarten (K) through 10 with age-appropriate school bus safety training of the following concepts:
 - a. transportation by school bus is a privilege, not a right;
 - b. school district policies for student conduct and school bus safety;
 - c. appropriate conduct while on the bus;
 - d. the danger zones surrounding a school bus;
 - e. procedures for safely boarding and leaving a school bus;
 - f. procedures for safe vehicle lane crossing; and
 - g. school bus evacuation and other emergency procedures.

2. All students in grades K through 6 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training by the end of the third week of school. All students in grades 7 through 10 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training or receive bus safety instruction materials by the end of the sixth week of school, if they have not previously received school bus training. Students in grades K through 10 who enroll in a school after the second week of school, are transported by school bus, and have not received training in their previous school districts shall undergo school bus safety training or receive bus safety instructional materials



within four weeks of their first day of attendance.

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

III. CONDUCT ON SCHOOL BUSES AND CONSEQUENCES FOR MISBEHAVIOR

- A. Riding the school bus is a privilege, not a right. The school district's general student behavior rules are in effect for all students on school buses; including nonpublic and charter school students.
- B. Consequences for school bus/bus stop misconduct will be imposed by the school district under adopted administrative discipline procedures. In addition, all school bus/bus stop misconduct will be reported to the school district's transportation safety director. Serious misconduct may be reported to local law enforcement.
 1. School Bus and Bus Stop Rules. The school district school bus safety rules are to be posted on every bus. If these rules are broken, the school district's discipline



procedures are to be followed. In most circumstances, consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the school district's Transportation Office/School Office.

2. Rules at the Bus Stop

- a. Get to your bus stop five minutes before your scheduled pick up time. The school bus driver will not wait for late students.
- b. Respect the property of others while waiting at your bus stop.
- c. Keep your arms, legs, and belongings to yourself.
- d. Use appropriate language.
- e. Stay away from the street, road, or highway when waiting for the bus.
- f. Wait until the bus stops before approaching the bus.
- g. After getting off the bus, move away from the bus.
- h. If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
- i. No fighting, harassment, intimidation, or horseplay.
- j. No use of alcohol, tobacco, or drugs.

3. Rules on the Bus

- a. Immediately follow the directions of the driver.
- b. Sit in your seat facing forward.
- c. Talk quietly and use appropriate language.
- d. Keep all parts of your body inside the bus.
- e. Keep your arms, legs, and belongings to yourself.
- f. No fighting, harassment, intimidation, or horseplay.
- g. Do not throw any object.
- h. No eating, drinking, or use of alcohol, tobacco, or drugs.
- i. Do not bring any weapons or dangerous objects on the school bus.



- j. Do not damage the school bus.

4. Consequences

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

a. *For Students in Grades K-8*

1st Violation – A phone call will be given to parents from Transportation Department

2nd Violation - A Conduct Report will be sent to the appropriate school, and referred to Stop and Think Room.

3rd Violation – The student meets with the Principal/Counselor with a possible one (1) to three (3) day suspension of bus privileges at administrations discretion.

4th Violation – The student may be suspended from three (3) to ten (10) days of riding privileges from the bus.

5th Violation – The student is suspended from riding privileges from the bus for a time determined by the administrator.

Conduct reports that include physical fighting, Bullying, Sexual/Racial Harassment, Weapons, Theft, Vandalism and Threats will be sent directly to school administration.

Consequences may be increased at principal's discretion.

b. *For Students in Grades 9-12*

1st Violation – A phone call will be given to parents from Transportation Department.

2nd Violation – The student will meet with Dean of Students.

3rd Violation – The student meets with the Principal/Counselor with a possible one (1) to three (3) day suspension of bus privileges at administrations discretion.

4th Violation – The student may be suspended from three (3) to ten (10) days of riding privileges from the bus.

5th Violation – The student is suspended from riding privileges from the bus for a time determined by the administrator.

Conduct reports that include physical fighting, Bullying, Sexual/Racial Harassment, Weapons, Theft, Vandalism and Threats will be sent directly to school administration.

Consequences may be increased at principal's discretion.



c. Other Discipline

Based on the severity of a student's conduct, more serious consequences may be imposed at any time. Depending on the nature of the offense, consequences such as suspension or expulsion from school also may result from school bus/bus stop misconduct.

d. Records

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

e. Vandalism/Bus Damage

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

f. Notice

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

g. Criminal Conduct

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

IV. PARENT AND GUARDIAN INVOLVEMENT

A. Parent and Guardian Notification

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

B. Parents/Guardians Responsibilities for Transportation Safety

Parents/Guardians are responsible to:



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

V. SCHOOL BUS DRIVER DUTIES AND RESPONSIBILITIES

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



- 7. driving a commercial vehicle without the proper class of commercial driver's license and/or endorsements for the specific vehicle group being operated or for the passengers or type of cargo being transported;
- 8. a violation of a state or local law prohibiting texting while driving a commercial vehicle; and
- 9. a violation of a state or local law prohibiting the use of a hand-held mobile telephone while driving a commercial vehicle.

- D. A school bus driver, with the exception of a driver operating a type A-1 school bus or type III vehicle, who has a commercial driver's license and who is convicted of violating, in any type of motor vehicle, a Minnesota state or local law relating to motor vehicle traffic control, other than a parking violation, shall notify the person's employer of the conviction within 30 days of conviction. The notification shall be in writing and shall contain all the information set forth in Attachment A accompanying this policy.
- E. A school bus driver, with the exception of a driver operating a type A-1 school bus, who has a Minnesota commercial driver's license suspended, revoked, or cancelled by the state of Minnesota or any other state or jurisdiction and who loses the right to operate a commercial vehicle for any period or who is disqualified from operating a commercial motor vehicle for any period shall notify the person's employer of the suspension, revocation, cancellation, lost privilege, or disqualification. Such notification shall be made before the end of the business day following the day the employee received notice of the suspension, revocation, cancellation, lost privilege, or disqualification. The notification shall be in writing and shall contain all the information set forth in Attachment B accompanying this policy.
- F. A person who operates a type III vehicle and who sustains a conviction as described in Section VII.C.1.g. (*i.e.*, driving while impaired offenses), VII.C.1.h. (*i.e.*, felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor), or VII.C.1.i. (multiple moving violations) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the person's employer within ten days of the date of the conviction. The notification shall be in writing and shall contain all the information set forth in Attachment C accompanying this policy. .

VI. SCHOOL BUS DRIVER TRAINING

A. Training

- 1. All new school bus drivers shall be provided with pre-service training, including in-vehicle (actual driving) instruction, before transporting students and shall meet the competency testing specified in the Minnesota Department of Public Safety Model School Bus Driver Training Manual. All school bus drivers shall receive in-service training annually. For purposes of this section, "annually" means at least once every 380 days from the initial or previous evaluation and



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

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

B. Evaluation

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

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

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

VII. **OPERATING RULES AND PROCEDURES**

A. General Operating Rules

1. School buses shall be operated in accordance with state traffic and school bus safety laws and the procedures contained in the Minnesota Department of Public Safety Model School Bus Driver Training Manual.
2. Only students assigned to the school bus by the school district shall be transported. The number of students or other authorized passengers transported in a school bus shall not be more than the legal capacity for the bus. No person shall be allowed to stand when the bus is in motion.
3. The parent/guardian may designate, pursuant to school district policy, a day care facility, respite care facility, the residence of a relative, or the residence of



a person chosen by the parent or guardian as the address of the student for transportation purposes. The address must be in the attendance area of the assigned school and meet all other eligibility requirements.

4. Bus drivers must minimize, to the extent practical, the idling of school bus engines and exposure of children to diesel exhaust fumes.
5. To the extent practical, the school district will designate school bus loading/unloading zones at a sufficient distance from school air-intake systems to avoid diesel fumes from being drawn into the systems.
6. A bus driver may not operate a school bus while communicating over, or otherwise operating, a cellular phone for personal reasons, whether hand-held or hands free, when the vehicle is in motion or a part of traffic. For purposes of this paragraph, "school bus" has the meaning given in [Minnesota Statutes section-Stat§ 169.011, Ssubdivision- 71](#). In addition, "school bus" also includes type III vehicles when driven by employees or agents of the school district. "Cellular phone" means a cellular, analog, wireless, or digital telephone capable of sending or receiving telephone or text messages without an access line for service.

B. Type III Vehicles

1. Type III vehicles are restricted to passenger cars, station wagons, vans, and buses having a maximum manufacturer's rated seating capacity of 10 or fewer people including the driver and a gross vehicle weight rating of 10,000 pounds or less. A van or bus converted to a seating capacity of 10 or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.
2. Type III vehicles must be painted a color other than national school bus yellow.
3. Type III vehicles shall be state inspected in accordance with legal requirements.
4. A type III vehicle cannot be older than 12 years old unless excepted by state and federal law.
5. If a type III vehicle is school district owned, the school district name will be clearly marked on the side of the vehicle. The type III vehicle must not have the words "school bus" in any location on the exterior of the vehicle or in any interior location visible to a motorist.
6. A "type III vehicle" must not be outwardly equipped and identified as a type A, B, C, or D bus.
7. Eight-lamp warning systems and stop arms must not be installed or used on type III vehicles.
8. Type III vehicles must be equipped with mirrors as required by law.



9. Any type III vehicle may not stop traffic and may not load or unload before making a complete stop and disengaging gears by shifting into neutral or park. Any type III vehicle used to transport students must not load or unload so that a student has to cross the road, except where not possible or impractical, then the driver or assistant must escort a student across the road. If the driver escorts the student across the road, then the motor must be stopped, the ignition key removed, the brakes set, and the vehicle otherwise rendered immobile.
10. Any type III vehicle used to transport students must carry emergency equipment including:
 - a. Fire extinguisher. A minimum of one 10BC rated dry chemical type fire extinguisher is required. The extinguisher must be mounted in a bracket, and must be located in the driver's compartment and be readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.
 - b. First aid kit and body fluids cleanup kit. A minimum of a ten-unit first aid kit and a body fluids cleanup kit is required. They must be contained in removable, moisture- and dust-proof containers mounted in an accessible place within the driver's compartment and must be marked to indicate their identity and location.
 - c. Passenger cars and station wagons may carry a fire extinguisher, a first aid kit, and warning triangles in the trunk or trunk area of the vehicle if a label in the driver and front passenger area clearly indicates the location of these items.
11. Students will not be regularly transported in private vehicles that are not state inspected as type III vehicles. Only emergency, unscheduled transportation may be conducted in vehicles with a seating capacity of 10 or fewer without meeting the requirements for a type III vehicle. Also, parents may use a private vehicle to transport their own children under a contract with the district. The school district has no system of inspection for private vehicles.
12. All drivers of type III vehicles will be licensed drivers and will be familiar with the use of required emergency equipment. The school district will not knowingly allow a person to operate a type III vehicle if the person has been convicted of an offense that disqualifies the person from operating a school bus.
13. Type III vehicles will be equipped with child passenger restraints, and child passenger restraints will be utilized to the extent required by law.

