

## Regular Meeting

Wednesday, August 13, 2025 5:30 PM

Northland High School Room C113, 316 Main St E, Remer, MN 56672

### 1. Call to Order

### 2. Pledge of Allegiance

### 3. Mission Statement "Educate and inspire all learners to reach their full potential."

### 4. Adoption of Agenda

### 5. Recognitions

### 6. Audience Recognition

### 7. Consent items

7.1. Approve the minutes from the Regular Meeting held on July 9, 2025

7.2. Approve the June 2025 Treasurer's Report and bills

#### 7.3. Policies with changes that do not affect the substance of the policy

7.3.1. 305 - Policy Implementation

7.3.2. 413-Harrasment and Violence

7.3.3. 416-Drug, Alcohol, and Cannabis Testing

7.3.4. 503-Student Attendance

7.3.5. 606.5-Library Materials

7.3.6. 613-Graduation Requirements

7.3.7. 620-Credit for Learning

7.3.8. 624 - Online Instruction

7.3.9. 722- Public Data and Data Subject Requests

7.4. Approve the resolution accepting gifts/donations to Northland Community Schools:  
Whereas the following; therefore, BE IT RESOLVED by the School Board of Northland Community Schools District 118, Remer, and State of Minnesota as follows: The Northland Community Schools - District 118 School Board does hereby accept the following gifts/donations:  
Longville Lakes Area Chamber of Commerce - \$2000 for the wresting program

\$100 for the trap team  
Kimberly Parent - \$20 for the wresting program  
Nancy Stefan - \$25 for the wresting program

Mark and Patty Lange - \$50 for the wrestling program

## **8. Reports**

### **8.1. Business Manager Report**

### **8.2. PreK-5 Principal Report**

#### 8.2.1.

- Local Literacy Plan
- Comprehensive Needs Assessment
- Title School Site Plan
- Annual Goals

#### 8.2.2. Approve appointing Janessa Green the ISD #118 Local Literacy Lead

### **8.3. High School Principal Report**

### **8.4. Building and Transportation Report**

### **8.5. Indian Education Report**

### **8.6. CE Report**

## **9. Superintendent Report**

## **10. New Business**

### 10.1. PragerU Video

### **10.2. Policies for First Reading**

#### 10.2.1. 418-Drug-Free Workplace/Drug-Free School

#### 10.2.2. 425-Staff Development and Mentoring

#### 10.2.3. 501-School Weapons

#### 10.2.4. 503-Student Attendance

#### 10.2.5. 515-Protection and Privacy of Pupil Records

#### 10.2.6. 516-Student Medication and Telehealth

#### 10.2.7. 516.5-Overdose Medication

#### 10.2.8. 524-Internet, Technology and Cell Phone Acceptable Use and Safety

#### 10.2.9. 534-School Meals Policy

#### 10.2.10. 602-Organization of School Calendar and School Day

#### 10.2.11. 707-Transportation of Public School Students

#### 10.2.12. 709-Student Transportation Safety

- 10.2.13. 802-Disposition of Obsolete Equipment and Material
- 10.2.14. 806 - Crisis Management
- 10.3. Second Reading and approval of Policy 506  
- Student Discipline
- 10.4. Second Reading and approval of Policy 514  
- Prohibition of Harassment, Intimidation & Bullying
- 10.5. Second Reading and approval of Policy 522  
- Title IX Nondiscrimination Policy, Grievance Procedure and Process
- 10.6. Second Reading and approval of Policy 616  
- School District System Accountability
- 10.7. Second Reading and approval of Policy 621  
- Literacy and READ Act
- 10.8. Discussion regarding proposal to move the last day of school for grades K-5 from June 4th to June 3rd, so teachers can complete their final LETRS training
- 10.9. Review and approve a "Back to School" ad to be published in the Pine Cone Press
- 10.10. Approve renewal of MSBA membership for FY26
- 10.11. Approve the Professional Services Agreement between ISD #118 and North Homes for the 2025-2026 school year
- 10.12. Approve the Agreement for Services between Northland Community Schools and Deer River Public Schools for shared services of School Psychologist, Raina Heruth
- 10.13. Approve the proposal from IEA (Institute for Environmental Assessment) for environmental, health and safety management services from July 1, 2025 to June 30, 2028
- 10.14. ~~Approve the 2025-2026 Service Agreement between Northland Community Schools and Interquest Detection Canines~~ Contract not available for review and approval
- 10.15. Approve resolution for the Designation of an Identified Official with Authority for Education Identity Access Management and for a proxy.

The Minnesota Department of Education (MDE), Professional Educator Licensing Standards Board (PELSB), and Office of Higher Education (OHE) require annual designation of an Identified Official with Authority (IOwA) for each local education agency that uses the Education Identity Access Management (EDIAM) system. The IOwA is responsible for authorizing, reviewing, and recertifying user access for their local education agency in accordance with the State of Minnesota Enterprise Identity and Access Management Standard, which states that all user access rights to Minnesota state systems must be

reviewed and recertified at least annually. The Identified Official with Authority will authorize user access to State of Minnesota Education secure systems in accordance with the user's assigned job duties, and will revoke that user's access when it is no longer needed to perform their job duties. The Superintendent recommends the Board authorize Mark Morrison, mmorrison@isd118.org, mark.morrison to act as the Identified Official with Authority (IOwA) for Northland Community Schools 0118-01 and for Tina Anderson, tina.anderson, to act as proxy for Northland Community Schools 0118-01.

10.16. Approve the 2025-2026 Mentor Handbook for Teachers

10.17. Approve the PSEO Agreement between ISD #118 and MN North College

#### 11. **Personnel**

11.1. Approve the hire of Stephaney Williamson as Early Childhood Special Education Teacher at MA, Step 11

11.2. Approve the hire of Irving Vilina as Lead Custodian

11.3. Approve the At-Will Employment Agreement for Boiler Operator between ISD #118 and Chris McNeil

11.4. Approve the hire of Steven Haase as Custodian

11.5. Approve the hire of Abbie Newman as AVID Program Advisor

11.6. Approve the hire of Charles Holm as Assistant Football Coach

11.7. Accept the resignation of Bruce Schear as Paraprofessional, effective August 22, 2025

#### 12. **Other school business which can legally be brought before the Board**

#### 13. **Next Meeting Dates:**

- Regular Meeting, September 10, 2025, 5:30

p.m.

#### 14. **Adjournment**

Northland Community Schools - ISD #118  
Regular Meeting Minutes Summary  
Wednesday, July 9, 2025  
Northland High School Room C113  
316 Main St E  
Remer, MN 56672

Aaron Ammerman: Present, Linda Knox: Present, Terri Nystrom: Present, Jason Perkins:  
Absent, Marc Ruyak: Present, Tyler Seifert: Present, Bill Wake: Absent. Present: 5, Absent: 2.

**1. Call to Order**

Board Chair Ruyak called the meeting to order at 5:30 p.m.

**2. Pledge of Allegiance**

**3. Mission Statement "Educate and inspire all learners to reach their full potential."**

**4. Adoption of Agenda**

Motion to adopt the agenda. This motion, made by Aaron Ammerman and seconded by Tyler Seifert, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea  
Yea: 5, Nay: 0, Absent: 2

**5. Recognitions**

**6. Audience Recognition**

**7. Consent items**

Motion to approve the Consent Items. This motion, made by Terri Nystrom and seconded by Aaron Ammerman, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea  
Yea: 5, Nay: 0, Absent: 2

7.1. Approve the minutes from the Regular Meeting held on June 11, 2025

7.2. Approve the June 2025 Treasurer's Report and bills

**7.3. Policies with revisions that do not affect the substance**

7.3.1. Policy 410 - Family and Medical Leave

7.3.2. Policy 414 - Mandated Reporting of Child Neglect or Physical or Sexual Abuse

7.3.3. Policy 524 - Internet Acceptable Use

7.3.4. Policy 806 - Crisis Management

**7.4. Policies reviewed with no changes**

7.4.1. Policy 415 - Mandated Reporting of Maltreatment of Vulnerable Adults

7.4.2. Policy 426 - Professional Personnel Time Schedule

- 7.4.3. Policy 426.1 - Professional Personnel Extra Duty  
Changed number from 427 to 426.1
- 7.4.4. Policy 428 - Professional Personnel Non-School Employment
- 7.4.5. Policy 429 - Professional Personnel Legal Leave
- 7.4.6. Policy 430 - Professional Personnel Military Leave
- 7.4.7. Policy 434 - Non-Licensed Personnel Assignments
- 7.4.8. Policy 435 - Non-Licensed Personnel Supervision

## **8. Reports**

- 8.1. Early Education Report**
- 8.2. Business Manager Report**
- 8.3. Elementary Principal**
- 8.4. Athletics/Activities Report**
- 8.5. Facilities Report**
- 8.6. Indian Education Report**
- 8.7. CE Report**

## **9. Superintendent Report**

## **10. New Business**

- 10.1. Approve rescinding Policy 431 - Arrangements for Substitutes  
Refer to Policy 453.1  
Motion to approve rescinding Policy 431. This motion, made by Tyler Seifert and seconded by Aaron Ammerman, Passed.  
Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea  
Yea: 5, Nay: 0, Absent: 2
- 10.2. Approve rescinding Policy 432 - Teacher's Records  
Records are kept electronically  
Motion approve rescinding Policy 432. This motion, made by Terri Nystrom and seconded by Aaron Ammerman, Passed.  
Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea  
Yea: 5, Nay: 0, Absent: 2
- 10.3. First Reading of revised Policy 506 - Student Discipline
- 10.4. First Reading of Policy 514 - Prohibition of Harassment, Intimidation & Bullying
- 10.5. First Reading of Policy 522 - Title IX Nondiscrimination Policy, Grievance Procedure and Process

10.6. First Reading of Policy 616 - School District System Accountability

10.7. First Reading of Policy 621 - Literacy and READ Act

10.8. Approve revisions to the 2025-2026 Teacher Handbook

Motion to approve revisions to the 2025-2026 Teacher Handbook. This motion, made by Aaron Ammerman and seconded by Tyler Seifert, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea

Yea: 5, Nay: 0, Absent: 2

10.9. Approve revisions to the 2025-2026 Non-Licensed Handbook

Motion to approve revisions to the 2025-2026 Non-Licensed Handbook. This motion, made by Tyler Seifert and seconded by Aaron Ammerman, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea

Yea: 5, Nay: 0, Absent: 2

10.10. Approve revisions to the 2025-2026 Student & Family Handbook

Motion to approve revisions to the 2025-2026 Student & Family Handbook with the exception of the paragraph regarding food in classrooms. This motion, made by Tyler Seifert and seconded by Aaron Ammerman, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea

Yea: 5, Nay: 0, Absent: 2

10.11. Approve the request to sell, recycle or dispose of obsolete equipment and materials by selling it at a fair price consistent with the procedures outlined in Policy 802

Motion to approve the terms outlining disposition of district property per Policy 802. This motion, made by Tyler Seifert and seconded by Aaron Ammerman, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea

Yea: 5, Nay: 0, Absent: 2

10.12. Review the renewal contract from Weizenegger Engel Insurance

Motion to approve the renewal rates. This motion, made by Tyler Seifert and seconded by Aaron Ammerman, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea

Yea: 5, Nay: 0, Absent: 2

10.13. Approve the Agreement for PSEO Services between Central Lakes College and Northland Community Schools for the 2025-2026 school year at \$256 per college credit, per student

Motion to approve the Agreement for PSEO services. This motion, made by Aaron Ammerman and seconded by Tyler Seifert, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea

Yea: 5, Nay: 0, Absent: 2

10.14. Approve the Agreement for Law Enforcement Services between Northland Community Schools and Cass County for the 2025-2026 school year

Motion to approve the Law Enforcement Agreement for Services for the 2025-2026 school year. This motion, made by Tyler Seifert and seconded by Aaron Ammerman, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea

Yea: 5, Nay: 0, Absent: 2

10.15. Approve MSHSL Resolution for 2025-2026

Whereas the following; therefore, be it resolved by the School Board of Northland Community Schools - District 118, Remer, and the State of Minnesota, hereby accept the following:

MSHSL Resolution for SY 2025-2026

Motion to approve the 2025-2026 MSHSL Resolution. This motion, made by Tyler Seifert and seconded by Aaron Ammerman, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea

Yea: 5, Nay: 0, Absent: 2

**10.16. Resolution Stating the Intention of the School Board to Approve the FY27 LTFM Plan: whereas the following; BE IT RESOLVED by the School Board of Independent School District No. 118, State of Minnesota, approves the district's Long-Term Facilities Maintenance Plan. The Board will follow the LTFM Legislation as follows:**

**1. The district will maintain and implement a health and safety program that complies with regulations.**

**2. The district will maintain an indoor air quality management program.**

**3. As outlined in the LTFM plan, the district intends to use the dollars in a pay-as-you-go format.**

Approve Resolution Stating the Intention of the School Board to Approve the FY26 LTFM Plan. This motion, made by Tyler Seifert and seconded by Aaron Ammerman, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea

Yea: 5, Nay: 0, Absent: 2

10.17. Accept the bid for fuel oil from Best Oil for the 2025-2026 school year at \$2.605 per gallon

Motion to accept the bid from Best Oil bid for fuel oil at a price of \$2.605 per gallon. This motion, made by Tyler Seifert and seconded by Terri Nystrom, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea

Yea: 5, Nay: 0, Absent: 2

10.18. Accept the bid for propane from Ferrellgas for the 2025-2026 school year at \$1.315 per gallon

Motion to accept the bid for propane from Ferrellgas at \$1.315 per gallon. This motion, made by Aaron Ammerman and seconded by Tyler Seifert, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri

Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea  
Yea: 5, Nay: 0, Absent: 2

10.19. Accept the bid for snow removal from Outdoor Creations and Renovations for the 2025-2026 school year at \$96.00 per hour

Motion to accept the bid from Outdoor Creations & Renovations for snow removal during the 2025-2026 school year at \$96.00 per hour. This motion, made by Aaron Ammerman and seconded by Terri Nystrom, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea  
Yea: 5, Nay: 0, Absent: 2

10.20. Accept the bid for milk from Sandstrom's Distributing for the 2025-2026 school year at \$0.38 per carton for white milk and \$0.40 per carton for chocolate milk

Motion to accept the bid for milk from Sandstrom's Distributing for the 2025-2026 school year. This motion, made by Aaron Ammerman and seconded by Tyler Seifert, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea  
Yea: 5, Nay: 0, Absent: 2

10.21. Approve renewal of MSOPA membership with an annual fee of \$100

Motion to approve renewing the MSOPA membership. This motion, made by Tyler Seifert and seconded by Aaron Ammerman, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea  
Yea: 5, Nay: 0, Absent: 2

## 11. Personnel

11.1. Approve the hire of Sam Sparen as Head Football Coach starting the 2025-2026 season

Motion to approve the hire of Sam Sparen as Head Football Coach. This motion, made by Aaron Ammerman and seconded by Tyler Seifert, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea  
Yea: 5, Nay: 0, Absent: 2

11.2. Approve the hire of Jeremy Schwarz as Boys Basketball Head Coach starting the 2025-2026 season

Motion to approve the hire of Jeremy Schwarz as Boys Basketball Head Coach. This motion, made by Tyler Seifert and seconded by Aaron Ammerman, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea  
Yea: 5, Nay: 0, Absent: 2

11.3. Approve the hire of Steve Martin as Boys Basketball Assistant Coach starting the 2025-2026 season

Motion to approve the hire of Steve Martin as Boys Basketball Head Coach. This motion, made by Tyler Seifert and seconded by Aaron Ammerman, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri

Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea  
Yea: 5, Nay: 0, Absent: 2

**12. Other school business which can legally be brought before the Board**

**13. Next Meeting Dates:**

- Work Session: July 23, 2025, 5:30 p.m.
- Policy Committee: August 4, 2025, 10:00 a.m.
- Regular Meeting: August 13, 2025, 5:30 p.m.

**14. Adjournment**

Board Chair Ruyak called for a motion to adjourn the meeting at 5:55 p. m. This motion, made by Aaron Ammerman and seconded by Terri Nystrom, Passed.

Jason Perkins: Absent, Bill Wake: Absent, Aaron Ammerman: Yea, Linda Knox: Yea, Terri Nystrom: Yea, Marc Ruyak: Yea, Tyler Seifert: Yea  
Yea: 5, Nay: 0, Absent: 2

Visitors: Kyndra Johnson, Lori Sizenbach, Carol Procopio, Julie Erpelding, Stephaney Williamson.

Tina Anderson, Recording Secretary

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Linda Knox, Board Clerk

## ISD#118 Remer-Longville Detail Payment Register By Check

**Check Number: 0-2147483647    Payment Date: 7/1/2025-07/31/2025    Period: 202601-202601    Void Status: N**

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
chec	107809	6564	REMIT	ACTIVE INTERNET TECHNOLOGIES LLC		Check		
			E 01	005 630 000 000 405	CORE COMMUNICATIONS PLATFORM	\$1,471.00		
<b>PO#:</b>	<b>Voucher #:</b>	<b>76497</b>	Invoice	<b>Invoice No:</b> INV083301	<b>7/1/2025</b>	<b>Paid Amt:</b>	<b>\$1,471.00</b>	
						<b>Check Amount:</b>	<b>\$1,471.00</b>	
chec	107810	3296		AMAZON.COM		Check		
			E 01	310 298 069 000 401	B0014B5T9G Raffle Ticket Drum - Ticket Spin	\$49.98		
<b>PO#:</b> 20814	<b>Voucher #:</b>	<b>76487</b>	Invoice	<b>Invoice No:</b> 1XKF-3M6V-VC4V	<b>7/1/2025</b>	<b>Paid Amt:</b>	<b>\$49.98</b>	
			E 01	005 110 000 000 401	B00GM0FZ2K Universal Economy Boxes, 12 :	\$22.49		
			E 01	005 110 000 000 401	B06ZYXVYJK EASEPRES Desk File Organize	\$22.98		
			E 01	005 110 000 000 401	B07Q6ZWR74 Staples File Folders, 1/3-Cut T:	\$14.39		
			E 01	005 110 000 000 401	Amazon Shipping Charge	\$6.99		
<b>PO#:</b> 20881	<b>Voucher #:</b>	<b>76486</b>	Invoice	<b>Invoice No:</b> 1GMK-QFQN-PP6R	<b>7/1/2025</b>	<b>Paid Amt:</b>	<b>\$66.85</b>	
			E 01	010 203 207 000 430	B00006JNK2 EXPO Dry Erase Markers, Low C	\$12.79		
			E 01	010 203 207 000 430	B0040ZOD68 Kleenex Professional Facial Tis	\$27.99		
			E 01	010 203 207 000 430	B01D58DRVC Simple Houseware 24 Pockets	\$9.95		
			E 01	010 203 207 000 430	B07L39NBMS Really Good Stuff 24PK Zaner-	\$29.99		
			E 01	010 203 207 000 430	B082CLHSPD Rarlan Wood-Cased #2 HB Pei	\$19.99		
			E 01	010 203 207 000 430	B09MJ8VZTR 30 PCS Nameplate Pocket Adh	\$16.99		
			E 01	010 203 207 000 430	B0BCDC4Y8T wexpw 50 Pieces 3x4 inch Adh	\$9.99		
			E 01	010 203 207 000 430	B0C458N85D Plastic Clipboards, PANDRI 24	\$37.87		
			E 01	010 203 207 000 430	B0CYDBCSR7 Clorox Disinfecting Wipes Valu	\$16.62		
			E 01	010 203 207 000 430	B0D4GW1KP3 QUI Presentation Clicker Hype	\$9.99		
<b>PO#:</b> 20810	<b>Voucher #:</b>	<b>76488</b>	Invoice	<b>Invoice No:</b> 1QCT-RPFM-KKRJ	<b>7/1/2025</b>	<b>Paid Amt:</b>	<b>\$192.17</b>	
						<b>Check Amount:</b>	<b>\$309.00</b>	
chec	107811	6551		AMY HORN		Check		
			E 04	500 505 000 321 305	REFUND FOR CANCELED SWIM LESSONS	\$70.00		
<b>PO#:</b>	<b>Voucher #:</b>	<b>76506</b>	Invoice	<b>Invoice No:</b> REFUND	<b>7/1/2025</b>	<b>Paid Amt:</b>	<b>\$70.00</b>	
						<b>Check Amount:</b>	<b>\$70.00</b>	
chec	107812	5181		AUL/MIDAMERICA ADMINISTRATIVE & RETIREMENT SOLUTIONS IN		Check		
			E 01	005 020 000 000 251	Mary Wilke - Qtr 3	\$2,500.00		
<b>PO#:</b>	<b>Voucher #:</b>	<b>76517</b>	Invoice	<b>Invoice No:</b> M. Wilke Qtr 3	<b>7/1/2025</b>	<b>Paid Amt:</b>	<b>\$2,500.00</b>	
			E 01	005 020 000 000 251	Mike Doro - Qtr 3	\$2,500.00		
<b>PO#:</b>	<b>Voucher #:</b>	<b>76516</b>	Invoice	<b>Invoice No:</b> M.Doro Qtr 3	<b>7/1/2025</b>	<b>Paid Amt:</b>	<b>\$2,500.00</b>	
						<b>Check Amount:</b>	<b>\$5,000.00</b>	
chec	107813	6016		AVID CENTER		Check		
			E 01	020 640 200 000 366	AVID Weekly	\$710.00		

**ISD#118 Remer-Longville**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 7/1/2025-07/31/2025 Period: 202601-202601 Void Status: N

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type			
chec	107813	6016		<b>AVID CENTER</b>		Check			
			E 01 020 640 200 000 366	AVID Membership Fees			\$4,599.00		
PO#:	20844	Voucher #:	76501	Invoice	Invoice No: INV004683	7/1/2025		Paid Amt:	\$5,309.00
								Check Amount:	\$5,309.00
chec	107814	6697		<b>BLUE CROSS BLUE SHIELD OF MINNESOTA</b>		Check			
			B 01 215 031	Employer Insurance Withholding Payable			\$41,951.10		
			E 01 010 203 000 000 291	Elem Retiree			\$962.91		
			E 01 020 211 000 000 291	Sec. Retiree			\$1,778.63		
PO#:		Voucher #:	76511	Invoice	Invoice No: 250602310979	7/1/2025		Paid Amt:	\$44,692.64
								Check Amount:	\$44,692.64
chec	107815	6301	REMIT	<b>BREAKDOWN SPORTS USA</b>		Check			
			E 01 310 296 320 301 402	Girl's Basketball Activity			\$275.00		
PO#:		Voucher #:	76510	Invoice	Invoice No: FY25 Breakdown Sport	7/1/2025		Paid Amt:	\$275.00
								Check Amount:	\$275.00
chec	107816	6513		<b>COLONIAL LIFE</b>		Check			
			B 01 215 032	E5854377,E5886478, E5886460			\$181.34		
PO#:		Voucher #:	76513	Invoice	Invoice No: 07012025	7/1/2025		Paid Amt:	\$181.34
								Check Amount:	\$181.34
chec	107817	4397		<b>DELTA DENTAL OF MN</b>		Check			
			B 01 215 046	District Contribution			\$2,915.15		
			E 01 010 203 000 000 291	Elem Retiree			\$100.88		
			E 01 020 211 000 000 291	Sec. Retiree			\$148.82		
			E 01 010 050 000 000 291	Admin Retiree			\$148.82		
PO#:		Voucher #:	76515	Invoice	Invoice No: RIS0006455722	7/1/2025		Paid Amt:	\$3,313.67
								Check Amount:	\$3,313.67
chec	107818	5672		<b>FRONTLINE TECHNOLOGIES GROUP LLC</b>		Check			
			E 01 005 110 000 000 305	APPLICANT TRACKING			\$2,608.85		
			E 01 005 110 000 000 305	ABSENCE MANAGEMENT			\$3,913.25		
PO#:		Voucher #:	76498	Invoice	Invoice No: INVUS223912	7/1/2025		Paid Amt:	\$6,522.10
								Check Amount:	\$6,522.10
chec	107819	5362	REMIT	<b>HUDL</b>		Check			
			E 01 310 296 310 000 401	SILVER PACKAGE			\$750.00		
			E 01 310 296 310 301 402	VOLLEYBALL UNLIMITED GAME STANDARI			\$800.00		
PO#:		Voucher #:	76496	Invoice	Invoice No: H00129237	7/1/2025		Paid Amt:	\$1,550.00
								Check Amount:	\$1,550.00

**ISD#118 Remer-Longville**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 7/1/2025-07/31/2025 Period: 202601-202601 Void Status: N

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
chec	107820	4163		<b>IASC</b>		<b>Check</b>
			E 01	020 211 000 000 394	Personal Finance-Semester 1	\$1,043.48
			E 01	020 211 000 000 394	Intro to Business o- Semester 2	\$2,000.00
<b>PO#:</b>	<b>Voucher #:</b>	<b>76503</b>	Invoice	<b>Invoice No:</b> 3892	<b>7/1/2025</b>	<b>Paid Amt: \$3,043.48</b>
						<b>Check Amount: \$3,043.48</b>
chec	107821	02406		<b>ISD #0002</b>		<b>Check</b>
			E 04	500 507 000 000 391	Shared EC Coordinator	\$20,369.48
<b>PO#:</b>	<b>Voucher #:</b>	<b>76493</b>	Invoice	<b>Invoice No:</b> 1316	<b>7/1/2025</b>	<b>Paid Amt: \$20,369.48</b>
			E 01	020 218 000 388 390	FY 25 SPEECH	\$3,940.63
<b>PO#:</b>	<b>Voucher #:</b>	<b>76494</b>	Invoice	<b>Invoice No:</b> 1318	<b>7/1/2025</b>	<b>Paid Amt: \$3,940.63</b>
			E 01	310 294 250 000 391	FY25 BASEBALL	\$14,118.82
<b>PO#:</b>	<b>Voucher #:</b>	<b>76495</b>	Invoice	<b>Invoice No:</b> 1315	<b>7/1/2025</b>	<b>Paid Amt: \$14,118.82</b>
			E 01	310 296 340 000 391	FY 25 SOFTBALL	\$11,499.02
<b>PO#:</b>	<b>Voucher #:</b>	<b>76492</b>	Invoice	<b>Invoice No:</b> 1314	<b>7/1/2025</b>	<b>Paid Amt: \$11,499.02</b>
						<b>Check Amount: \$49,927.95</b>
chec	107822	6744		<b>KAY COTTER</b>		<b>Check</b>
			E 04	500 505 000 321 305	Consulting Fees	\$70.00
<b>PO#:</b>	<b>Voucher #:</b>	<b>76505</b>	Invoice	<b>Invoice No:</b> REFUND	<b>7/1/2025</b>	<b>Paid Amt: \$70.00</b>
						<b>Check Amount: \$70.00</b>
chec	107823	6738		<b>LAUREL FLADMOE</b>		<b>Check</b>
			E 04	500 505 000 321 305	Consulting Fees	\$10.00
<b>PO#:</b>	<b>Voucher #:</b>	<b>76504</b>	Invoice	<b>Invoice No:</b> Refund	<b>7/1/2025</b>	<b>Paid Amt: \$10.00</b>
						<b>Check Amount: \$10.00</b>
chec	107824	6662		<b>LAWRENCE UNIVERSITY</b>		<b>Check</b>
			E 01	005 960 324 340 898	MALLORY TSCHEU	\$1,000.00
<b>PO#:</b>	<b>Voucher #:</b>	<b>76507</b>	Invoice	<b>Invoice No:</b> M.TSCHEU	<b>7/1/2025</b>	<b>Paid Amt: \$1,000.00</b>
						<b>Check Amount: \$1,000.00</b>
chec	107825	5223		<b>MADISON NATIONAL LIFE</b>		<b>Check</b>
			B 01	215 036	Ltd Insurance Withholding Payable-Dist	\$988.78
<b>PO#:</b>	<b>Voucher #:</b>	<b>76512</b>	Invoice	<b>Invoice No:</b> 07012025	<b>7/1/2025</b>	<b>Paid Amt: \$988.78</b>
						<b>Check Amount: \$988.78</b>
chec	107826	2598		<b>MESPA</b>		<b>Check</b>
			E 01	010 050 000 000 820	J.GREEN	\$703.00
<b>PO#:</b>	<b>Voucher #:</b>	<b>76500</b>	Invoice	<b>Invoice No:</b> 19340	<b>7/1/2025</b>	<b>Paid Amt: \$703.00</b>
						<b>Check Amount: \$703.00</b>

**ISD#118 Remer-Longville**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 7/1/2025-07/31/2025 Period: 202601-202601 Void Status: N

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
chec	107827	01415		<b>MSBA</b>		<b>Check</b>
			E 01	005 010 000 000 820	POLICY SERVICES	\$760.00
			E 01	005 010 000 000 820	ISD MEMBERSHIP	\$3,045.00
			E 01	005 010 000 000 820	BOARDBOOK SUBSCRIPTION	\$2,950.00
<b>PO#:</b>	<b>Voucher #:</b>	<b>76499</b>	Invoice	<b>Invoice No:</b> INV-13590-LOX8Q1	<b>7/1/2025</b>	<b>Paid Amt: \$6,755.00</b>
						<b>Check Amount: \$6,755.00</b>
chec	107828	5759		<b>NORTHERN PERFORMANCE INC</b>		<b>Check</b>
			E 01	310 292 110 000 401	portables Apr-Oct full season with delivery - qu	\$193.50
<b>PO#:</b> 20767	<b>Voucher #:</b>	<b>76489</b>	Invoice	<b>Invoice No:</b> 31215	<b>7/1/2025</b>	<b>Paid Amt: \$193.50</b>
						<b>Check Amount: \$193.50</b>
chec	107829	6304	REMIT	<b>POWERSCHOOL GROUP LLC</b>		<b>Check</b>
			E 01	010 216 011 401 406	Schoology LMS Subscription	\$4,335.08
<b>PO#:</b> 20854	<b>Voucher #:</b>	<b>76502</b>	Invoice	<b>Invoice No:</b> INV445369	<b>7/1/2025</b>	<b>Paid Amt: \$4,335.08</b>
						<b>Check Amount: \$4,335.08</b>
chec	107830	6660	REMIT	<b>VESTIS GROUP INC</b>		<b>Check</b>
			E 03	005 760 000 720 401	BUS GARAGE	\$36.48
<b>PO#:</b>	<b>Voucher #:</b>	<b>76509</b>	Invoice	<b>Invoice No:</b> 2630439348	<b>7/1/2025</b>	<b>Paid Amt: \$36.48</b>
			E 01	005 810 000 000 350	4 18" / 2 48" / 1 60" dry mops + 2	\$23.43
<b>PO#:</b> 20294	<b>Voucher #:</b>	<b>76490</b>	Invoice	<b>Invoice No:</b> 2630436828	<b>7/1/2025</b>	<b>Paid Amt: \$23.43</b>
			E 03	005 760 000 720 401	Uniforms and shop towels	\$34.48
<b>PO#:</b> 20206	<b>Voucher #:</b>	<b>76491</b>	Invoice	<b>Invoice No:</b> 2630436829	<b>7/1/2025</b>	<b>Paid Amt: \$34.48</b>
			E 01	005 810 000 000 350	4 18" / 2 48" / 1 60" dry mops + 2	\$24.57
<b>PO#:</b> 20294	<b>Voucher #:</b>	<b>76508</b>	Invoice	<b>Invoice No:</b> 2630439347	<b>7/1/2025</b>	<b>Paid Amt: \$24.57</b>
						<b>Check Amount: \$118.96</b>
chec	107831	6489		<b>VSP INSURANCE CO. (CT)</b>		<b>Check</b>
			B 01	215 032	District Contribution	\$117.47
<b>PO#:</b>	<b>Voucher #:</b>	<b>76514</b>	Invoice	<b>Invoice No:</b> 823080806	<b>7/1/2025</b>	<b>Paid Amt: \$117.47</b>
						<b>Check Amount: \$117.47</b>
chec	107832	6368	REMIT	<b>W-E INSURANCE</b>		<b>Check</b>
			E 01	005 940 000 000 340	7/1/25 - 7/1/26	\$6,710.00
<b>PO#:</b>	<b>Voucher #:</b>	<b>76518</b>	Invoice	<b>Invoice No:</b> FY26-Cyber Insurance	<b>7/1/2025</b>	<b>Paid Amt: \$6,710.00</b>
						<b>Check Amount: \$6,710.00</b>
chec	107833	04084		<b>AMERICAN DISPOSAL</b>		<b>Check</b>
			E 01	005 810 000 000 331	June	\$784.48
<b>PO#:</b>	<b>Voucher #:</b>	<b>76520</b>	Invoice	<b>Invoice No:</b> 540510524	<b>7/14/2025</b>	<b>Paid Amt: \$784.48</b>
						<b>Check Amount: \$784.48</b>

**ISD#118 Remer-Longville**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 7/1/2025-07/31/2025 Period: 202601-202601 Void Status: N

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
chec	107834	5502		<b>APG MEDIA of MN</b>		<b>Check</b>
			E 01 005 110 000 000 380	Help Wanted Ads		\$1,200.00
<b>PO#:</b>	<b>Voucher #:</b>	<b>76521</b>	Invoice	<b>Invoice No:</b> WPI4000662-0625	<b>7/14/2025</b>	<b>Paid Amt: \$1,200.00</b>
						<b>Check Amount: \$1,200.00</b>
chec	107835	4446		<b>ARROWHEAD REGIONAL COMPUTING</b>		<b>Check</b>
			E 01 005 110 000 000 391	Business Management		\$16,000.00
			E 01 005 110 000 000 391	Mileage-MASBO, Legislative Update		\$308.00
<b>PO#:</b>	<b>Voucher #:</b>	<b>76519</b>	Invoice	<b>Invoice No:</b> 2204	<b>7/14/2025</b>	<b>Paid Amt: \$16,308.00</b>
						<b>Check Amount: \$16,308.00</b>
chec	107836	05062	R	<b>CAPITAL ONE</b>		<b>Check</b>
			E 01 020 211 000 000 401	Decorating supplies		\$50.00
			E 01 020 211 000 000 401	Potted flowers for decorating		\$91.13
<b>PO#:</b> 20852	<b>Voucher #:</b>	<b>76525</b>	Invoice	<b>Invoice No:</b> 03009	<b>7/14/2025</b>	<b>Paid Amt: \$141.13</b>
			E 01 310 298 069 000 401	PBIS incentives K-12		\$89.68
<b>PO#:</b> 20722	<b>Voucher #:</b>	<b>76522</b>	Invoice	<b>Invoice No:</b> 03849	<b>7/14/2025</b>	<b>Paid Amt: \$89.68</b>
			E 01 010 206 011 433 401	General Supplies		\$82.22
<b>PO#:</b>	<b>Voucher #:</b>	<b>76523</b>	Invoice	<b>Invoice No:</b> 03043	<b>7/14/2025</b>	<b>Paid Amt: \$82.22</b>
			E 01 310 298 114 301 402	Elementary Carnival Supplies and Prizes		\$227.46
<b>PO#:</b> 20792	<b>Voucher #:</b>	<b>76524</b>	Invoice	<b>Invoice No:</b> 03042	<b>7/14/2025</b>	<b>Paid Amt: \$227.46</b>
						<b>Check Amount: \$540.49</b>
chec	107837	6700	REMIT	<b>CENTRAL MCGOWAN, INC</b>		<b>Check</b>
			E 03 005 760 000 720 420	TANK RENTALS		\$51.35
<b>PO#:</b>	<b>Voucher #:</b>	<b>76545</b>	Invoice	<b>Invoice No:</b> 0000391238	<b>7/14/2025</b>	<b>Paid Amt: \$51.35</b>
						<b>Check Amount: \$51.35</b>
chec	107838	3477		<b>COMMITTEE FOR CHILDREN</b>		<b>Check</b>
			E 01 020 270 000 000 460	Second Step Grades k-8 Single site 1 year Lic		\$2,778.00
<b>PO#:</b> 20859	<b>Voucher #:</b>	<b>76550</b>	Invoice	<b>Invoice No:</b> 2054756	<b>7/14/2025</b>	<b>Paid Amt: \$2,778.00</b>
						<b>Check Amount: \$2,778.00</b>
chec	107839	5948		<b>COR ROBOTICS</b>		<b>Check</b>
			E 04 500 505 000 321 305	Intro to Digital Art		\$1,780.00
<b>PO#:</b>	<b>Voucher #:</b>	<b>76526</b>	Invoice	<b>Invoice No:</b> 1513	<b>7/14/2025</b>	<b>Paid Amt: \$1,780.00</b>
						<b>Check Amount: \$1,780.00</b>
chec	107840	5509		<b>DAN MARTIN SNOWPLOWS SALES AND SERVICE</b>		<b>Check</b>
			E 01 005 810 000 000 401	tire for mower		\$469.31
<b>PO#:</b> 20827	<b>Voucher #:</b>	<b>76549</b>	Invoice	<b>Invoice No:</b> 38483	<b>7/14/2025</b>	<b>Paid Amt: \$469.31</b>
						<b>Check Amount: \$469.31</b>

**ISD#118 Remer-Longville**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 7/1/2025-07/31/2025 Period: 202601-202601 Void Status: N

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
chec	107841	6550		<b>GREEN AGAIN LAWN AND LANDSCAPING, INC</b>		<b>Check</b>
			E 01 005 810 000 000 350	Spring2025 June Treatment for FY25 Applicati		\$4,800.00
PO#:	20115	Voucher #:	76527	Invoice Invoice No: 9749	7/14/2025	Paid Amt: \$4,800.00
			E 01 005 810 000 000 350	Total Kill annual treatment for weeds per quote		\$1,800.00
PO#:	20116	Voucher #:	76528	Invoice Invoice No: 9750	7/14/2025	Paid Amt: \$1,800.00
						<b>Check Amount: \$6,600.00</b>
chec	107842	01052		<b>HOLKERS DO IT BEST LUMBER</b>		<b>Check</b>
			E 01 005 810 000 000 420	SAFETY HASP		\$8.79
PO#:		Voucher #:	76543	Invoice Invoice No: 2506-092032	7/14/2025	Paid Amt: \$8.79
			E 01 005 810 000 000 420	PAINT THINNER		\$15.49
PO#:		Voucher #:	76544	Invoice Invoice No: 2506-092459	7/14/2025	Paid Amt: \$15.49
						<b>Check Amount: \$24.28</b>
chec	107843	4422		<b>INFINITY ONLINE</b>		<b>Check</b>
			E 01 020 211 000 000 820	FY26 MEMBERSHIP		\$1,500.00
PO#:		Voucher #:	76551	Invoice Invoice No: 311880	7/14/2025	Paid Amt: \$1,500.00
						<b>Check Amount: \$1,500.00</b>
chec	107844	02732		<b>ISD #0318</b>		<b>Check</b>
			E 04 500 505 000 321 380	Community Ed Bulletins		\$1,061.92
PO#:		Voucher #:	76531	Invoice Invoice No: 250837	7/14/2025	Paid Amt: \$1,061.92
						<b>Check Amount: \$1,061.92</b>
chec	107845	6745		<b>JOANNE BERTACH</b>		<b>Check</b>
			E 04 500 505 000 321 305	REFUND FOR SWIMMING LESSONS		\$75.00
PO#:		Voucher #:	76532	Invoice Invoice No: REFUND	7/14/2025	Paid Amt: \$75.00
						<b>Check Amount: \$75.00</b>
chec	107846	1279	R	<b>JOHNSON CONTROLS</b>		<b>Check</b>
			E 01 005 810 000 000 350	Humidity Alarms		\$504.68
PO#:		Voucher #:	76530	Invoice Invoice No: 1-135983996354	7/14/2025	Paid Amt: \$504.68
			E 01 005 810 000 000 305	FY26 Service Contract		\$14,253.00
PO#:	20855	Voucher #:	76557	Invoice Invoice No: 1-135928425837	7/14/2025	Paid Amt: \$14,253.00
						<b>Check Amount: \$14,757.68</b>
chec	107847	01098		<b>JOHNSON TELEPHONE CO</b>		<b>Check</b>
			E 01 005 810 000 000 320	R0520		\$611.37
PO#:		Voucher #:	76547	Invoice Invoice No: R0520-7/1/25	7/14/2025	Paid Amt: \$611.37
			E 04 500 505 000 321 320	4513		\$31.90
PO#:		Voucher #:	76548	Invoice Invoice No: R4513-7/1/25	7/14/2025	Paid Amt: \$31.90
						<b>Check Amount: \$643.27</b>

**ISD#118 Remer-Longville**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 7/1/2025-07/31/2025 Period: 202601-202601 Void Status: N

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type			
chec	107848	5358		<b>L&amp;M SUPPLY INC</b>		Check			
			E 01	005 810 000 000 420	CUSTODIAL SUPPLIES		\$392.76		
PO#:	Voucher #:	76546	Invoice	Invoice No:	GRR-03-10022748	7/14/2025	Paid Amt:	\$392.76	
							Check Amount:	\$392.76	
chec	107849	06136		<b>LAKES COUNTRY SERV COOP</b>		Check			
			E 03	005 760 000 720 305	DRUG TESTING		\$168.00		
PO#:	Voucher #:	76533	Invoice	Invoice No:	101080	7/14/2025	Paid Amt:	\$168.00	
							Check Amount:	\$168.00	
chec	107850	03730		<b>LITTLE SAND GROUP HOMES</b>		Check			
			E 05	040 211 000 302 570	2025-2026 LEASE		\$12,600.00		
PO#:	Voucher #:	76552	Invoice	Invoice No:	892	7/14/2025	Paid Amt:	\$12,600.00	
							Check Amount:	\$12,600.00	
chec	107851	6613		<b>MEDSURETY</b>		Check			
			E 01	005 110 000 000 299	FSA		\$25.00		
			E 01	005 110 000 000 299	HSA		\$126.00		
PO#:	Voucher #:	76554	Invoice	Invoice No:	42848	7/14/2025	Paid Amt:	\$151.00	
							Check Amount:	\$151.00	
chec	107852	4225		<b>MIDWEST BUS PARTS</b>		Check			
			E 03	005 760 000 720 420	stock parts		\$296.36		
PO#: 20781	Voucher #:	76536	Invoice	Invoice No:	INV10741	7/14/2025	Paid Amt:	\$296.36	
							Check Amount:	\$296.36	
chec	107853	2560		<b>MN DEPT OF HEALTH</b>		Check			
			E 01	005 020 000 000 820	Birth record file fee		\$180.00		
PO#: 20840	Voucher #:	76553	Invoice	Invoice No:	2025 Birth File	7/14/2025	Paid Amt:	\$180.00	
							Check Amount:	\$180.00	
chec	107854	6611		<b>MOTOROLA SOLUTIONS, INC.</b>		Check			
			E 03	005 760 000 720 465	Device Programming - 2024 - 2029		\$3,885.69		
PO#:	Voucher #:	76534	Invoice	Invoice No:	8230525036	7/14/2025	Paid Amt:	\$3,885.69	
							Check Amount:	\$3,885.69	
chec	107855	5222		<b>MRI Software LLC</b>		Check			
			E 01	005 110 000 000 305	MARK MORRISON		\$22.00		
			E 01	005 110 000 000 305	KARLYS GRIES		\$20.00		
PO#:	Voucher #:	76535	Invoice	Invoice No:	MRIUS2451514	7/14/2025	Paid Amt:	\$42.00	
							Check Amount:	\$42.00	

**ISD#118 Remer-Longville**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 7/1/2025-07/31/2025 Period: 202601-202601 Void Status: N

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type			
chec	107856	03349		REMIT NORTH CENTRAL INTERNATIONAL, LLC		Check			
			E 03 005 760 000 720 350	2026 Bus Warranty & Install Horn for PA Syste		\$815.01			
PO#:	Voucher #:	76529	Invoice	Invoice No: R226005889:02	7/14/2025	Paid Amt:	\$815.01		
						Check Amount:	\$815.01		
chec	107857	6097		NORTHERN DRUG SCREENING INC		Check			
			E 03 005 760 000 720 290	DOT PHYSICAL-ZEB HEMSWORTH		\$75.00			
PO#:	Voucher #:	76537	Invoice	Invoice No: 15878	7/14/2025	Paid Amt:	\$75.00		
						Check Amount:	\$75.00		
chec	107858	4065		NORTHERN STAR COOPERATIVE		Check			
			E 03 005 760 000 720 444	DIESEL		\$700.15			
			E 03 005 760 000 720 441	GASOLINE		\$665.80			
PO#:	Voucher #:	76539	Invoice	Invoice No: STMT 6/2025	7/14/2025	Paid Amt:	\$1,365.95		
						Check Amount:	\$1,365.95		
chec	107859	4485		NORTHLAND FIRE PROTECTION		Check			
			E 05 005 865 000 363 305	SERVICE & RE-CERT FIRE EXTINGUISHER		\$367.40			
PO#:	Voucher #:	76538	Invoice	Invoice No: 63856	7/14/2025	Paid Amt:	\$367.40		
						Check Amount:	\$367.40		
chec	107860	5355		PAPER STORM		Check			
			E 01 005 020 000 000 366	Bulk shred single pick up 7/3/25		\$259.20			
PO#: 20888	Voucher #:	76555	Invoice	Invoice No: 29837	7/14/2025	Paid Amt:	\$259.20		
						Check Amount:	\$259.20		
chec	107861	06636		PINE CONE PRESS CITIZEN		Check			
			E 01 005 110 000 000 380	HELP WANTED		\$234.00			
			E 01 005 110 000 000 380	MINUTES		\$917.40			
			E 01 005 110 000 000 380	HELP WANTED		\$234.00			
			E 01 005 110 000 000 380	MINUTES		\$667.20			
			E 01 005 110 000 000 380	HELP WANTED		\$273.00			
			E 01 005 110 000 000 380	NOTICE TO BIDDERS		\$125.10			
PO#:	Voucher #:	76540	Invoice	Invoice No: STMT 6/2025	7/14/2025	Paid Amt:	\$2,450.70		
						Check Amount:	\$2,450.70		
chec	107862	3669		REGION 1		Check			
			E 01 010 620 000 000 820	FY26 DESTINY SUPPORT/HOSTING		\$1,813.34			
			E 01 020 620 000 000 820	FY26 DESTINY SUPPORT/HOSTING		\$1,813.34			
PO#:	Voucher #:	76556	Invoice	Invoice No: 15328	7/14/2025	Paid Amt:	\$3,626.68		
						Check Amount:	\$3,626.68		

## ISD#118 Remer-Longville Detail Payment Register By Check

Check Number: 0-2147483647 Payment Date: 7/1/2025-07/31/2025 Period: 202601-202601 Void Status: N

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
chec	107863	6146		TC's FOODS INC		Check		
				E 02 005 770 000 701 490	lunch	\$1.06		
PO#:	Voucher #:	76542	Invoice	Invoice No: 279025	7/14/2025	Paid Amt:	\$1.06	
							Check Amount:	\$1.06
chec	107864	6255	REMIT	THE SHERWIN WILLIAMS CO., INC		Check		
				E 01 005 810 000 000 410	5 Gallons paint	\$271.70		
PO#:	Voucher #:	76541	Invoice	Invoice No: 6251-4	7/14/2025	Paid Amt:	\$271.70	
							Check Amount:	\$271.70
chec	107865	3296		AMAZON.COM		Check		
				E 01 310 298 128 301 402	0593428218 Hello, World! Garden Time: A Bo	\$7.19		
				E 01 310 298 128 301 402	0756615860 Vietnam War (DK Eyewitness Bo	\$12.46		
				E 01 310 298 128 301 402	0808580388 The Land I Lost (Turtleback Schc	\$7.99		
PO#: 20746	Voucher #:	76593	Invoice	Invoice No: 1V4N-VJ9D-LJV9	7/24/2025	Paid Amt:	\$27.64	
				E 01 005 810 000 000 420	B0B1DG861F Duracell Coppertop D Batteries.	\$230.52		
PO#: 20905	Voucher #:	76595	Invoice	Invoice No: 1QQG-FRTP-TY17	7/24/2025	Paid Amt:	\$230.52	
				E 01 005 020 000 000 401	Address Labels 1"x2-5/8" Stikcer Paper 30-UF	\$25.99		
				E 01 020 050 000 000 401	96 Sheets Parchment Paper for Certificates, F	\$12.74		
				E 01 010 050 000 000 401	Astrobrights Colored Cardstock, 8.5" x 11", 65	\$20.20		
				E 01 010 050 000 000 401	Scotch Heavy Duty Shipping and Moving Pack	\$42.16		
				E 01 020 050 000 000 401	Painters Tape Blue 20 Rolls x 1 Inch x 55 Yard	\$68.38		
PO#: 20874	Voucher #:	76567	Invoice	Invoice No: 11XP-PYYG-1WX3	7/24/2025	Paid Amt:	\$169.47	
				E 01 005 020 000 000 401	EXPO 81800 Dry Erase Surface Cleaner 1gal	\$57.78		
PO#: 20874	Voucher #:	76564	Invoice	Invoice No: 17C1-W1RG-TDQ7	7/24/2025	Paid Amt:	\$57.78	
				E 01 010 203 207 000 430	B016X2TQZ8 Swiftmaps World Premier Wall I	\$8.90		
				E 01 010 203 207 000 430	Amazon Shipping Charge	\$0.00		
PO#: 20810	Voucher #:	76594	Invoice	Invoice No: 1V4N-VJ9D-LJV9-1	7/24/2025	Paid Amt:	\$8.90	
							Check Amount:	\$494.31
chec	107866	3284	R	APPLE COMPUTER INC		Check		
				E 01 010 203 202 000 555	MW173LL/A 13-inch MacBook Air: Apple M4 c	\$5,274.00		
				E 01 020 211 000 000 555	MW173LL/A 13-inch MacBook Air: Apple M4 c	\$11,427.00		
				E 01 005 630 000 000 555	MW173LL/A 13-inch MacBook Air: Apple M4 c	\$879.00		
PO#: 20880	Voucher #:	76566	Invoice	Invoice No: MB83614745	7/24/2025	Paid Amt:	\$17,580.00	
				E 01 010 203 202 000 555	Mac mini: Apple M4 chip with 10-core CPU an	\$998.00		
PO#: 20880	Voucher #:	76596	Invoice	Invoice No: MB83806376	7/24/2025	Paid Amt:	\$998.00	
				E 01 005 630 000 000 555	MXK53AM/A Magic Mouse - White Multi-Touch	\$158.00		
PO#: 20880	Voucher #:	76565	Invoice	Invoice No: MB83092734	7/24/2025	Paid Amt:	\$158.00	
							Check Amount:	\$18,736.00

**ISD#118 Remer-Longville**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 7/1/2025-07/31/2025 Period: 202601-202601 Void Status: N

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
chec	107867	6697		<b>BLUE CROSS BLUE SHIELD OF MINNESOTA</b>		<b>Check</b>
			E 01 010 203 000 000 291	ELEM RETIREE		\$962.91
			E 01 020 211 000 000 291	SEC RETIREE		\$1,778.63
			B 01 215 031	DISTRICT CONTRIBUTION		\$43,674.52
<b>PO#:</b>	<b>Voucher #:</b>	<b>76599</b>	Invoice	<b>Invoice No:</b> 250702043222	<b>7/24/2025</b>	<b>Paid Amt: \$46,416.06</b>
						<b>Check Amount: \$46,416.06</b>
chec	107868	4672		<b>BSN SPORTS</b>		<b>Check</b>
			E 01 310 294 210 000 184	Recon Schutt Varsity Helmets		\$400.00
			E 01 310 294 210 000 184	Recon Internal Parts		\$40.00
			E 01 310 294 210 000 184	Recon FG Redip		\$60.00
			E 01 310 294 210 000 184	Freight		\$40.00
<b>PO#:</b>	<b>Voucher #:</b>	<b>76568</b>	Invoice	<b>Invoice No:</b> 930238054	<b>7/24/2025</b>	<b>Paid Amt: \$540.00</b>
			R 01 310 292 110 000 096	Sideline Royalties		\$87.46
<b>PO#:</b>	<b>Voucher #:</b>	<b>76569</b>	Credit	<b>Invoice No:</b> 16154213	<b>7/24/2025</b>	<b>Paid Amt: (\$87.46)</b>
						<b>Check Amount: \$452.54</b>
chec	107869	1482		<b>CASS COUNTY SHERIFF'S DEPT</b>		<b>Check</b>
			E 01 005 715 000 000 310	Resource Officer		\$59,150.65
<b>PO#:</b>	<b>Voucher #:</b>	<b>76573</b>	Invoice	<b>Invoice No:</b> FY25 SRO	<b>7/24/2025</b>	<b>Paid Amt: \$59,150.65</b>
						<b>Check Amount: \$59,150.65</b>
chec	107870	6700	REMIT	<b>CENTRAL MCGOWAN, INC</b>		<b>Check</b>
			E 03 005 760 000 720 420	CYLINDER RENTAL		\$11.45
<b>PO#:</b>	<b>Voucher #:</b>	<b>76572</b>	Invoice	<b>Invoice No:</b> 0000391239	<b>7/24/2025</b>	<b>Paid Amt: \$11.45</b>
						<b>Check Amount: \$11.45</b>
chec	107871	3663		<b>CLIMATE MAKERS INC</b>		<b>Check</b>
			E 01 005 810 000 000 350	Chiller Repair		\$745.50
<b>PO#:</b>	<b>Voucher #:</b>	<b>76571</b>	Invoice	<b>Invoice No:</b> 123941	<b>7/24/2025</b>	<b>Paid Amt: \$745.50</b>
						<b>Check Amount: \$745.50</b>
chec	107872	6513		<b>COLONIAL LIFE</b>		<b>Check</b>
			B 01 215 032	ER Cafe Plan Payroll Deductions		\$417.66
<b>PO#:</b>	<b>Voucher #:</b>	<b>76604</b>	Invoice	<b>Invoice No:</b> July 2025	<b>7/24/2025</b>	<b>Paid Amt: \$417.66</b>
						<b>Check Amount: \$417.66</b>
chec	107873	4397		<b>DELTA DENTAL OF MN</b>		<b>Check</b>
			E 01 010 203 000 000 291	ELEM RETIREE		\$100.88
			E 01 020 211 000 000 291	SEC RETIREE		\$148.82
			E 01 010 050 000 000 291	ADMIN RETIREE		\$148.82

**ISD#118 Remer-Longville**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 7/1/2025-07/31/2025 Period: 202601-202601 Void Status: N

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type			
chec	107873	4397		<b>DELTA DENTAL OF MN</b>		Check			
				B 01 215 046	DISTRICT CONT		\$3,448.37		
PO#:	Voucher #:	76602	Invoice	Invoice No: RIS0006514567	7/24/2025	Paid Amt:	\$3,846.89		
						Check Amount:	\$3,846.89		
chec	107874	6278		<b>DESERT DISTRIBUTING LLC</b>		Check			
				E 01 010 411 000 740 433	#150040 - rollers		\$1,756.00		
PO#: 20706	Voucher #:	76613	Invoice	Invoice No: 472220	7/24/2025	Paid Amt:	\$1,756.00		
						Check Amount:	\$1,756.00		
chec	107875	6735		<b>DIAMOND INDUSTRIAL CLEANING EQUIPMENT</b>		Check			
				E 01 005 810 000 000 420	scrubber repair parts		\$282.90		
PO#: 20865	Voucher #:	76574	Invoice	Invoice No: 27300	7/24/2025	Paid Amt:	\$282.90		
						Check Amount:	\$282.90		
chec	107876	6566		<b>DONDELINGER FORD</b>		Check			
				E 03 005 760 000 720 420	2021 transit van grill and head light from deer		\$1,747.36		
PO#: 20898	Voucher #:	76603	Invoice	Invoice No: 68466	7/24/2025	Paid Amt:	\$1,747.36		
						Check Amount:	\$1,747.36		
chec	107877	4241		<b>EHLERS &amp; ASSOCIATES INC</b>		Check			
				E 01 005 010 000 000 305	Continuing Disclosure Reporting		\$3,150.00		
				E 01 005 010 000 000 305	County Auditor Fee		\$350.00		
PO#:	Voucher #:	76575	Invoice	Invoice No: 102096	7/24/2025	Paid Amt:	\$3,500.00		
						Check Amount:	\$3,500.00		
chec	107878	6634	REMIT	<b>EVERYDAY SPEECH LLC</b>		Check			
				E 01 010 408 000 740 433	Team Plan - Individual license - one year		\$3,419.94		
PO#: 20848	Voucher #:	76598	Invoice	Invoice No: 198469	7/24/2025	Paid Amt:	\$3,419.94		
						Check Amount:	\$3,419.94		
chec	107879	5952		<b>INDIGO SIGNWORKS INC</b>		Check			
				E 01 310 292 110 000 401	Vinly Graphics For Record Board Jamison & A		\$190.00		
				E 01 310 292 110 000 401	Shipping		\$37.51		
PO#: 20862	Voucher #:	76580	Invoice	Invoice No: 8296	7/24/2025	Paid Amt:	\$227.51		
						Check Amount:	\$227.51		
chec	107880	6457		<b>ITURITY LLC</b>		Check			
				E 01 010 630 000 000 350	Lenovo 100e Gen 3 LCD Replacement		\$99.00		
PO#: 20896	Voucher #:	76579	Invoice	Invoice No: 250837	7/24/2025	Paid Amt:	\$99.00		
						Check Amount:	\$99.00		

**ISD#118 Remer-Longville**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 7/1/2025-07/31/2025 Period: 202601-202601 Void Status: N

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
chec	107881	6721		<b>KARA A JOHNSON</b>		<b>Check</b>
			E 01 010 216 011 401 303	Beyond the Classroom: EveryDay Math Trainir		\$3,000.00
<b>PO#:</b>	20675	<b>Voucher #:</b>	76570	Invoice Invoice No: August 2025	7/24/2025	<b>Paid Amt: \$3,000.00</b>
						<b>Check Amount: \$3,000.00</b>
chec	107882	6654		<b>REMIT KIMBALL MIDWEST</b>		<b>Check</b>
			E 03 005 760 000 720 401	shop supplies		\$219.00
<b>PO#:</b>	20891	<b>Voucher #:</b>	76587	Invoice Invoice No: 103551338	7/24/2025	<b>Paid Amt: \$219.00</b>
			E 03 005 760 000 720 401	shop supplies		\$1,157.14
<b>PO#:</b>	20891	<b>Voucher #:</b>	76586	Invoice Invoice No: 103546064	7/24/2025	<b>Paid Amt: \$1,157.14</b>
						<b>Check Amount: \$1,376.14</b>
chec	107883	01095		<b>LAKE COUNTRY POWER</b>		<b>Check</b>
			E 01 005 810 000 000 332	FOOTBALL LIGHTS		\$53.00
<b>PO#:</b>		<b>Voucher #:</b>	76609	Invoice Invoice No: 10000175-7/1/25	7/24/2025	<b>Paid Amt: \$53.00</b>
			E 01 005 810 000 000 332	Football Lights		\$93.00
<b>PO#:</b>		<b>Voucher #:</b>	76608	Invoice Invoice No: 10000176-7/1/25	7/24/2025	<b>Paid Amt: \$93.00</b>
			E 01 005 810 000 000 332	ECFE Building		\$776.00
<b>PO#:</b>		<b>Voucher #:</b>	76606	Invoice Invoice No: 90000206-7/1/25	7/24/2025	<b>Paid Amt: \$776.00</b>
			E 01 005 810 000 000 332	BOILER HOUSE		\$7,287.00
<b>PO#:</b>		<b>Voucher #:</b>	76610	Invoice Invoice No: 90000204/205-7/1/25	7/24/2025	<b>Paid Amt: \$7,287.00</b>
			E 01 005 810 000 000 332	Main School		\$17,112.00
<b>PO#:</b>		<b>Voucher #:</b>	76607	Invoice Invoice No: 90000203-7/1/25	7/24/2025	<b>Paid Amt: \$17,112.00</b>
						<b>Check Amount: \$25,321.00</b>
chec	107884	5223		<b>MADISON NATIONAL LIFE</b>		<b>Check</b>
			B 01 215 036	Ltd Insurance Withholding Payable-Dist		\$1,197.30
<b>PO#:</b>		<b>Voucher #:</b>	76600	Invoice Invoice No: JUL2025	7/24/2025	<b>Paid Amt: \$1,197.30</b>
						<b>Check Amount: \$1,197.30</b>
chec	107885	1095		<b>MARCO TECHNOLOGIES LLC</b>		<b>Check</b>
			E 01 010 203 202 000 580	ELEM COPIER		\$559.78
			E 01 020 211 000 000 580	SEC. COPIER		\$559.78
			E 01 005 110 371 000 580	DISTRICT COPIER		\$559.78
<b>PO#:</b>		<b>Voucher #:</b>	76588	Invoice Invoice No: 559655196	7/24/2025	<b>Paid Amt: \$1,679.34</b>
						<b>Check Amount: \$1,679.34</b>
chec	107886	05573		<b>MASBO</b>		<b>Check</b>
			E 01 005 110 000 000 366	FY26 MASBO MEMBERSHIP		\$115.00

**ISD#118 Remer-Longville**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 7/1/2025-07/31/2025 Period: 202601-202601 Void Status: N

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type	
chec	107886	05573		<b>MASBO</b>		<b>Check</b>	
			E 01 005 110 000 000 366	MISC		\$0.00	
PO#:	20915	Voucher #:	76605	Invoice	Invoice No: 300009258	7/24/2025	Paid Amt: \$115.00
							Check Amount: \$115.00
chec	107887	5651		<b>OFFICE OF MNIT SERVICES</b>		<b>Check</b>	
			E 01 005 810 000 000 320	Telephone		\$209.41	
PO#:		Voucher #:	76585	Invoice	Invoice No: W25060780	7/24/2025	Paid Amt: \$209.41
							Check Amount: \$209.41
chec	107888	4632		<b>PEMBERTON SORLIE RUFER &amp;</b>		<b>Check</b>	
			E 01 005 110 000 000 305	Consulting Fees		\$2,323.50	
PO#:		Voucher #:	76577	Invoice	Invoice No: 184	7/24/2025	Paid Amt: \$2,323.50
			E 01 005 110 000 000 305	Consulting Fees		\$135.00	
PO#:		Voucher #:	76578	Invoice	Invoice No: 185	7/24/2025	Paid Amt: \$135.00
							Check Amount: \$2,458.50
chec	107889	04532		<b>POPPLERS MUSIC INC</b>		<b>Check</b>	
			E 01 010 206 011 433 350	Srl #160914 Selmer Clarinet repair (repad - ult		\$412.00	
PO#:	20806	Voucher #:	76576	Invoice	Invoice No: 3039206	7/24/2025	Paid Amt: \$412.00
							Check Amount: \$412.00
chec	107890	6432	REMIT	<b>SAVVAS LEARNING COMPANY LLC</b>		<b>Check</b>	
			E 01 020 270 000 000 460	US History 2016 Digital Courseware - 1year lic		\$1,207.50	
PO#:	20857	Voucher #:	76583	Invoice	Invoice No: 7029071260	7/24/2025	Paid Amt: \$1,207.50
							Check Amount: \$1,207.50
chec	107891	3870		<b>SCHOLASTIC CLASSROOM MAGAZINES</b>		<b>Check</b>	
			E 01 010 203 000 000 406	Classroom Magazine subscription Social studi		\$800.00	
			E 01 010 203 000 000 406	shipping		\$80.02	
PO#:	20853	Voucher #:	76612	Invoice	Invoice No: M7592201	7/24/2025	Paid Amt: \$880.02
							Check Amount: \$880.02
chec	107892	6314		<b>SFM</b>		<b>Check</b>	
			E 01 005 110 000 000 270	WORK COMP INSTALLMENT		\$9,691.00	
PO#:		Voucher #:	76584	Invoice	Invoice No: 3633898	7/24/2025	Paid Amt: \$9,691.00
							Check Amount: \$9,691.00
chec	107893	01378		<b>SUPREME SCH SUPPLY</b>		<b>Check</b>	
			E 01 005 020 000 000 401	Tardy Slips		\$40.00	
			E 01 005 020 000 000 401	Early dismissal pass		\$40.00	
			E 01 005 020 000 000 401	Lesson Plan Book		\$162.50	
			E 01 005 020 000 000 401	Class Record Book		\$80.00	

**ISD#118 Remer-Longville**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 7/1/2025-07/31/2025 Period: 202601-202601 Void Status: N

Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type	
chec	107893	01378		<b>SUPREME SCH SUPPLY</b>		<b>Check</b>	
			E 01	005 020 000 000 401	Shipping	\$17.93	
<b>PO#:</b>	20849	<b>Voucher #:</b>	76582	Invoice	Invoice No: 191458	7/24/2025	<b>Paid Amt: \$340.43</b>
							<b>Check Amount: \$340.43</b>
chec	107894	6260		<b>TRAFERA HOLDINGS LLC</b>		<b>Check</b>	
			E 01	010 203 202 000 555	100E G4 CAM MTK MT8186 4G 32G 11" CHF	\$11,960.00	
			E 01	010 203 202 000 555	Trafera CBN Warranty - Plat - 4 Yr - B	\$0.00	
			E 01	010 203 202 000 555	Warranty L3W	\$0.00	
			E 01	010 203 202 000 555	Trafera White Glove	\$0.00	
			E 01	010 203 202 000 555	Asset Tagging	\$0.00	
			E 01	010 203 202 000 555	Update Chrome OS	\$0.00	
<b>PO#:</b>	20884	<b>Voucher #:</b>	76597	Invoice	Invoice No: I001360026	7/24/2025	<b>Paid Amt: \$11,960.00</b>
			E 01	010 203 202 000 555	Google Chrome Management Perpetual EDU	\$1,280.00	
<b>PO#:</b>	20884	<b>Voucher #:</b>	76581	Invoice	Invoice No: I001358632	7/24/2025	<b>Paid Amt: \$1,280.00</b>
							<b>Check Amount: \$13,240.00</b>
chec	107895	6660		<b>REMIT VESTIS GROUP INC</b>		<b>Check</b>	
			E 01	005 810 000 000 420	dry mops and mats for fy26	\$24.57	
<b>PO#:</b>	20894	<b>Voucher #:</b>	76589	Invoice	Invoice No: 2630444387	7/24/2025	<b>Paid Amt: \$24.57</b>
			E 03	005 760 000 720 401	uniforms and shop towels floor mat	\$34.87	
<b>PO#:</b>	20894	<b>Voucher #:</b>	76590	Invoice	Invoice No: 2630444388	7/24/2025	<b>Paid Amt: \$34.87</b>
			E 01	005 810 000 000 420	dry mops and mats for fy26	\$24.57	
<b>PO#:</b>	20894	<b>Voucher #:</b>	76591	Invoice	Invoice No: 2630441811	7/24/2025	<b>Paid Amt: \$24.57</b>
			E 03	005 760 000 720 401	uniforms and shop towels floor mat	\$34.48	
<b>PO#:</b>	20894	<b>Voucher #:</b>	76592	Invoice	Invoice No: 2630441812	7/24/2025	<b>Paid Amt: \$34.48</b>
							<b>Check Amount: \$118.49</b>
chec	107896	6489		<b>VSP INSURANCE CO. (CT)</b>		<b>Check</b>	
			B 01	215 032	ER Cafe Plan Payroll Deductions	\$171.32	
<b>PO#:</b>		<b>Voucher #:</b>	76601	Invoice	Invoice No: 823272716	7/24/2025	<b>Paid Amt: \$171.32</b>
							<b>Check Amount: \$171.32</b>
							<b>Report Total: \$420,910.48</b>

### ISD#118 Remer-Longville Receipt Listing Report with Detail by Deposit

Deposit Co	Bank	Batch	Rct No	Receipt Type	Receipt St	Receipt Date	Check No	Pmt Type	Grp Code	Customer	Inv No	Inv Date	Inv Type	Invoice Amount	Applied Amount	Unapplied Amount	
16463	0118	chec															
Huntington-Settlement proceeds			22973	Credit	A	07/15/25	10049	Check	1	Miscellaneous Customer							
						0118	R 01 005 000 000 000 099			Misc Revenue					26.01	0.00	
															Receipt Total:	\$26.01	\$0.00
R.Lathrop July-Sept			22974	Credit	A	07/15/25	11050	Check	1	RETIRE/DEDUCT:							
						0118	E 01 010 203 000 000 291			Elem Retired Emp Benefit					151.32	0.00	
															Receipt Total:	\$151.32	\$0.00
Premier Healthcare Alliance			22975	Credit	A	07/15/25	11051	Check	1	Miscellaneous Customer							
						0118	R 01 005 000 000 000 099			Misc Revenue					24.77	0.00	
															Receipt Total:	\$24.77	\$0.00
Sourcewell-Refund			22976	Credit	A	07/15/25	11052	Check	1	Miscellaneous Customer							
						0118	R 01 005 000 000 000 099			Misc Revenue					20.00	0.00	
															Receipt Total:	\$20.00	\$0.00
															<b>Deposit Total:</b>	<b>\$222.10</b>	<b>\$0.00</b>
16464	0118	chec															
Capital Credits			22977	Credit	A	07/25/25	11053	Check	1	Miscellaneous Customer							
						0118	R 01 005 000 000 000 099			Misc Revenue					955.22	0.00	
															Receipt Total:	\$955.22	\$0.00
B.Johnson July			22978	Credit	A	07/25/25	11054	Check	1	RETIRE/DEDUCT:							
						0118	E 01 010 203 000 000 291			Elem Retired Emp Benefit					962.91	0.00	
															Receipt Total:	\$962.91	\$0.00
FY25 Wright Ins. Claim reimb.			22979	Credit	A	07/25/25	11056	Check	1	Miscellaneous Customer							
						0118	R 03 005 000 000 720 625			Insurance Recovery					1,505.42	0.00	
															Receipt Total:	\$1,505.42	\$0.00
			22980	Credit	A	07/25/25	11057	Check	1	MSEA							
						0118	B 01 115 000				2115	06/30/25	Invoice	557.33	557.33	0.00	
															Receipt Total:	\$557.33	\$0.00
FY25 Fin 422			22981	Credit	A	07/25/25	11058	Check	1	I A S C							
						0118	R 01 005 000 000 622 405			EARLY CHILD 0-2					5,818.53	0.00	
															Receipt Total:	\$5,818.53	\$0.00
			22982	Credit	A	07/25/25	11059	Check	1	IND SCH DIST #2							
						0118	B 01 115 000				2116	06/30/25	Invoice	10,557.10	10,557.10	0.00	

## ISD#118 Remer-Longville

### Receipt Listing Report with Detail by Deposit

Deposit Co	Bank	Batch	Rct No	Receipt Type	Receipt St	Receipt Date	Check No	Pmt Type	Grp Code	Customer	Inv No	Inv Date	Inv Type	Invoice Amount	Applied Amount	Unapplied Amount	
16464	0118	chec															
			22982	Credit	A	07/25/25	11059	Check	1	IND SCH DIST #2							
						0118	B 01 115 000				2117	06/30/25	Invoice	10,149.74	10,149.74	0.00	
														Receipt Total:		\$20,706.84	\$0.00
			22983	Credit	A	07/25/25	11060	Check	1	TRUE NORTH STARS PEI							
						0118	B 01 115 000				2112	06/20/25	Invoice	275.88	275.88	0.00	
														Receipt Total:		\$275.88	\$0.00
FY25 Wright Ins. Claim Reimb.			22984	Credit	A	07/25/25	11055	Check	1	Miscellaneous Customer							
						0118	R 01 005 000	000 000	625	Insurance Recovery						1,097.20	0.00
														Receipt Total:		\$1,097.20	\$0.00
														<b>Deposit Total:</b>		<b>\$31,879.33</b>	<b>\$0.00</b>
16465	0118	chec															
Greater Twin Cities-Pathwaysl			22985	Credit	A	07/02/25	07022025	Check	1	Miscellaneous Customer							
						0118	R 04 500 582	000 338	040	Tuition fm Patrons-Pathways						16,512.29	0.00
														Receipt Total:		\$16,512.29	\$0.00
														<b>Deposit Total:</b>		<b>\$16,512.29</b>	<b>\$0.00</b>
16466	0118	chec															
Cass County Tax payment			22986	Credit	A	07/03/25	07032025	Check	1	CASS COUNTY AUDITOR							
						0118	R 01 005 000	000 000	001	Taxes						29,588.84	0.00
														Receipt Total:		\$29,588.84	\$0.00
														<b>Deposit Total:</b>		<b>\$29,588.84</b>	<b>\$0.00</b>
16467	0118	chec															
Sourcewell Payment			22987	Credit	A	07/11/25	07112025	Check	1	SOURCEWELL							
						0118	R 01 005 000	200 000	099	SOURCEWELL FLOW THRU						14,830.24	0.00
														Receipt Total:		\$14,830.24	\$0.00
														<b>Deposit Total:</b>		<b>\$14,830.24</b>	<b>\$0.00</b>
16468	0118	2															
IDEAS Payment-Gen Ed S211			22988	Credit	A	07/15/25	07032025	Wire	1	Minn Dept of ED							
						0118	R 01 005 000	000 000	211	Gen Ed/Spar/Pen Adj Aid						47,143.00	0.00
														Receipt Total:		\$47,143.00	\$0.00
														<b>Deposit Total:</b>		<b>\$47,143.00</b>	<b>\$0.00</b>

## ISD#118 Remer-Longville

### Receipt Listing Report with Detail by Deposit

Deposit Co	Bank	Batch	Rct No	Receipt Type	Receipt St	Receipt Date	Check No	Pmt Type	Grp Code	Customer	Inv No	Inv Date	Inv Type	Invoice Amount	Applied Amount	Unapplied Amount
16469	0118	2														
IDEAS Payment			22989	Credit	A	07/30/25	07312025	Wire	1	Minn Dept of ED						
						0118	R 01 005 000 000 000	211		Gen Ed/Spar/Pen Adj Aid				139,850.98		0.00
						0118	R 01 005 000 000 000	234		Hmstd/Ag Market Value Crec				513.73		0.00
						0118	R 01 005 000 000 000	258		Other State Credits				11,721.85		0.00
						0118	R 01 005 000 000 000	229		Disparity Reduct Aid				16.17		0.00
Receipt Total:														\$152,102.73		\$0.00
<b>Deposit Total:</b>														<b>\$152,102.73</b>		<b>\$0.00</b>
16470	0118	2														
Food Service Reimbursement			22990	Credit	A	07/02/25	07022025	Wire	1	Food Service						
						0118	R 02 005 770 000 701	472		Spec Asst-Need Ch				20,535.21		0.00
						0118	R 02 005 770 000 701	471		Federal Lunch Aid				460.89		0.00
						0118	R 02 005 770 000 701	471		Federal Lunch Aid				2,253.24		0.00
						0118	R 02 005 770 000 705	476		Federal Breakfast				11,496.32		0.00
						0118	R 02 005 770 000 701	300		STATE SCH LUNCH				640.11		0.00
						0118	R 02 005 770 000 706	471		FRESH FRUIT & VEGGIE				749.52		0.00
Receipt Total:														\$36,135.29		\$0.00
<b>Deposit Total:</b>														<b>\$36,135.29</b>		<b>\$0.00</b>
16471	0118	2														
MA-IEP Reimb			22991	Credit	A	07/16/25	07162025	Wire	1	Minn Dept of ED						
						0118	R 01 005 000 000 372	071		Med Assist Fr Dept of HS				25,536.09		0.00
Receipt Total:														\$25,536.09		\$0.00
<b>Deposit Total:</b>														<b>\$25,536.09</b>		<b>\$0.00</b>
16472	0118	2														
MEGS F401			22992	Credit	A	07/03/25	07032025	Wire	1	Minn Dept of ED						
						0118	R 01 005 000 000 401	400		TITLE I				7,658.65		0.00
Receipt Total:														\$7,658.65		\$0.00
<b>Deposit Total:</b>														<b>\$7,658.65</b>		<b>\$0.00</b>
16473	0118	2														
MEGS REIMB F401 & 433			22993	Credit	A	07/17/25	07172025	Wire	1	Minn Dept of ED						
						0118	R 01 005 000 000 401	400		TITLE I				871.44		0.00

## ISD#118 Remer-Longville

### Receipt Listing Report with Detail by Deposit

Deposit Co	Bank	Batch	Rct No	Receipt Type	Receipt St	Receipt Date	Check No	Pmt Type	Grp Code	Customer	Inv No	Inv Date	Inv Type	Invoice Amount	Applied Amount	Unapplied Amount
16473	0118	2														
MEGS REIMB F401 & 433			22993	Credit	A	07/17/25	07172025	Wire	1	Minn Dept of ED						
						0118	R 01 005 000 000 433 400			Title IV					160.22	0.00

Receipt Total:	\$1,031.66	\$0.00
<b>Deposit Total:</b>	<b>\$1,031.66</b>	<b>\$0.00</b>
Report Total:	\$362,640.22	\$0.00

2024-2025 EXP/REV Report July 25

Northland Community Schools ISD# 118  
FY 2025 Through July 2025

EXPENDITURES	Actual 2023-24 Expenses	Adopted Budget 2024-25 Expenses	YTD June 2023-24 Expenses	YTD June 2024-2025 Expenses	% of 2023-24 Budget	June FY '24 vs June FY '25 Difference	% of 2024-25 Budget
Fund							
General Fund (01)	7,831,909	7,576,194	7,831,909	7,157,124	100.0%	(674,785)	94.5%
Administrative & Support Svc	727,546	720,399	727,546	732,867	100.0%	5,321	101.7%
Regular Instruction	3,437,368	3,349,098	3,437,368	3,288,500	100.0%	(148,868)	98.2%
Vocational Instruction	105,244	106,040	105,244	109,324	100.0%	4,080	103.1%
Special Education Inst	1,307,624	1,572,436	1,307,624	1,451,247	100.0%	143,623	92.3%
Instructional Support	389,100	417,367	389,100	411,367	100.0%	22,268	98.6%
Pupil Support	516,020	468,050	516,020	329,961	100.0%	(186,059)	70.5%
Sites & Buildings	1,294,150	879,804	1,294,150	761,430	100.0%	(532,720)	86.5%
Fiscal & Other Fixed Costs	54,858	63,000	54,858	72,428	100.0%	17,570	115.0%
Food Service (02)	348,989	377,146	348,989	351,489	100.0%	2,500	93.2%
Transportation (03)	663,562	732,216	663,562	830,046	100.0%	166,483	113.4%
Community Service (04)	271,552	270,255	271,552	249,591	100.0%	(21,960)	92.4%
Capital Outlay (05)	168,053	172,850	168,053	132,591	100.0%	(35,461)	76.7%
Construction (06)	392,281	80,000	392,281	69,779	100.0%	(322,502)	87.2%
Debt Service (07)	1,756,659	1,762,549	1,756,659	1,760,024	100.0%	3,365	99.9%
<b>Total</b>	<b>11,433,004</b>	<b>10,971,210</b>	<b>11,433,004</b>	<b>10,550,643</b>	<b>100.0%</b>	<b>(882,361)</b>	<b>96.2%</b>
<b>Total Funds 01, 03 &amp; 05</b>	<b>8,663,524</b>	<b>8,481,260</b>	<b>8,663,524</b>	<b>8,119,760</b>	<b>100.0%</b>	<b>(543,764)</b>	<b>95.7%</b>
<b>REVENUE</b>	<b>Actual 2023-24 Revenue</b>	<b>Budgeted 2024-25 Revenue</b>	<b>YTD June 2023-24 Revenue</b>	<b>YTD June 2024-2025 Revenue</b>	<b>% of 2023-24 Budget</b>	<b>June FY '24 vs June FY '25 Difference</b>	<b>% of 2024-25 Budget</b>
General Fund (01)	7,989,857	7,639,802	7,989,857	9,489,019	100.0%	1,499,162	124.2%
Food Service (02)	322,847	299,520	322,847	276,820	100.0%	(46,027)	92.4%
Transportation (03)	328,910	365,470	328,910	(4,921)	100.0%	(333,831)	-1.3%
Community Service (04)	259,454	257,971	259,454	230,496	100.0%	(28,957)	89.3%
Capital Outlay (05)	233,129	264,448	233,129	-	100.0%	(233,129)	0.0%
Construction (06)				-	#DIV/0!	-	#DIV/0!
Debt Service (07) & (47)	1,783,892	1,762,731	1,783,892	65,909	100.0%	(1,717,983)	3.7%
Trust (08) & (25) & (10) & (18)	54	60	54	54	100.0%	0	90.0%
<b>Total</b>	<b>10,918,143</b>	<b>10,590,002</b>	<b>10,918,143</b>	<b>10,057,378</b>	<b>100.0%</b>	<b>(860,765)</b>	<b>95.0%</b>
<b>Total Funds 01, 03 &amp; 05</b>	<b>8,551,896</b>	<b>8,269,720</b>	<b>8,551,896</b>	<b>9,484,098</b>	<b>100.0%</b>	<b>932,202</b>	<b>114.7%</b>

\*\*Run period 202513

# Northland Community Schools

## Finance Report 7/31/2025

### First National Bank

<b>General Checking</b>	<b>\$850,863.10</b>
Money Market Account	\$37,313.88
CD/Scholarship      Carpenter      Matures 6/17/27	\$8,455.62
CD/Scholarship      Carpenter      Matures 6/17/27	\$15,269.96
CD/Scholarship      Felton      Matures 12/10/25	\$7,545.47
CD/Scholarship      Sepin      Matures 8/25/26	\$3,543.13
<b>Total Investments</b>	<b>\$72,128.06</b>
<b>Total of all deposits at First National Bank</b>	<b>\$922,991.16</b>
<b>MN Trust Account at PMA total Value</b>	<b>\$2,244,058.92</b>

### Accounts Payable Checks/Wires and Deposits by Fund

Fund #	Fund Description	Deposits	A/P Checks
01	General Fund	\$75,015.09	\$379,743.95
02	Food Service Fund	\$0.00	\$1.06
03	Transportation Fund	\$1,505.42	\$9,932.62
04	Community Ed Fund	\$16,512.29	\$23,468.30
05	Capital Fund	\$0.00	\$12,967.40
06	Construction Fund	\$0.00	\$0.00
07	Debt Redemption Fund	\$0.00	
18	Scholarship Fund	\$0.00	\$0.00
<b>Total</b>		<b>\$93,032.80</b>	<b>\$426,113.33</b>

### July 2025 Payroll

	<b>Monthly Total</b>
Gross Payroll	\$290,262.94
Employer Benefits	\$67,589.63
Employer Taxes	\$20,599.30
<b>Total Cost of Payroll</b>	<b>\$378,451.87</b>

**Includes Payrolls:**

- S202524S1 7/15/2025
- S202523-2 7/15/2025
- S202601 7/15/2025
- S202523-3 7/31/2025
- S202602 7/31/2025

Orig. 1995  
Revised: 2022  
Reviewed:  
Approved:

### **305 POLICY IMPLEMENTATION**

#### **I. PURPOSE**

The purpose of this policy is to clarify the responsibility of the school administration for implementation of school ~~board-district~~ policy.

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

- A. It shall be the responsibility of the superintendent to implement school ~~board-district~~ policy and to recommend additions or modifications thereto. The administration is authorized to develop procedures, guidelines, and directives to effectuate the implementation of school ~~board-district~~ policies. These procedures, guidelines, and directives shall not be inconsistent with said policies. At least annually, these written procedures, guidelines, and directives shall be presented to the school board for review.
- B. Employee and student handbooks shall be subject to annual review and approval by the school board.
- C. School principals and other administrators who have handbook responsibilities shall present recommended changes necessary to reflect new or modified policies. Changes of substance within handbooks shall be reviewed by the superintendent to assure compliance with school ~~board-district~~ policy and shall be approved by the school board.

**Legal References:** Minn. Stat. § 123B.143 (Superintendent)

**Cross References:** MSBA/MASA Model Policy 208 (Development, Adoption, and Implementation of Policies)

Orig. 1995

Adopted: 8/21/97

Revised: 5/31/24

Reviewed: 8/4/25

Approved: 8/21/24 8/13/25

## **413 HARASSMENT AND VIOLENCE**

### **I. PURPOSE**

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

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

- A. The policy of the school district is to maintain a learning and working environment free from harassment and violence on the basis of Protected Class. The school district prohibits any form of harassment or violence on the basis of Protected Class.
- B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's Protected Class, as defined by this policy. (For purposes of this policy, school district personnel include school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)
- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's Protected Class.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's Protected Class, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel found to have violated this policy.

### **III. DEFINITIONS**

- A. "Assault" is:

1. an act done with intent to cause fear in another of immediate bodily harm or death;
  2. the intentional infliction of or attempt to inflict bodily harm upon another; or
  3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. “Harassment” prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual’s or group of individuals’ race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, when the conduct:
1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
  2. has the purpose or effect of substantially or unreasonably interfering with an individual’s work or academic performance; or
  3. otherwise adversely affects an individual’s employment or academic opportunities.
- C. “Immediately” means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
1. “Disability” means, with respect to an individual who
    - a. a physical sensory or mental impairment that materially limits one or more major life activities of such individual;
    - b. has a record of such an impairment; or
    - c. is regarded as having such an impairment.
  2. “Familial status” means the condition of one or more minors being domiciled with:
    - a. their parent or parents or the minor’s legal guardian; or
    - b. the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment or discrimination on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.

3. “Marital status” means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment or discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
  4. “National origin” means the place of birth of an individual or of any of the individual’s lineal ancestors.
  5. “Sex” includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
  6. “Sexual orientation” means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one’s biological maleness or femaleness. “Sexual orientation” does not include a physical or sexual attachment to children by an adult.
  7. “Status with regard to public assistance” means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. “Remedial response” means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.
- F. Sexual Harassment; Definition
1. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:
    - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
    - b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual’s employment or education; or
    - c. that conduct or communication has the purpose or effect of substantially interfering with an individual’s employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.