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



1. The holder of a Class A, B, C, or D driver's license, without a school bus endorsement, may operate a type III vehicle, described above, under the following conditions:
 - a. The operator is an employee of the entity that owns, leases, or contracts for the school bus, which may include the school district.
 - b. The operator's employer, which may include the school district, has adopted and implemented a policy that provides for annual training and certification of the operator in:
 - (1) safe operation of a type III vehicle;
 - (2) understanding student behavior, including issues relating to students with disabilities;
 - (3) encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately;
 - (4) knowing and understanding relevant laws, rules of the road, and local school bus safety policies;
 - (5) handling emergency situations;
 - (6) proper use of seat belts and child safety restraints;
 - (7) performance of pretrip vehicle inspections; and
 - (8) safe loading and unloading of students, including, but not limited to:
 - (a) utilizing a safe location for loading and unloading students at the curb, on the nontraffic side of the roadway, or at off-street loading areas, driveways, yards, and other areas to enable the student to avoid hazardous conditions;
 - (b) refraining from loading and unloading students in a vehicular traffic lane, on the shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane;
 - (c) avoiding a loading or unloading location that would require a student to cross a road, or ensuring that the driver or an aide personally escort the student across the road if it is not reasonably feasible to avoid such a location; and
 - (d) placing the type III vehicle in "park" during loading and unloading;



- (e) escorting a student across the road under clause (c) only after the motor is stopped, the ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile; and
- (9) compliance with paragraph V.F. concerning reporting convictions to the employer within ten days of the date of conviction.
- c. A background check or background investigation of the operator has been conducted that meets the requirements under ~~Minnesota- Statutes section-§ 122A.18, §subdivision- 8, or Minnesota- Statutes section-§ 123B.03~~ for school district employees; ~~Minnesota- Statutes section-§ 144.057~~ or ~~Minnesota- Statutes- Chapter- 245C~~ for day care employees; or ~~Minnesota- Statute section-§ 171.321, §subdivision- 3,~~ for all other persons operating a type A or type III vehicle under this section.
- d. Operators shall submit to a physical examination as required by ~~Minnesota- Statutes section-§ 171.321, §subdivision. 2.~~
- e. The operator's employer requires preemployment drug testing of applicants for operator positions. Current operators must comply with the employer's policy under ~~Minnesota- Statutes section-§ 181.951, §subdivisions- 2, 4, and 5.~~ Notwithstanding any law to the contrary, the operator's employer may use a breathalyzer or similar device to fulfill random alcohol testing requirements.
- f. The operator's driver's license is verified annually by the entity that owns, leases, or contracts for the type III vehicle as required by ~~Minnesota- Statutes section-§ 171.321, §subdivision- 5 .~~
- g. A person who sustains a conviction, as defined under ~~Minnesota- Statutes section-§ 609.02,~~ of violating ~~Minnesota- Statutes sections-§ 169A.25, §-169A.26, §-169A.27~~ (driving while impaired offenses), or § 169A.31 (alcohol-related school bus driver offenses), or whose driver's license is revoked under ~~Minnesota- Statutes sections- §§-169A.50 to 169A.53~~ of the implied consent law, or who is convicted of violating or whose driver's license is under a similar statute or ordinance of another state, is precluded from operating a type III vehicle for five years from the date of conviction.
- h. A person who has ever been convicted of a disqualifying offense as defined in ~~Minnesota- Statutes section-§ 171.3215, §subdivision.1(c),~~ (*i.e.*, felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor) may not operate a type III vehicle.



- i. A person who sustains a conviction, as defined under Minnesota- Statutes section-§ 609.02, of a moving offense in violation of Minnesota- Statutes- Chapter- 169 within three years of the first of three other moving offenses is precluded from operating a type III vehicle for one year from the date of the last conviction.
 - j. Students riding the type III vehicle must have training required under Minnesota- Statutes section-§ 123B.90, §subdivision- 2 (See Section II.B., above).
 - k. Documentation of meeting the requirements listed in this section must be maintained under separate file at the business location for each type III vehicle operator. The school district or any other entity that owns, leases, or contracts for the type III vehicle operating under this section is responsible for maintaining these files for inspection.
2. The type III vehicle must bear a current certificate of inspection issued under Minnesota- Statutes section-§ 169.451.
 3. An employee of the school district who is not employed for the sole purpose of operating a type III vehicle may, in the discretion of the school district, be exempt from paragraphs VII.C.1.d. (physical examination) and VII.C.1.e. (drug testing), above.

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

1. The holder of a Class D driver’s license, without a school bus endorsement, may operate a type A-I school bus or a Multifunctional School Activity Bus (MFSAB) under the following conditions:
 - a. The operator is an employee of the school district or an independent contractor with whom the school district contracts for the school bus and is not solely hired to provide transportation services under this paragraph.
 - b. The operator drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.
 - c. The operator is prohibited from using the eight-light system if the vehicle is so equipped.
 - d. The operator has submitted to a background check and physical examination as required by Minnesota- Statutes section-§ 171.321, §subdivision- 2.
 - e. The operator has a valid driver’s license and has not sustained a conviction of a disqualifying offense as set forth in Minnesota- Statutes



~~section-§~~171.02, ~~Subdivisions-~~ 2a(h) - 2a(j).

- f. The operator has been trained in the proper use of child safety restraints as set forth in the National Highway Traffic Safety Administration's "Guideline for the Safe Transportation of Pre-school Age Children in School Buses," if child safety restraints are used by passengers, in addition to the training required in Section VI., above.
- g. The bus has a gross vehicle weight rating of 14,500 pounds or less and is designed to transport 15 or fewer passengers, including the driver.
2. The school district shall maintain annual certification of the requirements listed in this section for each Class D license operator.
3. A school bus operated under this section must bear a current certificate of inspection.
4. The word "School" on the front and rear of the bus must be covered by a sign that reads "Activities" when the bus is being operated under authority of this section.

VIII. SCHOOL DISTRICT EMERGENCY PROCEDURES

- A. If possible, school bus drivers or their supervisors shall call "911" or the local emergency phone number in the event of a serious emergency.
- B. School bus drivers shall meet the emergency training requirements contained in Unit III "Crash & Emergency Preparedness" of the Minnesota Department of Public Safety Model School Bus Driver Training Manual. This includes procedures in the event of a crash (accident).
- C. School bus drivers and bus assistants for special education students requiring special transportation service because of their handicapping condition shall be trained in basic first aid procedures, shall within one month after the effective date of assignment participate in a program of in-service training on the proper methods for dealing with the specific needs and problems of students with disabilities, assist students with disabilities on and off the bus when necessary for their safe ingress and egress from the bus; and ensure that protective safety devices are in use and fastened properly.
- D. Emergency Health Information shall be maintained on the school bus for students requiring special transportation service because of their handicapping condition. The information shall state:
 1. the student's name and address;
 2. the nature of the student's disabilities;



3. emergency health care information; and
4. the names and telephone numbers of the student's physician, parents, guardians, or custodians, and some person other than the student's parents or custodians who can be contacted in case of an emergency.

IX. SCHOOL DISTRICT VEHICLE MAINTENANCE STANDARDS

- A. All school vehicles shall be maintained in safe operating conditions through a systematic preventive maintenance and inspection program adopted or approved by the school district.
- B. All school vehicles shall be state inspected in accordance with legal requirements.
- C. A copy of the current daily pre-trip inspection report must be carried in the bus. Daily pre-trip inspections shall be maintained on file in accordance with the school district's record retention schedule. Prompt reports of defects to be immediately corrected will be submitted.
- D. Daily post-trip inspections shall be performed to check for any children or lost items remaining on the bus and for vandalism.

X. SCHOOL TRANSPORTATION SAFETY DIRECTOR

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

XI. STUDENT TRANSPORTATION SAFETY COMMITTEE

The school board may establish a student transportation safety committee. The chair of the student transportation safety committee is the school district's school transportation safety director. The school board shall appoint the other members of the student transportation safety committee. Membership may include parents, school bus drivers, representatives of



school bus companies, local law enforcement officials, other school district staff, and representatives from other units of local government.

- Legal References:**
- Minn. Stat. § 122A.18, Subd. 8 (Board to Issue Licenses)
 - Minn. Stat. § 123B.03 (Background Check)
 - Minn. Stat. § 123B.42 (Textbooks; Individual Instruction~~ioner~~ or Cooperative Learning Material; Standard Tests)
 - Minn. Stat. § 123B.88 (Independent School Districts; Transportation)
 - Minn. Stat. § 123B.885 (Diesel School Buses; Operation of Engine; Parking)
 - Minn. Stat. § 123B.90 (School Bus Safety Training)
 - Minn. Stat. § 123B.91 (School District Bus Safety Responsibilities)
 - Minn. Stat. § 144.057 (Background Studies on Licensees and Other Personnel)
 - Minn. Stat. Ch. 169 (Traffic Regulations)
 - Minn. Stat. § 169.011, Subds. 15, 16 and 71 (Definitions)
 - Minn. Stat. § 169.02 (Scope)
 - Minn. Stat. § 169.443 (Safety of School Children; Bus Driver's Duties)
 - Minn. Stat. § 169.446, Subds. 2 ([Safety of School Children; Training and Education Rules](#)~~Driver Training Programs~~)
 - Minn. Stat. § 169.451 (Inspecting School and Head Start Buses; Rules; Misdemeanor)
 - Minn. Stat. § 169.454 (Type III Vehicle Standards)
 - Minn. Stat. § 169.4582 (Reportable Offense on School Buses)
 - Minn. Stat. §§ 169A.25-169A.27 (Driving While Impaired)
 - Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)
 - Minn. Stat. §§ 169A.50-169A.53 (Implied Consent Law)
 - Minn. Stat. § 171.02, Subds. 2, 2a, and 2b (Licenses; Types, Endorsements, Restrictions)
 - Minn. Stat. § 171.168 ([Notice of Violation by Commercial Driver](#)~~Notification of Conviction for Violation by a Commercial Driver~~)
 - Minn. Stat. § 171.169 (Notification of Suspension of License of Commercial Driver)
 - Minn. Stat. § 171.321 (Qualifications of School Bus Driver)
 - Minn. Stat. § 171.3215, Subd. 1(c) (Canceling Bus Endorsement for Certain Offenses)
 - Minn. Stat. §181.951 (Authorized Drug and Alcohol Testing)
 - Minn. Stat. Ch. 245C (Human Services Background Studies)
 - Minn. Stat. § 609.02 (Definitions)
 - Minn. Rules Parts 7470.1000-7470.1700 (School Bus Inspection)
 - 49 C.F.R. § 383.31 (Notification of Convictions for Driver Violations)
 - 49 C.F.R. § 383.33 (Notification of Driver's License Suspensions)
 - 49 C.F.R. § 383.5 (Transportation Definitions)

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



MSBA/MASA Model Policy 710 (Extracurricular Transportation)



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721 UNIFORM GRANT GUIDANCE POLICY REGARDING FEDERAL REVENUE SOURCES

[Note: School districts are required by the federal Uniform Grant Guidance regulations, 2 ~~C.F.R.~~ Code of Federal Regulations Part 200, to have the policies which establish uniform administrative requirements, cost principles, and audit requirements for federal awards to non-federal entities including school districts. In June 2018, the United States Office of Management and Budget increased the threshold dollar amounts for both simplified acquisition costs (\$250,000) and micro-purchases (\$10,000).]

I. PURPOSE

The purpose of this policy is to ensure compliance with the requirements of the federal Uniform Grant Guidance regulations by establishing uniform administrative requirements, cost principles, and audit requirements for federal grant awards received by the school district.

II. DEFINITIONS

A. Grants

1. "State-administered grants" are those grants that pass through a state agency such as the Minnesota Department of Education (MDE).
2. "Direct grants" are those grants that do not pass through another agency such as MDE and are awarded directly by the federal awarding agency to the grantee organization. These grants are usually discretionary grants that are awarded by the U.S. Department of Education (DOE) or by another federal awarding agency.

[Note: All of the requirements outlined in this policy apply to both direct grants and state-administered grants.]

- B. "Non-federal entity" means a state, local government, Indian tribe, institution of higher education, or nonprofit organization that carries out a federal award as a recipient or subrecipient.
- C. "Federal award" has the meaning, depending on the context, in either paragraph 1. or 2. of this definition:
 1. a. The federal financial assistance that a non-federal entity receives directly from a federal awarding agency or indirectly from a pass-through entity, as described in 2 Code of Federal Regulations section ~~C.F.R.~~ §-200.101 (Applicability); or
 - b. The cost-reimbursement contract under the federal Acquisition



Regulations that a non-federal entity receives directly from a federal awarding agency or indirectly from a pass-through entity, as described in 2 [Code of Federal Regulations section C.F.R. § 200.101](#) (Applicability).

2. The instrument setting forth the terms and conditions. The instrument is the grant agreement, cooperative agreement, other agreement for assistance covered in paragraph (b) of 2 [Code of Federal Regulations section C.F.R. § 200.40](#) (Federal Financial Assistance), or the cost-reimbursement contract awarded under the federal Acquisition Regulations.
 3. “Federal award” does not include other contracts that a federal agency uses to buy goods or services from a contractor or a contract to operate federal-government-owned, contractor-operated facilities.
- D. “Contract” means a legal instrument by which a non-federal entity purchases property or services needed to carry out the project or program under a federal award. The term, as used in 2 [Code of Federal Regulations section C.F.R. Part 200](#), does not include a legal instrument, even if the non-federal entity considers it a contract, when the substance of the transaction meets the definition of a federal award or subaward.
- E. Procurement Methods
1. “Procurement by micro-purchase” is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (generally \$10,000, except as otherwise discussed in 48 [Code of Federal Regulations C.F.R. Subpart 2.1](#) or as periodically adjusted for inflation).
 2. “Procurement by small purchase procedures” are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than \$250,000 (periodically adjusted for inflation).
 3. “Procurement by sealed bids (formal advertising)” is a publicly solicited and a firm, fixed-price contract (lump sum or unit price) awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price.
 4. “Procurement by competitive proposals” is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. Competitive proposals are generally used when conditions are not appropriate for the use of sealed bids.
 5. “Procurement by noncompetitive proposals” is procurement through solicitation of a proposal from only one source.



- F. "Equipment" means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or \$5,000.
- G. "Compensation for personal services" includes all remuneration, paid currently or accrued, for services of employees rendered during the period of performance under the federal award, including, but not necessarily limited to, wages and salaries. Compensation for personal services may also include fringe benefits which are addressed in 2 [Code of Federal Regulations section C.F.R. § 200.431](#) (Compensation - Fringe Benefits).
- H. "Post-retirement health plans" refer to costs of health insurance or health services not included in a pension plan covered by 2 [Code of Federal Regulations section C.F.R. § 200.431\(g\)](#) for retirees and their spouses, dependents, and survivors.
- I. "Severance pay" is a payment in addition to regular salaries and wages by the non-federal entities to workers whose employment is being terminated.
- J. "Direct costs" are those costs that can be identified specifically with a particular final cost objective, such as a federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.
- K. "Relocation costs" are costs incident to the permanent change of duty assignment (for an indefinite period or for a stated period not less than 12 months) of an existing employee or upon recruitment of a new employee.
- L. "Travel costs" are the expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of the school district.

III. CONFLICT OF INTEREST

- A. Employee Conflict of Interest. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The employees, officers, and agents of the school district may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, the school district may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by employees, officers, or agents of the school district.
- B. Organizational Conflicts of Interest. The school district is unable or appears to be unable to be impartial in conducting a procurement action involving the related organization because



of relationships with a parent company, affiliate, or subsidiary organization.

- C. Disclosing Conflicts of Interest. The school district must disclose in writing any potential conflict of interest to MDE in accordance with applicable federal awarding agency policy.

IV. ACCEPTABLE METHODS OF PROCUREMENT

- A. General Procurement Standards. The school district must use its own documented procurement procedures which reflect applicable state laws, provided that the procurements conform to the applicable federal law and the standards identified in the Uniform Grant Guidance.
- B. The school district must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
- C. The school district's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach.
- D. The school district must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.
- E. The school district must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement; selection of the contract type; contractor selection or rejection; and the basis for the contract price.
- F. The school district alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the school district of any contractual responsibilities under its contracts.
- G. The school district must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
- H. Methods of Procurement. The school district must use one of the following methods of procurement:
 - 1. Procurement by micro-purchases. To the extent practicable, the school district must distribute micro-purchases equitably among qualified suppliers. Micro-



purchases may be awarded without soliciting competitive quotations if the school district considers the price to be reasonable.

2. Procurement by small purchase procedures. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.
3. Procurement by sealed bids (formal advertising).
4. Procurement by competitive proposals. If this method is used, the following requirements apply:
 - a. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
 - b. Proposals must be solicited from an adequate number of qualified sources;
 - c. The school district must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;
 - d. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
 - e. The school district may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method where price is not used as a selection factor can only be used in procurement of A/E professional services; it cannot be used to purchase other types of services, though A/E firms are a potential source to perform the proposed effort.
5. Procurement by noncompetitive proposals. Procurement by noncompetitive proposals may be used only when one or more of the following circumstances apply:
 - a. The item is available only from a single source;
 - b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;



- c. The DOE or MDE expressly authorizes noncompetitive proposals in response to a written request from the school district; or
 - d. After solicitation of a number of sources, competition is determined inadequate.
- I. Competition. The school district must have written procedures for procurement transactions. These procedures must ensure that all solicitations:
- 1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When making a clear and accurate description of the technical requirements is impractical or uneconomical, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and
 - 2. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.
- J. The school district must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the school district must not preclude potential bidders from qualifying during the solicitation period.
- K. Non-federal entities are prohibited from contracting with or making subawards under “covered transactions” to parties that are suspended or debarred or whose principals are suspended or debarred. “Covered transactions” include procurement contracts for goods and services awarded under a grant or cooperative agreement that are expected to equal or exceed \$25,000.
- L. All nonprocurement transactions entered into by a recipient (i.e., subawards to subrecipients), irrespective of award amount, are considered covered transactions, unless they are exempt as provided in 2 [Code of Federal Regulations section C.F.R. §-180.215](#).

V. MANAGING EQUIPMENT AND SAFEGUARDING ASSETS

- A. Property Standards. The school district must, at a minimum, provide the equivalent insurance coverage for real property and equipment acquired or improved with federal funds as provided to property owned by the non-federal entity. Federally owned property need not be insured unless required by the terms and conditions of the federal award.



The school district must adhere to the requirements concerning real property, equipment, supplies, and intangible property set forth in 2 [Code of Federal Regulations sections C.F.R. §§ 200.311, 200.314, and 200.315](#).

B. Equipment

Management requirements. Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part under a federal award, until disposition takes place will, at a minimum, meet the following requirements:

1. Property records must be maintained that include a description of the property; a serial number or other identification number; the source of the funding for the property (including the federal award identification number (FAIN)); who holds title; the acquisition date; the cost of the property; the percentage of the federal participation in the project costs for the federal award under which the property was acquired; the location, use, and condition of the property; and any ultimate disposition data, including the date of disposition and sale price of the property.
2. A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.
3. A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated.
4. Adequate maintenance procedures must be developed to keep property in good condition.
5. If the school district is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

VI. FINANCIAL MANAGEMENT REQUIREMENTS

- A. Financial Management. The school district's financial management systems, including records documenting compliance with federal statutes, regulations, and the terms and conditions of the federal award, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the federal statutes, regulations, and the terms and conditions of the federal award.
- B. Payment. The school district must be paid in advance, provided it maintains or demonstrates the willingness to maintain both written procedures that minimize the time elapsing between the transfer of funds and disbursement between the school district and the financial management systems that meet the standards for fund control.



Advance payments to a school district must be limited to the minimum amounts needed and timed to be in accordance with the actual, immediate cash requirements of the school district in carrying out the purpose of the approved program or project. The timing and amount of advance payments must be as close as is administratively feasible to the actual disbursements by the non-federal entity for direct program or project costs and the proportionate share of any allowable indirect costs. The school district must make timely payment to contractors in accordance with the contract provisions.

- C. Internal Controls. The school district must establish and maintain effective internal control over the federal award that provides reasonable assurance that the school district is managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. These internal controls should be in compliance with guidance in "Standards for Internal Control in the Federal Government," issued by the Comptroller General of the United States, or the "Internal Control Integrated Framework," issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

The school district must comply with federal statutes, regulations, and the terms and conditions of the federal award.

The school district must also evaluate and monitor the school district's compliance with statutes, regulations, and the terms and conditions of the federal award.

The school district must also take prompt action when instances of noncompliance are identified, including noncompliance identified in audit findings.

The school district must take reasonable measures to safeguard protected personally identifiable information considered sensitive consistent with applicable federal and state laws regarding privacy and obligations of confidentiality.

VII. ALLOWABLE USE OF FUNDS AND COST PRINCIPLES

- A. Allowable Use of Funds. The school district administration and board will enforce appropriate procedures and penalties for program, compliance, and accounting staff responsible for the allocation of federal grant costs based on their allowability and their conformity with federal cost principles to determine the allowability of costs.
- B. Definitions
1. "Allowable cost" means a cost that complies with all legal requirements that apply to a particular federal education program, including statutes, regulations, guidance, applications, and approved grant awards.
 2. "Education Department General Administrative Regulations (EDGAR)" means a compilation of regulations that apply to federal education programs. These regulations contain important rules governing the administration of federal



education programs and include rules affecting the allowable use of federal funds (including rules regarding allowable costs, the period of availability of federal awards, documentation requirements, and grants management requirements). EDGAR can be accessed at:

<http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.html>.

3. "Omni Circular" or "2 Code of Federal Regulations C.F.R. Part 200s" or "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" means federal cost principles that provide standards for determining whether costs may be charged to federal grants.
4. "Advance payment" means a payment that a federal awarding agency or passthrough entity makes by any appropriate payment mechanism, including a predetermined payment schedule, before the non-federal entity disburses the funds for program purposes.