2. Sexual harassment may include, but is not limited to:
  - a. unwelcome verbal harassment or abuse;
  - b. unwelcome pressure for sexual activity;
  - c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
  - d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
  - e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
  - f. unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.

G. Sexual Violence; Definition

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

H. Violence; Definition

Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to an

individual's Protected Class.

#### IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of Protected Class by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct that may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.

- F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- G. In the District. The school board hereby designates \_\_\_\_\_ as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.<sup>1</sup>
- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

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

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

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

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

## **V. INVESTIGATION**

- A. By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the

report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

## **VI. SCHOOL DISTRICT ACTION**

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

## **VII. RETALIATION OR REPRISAL**

The school district will discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged harassment or violence prohibited by this policy, who testifies, assists, or participates in an investigation of retaliation or alleged harassment or violence, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

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

These procedures do not deny the right of any individual to pursue other avenues of

recourse which may include filing charges with the Minnesota Department of Human Rights or another state or federal agency, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

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

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minnesota Statutes chapter 260E may be applicable.
- B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

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

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

**Legal References:** Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)  
Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
Minn. Stat. § 609.341 (Definitions)  
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)  
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)  
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)

29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)  
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)  
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)  
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)  
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

***Cross References:*** MSBA/MASA Model Policy 102 (Equal Educational Opportunity)  
MSBA/MASA Model Policy 401 (Equal Employment Opportunity)  
MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)  
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination, Grievance Procedures and Process)  
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
MSBA/MASA Model Policy 526 (Hazing Prohibition)  
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)

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## **416 DRUG, ALCOHOL, AND CANNABIS TESTING**

**[NOTE: Drug, alcohol, and cannabis testing of school bus drivers and driver applicants is mandatory under federal law. The mandatory testing is described under Part III. of the policy. Drug and alcohol testing of other employees or drug and alcohol testing of school bus drivers beyond that mandated by federal law is optional and can be done under state law only if a policy containing provisions, such as the provisions of Part IV. of this policy, is adopted. Cannabis testing of school employees and school bus drivers shall conform to federal and Minnesota law. To preserve the right to request or require school district employees who are not bus drivers and applicants to undergo cannabis testing or drug and/or alcohol testing or to require bus drivers to submit to testing that is not federally mandated, a school district should adopt Part IV. as part of its drug and alcohol testing policy.]**

### **I. PURPOSE**

- A. The school board recognizes the significant problems created by drug, alcohol, and cannabis 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, alcohol, and cannabis use will be not only safer, healthier, and more productive but also more conducive to effective learning. 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, alcohol, and cannabis testing in accordance with the provisions of this policy and as provided in federal law and Minnesota Statutes, sections 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 and cannabis 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 and cannabis testing in accordance with the provisions of this policy and as provided in Minnesota Statutes, sections 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 and cannabis testing in accordance with the provisions of this policy and as provided in Minnesota Statutes, sections 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 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 are not medically prescribed, including medical cannabis, 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 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 or cannabis 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 or cannabis 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 or cannabis are prohibited from entering or remaining on school district property.
- E. Any employee who violates this section shall be subject to discipline that includes, but is not limited to, immediate suspension without pay and immediate discharge.
- F. The school district may discipline, discharge, or take other adverse personnel action against an employee for cannabis flower, cannabis product, lower-potency hemp edible, or hemp-derived consumer product use, possession, impairment, sale, or transfer while an employee is working, on school district premises, or operating a school district vehicle, machinery, or equipment as follows:
  - 1. if, as the result of consuming cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product, the employee does not possess that clearness of intellect and control of self that the employee otherwise would have;
  - 2. if cannabis testing verifies the presence of cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product following a confirmatory test;
  - 3. as provided in the school district's written work rules for cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products and cannabis testing, provided that the rules are in writing and in a written policy that contains the minimum information required by Minnesota Statutes, section 181.952; or
  - 4. as otherwise authorized or required under state or federal law or regulations, or if a failure to do so would cause the school district to lose a monetary or licensing-related benefit under federal law or regulations.

### **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, cannabis (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 is designed to transport 16 or more passengers, including the driver.
5. "Designated Employer Representative" (DER) means an employee authorized by the school district 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 receives 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. "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. "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. "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. "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.

13. "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.
14. "Screening Test Technician" (STT) means anyone who instructs and assists individuals in the alcohol testing process and operates an ASD.
15. "Stand Down" means the practice of temporarily removing an employee from performing safety-sensitive functions based only upon a laboratory report to the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test before the MRO completes the verification process.
16. "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

**[NOTE: Federal regulations require that school districts provide materials to bus drivers explaining the school district's policies and procedures and the federal requirements with respect to the mandatory drug and alcohol testing of bus drivers (49 Code of Federal Regulations, section 382.601). Most of the required information is contained within this model policy. Additional materials to be provided to employees are described in Paragraph 2. of Section C.]**

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 problem (the driver's or a coworker's); and available methods of intervening when an alcohol or controlled substance 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 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.

**[NOTE: The federal regulations require a school district to obtain a signed statement from each driver certifying that he or she received a copy of these materials (49 Code of Federal Regulations, section 382.601(d)). The original signed certificate must be maintained by the school district and a copy may be provided to the driver.]**

D. Alcohol and Controlled Substances Testing Program Manager

**[NOTE: School districts are required by federal regulations to designate a person to answer driver questions about the policy and the education materials described in Section C. above and to notify the drivers of the designation (49 Code of Federal Regulations, section 382.601(b)(1)).]**

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

**[NOTE: The specific prohibitions for drivers are contained, in large part, in 49 Code of Federal Regulations, sections 382.201-382.215.]**

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 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 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 prohibit 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

**[NOTE: Consequences for drivers engaging in alcohol-related conduct are**

**described in the federal regulations (49 Code of Federal Regulations, section 382.505).]**

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 of the school district.

G. Prescription Drugs/Cannabinoid Products

A driver shall inform the driver's 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 cannabis. 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

**[NOTE: School districts must utilize the U.S. DOT Drug & Alcohol Clearinghouse ("Clearinghouse") to conduct pre-employment queries, annual queries, and reports regarding CDL holders who operate CMVs on public roads (including school bus drivers) and who are covered by the Federal Motor Carrier Safety Administration (FMCSA) Drug and Alcohol Testing Program. In addition to utilizing the Clearinghouse, school districts must continue to comply with the alcohol and controlled substance testing required under Title 49 of the Federal Regulations.]**

1. Pre-Employment Testing

**[NOTE: 49 Code of Federal Regulations, section 382.301 details the requirements for 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.

**[NOTE: A school district is permitted, but not required, to conduct pre-employment testing for the use of alcohol. If a school district elects to require pre-employment testing for alcohol, it should include the bracketed text in Subparagraph a., above, and test all applicants uniformly.]**

b. Tests shall be conducted only after the applicant has received a conditional offer of employment.

c. To 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.

**[NOTE: Federal regulations require school districts to inquire about, obtain, and review alcohol and controlled substances information from prior employers pursuant to a driver's written authorization, prior to the time a driver performs safety-sensitive functions, if feasible (49 Code of Federal Regulations, section 382.413, and 49 Code of Federal Regulations, section 40.25). If not feasible, school districts must not permit the employee to perform safety-sensitive functions for more than thirty (30) days from the date a safety-sensitive function was performed unless the school districts make good faith efforts to obtain the information and to make a record of those efforts to be retained in the driver's qualification file.]**

- 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 (see Attachment C to this policy). The school district shall retain the consent for three (3) years from the date of the query.

2. Post-Accident Testing

**[NOTE: 49 Code of Federal Regulations, section 382.303, governs post-accident testing of drivers.]**

- a. As soon as practicable following an accident involving a 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

**[NOTE: 49 Code of Federal Regulations, section 382.305 governs random testing of drivers.]**

- a. The school district shall conduct tests on a random basis at unannounced times throughout the year, as required by the federal regulations.

**[NOTE: The Federal Highway Administration (FHWA) set the random alcohol selection and testing rate at 10% of the average number of driver positions and evaluates this minimum percentage each year. School districts can elect to stay at the 1998 level of 25% (or a higher percentage) if they do not want to monitor the minimum annual percentage rate set by the FHWA. The random controlled substances selection and testing rate has remained at 50% each year and has not been lowered to 25% as is possible under the 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

**[NOTE: 49 Code of Federal Regulations, section 382.307 governs reasonable suspicion testing of drivers.]**

- 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, 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.

**[NOTE: 49 Code of Federal Regulations, sections 382.309, 40.23(d), and 40.305 govern return-to-duty testing.]**

5. Return-To-Duty Testing

A driver found to have violated this policy shall not return to work until an 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.

**[NOTE: 49 Code of Federal Regulations, sections 382.311, 40.307, and 40.309 govern follow-up testing.]**

6. Follow-Up Testing

When an 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

**[NOTE: Consequences for refusals to submit to required drug and alcohol tests are addressed generally in 49 Code of Federal Regulations, sections 40.191, 40.261, and 382.211. They are more specifically addressed in 49 Code of Federal Regulations, sections 382.501-382.507 and in 49 United States Code, section 521(b).]**

- 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 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 an 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 D to this policy.

I. Testing Procedures

1. Drug Testing

**[NOTE: The Federal Drug Testing Custody and Control Form (CCF) must be used to document every urine collection required by the DOT drug testing program (49 Code of Federal Regulations, section 40.45).]**

- 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 within ten (10) days of the date the confirmed test result was received from the laboratory.

2. Alcohol Testing

**[NOTE: The DOT Alcohol Testing Form (ATF) must be used for every DOT alcohol test. 49 Code of Federal Regulations, section 40.225.]**

- a. The federal alcohol testing regulations require testing to be administered by a BAT using an EBT or an 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.

**[NOTE: The limitation on discharge in Paragraph 2., below, is contained solely in Minnesota law. State law is preempted by federal laws and**

**regulations as it relates to drivers of commercial motor vehicles (such as bus drivers). See Minnesota Statutes, section 221.031, subdivision 10. Nevertheless, school districts may decide to comply with the state law requirements for various reasons (such as to treat all school district employees equally since employees subject to testing only under state law are accorded these additional rights). Consultation with the school district's legal counsel is recommended.]**

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 [***name, address, telephone number***], which is 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.

**[NOTE: The federal recordkeeping requirements for school districts are detailed in the federal regulations, 49 Code of Federal Regulations, sections 382.401 et seq. and 40.331. The DOT publishes a guide to the recordkeeping requirements of mandatory drug and alcohol testing for persons with a commercial driver's license as part of its Alcohol & Drugs: DOT Compliance Manual.]**

2. The required records shall be retained for the following minimum periods:

Basic records 5 years

“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
Alcohol and controlled substance collection procedures	2 years
Negative and cancelled controlled substance tests	1 year
Alcohol tests with less than 0.02 concentration	1 year
Education and training records	indefinite

“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
  - (1) Any on-duty alcohol use;
  - (2) Any pre-duty alcohol use;
  - (3) Any alcohol use following an accident; and
  - (4) 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.

**[NOTE: Subparagraphs b. and c., below, are based on the provisions of 49 Code of Federal Regulations, section 40.289.]**

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 an 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 an SAP evaluation or any subsequent recommended education or treatment.

**[NOTE: School districts are not required to comply with state law governing drug and alcohol testing when the individuals are subject to the federal laws and regulations (i.e., bus drivers). If a school district, after consultation with legal counsel, chooses to comply voluntarily with these requirements, Subparagraph b., above, can be modified as follows:**

**b. The school district will offer a driver an opportunity to return to a DOT safety-sensitive duty following an employee's first positive test result on a confirmatory test if no reasons independent of the first test result for discharge exist. Otherwise, the school district may choose, but is not required, to provide an 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 cannabis testing or drug and alcohol testing other than that required by federal law. For example, drivers may be requested or required to undergo cannabis testing or 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.

**[NOTE: When the testing of drivers complies with federal testing requirements and procedures, school districts clearly are exempt from the state drug and alcohol testing requirements in Minnesota Statutes, sections 181.950-181.957. See Minnesota Statutes, section 221.031, subdivision 10. When testing beyond the federally mandated requirements, however, school districts still must comply with state law.]**

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, section 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. CANNABIS TESTING OR DRUG AND ALCOHOL TESTING FOR OTHER EMPLOYEES**

The school district may request or require drug and alcohol testing or cannabis 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 or cannabis 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. Definitions**

1. "Cannabis testing" means the analysis of a body component sample according to the standards established under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1, for the purpose of measuring the presence or absence of cannabis flower, as defined in Minnesota Statutes, section 342.01, subdivision 16, cannabis products, as defined in section 342.01, subdivision 20, lower-potency hemp edibles as defined in section 342.01, subdivision 50, hemp-derived consumer products as defined in section 342.01, subdivision 37, or cannabis metabolites in the sample tested. The definitions in this section apply to cannabis testing unless stated otherwise.
2. "Confirmatory test" and "confirmatory retest" mean a drug or alcohol test that

uses a method of analysis allowed under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.

3. "Drug" means a controlled substance as defined in Minnesota Statutes, section 152.01, subdivision 4, but does not include marijuana, tetrahydrocannabinols, cannabis flower as defined in section 342.01, subdivision 16, cannabis products as defined in section 342.01, subdivision 20, lower-potency hemp edibles as defined in section 342.01, subdivision 50, and hemp-derived consumer products as defined in section 342.01, subdivision 37.
4. "Drug and Alcohol Testing," "Drug or Alcohol Testing," and "Drug or Alcohol Test" mean analysis of a body component sample by a testing laboratory that meets one of the criteria listed in Minnesota Statutes, section 181.953, subdivision 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested. "Drug and alcohol testing," "drug or alcohol testing," and "drug or alcohol test" do not include cannabis or cannabis testing, unless stated otherwise.
5. "Employee" means a person, independent contractor, or person working for an independent contractor who performs services for compensation, in whatever form, for an employer.
6. "Initial screening test" means a drug or alcohol test or cannabis test which uses a method of analysis under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.
7. "Job 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).
8. "Oral fluid test" means analysis of a saliva sample for the purpose of measuring the presence of the same substances as drug and alcohol testing and cannabis testing that:
  - a. can detect drugs, alcohol, cannabis, or their metabolites 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, subdivision 1; and
  - b. does not require the services of a testing laboratory under section 181.953, subdivision 1.

**[NOTE: The 2024 Minnesota legislature added oral fluid tests.]**

9. "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 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."

10. "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, subdivision 1.
11. "Random Selection 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.
12. "Reasonable Suspicion" means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.
13. "Safety-Sensitive Position" means a job, including any supervisory or management position, in which an impairment caused by drug, alcohol, or cannabis usage would threaten the health or safety of any person.

B. Circumstances Under Which Cannabis Testing or Drug or Alcohol Testing May Be Requested or Required; Exceptions

1. General Limitations

- a. The school district may 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 or cannabis testing, unless the testing is done pursuant to this policy; and either (1) is conducted by a testing laboratory that meets one of the criteria listed in Minnesota Statutes, section 181.953, subdivision 1; or (2) complies with the oral fluid test procedures under section 181.953, subdivision 5a.

**[NOTE: The 2024 Minnesota legislature amended this provision.]**

- 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 or cannabis testing on an arbitrary and capricious basis.

2. Cannabis Testing Exceptions

For the following positions, cannabis and its metabolites are considered a drug and subject to the drug and alcohol testing provisions in Minnesota Statutes, sections 181.950 to 181.957:

- a. a safety-sensitive position, as defined in Minnesota Statutes, section 181.950, subdivision 13;

- b. a position requiring face-to-face care, training, education, supervision, counseling, consultation, or medical assistance to children;
- c. a position requiring a commercial driver's license or requiring an employee to operate a motor vehicle for which state or federal law requires drug or alcohol testing of a job applicant or an employee;
- d. a position of employment funded by a federal grant; or
- e. any other position for which state or federal law requires testing of a job applicant or an employee for cannabis.

3. 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 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.

- a. The school district must not request or require a job applicant to undergo cannabis testing solely for the purpose of determining the presence or absence of cannabis as a condition of employment unless otherwise required by state or federal law.
- b. Unless otherwise required by state or federal law, the school district must not refuse to hire a job applicant solely because the job applicant submits to a cannabis test or a drug and alcohol test authorized by Minnesota law and the results of the test indicate the presence of cannabis.
- c. The school district must not request or require an employee or job applicant to undergo cannabis testing on an arbitrary or capricious basis.
- d. Cannabis testing authorized under paragraph (d) must comply with the safeguards for testing employees provided in Minnesota Statutes, sections 181.953 and 181.954.

4. Oral fluid testing

- a. When drug and alcohol testing or cannabis testing is otherwise authorized under Minnesota Statutes, section 181.951, the school district may request an employee or job applicant to undergo oral fluid testing according to the procedures under Minnesota Statutes, section 181.953, subdivision 5a as an alternative to using the services of a testing laboratory under Minnesota Statutes, section 181.953, subdivision 1.
- b. The employee must be informed of the test result at the time of the oral fluid test. Within 48 hours of an oral fluid test that indicates a positive

test result or that is inconclusive or invalid, the employee or job applicant may request drug or alcohol testing or cannabis testing at no cost to the employee or job applicant using the services of a testing laboratory under Minnesota Statutes, section 181.953, subdivision 1, and according to the existing laboratory testing standards in subdivisions 1 to 5. The rights, notice, and limitations in Minnesota Statutes, section 181.953, subdivision 6, paragraph (b), and subdivisions 7 to 8 and 10 to 11 apply to an employee or job applicant and a laboratory test conducted pursuant to this paragraph.

- c. If the laboratory test under paragraph (b) above indicates a positive result, any subsequent confirmatory retest, if requested by the employee or job applicant, must be conducted following the retest procedures provided in Minnesota Statutes, section 181.953, subdivision 6, paragraph (c), and subdivision 9 at the employee's or job applicant's own expense.
- d. Nothing in this subdivision is intended to modify the existing requirements for drug and alcohol testing or cannabis testing in the workplace under Minnesota Statutes, sections 181.950 to 181.957, unless stated otherwise.

**[NOTE: The 2024 Minnesota legislature enacted this provision.]**

5. Random Testing

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

6. Reasonable Suspicion Testing

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

- a. is under the influence of cannabis, drugs, or alcohol;
- b. has violated the school district's written work rules prohibiting the use, possession, sale, or transfer of drugs or alcohol, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products 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, 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.

7. Treatment Program Testing

The school district may request or require any employee to undergo cannabis

testing and 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 cannabis testing and 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.

8. 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.

C. 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.

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 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 or requesting cannabis 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 or cannabis 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 or cannabis 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 or cannabis 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 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 (see Attachment G to this policy).
- 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 or of enrollment in a Tribal medical cannabis program 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 cannabis. MROs will verify a drug test confirmed as positive, even if an employee claims to have only used nonintoxicating cannabinoids or edible cannabinoid product.
- e. 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 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 Minnesota Statutes, section 181.953, subdivision 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, alcohol, or cannabis 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 of other rights provided under Sections F. or G., below, whichever is applicable.

Attachments F and G 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 or cannabis 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, alcohol, or cannabis 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 personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process or cannabis 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, alcohol, and cannabis 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 H 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)
  - Minn. Stat. § 152.23 (Limitations; Medical Cannabis)
  - 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 (Department of Transportation Rules Implementing Omnibus Transportation Employee Testing Act of 1991)
  - 49 C.F.R. Part 382 (Controlled Substances and Alcohol Use and Testing)
- 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)

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 503

Orig. 1995

Revised: \_\_\_\_\_

Rev.

2025~~4~~

## 503 STUDENT ATTENDANCE

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

### I. PURPOSE

- A. The school board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.
- B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher, and administrators. This policy will assist students in attending class.

### II. GENERAL STATEMENT OF POLICY

#### A. Responsibilities

##### 1. Student's Responsibility

It is the student's right to be in school. It is also the student's responsibility to attend all assigned classes and study halls every day that school is in session and to be aware of and follow the correct procedures when absent from an assigned class or study hall. Finally, it is the student's responsibility to request any missed assignments due to an absence.

##### 2. Parent or Guardian's Responsibility

It is the responsibility of the student's parent or guardian to ensure the student is attending school, to inform the school in the event of a student absence, and to work cooperatively with the school and the student to solve any attendance problems that may arise.

##### 3. Teacher's Responsibility

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's

responsibility to provide any student who has been absent with any missed assignments upon request. Finally, it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

4. Administrator's Responsibility

- a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.
- b. In accordance with the Minnesota Compulsory Instruction Law, Minnesota Statutes, section 120A.22, the students of the school district are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

B. Attendance Procedures

Attendance procedures shall be presented to the school board for review and approval. When approved by the school board, the attendance procedures will be included as an addendum to this policy.

1. Reporting Absences/Tardiness

- . Elementary attendance is taken every morning at the elementary level. We record attendance by half days: 8:30am-11:30am and 11:30am-3:00pm.
  - a. High School attendance is taken every period of the day.
  - b. Students are expected to be in their assigned learning areas at designated times. Failure to do so constitutes tardiness.
  - c. **A doctor's note will be required for absences that extend beyond three consecutive days or ten total absences due to medical reasons.** If a doctor's note is not provided within three days of the request, the absence will be considered unexcused.

d. In all cases, students who arrive late or leave early must sign in or out of the office by the person dropping them off or picking them up.

e. If the school is unsure of who is signing the child out, questions need to be asked of the adult and/or student to verify the legitimacy, ie., child's birthdate, child's middle initial, child telling the school who the adult is, showing an I.D., etc.

f. Students may not be picked up from the classroom but instead must be picked up from the office.

## 2. Parent/Guardian Reporting

a. Notify the Attendance Office by phone each day that your child absent, preferably in the morning.

**If a parent/guardian does not call, a signed note needs to be presented to the attendance office within two (2) school days after the student's return to school or the absence will remain permanently unexcused.**

b. Please contact the Attendance Office at 218-566-2351 by 10:00am, and include the following information in your message:

1. Your child's first name and spelling of your child's last name.
2. Date of the absence.
3. Reason for absence.
4. A phone number where you can be reached.

c. Hold your child accountable for attending classes regularly and following the attendance policy.

d. Limit absences by scheduling appointments, vacations, college visits, etc. on non- school days whenever possible. Sophomores, juniors, and seniors will be allowed two (2) excused absences per year for college visits.

## 3. Excused Absences

a. A parent, guardian, or other person having control of a child may apply to a school district to have the child excused from attendance for the whole or any part of the time school is in session during any school year. Application may be made to ~~any member of the board,~~ a truant officer, or the school official designated by the principal, ~~or the superintendent.~~ A note from a physician or a licensed mental health professional stating that the child cannot attend school is a valid excuse.

[NOTE: The 2025 Minnesota legislature amended Minnesota Statutes,

section 120A.22 as indicated above.]

- b. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school.
- c. The board of the district in which the child resides may approve the application under subparagraph (a) above upon a legitimate exception being demonstrated to the satisfaction of that board.

4. Legitimate Exceptions

The following reasons shall be sufficient to constitute excused absences:

- (1) that the child's physical or mental health is such as to prevent attendance at school or application to study for the period required, which includes:
  - (a) child illness, medical, dental, orthodontic, or counseling appointments; including appointments conducted through telehealth
  - (b) family emergencies.
  - (c) the death or serious illness or funeral of an immediate family members
  - (d) active duty in any military branch of the United States;
  - (e) the child has a condition that requires ongoing treatment for a mental health diagnosis; or
  - (f) other exemptions included in this attendance policy.
- (2) that the child has already completed state and district standards required for graduation from high school; or
- (3) that it is the wish of the parent, guardian, or other person having control of the child, that the child attend for a period or periods not exceeding in the aggregate three hours in any week, instruction conducted by a Tribal spiritual or cultural advisor, or a school for religious instruction conducted and maintained by a church, or association of churches, or any Sunday school association incorporated under the laws of this state, or any auxiliary thereof. This instruction must be conducted and maintained in a place other than a public school building, and it must not, in whole or in part, be conducted and maintained at public expense. A child may be

absent from school on days that the child attends upon instruction according to this clause.

c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.
- (2) Work missed because of absence must be made up within 3 days from the date of the student's return to school. Any work not completed within this period shall result in "no credit" for the missed assignment. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

1. Unexcused Absences

- a. Examples of unexcused absences include the following but are not limited to
  1. Truancy. An absence by a student which was not approved by the parent and/or the school district.
  2. Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
  3. Work at home.
  4. Work at a business, except under a school-sponsored work release program.
  5. Missing the bus
  6. Babysitting
  7. Shopping
  8. Oversleeping
  9. Failure to follow the proper procedure when leaving the school building

10. Walking out of class or skipping class

11. Arriving to class more than five (5) minutes late

12. Any other absence not included under the attendance procedures set out in this policy.

b. Consequences of Unexcused Absences

1. Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

2. Days during which a student is suspended from school shall not be counted in a student's total accumulated unexcused absences.

3. In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.

4. Students with unexcused absences shall be subject to discipline in the following manner:

a. Refer to the student handbook

B. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness. The building principal or designee will have the final decision and the right to ask for proof of reason for the tardy.

2. Procedures for Reporting Tardiness

a. Elementary

1. A student is considered tardy if he/she arrives within 90 minutes after the start of the school day.

2. A student is considered absent for half a day if he/she misses more than 90 minutes at the start or end of the school day.
3. A school day attendance of only two hours or less is considered a full day absence.

b. High School

1. Students who report to class more than five (5) minutes late are considered absent-unexcused for that class period. A call will be made to the parent/guardian.
  2. A student is considered tardy any time the student is not in their assigned area when class starts. Students must attain a tardy pass before attending the class.
- c. Excused Tardiness: any tardiness for which the student is excused in writing by the administrator or teacher.
- d. After the second tardy in a week, the building principal or designee will assign consequences according to the policy.

3. Excused Tardiness

Valid excuses for tardiness are:

- a. Illness.
- b. Serious illness in the student's immediate family.
- c. A death in the student's immediate family or of a close friend or relative.
- d. Medical or dental treatment (with appointment slip).
- e. Court appearances occasioned by family or personal action.
- f. Physical emergency conditions such as fire, flood, storm, etc
- g. Any tardiness for which the student has been excused in writing by an administrator or faculty member

4. Unexcused Tardiness

- h. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
- i. Consequences of tardiness. Refer to the student handbook.

C. Participation in Extracurricular Activities and School-Sponsored On-the-Job Training Programs

- 1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school- sponsored on-the-job training programs.
- 2. School-initiated absences will be accepted and participation permitted.
- 3. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
- 4. If a student is suspended from any class, he or she may not participate in any activity or program that day.
- 5. If a student is absent from school due to; funeral, court appearance or medical appointment he or she must present documentation from the court or physician clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program.

*II. DISSEMINATION OF POLICY*

Copies of this policy shall be made available to all students and parents at the commencement of each school year. This policy shall also be available upon request in each principal's office.

*III. REQUIRED REPORTING*

Reporting Responsibility

When a student is initially classified as a continuing truant, Minn. Stat. § 260A.03 provides that the school attendance officer or other designated school

official shall notify the student's parent or legal guardian, by first class mail or other reasonable means, of the following:

1. that the child is truant;
2. that the parent or guardian should notify the school if there is a valid excuse for the child's absences within two days;
3. that the parent or guardian is obligated to compel the attendance of the child at school pursuant to Minn. Stat. § 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minn. Stat. § 120A.34;
4. that this notification serves as the notification required by Minn. Stat. § 120A.34;
5. that alternative educational programs and services may be available in the district;
6. that the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
7. that if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minn. Stat. Ch. 260;
8. that if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to Minn. Stat. § 260C.201; and
9. that it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

B. Habitual Truant

1. A habitual truant is a child between the age of 13-17 years who is absent from attendance at school without lawful excuse for seven school days if the child is in elementary school or for one or more class periods on seven school days if the child is in middle school, high school or area learning center, or a child who is 16 or 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days and who has not lawfully withdrawn from school.
2. A school district attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minn. Stat. Ch. 260A.

[NOTE: Wherever truancy services and programs under Minnesota Statutes chapter 260A are available within the school district, the following provisions should also be included in the policy.]

C. Educational Neglect

1. Educational neglect is a child between the ages of 7-12 years who is absent from attendance at school without lawful excuse for seven school days if the child is in elementary school or for one or more class periods on seven school days if a child is in middle school..

**Legal References:** Minn. Stat. § 120A.22 (Compulsory Instruction)  
Minn. Stat. § 120A.24 (Reporting)  
Minn. Stat. § 120A.26 (Enforcement and Prosecution)  
Minn. Stat. § 120A.28 (School Boards and Teachers, Duties) Minn. Stat. § 120A.30 (Attendance Officers)  
Minn. Stat. § 120A.34 (Violations; Penalties)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act) Minn. Stat. § 260A.02 (Definitions)  
Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is Continuing Truant)  
Minn. Stat. § 260C.007, Subd. 19 (Habitual Truant Defined)  
*Goss v. Lopez*, 419 U.S. 565, 95 S.Ct. 729 (1975)  
*Slocum v. Holton Board of Education*, 429 N.W.2d 607 (Mich. App. Ct. 1988)  
*Campbell v. Board of Education of New Milford*, 475 A.2d 289 (Conn. 1984)  
*Hamer v. Board of Education of Township High School District No. 113*, 66 Ill. App.3d 7 (1978)  
*Gutierrez v. School District R-1*, 585 P.2d 935 (Co. Ct. App. 1978)  
*Knight v. Board of Education*, 38 Ill. App. 3d 603, 348 N.E.2d 299 (1976)  
*Dorsey v. Bale*, 521 S.W.2d 76 (Ky. 1975)

**Cross References:** MSBA/MASA Model Policy 506 (Student Discipline)

Orig. 2023  
Adopted: 12/15/23  
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Approved:

## **606.5 LIBRARY MATERIALS**

### **I. PURPOSE**

The purpose of this policy is to provide direction and to delegate responsibility for selection and reconsideration of library materials.

### **II. GENERAL STATEMENT OF PURPOSE**

The school board recognizes that library materials serve as a vital component of a student's education by enriching the breadth of the curriculum as a whole and meeting the needs and interests of individual students. The purpose of library materials is to meet the needs of all students. Therefore, questions regarding selection and reconsideration of library materials should be handled differently than those concerning textbooks and instructional materials.

To ensure that library materials fulfill this role, the school board delegates to the superintendent or the superintendent's designee responsibility for administering a process for selection of library materials. Responsibility for selection shall rest with professionally trained school district staff, with recognition that the school board has the final authority on selection of library materials. Parents and guardians have the right and the responsibility to determine their children's access to library materials.

**[NOTE: The school board may choose to revise the General Statement of Purpose.]**

### **III. DEFINITIONS**

- A. "Library" is the school district resource that holds the library collection that serves the information and independent reading needs of students and supports the curriculum needs of teachers and staff. The term "library" includes a school library media center. The term also includes access to electronic materials.

For school districts with multiple school buildings, the term "library" refers to the resource within a specific school building.

Minnesota Statutes, section 124D.9901, states that a school district or charter school library or school library media center provides equitable and free access to students, teachers, and administrators and that a school library or school library media center must have the following characteristics:

1. ensures every student has equitable access to resources and is able to locate, access, and use resources that are organized and cataloged;
2. has a collection development plan that includes but is not limited to materials selection and deselection, a challenged materials procedure, and an intellectual and academic freedom statement;
3. is housed in a central location that provides an environment for expanded learning and supports a variety of student interests;

4. has technology and Internet access; and
  5. is served by a licensed school library media specialist or licensed school librarian.
- B. "Library collection" consists of the library materials made available to students.
- C. "Library materials" are the books, periodicals, newspapers, manuscripts, films, prints, documents, videotapes, subscription content, electronic and digital materials (including e-books, audiobooks, and databases), and related items made available to students in a school building or through access to electronic materials. This term does not include materials made available to students as part of the curriculum.
- D. "Library media specialist" is a teacher holding a Library Media Specialist teaching license issued by the Professional Educator Licensing and Standards Boards and who is trained to deliver library services to students and staff in a library. A library media specialist is authorized under Minnesota Rules to provide to students in kindergarten through grade 12 instruction that is designed to provide information and technology literacy skills instruction, to lead, collaborate, and consult with other classroom teachers for the purpose of integrating information and technology literacy skills with content teaching, and to administer media center operations, programming, and resources.

**[NOTE: The specific titles of the school district's library staff should be used for this definition and substituted for "library media specialist" throughout this model policy. Please note the new 2024 law in Article IV regarding administration of selection and reconsideration procedures.]**

#### **IV. RESPONSIBILITY FOR SELECTION OF LIBRARY MATERIALS**

- A. The school board recognizes the expertise of the school district's professional staff and the vital need of such staff to be responsible for selection of library materials.
- B. While recommendations by administrators, faculty members, students, parents, and other community members may be considered, the final responsibility for selection of library materials shall rest with the library media specialist.
- C. The procedures for selection and reconsideration set forth in this policy will be administered by:
1. a licensed library media specialist under Minnesota Rules, part 8710.4550;
  2. an individual with a master's degree in library science or library and information science; or
  3. a professional librarian or a person trained in library collection management.
- D. The school board may decline to purchase, lend, or shelve or remove access to library materials legitimately based on:
1. practical reasons, including but not limited to shelf space limitations, rare or antiquarian status, damage, or obsolescence;
  2. legitimate pedagogical concerns, including but not limited to the appropriateness of potentially sensitive topics for the library's intended audience, the selection of library materials for a curated collection, or the

likelihood of causing a material and substantial disruption of the work and discipline of the school; or

3. compliance with state or federal law.

**[NOTE: In 2024, the Minnesota legislature enacted a new law—Minnesota Statutes 134.51--that includes the new provisions above.]**

## **V. SELECTION OF LIBRARY MATERIALS**

- A. Selection Criteria: The library materials selection process should result in a library collection that, when considered as a whole, is consistent with the following criteria:
  1. Library materials shall support and be consistent with the general educational goals of the state and the district and the aims and objectives of individual schools and specific courses;
  2. Library materials shall be chosen to enrich and support the curriculum as well as to promote reading for pleasure by responding to the personal needs and interests of student users;
  3. Library materials shall not be excluded because of the race, nationality, religion, sex, gender, or political views of the writer;
  4. Library materials shall be appropriate to and reflect the needs, ages, maturity level, emotional development, ability levels, learning styles, social development, background, diversity, and needs and interests of the students for whom the materials were selected;
  5. Library materials shall meet high standards of quality in one or more of these categories (presented alphabetically):
    - a. Artistic quality and/or literary style;
    - b. Authenticity;
    - c. Critical thinking;
    - d. Educational significance;
    - e. Factual content;
    - f. High interest for intended audience; and
    - g. Readability.
  6. The selection of library materials shall conform to the constraints of the school district budget.

**[NOTE: Before adopting selection criteria, the school board is strongly encouraged to consult with the licensed library media specialist, who possesses professional expertise and experience in selecting appropriate library materials. The school board may choose to adopt selection criteria specifically designed for each school building.]**

**[NOTE: A school board may choose to adopt similar selection criteria for classroom library materials, with the classroom teacher making selection decisions. If a school board chooses to address classroom libraries, the board can decide whether to follow the reconsideration process in this model policy or to create a different process for classroom library materials.]**

- B. The library media specialist shall consult sources and specialists experienced in library materials collections appropriate for the building's students and that are reputable, experienced, unbiased, and professionally trained in school library materials.

**[NOTE: The school board may choose to identify specific sources and specialists that satisfy this paragraph.]**

- C. The superintendent or the superintendent's designee shall be responsible for keeping the school board informed of progress on review and selection of each building's library materials.
- D. Library materials that are outdated, inaccurate, no longer useful for curricular support or reading enrichment, or have not been utilized for an extended period of time may be removed. Library materials that are in poor physical condition may be removed or replaced as determined by the library media specialist or the principal.
- E. Gifts and Donations of Library Materials

Materials offered for donation or gifted to a school library may be accepted if they comply with the library collection selection criteria and approved by the library media specialist. The school district's libraries welcome donations of books and other resource materials from individuals and organizations, but also reserve the right to decline to accept library materials that do not meet the criteria for selection. In addition, financial donations to benefit school district's libraries will be accepted with the understanding that funds will be used to purchase materials that are needed for libraries based on the needs of the individual schools.

## **VI. INDIVIDUAL STUDENT ACCESS TO SPECIFIC LIBRARY MATERIAL**

A parent or guardian may request that access to specific material in the library materials collection be restricted from their student. The school shall take reasonable steps to fulfill this request. This type of request will not result in removal of specific library collection material from the library or restrictions upon any other student accessing specific library materials.

## **VII. RECONSIDERATION OF SPECIFIC LIBRARY MATERIAL**

- A. The school board seeks to uphold students' access to library materials that meet the educational goals and selection criteria set forth in this policy.
- B. A school district employee, student, or a parent or guardian of a school district student may request reconsideration of specific library material on the basis of appropriateness. Access to the material in question shall not be restricted until the procedures listed below have been fully completed and a decision to remove or restrict the materials has been made.

**[NOTE: The school board may decide whether to allow a building principal to remove library materials pending completion of the reconsideration process.]**

- C. Informal Request for Reconsideration of Specific Library Material

1. Requests for reconsideration of specific library material shall be directed to the library media specialist and the building principal. The building principal and the library media specialist shall assume responsibility for processing the request on an informal basis.
2. The building principal and/or the library media specialist shall provide an explanation to the individual who submitted the request. The explanation shall include the particular selection criteria that the material in question met in order to be included in the library as curriculum support or as an independent reading choice for students in the building.
3. If the request is not resolved informally, the principal shall submit a report on the matter to the superintendent or the superintendent's designee. The requestor will have an option to initiate a Formal Request for Reconsideration.

D. Formal Request for Reconsideration of Specific Library Collection Material

1. A Formal Request for Reconsideration of specific library material is initiated upon submission of a completed *Formal Request for Reconsideration of Specific Library Collection Material* form. The form must be completed in its entirety for each work that is subject to a request for reconsideration. The principal shall notify the superintendent or the superintendent's designee and the library media specialist of receipt of a completed Formal Request form.

If specific library material is the subject of a Formal Request for Reconsideration and a final decision is made to retain the specific library material, then the specific library material shall not be subject to additional requests for reconsideration for three years following the date of final resolution of the initial Formal Request for Reconsideration.

2. On an annual basis, the Superintendent or the superintendent's designee shall appoint a Library Materials Review Committee (Review Committee). This committee shall include:
  - a. One member of the school district administration
  - b. One principal
  - c. Two teachers
  - d. One library media specialist (or district media specialist or public librarian if the school district does not have a library media specialist)
  - e. Two members of the school district community with no direct connection with the request for reconsideration
  - f. Two student representatives (as appropriate to the specific request).

**[NOTE: This list of Review Committee members is an example. The school board may alter this list. The school district may decide to create Review Committees for individual schools.]**

3. The Review Committee shall establish a date upon which it will discuss the request and whether the specific library collection material conforms to the

selection criteria set forth in this policy.

4. The Review Committee
  - a. may consult individuals, organizations, and other resources with relevant professional knowledge on school library material;
  - b. shall examine the specific library material as a whole;
  - c. shall examine the specific library material as to its conformance with the criteria for selection of library materials; and
  - d. shall submit a written report to the superintendent or the superintendent's designee containing the Review Committee's decision on whether to retain, to remove, or to take other action regarding the specific library material.
5. The superintendent or the superintendent's designee shall inform the requestor and the school board of the Review Committee's decision. The requestor may appeal the Review Committee's decision to the superintendent or the superintendent's designee by submitting a written appeal to the superintendent or the superintendent's designee within fourteen (14) days of submission of the Review Committee's decision to the requestor. The superintendent or the superintendent's designee shall provide a written decision on a requestor's appeal within a reasonable time period.

**[NOTE: The school board can decide whether to allow appeal of a Review Committee decision to the superintendent or the superintendent's designee. If appeal to the superintendent or the superintendent's designee is permitted, the school board may direct the superintendent or the superintendent's designee to craft an appeal process or the board may choose to create the process itself.]**

6. The requestor shall have the right to appeal the decision of the superintendent or the superintendent's designee to the school board.

**[NOTE: The school board may decide whether to allow an appeal of a Review Committee decision directly to the school board or whether the appeal to the superintendent or the superintendent's designee is a required intermediary step. If appeal to the school board is permitted, the school board may direct the superintendent or the superintendent's designee or designee to craft an appeal process or the board may choose to create the process itself.]**

#### **VIII. CHALLENGE REPORT**

Upon the completion of a content challenge or reconsideration process in accordance with this policy, the school board must submit a report of the challenge to the Commissioner of the Minnesota Department of Education that includes:

- A. the title, author, and other relevant identifying information about the material being challenged;
- B. the date, time, and location of any public hearing held on the challenge in question, including minutes or transcripts;

- C. the result of the challenge or reconsideration request; and
- D. accurate and timely information on who from the school district the Department of Education may contact with questions or follow-up.

**[NOTE: This article was enacted in 2024 by the Minnesota legislature.]**

**IX. PROHIBITION ON RETALIATION**

The school district may not discriminate against or discipline an employee for complying with Minnesota Statutes, section 134.51.

**[NOTE: This article was enacted in 2024 by the Minnesota legislature.]**

**Legal References:** Minn. Stat. § 120A.22, Subd. 9 (Compulsory Instruction)  
Minn. Stat. § 123B.02 (General Powers of Independent School Districts)  
Minn. Stat. § 123B.09 (School Board Responsibilities)  
Minn. Stat. § 124D.991 (Public School Libraries and Media Centers)  
Minn. Stat. § 134.51 (Access to Library Materials and Rights Protected)  
Minn. Rules Part 8710.4550 (Library Media Specialists)  
*Bd. of Educ., Island Trees Union Free Sch. Dist. No. 26 v. Pico*, 457 U.S. 853 (1982)  
*Virginia State Bd. of Educ. v. Barnette*, 319 U.S. 624, 642 (1943)

**Cross References:** MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)  
MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)

Orig. 1997

Adopted: 5/21/09

Revised: 6/23, 6/16/25

Reviewed:

Approved:

## 613 GRADUATION REQUIREMENTS

**[NOTE: The requirements set forth in this policy govern the graduation standards that Minnesota public schools must require for a high school diploma for all students.]**

### I. PURPOSE

The purpose of this policy is to set forth requirements for graduation from the school district.

### II. GENERAL STATEMENT OF POLICY

The policy of the school district is that all students must demonstrate, as determined by the school district, their satisfactory completion of the credit requirements and their understanding of academic standards. The school district must adopt graduation requirements that meet or exceed state graduation requirements established in law or rule.