C. Allowable Costs. The following items are costs that may be allowable under the 2 Code of Federal Regulations C.F.R. Part 200s under specific conditions:

1. Advisory councils;
2. Audit costs and related services;
3. Bonding costs;
4. Communication costs;
5. Compensation for personal services;
6. Depreciation and use allowances;
7. Employee morale, health, and welfare costs;
8. Equipment and other capital expenditures;
9. Gains and losses on disposition of depreciable property and other capital assets and substantial relocation of federal programs;
10. Insurance and indemnification;
11. Maintenance, operations, and repairs;
12. Materials and supplies costs;
13. Meetings and conferences;
14. Memberships, subscriptions, and professional activity costs;



15. Security costs;
16. Professional service costs;
17. Proposal costs;
18. Publication and printing costs;
19. Rearrangement and alteration costs;
20. Rental costs of building and equipment;
21. Training costs; and
22. Travel costs.

D. Costs Forbidden by Federal Law. 2 Code of Federal RegulationsCFR Part 200s and EDGAR identify certain costs that may never be paid with federal funds. The following list provides examples of such costs. If a cost is on this list, it may not be supported with federal funds. The fact that a cost is not on this list does not mean it is necessarily permissible. Other important restrictions apply to federal funds, such as those items detailed in the 2 Code of Federal RegulationsCFR Part 200s; thus, the following list is not exhaustive:

1. Advertising and public relations costs (with limited exceptions), including promotional items and memorabilia, models, gifts, and souvenirs;
2. Alcoholic beverages;
3. Bad debts;
4. Contingency provisions (with limited exceptions);
5. Fundraising and investment management costs (with limited exceptions);
6. Donations;
7. Contributions;
8. Entertainment (amusement, diversion, and social activities and any associated costs);
9. Fines and penalties;
10. General government expenses (with limited exceptions pertaining to Indian tribal governments and Councils of Government (COGs));
11. Goods or services for personal use;



12. Interest, except interest specifically stated in 2 [Code of Federal Regulations section C.F.R.-§-200.441](#) as allowable;
13. Religious use;
14. The acquisition of real property (unless specifically permitted by programmatic statute or regulations, which is very rare in federal education programs);
15. Construction (unless specifically permitted by programmatic statute or regulations, which is very rare in federal education programs); and
16. Tuition charged or fees collected from students applied toward meeting matching, cost sharing, or maintenance of effort requirements of a program.

E. Program Allowability

1. Any cost paid with federal education funds must be permissible under the federal program that would support the cost.
2. Many federal education programs detail specific required and/or allowable uses of funds for that program. Issues such as eligibility, program beneficiaries, caps or restrictions on certain types of program expenses, other program expenses, and other program specific requirements must be considered when performing the programmatic analysis.
3. The two largest federal K-12 programs, Title I, Part A, and the Individuals with Disabilities Education Act (IDEA), do not contain a use of funds section delineating the allowable uses of funds under those programs. In those cases, costs must be consistent with the purposes of the program in order to be allowable.

F. Federal Cost Principles

1. The Omni Circular defines the parameters for the permissible uses of federal funds. While many requirements are contained in the Omni Circular, it includes five core principles that serve as an important guide for effective grant management. These core principles require all costs to be:
 - a. Necessary for the proper and efficient performance or administration of the program.
 - b. Reasonable. An outside observer should clearly understand why a decision to spend money on a specific cost made sense in light of the cost, needs, and requirements of the program.
 - c. Allocable to the federal program that paid for the cost. A program must benefit in proportion to the amount charged to the federal program –



for example, if a teacher is paid 50% with Title I funds, the teacher must work with the Title I program/students at least 50% of the time. Recipients also need to be able to track items or services purchased with federal funds so they can prove they were used for federal program purposes.

- d. Authorized under state and local rules. All actions carried out with federal funds must be authorized and not prohibited by state and local laws and policies.
 - e. Adequately documented. A recipient must maintain proper documentation so as to provide evidence to monitors, auditors, or other oversight entities of how the funds were spent over the lifecycle of the grant.
- G. Program Specific Fiscal Rules. The Omni Circular also contains specific rules on selected items of costs. Costs must comply with these rules in order to be paid with federal funds.
- 1. All federal education programs have certain program specific fiscal rules that apply. Determining which rules apply depends on the program; however, rules such as supplement, not supplant, maintenance of effort, comparability, caps on certain uses of funds, etc., have an important impact when analyzing whether a particular cost is permissible.
 - 2. Many state-administered programs require local education agencies (LEAs) to use federal program funds to supplement the amount of state, local, and, in some cases, other federal funds they spend on education costs and not to supplant (or replace) those funds. Generally, the “supplement, not supplant” provision means that federal funds must be used to supplement the level of funds from non-federal sources by providing additional services, staff, programs, or materials. In other words, federal funds normally cannot be used to pay for things that would otherwise be paid for with state or local funds (and, in some cases, with other federal funds).
 - 3. Auditors generally presume supplanting has occurred in three situations:
 - a. School district uses federal funds to provide services that the school district is required to make available under other federal, state, or local laws.
 - b. School district uses federal funds to provide services that the school district provided with state or local funds in the prior year.
 - c. School district uses Title I, Part A, or Migrant Education Program funds to provide the same services to Title I or Migrant students that the school district provides with state or local funds to nonparticipating students.



4. These presumptions apply differently in different federal programs and also in schoolwide program schools. Staff should be familiar with the supplement not supplant provisions applicable to their program.

H. Approved Plans, Budgets, and Special Conditions

1. As required by the Omni Circular, all costs must be consistent with approved program plans and budgets.
2. Costs must also be consistent with all terms and conditions of federal awards, including any special conditions imposed on the school district's grants.

I. Training

1. The school district will provide training on the allowable use of federal funds to all staff involved in federal programs.
2. The school district will promote coordination between all staff involved in federal programs through activities, such as routine staff meetings and training sessions.

- J. Employee Sanctions. Any school district employee who violates this policy will be subject to discipline, as appropriate, up to and including the termination of employment.

VIII. COMPENSATION – PERSONAL SERVICES EXPENSES AND REPORTING

A. Compensation – Personal Services

Costs of compensation are allowable to the extent that they satisfy the specific requirements of the Uniform Grant Guidance and that the total compensation for individual employees:

1. Is reasonable for the services rendered and conforms to the established written policy of the school district consistently applied to both federal and non-federal activities; and
2. Follows an appointment made in accordance with a school district's written policies and meets the requirements of federal statute, where applicable.

Unless an arrangement is specifically authorized by a federal awarding agency, a school district must follow its written non-federal, entitywide policies and practices concerning the permissible extent of professional services that can be provided outside the school district for non-organizational compensation.

B. Compensation – Fringe Benefits



1. During leave.

The costs of fringe benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as for annual leave, family-related leave, sick leave, holidays, court leave, military leave, administrative leave, and other similar benefits, are allowable if all of the following criteria are met:

- a. They are provided under established written leave policies;
- b. The costs are equitably allocated to all related activities, including federal awards; and
- c. The accounting basis (cash or accrual) selected for costing each type of leave is consistently followed by the school district.

2. The costs of fringe benefits in the form of employer contributions or expenses for social security; employee life, health, unemployment, and worker's compensation insurance (except as indicated in 2 [Code of Federal Regulations section C.F.R. § 200.447\(d\)](#)); pension plan costs; and other similar benefits are allowable, provided such benefits are granted under established written policies. Such benefits must be allocated to federal awards and all other activities in a manner consistent with the pattern of benefits attributable to the individuals or group(s) of employees whose salaries and wages are chargeable to such federal awards and other activities and charged as direct or indirect costs in accordance with the school district's accounting practices.

3. Actual claims paid to or on behalf of employees or former employees for workers' compensation, unemployment compensation, severance pay, and similar employee benefits (e.g., post-retirement health benefits) are allowable in the year of payment provided that the school district follows a consistent costing policy.

4. Pension plan costs may be computed using a pay-as-you-go method or an acceptable actuarial cost method in accordance with the written policies of the school district.

5. Post-retirement costs may be computed using a pay-as-you-go method or an acceptable actuarial cost method in accordance with established written policies of the school district.

6. Costs of severance pay are allowable only to the extent that, in each case, severance pay is required by law; employer-employee agreement; established policy that constitutes, in effect, an implied agreement on the school district's part; or circumstances of the particular employment.



- C. Insurance and Indemnification. Types and extent and cost of coverage are in accordance with the school district's policy and sound business practice.
- D. Recruiting Costs. Short-term, travel visa costs (as opposed to longer-term, immigration visas) may be directly charged to a federal award, so long as they are:
 - 1. Critical and necessary for the conduct of the project;
 - 2. Allowable under the cost principles set forth in the Uniform Grant Guidance;
 - 3. Consistent with the school district's cost accounting practices and school district policy; and
 - 4. Meeting the definition of "direct cost" in the applicable cost principles of the Uniform Grant Guidance.
- E. Relocation Costs of Employees. Relocation costs are allowable, subject to the limitations described below, provided that reimbursement to the employee is in accordance with the school district's reimbursement policy.
- F. Travel Costs. Travel costs may be charged on an actual cost basis, on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used is applied to an entire trip and not to selected days of the trip, and results in charges consistent with those normally allowed in like circumstances in the school district's non-federally funded activities and in accordance with the school district's reimbursement policies.

Costs incurred by employees and officers for travel, including costs of lodging, other subsistence, and incidental expenses, must be considered reasonable and otherwise allowable only to the extent such costs do not exceed charges normally allowed by the school district in its regular operations according to the school district's written reimbursement and/or travel policies.

In addition, when costs are charged directly to the federal award, documentation must justify the following:

- 1. Participation of the individual is necessary to the federal award; and
- 2. The costs are reasonable and consistent with the school district's established travel policy.

Temporary dependent care costs above and beyond regular dependent care that directly results from travel to conferences is allowable provided the costs are:

- 1. A direct result of the individual's travel for the federal award;



2. Consistent with the school district's documented travel policy for all school district travel; and
3. Only temporary during the travel period.

[Note: Noncompliance. If a school district fails to comply with federal statutes, regulations, or the terms and conditions of a federal award, the DOE or MDE may impose additional conditions, as described in 2 Code of Federal Regulations section C.F.R. § 200.207 (Specific Conditions). If the DOE or MDE determines that noncompliance cannot be remedied by imposing additional conditions, the DOE or MDE may take one or more of the following actions, as appropriate under the circumstances: 1) Temporarily withhold cash payments pending correction of the deficiency by the school district or more severe enforcement action by the DOE or MDE; 2) Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance; 3) Wholly or partly suspend or terminate the federal award; 4) Initiate suspension or debarment proceedings as authorized under 2 Code of Federal Regulations C.F.R. Part 180 and DOE regulations (or, in the case of MDE, recommend such a proceeding be initiated by the DOE); 5) Withhold further federal awards for the project or program; and/or 6) Take other remedies that may be legally available.]

- Legal References:**
- 2 C.F.R. § 200.12 (~~Definitions:~~ Capital Assets)
 - 2 C.F.R. § 200.112 (Conflict of Interest)
 - 2 C.F.R. § 200.113 (Mandatory Disclosures)
 - 2 C.F.R. § 200.205(d) (Federal Awarding Agency Review of Risk Posed by Applicants)
 - 2 C.F.R. § 200.2142 (Suspension and Debarment)
 - 2 C.F.R. § 200.300(b) (Statutory and National Policy Requirements)
 - 2 C.F.R. § 200.302 (Financial Management)
 - 2 C.F.R. § 200.303 (Internal Controls)
 - 2 C.F.R. § 200.305(b)(1) (~~Federal~~ Payment)
 - 2 C.F.R. § 200.310 (Insurance Coverage)
 - 2 C.F.R. § 200.311 (~~Federally-owned and Exempt Property~~Real Property)
 - 2 C.F.R. § 200.313(d) (Equipment)
 - 2 C.F.R. § 200.314 (Supplies)
 - 2 C.F.R. § 200.315 (Intangible Property)
 - 2 C.F.R. § 200.318 (General Procurement Standards)
 - 2 C.F.R. § 200.319(c) (Competition)
 - 2 C.F.R. § 200.320 (Methods of Procurement to be Followed)
 - 2 C.F.R. § 200.321 (Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms)
 - 2 C.F.R. § 200.328 (~~Financial Reporting Monitoring and Reporting Program Performance~~)
 - 2 C.F.R. § 200.3398 (~~Remedies for Noncompliance~~)
 - 2 C.F.R. § 200.403(c) (Factors Affecting Allowability of Costs)



- 2 C.F.R. § 200.430 (Compensation – Personal Services)
- 2 C.F.R. § 200.431 (Compensation – Fringe Benefits)
- 2 C.F.R. § 200.447 (Insurance and Indemnification)
- 2 C.F.R. § 200.463 (Recruiting Costs)
- 2 C.F.R. § 200.464 (Relocation Costs of Employees)
- 2 C.F.R. § 200.47~~4~~3 (Transportation Costs)
- 2 C.F.R. § 200.47~~5~~4 (Travel Costs)

- Cross References:**
- MSBA/MASA Model Policy 208 (Development, Adoption, and Implementation of Policies)
 - MSBA/MASA Model Policy 210 (Conflict of Interest – School Board Members)
 - MSBA/MASA Model Policy 210.1 (Conflict of Interest – Charter School Board Members)
 - MSBA/MASA Model Policy 412 (Expense Reimbursement)
 - MSBA/MASA Model Policy 701 (Establishment and Adoption of School District Budget)
 - MSBA/MASA Model Policy 701.1 (Modification of School District Budget)
 - MSBA/MASA Model Policy 702 (Accounting)
 - MSBA/MASA Model Policy 703 (Annual Audit)



Adopted: 08-20-2018

Orig. 2017

Revised: 09-19-2022

722 PUBLIC DATA REQUESTS

[Note: School districts are required by statute to establish procedures consistent with the Minnesota Government Data Practices Act for public data requests.]

I. PURPOSE

The school district recognizes its responsibility relative to the collection, maintenance, and dissemination of public data as provided in state statutes.

II. GENERAL STATEMENT OF POLICY

The school district will comply with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes chapter Minn. Stat. Ch. 13 (MGDPA), and Minnesota- Rules Parts 1205.0100-1205.2000 in responding to requests for public data.

III. DEFINITIONS

A. Government Data

“Government data” means all recorded information that the school district has, including paper, email, flash drives, CDs, DVDs, photographs, etc.

B. Inspection

“Inspection” means the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the school district, unless printing a copy is the only method to provide for inspection of the data. For data stored in electronic form and made available in electronic form on a remote access basis to the public by the school district, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public’s own computer equipment.

C. Public Data

“Public data” means all government data collected, created, received, maintained, or disseminated by the school district, unless classified by statute, temporary classification pursuant to statute, or federal law, as nonpublic or protected nonpublic; or, with respect to data on individuals, as private or confidential.

D. Responsible Authority

“Responsible authority” means the individual designated by the school board as the individual responsible for the collection, use, and dissemination of any set of data on individuals, government data, or summary data, unless otherwise provided by state law.



Until an individual is designated by the school board, the responsible authority is the superintendent.

E. Summary Data

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

IV. REQUESTS FOR PUBLIC DATA

A. All requests for public data must be made in writing directed to the responsible authority.

1. A request for public data must include the following information:
 - a. Date the request is made;
 - b. A clear description of the data requested;
 - c. Identification of the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and
 - d. Method to contact the requestor (such as phone number, address, or email address).
2. A requestor is not required to explain the reason for the data request.
3. The identity of the requestor is public, if provided, but cannot be required by the government entity.
4. The responsible authority may seek clarification from the requestor if the request is not clear before providing a response to the data request.

B. The responsible authority will respond to a data request at reasonable times and places as follows:

1. The responsible authority will notify the requestor in writing as follows:
 - a. The requested data does not exist; or
 - b. The requested data does exist but either all or a portion of the data is not accessible to the requestor; or
 - (1) If the responsible authority determines that the requested data is classified so that access to the requestor is denied, the responsible authority will inform the requestor of the determination in writing, as soon thereafter as possible, and shall cite the specific statutory section, temporary classification,



or specific provision of federal law on which the determination is based.

- (2) Upon the request of a requestor who is denied access to data, the responsible authority shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.
- c. The requested data does exist and provide arrangements for inspection of the data, identify when the data will be available for pick-up, or indicate that the data will be sent by mail. If the requestor does not appear at the time and place established for inspection of the data or the data is not picked up within ten (10) business days after the requestor is notified, the school district will conclude that the data is no longer wanted and will consider the request closed.
2. The school district's response time may be affected by the size and complexity of the particular request, including necessary redactions of the data, and also by the number of requests made within a particular period of time.
3. The school district will provide an explanation of technical terminology, abbreviations, or acronyms contained in the responsive data on request.
4. The school district is not required by the MGDPA to create or collect new data in response to a data request, or to provide responsive data in a specific form or arrangement if the school district does not keep the data in that form or arrangement.
5. The school district is not required to respond to questions that are not about a particular data request or requests for data in general.

V. REQUEST FOR SUMMARY DATA

- A. A request for the preparation of summary data shall be made in writing directed to the responsible authority.
 1. A request for the preparation of summary data must include the following information:
 - a. Date the request is made;
 - b. A clear description of the data requested;
 - c. Identify the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and



- d. Method to contact requestor (phone number, address, or email address).
- B. The responsible authority will respond within ten (10) business days of the receipt of a request to prepare summary data and inform the requestor of the following:
1. The estimated costs of preparing the summary data, if any; and
 2. The summary data requested; or
 3. A written statement describing a time schedule for preparing the requested summary data, including reasons for any time delays; or
 4. A written statement describing the reasons why the responsible authority has determined that the requestor's access would compromise the private or confidential data.
- C. The school district may require the requestor to pre-pay all or a portion of the cost of creating the summary data before the school district begins to prepare the summary data.

VI. COSTS

A. Public Data

1. The school district will charge for copies provided as follows:
 - a. 100 or fewer pages of black and white, letter or legal sized paper copies will be charged at 25 cents for a one-sided copy or 50 cents for a two-sided copy.
 - b. More than 100 pages or copies on other materials are charged based upon the actual cost of searching for and retrieving the data and making the copies or electronically sending the data, unless the cost is specifically set by statute or rule.
 - (1) The actual cost of making copies includes employee time, the cost of the materials onto which the data is copied (paper, CD, DVD, etc.), and mailing costs (if any).
 - (2) Also, if the school district does not have the capacity to make the copies, e.g., photographs, the actual cost paid by the school district to an outside vendor will be charged.
2. All charges must be paid for in cash in advance of receiving the copies.



B. Summary Data

1. Any costs incurred in the preparation of summary data shall be paid by the requestor prior to preparing or supplying the summary data.
2. The school district may assess costs associated with the preparation of summary data as follows:
 - a. The cost of materials, including paper, the cost of the labor required to prepare the copies, any schedule of standard copying charges established by the school district, any special costs necessary to produce such copies from a machine-based record-keeping system, including computers and microfilm systems;
 - b. The school district may consider the reasonable value of the summary data prepared and, where appropriate, reduce the costs assessed to the requestor.

VII: Annual Review and Posting

- A. The responsible authority shall prepare a written data access policy and a written policy for the rights of data subjects (including specific procedures the school district uses for access by the data subject to public or private data on individuals). The responsible authority shall update the policies no later than August 1 of each year, and at any other time as necessary to reflect changes in personnel, procedures, or other circumstances that impact the public's ability to access data.
- B. Copies of the policies shall be easily available to the public by distributing free copies to the public or by posting the policies in a conspicuous place within the school district that is easily accessible to the public or by posting them on the school district's website.

Data Practices Contacts

Responsible Authority:

Superintendent of Schools
Rockford Area Schools
6051 Ash Street, Rockford, MN 55373
763-477-9165

Data Practices Designee(s):

Business Manager
Financial and Business Records
6051 Ash Street, Rockford, MN 55373
763-477-9165

Special Education Coordinator or designee
Special Education Records
7650 County Road 50, Rockford MN 55373



763-477-5837

Rockford Elementary Arts Magnet School Principal or designee
Student Educational Records
7650 County Road 50, Rockford, MN 55373
763-477-5837

Rockford Middle School Center for Environmental Studies Principal or designee
Student Educational Records
6051 Ash Street, Rockford, MN 55373
763-477-5831

Rockford High School Principal or designee
Student Educational Records
7600 County Road 50, Rockford, MN 55373
763-477-5846

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
[Minn. Stat. 13.025 \(Government Entity Obligation\)](#)

Cross References: MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)



Adopted: 03/21/16

Reviewed: _____

Revised: 9/19/2022

731R INFORMATION SECURITY POLICY

I. PURPOSE

The purpose of this policy is to provide guidelines for all aspects of security surrounding confidential district information, authorize and direct the Superintendent to establish, implement, educate, and maintain a data governance plan comprised of a series of information technology security protocols and procedures.

Failure to secure and protect the confidentiality, integrity and availability of information assets in today's highly networked environment can damage or shut down systems that operate critical infrastructure, financial and business transactions; vital curricular functions; compromise data; and result in legal and regulatory non-compliance.

This policy benefits all stakeholders of Rockford Area Schools by defining a framework that will assure appropriate measures are in place to protect the confidentiality, integrity and availability of data; and assure staff and all other affiliates understand their role and responsibilities, have adequate knowledge of security policy, procedures and practices and know how to protect information.

II. Scope

This policy encompasses all systems, automated and manual, for which Rockford Area Schools has administrative responsibility, including systems managed or hosted by third parties on behalf of the entity. It addresses all information, regardless of the form or format, which is created or used in support of School District activities.

Information security measures apply to all Rockford Area Schools agents and employees and all district operations. Any unauthorized access, use, transfer, or distribution of district information by any employee, affiliated or non-affiliated vendor, student, or any other individual, may result in appropriate disciplinary action, which may include a recommendation for termination and other legal action.

III. General Statement of Policy

This policy acts as an umbrella document to all other security policies and associated standards. This policy defines the responsibility to:

- protect and maintain the confidentiality, integrity and availability of information and related infrastructure assets;
- manage the risk of security exposure or compromise;
- assure a secure and stable information technology environment;
- identify and respond to events involving information asset misuse, loss or unauthorized disclosure;



- monitor systems for anomalies that might indicate compromise; and
- promote and increase the awareness of information security.