### III. DEFINITIONS

- A. “Credit” means a student’s successful completion of an academic year of study or a student’s mastery of the applicable subject matter, as determined by the school district.
- B. “English language learners” or “ELL” student means an individual whose first language is not English and whose test performance may be negatively impacted by lack of English language proficiency.
- C. “Individualized Education Program” or “IEP” means a written statement developed for a student eligible by law for special education and services.
- D. “Required standard” means a statewide adopted expectation for student learning in the content areas of language arts, mathematics, science, social studies, physical education, health, and the arts. Locally developed academic standards in health apply until statewide rules implementing statewide health standards under Minnesota Statutes, section 120B.021, subdivision 3, are required to be implemented in the classroom.

**[NOTE: The 2024 Minnesota legislature enacted this change. Paragraphs B and C are flipped to create alphabetical order.]**

- E. “Section 504 Accommodation” means the defined appropriate accommodations or modifications that must be made in the school environment to address the needs of an individual student with disabilities.

#### IV. DISTRICT ASSESSMENT COORDINATOR

The Technology Coordinator shall be named the District Assessment Coordinator. Said person shall be in charge of all test procedures and shall bring recommendations to the school board annually for approval.

#### V. ASSESSMENT GRADUATION REQUIREMENTS

##### A. Graduation Requirements

Students’ state graduation requirements, based on a longitudinal, systematic approach to student education and career planning, assessment, instructional support, and evaluation, include the following:

1. Achievement and career and college readiness in mathematics, reading, and writing, consistent with paragraph (k) and to the extent available, to monitor students' continuous development of and growth in requisite knowledge and skills; analyze students' progress and performance levels, identifying students' academic strengths and diagnosing areas where students require curriculum or instructional adjustments, targeted interventions, or remediation; and, based on analysis of students' progress and performance data, determine students' learning and instructional needs and the instructional tools and best practices that support academic rigor for the student; and
2. Consistent with this paragraph and Minnesota Statutes, section 120B.125 (see Policy 604, Section II.H.), age-appropriate exploration and planning activities and career assessments to encourage students to identify personally relevant career interests and aptitudes and help students and their families develop a regularly reexamined transition plan for postsecondary education or employment without need for postsecondary remediation.
3. Based on appropriate state guidelines, students with an IEP may satisfy state graduation requirements by achieving an individual score on the state-identified alternative assessments.

**[NOTE: Minnesota Statutes 120B.303 includes the reference to paragraph (k) found in subparagraph 1. above. This statute no longer has a paragraph (k). MSBA has informed the Minnesota Revisor’s Office, which replied that it will seek correction during the 2025 legislative session.]**

##### B. Targeted Instruction Plan

1. A student must receive targeted, relevant, academically rigorous, and resourced instruction, which may include a targeted instruction and intervention plan focused on improving the student’s knowledge and skills in core subjects so that the student has a reasonable chance to succeed in a career or college without need for postsecondary remediation.
2. Consistent with Minnesota Statutes, sections 120B.13, 124D.09, 124D.091, ~~124F.08D.49~~, and related sections, an enrolling school or district must actively encourage a student in grade 11 or 12 who is identified as academically ready for a career or college to participate in courses and programs awarding college credit to high school students. Students are not required to achieve a specified score or level of proficiency on an assessment under this subdivision to graduate from high school.
3. As appropriate, students through grade 12 must continue to participate in targeted instruction, intervention, or remediation and be encouraged to participate in courses awarding college credit to high school students.

**[NOTE: The revisions in Paragraphs A and B align the model policy language with Minnesota Statutes 120B.303.]**

- C. A student’s progress toward career and college readiness must be recorded on the student’s high school transcript.

## VI. GRADUATION CREDIT REQUIREMENTS

Students must successfully complete, as determined by the school district, the following high school level credits for graduation:

### A. Credit Requirements

1. Four credits of language arts sufficient to satisfy all academic standards in English language arts;
2. Four credits of mathematics sufficient to satisfy all of the academic standards in mathematics;
3. Three credits of science, including one credit to satisfy all the earth and space science standards for grades 9 through 12, one credit to satisfy all the life science standards for grades 9 through 12, and one credit to satisfy all the chemistry or physics standards for grades 9 through 12;
4. Three and one-half credits of social studies, encompassing at least United States history, geography, government and citizenship in either grade 11 or 12 for students beginning in grade 9 in the 2025-2026 school year and later or an advanced placement, international baccalaureate, or other rigorous course on government and citizenship under Minnesota Statutes, section 120B.21, subdivision 1a, and a combination of other credits encompassing

at least United States history, geography, government and citizenship, world history, and economics sufficient to satisfy all of the academic standards in social studies;

**[NOTE: This revision includes the 2024 change on implementation of the government and citizenship requirement to the 2025-26 school year.]**

5. One credit in the arts sufficient to satisfy all of the academic standards in the arts;
6. Credit sufficient to satisfy the state standards in physical education; and
7. A minimum of seven elective credits.
8. Students who begin grade 9 in the 2024-2025 school year and later must successfully complete a course for credit in personal finance in grade 10, 11, or 12. A teacher of a personal finance course that satisfies the graduation requirement must have a field license or out-of-field permission in agricultural education, business, family and consumer science, social studies, or math.

**[NOTE: The revisions above align the policy language with Minnesota law, including changes enacted by the 2024 Minnesota legislature concerning physical education credit and state standards in health. Paragraph 8 was enacted in 2023; it affects students who begin grade 9 in the 2024-25 school year.]**

B. Credit Equivalencies

1. A one-half credit of economics taught in a school's agricultural, food, and natural resources education or business education program or department may fulfill a one-half credit in social studies under Paragraph A.4, above, if the credit is sufficient to satisfy all of the academic standards in economics.
2. An agriculture science or career and technical education credit may fulfill the elective science credit required under Paragraph A.3, above, if the credit meets the state physical science, life science, earth and space science, chemistry, or physics academic standards or a combination of these academic standards as approved by the school district. An agriculture or career and technical education credit may fulfill the credit in chemistry or physics required under Paragraph A.3, above, if the credit meets the state chemistry or physics academic standards as approved by the school district. A student must satisfy either all of the chemistry academic standards or all of the physics academic standards prior to graduation. An agriculture science or career and technical education credit may not fulfill the required biology credit under Paragraph A.3, above.

3. A career and technical education credit may fulfill a mathematics or arts credit requirement under Paragraph A.2 or Paragraph A.5, above.
4. A computer science credit may fulfill a mathematics credit requirement under Paragraph A.2, above, if the credit meets state academic standards in mathematics.
5. A Project Lead the Way credit may fulfill a mathematics or science credit requirement under Paragraph A.2 or Paragraph A.3, above, if the credit meets the state academic standards in mathematics or science.
6. An ethnic studies course may fulfill a social studies, language arts, arts, math, or science credit if the course meets the applicable state academic standards. An ethnic studies course may fulfill an elective credit if the course meets applicable local standards or other requirements.

**[Note: The revisions above align the policy language with Minnesota law, including changes enacted by the 2024 Minnesota legislature. Starting in the 2026-27 school year, a high school must offer an ethnic studies course; in elementary and middle schools by the 2027-28 school year.]**

## **VII. GRADUATION STANDARDS REQUIREMENTS**

- A. All students must demonstrate their understanding of the following academic standards:
  1. School District Standards, Health (K-12);
  2. School District Standards, Career and Technical Education (K-12); and
  3. School District Standards, World Languages (K-12).
- B. Academic standards in health, world languages, and career and technical education will be reviewed on an annual basis.\* A school district must use the current world languages standards developed by the American Council on the Teaching of Foreign Languages.
 

\* Reviews are required to be conducted on a periodic basis. Therefore, this time period may be changed to accommodate individual school district needs.
- C. All students must satisfactorily complete the following required Graduation Standards in accordance with the standards developed by the Minnesota Department of Education (MDE):
  1. Minnesota Academic Standards, English Language Arts K-12;
  2. Minnesota Academic Standards, Mathematics K-12;

3. Minnesota Academic Standards, Science K-12;
  4. Minnesota Academic Standards, Social Studies K-12; and
  5. Minnesota Academic Standards, Physical Education K-12.
- D. State standards in the Arts K-12 are available, or school districts may choose to develop their own standards.
- E. The academic standards for language arts, mathematics, and science apply to all students except the very few students with extreme cognitive or physical impairments for whom an IEP team has determined that the required academic standards are inappropriate. An IEP team that makes this determination must establish alternative standards.

### VIII. EARLY GRADUATION

Students may be considered for early graduation, as provided for within Minnesota Statutes, section 120B.07, upon meeting the following conditions:

- A. All course or standards and credit requirements must be met;
- B. The principal or designee shall conduct an interview with the student and parent or guardian, familiarize the parties with opportunities available in post-secondary education, and arrive at a timely decision; and
- C. The principal's decision shall be in writing and may be subject to review by the superintendent and school board.

**Legal References:** Minn. Stat. § 120B.018 (Definitions)  
Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota's Students)  
Minn. Stat. § 120B.021 (Required Academic Standards)  
Minn. Stat. § 120B.023 (Benchmarks)  
Minn. Stat. § 120B.024 (Credits)  
Minn. Stat. § 120B.07 (Early Graduation)  
Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement Goals; Striving for Comprehensive Achievement and Civic Readiness)  
Minn. Stat. § 120B.125 (Planning for Students' Successful Transition to Postsecondary Education and Employment; Personal Learning Plans)  
Minn. Stat. § 120B.30 (General Requirements; Statewide Assessments)  
Minn. Stat. § 120B.303 (Assessment Graduation Requirements)  
Minn. Stat. § 120B.307 (College and Career Readiness)  
Minn. Rules Part 3501.0660 (Academic Standards For Kindergarten through Grade 12)  
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for

Mathematics)

Minn. Rules Part 3501.0820 (Academic Arts Standards for Kindergarten through Grade 12)

Minn. Rules Parts 3501.0900-3501.0960 (Academic Standards in Science)

Minn. Rules Parts 3501.1200-1210 (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)

- Cross References:**
- MSBA/MASA Model Policy 104 (School District Mission Statement)
  - MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)
  - MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)
  - MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
  - MSBA/MASA Model Policy 616 (School District System Accountability)

Orig. 1998

Adopted: 5/21/98

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## 620 CREDIT FOR LEARNING

[NOTE: School districts **are** statutorily **are** required to provide students with credit for approved postsecondary courses, as set forth in Section V.; and accelerated or advanced academic courses offered by a higher education institution or nonprofit public agency, as set forth in Section VII. Additionally, school districts are required by statute to identify whether the school district offers weighted grades and, if it does, identify the courses for which a student may earn a weighted grade (Section VIII). Optional provisions related to awarding credit to students transferring from out-of-state, private, or home schools and the issuance of student grades for purposes of awarding certain honors, as set forth in Section IV., are not required by statute. Therefore, the language contained in Section IV. is suggested language, and a school district may or may not include this section or may modify this section at its discretion.]

### I. PURPOSE

This policy recognizes student achievement that occurs in postsecondary enrollment option and other advanced enrichment programs. This policy also recognizes student achievement that occurs in other schools, in alternative learning sites, and in out-of-school experiences such as community organizations, work-based learning, and other educational activities and opportunities. This policy addresses transfer of student credit from out-of-state, private, or home schools and online learning programs and to address how the school district will recognize student achievement obtained outside of the school district.

### II. GENERAL STATEMENT OF POLICY

The policy of the school district is to provide a process for awarding students credit toward graduation requirements for credits and grades students complete in other schools, postsecondary or higher education institutions, other learning environments, and online courses and programs.

### III. DEFINITIONS

- A. "Accredited school" means a school that is accredited by an accrediting agency, recognized according to Minnesota Statutes, section 123B.445 or recognized by the Commissioner of the Minnesota Department of Education (Commissioner).
- B. "Concurrent enrollment" means nonsectarian courses in which an eligible pupil under subdivision 5 or 5b enrolls to earn both secondary and postsecondary credits, are taught by a secondary teacher or a postsecondary faculty **member and** are offered at a high school for which the district is eligible to receive concurrent enrollment program aid under Minnesota Statutes, section 124D.091.
- C. "Course" means a course or program.
- D. "Eligible institution" means a Minnesota public postsecondary institution, a private,

nonprofit two-year trade and technical school granting associate degrees, an opportunities industrialization center accredited by an accreditor recognized by the United States Department of Education, or a private, residential, two-year or four-year, liberal arts, degree-granting college or university located in Minnesota.

- E. "Nonpublic school" is a private school or home school in which a child is provided instruction in compliance with the Minnesota compulsory attendance laws.
- F. "Weighted grade" is a letter or numerical grade that is assigned a numerical advantage when calculating the grade point average.

#### **IV. TRANSFER OF CREDIT FROM OTHER SCHOOLS**

##### A. Transfer of Academic Requirements from Other Minnesota Public Secondary Schools

- 1. The school district will accept and transfer secondary credits and grades awarded to a student from another Minnesota public secondary school upon presentation of a certified transcript from the transferring public secondary school evidencing the course taken and the grade and credit awarded.
- 2. Credits and grades awarded from another Minnesota public secondary school may be used to compute honor roll and/or class rank if a student has earned at least **[insert number]** credits from the school district.

##### B. Transfer of Academic Requirements from Other Schools

- 1. The school district will accept secondary credits and grades awarded to a student for courses successfully completed at a public school outside of Minnesota or an accredited nonpublic school upon presentation of a certified transcript from the transferring public school in another state or nonpublic school evidencing the course taken and the grade and credit awarded.
  - a. When a determination is made that the content of the course aligns directly with school district graduation requirements, the student will be awarded commensurate credits and grades.
  - b. Commensurate credits and grades awarded from an accredited nonpublic school or public school in another state may be used to compute honor roll and/or class rank if a student has earned at least **[insert number]** credits from the school district.
  - c. In the event the content of a course taken at an accredited nonpublic school or public school in another state does not fully align with the content of the school district's high school graduation requirements but is comparable to elective credits offered by the school district for graduation, the student may be provided elective credit applied toward graduation requirements. Credit that does not fully align with the school district's high school graduation requirements will not be used to compute honor roll and/or class rank.
  - d. If no comparable course is offered by the school district for which high school graduation credit would be provided, no credit will be provided to the student.
- 2. Students transferring from a non-accredited, nonpublic school shall receive

credit from the school district upon presentation of a transcript or other documentation evidencing the course taken and grade and credit awarded.

- a. Students will be required to provide copies of course descriptions, syllabi, or work samples for determination of appropriate credit. In addition, students also may be asked to provide interviews/conferences with the student and/or student's parent and/or former administrator or teacher; review of a record of the student's entire curriculum at the nonpublic school; and review of the student's complete record of academic achievement.
  - b. Where the school district determines that a course completed by a student at a non-accredited, nonpublic school is commensurate with school district graduation requirements, credit shall be awarded, but the grade shall be "P" (pass).
  - c. In the event the content of a course taken at a non-accredited, nonpublic school does not fully align with the content of the school district's high school graduation requirements but is comparable to elective credits offered by the school district for graduation, the student may be provided elective credit applied toward graduation requirements.
  - d. If no comparable course is offered by the school district for which local high school graduation credit would be provided, no credit will be provided to the student.
  - e. Credit and grades earned from a non-accredited nonpublic school shall not be used to compute honor roll and/or class rank.
3. A student must provide the school with a copy of the student's grades in each course taken for secondary credit under this policy, including interim or non-final grades earned during the academic term.

## **V. POSTSECONDARY ENROLLMENT CREDIT**

- A. A student who satisfactorily completes a postsecondary enrollment options course or program under Minnesota Statutes, section 124D.09 that has been approved as meeting the necessary requirements is not required to complete other requirements of the academic standards corresponding to that specific rigorous course of study.
- B. Secondary credits granted to a student through a postsecondary enrollment options course or program must be counted toward the graduation requirements and subject area requirements of the district.
  1. Course credit will be considered by the school district only upon presentation of a certified transcript from an eligible institution evidencing the course taken and the grade and credit awarded.
  2. Seven quarter or four semester postsecondary credits shall equal at least one full year of high school credit. Fewer postsecondary credits may be prorated.
  3. When a determination is made that the content of the postsecondary course aligns directly with a required course for high school graduation, the commensurate credit and grade will be recorded on the student's transcript as

a course credit applied toward graduation requirements.

4. In the event the content of the postsecondary course does not fully align with the content of a high school course required for graduation but is comparable to elective credits offered by the school district for graduation, the school district may provide elective credit and the grade will be recorded on the student's transcript as an elective course credit applied toward graduation requirements.
  5. If no comparable course is offered by the school district for which high school graduation credit would be provided, the school district will notify the Commissioner, who shall determine the number of credits that shall be granted to a student.
  6. When secondary credit is granted for postsecondary credits taken by a student, the school district will record those credits on the student's transcript as credits earned at a postsecondary institution.
- C. A list of the courses or programs meeting the necessary requirements may be obtained from the school district.
- D. By the earlier of (1) three weeks prior to the date by which a student must register for district courses for the following school year, or (2) March 1 of each year, the school district must provide up-to-date information on the district's website and in materials that are distributed to parents and students about the program, including information about enrollment requirements and the ability to earn postsecondary credit to all pupils in grades 8, 9, 10, and 11. To assist the school district in planning, a pupil must inform the district by October 30 or May 30 of each year of the pupil's intent to enroll in postsecondary courses during the following academic term. A pupil is bound by notifying or not notifying the district by October 30 or May 30.

**[NOTE: Because the 2024 Minnesota legislature amended the last two sentences, MSBA decided to add this language to this model policy.]**

- E. Postsecondary institutions must notify a pupil's school as soon as practicable if the pupil withdraws from the enrolled course. The institution must also notify the pupil's school as soon as practicable if the pupil has been absent from a course for ten consecutive days on which classes are held, based on the postsecondary institution's academic calendar, and the pupil is not receiving instruction in their home or hospital or other facility.

**[NOTE: The 2024 Minnesota legislature enacted this provision.]**

## **VI. CREDIT FOR EMPLOYMENT WITH HEALTH CARE PROVIDERS**

Consistent with the career and technical pathways program, a student in grade 11 or 12 who is employed by an institutional long-term care or licensed assisted living facility, a home and community-based services and supports provider, a hospital or health system clinic, or a child care center may earn up to two elective credits each year toward graduation under Minnesota Statutes, section 120B.024, subdivision 1, paragraph (a), clause (87), at the discretion of the enrolling school district. A student may earn one elective credit for every 350 hours worked, including hours worked during the summer. A student who is employed by an eligible employer must submit an application, in the form or manner required by the school district, for elective credit to the school district in order to receive elective credit. The school district must verify the hours worked with the employer before awarding elective credit.

## VII. ADVANCED ACADEMIC CREDIT

- A. The school district will grant academic credit to a student attending an accelerated or advanced academic course offered by a higher education institution or a nonprofit public agency, other than the school district.
- B. Course credit will be considered only upon official documentation from the higher education institution or nonprofit public agency that the student successfully completed the course attended and passed an examination approved by the school district.
- C. When a determination is made that the content of the advanced academic course aligns directly with a required course for high school graduation, the commensurate credit and grade will be recorded on the student's transcript as a course credit applied toward graduation requirements.
- D. In the event the content of the advanced academic course does not fully align with the content of a high school course required for graduation but is comparable to elective credits offered by the school district for graduation, the school district may provide elective credit and the grade will be recorded on the student's transcript as an elective course credit applied toward graduation requirements.
- E. If no comparable course is offered by the school district for which high school graduation credit would be provided, the school district will notify the Commissioner and request a determination of the number of credits that shall be granted to a student.

## VIII. WEIGHTED GRADES

**[NOTE: School districts must identify in policy whether they offer courses with weighted grades. Therefore, school districts must include one of the following options in their policies. A school board must adopt an identical policy regarding weighted grade point averages for credits earned via postsecondary coursework as it gives to credits earned via concurrent enrollment coursework.]**

- A. The school district offers weighted grades for courses that are identified as more rigorous or academically challenging (as well as weighted grades for courses with a modified curriculum) as follows:

**[List the types of courses that will be awarded weighted grades and the multiplier, similar to the following examples.]**

### Weighted Grades

- 1. A grade awarded in a College in the Schools course will be increased by 0.50 grade points
- 2. A grade awarded in a course taken through a Postsecondary Enrollment Options program will be increased by 1.0

### Modified Grades

- 1. A grade awarded in a Modified Grading program will be decreased by 0.50 grade points
- 2. A grade awarded in a Significantly Modified Class or Substituted Class will be decreased by 1.0 grade points

(See Student and Family Handbook for the breakdown of the weighted grading system)

- B. The school district will update its website prior to the beginning of each school year with a listing of the courses for which a student may earn a weighted grade. Specific course listings may be found in the Student/Family Handbook.

## **IX. PROCESS FOR AWARDING CREDIT**

- A. The building principal will be responsible for carrying out the process to award credits and grades pursuant to this policy. The building principal will notify students in writing of the decision as to how credits and grades will be awarded.
- B. A student or the student's parent or guardian may seek reconsideration of the decision by the building principal as to credits and/or grades awarded upon request of a student or the student's parent or guardian if the request is made in writing to the superintendent within five school days of the date of the building principal's decision. The request should set forth the credit and/or grade requested and the reason(s) why credit(s)/grade(s) should be provided as requested. Any pertinent documentation in support of the request should be submitted.
- C. The decision of the superintendent as to the award of credits or grades shall be a final decision by the school district and shall not be appealable by the student or student's parent or guardian except as set forth in Section IX.D. below.
- D. If a student disputes the number of credits granted by the school district for a particular postsecondary/post-secondary enrollment course, or advanced academic credit course, the student may appeal the school district's decision to the Commissioner. The decision of the Commissioner shall be final.
- E. At any time during the process, the building principal or superintendent may ask for course descriptions, syllabi, or work samples from a course where content of the course is in question for purposes of determining alignment with graduation requirements or the number of credits to be granted. Students will not be provided credit until requested documentation is available for review, if requested.

**Legal References:** Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota's Students)  
Minn. Stat. § 120B.021 (Required Academic Standards)  
Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement Goals; Striving for Comprehensive Achievement and Civic Readiness)  
Minn. Stat. § 120B.14 (Advanced Academic Credit)  
Minn. Stat. § 123B.02 (General Powers of Independent School Districts)  
Minn. Stat. § 123B.445 (Nonpublic Education Council)  
Minn. Stat. § 124D.03, Subd. 9 (Enrollment Options Program)  
Minn. Stat. § 124D.09 (Postsecondary Enrollment Options Act)  
Minn. Stat. § 124D.094 (Online Instruction Act)  
Minn. Rules Parts 3501.0660 (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 3501.0900-3501.0960 (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)

***Cross References:***

MSBA/MASA Model Policy 104 (School District Mission Statement)

MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)

MSBA/MASA Model Policy 613 (Graduation Requirements)

MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)

MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)

MSBA/MASA Model Policy 616 (School District System Accountability)

MSBA/MASA Model Policy 618 (Assessment of Student Achievement)

MSBA/MASA Model Policy 624 (Online Instruction)

Orig. 2023  
Adopted: 7/23  
Revised: 2/17/25, 6/16/25  
Approved:

## **624 ONLINE INSTRUCTION**

**[NOTE: In 2023, the Minnesota Legislature repealed the Online Learning Option Act (Minnesota Statutes, section 124D.095) and replaced it with the Online Instruction Act (Minnesota Statutes, section 124D.094). This policy fully replaces the old Model Policy 624].**

### **I. PURPOSE**

The purpose of this policy is to recognize and govern online instruction options of students enrolled in the school district for purposes of compulsory attendance and address enrollment of students with an online instruction site for supplemental or full-time online learning.

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

- A. The school district shall not prohibit an enrolled student from applying to enroll in online instruction.
- B. The school district shall grant academic credit for completing the requirements of an online instruction course or program.

### **III. DEFINITIONS**

- A. "Blended instruction" means a form of digital instruction that occurs when a student learns part time in a supervised physical setting and part time through online instruction under paragraph (E).
- B. "Digital instruction" means instruction facilitated by technology that offers students an element of control over the time, place, path, or pace of learning and includes blended and online instruction.
- C. "Enrolling district" means the school district in which a student is enrolled under Minnesota Statutes, section 120A.05, subdivision 8, or chapter 124E.120A.22, subdivision 4.
- D. "Online course syllabus" means a written document that identifies the state academic standards taught and assessed in a supplemental online course under paragraph (I); course content outline; required course assessments; instructional methods; communication procedures with students, guardians, and the enrolling district under paragraph (C); and supports available to the student.
- E. "Online instruction" means a form of digital instruction that occurs when a student learns primarily through digital technology away from a supervised physical setting.
- F. "Online instructional site" means a site that offers courses using online instruction under paragraph (E) and may enroll students receiving online instruction under paragraph (E).

- G. "Online teacher" means an employee of the enrolling district under paragraph (C) or the supplemental online course provider under paragraph (J) who holds the appropriate licensure under Minnesota Rules, chapter 8710, and is trained to provide online instruction under paragraph (E).
- H. "Student" means a Minnesota resident enrolled in a school defined under Minnesota Statutes, section 120A.22, subdivision 4, in kindergarten through grade 12 up to the age of 21.
- I. "Supplemental online course" means an online learning course taken in place of a course provided by the student's enrolling district under paragraph (C).
- J. "Supplemental online course provider" means a school district, an intermediate school district, a state-operated school, an organization of two or more school districts operating under a joint powers agreement, or a charter school located in Minnesota that is authorized by the Minnesota Department of Education (MDE) to provide supplemental online courses under paragraph (I).

#### **IV. DIGITAL INSTRUCTION**

- A. An enrolling district may provide digital instruction, including blended instruction and online instruction, to the district's own enrolled students. Enrolling districts may establish agreements to provide digital instruction, including blended instruction and online instruction, to students enrolled in the cooperating schools.
- B. When online instruction is provided, an online teacher shall perform all duties of teacher of record under Minnesota Rules, part 8710.0310. Unless the Commissioner of MDE grants a waiver, a teacher providing online instruction shall not instruct more than 40 students in any one online learning course or section.
- C. Students receiving online instruction full time shall be reported as enrolled in an online instructional site.
- D. Curriculum used for digital instruction shall be aligned with Minnesota's current academic standards and benchmarks.
- E. Digital instruction shall be accessible to students under sections 504 and 508 of the federal Rehabilitation Act and Title II of the federal Americans with Disabilities Act.
- F. An enrolling district providing digital instruction and a supplemental online course provider shall assist an enrolled student whose family qualifies for the education tax credit under Minnesota Statutes, section 290.0674 to acquire computer hardware and educational software so they may participate in digital instruction. Funds provided to a family to support digital instruction or supplemental online courses may only be used for qualifying expenses as determined by the provider. Nonconsumable materials purchased with public education funds remain the property of the provider. Records for any funds provided must be available for review by the public or MDE.
- G. An enrolling district providing digital instruction shall establish and document procedures for determining attendance for membership and keep accurate records of daily attendance under Minnesota Statutes, section 120A.21.

#### **V. SUPPLEMENTAL ONLINE COURSES**

- A. Notwithstanding Minnesota Statutes, sections 124D.03 and 124D.08 and Minnesota Statutes, chapter 124E, procedures for applying to take supplemental online courses other than those offered by the student's enrolling district are as provided in this subdivision.
- B. Any kindergarten through grade 12 student may apply to take a supplemental online course. The student, or the student's parent or guardian for a student under age 17, must submit an application for the proposed supplemental online course or courses. A student may:
  - 1. apply to take an online course from a supplemental online course provider that meets or exceeds the academic standards of the course in the enrolling district they are replacing;
  - 2. apply to take supplemental online courses for up to 50 percent of the student's scheduled course load;
  - 3. apply to take supplemental online courses no later than 15 school days after the student's enrolling district's term has begun. An enrolling district may waive the 50 percent course enrollment limit or the 15-day time limit; and
  - 4. enroll in additional courses with the online learning provider under a separate agreement that includes terms for paying any tuition or course fees.

**[NOTE: The 2024 Minnesota legislature added this provision.]**

- C. A student taking a supplemental online course must have the same access to the computer hardware and education software available in a school as all other students in the enrolling district.
- D. A supplemental online course provider must have a current, approved application to be listed by MDE as an approved provider. The supplemental online course provider must:
  - 1. use an application form specified by MDE;
  - 2. notify the student, the student's guardian if they are age 17 or younger, and enrolling district of the accepted application to take a supplemental online course within ten days of receiving a completed application;
  - 3. notify the enrolling district of the course title, credits to be awarded, and the start date of the online course. A supplemental online course provider must make the online course syllabus available to the enrolling district;
  - 4. request applicable academic support information for the student, including a copy of the IEP, EL support plan, or 504 plan; and
  - 5. track student attendance and monitor academic progress and communicate with the student, the student's guardian if they are age 17 or younger, and the enrolling district's designated online learning liaison.
- E. A supplemental online course provider may limit enrollment if the provider's school board or board of directors adopts by resolution specific standards for accepting and rejecting students' applications. The provisions may not discriminate against any protected class or students with disabilities.

- F. A supplemental online course provider may request that MDE review an enrolling district's written decision to not accept a student's supplemental online course application. The student may participate in the supplemental online course while the application is under review. Decisions shall be final and binding for both the enrolling district and the supplemental online course provider.
- G. A supplemental online course provider must participate in continuous improvement cycles with MDE.

## **VI. ENROLLING DISTRICT**

- A. An enrolling district may not restrict or prevent a student from applying to take supplemental online courses.
- B. An enrolling district may request an online course syllabus to review whether the academic standards in the online course meet or exceed the academic standards in the course it would replace at the enrolling district.
- C. Within 15 days after receiving notice of a student applying to take a supplemental online course, the enrolling district must notify the supplemental online course provider whether the student, the student's guardian, and the enrolling district agree that academic standards in the online course meet or exceed the academic standards in the course it would replace at the enrolling district. If the enrolling district does not agree that the academic standards in the online course meet or exceed the academic standards in the course it would replace at the enrolling district, then:
  - 1. the enrolling district must provide a written explanation of the district's decision to the student, the student's guardian, and the supplemental online course provider; and
  - 2. the online provider must provide a response to the enrolling district explaining how the course or program meets the graduation requirements of the enrolling district.
- D. An enrolling district may reduce the course schedule of a student taking supplemental online courses in proportion to the number of supplemental online learning courses the student takes.
- E. An enrolling district must appoint an online learning liaison who:
  - 1. provides information to students and families about supplemental online courses;
  - 2. provides academic support information including IEPs, EL support plans, and 504 plans to supplemental online providers; and
  - 3. monitors attendance and academic progress, and communicates with supplemental online learning providers, students, families, and enrolling district staff.
- F. An enrolling district must continue to provide support services to students taking supplemental online courses as they would for any other enrolled student including support for English learners, case management of an individualized education program,

and meal and nutrition services for eligible students.

- G. An online learning student must receive academic credit for completing the requirements of a supplemental online learning course. If a student completes an online learning course that meets or exceeds a graduation standard or the grade progression requirement at the enrolling district, that standard or requirement is met.
- H. Secondary credits granted to a supplemental online learning student count toward the graduation and credit requirements of the enrolling district. The enrolling district must apply the same graduation requirements to all students, including students taking supplemental online courses.
- I. An enrolling district must provide access to extracurricular activities for students taking supplemental online courses on the same basis as any other enrolled student.

## **VII. REPORTING**

Courses that include blended instruction and online instruction must be reported in the manner determined by the Commissioner of MDE.

**LEGAL REFERENCES:** Minn. Stat. § 120A.21 (Enrollment of a Student in Foster Care)  
Minn. Stat. § 120A.22 (Compulsory Instruction)  
Minn. Stat. § 120A.24 (Reporting)  
Minn. Stat. § 124D.03 (Enrollment Options Act)  
Minn. Stat. § 124D.08 (School Board's Approval to Enroll in Nonresident District; Exceptions)  
Minn. Stat. § 124D.094 (Online Instruction Act)  
Minn. Rules Ch. 8710 (Teacher and Other School Professional Licensing)

**CROSS REFERENCES:** MSBA/MASA Model Policy 613 (Graduation Requirements)  
MSBA/MASA Model Policy 620 (Credit for Learning)

INDEPENDENT SCHOOL DISTRICT NO. 118  
**PUBLIC DATA REQUEST FORM**

**TO BE COMPLETED BY THE REQUESTOR**

<b>REQUESTOR NAME (NOT REQUIRED):</b>	<b>PHONE NUMBER:*</b>
<b>ADDRESS:*</b>	<b>EMAIL ADDRESS:*</b>
<b>DATE OF REQUEST:</b>	
<b>DESCRIPTION OF THE INFORMATION REQUESTED:</b> (attach additional page if necessary)	
<b>MANNER IN WHICH RESPONSIVE DATA IS TO BE PROVIDED:</b>	
INSPECTION ONLY _____ COPIES ONLY** _____ BOTH INSPECTION AND COPIES _____ **	
**Inspection is free, but there is a charge for copies. Payment must be received before copies will be provided.	

**FOR OFFICE USE ONLY**

<b>DATE REQUEST RECEIVED:</b>	<b>REQUEST RECEIVED BY:</b>
<b>DATE OF RESPONSE:</b>	<b>RESPONSE PROVIDED BY:</b>

\* Requestor's name is optional. However, contact information is necessary to mail/email the data. Also, contact information is needed if the school district does not understand the request. We will not work on such a request until clarified.

Orig. 2017

Adopted: 01/14/19

Revised: 2022, 1/22/25

Reviewed: 8/4/25

Approved: 02/12/25, 8/13/25

## 722 PUBLIC DATA AND DATA SUBJECT REQUESTS

*[Note: School districts are required by statute to establish procedures consistent with the Minnesota Government Data Practices Act for public data requests and data subject 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 13 (MGDPA), and Minnesota Rules parts 1205.0100-1205.2000 in responding to requests for public data.

### III. DEFINITIONS

**In Minnesota, the definition of "student directory information" is based on both federal law (the Family Educational Rights and Privacy Act - FERPA) and the Minnesota Government Data Practices Act (MGDPA). Schools must comply with both.**

#### A. Confidential Data on Individuals

Data made not public by statute or federal law applicable to the data and are inaccessible to the individual subject of those data.

#### B. Data on Individuals

All government data in which any individual is or can be identified as the subject of that data unless the appearance of the name or other identifying data can be clearly demonstrated to be only incidental to the data and the data are not accessed by the name or other identifying data of any individual.

#### C. Data Practices Compliance Officer

The data practices compliance official is the designated employee of the school district to whom persons may direct questions or concerns regarding problems in obtaining access to

data or other data practices problems. The responsible authority may be the data practices compliance official.

D. Government Data

All data collected, created, received, maintained, or disseminated by any government entity regardless of its physical form, storage media or conditions of use.

E. Individual

“Individual” means a natural person. In the case of a minor or an incapacitated person as defined in Minnesota Statutes section 524.5-102, subdivision 6, "individual" includes a parent or guardian or an individual acting as a parent or guardian in the absence of a parent or guardian, except that the responsible authority shall withhold data from parents or guardians, or individuals acting as parents or guardians in the absence of parents or guardians, upon request by the minor if the responsible authority determines that withholding the data would be in the best interest of the minor.

F. 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.

G. Not Public Data

Any government data classified by statute, federal law, or temporary classification as confidential, private, nonpublic, or protected nonpublic.

H. Nonpublic Data

Data not on individuals made by statute or federal law applicable to the data: (a) not accessible to the public; and (b) accessible to the subject, if any, of the data.

I. Private Data on Individuals

Data made by statute or federal law applicable to the data: (a) not public; and (b) accessible to the individual subject of those data.

J. Protected Nonpublic Data

Data not on individuals made by statute or federal law applicable to the data (a) not public and (b) not accessible to the subject of the data.

K. Public Data

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.

L. Public Data Not on Individuals

Data accessible to the public pursuant to Minnesota Statutes section 13.03.

M. Public Data on Individuals

Data accessible to the public in accordance with the provisions of section 13.03.

N. Responsible Authority

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.

O. Summary Data

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. Unless classified pursuant to Minnesota Statutes section 13.06, another statute, or federal law, summary data is public.

#### **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. Unless specifically authorized by statute, the school district may not require persons to identify themselves, state a reason for, or justify a request to gain access to public government data. A person may be asked to provide certain identifying or clarifying information for the sole purpose of facilitating access to the data.
  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. DATA BY AN INDIVIDUAL DATA SUBJECT**

- A. Collection and storage of all data on individuals and the use and dissemination of private and confidential data on individuals shall be limited to that necessary for the administration and management of programs specifically authorized by the legislature or local governing body or mandated by the federal government.
- B. Private or confidential data on an individual shall not be collected, stored, used, or disseminated by the school district for any purposes other than those stated to the individual at the time of collection in accordance with Minnesota Statutes section 13.04, except as provided in Minnesota Statutes section 13.05, subdivision 4.
- C. Upon request to the responsible authority or designee, an individual shall be informed whether the individual is the subject of stored data on individuals, and whether it is classified as public, private or confidential. Upon further request, an individual who is the subject of stored private or public data on individuals shall be shown the data without any charge and, if desired, shall be informed of the content and meaning of that data.
- D. After an individual has been shown the private data and informed of its meaning, the data need not be disclosed to that individual for six months thereafter unless a dispute or action pursuant to this section is pending or additional data on the individual has been collected or created.
- E. The responsible authority or designee shall provide copies of the private or public data upon request by the individual subject of the data. The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies.
- F. The responsible authority or designee shall comply immediately, if possible, with any request made pursuant to this subdivision, or within ten days of the date of the request, excluding Saturdays, Sundays and legal holidays, if immediate compliance is not possible.
- G. An individual subject of the data may contest the accuracy or completeness of public or private data. To exercise this right, an individual shall notify in writing the responsible authority describing the nature of the disagreement. The responsible authority shall within 30 days either: (1) correct the data found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, including recipients named by the individual; or (2) notify the individual that the authority believes the data to be correct.

Data in dispute shall be disclosed only if the individual's statement of disagreement is included with the disclosed data.

- H. The determination of the responsible authority may be appealed pursuant to the provisions of the Administrative Procedure Act relating to contested cases. Upon receipt of an appeal by an individual, the commissioner shall, before issuing the order and notice of a contested case hearing required by Minnesota Statutes chapter 14, try to resolve the dispute through education, conference, conciliation, or persuasion. If the parties consent, the commissioner may refer the matter to mediation. Following these efforts, the commissioner shall dismiss the appeal or issue the order and notice of hearing.
- I. Data on individuals that have been successfully challenged by an individual must be completed, corrected, or destroyed by a government entity without regard to the requirements of Minnesota Statutes section 138.17.
- J. After completing, correcting, or destroying successfully challenged data, the school district may retain a copy of the commissioner of administration's order issued under Minnesota Statutes chapter 14 or, if no order were issued, a summary of the dispute between the parties that does not contain any particulars of the successfully challenged data.

## **VII. REQUESTS FOR DATA BY AN INDIVIDUAL SUBJECT OF THE DATA**

- A. All requests for individual subject data must be made in writing directed to the responsible authority.
- B. A request for individual subject data must include the following information:
  - 1. Statement that one is making a request as a data subject for data about the individual or about a student for whom the individual is the parent or guardian;
  - 2. Date the request is made;
  - 3. A clear description of the data requested;
  - 4. Proof that the individual is the data subject or the data subject's parent or guardian;
  - 5. Identification of the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and
  - 6. Method to contact the requestor (such as phone number, address, or email address).

- C. The identity of the requestor of private data is private.
- D. The responsible authority may seek clarification from the requestor if the request is not clear before providing a response to the data request.
- E. Policy 515 (Protection and Privacy of Pupil Records) addresses requests of students or their parents for educational records and data.

## VIII. 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 or by check] 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.

C. Data Belonging to an Individual Subject

- 1. The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies.

The responsible authority shall not charge the data subject any fee in those instances where the data subject only desires to view private data.

The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies. Based on the factors set forth in Minnesota Rule 1205.0300, subpart 4, the school district determines that a reasonable fee would be the charges set forth in section VIII.A of this policy that apply to requests for data by the public.

- 2. The school district may not charge a fee to search for or to retrieve educational records of a child with a disability by the child's parent or guardian or by the child upon the child reaching the age of majority.

**IX. 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

**Data Practices Designee(s):** Executive Assistant

**District Office:** 218-566-2351

***Legal References:***

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 13.01 (Government Data)  
Minn. Stat. § 13.02 (Definitions)  
Minn. Stat. § 13.025 (Government Entity Obligation)  
Minn. Stat. § 13.03 (Access to Government Data)  
Minn. Stat. § 13.04 (Rights of Subjects to Data)  
Minn. Stat. § 13.05 (Duties of Responsible Authority)  
Minn. Stat. § 13.32 (Educational Data)  
Minn. Rules Part 1205.0300 (Access to Public Data)  
Minn. Rules Part 1205.0400 (Access to Private Data)

***Cross References:***

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

# *Northland Community Schools*

Independent School District #118

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## **School Board Report**

Date: 08/13/25



Report Submitted by: Janessa Green (Elementary Principal)

**DISTRICT MISSION STATEMENT:** *To educate and inspire all learners to reach their full potential.*

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(HRS Level 2 & 3) **Annual District Improvement Goal:** 100% of students will show a minimum of 1 year's growth in reading, and the number of students meeting or exceeding grade level benchmarks will increase by 10% from fall to spring as measured by FastBridge assessments.

### **Celebrations:**

- Leadership Training in June was a huge success. We accomplished a lot and feel very prepared going into this school year.

### **Updates:**

- **Important days in August:**
  - August 18 - ELA Standards Workshop (Sourcewell) for ELA and Title teachers
  - August 19-21 - Sped Workshop Days
  - August 19 - New Staff Orientation
  - August 20 - Everyday Math Training
  - August 26 - Back to School for staff
- [Local Literacy Plan](#)
- Comprehensive Needs Assessment - MCA scores available to public on August 22.
- [Schoolwide Improvement Plan](#)
- [Annual Goals](#)

### (HRS Level 1) **PBIS:**

- Our PBIS team worked last week to update trainings and documents, to prepare our staff and students for the return of school.

### **Proposals:**

Religious Release for 1st-5th graders for this school year.

Orig. 1995

Adopted: 11/20/97

Revised: 6/16/25

Approved:

## **418 DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL**

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

### **I. PURPOSE**

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

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

- A. Use or possession of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products, and controlled substances before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with 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, medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products, or controlled substances in any school location.
- C. An individual may not use or possess cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public school, as defined in Minnesota Statutes, section 120A.05, subdivisions 9, 11, and 13, including all facilities, whether owned, rented, or leased, and all vehicles that the school district owns, leases, rents, contracts for, or controls.
- D. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

### **III. DEFINITIONS**

- A. "Alcohol" includes any alcoholic beverage containing more than one-half of one percent alcohol by volume.
- 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 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 injection, inhalation, ingestion, or by any other immediate means.
- E. “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; (4) combustion with use of dried raw cannabis; or (5) any other method approved by the Commissioner of the Minnesota Department of Health (“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.
- H. “Sell” means to sell, give away, barter, deliver, exchange, distribute or dispose of to another, or to manufacture; or to offer or agree to perform such an act, or to possess with intent to perform such an act.
- I. “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.
- I. “Use” means to sell, buy, manufacture, distribute, dispense, be under the influence of, or consume in any manner, including, but not limited to, consumption by injection, inhalation, ingestion, or by any other immediate means.