III. Functional Responsibility and Requirement

The District Administrative Team is responsible for:

1. evaluating data security risks on behalf of the entity;
2. identifying information security responsibilities and goals and integrating them into their relevant program or department processes;
3. supporting the consistent implementation of information security policies, protocols and standards;
4. supporting security through clear direction and demonstrated commitment of appropriate resources;
5. promoting awareness of information security best practices through the regular dissemination of materials provided by the Superintendent or designated information security representative;
6. implementing the process for determining information classification and categorization, based on legal and regulatory requirements to determine the appropriate levels of protection for that information;
7. implementing the process for information asset identification, handling, use, transmission, and disposal based on information classification and categorization;
8. participating in the response to security incidents;
9. complying with notification requirements in the event of a breach of private information, including the requirements in Minnesota Statutes § 13.055;
10. adhering to specific legal and regulatory requirements related to information security;
11. communicating legal and regulatory requirements to the Superintendent or designated information security representative; and
12. communicating requirements of this policy and the associated standards, including the consequences of non-compliance, to the workforce and third parties, and addressing adherence in third party agreements.

The Superintendent or designated information security representative is responsible for:

1. maintaining familiarity with School District functions and requirements;
2. maintaining an adequate level of current knowledge and proficiency in information security through annual continuing professional education directly related to information security;
3. assessing compliance with information security policies and legal and regulatory information security requirements;
4. evaluating and understanding information security risks and how to appropriately manage those risks;
5. representing and assuring security architecture considerations are addressed;
6. determine appropriate access permissions in order for staff to complete their duties.
7. advising on security issues related to procurement of products and services;
8. escalating security concerns that are not being adequately addressed according to the applicable reporting and escalation procedures;
9. disseminating threat information to appropriate parties;
10. participating in the response to potential security incidents;
11. ensuring new employees are provided with instruction and/or documented procedures that relate to their job descriptions;



12. participating in the development of district wide protocols and procedures that considers the School District's needs; and
13. promoting information security awareness.

The Director of Technology and Information Services is responsible for:

1. supporting security by providing clear direction and consideration of security controls in the data processing infrastructure and computing network(s);
2. providing resources needed to maintain a level of information security control consistent with this policy;
3. identifying and implementing all processes, policies, protocols and controls relative to security requirements defined by federal, state, various regulatory agencies, and this policy;
4. implementing the proper controls for information owned based on the data classification designations;
5. providing training to appropriate staff or other stakeholders on secure operations (e.g., user access, social media, data privacy);
6. report to the Rockford Area Schools Board of Directors annually and submit interim reports at the request of the Superintendent, on the current status of the school district technology protocols and procedures
7. fostering the participation of information security with staff and other stakeholders in protecting information assets, and in identifying, selecting and implementing appropriate and cost-effective security controls and procedures; and
8. implementing business continuity and disaster recovery plans.

All employees and other individuals performing services on behalf of the School District that involve the access, use, or creation of government data are responsible for:

1. understanding the baseline information security controls necessary to protect the confidentiality, integrity and availability of information entrusted;
 2. protecting information and resources from unauthorized use or disclosure;
 3. informing the Superintendent and Information Security designee(s) if there are any problems with an established protocol or procedure or if they are aware of concerns about compliance with a defined protocol or procedure;
 4. protecting private, confidential, and non-public data from unauthorized use or disclosure;
 5. Any individual granted access to private data is responsible for maintaining the privacy of that data and complying with applicable data privacy rules and policies. Access will be used only in accordance with the authority delegated to the individual to conduct district operations.
1. It is the express responsibility of authorized users to safeguard the information they are entrusted with, ensuring compliance with all aspects of this policy and additional related district policies and/or procedures.
 2. These security measures apply to district information regardless of location. Users who transfer or transport district information "off-campus" for any reason must ensure that they are able to comply with all information security measures prior to transporting or transferring the information.
 3. abiding by *Internet Acceptable Use and Safety Policy - Policy 524*; and
 4. reporting suspected information security incidents or weaknesses to the Director of Technology and Superintendent or the designated information security representative.



IV. Policy Review

This policy will be reviewed on an annual basis.

Legal References:

- [Minn. Stat. § 121A.75 \(Receipt of Records; Sharing\)](#)
- [Minn. Stat. Ch. 13 \(Minnesota Government Data Practices Act\)](#)
- [Minn. Stat. § 13.05 subd. 5 \(Data Protection\)](#)
- [Minn. Stat. § 13.055 subd. 6 \(Security Assessments\)](#)
- [Minn. Stat. § 13.393 \(Attorneys\)](#)
- [15 U.S.C. § 6501 et seq. \(Children’s Online Privacy Protection Act\)](#)
- [17 U.S.C. § 101 et seq. \(Copyrights\)](#)
- [20 U.S.C. § 1232G \(Family Educational Rights and Privacy Act\)](#)
- [34 C.F.R. § 300.610-300.627 \(Confidentiality of Information\)](#)
- [47 U.S.C. § 254 \(Children’s Internet Protection Act of 2000\(CIPA\)\)](#)
- [47 C.F.R. § 54.520 \(FCC rules implementing CIPA\)](#)
- [Public Law No. 113-283 \(12/18/2014\)](#)
- [Strengthening American Cybersecurity Act of 2022 \(March 2022\) S.360](#)
- [Minn. Stat. § 121A.031 \(School Student Bullying Policy\)](#)
- [Minn. Stat. § 125B.15 \(Internet Access for Students\)](#)
- [Minn. Stat. § 125B.26 \(Telecommunications/Internet Access Equity Act\)](#)

Cross References:

- [MSBA/MASA Model Policy 403 \(Discipline, Suspension, and Dismissal of School District Employees\)](#)
- [MSBA/MASA Model Policy 406 \(Public and Private Personnel Data\) MSBA/MASA Model Policy 505 \(Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees\)](#)
- [MSBA/MASA Model Policy 506 \(Student Discipline\)](#)
- [MSBA/MASA Model Policy 515 \(Protection and Privacy of Pupil Records\) MSBA/MASA Model Policy 519 \(Interviews of Students by Outside Agencies\) MSBA/MASA Model Policy 521 \(Student Disability Nondiscrimination\) MSBA/MASA Model Policy 522 \(Title IX Sex Nondiscrimination Grievance Procedures and Process\)](#)
- [MSBA/MASA Model Policy 603 \(Curriculum Development\)](#)
- [MSBA/MASA Model Policy 604 \(Instructional Curriculum\)](#)
- [MSBA/MASA Model Policy 606 \(Textbooks and Instructional Materials\)](#)
- [MSBA/MASA Model Policy 722 \(Public Data Requests\)](#)
- [MSBA/MASA Model Policy 806 \(Crisis Management Policy\)](#)
- [MSBA, School Law Bulletin “I” \(School Records – Privacy – Access to Data\)](#)
- [NIST Cybersecurity Framework – Policy Template Guide - \[cisecurity.org/ms-isac/\]\(https://cisecurity.org/ms-isac/\)](#)

~~II. INFORMATION SECURITY POLICY~~

~~Rockford Area Schools, District 883, handles sensitive cardholder information daily. Sensitive information must have adequate safeguards in place to protect the cardholder data, cardholder privacy, and to ensure compliance with various regulations, along with guarding the future of the organization.~~



~~Rockford Area Schools commits to respecting the privacy of all its students, staff and customers and to protecting any of their private data from outside parties. To this end management are committed to maintaining a secure environment in which to process cardholder information so that we can meet these promises.~~

~~Employees handling sensitive cardholder data should ensure:~~

- ~~• Handle Company and cardholder information in a manner that fits with their sensitivity and classification;~~
- ~~• Limit personal use of Rockford Area Schools information and telecommunication systems and ensure it doesn't interfere with your job performance;~~
- ~~• Rockford Area Schools reserves the right to monitor, access, review, audit, copy, store, or delete any electronic communications, equipment, systems and network traffic for any purpose;~~
- ~~• Do not use e-mail, internet and other Company resources to engage in any action that is offensive, threatening, discriminatory, defamatory, slanderous, pornographic, obscene, harassing or illegal, as per district policies, 402, 413, 514, 515, 521, 522 and other related policies;~~
- ~~• Do not disclose personnel information unless authorized, as per District Policy 406, Public and Private Personnel Data;~~
- ~~• Protect sensitive cardholder information;~~
- ~~• Keep passwords and accounts secure;~~
- ~~• Request approval from management prior to establishing any new software or hardware, third party connections, etc., in accordance with Policy 524 Internet Acceptable Use and Safety Policy;~~
- ~~• Do not install unauthorized software or hardware, including modems and wireless access unless you have explicit management approval;~~
- ~~• Always leave desks clear of sensitive cardholder data and lock computer screens when unattended;~~
- ~~• Information security incidents must be reported, without delay, to the individual responsible for incident response in the building.~~

~~All employees have a responsibility for ensuring the district's systems and data are protected from unauthorized access and improper use.~~

~~III. NETWORK SECURITY~~

~~A high-level network diagram of the network is maintained and reviewed on a yearly basis. The network diagram provides a high level overview of the cardholder data environment (CDE), which at a minimum shows the connections in and out of the CDE. Critical system components within the CDE, such as POS devices, databases, web servers, etc., and any other necessary payment components, as applicable should also be illustrated.~~

~~In addition, ASV should be performed and completed by a PCI-SSC Approved Scanning Vendor, where applicable. Evidence of these scans should be maintained for a period of 18 months.~~



IV. ACCEPTABLE USE

The District's intentions for publishing this Acceptable Use Policy are not to impose restrictions that are contrary to Rockford Area Schools established culture of openness, trust and integrity. Administration is committed to protecting the employees, partners and the District from illegal or damaging actions, either knowingly or unknowingly by individuals. Rockford Area Schools will maintain an approved list of technologies and devices and personnel with access to such devices as detailed in Appendix B.

- Employees are responsible for exercising good judgment regarding the reasonableness of personal use and follow Policy 524 – Internet Acceptable Use and Safety Policy.
- Employees should take all necessary steps to prevent unauthorized access to confidential data which includes cardholder data.
- Keep passwords secure and do not share accounts. Authorized users are responsible for the security of their passwords and accounts.
- All PCs, laptops and workstations should be secured with a password-protected screensaver with the automatic activation feature.
- All POS and PIN entry devices should be appropriately protected and secured so they cannot be tampered or altered.
- The List of Devices in Appendix B will be regularly updated when devices are modified, added or decommissioned. A stocktake of devices will be regularly performed and devices inspected to identify any potential tampering or substitution of devices.
- Users should be trained in the ability to identify any suspicious behavior where any tampering or substitution may be performed. Any suspicious behaviour will be reported accordingly.
- Information contained on portable computers is especially vulnerable, special care should be exercised.
- Postings by employees from a District email address to newsgroups should contain a disclaimer stating that the opinions expressed are strictly their own and not necessarily those of Rockford Area Schools, unless posting is in the course of business duties.
- Employees must use extreme caution when opening e-mail attachments received from unknown senders, which may contain viruses, e-mail bombs, or Trojan horse code.