#### **IV. EXCEPTIONS**

- A. A violation of this policy does not occur when a person brings onto a school location, for such person's own use, a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.
- B. A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minnesota Statutes, section 624.701, subdivision 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).
- C. A violation of this policy does not occur when a person uses or possesses a toxic substance unless they do so with the intent of inducing or intentionally aiding another in inducing intoxication, excitement, or stupefaction of the central nervous system, except under the direction and supervision of a medical doctor.
- D. The school district may not refuse to enroll or otherwise penalize a patient or person enrolled in the Minnesota Patient Registry Program or a Tribal medical cannabis program as a pupil solely because the patient or person is enrolled in the registry program or a Tribal medical cannabis program, unless failing to do so would violate federal law or regulations or cause the school to lose a monetary or licensing-related benefit under federal law or regulations.

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

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

**[NOTE: The 202~~5~~<sup>4</sup> Minnesota legislature amended this law.] ~~to add this protection.~~**

## V. PROCEDURES

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

**[NOTE: School districts are required by Minnesota Statutes, section 121A.22**

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

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

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

- D. Employees are subject to the school district’s drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances, intoxicating cannabinoids, or edible cannabinoid products in a school location except with the express permission of the superintendent.
- F. No person is permitted to possess or use medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any child care facility. This prohibition includes (1) vaporizing or combusting medical cannabis on any form of public transportation where the vapor or smoke could be inhaled by a minor child or in any public place, including indoor or outdoor areas used by or open to the general public or place of employment; and (2) operating, navigating, or being in actual physical control of any motor vehicle or working on transportation property, equipment or facilities while under the influence of medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products.

- G. Possession of alcohol on school grounds pursuant to the exceptions of Minnesota Statutes, section 624.701, subdivision 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

## VI. SCHOOL PROGRAMS

- A. Starting in the 2026-2027 school year, the school district must implement a comprehensive education program on cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, for students in middle school and high school. The program must include instruction on the topics listed in Minnesota Statutes, section 120B.215, subdivision 1 and must:
  - 1. respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl; and
  - 2. refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, and treatment for a substance use disorder.

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

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

## VII. ENFORCEMENT

- A. Students
  - 1. Students may be required to participate in programs and activities that provide education against the use of alcohol, tobacco, marijuana, smokeless tobacco products, electronic cigarettes, and nonintoxicating cannabinoids, and edible cannabinoid products.
  - 2. Students may be referred to 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 provided by school based mental health services providers; and/or referral to law enforcement officials when appropriate.

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

B. Employees

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

C. The Public

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

**Legal References:** Minn. Stat. § 120B.215 (Education on Cannabis Use and Substance Use)  
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)  
Minn. Stat. § 121A.40-§ 121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 151.72 (Sale of Certain Cannabinoid Products)

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

***Cross References:*** 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)

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

[List of Model Cannabis Education Programs for School District and Charter School Consideration.](#)

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

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

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 425

Orig. 2001

Revised: \_\_\_\_\_

Rev. June 2025

## **425 STAFF DEVELOPMENT AND MENTORING**

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

### **I. PURPOSE**

The purpose of this policy is to establish a staff development program and structure to carry out planning and reporting on staff development that supports improved student learning.

### **II. ADVISORY STAFF DEVELOPMENT COMMITTEE AND SITE PROFESSIONAL DEVELOPMENT TEAMS**

A. The school board will establish an Advisory Staff Development Committee to develop a Staff Development Plan, assist Site Professional Development Teams in developing a site plan consistent with the goals of the Staff Development Plan, and evaluate staff development efforts at the site level.

1. The majority of the membership of the Advisory Staff Development Committee shall consist of teachers representing various grade levels, subject areas, and special education. The Committee also will include nonteaching staff, parents, and administrators.
2. Members of the Advisory Staff Development Committee shall be appointed by the school administration. Committee members shall serve a two-year term\* based upon nominations by board members, teachers, and paraprofessionals. The school administration shall appoint replacement members of the Advisory Staff Development Committee as soon as possible following the resignation, death, serious illness, or removal of a member from the Committee.

B. The school board will establish the Site Professional Development Teams.

1. Members of the Site Professional Development Teams will be appointed by the school administration. Team members shall serve a two-year term\* based upon nominations by board members, teachers, and paraprofessionals. The school administration shall appoint replacement members of the Site Professional Development Teams as soon as possible following the resignation, death, serious illness, or removal of a member from the Team.
2. The majority of the Site Professional Development Teams shall be teachers representing various grade levels, subject areas, and special education.

### **III. DUTIES OF THE ADVISORY STAFF DEVELOPMENT COMMITTEE**

A. The Advisory Staff Development Committee will develop a Staff Development Plan that will be reviewed and subject to approval by the school board twice a year.\*

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\* This time period may be changed to accommodate individual school district needs.

- B. The Staff Development Plan must contain the following elements:
1. Staff development outcomes that are consistent with the education outcomes as may be determined periodically by the school board;

**[NOTE: The board-determined education outcomes for your district could be inserted here.]**

2. The means to achieve the Staff Development outcomes;
  3. The procedures for evaluating progress at each school site toward meeting educational outcomes consistent with relicensure requirements under Minnesota Statutes, section 122A.187;
  4. Ongoing staff development activities that contribute toward continuous improvement in achievement of the following goals:
    - a. Improve student achievement of state and local education standards in all areas of the curriculum, including areas of regular academic and applied and experiential learning, by using research-based best practices methods;
    - b. Effectively meet the needs of a diverse student population, including at-risk children, children with disabilities, English learners, and gifted children, within the regular classroom, applied and experiential learning settings, and other settings;
    - c. Provide an inclusive curriculum for a racially, ethnically, linguistically, and culturally diverse student population that is consistent with state education diversity rule and the district's education diversity plan;
    - d. Improve staff collaboration and develop mentoring and peer coaching programs for teachers new to the school or district;
    - e. Effectively teach and model violence prevention policy and curriculum that address early intervention alternatives, issues of harassment, and teach nonviolent alternatives for conflict resolution;
    - f. Effectively deliver digital and blended learning and curriculum and engage students with technology; and
    - g. Provide teachers and other members of site-based management teams with appropriate management and financial management skills.
  5. The Staff Development Plan also must:
    - a. Support stable and productive professional communities achieved through ongoing and schoolwide progress and growth in teaching practice;
    - b. Emphasize coaching, professional learning communities, classroom action research, and other job-embedded models;
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- c. Maintain a strong subject matter focus premised on students' learning goals consistent with Minnesota Statutes, section 120B.125;
  - d. Ensure specialized preparation and learning about issues related to teaching English learners and students with special needs by focusing on long-term systemic efforts to improve educational services and opportunities and raise student achievement; and
  - e. Reinforce national and state standards of effective teaching practice.
6. Staff development activities must:
- a. Focus on the school classroom and research-based strategies that improve student learning;
  - b. Provide opportunities for teachers to practice and improve their instructional skills over time;
  - c. Provide opportunities for teachers to use student data as part of their daily work to increase student achievement;
  - d. Enhance teacher content knowledge and instructional skills, including to accommodate the delivery of digital and blended learning and curriculum and engage students with technology;
  - e. Align with state and local academic standards;
  - f. Provide opportunities to build professional relationships, foster collaboration among principals and staff who provide instruction, and provide opportunities for teacher-to-teacher mentoring;
  - g. Align with the plan, if any, of the district or site for an alternative teacher professional pay system;
  - h. Provide teachers of English learners, including English as a second language, and content teachers with differentiated instructional strategies critical for ensuring students long-term academic success, the means to effectively use assessment data on the academic literacy, oral academic language, and English language development of English learners, and skills to support native and English language development across the curriculum; and
  - i. Provide opportunities for staff to learn about current workforce trends, the connections between workforce trends and postsecondary education, and training options, including career and technical education options.
7. Staff development activities may include curriculum development and curriculum training programs and activities that provide teachers and other members of site-based teams training to enhance team performance.
8. The school district may implement other staff development activities required by law and activities associated with professional teacher compensation models.

**[NOTE: To the extent the school board offers K-12 teachers the opportunity for more staff development training under Minnesota Statutes, section 122A.40, Subdivisions. 7 and 7a, or Minnesota Statutes, section 122A.41, subdivisions. 4 and 4a, such additional days of staff development should include peer mentoring, peer gathering, continuing education, professional development, or other training which enable teachers to achieve the staff development outcomes enumerated above in Section III.B.4.]**

- C. The Advisory Staff Development Committee will assist Site Professional Development Teams in developing a site plan consistent with the goals and outcomes of the Staff Development Plan.
- D. The Advisory Staff Development Committee will evaluate staff development efforts at the site level and will report to the school board on a quarterly basis\* the extent to which staff at the site have met the outcomes of the Staff Development Plan.
- E. In addition to developing a Staff Development Plan, the Staff Development Advisory Committee also must develop teacher mentoring programs for teachers new to the profession or school district, including teaching residents, teachers of color, teachers who are American Indian, teachers in license shortage areas, teachers with special needs, or experienced teachers in need of peer coaching. Teacher mentoring programs must be included in or aligned with the school district's teacher evaluation and peer review processes under Minnesota Statutes, sections 122A.40, subdivision 8 or 122A.41, subdivision 5.
- F. The Advisory Staff Development Committee shall assist the school district in preparing any reports required by the Minnesota Department of Education (MDE) relating to staff development or teacher mentoring including, but not limited to, the reports referenced in Section VII. below.

#### **IV. DUTIES OF THE SITE PROFESSIONAL DEVELOPMENT TEAM**

- A. Each Site Professional Development Team shall develop a site plan, consistent with the goals of the Staff Development Plan. The school board will review the site plans for consistency with the Staff Development Plan twice a year.\*
- B. The Site Professional Development Team must demonstrate to the school board the extent to which staff at the site have met the outcomes of the Staff Development Plan. The actual reports to the school board can be made by the Advisory Staff Development Committee to avoid duplication of effort.
- C. If the school board determines that staff development outcomes are not being met, it may withhold a portion of the initial allocation of revenue referenced in Section V. below.

#### **V. STAFF DEVELOPMENT FUNDING**

- A. Unless the school district is in statutory operating debt or a majority of the school board and a majority of its licensed teachers annually vote to waive the requirement to reserve basic revenue for staff development, the school district will reserve an amount equal to at least two percent of its basic revenue for: (1) teacher development and evaluation under Minnesota Statutes, section 122A.40, subdivision 8 or 122A.41, subdivision 5; (2)

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\* This time period may be changed to accommodate individual school district needs.

principal development and evaluation under section 123B.147, subdivision. 3; (3) professional development under section 122A.60; (4) in-service education for programs under section 120B.22, subdivision 2; and (5) teacher mentorship under section 122A.70, subdivision 1. To the extent extra funds remain, staff development revenue may be used for development plans, including plans for challenging instructional activities and experiences under section 122A.60, and for curriculum development and programs, other in-service education, teacher's workshops, teacher conferences, the cost of substitute teachers for staff development purposes, preservice and in-service education for special education professionals and paraprofessionals, and other related costs for staff development efforts. The school district also may use the revenue reserved for staff development for grants to the school district's teachers to pay for coursework and training leading to certification as either a college in the schools teacher or a concurrent enrollment teacher. To receive a grant, the teacher must be enrolled in a program that includes coursework and training focused on teaching a core subject.

- B. The school district may, in its discretion, expend an additional amount of unreserved revenue for staff development based on its needs.
- C. Release time provided for teachers to supervise students on field trips and school activities, or independent tasks not associated with enhancing the teacher's knowledge and instructional skills, such as preparing report cards, calculating grades, or organizing classroom materials, may not be counted as staff development time that is financed with staff development reserved revenue under Minnesota Statutes, section 122A.61.

#### **VI. PROCEDURE FOR USE OF STAFF DEVELOPMENT FUNDS**

- A. On a yearly\* basis, the Advisory Staff Development Committee, with the assistance of the Site Professional Development Teams, shall prepare a projected budget setting forth proposals for allocating staff development and mentoring funds reserved for each school site. Such budgets shall include, but not be limited to, projections as to the cost of building site training programs, costs of individual staff seminars, and cost of substitutes.
- B. Upon approval of the budget by the school board, the Advisory Committee shall be responsible for monitoring the use of such funds in accordance with the Staff Development Plan and budget. The requested use of staff development funds must meet or make progress toward the goals and objectives of the Staff Development Plan. All costs/expenditures will be reviewed by the school board and/or superintendent for consistency with the Staff Development Plan on a quarterly basis.\*
- C. Individual requests from staff for leave to attend staff development activities shall be submitted and reviewed according to school district policy, staff procedures, contractual agreement, and the effect on school district operations. Failure to timely submit such requests may be cause for denial of the request.
- D. The school district may use staff development revenue, special grant programs established by the legislature, or another funding source to pay a stipend to a mentor who may be a current or former teacher who has taught at least three (3) years and is not on an improvement plan. Other initiatives using such funds. or funds available under Minnesota Statutes, sections 124D.861 and 124D.862, may include:

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\* This time period may be changed to accommodate individual school district needs.

1. additional stipends as incentives to mentors of color or who are American Indian;
2. financial supports for professional learning community affinity groups across schools within and between districts for teachers from underrepresented racial and ethnic groups to come together throughout the school year;
3. programs for induction aligned with the school district or school mentorship program during the first three (3) years of teaching, especially for teachers from underrepresented racial and ethnic groups; or
4. grants supporting licensed and nonlicensed educator participation in professional development, such as workshops and graduate courses, related to increasing student achievement for students of color and American Indian students in order to close opportunity and achievement gaps.

To the extent the school district receives a grant for any of the above purposes, it will negotiate additional retention strategies or protection from unrequested leave of absences in the beginning years of employment for teachers of color and teachers who are American Indian. Retention strategies may include providing financial incentives for teachers of color and teachers who are American Indian to work in the school or district for at least five (5) years and placing American Indian educators at sites with other American Indian educators and educators of color at sites with other educators of color to reduce isolation and increase opportunity for collegial support.

**VII. PARAPROFESSIONALS, TITLE I AIDES, AND OTHER INSTRUCTIONAL SUPPORT STAFF**

- A. The school district must provide a minimum of eight hours of paid orientation or professional development annually to all paraprofessionals, Title I aides, and other instructional support staff. Six of the eight hours must be completed before the first instructional day of the school year or within 30 days of hire. The school district must consult the exclusive representative for employees receiving this training before creating or planning the training required under this section.
- B. The orientation or professional development must be relevant to the employee's occupation and may include collaboration time with classroom teachers and planning for the school year.
- C. For paraprofessionals who provide direct support to students, at least 50 percent of the professional development or orientation must be dedicated to meeting the requirements of this section. Professional development for paraprofessionals may also address the requirements of Minnesota Statutes, section 120B.363, subdivision 3.
- D. A school administrator must provide an annual certification of compliance with this requirement to the MDE Commissioner.
- ~~E. For the 2024-2025 school year only, a school may reduce the hours of training required in paragraphs (b) to (e) to a minimum of six hours and must pay for paraprofessional test materials and testing fees for any paraprofessional employed by the school district during the 2023-2024 school year who has not yet successfully completed the paraprofessional assessment or met the requirements of the paraprofessional competency grid.~~

**[NOTE: The 2024 Minnesota legislature added these provisions. Paragraph E is in effect for the 2024-25 school year only.]**

## VIII. REPORTING

- A. The school district and site staff development committee shall prepare a report of the previous fiscal year's staff development activities and expenditures as part of the school district's comprehensive achievement and civic readiness report.
1. The report must include assessment and evaluation data indicating progress toward district and site staff development goals based on teaching and learning outcomes, including the percentage of teachers and other staff involved in instruction who participate in effective staff development activities.
  2. The report will provide a breakdown of expenditures for:
    - a. Curriculum development and curriculum training programs;
    - b. Staff development training models, workshops, and conferences; and
    - c. The cost of releasing teachers or providing substitute teachers for staff development purposes.
- The report also must indicate whether the expenditures were incurred at the district level or the school site level and whether the school site expenditures were made possible by the grants to school sites that demonstrate exemplary use of allocated staff development revenue. These expenditures must be reported using the uniform financial and accounting and reporting standards (UFARS).
3. The report will be signed by the superintendent and staff development chair.
- B. To the extent the school district receives a grant for mentorship activities described in Section V.D., by June 30 of each year after receiving a grant, the site staff development committee must submit a report to the Professional Educator Licensing and Standards Board on program efforts that describes mentoring and induction activities and assesses the impact of these programs on teacher effectiveness and retention.

**Legal References:** Minn. Stat. § 120A.41 (Length of School Year; Days of Instruction)  
Minn. Stat. § 120A.415 (Extended School Calendar)  
Minn. Stat. § 120B.125 (Planning for Students' Successful Transition to Postsecondary Education and Employment; Personal Learning Plans)  
Minn. Stat. § 120B.22, Subd. 2 (Violence Prevention Education)  
Minn. Stat. § 121A.642 (Paraprofessional Training)  
Minn. Stat. § 122A.187 (Expiration and Renewal)  
Minn. Stat. § 122A.40, Subds. 7, 7a and 8 (Employment; Contracts; Termination - Additional Staff Development and Salary)  
Minn. Stat. § 122A.41, Subds. 4, 4a and 5 (Teacher Tenure Act; Cities of the First Class; Definitions - Additional Staff Development and Salary)  
Minn. Stat. § 122A.60 (Staff Development Program)  
Minn. Stat. § 122A.70 (Teacher Mentorship and Retention of Effective Teachers)  
Minn. Stat. § 122A.61 (Reserved Revenue for Staff Development)  
Minn. Stat. § 123B.147, Subd. 3 (Principals)  
Minn. Stat. § 124D.861 (Achievement and Integration for Minnesota)  
Minn. Stat. § 124D.862 (Achievement and Integration Revenue)  
Minn. Stat. § 126C.10, Subds. 2 and 2b (General Education Revenue)  
Minn. Stat. § 126C.13, Subd. 5 (General Education Levy and Aid)

**Cross References:** None.

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 501

Orig. 1995

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Rev.

202~~5~~1

## 501 SCHOOL WEAPONS POLICY

**[NOTE: School districts are required by statute to have a policy addressing these issues. ATTENTION: This policy incorporates certain provisions of the Minnesota Citizens' Personal Protection Act (often referred to as the "conceal and carry" law).]**

### I. PURPOSE

The purpose of this policy is to assure a safe school environment for students, staff and the public.

### II. GENERAL STATEMENT OF POLICY

No student or nonstudent, including adults and visitors, shall possess, use, or distribute a weapon when in a school location except as provided in this policy. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school employee, volunteer, or member of the public who violates this policy.

### III. DEFINITIONS

- A. "Dangerous Weapon" means any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, any combustible or flammable liquid or other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm, or any fire that is used to produce death or great bodily harm. As used in this definition, "flammable liquid" means any liquid having a flash point below 100 degrees Fahrenheit and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100 degrees Fahrenheit but does not include intoxicating liquor. As used in this subdivision, "combustible liquid" is a liquid having a flash point at or above 100 degrees Fahrenheit.
- B. "Possession" means having a weapon on one's person or in an area subject to one's control in a school location.
- C. "School Location" includes any school building or grounds, whether leased, rented, owned or controlled by the school, locations of school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the area of entrance or departure from school premises or events, all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the school district.
- D. "Weapon"
1. A "weapon" means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including, but not limited to, any firearm, whether loaded or unloaded; airguns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; numchucks; throwing stars; explosives; fireworks; mace and other propellants; stunguns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.

2. No person shall possess, use, or distribute any object, device or instrument having the appearance of a weapon and such objects, devices or instruments shall be treated as weapons including, but not limited to, weapons listed above which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon.
3. No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.), to inflict bodily harm and/or intimidate and such use will be treated as the possession and use of a weapon.

**[NOTE: In June 2025, MSBA organized these definitions in alphabetical order.]**

#### **IV. EXCEPTIONS**

- A. A student who finds a weapon on the way to school or in a school location, or a student who discovers that he or she accidentally has a weapon in his or her possession, and takes the weapon immediately to the principal's office shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the principal's office, a student shall not be considered to possess a weapon if he or she immediately turns the weapon over to an administrator, teacher or head coach or immediately notifies an administrator, teacher or head coach of the weapon's location.
- B. It shall not be a violation of this policy if a nonstudent (or student where specified) falls within one of the following categories:
  1. active licensed peace officers;
  2. military personnel, or students or nonstudents participating in military training, who are on duty performing official duties;
  3. persons authorized to carry a pistol under Minnesota Statutes, section 624.714 while in a motor vehicle or outside of a motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle;
  4. persons who keep or store in a motor vehicle pistols in accordance with Minnesota Statutes, section 624.714 or 624.715 or other firearms in accordance with Minnesota Statutes, section 97B.045;
    - a. Minnesota Statutes, section 624.714 specifies procedures and standards for obtaining pistol permits and penalties for the failure to do so. Minnesota Statutes, section 624.715 defines an exception to the pistol permit requirements for "antique firearms which are carried or possessed as curiosities or for their historical significance or value."
    - b. Minnesota Statutes, section 97B.045 generally provides that a firearm may not be transported in a motor vehicle unless it is (1) unloaded and in a gun case without any portion of the firearm exposed; (2) unloaded and in the closed trunk; or (3) a handgun carried in compliance with sections 624.714 and 624.715.
  5. firearm safety or marksmanship courses or activities for students or nonstudents conducted on school property;
  6. possession of dangerous weapons, BB guns, or replica firearms by a ceremonial

color guard;

7. a gun or knife show held on school property;
8. possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other person having general control and supervision of the school or the director of a child care center; or
9. persons who are on unimproved property owned or leased by a child care center, school or school district unless the person knows that a student is currently present on the land for a school-related activity.

**[NOTE: Nothing prevents a school district from being more stringent in its weapons policy with respect to students and school district employees than the criminal law, except that the school district may not prohibit the lawful carry or possession of firearms in a parking facility or parking area. Although some school districts may choose to incorporate all of the exceptions to the criminal law, other school districts may choose either not to incorporate some or all of the exceptions or to further limit them. For example, a school district may choose to require written permission from the superintendent, not just a principal, for someone to possess a dangerous weapon in a school location. This would impose a more stringent requirement than the exceptions to the general prohibition of having a weapon on school grounds set forth in Minnesota Statutes, section 609.66, Subdivision 1d (f) listed in Section IV.B. above. However, a school district may not regulate firearms, ammunition, or their respective components, when possessed or carried by nonstudents or nonemployees, in a manner that is inconsistent with Minnesota Statutes, section 609.66, Subdivision 1d.]**

C. Policy Application to Instructional Equipment/Tools

While the school district does not allow the possession, use, or distribution of weapons by students or nonstudents, such a position is not meant to interfere with instruction or the use of appropriate equipment and tools by students or nonstudents. Such equipment and tools, when properly possessed, used, and stored, shall not be considered in violation of the rule against the possession, use, or distribution of weapons. However, when authorized instructional and work equipment and tools are used in a potentially dangerous or threatening manner, such possession and use will be treated as the possession and use of a weapon.

D. Firearms in School Parking Lots and Parking Facilities

A school district may not prohibit the lawful carry or possession of firearms in a school parking lot or parking facility. For purposes of this policy, the "lawful" carry or possession of a firearm in a school parking lot or parking facility is specifically limited to nonstudent permit-holders authorized under Minnesota Statutes, section 624.714 to carry a pistol in the interior of a vehicle or outside the motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle. Any possession or carry of a firearm beyond the immediate vicinity of a permit-holder's vehicle shall constitute a violation of this policy.

**V. CONSEQUENCES FOR STUDENT WEAPON POSSESSION/USE/ DISTRIBUTION**

- A. The school district does not allow the possession, use, or distribution of weapons by students. Consequently, the minimum consequence for students willfully possessing, using, or distributing weapons shall include:

1. immediate out-of-school suspension;
  2. confiscation of the weapon;
  3. immediate notification of police;
  4. parent or guardian notification; and
  5. recommendation to the superintendent of dismissal for a period of time not to exceed one year.
- B. Pursuant to Minnesota law, a student who brings a firearm, as defined by federal law, to school will be expelled for at least one year. The school board may modify this requirement on a case-by-case basis.
- C. The building principal shall, as soon as practicable, refer to the criminal justice or juvenile delinquency system, as appropriate, a student who brings a firearm to school unlawfully.
- D. Administrative Discretion

While the school district does not allow the possession, use, or distribution of weapons by students, the superintendent may use discretion in determining whether, under the circumstances, a course of action other than the minimum consequences specified above is warranted. If so, other appropriate action may be taken, including consideration of a recommendation for lesser discipline.

## **VI. CONSEQUENCES FOR WEAPON POSSESSION/USE/DISTRIBUTION BY NONSTUDENTS**

- A. Employees
1. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, or discharge as deemed appropriate by the school board.
  2. Sanctions against employees, including nonrenewal, suspension, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.
  3. When an employee violates the weapons policy, law enforcement may be notified, as appropriate.

**[NOTE: An employer may establish policies that restrict the carry or possession of firearms by its employees while acting in the course and scope of employment. Employment-related sanctions may be invoked for a violation. Thus, for example, reasonable limitations may be imposed on the method of storing firearms by permit-holding employees while at work or performing employment-related duties. Reasonable limitations may include requiring firearms to have trigger locks and to be stored in a locked container or locked compartment of the vehicle.]**

- B. Other Nonstudents
1. Any member of the public who violates this policy shall be informed of the policy and asked to leave the school location. Depending on the circumstances, the person may be barred from future entry to school locations. In addition, if the

person is a student in another school district, that school district may be contacted concerning the policy violation.

2. If appropriate, law enforcement will be notified of the policy violation by the member of the public and may be asked to provide an escort to remove the member of the public from the school location.

## **VII. REPORTS OF DANGEROUS WEAPON AND ACTIVE SHOOTER INCIDENTS IN SCHOOL ZONES**

A. The school district must electronically report to the ~~Minnesota~~ Commissioner of the Minnesota Department of Education ("Commissioner") incidents involving the use or possession of a dangerous weapon in school zones, as required under Minnesota Statutes, section 121A.06.

B. The school district must electronically file an after-action review report for active shooter incidents and active shooter threats to the Minnesota Fusion Center as required under Minnesota Statutes, section 121A.06.

1. "Active shooter incident" means an event involving an armed individual or individuals on campus or an armed assailant in the immediate vicinity of the school.

2. "Active shooter threat" means a real or perceived threat that an active shooter incident will occur.

**[NOTE: The 2025 Minnesota legislature enacted the addition to 2.c (Session Law Chapter 35)].**

**Legal References:** Minn. Stat. § 97B.045 (Transporting Firearms)  
Minn. Stat. § 121A.05 (Policy to Refer Firearms Possessor)  
Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)  
Minn. Stat. § 152.01, subd. 14(a) (Definition of a School Zone)  
Minn. Stat. § 609.02, subd. 6 (Definition of Dangerous Weapon)  
Minn. Stat. § 609.605 (Trespass)  
Minn. Stat. § 609.66 (Dangerous Weapons)  
Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)  
Minn. Stat. § 624.715 (Exemptions; Antiques and Ornaments)  
18 U.S.C. § 921 (Definition of Firearm)  
*In re C.R.M.*, 611 N.W.2d 802 (Minn. 2000)  
*In re A.D.*, 883 N.W.2d 251 (Minn. 2016)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 503

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## 503 STUDENT ATTENDANCE

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

### I. PURPOSE

- A. The school board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.
- B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher, and administrators. This policy will assist students in attending class.

### II. GENERAL STATEMENT OF POLICY

#### A. Responsibilities

##### 1. Student's Responsibility

It is the student's right to be in school. It is also the student's responsibility to attend all assigned classes and study halls every day that school is in session and to be aware of and follow the correct procedures when absent from an assigned class or study hall. Finally, it is the student's responsibility to request any missed assignments due to an absence.

##### 2. Parent or Guardian's Responsibility

It is the responsibility of the student's parent or guardian to ensure the student is attending school, to inform the school in the event of a student absence, and to work cooperatively with the school and the student to solve any attendance problems that may arise.

##### 3. Teacher's Responsibility

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's responsibility to provide any student who has been absent with any missed assignments upon request. Finally, it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

##### 4. Administrator's Responsibility

- a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.
- b. In accordance with the Minnesota Compulsory Instruction Law, Minnesota Statutes, section 120A.22, the students of the school district are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

B. Attendance Procedures

Attendance procedures shall be presented to the school board for review and approval. When approved by the school board, the attendance procedures will be included as an addendum to this policy.

1. Excused Absences

- a. A parent, guardian, or other person having control of a child may apply to a school district to have the child excused from attendance for the whole or any part of the time school is in session during any school year. Application may be made to ~~any member of the board,~~ a truant officer, ~~or the school official designated by thea~~ principal, ~~or the superintendent.~~ A note from a physician or a licensed mental health professional stating that the child cannot attend school is a valid excuse.

**[NOTE: The 2025 Minnesota legislature amended Minnesota Statutes, section 120A.22 as indicated above.]**

- b. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school.

**[NOTE: The school district may choose to include subparagraph (b).]**

- c. The board of the district in which the child resides may approve the application under subparagraph (a) above upon a legitimate exception being demonstrated to the satisfaction of that board.

d. Legitimate Exceptions

The following reasons shall be sufficient to constitute excused absences:

- (1) that the child's physical or mental health is such as to prevent attendance at school or application to study for the period required, which includes:

- (a) child illness, medical, dental, orthodontic, or counseling appointments; including appointments conducted through telehealth
  - (b) family emergencies;
  - (c) the death or serious illness or funeral of an immediate family member;
  - (d) active duty in any military branch of the United States;
  - (e) the child has a condition that requires ongoing treatment for a mental health diagnosis; or
  - (f) other exemptions included in this attendance policy.
- (2) that the child has already completed state and district standards required for graduation from high school; or
- (3) that it is the wish of the parent, guardian, or other person having control of the child, that the child attend for a period or periods not exceeding in the aggregate three hours in any week, instruction conducted by a Tribal spiritual or cultural advisor, or a school for religious instruction conducted and maintained by a church, or association of churches, or any Sunday school association incorporated under the laws of this state, or any auxiliary thereof. This instruction must be conducted and maintained in a place other than a public school building, and it must not, in whole or in part, be conducted and maintained at public expense. A child may be absent from school on days that the child attends upon instruction according to this clause.

**[NOTE: Subparagraph iii above incorporates the 2024 amendment to Minnesota Statutes, section 120A.22, subdivision 12.]**

**[NOTE: In 2024, the Minnesota legislature amended Minnesota Statutes, section 120A.22, subdivision 12. The legitimate exceptions set forth above quote this statute. Minnesota law provides that a school board may include other exemptions in the school district's attendance policy. When considering whether to add other exemptions, school boards should consider the intent of the compulsory attendance law, which recognizes the educational value of regular attendance and class participation, and whether the proposed exemption is consistent with the intent of the law.]**

c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.
- (2) Work missed because of absence must be made up within \_\_\_\_\_

days from the date of the student's return to school. Any work not completed within this period shall result in "no credit" for the missed assignment. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

2. Unexcused Absences

a. The following are examples of absences which will not be excused:

- (1) Truancy. An absence by a student which was not approved by the parent and/or the school district.
- (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
- (3) Work at home.
- (4) Work at a business, except under a school-sponsored work release program.
- (5) Vacations with family.
- (6) Personal trips to schools or colleges.
- (7) Absences resulting from cumulated unexcused tardies (\_\_\_\_ tardies equal one unexcused absence).
- (8) Any other absence not included under the attendance procedures set out in this policy.

b. Consequences of Unexcused Absences

- (1) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.
- (2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.
- (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.
- (4) Students with unexcused absences shall be subject to discipline in the following manner:
  - (a) From the first through the \_\_\_\_ cumulated unexcused absence in a [quarter or semester] the student will not be allowed to make up work missed due to such absence.
  - (b) After the \_\_\_\_ cumulated unexcused absence in a

[quarter or semester], a student's parent or guardian will be notified by certified mail that his or her child is nearing a total of \_\_\_\_\_ unexcused absences and that, after the \_\_\_\_\_ unexcused absence, the student's grade shall be reduced by one increment for each unexcused absence thereafter.

- (c) After such notification, the student or his or her parent or guardian may, within a reasonable time, request a conference with school officials regarding the student's absences and the prescribed discipline. The notification will state that the school strongly urges the student's parent or guardian to request such a conference.
- (d) After \_\_\_\_\_ cumulative unexcused absences in a [quarter or semester] the teacher will reduce the student's letter grade by one increment for each unexcused absence thereafter (i.e. A to A-). However, prior to reducing the student's grade, an administrative conference must be held among the principal, student, and parent.
- (e) After \_\_\_\_\_ cumulated unexcused absences in a [quarter or semester], the administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative conference must be held among the principal, student, and parent.
- (f) If the result of a grade reduction or loss of credit has the effect of an expulsion, the school district will follow the procedures set forth in the Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.

**[NOTE: MSBA encourages school boards to consider whether imposition of academic penalties for unexcused absences is consistent with the district's mission and pedagogical approach. If a school board determines that academic penalties should not be imposed, section 2(b) should be deleted or rewritten.]**

C. Tardiness

1. Definition

Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness.

2. Procedures for Reporting Tardiness

- a. Students tardy at the start of school must report to the school office for an admission slip.
- b. Tardiness between periods will be handled by the teacher.

3. Excused Tardiness

Valid excuses for tardiness are:

- a. Illness.
- b. Serious illness in the student's immediate family.
- c. A death or funeral in the student's immediate family or of a close friend or relative.
- d. Medical, dental, orthodontic, or mental health treatment.
- e. Court appearances occasioned by family or personal action.
- f. Physical emergency conditions such as fire, flood, storm, etc.
- g. Any tardiness for which the student has been excused in writing by an administrator or faculty member.

4. Unexcused Tardiness

- a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
- b. Consequences of tardiness may include detention after \_\_\_\_ unexcused tardies. In addition, \_\_\_\_ unexcused tardies are equivalent to one unexcused absence.

D. Participation in Extracurricular Activities and School-Sponsored On-the-Job Training Programs

1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.
2. School-initiated absences will be accepted and participation permitted.
3. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
4. If a student is suspended from any class, he or she may not participate in any activity or program that day.
5. If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program.

**III. RELIGIOUS OBSERVANCE ACCOMMODATION**

Reasonable efforts will be made by the school district to accommodate any student who wishes to be excused from a curricular activity for a religious observance. Requests for accommodation should be directed to the building principal.

#### **IV. DISSEMINATION OF POLICY**

- A. Copies of this policy shall be made available to all students and parents at the commencement of each school year. This policy shall also be available upon request in each principal's office.
- B. The school district will provide annual notice to parents of the school district's policy relating to a student's absence from school for religious observance.

#### **V. REQUIRED REPORTING**

##### A. Continuing Truant

Minnesota Statutes, section 260A.02 provides that a continuing truant is a student who is subject to the compulsory instruction requirements of Minnesota Statutes, section 120A.22 and is absent from instruction in a school, as defined in Minnesota Statutes, section 120A.05, without valid excuse within a single school year for:

- 1. Three days if the child is in elementary school; or
- 2. Three or more class periods on three days if the child is in middle school, junior high school, or high school.

##### B. Reporting Responsibility

When a student is initially classified as a continuing truant, Minnesota Statutes, section 260A.03 provides that the school attendance officer or other designated school official shall notify the student's parent or legal guardian, by first class mail or other reasonable means, of the following:

- 1. That the child is truant;
- 2. That the parent or guardian should notify the school if there is a valid excuse for the child's absences;
- 3. That the parent or guardian is obligated to compel the attendance of the child at school pursuant to Minnesota Statutes, section 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minnesota Statutes, section 120A.34;
- 4. That this notification serves as the notification required by Minnesota Statutes, section 120A.34;
- 5. That alternative educational programs and services may be available in the child's enrolling or resident district;
- 6. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
- 7. That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minnesota Statutes, chapter 260C;
- 8. That if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to Minnesota Statutes, section 260C.201; and

9. That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

**[NOTE: Where truancy services and programs under Minnesota Statutes chapter 260A are available within the school district, the following provisions should also be included in the policy.]**

C. Habitual Truant

1. A habitual truant is a child under the age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school, junior high school, or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school.
2. A school district attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minnesota Statutes, chapter 260A.

**Legal References:**

Minn. Stat. § 120A.05 (Definitions)  
Minn. Stat. § 120A.22 (Compulsory Instruction)  
Minn. Stat. § 120A.24 (Reporting)  
Minn. Stat. § 120A.26 (Enforcement and Prosecution)  
Minn. Stat. § 120A.34 (Violations; Penalties)  
Minn. Stat. § 120A.35 (Absence from School for Religious Observance)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 260A.02 (Definitions)  
Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is a Continuing Truant)  
Minn. Stat. § 260C.007, subd. 19 (Habitual Truant Defined)  
Minn. Stat. § 260C.201 (Dispositions; Children in Need of Protection or Services or Neglected and in Foster Care)  
*Goss v. Lopez*, 419 U.S. 565 (1975)  
*Slocum v. Holton Bd. of Educ.*, 429 N.W.2d 607 (Mich. App. Ct. 1988)  
*Campbell v. Bd. of Educ. of New Milford*, 475 A.2d 289 (Conn. 1984)  
*Hamer v. Bd. of Educ. of Twp. High Sch. Dist. No. 113*, 66 Ill. App.3d 7, 383 N.E.2d 231 (1978)  
*Gutierrez v. Sch. Dist. R-1*, 585 P.2d 935 (Co. Ct. App. 1978)  
*Knight v. Bd. of Educ.*, 38 Ill. App. 3d 603, 348 N.E.2d 299 (1976)  
*Dorsey v. Bale*, 521 S.W.2d 76 (Ky. 1975)

**Cross References:**

MSBA/MASA Model Policy 506 (Student Discipline)

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 515

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Rev.

202~~5~~4

## **515 PROTECTION AND PRIVACY OF PUPIL RECORDS**

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

### **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 1232g, *et seq.* (Family Educational Rights and Privacy Act (FERPA)) 34 Code of Federal Regulations, 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, voiceprints, 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

1. **Insert school district definition of "directory information" here.**

**[NOTE: Please see the MSBA ISD Policy Services Newsletter (June 2025) for detailed guidance on creating a definition of "directory information."]**

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;
  - (2) used only as a personal memory aid;
  - (3) not accessible or revealed to any other individual except a temporary substitute teacher; and
  - (4) 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.

G. Eligible Student

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

H. Juvenile Justice System

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

I. 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.

J. 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.

K. 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.

L. Record

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

M. Responsible Authority

"Responsible authority" means *[designate title and actual name of individual]*.

N. 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.

O. 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.

**[NOTE: School districts may wish to reference police liaison officers in the definition of a "school official." Depending on the circumstances of the relationship, this may be added in subpart (d) of the definition or in a new subpart (e). Caution should be used to ensure that police liaison officers are considered "school officials" only when performing duties as a police liaison officer and that they are trained as to their obligations pursuant to this policy. Consultation with the school district's legal counsel is recommended.]**

P. 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.

Q. 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 99.31(a).

C. Students with a Disability

The school district shall follow 34 Code of Federal Regulations, sections 300.610-300.617 with regard to the privacy, notice, access, recordkeeping, 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 7917, *[insert the following if the school district has a policy regarding Staff Notification of Violent Behavior by Students]* 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, 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 2332b(g)(5)(B), an act of domestic or international terrorism as defined in 18 United States Code, section 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, including the mental health, or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there is an articulable and significant threat to the health or safety of a student or other individuals. In making a determination whether to disclose information under this section, the school district may take into account the totality of the circumstances pertaining to a threat and may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other students. A record of this disclosure must be maintained pursuant to 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 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, 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 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), 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.
23. When requested, [and in accordance with requirements for parental consent in 34 Code of Federal Regulations, section 300.622\(b\)\(2\), and part 99](#), educational agencies or institutions may share personal student contact information and directory information for students served in special education with postsecondary transition planning and services under Minnesota Statutes, section 125A.08, paragraph (b), clause (1), whether public or private, with the Minnesota Department of Employment and Economic Development, as required for coordination of services to students with disabilities under Minnesota Statutes, sections 125A.08, paragraph (b), clause (1); 125A.023; and 125A.027.

**[\[NOTE: The 2025 Minnesota legislature amended Minnesota Statutes, section 13.32, subdivision 5, to include this update.\]](#)**

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. Educational Data

1. Educational data designated as directory information is public data on individuals to the extent required under federal law. Directory information must be designated pursuant to the provisions of:
  - a. Minnesota Statutes, section 13.32, subdivision 5; and
  - b. 20 United States Code, section 1232g, and 34 Code of Federal Regulations, section 99.37, which were in effect on January 3, 2012.
2. The school district may not designate a student's home address, telephone number, email address, or other personal contact information as directory information under [Minnesota Statutes, section 13.32](#).
3. ~~A parent's personal contact information must be treated as private data on individuals regardless of whether that contact information was previously designated as or treated as directory information under Minnesota Statutes, section 13.32, subdivision 2.~~
43. When requested, the school district must share personal contact information and directory information, whether public or private, with the Minnesota Department of Education, as required for federal reporting purposes.

~~**[NOTE: This section became effective on the day following final enactment (May 19, 2023). Beginning on the effective date, a student's personal contact information subject to this section must be treated as private educational data under Minnesota Statutes, section 13.32, regardless of whether that contact information was previously designated as directory information under Minnesota Statutes, section 13.32, subdivision 5].**~~

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.

1. When conducting the directory information designation and notice process required by federal law, the school district shall give parents and students notice of the right to refuse to let the district designate specified data about the student as directory information.
2. The school district shall give annual 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.

**[NOTE: Federal law allows a school district to specify that the disclosure of directory information will be limited to specific parties, for specific purposes, or both. If the school district chooses to impose these limitations, it is advisable to add a new paragraph VII.C.31.d. that specifies that disclosures of directory information will be limited to specific parties and/or for specific purposes and identify those parties and/or purposes.]**

**To the extent a school district adds these restrictions, it must then limit its directory information disclosures to those individuals and/or purposes specified in this public notice. Procedures to address how these restrictions will be enforced by the school district are advised. This is an important policy decision for the local school board which must balance not only the privacy interests of the student against public disclosure, but also the additional administrative requirements such restrictions will place on the school district.]**

- 3. 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.
- 4. 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.
- 5. 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, 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, 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 [**designate title of individual, i.e., building principal**] in writing by [**date**] 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 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.

**[NOTE: 42 United States Code, section 14071 was repealed. School districts should retain this statutory reference, however, as it remains a reference in FERPA and the Minnesota Government Data Practices Act and still may apply to individuals required to register prior to the repeal of this law.]**

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 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 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 under 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 2332b(g)(5)(B) or an act of domestic or international terrorism.

**[NOTE: While Section XIII.E.1. does not apply to requests for or disclosures of directory information under Section VII. of this policy, to the extent the school district chooses to limit the disclosure of directory information to specific parties, for specific purposes, or both, it is advisable that records be kept to identify the party to whom the disclosure was made and/or purpose for the disclosure.]**

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 ***[designate title and actual name of individual]***.
- 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 Every Student Succeeds 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. § 13.32, Subd. 5 (Directory Information)  
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. § 480.40 (Personal Information, Dissemination)  
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)

### **Additional Resources**

#### **U.S. Department of Education**

FAQs on Photos and Videos under FERPA | Protecting Student Privacy (012325)

<https://studentprivacy.ed.gov/faq/faqs-photos-and-videos-under-ferpa>

Letter to Wachter Regarding Surveillance Video of Multiple Students | Protecting Student Privacy (012325)

<https://studentprivacy.ed.gov/resources/letter-wachter-regarding-surveillance-video-multiple-students>

School Resource Officers, School Law Enforcement Units, and the Family Educational Rights and Privacy Act (FERPA) | Protecting Student Privacy (012325)

Protecting Student Privacy While Using Online Educational Services: Requirements and Best Practices | Protecting Student Privacy (102325)

FERPA/IDEA Crosswalk | Protecting Student Privacy (012325)

What is the Protection of Pupil Rights Amendment? | Protecting Student Privacy (012325)

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 516

Orig. 1995

Revised: \_\_\_\_\_

Rev.

2025<sup>4</sup>

## 516 STUDENT MEDICATION AND TELEHEALTH

**[NOTE: The necessary provisions for complying with Minnesota Statutes, sections 121A.22, Administration of Drugs and Medicine, 121A.221, Possession and Use of Asthma Inhalers by Asthmatic Students, and 121A.222, Possession and Use of Nonprescription Pain Relievers by Secondary Students are included in this policy. The statutes do not regulate administration of drugs and medicine for students aged 18 and over or other nonprescription medications. Please note that section 121A.22 does not require school districts to apply the administration of medication rule to drugs or medicine used off school grounds, drugs or medicines used in connection with athletics or extra-curricular activities, and drugs and medicines that are used in connection with activities that occur before or after the regular school day.]**

### I. PURPOSE

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

### II. GENERAL STATEMENT OF POLICY

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

### III. DRUG AND MEDICATION REQUIREMENTS

**[NOTE: The June 2024 Model Policy 516 revisions included red insertion of headings and rearrangement of paragraphs so that similar content is grouped together. School boards can choose whether to make these revisions.]**

#### A. Administration of Drugs and Medicine

1. The administration of medication or drugs at school requires a completed signed request from the student's parent. An oral request must be reduced to writing within two school days, provided that the school district may rely on an oral request until a written request is received.
2. Drugs and medicine subject to Minnesota Statutes, 121A.22 must be administered, to the extent possible, according to school board procedures that must be developed in consultation with:
  - a. with a licensed nurse, in a district that employs a licensed nurse under Minnesota Statutes, section 148.171;
  - b. with a licensed school nurse, in a district that employs a licensed school nurse licensed under Minnesota Rules, part 8710.6100;
  - c. with a public or private health-related organization, in a district that

contracts with a public or private health or health-related organization, according to Minnesota Statutes, 121A.21; or

- d. with the appropriate party, in a district that has an arrangement approved by the Commissioner of the Minnesota Department of Education, according to Minnesota Statutes, 121A.21.

**[NOTE: Paragraph III.A.2 had appeared in a different spot in previous versions of this model policy. In June 2024, the paragraph is located here and is updated to reflect 2024 legislative changes.]**

3. Exclusions

**[Note: The provisions of III.A.3 are optional. The school board may choose to include or exclude any of the provisions specified. These exclusions appeared in previous versions of this model policy.]**

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

- a. purchased without a prescription;
- b. used by a pupil who is 18 years old or older;
- c. used in connection with services for which a minor may give effective consent;
- d. used in situations in which, in the judgment of the school personnel, including a licensed nurse, who are present or available, the risk to the pupil's life or health is of such a nature that drugs or medicine should be given without delay;
- e. used off the school grounds;
- f. used in connection with athletics or extracurricular activities;
- g. used in connection with activities that occur before or after the regular school day;
- h. provided or administered by a public health agency to prevent or control an illness or a disease outbreak as provided under Minnesota law;
- i. prescription asthma or reactive airway disease medications can be self-administered by a student with an asthma inhaler if:
  - (1) the school district has received a written authorization each school year from the pupil's parent permitting the student to self-administer the medication;
  - (2) the inhaler is properly labeled for that student; and
  - (3) the parent has not requested school personnel to administer the medication to the student.

In a school that does not have a school nurse or school nursing services,

the student's parent or guardian must submit written verification from the prescribing professional which documents that an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.

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

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

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

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

**B. Prescription Medication**

- 1. An "Administering Prescription Medications" form must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs. Prescription medication as used in this policy does not include any form of medical cannabis as defined in Minnesota Statutes, section 152.22, subdivision 6.
- 2. Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with law and must be administered in a manner consistent with the instructions on the label.
- 3. The school nurse may request to receive further information about the prescription, if needed, prior to administration of the substance.
- 4. Prescription medications are not to be carried by the student, but will be left with the appropriate school district personnel. Exceptions to this requirement are: prescription asthma medications self-administered with an inhaler (See Paragraph III.A.3(i) above), and medications administered as noted in a written agreement between the school district and the parent or as specified in an IEP

(individualized education program), Section 504 plan, or IHP (individual health plan).

5. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student's prescription medication administration. A new medical authorization or container label with new pharmacy instructions shall be required immediately as well.
6. The school nurse, or other designated person, shall be responsible for the filing of the Administering Prescription Medications form in the health records section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.
7. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.

**[NOTE: This paragraph is moved to Paragraph III.A.3 above, where it is updated to reflect 2024 legislative changes.]**

8. If the administration of a drug or medication described in this section requires the school district to store the drug or medication, the parent or legal guardian must inform the school if the drug or medication is a controlled substance. For a drug or medication that is not a controlled substance, the request must include a provision designating the school district as an authorized entity to transport the drug or medication for the purpose of destruction if any unused drug or medication remains in the possession of school personnel. For a drug or medication that is a controlled substance, the request must specify that the parent or legal guardian is required to retrieve the drug or controlled substance when requested by the school.

**[NOTE: Starting in June 2024, the exceptions appear under Article III.A.3 above.]**

C. Nonprescription Medication

A secondary student may possess and use nonprescription pain relief in a manner consistent with the labeling, if the school district has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The school district may revoke a student's privilege to possess and use nonprescription pain relievers if the school district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients. Except as stated in this paragraph, only prescription medications are governed by this policy.

**[NOTE: School districts should consult with licensed medical and nursing personnel to address whether nonprescription medications will be allowed at elementary schools and whether and under what conditions school personnel will participate in storing or administering nonprescription medications.]**

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

1. Definitions

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

2. At the start of each school year or at the time a student enrolls in school, whichever is first, a student’s parent, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an individualized written health plan for a student who is prescribed epinephrine auto-injectorsdelivery systems that enables the student to:

a1. possess epinephrine delivery systems auto-injectors; or

b2. if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to epinephrine delivery systems auto-injectors in close proximity to the student at all times during the instructional day.

For the purposes of this policy, “instructional day” is defined as eight hours for each student contact day.

**[NOTE: Minnesota law states that “the school board of the school district must define instructional day for the purposes of Minnesota Statutes, 121A.2205.” A sample definition appears above. School districts can create a definition that fits their circumstances.]**

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

Districts and schools may obtain and possess epinephrine auto-injectorsdelivery systems to be maintained and administered by school personnel, including a licensed nurse, to a student or other individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for an epinephrine delivery system.auto-injector. The administration of an epinephrine delivery systemauto-injector in accordance with Minnesota Statutes, section 121A.2207 is not the practice of medicine.

~~Effective July 1, 2024, r~~Registered nurses may administer epinephrine auto-injectorsdelivery systems in a school setting according to a condition-specific protocol as authorized under Minnesota Statutes, section 148.235, subdivision 8. Notwithstanding any limitation in Minnesota Statutes, sections 148.171 to 148.285, licensed practical nurses may administer epinephrine auto-injectorsdelivery systems in a school setting according to a condition-specific protocol that does not reference a

specific patient and that specifies the circumstances under which the epinephrine ~~delivery system~~~~auto-injector~~ is to be administered, when caring for a patient whose condition falls within the protocol.

**~~[NOTE: The paragraph above was signed into law in May 2024. It is new model policy language.]~~**

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

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

**[NOTE: The 2025 Minnesota legislature amended Minnesota Statutes, section 121A.2207 to include the changes above.]**

E. Sunscreen

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

F. Procedure regarding unclaimed drugs or medications.

1. The school district has adopted the following procedure for the collection and transport of any unclaimed or abandoned prescription drugs or medications remaining in the possession of school personnel in accordance with this policy. Before the transportation of any prescription drug or medication under this policy, the school district shall make a reasonable attempt to return the unused prescription drug or medication to the student's parent or legal guardian. Transportation of unclaimed or unused prescription drugs or medications will occur at least annually, but may occur more frequently at the discretion of the school district.
2. If the unclaimed or abandoned prescription drug is not a controlled substance as defined under Minnesota Statutes, section 152.01, subdivision 4, or is an over-the-counter medication, the school district will either designate an individual who shall be responsible for transporting the drug or medication to a designated drop-off box or collection site or request that a law enforcement agency transport the drug or medication to a drop-off box or collection site on behalf of the school district.
3. If the unclaimed or abandoned prescription drug is a controlled substance as defined in Minnesota Statutes, section 152.01, subdivision 4, the school district or school personnel is prohibited from transporting the prescription drug to a drop-off box or collection site for prescription drugs identified under this paragraph. The school district must request that a law enforcement agency transport the prescription drug or medication to a collection bin that complies with Drug Enforcement Agency regulations, or if a site is not available, under the agency's procedure for transporting drugs.

#### **IV. ACCESS TO SPACE FOR MENTAL HEALTH CARE THROUGH TELEHEALTH**

- A. Beginning October 1, 2024, to the extent space is available, the school district must provide an enrolled secondary school student with access during regular school hours, and to the extent staff is available, before or after the school day on days when students receive instruction at school, to space at the school site that a student may use to receive mental health care through telehealth from a student's licensed mental health provider. A secondary school must develop a plan with procedures to receive requests for access to the space.
- B. The space must provide a student privacy to receive mental health care.
- C. A student may use a school-issued device to receive mental health care through telehealth if such use is consistent with the district or school policy governing acceptable use of the school-issued device.
- D. A school may require a student requesting access to space under this section to submit to the school a signed and dated consent from the student's parent or guardian, or from the student if the student is age 16 or older, authorizing the student's licensed mental health provider to release information from the student's health record that is requested by the school to confirm the student is currently receiving mental health care from the provider. Such a consent is valid for the school year in which it is submitted.

**[NOTE: The Minnesota legislature enacted Article IV in the spring 2024.]**

**Legal References:** Minn. Stat. § 13.32 (Educational Data)  
Minn. Stat. § 121A.21 (School Health Services)  
Minn. Stat. § 121A.216 (Access to Space for Mental Health Care through Telehealth)  
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)  
Minn. Stat. § 121A.2205 (Possession and Use of Epinephrine ~~Auto-Injectors~~ Delivery systems; Model Policy)  
Minn. Stat. § 121A.2207 (Life-Threatening Allergies in Schools; Stock Supply of Epinephrine ~~Auto-Injectors~~ Delivery systems)  
Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)  
Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)  
Minn. Stat. § 121A.223 (Possession and Use of Sunscreen)  
Minn. Stat. § 148.171 (Definitions; Title)  
Minn. Stat. § 151.212 (Label of Prescription Drug Containers)  
Minn. Stat. § 152.01 (Definitions)  
Minn. Stat. § 152.22 (Definitions)  
Minn. Stat. § 152.23 (Limitations)  
Minn. Rule 8710.6100 (School Nurse)  
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act)  
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)

**Cross References:** MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 516.5  
Orig. 2023

Revised:

Rev: 2025 June

~~2023~~

## 516.5 OVERDOSE MEDICATION

**[NOTE: The 2023 Minnesota legislature enacted legislation requiring school districts to maintain a supply of opiate antagonists. School districts and their employees are legally permitted to purchase, store, and administer Naloxone (Narcan) in response to an opiate overdose in schools and those who do assist with such administration are immune from civil liability as well as exempt from criminal prosecution from possession, use, etc. of medication. The provisions of this policy outline the requirements of the law with respect to the use of Naloxone (Narcan) in schools.]**

### I. PURPOSE

As a means of enhancing the health and safety of its students, staff and visitors, the school district will acquire, administer, and store doses of an opiate antagonist, specifically Naloxone (Narcan), and administration devices or kits for emergency use to assist a student, staff member, or other individual believed or suspected to be experiencing an opioid overdose on school district property during the school day or at school district activities.

### II. GENERAL STATEMENT OF POLICY

The school board authorizes school district administration to obtain and possess opioid overdose reversal medication, such as Naloxone, to be maintained and administered to a student or other individual by trained school staff if the staff member determines in good faith that the person to whom the medication is administered is experiencing an opioid overdose. Authorization for obtaining, possessing and administering Naloxone or similar permissible medications under this policy are contingent upon: (1) the continued validity of state and federal law that permit a person who is not a healthcare professional to dispense an opiate antagonist to the school district and its employees by law; (2) that the school district and its staff are immune from criminal prosecution and not otherwise liable for civil damages for administering the opiate antagonist to another person who the staff member believes in good faith to be suffering from a drug overdose; and (3) the availability of funding either from outside sources or as approved by the school board to obtain and administer opioid overdose reversal medication.

### III. DEFINITIONS

- A. **"Drug-related overdose"** means an acute condition, including mania, hysteria, extreme physical illness, respiratory depression or coma, resulting from the consumption or use of a controlled substance, or another substance with which a controlled substance was combined, and that a layperson would reasonably believe to be a drug overdose that requires immediate medical assistance.
- B. **"Naloxone Coordinator"** is a school district staff person or administrator appointed to monitor adherence to protocols outlined in this policy and referenced procedures. The Naloxone Coordinator is responsible for building-level administration and management of Opiate Antagonist medications and supplies. The school district's Naloxone Coordinator is [insert title of staff person appointed as coordinator].
- C. **"Opiate"** means any dangerous substance having an addiction forming or addiction

sustaining liability similar to morphine or being capable of conversion into a drug having such addiction forming or addiction sustaining liability.

- D. **“Opiate Antagonist”** means naloxone hydrochloride (“Naloxone”) or any similarly acting drug approved by the federal Food and Drug Administration for the treatment of a drug overdose.
- E. **“Standing Order”** means directions from the school district’s medical provider that sets forth how to house and administer Naloxone or other Opiate Antagonist medications to students, staff members or other individuals believed or suspected to be experiencing an opioid overdose. This Standing Order should include the following information:
  - 1. Administration type
  - 2. Dosage
  - 3. Date of issuance
  - 4. Signature of the authorized provider

#### **IV. GENERAL STATEMENT OF POLICY AND RESPONSIBILITIES**

- A. The school district must maintain a supply of opiate antagonists at each school site to be administered in compliance with Minnesota law. Each school building must have two doses of nasal naloxone available on-site.

**[NOTE: The Minnesota Department of Education offered guidance regarding the meaning of “school site.” If a school site includes multiple buildings, the two-dose requirement applies to buildings used for instruction. It does not apply to administrative buildings, facility buildings, ice arenas, and similar buildings not used for instruction.]**

- B. A licensed physician, a licensed advanced practice registered nurse authorized to prescribe drugs pursuant to Minnesota Statutes, section 148.235, or a licensed physician assistant may authorize a nurse or other personnel employed by, or under contract with, a public school may be authorized to administer opiate antagonists as defined under Minnesota Statutes, section 604A.04, subdivision 1.
- C. A licensed practical nurse is authorized to possess and administer an opiate antagonist in a school setting notwithstanding Minnesota Statutes, 148.235, subdivisions 8 and 9.
- D. District Collaborative Planning and Implementation Team

To the extent Naloxone is obtained for use consistent with this policy, the school district will establish a district-wide collaborative planning and implementation team (“District Planning Team”) who will oversee the general development and operations related to the use of opiate antagonist Naloxone and regularly report to the school board as to its activities.

- 1. The District Planning Team will include the Naloxone Coordinator and may include the superintendent (or designee), school nurse, public health experts, first responders, student or family representatives, and community partners who will be assigned to the Team by the superintendent or designee or solicited as volunteers by the superintendent.

2. The District Planning Team, through the Naloxone Coordinator, will obtain a protocol or Standing Order from a licensed medical prescriber for the use of Naloxone or other Opiate Antagonist by school district staff in all school facilities and activities and will update or renew the protocol or Standing Order annually or as otherwise required. A copy of the protocol or Standing Order will be maintained in the office of the Naloxone Coordinator.
3. The District Planning Team will develop district-wide guidelines and procedures and determine the form(s) of Naloxone to be used within the school district (nasal, auto injector, manual injector) and the method and manner of arranging for the financing and purchasing, storage and use of Naloxone to be approved for the financing and purchasing, storage and use of Naloxone to be approved by the school board. Once approved by the school board, these guidelines and procedures will be attached and incorporated into this policy. At a minimum, these guidelines and procedures will:
  - a. Ensure that when Naloxone is administered, school district employees must activate the community emergency response system (911) to ensure additional medical support due to the limited temporary effect of Naloxone and the continued need of recipients of additional medical care;
  - b. Require school district employees to contact a school district healthcare professional to obtain medical assistance for the recipient of the Naloxone, if possible, pending arrival of emergency personnel;
  - c. Direct school district employees to make immediate attempts to determine if the recipient is a minor and, if so, locate the identity of the parent or guardian of the minor and ensure contact with that parent or guardian is made as soon as possible after administration of the Naloxone for the purpose of informing the parent or guardian of the actions that have been taken; and
  - d. Require school district staff to inform the building administrator or other administrator overseeing an event or activity of the administration of Naloxone, as well as the Naloxone Coordinator, after taking necessary immediate emergency steps.
4. The District Planning Team will determine the type and method of annual training, identify staff members at each school site to be trained and coordinate the implementation of the training with the assistance of the Naloxone Coordinator.

E. Site Planning Teams

1. In consultation with the District Planning Team, the administrator at each school site may establish, in the manner the superintendent or Naloxone Coordinator deems appropriate, a Site Planning Team within the school site.
2. The Site Planning Team will be responsible for the coordination and implementation of this policy, district-wide guidelines and procedures within the school site and will develop and implement any specific guidelines and procedure for the storage and use of Naloxone within the school site in a manner consistent with this policy and district wide procedures and guidelines.

F. School District Staff

School district staff members will be responsible for attending all required training pertaining to the policy, procedures and guidelines for the storage and use of Naloxone and performing any assigned responsibilities pursuant to the guidelines and procedures.

G. The school district allows a student in grades 9 through 12 to possess and administer an opiate antagonist to another high school student. The protections of Minnesota Statutes, section 604A.04 apply to the possession and administration of opiate antagonists according to Minnesota Statutes, section 121A.224.

**[NOTE: The 2025 Minnesota legislature enacted paragraph G. This provision is optional: school districts are not required to adopt paragraph G.]**

**V. NALOXONE STORAGE**

A. The Site Planning Team will select numerous Naloxone storage locations within the school site and outside the school site when activities are conducted off school grounds (i.e., transportation services, field trips, etc.).

**[NOTE: School districts may decide that Naloxone will not be sent on field trips, transportation or activities that occur outside of the typical school day or off school property and may modify this statement accordingly. If Naloxone is provided during these auxiliary activities, schools should ensure that it is only provided if there is an available trained staff member to administer it and that the medication can be safely and legally stored and transported.]**

B. The selected storage locations of Naloxone will be classified as non-public "security information" as the school board has determined that the disclosure of this data to the general public would be likely to substantially jeopardize the security of the medication that could be subject to theft, tampering, and improper use. Therefore, the identity of the storage locations will be shared only with those school district staff members whom the District Planning Team or Site Team have determined need access to this information to aid public health and safety as determined in the procedures and guidelines.

C. Stock Naloxone will be clearly labeled, monitored for expiration dates, and stored in a secured location that is accessible by trained staff as set forth in paragraph V.B.

**VI. Privacy Protections**

The school district will maintain the privacy of students and staff related to the administration of Naloxone as required by law.

**Legal References:** Minn. Stat. § 13.32 (Educational Data)  
Minn. Stat. § 13.43 (Personnel Data)  
Minn. Stat. § 13.37 (General Nonpublic Data)  
Minn. Stat. § 121A.21 (School Health Services)  
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)  
Minn. Stat. § 121A.224 (Opiate Antagonists)  
Minn. Stat. § 144.344 (Emergency Treatment)  
Minn. Stat. § 148.235 (Prescribing Drugs and Therapeutic Devices)  
Minn. Stat. § 151.37 (Legend Drugs; Who May Prescribe, Possess)  
Minn. Stat. § 152.01 (Definitions)  
Minn. Stat. § 152.02 (Schedules of Controlled Substances)

Minn. Stat. § 604A.01 (Good Samaritan Law)  
Minn. Stat. § 604A.015 (School Bus Driver Immunity from Liability)  
Minn. Stat. § 604A.04 (Good Samaritan Overdose Prevention)  
Minn. Stat. § 604A.05 (Good Samaritan Overdose Medical Assistance)  
Minn. R. Pt. 6800.4220 (Schedule II Controlled Substances)  
20 U.S.C. § 1232g (Family Educational and Privacy Rights)

**Cross Reference:** MSBA/MASA Model Policy 516 (Student Medication)  
~~[Minnesota Department of Health Toolkit on the Administration of Naloxone](#)~~

**Resources:** [Minnesota Department of Health, School Toolkit on Naloxone Administration in School Settings](#)

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<sup>1</sup> Naloxone is the medication that reverses an opioid overdose. Narcan® is the brand name for the intranasal applicator (nasal spray) form of naloxone. Naloxone usually refers to an intramuscular (IN+M) naloxone form that comes in a vial and is administered with a syringe, normally dispensed as an "IM kit."

Orig. 2017  
Revised: 20253  
Approved:

**534 SCHOOL MEALS POLICY**

**[NOTE: In 2021, the Minnesota legislature amended Minnesota Statutes, section 124D.111, to require that Minnesota school districts that participate in the national school lunch program adopt a school meals policy. In 2023, the Minnesota legislature amended the statute to create the free school meals program].**

**[NOTE: This MSBA/MASA model policy is drafted to be consistent for all grade levels. However, local school districts may vary the meal charge policy for elementary, middle, and high schools.]**

**[NOTE: School districts must follow appropriate debt collection practices when attempting to recover unpaid a la carte item or second meal charges.]**

**I. PURPOSE**

The purpose of this policy is to ensure that students receive healthy and nutritious meals through the school district’s nutrition program and that school district employees, families, and students have a shared understanding of expectations regarding meal charges. The policy of the school district is to provide meals to students in a respectful manner and to maintain the dignity of students by prohibiting lunch shaming or otherwise ostracizing the student. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day and minimize identification of students with insufficient funds to pay for a la carte items or second meals as well as to maintain the financial integrity of the school nutrition program.

**II. PAYMENT OF MEALS**

**[NOTE: Payment systems and procedures will likely vary from school district to school district. The school district should select one of the following options and delete the remaining options.]**

A. *[OPTION 1: All a la carte items or second meal purchases are to be prepaid before meal service begins. [Insert description for how families may add money to students’ accounts (e.g., electronic payment options, pay at the school office, etc.).] A student who does not have sufficient funds will not be allowed to charge a la carte items or a second meal until additional money is deposited in the student’s account.]*

*[OPTION 2: Students have use of a meal account. When the balance reaches zero, a student may charge no more than \$[insert amount] or [insert number of meals] to this account]. When an account reaches this limit, a student shall not be allowed to charge second meals or a la carte items until the negative account balance is paid. [Insert description for how families may add money to students’ accounts (e.g., electronic payment options, pay at the school office, etc.).]*

*[OPTION 3: Insert a school district-specific process for payment of a la carte items or second meals.]*

**B. Free School Meals Program**

**1. The free school meals program is created within the Minnesota Department of Education**

**2. Each school that participates in the United States Department of Agriculture National School Lunch program and has an Identified Student Percentage below**

the federal percentage determined for all meals to be reimbursed at the free rate via the Community Eligibility Provision must participate in the free school meals program.

3. Each school that participates in the United States Department of Agriculture National School Lunch program and has an Identified Student Percentage at or above the federal percentage determined for all meals to be reimbursed at the free rate must participate in the federal Community Eligibility Provision in order to participate in the free school meals program.

4. Each school that participates in the free school meals program must:

a. participate in the United States Department of Agriculture School Breakfast Program and the United States Department of Agriculture National School Lunch Program; and

b. provide to all students at no cost up to two federally reimbursable meals per school day, with a maximum of one free breakfast and one free lunch.

c. A student who has been determined eligible for free and reduced-price meals must always be served a reimbursable meal even if the student has an outstanding debt.

**[NOTE: While subparagraph 3. above is inherent given subparagraph 2., MSBA recommends that school boards consider including subparagraph 3., which is stated in Minnesota Statutes, section 124D.111.]**

C. Once a meal has been placed on a student's tray or otherwise served to a student, the meal may not be subsequently withdrawn from the student by the cashier or other school official, whether or not the student has an outstanding meals balance.

D. When a student has a negative account balance, the student will not be allowed to charge a snack item.

E. If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.

F. A student may purchase a second breakfast at the nonprogram price if the student has already selected a reimbursable breakfast.

G. A student may purchase a second lunch at the nonprogram price if the student has already selected a reimbursable lunch.

**[NOTE: New paragraphs F and G apply if a school district receives school breakfast aid under Minnesota Statutes, section 124D.111 or school lunch aid under Minnesota Statutes, section 124D.111 respectively.]**

### III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION

A. The school district will make reasonable efforts to notify families when meal account balances are low or fall below zero.

B. Families will be notified of an outstanding negative balance once the negative balance reaches *[\$insert amount]* or *[insert number of meals]*. Families will be notified by

*[insert the method used to notify families (e.g., automated calling system, email, letters sent home)].*

- C. Reminders for payment of outstanding student meal balances will not demean or stigmatize any student participating in the school lunch program, including, but not limited to, dumping meals, withdrawing a meal that has been served, announcing or listing students' names publicly, providing alternative meals not specifically related to dietary needs; providing nonreimbursable meals; or affixing stickers, stamps, or pins.

#### **IV. UNPAID MEAL CHARGES**

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free or reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$*[insert amount]*, not paid prior to *[enter time period (e.g., end of the month, end of the semester, end of the school year)]*, will be turned over to the superintendent or superintendent's designee for collection. In some instances, the school district does use a collection agency to collect unpaid school meal debts after reasonable efforts first have been made by the school district to collect the debt. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- E. The school district will not impose any other restriction prohibited under Minnesota Statutes, section 123B.37 due to unpaid student meal balances. The school district will not limit a student's participation in any school activities, graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities or access to materials, technology, or other items provided to students due to an unpaid student meal balance.

**[NOTE: School districts that use a collection agency to collect unpaid school meals debt must address this in this policy. A new paragraph F. can be added to address the use of a collection agency.]**

#### **V. COMMUNICATION OF POLICY**

- A. This policy and any pertinent supporting information shall be provided in writing (i.e., mail, email, back-to-school packet, student handbook, etc.) to:
  - 1. all households at or before the start of each school year;
  - 2. students and families who transfer into the school district, at the time of enrollment; and
  - 3. all school district personnel who are responsible for enforcing this policy.
- B. The school district will post this policy on the school district's website, or the website of the organization where the meal is served, in addition to providing the required written notification described above.
- C. If the school district contracts with a third party for its meal services, it will provide the vendor with its school meals policy. The school district will ensure that any third-party

provider with whom the school district enters into either an original or modified contract after July 1, 2021, adheres to the school district's school meals policy.

**Legal References:** Minn. Stat. § 123B.37 (Prohibited Fees)  
Minn. Stat. § 124D.111 (School Meals Policies; Lunch Aid; Food Service Accounting)  
42 U.S.C. § 1751 *et seq.* (Healthy and Hunger-Free Kids Act)  
7 C.F.R. § 210 *et seq.* (School Lunch Program Regulations)  
7 C.F.R. § 220.8 (School Breakfast Program Regulations)  
USDA Policy Memorandum SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies (2016)  
USDA Policy Memorandum SP 47-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments (2016)  
USDA Policy Memorandum SP 23-2017, Unpaid Meal Charges: Guidance and Q&A

**Cross References:** None

Orig. 2017  
Revised: 2025  
Approved:

**534 SCHOOL MEALS POLICY**

**[NOTE: In 2021, the Minnesota legislature amended Minnesota Statutes, section 124D.111, to require that Minnesota school districts that participate in the national school lunch program adopt a school meals policy. In 2023, the Minnesota legislature amended the statute to create the free school meals program].**

**[NOTE: This MSBA/MASA model policy is drafted to be consistent for all grade levels. However, local school districts may vary the meal charge policy for elementary, middle, and high schools.]**

**[NOTE: School districts must follow appropriate debt collection practices when attempting to recover unpaid a la carte item or second meal charges.]**

**I. PURPOSE**

The purpose of this policy is to ensure that students receive healthy and nutritious meals through the school district’s nutrition program and that school district employees, families, and students have a shared understanding of expectations regarding meal charges. The policy of the school district is to provide meals to students in a respectful manner and to maintain the dignity of students by prohibiting lunch shaming or otherwise ostracizing the student. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day and minimize identification of students with insufficient funds to pay for a la carte items or second meals as well as to maintain the financial integrity of the school nutrition program.

**II. PAYMENT OF MEALS**

**[NOTE: Payment systems and procedures will likely vary from school district to school district. The school district should select one of the following options and delete the remaining options.]**

A. *[OPTION 1: All a la carte items or second meal purchases are to be prepaid before meal service begins. [Insert description for how families may add money to students’ accounts (e.g., electronic payment options, pay at the school office, etc.).] A student who does not have sufficient funds will not be allowed to charge a la carte items or a second meal until additional money is deposited in the student’s account.]*

*[OPTION 2: Students have use of a meal account. When the balance reaches zero, a student may charge no more than \$[insert amount] or [insert number of meals] to this account]. When an account reaches this limit, a student shall not be allowed to charge second meals or a la carte items until the negative account balance is paid. [Insert description for how families may add money to students’ accounts (e.g., electronic payment options, pay at the school office, etc.).]*

*[OPTION 3: Insert a school district-specific process for payment of a la carte items or second meals.]*

**B. Free School Meals Program**

**1. The free school meals program is created within the Minnesota Department of Education**

**2. Each school that participates in the United States Department of Agriculture National School Lunch program and has an Identified Student Percentage below**

the federal percentage determined for all meals to be reimbursed at the free rate via the Community Eligibility Provision must participate in the free school meals program.

3. Each school that participates in the United States Department of Agriculture National School Lunch program and has an Identified Student Percentage at or above the federal percentage determined for all meals to be reimbursed at the free rate must participate in the federal Community Eligibility Provision in order to participate in the free school meals program.

4. Each school that participates in the free school meals program must:

a. participate in the United States Department of Agriculture School Breakfast Program and the United States Department of Agriculture National School Lunch Program; and

b. provide to all students at no cost up to two federally reimbursable meals per school day, with a maximum of one free breakfast and one free lunch.

c. A student who has been determined eligible for free and reduced-price meals must always be served a reimbursable meal even if the student has an outstanding debt.

**[NOTE: While subparagraph 3. above is inherent given subparagraph 2., MSBA recommends that school boards consider including subparagraph 3., which is stated in Minnesota Statutes, section 124D.111.]**

C. Once a meal has been placed on a student's tray or otherwise served to a student, the meal may not be subsequently withdrawn from the student by the cashier or other school official, whether or not the student has an outstanding meals balance.

D. When a student has a negative account balance, the student will not be allowed to charge a snack item.

E. If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.

F. A student may purchase a second breakfast at the nonprogram price if the student has already selected a reimbursable breakfast.

G. A student may purchase a second lunch at the nonprogram price if the student has already selected a reimbursable lunch.

**[NOTE: New paragraphs F and G apply if a school district receives school breakfast aid under Minnesota Statutes, section 124D.111 or school lunch aid under Minnesota Statutes, section 124D.111 respectively.]**

### III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION

A. The school district will make reasonable efforts to notify families when meal account balances are low or fall below zero.

B. Families will be notified of an outstanding negative balance once the negative balance reaches  $\$[insert amount]$  or  $[insert number of meals]$ . Families will be notified by

*[insert the method used to notify families (e.g., automated calling system, email, letters sent home)].*

- C. Reminders for payment of outstanding student meal balances will not demean or stigmatize any student participating in the school lunch program, including, but not limited to, dumping meals, withdrawing a meal that has been served, announcing or listing students' names publicly, providing alternative meals not specifically related to dietary needs; providing nonreimbursable meals; or affixing stickers, stamps, or pins.

#### **IV. UNPAID MEAL CHARGES**

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free or reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$*[insert amount]*, not paid prior to *[enter time period (e.g., end of the month, end of the semester, end of the school year)]*, will be turned over to the superintendent or superintendent's designee for collection. In some instances, the school district does use a collection agency to collect unpaid school meal debts after reasonable efforts first have been made by the school district to collect the debt. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- E. The school district will not impose any other restriction prohibited under Minnesota Statutes, section 123B.37 due to unpaid student meal balances. The school district will not limit a student's participation in any school activities, graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities or access to materials, technology, or other items provided to students due to an unpaid student meal balance.

**[NOTE: School districts that use a collection agency to collect unpaid school meals debt must address this in this policy. A new paragraph F. can be added to address the use of a collection agency.]**

#### **V. COMMUNICATION OF POLICY**

- A. This policy and any pertinent supporting information shall be provided in writing (i.e., mail, email, back-to-school packet, student handbook, etc.) to:
  - 1. all households at or before the start of each school year;
  - 2. students and families who transfer into the school district, at the time of enrollment; and
  - 3. all school district personnel who are responsible for enforcing this policy.
- B. The school district will post this policy on the school district's website, or the website of the organization where the meal is served, in addition to providing the required written notification described above.
- C. If the school district contracts with a third party for its meal services, it will provide the vendor with its school meals policy. The school district will ensure that any third-party

provider with whom the school district enters into either an original or modified contract after July 1, 2021, adheres to the school district's school meals policy.

**Legal References:** Minn. Stat. § 123B.37 (Prohibited Fees)  
Minn. Stat. § 124D.111 (School Meals Policies; Lunch Aid; Food Service Accounting)  
42 U.S.C. § 1751 *et seq.* (Healthy and Hunger-Free Kids Act)  
7 C.F.R. § 210 *et seq.* (School Lunch Program Regulations)  
7 C.F.R. § 220.8 (School Breakfast Program Regulations)  
USDA Policy Memorandum SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies (2016)  
USDA Policy Memorandum SP 47-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments (2016)  
USDA Policy Memorandum SP 23-2017, Unpaid Meal Charges: Guidance and Q&A

**Cross References:** None

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 602

Orig. 1995

Revised: \_\_\_\_\_

Rev.

202~~5~~4

## **602 ORGANIZATION OF SCHOOL CALENDAR AND SCHOOL DAY**

### **I. PURPOSE**

The purpose of this policy is to provide for a timely determination of the school calendar and school day.

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

The school calendar and schedule of the school day are important to parents, students, employees, and the general public for advance, effective planning of the school year.

### **III. CALENDAR RESPONSIBILITY**

- A. The school calendar shall be adopted annually by the school board. It shall meet all provisions of Minnesota statutes pertaining to minimum number of school days and other provisions of law. The school calendar shall establish student days, workshop days for staff, provide for emergency closings and other information related to students, staff, and parents.

**[NOTE: The annual school calendar must include at least 425 hours of instruction for a kindergarten student, 935 hours of instruction for a student in grades 1 through 6, and 1,020 hours of instruction for a student in grades 7 through 12, not including summer school. The school calendar for all-day kindergarten must include at least 850 hours of instruction for the school year. If a voluntary prekindergarten program is offered by the school district, a prekindergarten student must receive at least 350 hours of instruction for the school year. A school board's annual calendar must include at least 165 days of instruction for a student in grades 1 through 11 unless a four-day week schedule has been approved by the Commissioner of the Minnesota Department of Education under Minnesota Statutes, section 124D.126. A school board's annual school calendar may include plans for up to five days of instruction provided through online instruction due to inclement weather. The inclement weather plans must be developed according to Section V., below.]**

**[NOTE: To the extent the school board offers K-12 teachers the opportunity for more staff development training under Minnesota Statutes, section 122A.40, subdivisions 7 and 7a, or Minnesota Statutes, section 122A.41, subdivisions 4 and 4a, the school district shall adopt as its school calendar a total of 240 days of student instruction and staff development, of which the total number of staff development days equals the difference between the total number of days of student instruction and 240 days. The school board may schedule additional staff development days throughout the calendar year.]**

- B. Except for learning programs during summer and flexible learning year programs, the school district will not commence an elementary or secondary school year before Labor Day, except as provided in Section III.B.1., III.B.2., or III.B.3. Days devoted to teacher's workshops may be held before Labor Day.
1. The school district may begin the school year on any day before Labor Day to

accommodate a construction or remodeling project of \$400,000 or more affecting a school district school facility.

2. The school district may begin the school year on any day before Labor Day if the school district has agreement under Minnesota Statutes, section 123A.30, 123A.32, or 123A.35 with a school district that qualifies under Section III.B.1.
3. The school district may begin the school year on any day before Labor Day if the school district agrees to the same schedule with a school district in an adjoining state.

**[NOTE: The 2025 Minnesota legislature enacted the following:**

**Notwithstanding Minnesota Statutes, section 120A.40, paragraph (a), or other law to the contrary, for the 2026-2027 and 2027-2028 school years only, a school board may vote to begin the school year on September 1 or later. Nothing in this section limits a district's authority to begin the school year on any day before Labor Day under section 120A.40, paragraph (b).]**

- C. Employee and advisory groups shall be provided an opportunity to participate in school calendar considerations through a meet and confer process.

**[NOTE: The school board should attempt to establish the calendar as early as possible so proper planning can take place by all members of the school community.]**

**IV. SCHOOL DAY RESPONSIBILITY**

- A. The superintendent shall be responsible for developing a schedule for the student day, subject to review by the school board. All requirements and provisions of Minnesota Statutes and Minnesota Department of Education Rules shall be met.
- B. In developing the student day schedule, the superintendent shall consider such factors as school bus schedules, cooperative programs, differences in time requirements at various grade levels, effective utilization of facilities, cost effectiveness, and other concerns deserving of attention.
- C. Proposed changes in the school day shall be subject to review and approval by the school board.

**V. E-LEARNING DAYS**

- A. An "e-learning day" is a school day where a school offers full access to online instruction provided by students' individual teachers due to inclement weather.
- B. A school district may designate up to five e-learning days in one school year.
- C. An e-learning day is counted as a day of instruction and included in the hours of instruction pursuant to Section III.A., above.
- D. A school board may adopt an e-learning day plan after consulting with the exclusive representative of the teachers. The e-learning day plan developed by the school district will include accommodations for students without Internet access at home and for digital device access for families without the technology or with an insufficient amount of

technology for the number of children in the household. The plan must also provide accessible options for students with disabilities.

- E. The school district must notify parents and students of its e-learning day plan at the beginning of each school year.
- F. When an e-learning day is declared by the school district, notice must be provided to parents and students at least two hours prior to the normal school start time that students will need to follow the e-learning day plan for that day.
- G. On an e-learning day, each student's teacher must be accessible both online and by telephone during normal school hours to assist students and parents.
- H. When the school district declares an e-learning day, it must continue to pay the full wages for scheduled work hours and benefits of all school employees for the duration of the e-learning period. During the e-learning period, school employees must be allowed to work from home to the extent practicable, be assigned to work in an alternative location, or be retained on an on-call basis for any potential need.

**Legal References:** Minn. Stat. § 10.55 (Juneteenth)  
Minn. Stat. § 120A.40 (School Calendar)  
Minn. Stat. § 120A.41 (Length of School Year; Hours of Instruction)  
Minn. Stat. § 120A.414 (E-Learning Days)  
Minn. Stat. § 120A.415 (Extended School Calendar)  
Minn. Stat. § 120A.42 (Conduct of School on Certain Holidays)  
Minn. Stat. § 122A.40, Subds. 7 and 7a (Employment; Contracts; Termination)  
Minn. Stat. § 122A.41, Subds. 4 and 4a (Teacher Tenure Act; Cities of the First Class; Definitions)  
Minn. Stat. § 123A.30 (Agreements for Secondary Education)  
Minn. Stat. § 123A.32 (Interdistrict Cooperation)  
Minn. Stat. § 123A.35 (Cooperation and Combination)  
Minn. Stat. § 124D.126 (Powers and Duties of Commissioner; Flexible Learning Year Programs)  
Minn. Stat. § 124D.151 (Voluntary Prekindergarten Program)  
Minn. Stat. § 124E.25 (Payment of Aids to Charter Schools)  
Minn. Stat. § 127A.41, Subd. 7 (Distribution of School Aids; Appropriation)  
Minn. Stat. § 645.44 (Words and Phrases Defined)

**Cross References:** MSBA/MASA Model Policy 425 (Staff Development)

Adopted: \_\_\_\_\_  
707

MSBA/MASA Model Policy

Orig. 1995  
Rev. 2025

## 707 TRANSPORTATION OF PUBLIC SCHOOL STUDENTS

**[NOTE: The obligations stated in this policy are largely governed by statute. A school district may choose to add obligations to the model policy.]**

### I. PURPOSE

The purpose of this policy is to provide for the transportation of students consistent with the requirements of law.

### II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to provide for the transportation of students in a manner which will protect their health, welfare, and safety.
- B. The school district recognizes that transportation is an essential part of the school district services to students and parents but further recognizes that transportation by school bus is a privilege and not a right for an eligible student.

### III. DEFINITIONS

- A. "Child with a disability" includes every child identified under federal and state special education law as deaf or hard of hearing, blind or visually impaired, deafblind, or having a speech or language impairment, a physical impairment, other health disability, developmental cognitive disability, an emotional or behavioral disorder, specific learning disability, autism spectrum disorder, traumatic brain injury, or severe multiple impairments, and who needs special education and related services, as determined by the rules of the Commissioner of the Minnesota Department of Education ("Commissioner"). A licensed physician, an advanced practice nurse, a physician assistant, or a licensed psychologist is qualified to make a diagnosis and determination of attention deficit disorder or attention deficit hyperactivity disorder for purposes of identifying a child with a disability. In addition, every child under age three, and at the school district's discretion from age three to seven, who needs special instruction and services, as determined by the rules of the Commissioner, because the child has a substantial delay or has an identifiable physical or mental condition known to hinder normal development is a child with a disability. A child with a short-term or temporary physical or emotional illness or disability, as determined by the rules of the Commissioner, is not a child with a disability.
- B. "Home" is the legal residence of the child. In the discretion of the school district, "home" also may be defined as a licensed day care facility, school day care facility, a respite care facility, the residence of a relative, or the residence of a person chosen by the student's parent or guardian as the home of a student for part or all of the day, if requested by the student's parent or guardian, or an afterschool program for children operated by a political subdivision of the state, if the facility, residence, or program is within the attendance area of the school the student attends. Unless otherwise specifically provided by law, a homeless student is a resident of the school district if enrolled in the school district.