V. PROTECT STORED DATA

- All sensitive cardholder data stored and handled by Rockford Area Schools and its employees must be securely protected against unauthorised use at all times. Any sensitive card data that is no longer required by Rockford Area Schools for business reasons must be discarded in a secure and irrecoverable manner.
- If there is no specific need to see the full PAN (Permanent Account Number), it has to be masked when displayed.
- PAN'S which are not protected as stated above should not be sent to the outside network via end-user messaging technologies like chats, ICQ messenger etc.,

It is strictly prohibited to store:



- ~~1. The contents of the payment card magnetic stripe (track data) on any media whatsoever.~~
- ~~2. The CVV/CVC (the 3 or 4 digit number on the signature panel on the reverse of the payment card) on any media whatsoever.~~
- ~~3. The PIN or the encrypted PIN Block under any circumstance.~~

~~VI. INFORMATION CLASSIFICATION~~

~~Data and media containing data must always be labelled to indicate sensitivity level.~~

- ~~• **Confidential data** might include information assets for which there are legal requirements for preventing disclosure or financial penalties for disclosure, or data that would cause severe damage to Rockford Area Schools if disclosed or modified. **Confidential data includes cardholder data.**~~
- ~~• **Internal Use data** might include information that the data owner feels should be protected to prevent unauthorized disclosure.~~
- ~~• **Public data** is information that may be freely disseminated.~~

~~VII. ACCESS TO THE SENSITIVE CARDHOLDER DATA~~

~~All Access to sensitive cardholder should be controlled and authorized. Any job functions that require access to cardholder data should be clearly defined.~~

- ~~• Any display of the card holder should be restricted at a minimum to the first 6 and the last 4 digits of the cardholder data.~~
- ~~• Access to sensitive cardholder information such as PAN's, personal information and business data is restricted to employees that have a legitimate need to view such information.~~
- ~~• No other employees should have access to this confidential data unless they have a genuine business need.~~
- ~~• If cardholder data is shared with a Service Provider (3rd party) then a list of such Service Providers will be maintained as detailed in Appendix C.~~
- ~~• Rockford Area School's will ensure a written agreement that includes an acknowledgement is in place that the Service Provider will be responsible for the for the cardholder data that the Service Provider possess.~~
- ~~• Rockford Area Schools will ensure that a there is an established process, including proper due diligence is in place, before engaging with a Service provider.~~
- ~~• The Company will have a process in place to monitor the PCI-DSS compliance status of the Service provider.~~

~~VIII. PHYSICAL SECURITY~~

~~Access to sensitive information in both hard and soft media format must be physically restricted to prevent unauthorized individuals from obtaining sensitive data.~~

- ~~• Media is defined as any printed or handwritten paper, received faxes, floppy disks, back-up tapes, computer hard drive, etc.~~
- ~~• Media containing sensitive cardholder information must be handled and distributed in a secure manner by trusted individuals.~~



- ~~Visitors must always be escorted by a trusted employee when in areas that hold sensitive cardholder information.~~
- ~~Procedures must be in place to help all personnel easily distinguish between employees and visitors, especially in areas where cardholder data is accessible. "Employee" refers to fulltime and part-time employees, temporary employees and personnel, and consultants who are "resident" on District sites. A "visitor" is defined as a vendor, guest of an employee, service personnel, or anyone who needs to physically enter the premises for a short duration, usually not more than one day.~~
- ~~A list of devices that accept payment card data should be maintained.~~
- ~~The list should include make, model and location of the device.~~
- ~~The list should have the serial number or a unique identifier of the device.~~
- ~~The list should be updated when devices are added, removed or relocated.~~
- ~~POS devices surfaces are periodically inspected to detect tampering or substitution.~~
- ~~Personnel using the devices should be trained and aware of handling the POS devices~~
- ~~Personnel using the devices should verify the identity of any third party personnel claiming to repair or run maintenance tasks on the devices, install new devices or replace devices.~~
- ~~Personnel using the devices should be trained to report suspicious behaviour and indications of tampering of the devices to the appropriate personnel. A "visitor" is defined as a vendor, guest of an employee, service personnel, or anyone who needs to enter the premises for a short duration, usually not more than one day.~~
- ~~Strict control is maintained over the external or internal distribution of any media containing cardholder data and has to be approved by administration.~~
- ~~Strict control is maintained over the storage and accessibility of media.~~
- ~~All computer that store sensitive cardholder data must have a password protected screensaver enabled to prevent unauthorized use.~~

~~IX. PROTECT DATA IN TRANSIT~~

~~All sensitive cardholder data must be protected securely if it is to be transported physically or electronically.~~

- ~~Card holder data (PAN, track data, etc.) must never be sent over the internet via email, instant chat or any other end user technologies.~~
- ~~If there is a business justification to send cardholder data via email or by any other mode then it should be done after authorization and by using a strong encryption mechanism (i.e. — AES encryption, PGP encryption, IPSEC, etc.).~~
- ~~The transportation of media containing sensitive cardholder data to another location must be authorised by management, logged and inventoried before leaving the premises. Only secure courier services may be used for the transportation of such media. The status of the shipment should be monitored until it has been delivered to its new location.~~

~~X. DISPOSAL OF STORED DATA~~

- ~~All data must be securely disposed of when no longer required by the District, regardless of the media or application type on which it is stored.~~
- ~~An automatic process must exist to permanently delete on-line data, when no longer required.~~



- ~~All hard copies of cardholder data must be manually destroyed when no longer required for valid and justified business reasons. A quarterly process must be in place to confirm that all non-electronic cardholder data has been appropriately disposed of in a timely manner.~~
- ~~Rockford Area Schools will have procedures for the destruction of hardcopy (paper) materials. These will require that all hardcopy materials are crosscut shredded, incinerated or pulped so they cannot be reconstructed.~~
- ~~Rockford Area Schools will have documented procedures for the destruction of electronic media. These will require:~~
 - ~~All cardholder data on electronic media must be rendered unrecoverable when deleted e.g. through degaussing or electronically wiped using military grade secure deletion processes or the physical destruction of the media;~~
 - ~~If secure wipe programs are used, the process must define the industry accepted standards followed for secure deletion.~~
- ~~All cardholder information awaiting destruction must be held in lockable storage containers clearly marked "To Be Shredded" – access to these containers must be restricted.~~

~~XI. SECURITY AWARENESS AND PROCEDURES~~

~~The policies and procedures outlined below must be incorporated into District practice to maintain a high level of security awareness. The protection of sensitive data demands regular training of all employees and contractors.~~

- ~~Review handling procedures for sensitive information and hold periodic security awareness meetings to incorporate these procedures into day to day company practice.~~
- ~~Distribute this security policy document to all District employees to read. It is required that all employees confirm that they understand the content of this security policy document by signing an acknowledgement form (see Appendix A).~~
- ~~All employees that handle sensitive information will undergo background checks (such as criminal and credit record checks, within the limits of the local law), as per Policy 404 Employee Background Checks before they commence their employment with the District.~~
- ~~All third parties with access to credit card account numbers are contractually obligated to comply with card association security standards (PCI/DSS).~~
- ~~Company security policies must be reviewed annually and updated as needed.~~

~~XII. CREDIT CARD (PCI) SECURITY INCIDENT RESPONSE PLAN~~

~~The District's PCI Security Incident Response Team (PCI Response Team) is comprised of the Superintendent, Business Manager and Technology Director. The District's PCI security incident response plan is as follows:~~

- ~~1. Each department must report an incident to any member of the PCI Response Team.~~
- ~~2. That member of the team receiving the report will advise the PCI Response Team of the incident.~~
- ~~3. The PCI Response Team will investigate the incident and assist the potentially compromised department in limiting the exposure of cardholder data and in mitigating the risks associated with the incident.~~



- ~~4. The PCI Response Team will resolve the problem to the satisfaction of all parties involved, including reporting the incident and findings to the appropriate parties (credit card associations, credit card processors, etc.) as necessary.~~
- ~~5. The PCI Response Team will determine if policies and processes need to be updated to avoid a similar incident in the future, and whether additional safeguards are required in the environment where the incident occurred, or for the institution.~~

~~Information Security PCI Incident Response Procedures:~~

~~Any staff member that reasonably believes it may have an account breach, or a breach of cardholder information or of systems related to the PCI environment in general, must inform the District PCI Incident Response Team. After being notified of a compromise, the PCI Response Team, along with other designated staff, will implement the PCI Incident Response Plan to assist and augment departments' response plans.~~

~~**A. Incident Response Notification**~~

~~Escalation Members :~~

~~Escalation — First Level: Any Member of the PCI Incident Response Team~~

~~Escalation — Second Level: The entire PCI Incident Response Team and any other staff members as needed~~

~~External Contacts (as needed)~~

~~Merchant Provider Card Brands~~

~~Internet Service Provider (if applicable)~~

~~Internet Service Provider of Intruder (if applicable)~~

~~Communication Carriers (local and long distance)~~

~~Business Partners~~

~~Insurance Carrier~~

~~External Response Team as applicable (CERT Coordination Center 1, etc) Law~~

~~Enforcement Agencies as applicable inn local jurisdiction~~

~~In response to a systems compromise, the PCI Response Team and designees will:~~

- ~~1. Ensure compromised system/s is isolated on/from the network.~~
- ~~2. Gather, review and analyze the logs and related information from various central and local safeguards and security controls~~
- ~~3. Conduct appropriate forensic analysis of compromised system.~~
- ~~4. Contact internal and external departments and entities as appropriate.~~
- ~~5. Make forensic and log analysis available to appropriate law enforcement or card industry security personnel, as required.~~
- ~~6. Assist law enforcement and card industry security personnel in investigative processes, including in prosecutions.~~

~~The credit card companies have individually specific requirements that the Response Team must address in reporting suspected or confirmed breaches of cardholder data. See below for these requirements.~~

~~Incident Response notifications to various card schemes~~



1. ~~In the event of a suspected security breach, alert any member of the PCI Incident Response Team immediately.~~
2. ~~The Team will carry out an initial investigation of the suspected security breach.~~
3. ~~Upon confirmation that a security breach has occurred, the Team will begin informing all relevant parties that may be affected by the compromise.~~

VISA Steps

If the data security compromise involves credit card account numbers, implement the following procedure:

- ~~Shut down any systems or processes involved in the breach to limit the extent, and prevent further exposure.~~
- ~~Alert all affected parties and authorities such as the Merchant Bank (your Bank), Visa Fraud Control, and the law enforcement.~~
- ~~Provide details of all compromised or potentially compromised card numbers to Visa Fraud Control within 24 hrs.~~
- ~~For more information visit:
http://usa.visa.com/business/accepting_visa/ops_risk_management/cisp_if_compromised.html~~

Visa Incident Report Template

This report must be provided to VISA within 14 days after initial report of incident to VISA. The following report content and standards must be followed when completing the incident report. Incident report must be securely distributed to VISA and Merchant Bank. Visa will classify the report as "VISA Secret"*.