- C. "Homeless student" means a student, including a migratory student, who lacks a fixed, regular, and adequate nighttime residence and includes: students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; are awaiting foster care placement; have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings, and migratory children who qualify as homeless because they are living in any of the preceding listed circumstances.
- D. "Nonpublic school" means any school, church, or religious organization, or home school wherein a resident of Minnesota may legally fulfill the compulsory instruction requirements of Minnesota Statutes, section 120A.22, which is located within the state, and which meets the requirements of Title VI of the Civil Rights Act of 1964.
- E. "Nonresident student" is a student who attends school in the school district and resides in another district, defined as the "nonresident district." In those instances when the divorced or legally separated parents or parents residing separately share joint physical custody of a student and the parents reside in different school districts, the student shall be a resident of the school district designated by the student's parents. When parental rights have been terminated by court order, the legal residence of a student placed in a residential or foster facility for care and treatment is the district in which the student resides.
- F. "Pupil support services" are health, counseling, and guidance services provided by the public school in the same district where the nonpublic school is located.
- G. "School of origin," for purposes of determining the residence of a homeless student, is the school that the student attended when permanently housed or the school in which the student was last enrolled.
- H. "Shared time basis" is a program where students attend public school for part of the regular school day and who otherwise fulfill the requirements of Minnesota Statutes, section 120A.22 by attendance at a nonpublic school.
- I. "Student" means any student or child attending or required to attend any school as provided in Minnesota law and who is a resident or child of a resident of Minnesota.

#### **IV. ELIGIBILITY**

- A. Upon the request of a parent or guardian, the school district shall provide transportation to and from school, at the expense of the school district, for all resident students who reside two miles or more from the school, except for those students whose transportation privileges have been revoked or have been voluntarily surrendered by the student's parent or guardian.
- B. The school district may, in its discretion, also provide transportation to any student to and from school, at the expense of the school district, for any other purpose deemed appropriate by the school board.

**[NOTE: In this section, school districts may wish to outline those discretionary**

**areas where they intend to provide transportation. For example, some school districts may provide that transportation shall be provided for all resident elementary students who reside one mile or more from the school.]**

- C. In the discretion of the school district, transportation along regular school bus routes may also be provided, where space is available, to any person where such use of a bus does not interfere with the transportation of students. The cost of providing such transportation must be paid by those individuals using these services or some third-party payor. Bus transportation also may be provided along school bus routes when space is available for participants in early childhood family education programs and school readiness programs if these services do not result in an increase in the school district's expenditures for transportation
- D. For purposes of stabilizing enrollment and reducing mobility, the school district may, in its discretion, establish a full-service school zone and may provide transportation for students attending a school in that full-service school zone. A full-service school zone may be established for a school that is located in an area with higher than average crime or other social and economic challenges and that provides education, health or human services, or other parental support in collaboration with a city, county, state, or nonprofit agency.

#### **V. TRANSPORTATION OF NONRESIDENT STUDENTS**

- A. If requested by the parent of a nonresident student, the school district shall provide transportation to a nonresident student within its borders at the same level of service that is provided to resident students.
- B. If the school district decides to transport a nonresident student within the student's resident district, the school district will notify the student's resident district of its decision, in writing, prior to providing transportation.
- C. When divorced or legally separated parents or parents residing separately reside in different school districts and share physical custody of a student, the parents shall be responsible for the transportation of the student to the border of the school district during those times when the student is residing with the parent in the nonresident school district.
- D. The school district may provide transportation to allow a student who attends a high-need English language learner program and who resides within the transportation attendance area of the program to continue in the program until the student completes the highest grade level offered by the program.

#### **VI. TRANSPORTATION OF RESIDENT STUDENTS TO NONDISTRICT SCHOOLS**

- A. In general, the school district shall not provide transportation between a resident student's home and the border of a nonresident district where the student attends school under the Enrollment Options Program. A parent may be reimbursed by the nonresident district for the costs of transportation from the pupil's residence to the border of the nonresident district if the student is from a family whose income is at or below the poverty level, as determined by the federal government. The reimbursement may not exceed the pupil's actual cost of transportation or 15 cents per mile traveled, whichever is less. Reimbursement may not be paid for more than 250 miles per week (Minnesota Statutes, section 124D.03, subdivision 8).

- B. Resident students shall be eligible for transportation to and from a nonresident school district at the expense of the school district, if in the discretion of the school district, inadequate room, distance to school, unfavorable road conditions, or other facts or conditions make attendance in the resident student's own district unreasonably difficult or impracticable. The school district, in its discretion, may also provide for transportation of resident students to schools in other districts for grades and departments not maintained in the district, including high school, for the whole or a part of the year or for resident students who attend school in a building rented or leased by the school district in an adjacent district.
- C. In general, the school district is not responsible for transportation for any resident student attending school in an adjoining state under a reciprocity agreement but may provide such transportation services at its discretion.

**VII. SPECIAL EDUCATION STUDENTS/STUDENTS WITH A DISABILITY/ STUDENTS WITH TEMPORARY DISABILITIES**

- A. Upon a request of a parent or guardian, the board must provide necessary transportation, consistent with Minnesota Statutes, section 123B.92, subdivision 1(b)(4), for a resident child with ~~a disability~~ not yet enrolled in kindergarten for the provision of special instruction and services. Special instruction and services for a child with ~~a disability~~ not yet enrolled in kindergarten include an individualized education program (IEP) team placement in an early childhood program when that placement is necessary to address the child's level of functioning and needs.
- B. Resident students with ~~a disability whose disabling conditions 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 who are~~ transported on a special route for the purpose of attending an approved special education program 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 condition and applicable laws. This provision shall not be applicable to parents who transport their own child under a contract with the school district.

**[NOTE: The 2025 Minnesota legislature amended Minnesota Statutes, section 123B.92 to remove the deleted language above.]**

- C. Resident students with a disability who are boarded and lodged at Minnesota state academies for educational purposes, but who also are enrolled in a public school within the school district, shall be provided transportation, by the school district to and from said board and lodging facilities, at the expense of the school district.
- D. If a resident student with a disability attends a public school located in a contiguous school district and the school district of attendance does not provide special instruction and services, the school district shall provide necessary transportation for the student between the school district boundary and the educational facility where special instruction and services are provided within the school district. The school district may provide necessary transportation of the student between its boundary and the school attended in the contiguous district, but shall not pay the cost of transportation provided outside the school district boundary.
- E. When a student with a disability or a student with a short-term or temporary disability is temporarily placed for care and treatment in a day program located in another school

district and the student continues to live within the school district during the care and treatment, the school district shall provide the transportation, at the expense of the school district, to that student. The school district may establish reasonable restrictions on transportation, except if a Minnesota court or agency orders the child placed at a day care and treatment program and the school district receives a copy of the order, then the school district must provide transportation to and from the program unless the court or agency orders otherwise. Transportation shall only be provided by the school district during regular operating hours of the school district.

- F. When a nonresident student with a disability or a student with a short-term or temporary disability is temporarily placed in a residential program within the school district, including correctional facilities operated on a fee-for-service basis and state institutions, for care and treatment, the school district shall provide the necessary transportation at the expense of the school district. Where a joint powers entity enters into a contract with a privately owned and operated residential facility for the provision of education programs for special education students, the joint powers entity shall provide the necessary transportation.
- G. 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.
- H. 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 Minnesota Statutes, chapter 125A.

#### **VIII. HOMELESS STUDENTS**

- A. Homeless students shall be provided with transportation services comparable to other students in the school district.
- B. Upon request by the student's parent, guardian, or homeless education liaison, the school district shall provide transportation for a homeless student as follows:
  - 1. A resident student who becomes homeless and is residing in a public or private shelter location or has other non-shelter living arrangements within the school district shall be provided transportation to and from the student's school of origin and the shelter or other non-shelter location on the same basis as transportation services are provided to other students in the school district.
  - 2. A resident student who becomes homeless and is residing in a public or private shelter location or has other non-shelter living arrangements outside of the school district shall be provided transportation to and from the student's school of origin and the shelter or other non-shelter location on the same basis as transportation services are provided to other students in the school district, unless the school district and the school district in which the student is temporarily placed agree that the school district in which the student is temporarily placed shall provide transportation.
  - 3. If a nonresident student is homeless and is residing in a public or private homeless shelter or has other non-shelter living arrangements within the school

district, the school district may provide transportation services between the shelter or non-shelter location and the student's school of origin outside of the school district upon agreement with the school district in which the school of origin is located.

4. A homeless nonresident student enrolled under Minnesota Statutes, section 124D.08, subdivision 2a, must be provided transportation from the student's district of residence to and from the school of enrollment.

#### **IX. AVAILABILITY OF SERVICES**

Transportation shall be provided on all regularly scheduled school days or make-up days. Transportation will not be provided during the summer school break. Transportation may be provided for summer instructional programs for students with a disability or in conjunction with a learning year program. Transportation between home and school may also be provided, in the discretion of the school district, on staff development days.

#### **X. MANNER OF TRANSPORTATION**

The scheduling of routes, establishment of the location of bus stops, manner and method of transportation, control and discipline of school children, the determination of fees, and any other matter relating thereto shall be within the sole discretion, control and management of the school board. The school district may, in its discretion, provide room and board, in lieu of transportation, to a student who may be more economically and conveniently provided for by that means.

#### **XI. RESTRICTIONS**

Transportation by the school district is a privilege and not a right for an eligible student. A student's eligibility to ride a school bus may be revoked for a violation of school bus safety or conduct policies, or violation of any other law governing student conduct on a school bus pursuant to the school district's discipline policy. Revocation of a student's bus riding privilege is not an exclusion, expulsion, or suspension under the Pupil Fair Dismissal Act. Revocation procedures for a student who is an individual with a disability under 20 United States Code, section 1415 (Individuals with Disabilities Act), 29 United States Code, section 794 (the Rehabilitation Act), and 42 United States Code, section 12132, (Americans with Disabilities Act) are governed by these provisions.

#### **XII. FEES**

- A. In its discretion, the school district may charge fees for transportation of students to and from extracurricular activities conducted at locations other than school, where attendance is optional.
- B. The school district may charge fees for transportation of students to and from school when authorized by law. If the school district charges fees for transportation of students to and from school, guidelines shall be established for that transportation to ensure that no student is denied transportation solely because of inability to pay. The school district also may waive fees for transportation if the student's parent is serving in, or within the past year has served in, active military service as defined in Minnesota Statutes, section 190.05.
- C. The school district may charge reasonable fees for transportation of students to and from post-secondary institutions for students enrolled under the post-secondary

enrollment options program. Families who qualify for mileage reimbursement may use their state mileage reimbursement to pay this fee

- D. Where, in its discretion, the school district provides transportation to and from an instructional community-based employment station that is part of an approved occupational experience vocational program, the school district may require the payment of reasonable fees for transportation from students who receive remuneration for their participation in these programs.

**Legal References:**

Minn. Stat. § 120A.22 (Compulsory Instruction)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.59 (Bus Transportation a Privilege Not a Right)  
Minn. Stat. § 123B.36 (Authorized Fees)  
Minn. Stat. § 123B.41 (Definitions)  
Minn. Stat. § 123B.44 (Provision of Pupil Support Services)  
Minn. Stat. § 123B.84 (Policy)  
Minn. Stat. § 123B.88 (Independent School Districts; Transportation)  
Minn. Stat. § 123B.92 (Transportation Aid Entitlement)  
Minn. Stat. § 124D.03 (Enrollment Options Program)  
Minn. Stat. § 124D.04 (Options for Enrolling in Adjoining States)  
Minn. Stat. § 124D.041 (Reciprocity with Adjoining States)  
Minn. Stat. § 124D.08 (School Board's Approval to Enroll in Nonresident District; Exceptions)  
Minn. Stat. Ch. 125A (Special Education and Special Programs)  
Minn. Stat. § 125A.02 (Child~~ren~~ with a Disability Defined)  
Minn. Stat. § 125A.12 (Attendance in Another District)  
Minn. Stat. § 125A.15 (Placement in Another District; Responsibility)  
Minn. Stat. § 125A.51 (Placement of Children Without Disabilities; Education and Transportation)  
Minn. Stat. § 125A.515 (Placement of Students; Approval of Education Program)  
Minn. Stat. § 125A.65 (Attendance at Academies for the Deaf and Blind)  
Minn. Stat. § 126C.01 (Definitions)  
Minn. Stat. § 127A.47 (Payments to Resident and Nonresident Districts)  
Minn. Stat. § 190.05 (Definitions)  
Minn. Rules Part 7470.1600 (Transporting Pupils with Disability)  
Minn. Rules Part 7470.1700 (Drivers and Aides for Pupils with Disability)  
20 U.S.C. § 1415 (Individuals with Disabilities Education Act)  
29 U.S.C. § 794 (Rehabilitation Act of 1973, § 504)  
42 U.S.C. § 2000d (Prohibition against Exclusion from Participation in, Denial of Benefits of, and Discrimination under Federally Assisted Programs on Ground of Race, Color, or National Origin)  
42 U.S.C. § 11431 *et seq.* (McKinney-Vento Homeless Assistance Act of 2001)  
42 U.S.C. § 12132 *et seq.* (Americans with Disabilities Act)

**Cross References:**

MSBA/MASA Model Policy 708 (Transportation of Nonpublic School Students)  
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)  
MSBA/MASA Model Policy 710 (Extracurricular Transportation)

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 709

Orig. 1995

Revised: \_\_\_\_\_

Rev. 2025

## 709 STUDENT TRANSPORTATION SAFETY POLICY

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

### I. PURPOSE

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

### II. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING

#### A. School Bus Safety Week

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

#### B. Student School Bus Safety Training

1. The school district shall provide students enrolled in grades kindergarten (K) through 10 with age-appropriate school bus safety training of the following concepts:
  - a. transportation by school bus is a privilege, not a right;
  - b. school district policies for student conduct and school bus safety;
  - c. appropriate conduct while on the bus;
  - d. the danger zones surrounding a school bus;
  - e. procedures for safely boarding and leaving a school bus;
  - f. procedures for safe vehicle lane crossing; and
  - g. school bus evacuation and other emergency procedures.
2. All students in grades K through 6 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training by the end of the third week of school. All students in grades 7 through 10 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training or receive bus safety instruction materials by the end of the sixth week of school, if they have not previously received school bus training. Students in grades K through 10 who enroll in a school after the second week of school, are transported by school bus, and have not received training in their previous school districts shall undergo school bus safety training or receive bus safety instructional materials within 4 weeks of their first day of attendance.
3. The school district and a nonpublic school with students transported by

school bus at public expense must provide students enrolled in grades K through 3 school bus safety training twice during the school year.

4. Students taking driver's training instructional classes must receive training in the laws and proper procedures for operating a motor vehicle in the vicinity of a school bus as required by Minnesota Statutes, section 169.446, subdivision 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 shall adopt and make available for public review a curriculum for transportation safety education.
9. 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.

C. Active Transportation Safety Training

1. Training Required

- a. The school district must provide public school pupils enrolled in kindergarten through grade 3 with age-appropriate active transportation safety training. At a minimum, the training must include pedestrian safety, including crossing roads.
- b. The school district must provide pupils enrolled in grades 4 through 8 with age-appropriate active transportation safety training. At a minimum, the training must include:
  - (1) pedestrian safety, including crossing roads safely using the searching left, right, left for vehicles in traffic technique;
  - (2) bicycle safety, including relevant traffic laws, use and proper fit of protective headgear, bicycle parts and safety features, and safe biking techniques; and
  - (3) electric-assisted bicycle safety, including that a person under the age of 15 is not allowed to operate an electric-assisted bicycle.

**[NOTE: The 2024 Minnesota legislature enacted this provision.]**

~~a.——Students under subdivision 1, paragraph (a), who are enrolled during the first or second week of school and have not previously received active transportation safety training specified in that paragraph must receive the safety training by the end of the third week of school.~~

~~b.——Students under subdivision 1, paragraph (b), who are enrolled during the first or second week of school and have not previously received active transportation safety training specified in that paragraph must receive the safety training by the end of the sixth week of school.~~

~~c.——Students under subdivision 1, paragraph (a) or (b), who enroll in a school after the second week of school and have not received the appropriate active transportation safety training in their previous school district must undergo the training or receive active transportation safety instructional materials within four weeks of the first day of attendance.~~

~~d.——The school district and a nonpublic school may provide kindergarten pupils with active transportation safety training before the first day of school.~~

**[NOTE: The 2025 Minnesota legislature repealed Minnesota Statutes, section 123B.935, subdivision 2, which set forth the language deleted above.]**

**2. Instruction**

a. The school district may provide active transportation safety training through distance learning.

b. The district and a nonpublic school must make reasonable accommodations for the active transportation safety training of pupils known to speak English as a second language and pupils with disabilities.

**III. CONDUCT ON SCHOOL BUSES AND CONSEQUENCES FOR MISBEHAVIOR**

A. Riding the school bus is a privilege, not a right. The school district's general student behavior rules are in effect for all students on school buses, including nonpublic and charter school students.

B. Consequences for school bus/bus stop misconduct will be imposed by the school district under adopted administrative discipline procedures. In addition, all school bus/bus stop misconduct will be reported to the school district's transportation safety director. Serious misconduct may be reported to local law enforcement.

**1. School Bus and Bus Stop Rules**

The school district school bus safety rules are to be posted on every bus. If these rules are broken, the school district's discipline procedures are to be followed. In most circumstances, consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the school district's Transportation Office/School Office.

**2. Rules at the Bus Stop**

a. Get to your bus stop 5 minutes before your scheduled pick up time. The school bus driver will not wait for late students.

- b. Respect the property of others while waiting at your bus stop.
- c. Keep your arms, legs, and belongings to yourself.
- d. Use appropriate language.
- e. Stay away from the street, road, or highway when waiting for the bus.
- f. Wait until the bus stops before approaching the bus.
- g. After getting off the bus, move away from the bus.
- h. If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
- i. No fighting, harassment, intimidation, or horseplay.
- j. No use of alcohol, tobacco, or drugs.

3. Rules on the Bus

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

4. Consequences

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

(1) Elementary (K-6)

1st offense – warning

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

3rd offense – 5 school-day suspension from riding the bus  
4th offense – 10 school-day suspension from riding the bus/meeting with parent  
Further offenses – individually considered. Students may be suspended for longer periods of time, including the remainder of the school year.

(2) Secondary (7-12)

1st offense – warning  
2nd offense – 5 school-day suspension from riding the bus  
3rd offense – 10 school-day suspension from riding the bus  
4th offense – 20 school-day suspension from riding the bus/meeting with parent  
5th offense – suspended from riding the bus for the remainder of the school year

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

(3) Other Discipline

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

(4) Records

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

(5) Vandalism/Bus Damage

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

(6) Notice

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

(7) Criminal Conduct

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

**IV. PARENT AND GUARDIAN INVOLVEMENT**

A. Parent and Guardian Notification

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

B. Parents/Guardians Responsibilities for Transportation Safety

Parents/Guardians are responsible to:

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

**V. SCHOOL BUS DRIVER DUTIES AND RESPONSIBILITIES**

- A. School bus drivers shall have a valid Class A, B, or C Minnesota driver's license with a school bus endorsement. A person possessing a valid driver's license, without a school bus endorsement, may drive a type III vehicle set forth in Sections VII.B. and VII.C., below. Drivers with a valid Class D driver's license, without a school bus endorsement, may operate a "type A-I" school bus as set forth in Section VII.D., below.
- B. The school district shall conduct mandatory drug and alcohol testing of all school district bus drivers and bus driver applicants in accordance with state and federal law and school district policy.
- C. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of a criminal offense, a serious traffic violation, or of violating any other state or local law relating to motor vehicle traffic control, other than a parking violation, in any type of motor vehicle in a state or jurisdiction other than Minnesota, shall notify the Minnesota Division of Driver and Vehicle Services (Division) of the conviction within

30 days of the conviction. For purposes of this paragraph, a "serious traffic violation" means a conviction of any of the following offenses:

1. excessive speeding, involving any single offense for any speed of 15 miles per hour or more above the posted speed limit;
  2. reckless driving;
  3. improper or erratic traffic lane changes;
  4. following the vehicle ahead too closely;
  5. a violation of state or local law, relating to motor vehicle traffic control, arising in connection with a fatal accident;
  6. driving a commercial vehicle without obtaining a commercial driver's license or without having a commercial driver's license in the driver's possession;
  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-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of violating, in any type of motor vehicle, a Minnesota state or local law relating to motor vehicle traffic control, other than a parking violation, shall notify the person's employer of the conviction within 30 days of conviction. The notification shall be in writing and shall contain all the information set forth in Attachment A accompanying this policy.
- E. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a Minnesota commercial driver's license suspended, revoked, or cancelled by the state of Minnesota or any other state or jurisdiction and who loses the right to operate a commercial vehicle for any period or who is disqualified from operating a commercial motor vehicle for any period shall notify the person's employer of the suspension, revocation, cancellation, lost privilege, or disqualification. Such notification shall be made before the end of the business day following the day the employee received notice of the suspension, revocation, cancellation, lost privilege, or disqualification. The notification shall be in writing and shall contain all the information set forth in Attachment B accompanying this policy.
- F. A person who operates a type III vehicle and who sustains a conviction as described in Section VII.C.1.g. (i.e., driving while impaired offenses), VII.C.1.h. (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor), or VII.C.1.i. (multiple moving violations) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the person's employer within 10 days of the date of the conviction. The notification shall be in writing and shall contain all the

information set forth in Attachment C accompanying this policy.

## **VI. SCHOOL BUS DRIVER TRAINING**

### A. Training

1. All new school bus drivers shall be provided with pre-service training, including in-vehicle (actual driving) instruction, before transporting students and shall meet the competency testing specified in the Minnesota Department of Public Safety Model School Bus Driver Training Manual. All school bus drivers shall receive in-service training annually. For purposes of this section, "annually" means at least once every 380 days from the initial or previous evaluation and at least once every 380 days from the initial or previous license verification. The school district shall retain on file an annual individual school bus driver "evaluation certification" form for each school district driver as contained in the Model School Bus Driver Training Manual.

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

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

### B. Evaluation

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

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

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

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

**competencies after the initial year of being assessed for bus driver competencies.]**

**VII. OPERATING RULES AND PROCEDURES**

A. General Operating Rules

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

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

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

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

6. A bus driver may not operate a school bus while communicating over, or otherwise operating, a cellular phone for personal reasons, whether hand-held or hands free, when the vehicle is in motion or a part of traffic. For purposes of this paragraph, "school bus" has the meaning given in Minnesota Statutes, section 169.011, subdivision 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. Vehicles model year 2007 or older must not be used as type III vehicles to transport school children, except those vehicles that are manufactured to meet the structural requirements of federal motor vehicle safety standard 222, 49 Code of Federal Regulations, Part 571.
5. If a type III vehicle is school district owned, the school district name will be clearly marked on the side of the vehicle. The type III vehicle must not have the words "school bus" in any location on the exterior of the vehicle or in any interior location visible to a motorist.
6. A "type III vehicle" must not be outwardly equipped and identified as a type A, B, C, or D bus.
7. Eight-lamp warning systems and stop arms must not be installed or used on type III vehicles.
8. Type III vehicles must be equipped with mirrors as required by law.
9. Any type III vehicle may not stop traffic and may not load or unload before making a complete stop and disengaging gears by shifting into neutral or park. Any type III vehicle used to transport students must not load or unload so that a student has to cross the road, except where not possible or impractical, then the driver or assistant must escort a student across the road. If the driver escorts the student across the road, then the motor must be stopped, the ignition key removed, the brakes set, and the vehicle otherwise rendered immobile.
10. Any type III vehicle used to transport students must carry emergency equipment including:
  - a. Fire extinguisher. A minimum of one 10BC rated dry chemical type fire extinguisher is required. The extinguisher must be mounted in a bracket and must be located in the driver's compartment and be readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.
  - b. First aid kit and body fluids cleanup kit. A minimum of a 10-unit first aid kit and a body fluids cleanup kit is required. They must be contained in removable, moisture- and dust-proof containers mounted in an accessible place within the driver's compartment and must be marked to indicate their identity and location.
  - c. Passenger cars and station wagons may carry a fire extinguisher, a first aid kit, and warning triangles in the trunk or trunk area of the vehicle if a label in the driver and front passenger area clearly indicates the location of these items.

11. Students will not be regularly transported in private vehicles that are not state inspected as type III vehicles. Only emergency, unscheduled transportation may be conducted in vehicles with a seating capacity of 10 or fewer without meeting the requirements for a type III vehicle. Also, parents may use a private vehicle to transport their own children under a contract with the district. The school district has no system of inspection for private vehicles.
12. All drivers of type III vehicles will be licensed drivers and will be familiar with the use of required emergency equipment. The school district will not knowingly allow a person to operate a type III vehicle if the person has been convicted of an offense that disqualifies the person from operating a school bus.
13. Type III vehicles will be equipped with child passenger restraints, and child passenger restraints will be utilized to the extent required by law.

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

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

hazardous conditions;

- (b) refraining from loading and unloading students in a vehicular traffic lane, on the shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane;
  - (c) avoiding a loading or unloading location that would require a student to cross a road, or ensuring that the driver or an aide personally escort the student across the road if it is not reasonably feasible to avoid such a location;
  - (d) placing the type III vehicle in "park" during loading and unloading;
  - (e) escorting a student across the road under clause (c) only after the motor is stopped, the ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile; and
- (9) compliance with paragraph V.F. concerning reporting convictions to the employer within 10 days of the date of conviction.
- c. A background check or background investigation of the operator has been conducted that meets the requirements under 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 Statutes, section 171.321, subdivision 3, for all other persons operating a 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, 609.02, of violating Minnesota Statutes, section 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 revoked under a similar statute or ordinance of another state, is precluded from operating a type III vehicle for 5

years from the date of conviction.

- h. A person who has ever been convicted of a disqualifying offense as defined in 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 3 years of the first of 3 other moving offenses is precluded from operating a type III vehicle for 1 year from the date of the last conviction.
  - j. Students riding the type III vehicle must have training required under Minnesota Statutes, section 123B.90, Subd. 2 (See Section II.B., above).
  - k. Documentation of meeting the requirements listed in this section must be maintained under separate file at the business location for each type III vehicle operator. The school district or any other entity that owns, leases, or contracts for the type III vehicle operating under this section is responsible for maintaining these files for inspection.
- 2. The Type III vehicle must bear a current certificate of inspection issued under 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 Multifunction School Activity Bus (MFSAB) under the following conditions:
  - a. The operator is an employee of the school district or an independent contractor with whom the school district contracts for the school bus and is not solely hired to provide transportation services under this paragraph.
  - b. The operator drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.
  - c. The operator is prohibited from using the 8-light system if the vehicle is so equipped.
  - d. The operator has submitted to a background check and physical examination as required by 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).

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

- C. School bus drivers and bus assistants for special education students requiring special transportation service because of their handicapping condition shall be trained in basic first aid procedures, shall within one (1) month after the effective date of assignment participate in a program of in-service training on the proper methods for dealing with the specific needs and problems of students with disabilities, assist students with disabilities on and off the bus when necessary for their safe ingress and egress from the bus; and ensure that protective safety devices are in use and fastened properly.
- D. Emergency Health Information shall be maintained on the school bus for students requiring special transportation service because of their handicapping condition. The information shall state:
  - 1. the student's name and address;
  - 2. the nature of the student's disabilities;

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

**IX. SCHOOL DISTRICT VEHICLE MAINTENANCE STANDARDS**

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

**X. SCHOOL TRANSPORTATION SAFETY DIRECTOR**

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

**XI. STUDENT TRANSPORTATION SAFETY COMMITTEE**

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

**Legal References:** Minn. Stat. § 122A.18, Subd. 8 (Board to Issue Licenses) Minn. Stat. § 123B.03 (Background Check)  
Minn. Stat. § 123B.42 (Textbooks; Individual Instruction 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. § 123B.935 (Active Transportation Safety Training)  
 Minn. Stat. § 144.057 (Background Studies on Licensees and Other Personnel)  
 Minn. Stat. Ch. 169 (Traffic Regulations)  
 Minn. Stat. § 169.011, Subds. 15, 16, and 71 (Definitions)  
 Minn. Stat. § 169.02 (Scope)  
 Minn. Stat. § 169.443 (Safety of School Children; Bus Driver's Duties)  
 Minn. Stat. § 169.446, Subd. 2 (Safety of School Children; Training and Education Rules)  
 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)  
 Minn. Stat. § 171.169 (Notice of Commercial License Suspension)  
 Minn. Stat. § 171.321 (Qualifications of School Bus and Type III Vehicle Drivers)  
 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. Part 383 (Commercial Driver's License Standards; Requirements and Penalties)  
 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)  
 49 C.F.R. § 383.51 (Disqualification of Drivers)  
 49 C.F.R. Part 571 (Federal Motor Vehicle Safety Standards)

**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)

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 802  
Orig. 1995  
Rev. 2025

Revised: \_\_\_\_\_

## **802 DISPOSITION OF OBSOLETE EQUIPMENT AND MATERIAL**

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

### **I. PURPOSE**

The purpose of this policy is to provide guidelines for the superintendent to assist in timely disposition of obsolete equipment and material.

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

Effective use of school building space, and consideration for safety of personnel, will at times require disposal of obsolete equipment and material.

### **III. DEFINITIONS**

- A. "Contract" means an agreement entered into by the school district for the sale of supplies, materials, or equipment.
- B. "Official newspaper" is a regular issue of a qualified legal newspaper.

### **IV. MANNER OF DISPOSITION**

#### **A. Authorization**

The superintendent shall be authorized to dispose of obsolete equipment and materials by selling it at a fair price consistent with the procedures outlined in this policy. Any sale exceeding the minimum amount for which bids are required must first be specifically authorized by the school board. The superintendent shall be authorized to properly dispose of used books, materials, and equipment deemed to have little or no value.

#### **B. Contracts Over \$175,000**

1. If the value of the equipment or materials is estimated to exceed \$175,000, sealed bids shall be solicited by two weeks' published notice in the official newspaper. This notice shall state the time and place of receiving bids and contain a brief description of the subject matter. Additional publication in the official newspaper or elsewhere may be made as the school board shall deem necessary.
2. The sale shall be awarded to the highest responsible bidder, be duly executed in writing, and be otherwise conditioned as required by law.
3. A record shall be kept of all bids, with names of bidders and amounts of bids, and an indication of the successful bid. A bid containing an alteration or erasure of any price contained in the bid which is used in determining the highest responsible bid shall be rejected unless the alteration or erasure is corrected by being crossed out and the correction printed in ink or typewritten adjacent thereto and initialed in ink by the person signing the bid.

4. In the case of identical high bids from two or more bidders, the school board may, at its discretion, utilize negotiated procurement methods with the tied high bidders so long as the price paid does not go below the high tied bid price. In the case where only a single bid is received, the school board may, at its discretion, negotiate a mutually agreeable contract with the bidder so long as the price paid does not fall below the original bid. If no satisfactory bid is received, the board may readvertise.
5. All bids obtained shall be kept on file for a period of at least one year after their receipt. Every contract made without compliance with the foregoing provisions shall be void.
6. Data submitted by a business to a school in response to a request for bids are private until opened. Once opened, the name of the bidder and the dollar amount specified become public; all other data are private until completion of the selection process, meaning the school has completed its evaluation and ranked the responses. After completion of the selection process, all data submitted by all bidders are public except trade secret data. If all responses are rejected prior to completion of the selection process, all data remain private, except the name of the bidder and the dollar amount specified which were made public at the bid opening for one year from the proposed opening date or until resolicitation results in completion of the selection process or until a determination is made to abandon the purchase, whichever occurs sooner, at which point the remaining data becomes public. Data created or maintained by the school district as part of the selection or evaluation process are protected as nonpublic data until completion of the selection or evaluation process. At that time, the data are public with the exception of trade secret data.

C. Contracts From \$25,000 to \$175,000

If the amount of the sale is estimated to exceed \$25,000 but not to exceed \$175,000, the contract may be made either upon sealed bids in the manner directed above or by direct negotiation, by obtaining two or more quotations for the purchase or sale when possible, and without advertising for bids or otherwise complying with the requirements of competitive bidding notice. All quotations obtained shall be kept on file for a period of at least one year after receipt.

D. Contracts \$25,000 or Less

If the amount of the sale is estimated to be \$25,000 or less, the contract may be made either upon quotation or in the open market, in the discretion of the school board. The sale in the open market may be by auction. If the contract is made on quotation, it shall be based, so far as practicable, on at least two quotations which shall be kept on file for a period of at least one year after receipt.

E. Electronic Sale of Surplus Supplies, Materials, and Equipment

Notwithstanding the other procedural requirements of this policy, the school district may contract to sell supplies, materials, and equipment which is surplus, obsolete, or unused through an electronic selling process in which purchasers compete to purchase the supplies, materials, or equipment at the highest purchase price in an open and interactive environment.

F. Notice of Quotation

Notice of procedures to receive quotations shall be given by publication or other means as appropriate to provide reasonable notice to the public.

G. Sales to Employees

No officer or employee of the school district shall sell or procure for sale or possess or control for sale to any other officer or employee of the school district any property or materials owned by the school district unless the property and materials are not needed for public purposes and are sold to a school district employee after reasonable public notice, at a public auction or by sealed response, if the employee is not directly involved in the auction or sale process. Reasonable notice shall include at least one week's published or posted notice. A school district employee may purchase no more than one motor vehicle from the school district at any one auction. This section shall not apply to the sale of property or materials acquired or produced by the school district for sale to the general public in the ordinary course of business. Nothing in this section shall prohibit an employee of the school district from selling or possessing for sale public property if the sale or possession for sale is in the ordinary course of business or the normal course of the employee's duties.

H. Exceptions for Surplus School Computers

1. A school district may bypass the requirements for competitive bidding and is not subject to any other laws relating to school district contracts if it is disposing of surplus school computer and related equipment, including a tablet device, by conveying the property and title to:
  - a. another school district;
  - b. the state department of corrections;
  - c. the board of trustees of Minnesota State Colleges and Universities;
  - d. the family of a student residing in the district whose total family income meets the federal definition of poverty; or
  - e. a charitable organization under section 501(c)(3) of the Internal Revenue Code that is registered with the attorney general's office for educational use.
2. If surplus school computers are not disposed of as described in Paragraph 1., upon adoption of a written resolution of the school board, when updating or replacing school computers, including tablet devices, used primarily by students, the school district may sell or give used computers or tablets to qualifying students at the price specified in the written resolution. A student is eligible to apply to the school board for a computer or tablet under this subdivision if the student is currently enrolled in the school and intends to enroll in the school in the year following the receipt of the computer or tablet. If more students apply for computers or tablets than are available, the school must first qualify students whose families are eligible for free or reduced-price meals and then dispose of the remaining computers or tablets by lottery.

I. Disposing of Surplus Books

Notwithstanding Minnesota Statutes, section 471.345, governing school district contracts made upon sealed bid or otherwise complying with the requirements for competitive bidding, other provisions of this section governing school district contracts, or other law to the contrary, the school district may dispose of school books, including library books, books from an individual classroom library, and textbooks including other materials accompanying a textbook. The school district may dispose of surplus books by donating them to a family of a student residing in the district or a charitable organization under section 501(c)(3) of the Internal Revenue Code.

**[NOTE: The 2025 Minnesota legislature amended Minnesota Statutes, section 123B.52 to add paragraph I.]**

**Legal References:** Minn. Stat. § 13.591 (Business Data)  
Minn. Stat. § 15.054 (Sale or Purchase of State Property; Penalty)  
Minn. Stat. § 123B.29 (Sale at Auction)  
Minn. Stat. § 123B.52 (Contracts)  
Minn. Stat. § 471.345 (Uniform Municipal Contracting Law)  
Minn. Stat. § 471.85 (Property Transfer; Public Corporations)  
Minn. Stat. § 645.11 (Published Notice)

**Cross References:** MSBA School Law Bulletin "F" (School District Contract and Bidding Procedures)

## Model Policy 806: Crisis Management Plan

### FOR ASSISTANCE IN DRAFTING A CRISIS MANAGEMENT PLAN

Resources are available to assist school districts in drafting a Crisis Management Policy and/or building-specific crisis management plans. Please contact any of the organizations listed below for assistance:

A. **Minnesota Department of Public Safety School Safety Center**

*HSEM Comprehensive School Safety Guide*

<https://dps.mn.gov/divisions/hsem/mn-school-safety-center/Documents/2011%20Comprehensive%20School%20Safety%20Guide.Jan%202014%20Appendix%20update.pdf>

**Comprehensive school safety guide**

The Minnesota Department of Homeland Security Emergency Management offers valuable guidance for school emergency planning. While the MnSSC Comprehensive School Safety Guide is being updated, we encourage you to explore resources from our partners at SchoolSafety.gov. Their Foundation Elements of School Safety can serve as a helpful framework for your planning efforts

Division of Homeland Security and Emergency Management  
444 Minnesota Street, Suite 223  
St. Paul, MN 55101  
651-201-7400  
<https://dps.mn.gov/Pages/default.aspx>

B. **Minnesota Department of Education**

Division of Special Education Compliance and Assistance  
1500 Highway 36 West  
Roseville, MN 55113-4266  
651-582-8710  
[www.education.state.mn.us](http://www.education.state.mn.us) email: [mde.compliance-assistance@state.mn.us](mailto:mde.compliance-assistance@state.mn.us)

C. **Minnesota Department of Public Safety State Fire Marshal Division**

444 Minnesota Street, Suite 145  
St. Paul, MN 55101-5145  
651-201-7200  
<https://dps.mn.gov/divisions/sfm/Pages/default.aspx>

D. **Minnesota School Boards Association**

1900 West Jefferson Avenue  
St. Peter, MN 56082-3015  
800-324-4459  
507-934-2450  
[www.mnmsba.org](http://www.mnmsba.org)

## **OTHER RESOURCES/PUBLICATIONS**

U.S. Department of Education  
Readiness and Emergency Management (REMS) Technical Assistance Center  
<https://rems.ed.gov>

Ready.gov: <https://www.ready.gov/>  
ReadyKids.gov: <https://www.ready.gov/kids>

### **Practical Information on Crisis Planning:**

[-https://www.ed.gov/sites/ed/files/admins/lead/safety/emergencyplan/crisisplanning.pdf](https://www.ed.gov/sites/ed/files/admins/lead/safety/emergencyplan/crisisplanning.pdf)

Cybersecurity and Infrastructure Security Agency: What to Do – Bomb Threat  
<https://www.cisa.gov/what-to-do-bomb-threat>

### **National School Safety and Security Services**

<https://schoolsecurity.org/>

Your local emergency response agencies (law enforcement, fire, emergency management) can also assess your building and situation, suggest changes, and assist in drafting building-specific crisis management/emergency plans.

## FIRE

### In the event of a fire, smoke from a fire or detection of a gas odor

- Pull fire alarm and notify building occupants by means of \_\_\_\_\_

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- Evacuate students and staff to the designated areas.
  - These areas should be a safe distance away from emergency personnel.
  - Be aware of the arrival of emergency responders. See map of evacuation routes and assembly areas located \_\_\_\_\_

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(or included in this manual on next page)
- Follow primary fire drill route whenever possible. Follow alternate route if primary route is blocked or dangerous. See map, located \_\_\_\_\_

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- (or included in this manual on next page)
  - Teachers take class roster.
  - Teachers take attendance after evacuation.
  - Teachers report missing students to building administrator immediately.
- If trapped by fire, go to **Shelter-in-Place Procedures**.

### Building administrator

- Building administrator notifies fire department (call **911**) and superintendent.
- Building administrator or designee meets with emergency officials as soon as possible.
- After consulting with appropriate official, building administrator may move students to primary relocation center at \_\_\_\_\_ if weather is inclement or building is damaged.
- **Do not** reenter buildings until they are declared safe by fire or law enforcement personnel.
- Building administrator notifies staff and students of termination of emergency.

*Fire drills should be held at varied times during the school day.  
Practice both primary and alternate routes.*

*Extra staffing is necessary for students with special medical or physical needs.*

## HAZARDOUS MATERIALS

### Incident occurs in school

- Notify building administrator/office.
- Call **911**. If the type and/or location of hazardous material is known, report that information to 911.
- Evacuate to an upwind location, taking class roster. Teachers take attendance after evacuation.
- Seal off area of leak/spill. Close doors.
- Fire officer in charge will determine additional shelter-in-place or evacuation actions.
- Shut off heating, cooling, and ventilation systems in contaminated area to reduce the spread of contamination.
- Building administrator notifies superintendent.
- Notify parents/guardians if students are evacuated, according to district policy and/or guidance.
- Resume normal operations when fire officials approve.

### Incident occurs near school property

- Fire or law enforcement will notify school officials.
- Consider closing outside air intake, evacuating students to a safe area, or sheltering students inside the building until emergency passes or relocation is necessary.
- Fire officer in charge of scene will instruct school officials on the need for sheltering or evacuation.
- Follow procedures for sheltering or evacuation.
- If evacuating, teachers take class rosters and take attendance after evacuation.
- If evacuation is not ordered, be aware of and remain alert for any change in health conditions of students and staff, especially respiratory problems. Seek medical attention if necessary.
- Notify parents/guardians if students are evacuated, according to district policy and/or guidance.
- Resume normal operations when fire officials approve.

*Extra staffing is necessary for students with special medical and/or physical needs.*

## SEVERE WEATHER

### TORNADO/SEVERE THUNDERSTORM/FLOODING

#### **Tornado/severe thunderstorm WATCH has been issued in an area near school**

- Monitor NOAA Weather Radio All Hazards (National Weather Service) or emergency alert radio stations.
- Bring all persons inside building(s).
- Close windows.
- Review tornado drill procedures and location of safe areas.

*Tornado safe areas are interior hallways or rooms away from exterior walls and windows and away from large rooms with long-span ceilings.*

- Review “drop and tuck” procedures with students.

#### **Tornado/severe thunderstorm WARNING has been issued in an area near school, or a tornado has been spotted near school**

- Move students and staff to safe areas.
- Close classroom doors.
- Teachers take class rosters.
- Ensure that students are in “tuck” positions.
- Teachers take attendance.
- Remain in safe area until warning expires or emergency personnel have issued an all-clear signal.