- I. ~~Executive Summary~~
 - a. ~~Include overview of the incident~~
 - b. ~~Include RISK Level(High, Medium, Low)~~
 - c. ~~Determine if compromise has been contained II.~~
- II. ~~Background~~
- III. ~~Initial Analysis~~
- IV. ~~Investigative Procedures~~
 - a. ~~Include forensic tools used during investigation~~
- V. ~~Findings~~
 - a. ~~Number of accounts at risk, identify those stores and compromised~~
 - b. ~~Type of account information at risk~~
 - c. ~~Identify ALL systems analyzed. Include the following:~~
 - ~~Domain Name System (DNS) names~~
 - ~~Internet Protocol (IP) addresses~~
 - ~~Operating System (OS) version~~
 - ~~Function of system(s)~~
 - d. ~~Identify ALL compromised systems. Include the following:~~
 - ~~DNS names~~
 - ~~IP addresses~~
 - ~~OS version~~
 - ~~Function of System(s)~~
 - e. ~~Timeframe of compromise~~



- ~~f. Any data exported by intruder~~
- ~~g. Establish how and source of compromise~~
- ~~h. Check all potential database locations to ensure that no CVV2, Track 1 or Track 2 data is stored anywhere, whether encrypted or unencrypted (e.g., duplicate or backup tables or databases, databases used in development, stage or testing environments, data on software engineers' machines, etc.)~~
- ~~i. If applicable, review VisaNet endpoint security and determine risk~~

~~VI. Compromised Entity Action~~

~~VII. Recommendations~~

~~VIII. Contact(s) at entity and security assessor performing investigation~~

~~*This classification applies to the most sensitive business information, which is intended for use within VISA. Its unauthorized disclosure could seriously and adversely impact VISA, its employees, member banks, business partners, and/or the Brand.~~

MasterCard Steps:

- ~~I. Within 24 hours of an account compromise event, notify the MasterCard Compromised Account Team via phone at 1-636-722-4100.~~
- ~~II. Provide a detailed written statement of fact about the account compromise (including the contributing circumstances) via secured e-mail to compromised_account_team@mastercard.com.~~
- ~~III. Provide the MasterCard Merchant Fraud Control Department with a complete list of all known compromised account numbers.~~
- ~~IV. Within 72 hours of knowledge of a suspected account compromise, engage the services of a data security firm acceptable to MasterCard to assess the vulnerability of the compromised data and related systems (such as a detailed forensics evaluation).~~
- ~~V. Provide weekly written status reports to MasterCard, addressing open questions and issues until the audit is complete to the satisfaction of MasterCard.~~
- ~~VI. Promptly furnish updated lists of potential or known compromised account numbers, additional documentation, and other information that MasterCard may request.~~
- ~~VII. Provide finding of all audits and investigations to the MasterCard Merchant Fraud Control department within the required time frame and continue to address any outstanding exposure or recommendation until resolved to the satisfaction of MasterCard.~~

~~Once MasterCard obtains the details of the account data compromise and the list of compromised account numbers, MasterCard will:~~

- ~~1. Identify the issuers of the accounts that were suspected to have been compromised and group all known accounts under the respective parent member IDs.~~
- ~~2. Distribute the account number data to its respective issuers.~~

~~Employees of the company will be expected to report to the security officer for any security related issues. The role of the security officer is to effectively communicate all security policies and procedures to employees within the company and contractors. In addition to this, the security officer will oversee the scheduling of security training sessions, monitor and enforce the security policies outlined in both this document and at the training sessions~~



and finally, oversee the implantation of the incident response plan in the event of a sensitive data compromise.

Discover Card Steps

- I. Within 24 hours of an account compromise event, notify Discover Fraud Prevention at (800) 347-3102
- II. Prepare a detailed written statement of fact about the account compromise including the contributing circumstances
- III. Prepare a list of all known compromised account numbers.
- IV. Obtain additional specific requirements from Discover Card.

American Express Steps

- I. Within 24 hours of an account compromise event, notify American Express Merchant Services at (800) 528-5200 in the U.S.
- II. Prepare a detailed written statement of fact about the account compromise including the contributing circumstances
- III. Prepare a list of all known compromised account numbers Obtain additional specific requirements from American Express

XIII. TRANSFER OF SENSITIVE INFORMATION POLICY

- All third party companies providing critical services to the District must provide an agreed Service Level Agreement.
- All third party companies providing hosting facilities must comply with the District's Physical Security and Access Control Policy.
- All third party companies which have access to Card Holder information must:
 1. Adhere to the PCI DSS security requirements.
 2. Acknowledge their responsibility for securing the Card Holder data.
 3. Acknowledge that the Card Holder data must only be used for assisting the completion of a transaction, supporting a loyalty program, providing a fraud control service or for uses specifically required by law.
 4. Have appropriate provisions for business continuity in the event of a major disruption, disaster or failure.
 5. Provide full cooperation and access to conduct a thorough security review after a security intrusion by a Payment Card industry representative, or a Payment Card industry approved third party.

XIV. USER ACCESS MANAGEMENT

- Access to the District is controlled through a formal user registration process beginning with a formal notification from the Business Manager or his/her designee.
- Each user is identified by a unique user ID so that users can be linked to and made responsible for their actions. The use of group IDs is only permitted where they are suitable for the work carried out.



- ~~There is a standard level of access; other services can be accessed when specifically authorized by the Business Manager or his/her designee.~~
- ~~The job function of the user decides the level of access the employee has to cardholder data.~~
- ~~A request for service must be made in writing (email or hard copy) by the Business Manager or his/her designee. The request is free format, but must state:
 - ~~Name of person making request;~~
 - ~~Name and Job title of the new employee;~~
 - ~~Start date;~~
 - ~~Services required (default services are: MS Outlook, MS Office and Internet access).~~~~
- ~~Each user will be given a copy of their new user form to provide a written statement of their access rights, signed by a member of the District's Technology Department after their induction procedure. The user signs the form indicating that they understand the conditions of access.~~
- ~~Access to all District systems is provided by the District's Technology Department and can only be started after proper procedures are completed.~~
- ~~As soon as an individual leaves the District's employment, all his/her system logons must be immediately revoked.~~
- ~~As part of the employee termination process, the Business Manager or his/her designee will inform District's Technology Department of all employee whose employment has ended and their date of leaving.~~

~~XV. ACCESS CONTROL POLICY~~

- ~~Access Control systems are in place to protect the interests of all users of the District's computer systems by providing a safe, secure and readily accessible environment in which to work.~~
- ~~The District will provide all employees and other users with the information they need to carry out their responsibilities in an as effective and efficient manner as possible.~~
- ~~Generic or group IDs shall not normally be permitted, but may be granted under exceptional circumstances if sufficient other controls on access are in place.~~
- ~~The allocation of privilege rights (e.g. local administrator, domain administrator, super-user, root access) shall be restricted and controlled, and authorization provided jointly by the District Technology Department or administration. The District Technology Department shall guard against issuing privilege rights to entire teams to prevent loss of confidentiality.~~
- ~~Access rights will be accorded following the principles of least privilege and need to know.~~
- ~~Every user should attempt to maintain the security of data at its classified level even if technical security mechanisms fail or are absent.~~
- ~~Users electing to place information on digital media or storage devices or maintaining a separate database must only do so where such an action is in accord with the data's classification.~~
- ~~Users are obligated to report instances of non-compliance to the District administration.~~
- ~~Access to the District's IT resources and services will be given through the provision of a unique Active Directory account and complex password.~~



- ~~No access to any the District's IT resources and services will be provided without prior authentication and authorization of a user's the District's Windows Active Directory account.~~
- ~~Password issuing, strength requirements, changing and control will be managed through formal processes. Password length, complexity and expiration times will be controlled through Windows Active Directory Group Policy Objects.~~
- ~~Access to Confidential, Restricted and Protected information will be limited to authorized persons whose job responsibilities require it, as determined by the data owner or their designated representative. Requests for access permission to be granted, changed or revoked must be made in writing.~~
- ~~Users are expected to become familiar with and abide by the District's policies, standards and guidelines for appropriate and acceptable usage of the networks and systems.~~
- ~~Access for remote users shall be subject to authorization by the District's Technology Department and be provided in accordance with the Remote Access Policy and the Information Security Policy. No uncontrolled external access shall be permitted to any network device or networked system.~~
- ~~Access to data is variously and appropriately controlled according to the data classification levels described in the Information Security Management Policy.~~
- ~~Access control methods include logon access rights, Windows share and NTFS permissions, user account privileges, server and workstation access rights, firewall permissions, IIS intranet/extranet authentication rights, SQL database rights, isolated networks and other methods as necessary.~~
- ~~A formal process shall be conducted at regular intervals by system owners and data owners in conjunction with IT Services to review users' access rights. The review shall be logged and IT Services shall sign off the review to give authority for users' continued access rights.~~

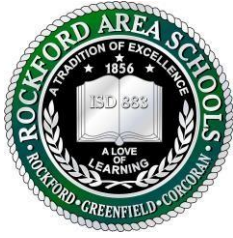
~~XVI. DISTRIBUTION AND REVIEW OF POLICY~~

~~Copies of this policy will be made available to all district employees. Before handling any sensitive information data, district employees will read this policy in its entirety and sign the form confirming they have read and fully understand this policy. This document will be reviewed and updated by administration on an annual basis or when relevant to include newly-developed security standards into the policy and redistribute to all employees and contractors where applicable.~~

~~**Cross-References:** District Policy 402 (Disability Nondiscrimination Policy) District Policy 404 (Employment Background Checks) District Policy 406 (Public and Private Personnel Data) District Policy 413 (Harassment and Violence) District Policy 514 (Bullying Prohibition Policy) District Policy 515 (Protection and Privacy of Pupil Records) District Policy 521 (Student Disability Nondiscrimination) District Policy 522 (Student Sex Nondiscrimination) District Policy 524 (Internet Acceptable Use and Safety Policy)~~



District Policy 528 (Student Parental, Family, and Marital Status
Nondiscrimination)
District Policy 702 (Accounting)



~~Appendix A – Agreement to Comply Form –
Agreement to Comply With Information
Security Policies~~

~~Employee Name (printed)~~

~~Job Title/Location~~

~~I agree to take all reasonable precautions to assure that company internal information, or information that has been entrusted to the company by third parties such as customers, will not be disclosed to unauthorised persons. At the end of my employment or contract with the company, I agree to return all information to which I have had access as a result of my position. I understand that I am not authorised to use sensitive information for my own purposes, nor am I at liberty to provide this information to third parties without the express written consent of the internal manager who is the designated information owner.~~

~~I have access to a copy of the Information Security Policies, I have read and understand these policies, and I understand how it impacts my job. As a condition of continued employment, I agree to abide by the policies and other requirements found in the company security policy. I understand that non-compliance will be cause for disciplinary action up to and including dismissal, and perhaps criminal and/or civil penalties.~~

~~I also agree to promptly report all violations or suspected violations of information security policies to the designated security officer.~~

~~Employee Signature~~

~~Date~~



Appendix C – List of Service Providers

Name of Service Provider	Contact Details	Services Provided	PCI-DSS Compliant	PCI-DSS Validation Date