*Post diagrams in each classroom showing routes to areas. Attach a building diagram showing safe areas.*

### **Flooding**

- Monitor NOAA Weather Radio All Hazards and emergency alert radio stations. Stay in contact with emergency management officials.
- Review evacuation procedures with staff.
- Check relocation centers. Find an alternate relocation center if primary and secondary centers would also be flooded.
- Check transportation resources.
- If district officials and emergency responders advise evacuation, do so immediately.
- Teachers take class rosters.
- Teachers take attendance.
- Notify parents/guardians according to district policy.

*Refer to Severe Weather Awareness Week postings at <https://dps.mn.gov/divisions/hsem/weather-awareness-preparedness/Pages/severe-weather-awareness-week-program.aspx> for further information on severe weather safety.*

## **MEDICAL EMERGENCY**

### **Life-threatening injury or illness, or death**

- Notify office staff/building administrator to make emergency calls. If unable to reach office immediately, call **911**. **Work as a team.**
- Give full attention to the victim(s).
- Do not attempt to move a person who is ill or injured unless he/she is in immediate danger of further injury.
- If possible, isolate the affected student/staff member. Disperse onlookers and keep others from congregating in the area.
- Check breathing. Is the airway clear? Is the victim in a position to facilitate breathing?
- Help stop bleeding.
  - Applying pressure on wound or elevating wound may help stop or slow bleeding.
  - Protect yourself from body fluids. Use gloves if available.
- Check for vital signs. Initiate first aid, if you are trained.
- Comfort the victim(s) and offer reassurance that medical attention is on the way.
- After immediate medical needs have been cared for, remain to assist emergency medical services personnel with pertinent information about the incident.

### **Non-life-threatening injury or illness**

- For all non-life-threatening illnesses and injuries, call the office/nurse.

### **Administrator**

- In case of traumatic medical emergency or death at school:
  - Notify superintendent.
  - Notify victim's parents, guardians, or family.
  - Activate post-crisis procedures, if necessary.
- In all other medical emergencies, assess individual's need for post-crisis intervention.

## **FIGHT/DISTURBANCE**

- Ensure the safety of students and staff first.
- Notify building administrator/security/law enforcement. **Work as a team**, especially when separating participants.
- Don't let a crowd incite participants. Disperse onlookers and keep others from congregating in the area.
- When participants are separated, do not allow further visual or verbal contact.
- Document all activities witnessed by staff.
- Deal with event according to school's discipline policy.
- Building administrator notifies parents/guardians of students involved in fight. Superintendent and police may be notified as necessary, or as indicated by school policy.
- Assess counseling needs of participants and witnesses. Implement post-crisis procedures as needed.

*For fights or disturbances that elevate to possible assault level, refer to **Assault** guidance.*

## ASSAULT

- Ensure the safety of students and staff first.
- Notify building administrator. **Work as a team.**
- Notify law enforcement if circumstances lead you to believe that criminal activity is involved, e.g., if a weapon is used, if there has been a sexual assault or there is a physical injury that causes substantial pain.
- Seal off area to preserve evidence and disperse onlookers.
- If victim requires medical attention, follow **Medical Emergency** procedures.
- **Do not leave the victim alone.**
- Notify parents/guardians and superintendent per district policy.
- Document all activities witnessed by staff.
- Assess counseling needs and implement post-crisis procedures as needed.

## INTRUDER

### **Intruder – an unauthorized person who enters school property**

*Minn. Stat. § 609.605, Subd. 4, gives a school building administrator authority to have persons removed from school property as trespassers if they are not authorized to be there.*

- Politely greet intruder and identify yourself.
  - Consider asking another staff person to accompany you before approaching intruder.
- Inform intruder that all visitors must register at the main office.
  - Ask intruder the purpose of his/her visit. If possible, attempt to identify the individual and/or vehicle.
- If intruder's purpose is not legitimate, ask him/her to leave. Accompany intruder to exit.
- Notify building administrator or law enforcement.

### **If intruder refuses to leave**

- Notify building administrator and law enforcement if intruder refuses to leave. Give law enforcement full description of intruder.
- Back away from intruder if he/she indicates a potential for violence. Allow an avenue of escape. To the extent possible, maintain visual contact.
  - Be aware of intruder's actions at this time (where he/she is located in school building, whether he/she is carrying a weapon or package, etc.).
  - Maintaining visual contact and knowing the location of the intruder is less disruptive than doing a building-wide search later.

*Should the situation escalate quickly, the building administrator may decide at any time to initiate lockdown procedures.*

**Note:** To assist staff members who interact with a stranger at school, use the "I CAN" rule.

***Intercept***  
***Contact***  
***Ask***  
***Notify***

## **WEAPONS**

### **Staff or students who are aware of a weapon brought to school**

- Immediately notify building administrator, teacher or law enforcement.
  - Give the following information:
    - Name of person suspected of bringing the weapon.
    - Location of the weapon.
    - Whether the suspect has threatened anyone.
    - Any other details that may prevent the suspect from hurting someone or himself/herself.
- Teachers who suspect that a weapon is in the classroom: **STAY CALM.**
  - Do not call attention to the weapon.
  - Notify the building administrator, the school resource officer or a neighboring teacher as soon as possible.
  - Teacher should not leave the classroom.

### **Building administrator**

- Call law enforcement to report that a weapon is suspected in school.
- Ask another administrator or a law enforcement officer to participate in questioning the suspected student or staff member.
  - Consider the best time and place to approach the person, taking into account these factors if possible:
    - Need for assistance from law enforcement.
    - Type of weapon.
    - Safety of persons in the area.
    - State of mind of the suspected person.
    - Accessibility of the weapon.
- Separate student/staff member from weapon, if possible.
- If the suspect threatens you with the weapon, **DO NOT** try to disarm him/her. Back away with your hands up. **STAY CALM.**
- Follow district procedures if you need to conduct a weapons search.
- Document all activities related to a weapons incident according to reporting requirements of the district and Minnesota Statutes.
- If the suspect is a student, notify parent(s)/guardian(s) according to district policy.

## ACTIVE SHOOTER

### If a person displays a firearm or begins shooting

- Move to or seek safe shelter. Go to lockdown procedures.
- Notify building administrator/law enforcement.
- Call **911**.

### If you hear gunshots

- If possible, determine where shooting is taking place.
- Seek safe shelter.
  - If outside, stay as low to the ground as possible, and find any kind of cover.
  - If inside, go to lockdown procedures.
- Teachers take attendance and notify the building administrator of missing students or staff as soon as it is safe to do so.

### Building administrator/school resource officer/security/law enforcement

- Building administrator may order lockdown procedures.
- Assess the situation as to:
  - The shooter's location.
  - Injuries.
  - Potential for additional shooting.
- Call **911** and give as much detail as possible about the situation.
- Secure the school, if appropriate.
- Help students and staff find safe shelter.
- Care for the injured *if it is safe to do so* until emergency responders arrive. Do not add to the victim list by exposing yourself to danger.
- Notify superintendent's office.
- Refer media to district spokesperson per media procedures.
- Initiate post-crisis procedures.

*Work with local law enforcement to identify their response methods and capabilities. Provide them with updated building diagrams.*

## HOSTAGE

### Witness to a hostage situation

#### If the hostage-taker is unaware of your presence, DO NOT INTERVENE!

- Notify building administrator. Building administrator may wish to initiate lockdown procedures or evacuation.
- Call **911**. Give dispatcher details of situation.
- Seal off area near hostage scene.
- Police will take control of hostage scene; building administrator coordinates with police for safety and welfare of students and staff.
- Document all activities.

#### If taken hostage

- Cooperate with hostage-taker to the fullest extent possible.
- Try not to panic. Calm students if they are present.
- Treat the hostage-taker as normally as possible.
- Be respectful to the hostage-taker.
- Ask permission to speak; do not argue or make suggestions.

## BOMB THREAT

### Critical information

- Schools are responsible for assessing bomb threats to determine credibility.
- All bomb threats must be taken seriously until they are assessed.
- The decision whether or not to evacuate rests with the **school**, not the responding agencies, unless a device is located.

### Procedures upon receiving a bomb threat

By phone call

- Complete the *Checklist for Telephone Threats*.

By written note

- Preserve evidence.
- Place note in plastic bag, if available.
- Photograph words written on walls.
- Notify building administrator or designee.
- Notify law enforcement.
- Building administrator orders evacuation or other actions according to threat assessment and school policy.

*Caution: Overreacting may encourage additional threats.*

### Scanning process considerations

- Scan classrooms and common areas for suspicious items. Scans should be made by people who are familiar with the building. Assign staff to certain areas of the building. Keep in mind that a bomb could be placed *anywhere* on school property – inside or outside.
- Any suspicious devices, packages, etc., should be pointed out to emergency responders. **Do not touch.**
- Once a device is located, emergency responders take responsibility for it.

### Evacuation considerations

- If a decision is made to evacuate, notify staff via phone system, hardwired PA system or by messenger. **Do not use cell phones, radios or fire alarm system** because of risk of activating a device.
- While notification is being made, other staff should survey the grounds to clear exits and areas where students and staff will be going. Exit routes should be altered accordingly if the location of the device is known.
- When evacuating, leave everything as-is. Leave room doors unlocked. Teachers take class roster.

*Bomb squads generally will **not** search a building unless a suspicious package has been located.*

## CHEMICAL OR BIOLOGICAL THREAT

If a telephone threat references a chemical or biological device or package, complete the *Checklist for Telephone Threats* procedures and refer to safety procedures in *Bomb Threat* and *Hazardous Materials* sections.

**This page addresses receiving, by mail or delivery service, a suspicious letter or package that might be a chemical or biological threat.**

### **When sorting mail or receiving delivered packages**

- Look for characteristics that make you suspicious of the content.
  - excessive postage, excessive weight
    - misspellings of common words
  - oily stains, discolorations, odor
  - no return address or showing a city or state in the postmark that does not match the return address
  - package not anticipated by someone in the school or not sent by a known school vendor

### **If a letter/package is opened and contains a written threat by no suspicious substance**

- Notify building administrator and law enforcement.
- Limit access to the area in which the letter/package was opened to minimize the number of people who might directly handle it. It is considered criminal evidence.
- Ask the person who discovered/opened the letter or package to place it into another container, such as a plastic bag.
- Turn the letter/package over to law enforcement. Document all activities.

### **If a letter or package is opened and contains some type of suspicious substance**

- Notify building administrator and law enforcement.
- Isolate the people who have been exposed to the substance. The goal here is to prevent/minimize spreading contamination.
- Limit access to the area in which the letter/package was opened.
- Ask the person who discovered/opened the letter/package to place it into another container, such as a clear plastic zip-lock bag. Handle with gloves if possible.
- Emergency officials will determine the need for decontamination of the area and the people exposed to the substance.

### **Building administrator**

- Building administrator and emergency officials determine whether evacuation is necessary.
- Building administrator notifies superintendent. Notification is made to parents/guardians, according to district policies.
- Implement post-crisis procedures as necessary.

*Consider having gloves and zip-lock bags available at mail sorting areas.*

## CHECKLIST FOR TELEPHONE THREATS

**If you receive a telephone threat (bomb/chemical/other):**

- **Remain calm**
- **Do not hang up. Keep the caller on the line as long as possible and listen carefully.**

**Ask the following questions**

- Where is the bomb/chemical or other hazard?
- When will it explode/be activated?
- What does it look like?
- What kind of bomb/hazard is it?
- What will cause it to explode/activate?
- What is your name?
- Did you place the bomb/hazard? WHY?
- Where are you?

Exact wording of the threat: \_\_\_\_\_

If voice is familiar, who did it sound like? \_\_\_\_\_

<b>Caller ID information:</b>	male	female	adult	juvenile	age
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<b>Call origin:</b>	local	long distance	internal	cell phone
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**Caller's voice: Note pattern of speech, type of voice, tone. Check all that apply.**

Calm	Excited	Loud	Soft	Deep	Nasal
Raspy	Distinct	Slurred	Normal	Crying	Laughter
Slow	Rapid	Disguised	Accent	Lisp	Stutter
Drunken	Familiar	Incoherent	Deep breathing		

**Background sounds: Check all that apply.**

Voices	Airplanes	Street noises	Trains	Quiet	Bells
Clear	Static	Animals	Party	Vehicles	
Horns	House noises	PA system	Music	Factory machines	
Motor	Phone booth	Other:			

**Threat language: Check all that apply.**

Well-spoken (educated)	Foul	Taped	Incoherent	Irrational	Message read from script
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Did caller indicate knowledge of the building? Give specifics: \_\_\_\_\_

Person receiving call: \_\_\_\_\_ Phone number where call received: \_\_\_\_\_

**LEAVE YOUR PHONE OFF THE HOOK. DO NOT HANG UP AFTER CALLER HANGS UP.**

## **DEMONSTRATION**

### **If demonstrators are near but not on school property**

- Building administrator notifies staff and superintendent's office.
- Monitor situation. Notify law enforcement if necessary.

### **If demonstrators are on school property**

- Ensure safety of students and staff, particularly safe entry into and exit from the building.
- Building administrator notifies staff and superintendent's office.
- Building administrator asks demonstrators to leave school property. Warn them that they are violating the state trespass statute. Notify law enforcement if necessary.
  - *If demonstrators leave*, continue to monitor the situation.
  - *If demonstrators do not leave*, notify law enforcement. Building administrator may initiate "lockdown with warning." **(See Lockdown Procedures)**

## **SUICIDE**

### **Suicide threat**

- Consider any student reference to suicide as serious.
- Do not leave the student alone.
- Notify the school counselor, social worker, psychologist, or building administrator immediately.
- Stay with the student until suicide intervention staff arrives.
- Do not allow the student to leave school without parent, guardian, or other appropriate adult supervision.

### **Suicide attempt in school**

- Notify building administrator, school nurse, or other appropriate professional staff.
- Call **911** if the person needs medical attention, has a weapon, needs to be restrained, or parent/guardian cannot be reached.
- Try to calm the suicidal person.
- Stay with the suicidal person until suicide intervention staff arrives.
- Isolate the suicidal person or the area, if possible.
- Initiate first aid.
- Do not allow the student to leave school without parent, guardian, or other appropriate adult supervision.

### **Building administrator**

- Call parent(s) or guardian(s) if the suicidal person is a student.
- Call family or emergency contact if suicidal person is a staff member.
- Notify superintendent or appropriate district level administrator.
- Work with district public information officer.
- Implement post-crisis procedures.

## LOCKDOWN PROCEDURES

**One means of securing the school is to implement lockdown procedures. These procedures may be called for in the following instances:**

- 1) **Lockdown with warning** – The threat is outside of the school building. The school may have been notified of a potential threat outside of the building.
- 2) **Lockdown with intruder** – The threat/intruder is inside the building.

### **Lockdown with warning procedures**

- Building administrator will order and announce “lockdown with warning” procedures. Repeat announcement several times. Be direct. Code words lead to confusion.
- Bring people inside.
- Lock exterior doors.
- Clear hallways, restrooms, and other rooms that cannot be secured.
- Pull shades. Keep students away from windows.
- Control all movement, but continue classes. Disable bells. Move on announcement only.
- Building administrator will announce “all clear.”

### **Lockdown with intruder procedures (these actions happen rapidly)**

- Building administrator will order and announce “lockdown with intruder.” Repeat announcement several times. Be direct. Code words lead to confusion.
- Immediately direct all students, staff and visitors into nearest classroom or secured space. Classes that are outside of the building SHOULD NOT enter the building. Move outside classes to primary evacuation site.
- Lock classroom doors.
- DO NOT lock exterior doors.
- Move people away from windows and doors. Turn off lights.
- DO NOT respond to anyone at the door until “all clear” is announced.
- Keep out of sight.
- Building administrator will announce “all clear.”

*Some other threats may override lockdown, i.e., confirmed fire, intruder in classroom, etc. Consider making an action plan for people in large common areas, i.e., cafeteria, gymnasium.*

*Lockdown may be initiated in non-threatening circumstances to keep people away from areas where there may be a medical emergency or disturbance.*

## **SHELTER-IN-PLACE PROCEDURES**

**Sheltering in place provides refuge for students, staff and the public inside the school building during an emergency. Shelters are located in areas of the building that maximize the safety of inhabitants.**

**Sheltering in place is used when evacuation would put people at risk (i.e., tornado, environmental hazard, blocked evacuation route).**

### **Shelter areas may change depending on the emergency**

- Identify safe areas in each school building.
- Building administrator announces that students and staff must go to shelter areas.
- Bring all persons inside building(s).
- Teachers take class rosters.
- Close all exterior doors and windows, if appropriate.
- Turn off ventilation leading outdoors, if appropriate.
- Teachers account for all students after arriving in shelter area.
- All persons remain in shelter areas until a building administrator or emergency responder declares that it is safe to leave.

### **If all evacuation routes are blocked**

- Stay in room and close door.
- Keep air as clean as possible.
  - Seal door.
  - Open or close windows as appropriate.
  - Limit movement and talking in room.
- Communicate your situation to administration or emergency officials by whatever means possible.

## **EVACUATION/RELOCATION**

### **Evacuation**

- Building administrator initiates evacuation procedures.
- Evacuation routes may be specified according to the type of emergency. They may need to be changed for safety reasons.
  - Bombs: Building administrator notifies staff of evacuation route dictated by known or suspected location of device.
  - Fire: Follow primary routes unless blocked by smoke or fire. Know the alternate route.
  - Chemical spill: Total avoidance of hazardous materials is necessary as fumes can overcome people in seconds. Plan route accordingly.
- Teachers take class rosters.
- Do not lock classroom doors when leaving.
- When outside the building, account for all students. Immediately inform building administrator of any missing student(s).

### **Relocation**

- Building administrator determines whether students and staff should be evacuated to a relocation center.
- Building administrator or school emergency response team designee notifies relocation center.
- If necessary, a school emergency response team designee coordinates transportation to relocation center.
- Teachers stay with class en route to the relocation center and take attendance upon arriving at the center.
- Use student release forms for students who are picked up from a relocation center.
- Notify superintendent's office and district public information office of relocation center address.

### **Relocation centers:**

List primary and secondary student relocation centers. The primary site is usually located close to the school. The secondary site is usually located farther away. Include maps and written directions to centers for staff reference.

Primary Relocation Center: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

Secondary Relocation Center: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

## MEDIA PROCEDURES

**All staff must refer media contacts to district spokesperson. The school district, in coordination with assisting agencies, assumes responsibility for issuing public statements during an emergency.**

- Superintendent serves as district spokesperson unless he/she designates a spokesperson. If spokesperson is unavailable, an alternate assumes responsibilities.

District spokesperson: \_\_\_\_\_  
Name  
Contact number(s)

Alternate spokesperson: \_\_\_\_\_  
Name  
Contact number(s)

*Consider pre-designating site spokespersons.*

- District Public Information (PI) person helps district spokesperson coordinate media communications.

District PI: \_\_\_\_\_  
Name  
Contact number

Alternate PI: \_\_\_\_\_  
Name  
Contact number

### Media checklist

- Building administrator relays all factual information to superintendent and public information person.
- Establish a media information center away from the affected area. Consider:
  - Media need timely and accurate information. However, protect the privacy of staff and students when necessary and justified.
  - Media will want to be close enough to shoot video footage and photographs, but they should not be allowed to hinder responders.
- Before holding a news conference, brief the participants and coordinate information.
  - Determine the message you want to convey. Create key messages for target audiences: parents, students, and the community.
  - Emphasize the safety of students and staff.
  - Engage media to help distribute important public information. Explain how the emergency is being handled.
  - Respect privacy of victims and families of victims. Do not release names to media.
- Update media regularly. DO NOT say "No comment." Ask other agencies to assist with media.
- Maintain log of all telephone inquiries for future use.

## POST-CRISIS INTERVENTION PROCEDURES

- Assess the situation to determine the need for post-crisis interventions for staff, students, and families.
- Provide post-crisis briefings for staff, students, and families as appropriate.
- Re-establish school and classroom routine as quickly as possible.
- Consider interventions:
  - Defusing – Provide defusing sessions for students and staff as quickly as possible after the emergency.  
Defusings are brief conversations with individuals or small groups held soon after an incident to help people better understand and cope with the effects of the incident. **Defusing should be conducted by trained individuals.**
  - Debriefing – Conduct critical-incident stress debriefing (CISD) three to four days after the emergency.  
CISD is a formal group discussion designed to help people understand their reactions to the stress of an event and to give referral information. It must be modified for student’s development level. **CISD should only be conducted by trained professionals.**
  - Counseling – Provide grief counseling.
- Provide on-going support as necessary for staff, students and families.
  - Monitor and support staff.
  - Provide ongoing opportunities for children to talk about their fears and concerns. They may have more questions as time passes.
  - Identify and monitor at-risk students.
  - Provide individual crisis or grief counseling, if necessary.
  - Conduct outreach to homes.
  - Provide follow-up referral for assessment and treatment, if necessary.

*The district should identify a 24-hour contact person or agency responsible for post-crisis assessment and interventions.*

*In the event of a tragic, highly publicized event, mental health professionals from federal, state and non-government agencies may respond to offer post-crisis aid. Effective coordination is critical. Consult with the Minnesota Department of Education for support, advice and assistance in coordinating the activities of outside entities.*

## SCHOOL EMERGENCY RESPONSE TEAM

Build the school's emergency response team with people who can perform the functions identified below. Backup personnel should be assigned to each function, and key personnel should be cross-trained in critical requirements of the functions. Staff members who are not responsible for students should fill as many of the functions as possible. **Depending on the emergency, one person may be able to perform multiple assignments.**

*See next page for descriptions of emergency response team functions.*

Function	Staff Assigned	Backup Staff
<b>Incident Commander</b> (person in charge)		
Safety		
Public Information		
Liaison		
<b>Operations Chief</b>		
Medical		
(attach list of qualified first-aid/CPR responders in building)		
Site Security/ Facility Check		
Student Release Coordinator		
<b>Logistics Chief</b>		
Communications		
Transportation		
<b>Planning Chief</b>		
<b>Financial/ Recordkeeping</b>		

*These functions mirror the National Incident Management System (NIMS) used by emergency responders.*

## SCHOOL RESPONSE TEAM FUNCTIONS

The National Incident Management System (NIMS) was adopted by the U.S. Department of Homeland Security and is intended for use by all state and federal agencies when responding to emergencies. The system provides integrated and coordinated management guidelines for all types of disasters and emergencies.

Most functions necessary for emergency response in the community are also necessary for emergencies within the schools. Incident management functions below are described in the context of a school setting.

<b>Incident Commander</b> (person in charge)	Activates school's emergency response plan; assesses the threat; orders protective measures such as lockdown, evacuation or shelter-in-place; notifies district authorities and provides situation updates; requests resources.
Safety	Responsible for safety and security of the site; stops operations if conditions become unsafe.
Public Information	May be designated site spokesperson; cooperates with the district and other agencies on joint news releases; coordinates media briefings as necessary.
Liaison	Contact person for outside agencies; may represent school/district at city emergency operations center or at emergency responders' on-scene command post.
<b>Operations Chief</b>	Directs actions, i.e., lockdown, evacuation, site security, release of students to parents/guardians, first aid or medical care, cleanup, control of utilities.
Medical	Provides for first aid or other medical care; coordinates with emergency medical services personnel as necessary; activates school's first aid/CPR responders.
Site Security/Facility Check	Responsible for seeing that the school building and grounds are visually inspected and secured.
Student Release Coordinator	Responsible for implementing school's plan for release of students to parents/guardians from relocation site; takes necessary documents to relocation site.
<b>Logistics Chief</b>	Estimates logistical needs; gets personnel, facilities (relocation sites), services, and materials to support operations.
Communications	Responsible for emergency communications systems and equipment; may act as lead or hub for internal communications response.
Transportation	Responsible for arranging transportation for emergency relocations and early dismissal of school; keeps current contact list of transportation providers.
<b>Planning Chief</b>	Assists in assessing emergencies; establishes priorities, identifies issues and prepares an action plan with incident commander.
<b>Financial/Recordkeeping</b>	Manages financial aspects of an emergency; compiles record of expenditures; tracks injuries and lost or damaged property; coordinates with district for insurance; initiates business recovery efforts.

## EMERGENCY PHONE NUMBERS

### Fire/Ambulance/Police

Emergency-911

Dispatch Center:  
(for local police, fire and emergency medical services)

### Public Utilities

Electricity:      Company  
                         Contact person  
                         *24-hour emergency number(s)*

Gas:                Company  
                         Contact person  
                         *24-hour emergency number(s)*

Water:             Company  
                         Contact person  
                         *24-hour emergency number(s)*

### Emergency Management Agencies

Local emergency management director:

Name  
Telephone

County emergency management director:

Name  
Telephone

### Referrals

Hazardous Materials: Report hazardous materials leaks or spills to Minnesota Duty Officer  
*24-hour numbers*              Statewide (800) 422-0798              Metro area (651) 649-5451

Poison Control Center

Crime Victim Services

Post-Crisis Intervention/Mental Health Hotline

**[Note: These procedures are provided as a sample and a starting place for your schools to begin planning for a situation like a pandemic. A pandemic policy is not legally required.]**

### **HIGHLY CONTAGIOUS SERIOUS ILLNESS OR PANDEMIC FLU**

- The school district may provide information on the proper methods for hand washing, covering coughs, and social distancing. Reminders of these methods may be placed throughout the school district's buildings.
- Children and staff should be asked to wash their hands thoroughly and frequently. All classroom surfaces should be disinfected according to guidance from health officials.
- If a case of highly contagious serious illness is suspected, the sick student, employee, or visitor should be immediately sent home. If that is not possible, the person should be isolated, as much as possible, until arrangements can be made for the person to leave the school.
- If a serious illness is confirmed, the local health agency should be notified and communication efforts initiated. See ***Emergency Phone Numbers*** and ***Media Procedures***.
- In the absence of a school closure order from a state agency, the superintendent, in consultation with the school board, will determine when to close school due to significant risk of spreading the illness. See ***Early School Closure Procedures, Part III.F.***, especially if school is closed before the end of a school day.
- If an extended school closure is ordered, the school district may make online learning or other at home learning options available to the extent feasible.
- Any closed school buildings should be disinfected according to guidance from health officials before reopening.

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 806

Orig. 1999

Revised: \_\_\_\_\_

Rev. 2025

## 806 CRISIS MANAGEMENT POLICY

**[NOTE: The Commissioner of the Minnesota Department of Education (Commissioner) is required to maintain and make available to school boards and charter schools a Model Crisis Management Policy. See Minnesota Statutes, section 121A.035. School boards and charter schools must adopt a Crisis Management Policy to address potential crisis situations in their school districts or charter schools. Id. This Model Crisis Management Policy was originally the result of a collaborative effort among the Minnesota Department of Education, Division of Compliance and Assistance; the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management; and the Minnesota School Boards Association.]**

### I. PURPOSE

The purpose of this Model Crisis Management Policy is to act as a guide for school district and building administrators, school employees, students, school board members, and community members to address a wide range of potential crisis situations in the school district. The step-by-step procedures suggested by this Policy will provide guidance to each school building in drafting crisis management plans to coordinate protective actions prior to, during, and after any type of emergency or potential crisis situation. Each school district should develop tailored building-specific crisis management plans for each school building in the school district, and sections or procedures may be added or deleted in those crisis management plans based on building needs.

The school district will, to the extent possible, engage in ongoing emergency planning within the school district and with emergency responders and other relevant community organizations. The school district will ensure that relevant emergency responders in the community have access to their building-specific crisis management plans and will provide training to school district staff to enable them to act appropriately in the event of a crisis.

### II. GENERAL INFORMATION

#### A. The Policy and Plans

The school district's Crisis Management Policy has been created in consultation with local community response agencies and other appropriate individuals and groups that would likely be involved in the event of a school emergency. It is designed so that each building administrator can tailor a building-specific crisis management plan to meet that building's specific situation and needs.

The school district's administration and/or the administration of each building shall present tailored building-specific crisis management plans to the school board for review and approval. The building-specific crisis management plans will include general crisis procedures and crisis-specific procedures. Upon approval by the school board, such crisis management plans shall be an addendum to this Crisis Management Policy. This Policy and the plans will be maintained and updated on an annual basis.

#### B. Elements of the District Crisis Management Policy

##### 1. General Crisis Procedures

The Crisis Management Policy includes general crisis procedures for securing buildings, classroom evacuation, building evacuation, campus evacuation, and sheltering. The Policy designates the individual(s) who will determine when these actions will be taken. These district-wide procedures may be modified by building administrators when creating their building-specific crisis management plans. A communication system will be in place to enable the designated individual to be contacted at all times in the event of a potential crisis, setting forth the method to contact the designated individual, the provision of at least two designees when the contact person is unavailable, and the method to convey contact information to the appropriate staff persons. The alternative designees may include members of the emergency first responder response team. A secondary method of communication should be included in the plan for use when the primary method of communication is inoperable. Each building in the school district will have access to a copy of the Comprehensive School Safety Guide (2011 Edition) to assist in the development of building-specific crisis management plans.

All general crisis procedures will address specific procedures for the safe evacuation of children and employees with special needs such as physical, sensory, motor, developmental, and mental health challenges.

**[NOTE: More specific information on planning for children with special needs can be found in the Comprehensive School Safety Guide (2011 Edition) and United States Department of Education’s document entitled, “Practical Information on Crisis Planning, a Guide for Schools and Communities.” A website link is provided in the resource section of this Policy.]**

a. Lock-Down Procedures

Lock-down procedures will be used in situations where harm may result to persons inside the school building, such as a shooting, hostage incident, intruder, trespass, disturbance, or when determined to be necessary by the building administrator or his or her designee. The building administrator or designee will announce the lock-down over the public address system or other designated system. Code words will not be used. Provisions for emergency evacuation will be maintained even in the event of a lock-down. Each building administrator will submit lock-down procedures for their building as part of the building-specific crisis management plan.

**[NOTE: Minnesota law requires a minimum of five school lock-down drills each school year. See Minnesota Statutes, section 121A.035.]**

b. Evacuation Procedures

Evacuations of classrooms and buildings shall be implemented at the discretion of the building administrator or his or her designee. Each building’s crisis management plan will include procedures for transporting students and staff a safe distance from harm to a designated safe area until released by the building administrator or designee. Safe areas may change based upon the specific emergency situation. The evacuation procedures should include specific procedures

for children with special needs, including children with limited mobility (wheelchairs, braces, crutches, etc.), visual impairments, hearing impairments, and other sensory, developmental, or mental health needs. The evacuation procedures should also address transporting necessary medications for students that take medications during the school day.

**[NOTE: Minnesota law requires a minimum of five school fire drills, consistent with Minnesota Statutes, section 299F.30, and one school tornado drill each school year. See Minnesota Statutes, section 121A.035.]**

c. Sheltering Procedures

Sheltering provides refuge for students, staff, and visitors within the school building during an emergency. Shelters are safe areas that maximize the safety of inhabitants. Safe areas may change based upon the specific emergency. The building administrator or his or her designee will announce the need for sheltering over the public address system or other designated system. Each building administrator will submit sheltering procedures for his or her building as part of the building-specific crisis management plan.

**[NOTE: The Comprehensive School Safety Guide (2011 Edition) has sample lock-down procedures, evacuation procedures, and sheltering procedures.]**

2. Crisis-Specific Procedures

The Crisis Management Policy includes crisis-specific procedures for crisis situations that may occur during the school day or at school-sponsored events and functions. These district-wide procedures are designed to enable building administrators to tailor response procedures when creating building-specific crisis management plans.

**[NOTE: The Comprehensive School Safety Guide (2011 Edition) includes crisis-specific procedures.]**

**[NOTE: The 2024 Minnesota legislature enacted permissive language stating that a school board “may adopt the model cardiac emergency response plan provided by” the Commissioner (as of June 4, 2024, a response plan is not yet available.)**

3. School Emergency Response Teams

a. Composition

The building administrator in each school building will select a school emergency response team that will be trained to respond to emergency situations. All school emergency response team members will receive on-going training to carry out the building’s crisis management plans and will have knowledge of procedures, evacuation routes, and safe areas. For purposes of student safety and accountability, to the extent possible, school emergency response team members will not have direct responsibility for the supervision of students. Team members must be

willing to be actively involved in the resolution of crises and be available to assist in any crisis situation as deemed necessary by the building administrator. Each building will maintain a current list of school emergency response team members which will be updated annually. The building administrator, and his or her alternative designees, will know the location of that list in the event of a school emergency. A copy of the list will be kept on file in the school district office, or in a secondary location in single building school districts.

**[NOTE: The Comprehensive School Safety Guide (2011 Edition) has a sample School Emergency Response Team list.]**

b. Leaders

The building administrator or his or her designee will serve as the leader of the school emergency response team and will be the primary contact for emergency response officials. In the event the primary designee is unavailable, the designee list should include more than one alternative designee and may include members of the emergency response team. When emergency response officials are present, they may elect to take command and control of the crisis. It is critical in this situation that school officials assume a resource role and be available as necessary to emergency response officials.

**III. PREPARATION BEFORE AN EMERGENCY**

A. Communication

1. District Employees

Teachers generally have the most direct contact with students on a day-to-day basis. As a result, they must be aware of their role in responding to crisis situations. This also applies to non-teaching school personnel who have direct contact with students. All staff shall be aware of the school district's Crisis Management Policy and their own building's crisis management plan. Each school's building-specific crisis management plan shall include the method and dates of dissemination of the plan to its staff. Employees will receive a copy of the relevant building-specific crisis management plans and shall receive periodic training on plan implementation.

2. Students and Parents

Students and parents shall be made aware of the school district's Crisis Management Policy and relevant tailored crisis management plans for each school building. Each school district's building-specific crisis management plan shall set forth how students and parents are made aware of the district and school-specific plans. Students shall receive specific instruction on plan implementation and shall participate in a required number of drills and practice sessions throughout the school year.

B. Planning and Preparing for Fire

1. Designate a safe area at least 50 feet away from the building to enable students and staff to evacuate. The safe area should not interfere with emergency responders or responding vehicles and should not be in an area where evacuated

persons are exposed to any products of combustion. (Depending on the wind direction, where the building on fire is located, the direction from which the fire is arriving, and the location of fire equipment, the distance may need to be extended.)

**[NOTE: Evacuation areas at least 50 feet from school buildings are recommended but not mandated by statute or rule. Evacuation areas should be selected based on safety and the individual school site's proximity to streets, traffic patterns, and other hazards.]**

2. Each building's facility diagram and site plan shall be available in appropriate areas of the building and shall identify the most direct evacuation routes to the designated safe areas both inside and outside of the building. The facility diagram and site plan must identify the location of the fire alarm control panel, fire alarms, fire extinguishers, hoses, water spigots, and utility shut offs.
3. Teachers and staff will receive training on the location of the primary emergency evacuation routes and alternate routes from various points in the building. During fire drills, students and staff will practice evacuations using primary evacuation routes and alternate routes.
4. Certain employees, such as those who work in hazardous areas in the building, will receive training on the locations and proper use of fire extinguishers and protective clothing and equipment.
5. Fire drills will be conducted periodically without warning at various times of the day and under different circumstances, e.g., lunchtime, recess, and during assemblies. State law requires a minimum of five fire drills each school year, consistent with Minnesota Statutes, section 299F.30. See Minnesota Statutes, section 121A.035.

**[NOTE: The State Fire Marshal advises schools to defer fire drills during the winter months.]**

6. A record of fire drills conducted at the building will be maintained in the building administrator's office.

**[NOTE: The Comprehensive School Safety Guide (2011 Edition), under the Preparedness/Planning section, has a sample fire drills schedule and log.]**

7. The school district will have prearranged sites for emergency sheltering and transportation as needed.
8. The school district will determine which staff will remain in the building to perform essential functions if safe to do so (e.g., switchboard, building engineer, etc.). The school district also will designate an administrator or his or her designee to meet local fire or law enforcement agents upon their arrival.

**[NOTE: The Comprehensive School Safety Guide (2011 Edition), under the Response section, has a sample fire procedure form, evacuation/relocation and student reunification/release procedures, and planning for student reunification.]**

C. Facility Diagrams and Site Plans

All school buildings will have a facility diagram and site plan that includes the location of primary and secondary evacuation routes, exits, designated safe areas inside and outside of the building, and the location of fire alarm control panel, fire alarms, fire extinguishers, hoses, water spigots, and utility shut offs. All facility diagrams and site plans will be updated regularly and whenever a major change is made to a building. Facility diagrams and site plans will be maintained by the building administrator and will be easily accessible and on file in the school district office. Facility diagrams and site plans will be provided to first responders, such as fire and law enforcement personnel.

**[NOTE: For single building school districts, such as charter schools, a secondary location for the diagrams and site plans will be included in the district's Crisis Management Policy and may include filing documents with a charter school sponsor, or compiling facility diagrams and site plans and distributing copies to first responders or sharing the documents with first responders during the crisis planning process.]**

**[NOTE: To the extent data contained in facility diagrams and site plans constitute security information pursuant to Minnesota Statutes, section 13.37, school districts are advised to consult with appropriate officials and/or legal counsel prior to dissemination of the facility diagrams or site plans to anyone other than first responders.]**

D. Emergency Telephone Numbers

Each building will maintain a current list of emergency telephone numbers and the names and addresses of local, county, and state personnel who may be involved in a crisis situation. The list will include telephone numbers for local police, fire, ambulance, hospital, the Poison Control Center, county and state emergency management agencies, local public works departments, local utility companies, the public health nurse, mental health/suicide hotlines, and the county welfare agency. A copy of this list will be kept on file in the school district office, or at a secondary location for single building school districts and will be updated annually.

School district employees will receive training on how to make emergency contacts, including 911 calls, when the school district's main telephone number and location is electronically conveyed to emergency personnel instead of the specific building in need of emergency services.

School district plans will set forth a process to internally communicate an emergency, using telephones in classrooms, intercom systems, or two-way radios, as well as the procedure to enable the staff to rapidly convey emergency information to a building designee. Each plan will identify a primary and secondary method of communication for both internal and secondary use. It is recommended that the plan include several methods of communication because computers, intercoms, telephones, and cell phones may not be operational or may be dangerous to use during an emergency.

**[NOTE: The Comprehensive School Safety Guide (2011 Edition), under the Preparedness/Planning section, has a sample Emergency Phone Numbers list.]**

E. Warning and Notification Systems

The school district shall maintain a warning system designed to inform students, staff, and visitors of a crisis or emergency. This system shall be maintained on a regular basis under the maintenance plan for all school buildings. The school district should consider

an alternate notification system to address the needs of staff and students with special needs, such as vision or hearing.

The building administrator shall be responsible for informing students and employees of the warning system and the means by which the system is used to identify a specific crisis or emergency situation. Each school's building-specific crisis management plan will include the method and frequency of dissemination of the warning system information to students and employees.

F. Early School Closure Procedures

The superintendent will make decisions about closing school or buildings as early in the day as possible. The early school closure procedures will set forth the criteria for early school closure (e.g., weather-related, utility failure, or a crisis situation), will specify how closure decisions will be communicated to staff, students, families, and the school community (designated broadcast media, local authorities, e-mail, or district or school building web sites), and will discuss the factors to be considered in closing and reopening a school or building.

Early school closure procedures also will include a reminder to parents and guardians to listen to designated local radio and TV stations for school closing announcements, where possible.

**[NOTE: The Comprehensive School Safety Guide (2011 Edition), under the Response section, provides universal procedures for severe weather shelter.]**

G. Media Procedures

The superintendent has the authority and discretion to notify parents or guardians and the school community in the event of a crisis or early school closure. The superintendent will designate a spokesperson who will notify the media in the event of a crisis or early school closure. The spokesperson shall receive training to ensure that the district is in strict compliance with federal and state law relative to the release of private data when conveying information to the media.

**[NOTE: The Comprehensive School Safety Guide (2011 Edition), under the Response section, has a sample Media Procedures form.]**

H. Behavioral Health Crisis Intervention Procedures

Short-term behavioral health crisis intervention procedures will set forth the procedure for initiating behavioral health crisis intervention plans. The procedures will utilize available resources including the school psychologist, counselor, community behavioral health crisis intervention, or others in the community. Counseling procedures will be used whenever the superintendent or the building administrator determines it to be necessary, such as after an assault, a hostage situation, shooting, or suicide. The behavioral health crisis intervention procedures shall include the following steps:

1. Administrator will meet with relevant persons, including school psychologists and counselors, to determine the level of intervention needed for students and staff.
2. Designate specific rooms as private counseling areas.
3. Escort siblings and close friends of any victims as well as others in need of

emotional support to the counseling areas.

4. Prohibit media from interviewing or questioning students or staff.
5. Provide follow-up services to students and staff who receive counseling.
6. Resume normal school routines as soon as possible.

I. Long-Term Recovery Intervention Procedures

Long-term recovery intervention procedures may involve both short-term and long-term recovery planning:

1. Physical/structural recovery.
2. Fiscal recovery.
3. Academic recovery.
4. Social/emotional recovery.

**[NOTE: The Comprehensive School Safety Guide (2011 Edition), under the Recovery section, addresses the recovery components in more detail.]**

**IV. ACTIVE SHOOTER DRILL**

A. Definitions

1. "Active shooter drill" means an emergency preparedness drill designed to teach students, teachers, school personnel, and staff how to respond in the event of an armed intruder on campus or an armed assailant in the immediate vicinity of the school. An active shooter drill is not an active shooter simulation, nor may an active shooter drill include any sensorial components, activities, or elements which mimic a real life shooting.
2. "Active shooter simulation" means an emergency exercise including full-scale or functional exercises, designed to teach adult school personnel and staff how to respond in the event of an armed intruder on campus or an armed assailant in the immediate vicinity of the school which also incorporates sensorial components, activities, or elements mimicking a real life shooting. Activities or elements mimicking a real life shooting include, but are not limited to, simulation of tactical response by law enforcement. An active shooter simulation is not an active shooter drill.
3. "Evidence-based" means a program or practice that demonstrates any of the following:
  - a. a statistically significant effect on relevant outcomes based on any of the following:
    - i. strong evidence from one or more well designed and well implemented experimental studies;
    - ii. moderate evidence from one or more well designed and well implemented quasi-experimental studies; or

- iii. promising evidence from one or more well designed and well implemented correlational studies with statistical controls for selection bias.
  - b. a rationale based on high-quality research findings or positive evaluations that the program or practice is likely to improve relevant outcomes, including the ongoing efforts to examine the effects of the program or practice.
4. "Full-scale exercise" means an operations-based exercise that is typically the most complex and resource-intensive of the exercise types and often involves multiple agencies, jurisdictions, organizations, and real-time movement of resources.
5. "Functional exercises" means an operations-based exercise designed to assess and evaluate capabilities and functions while in a realistic, real-time environment, however, movement of resources is usually simulated.

B. Criteria

An active shooter drill conducted according to Minnesota Statutes, section 121A.037 with students in early childhood through grade 12 must be:

1. accessible;
2. developmentally appropriate and age appropriate, including using appropriate safety language and vocabulary;
3. culturally aware;
4. trauma-informed; and
5. inclusive of accommodations for students with mobility restrictions, sensory needs, developmental or physical disabilities, mental health needs, and auditory or visual limitations.

C. Student Mental Health and Wellness

Active shooter drill protocols must include a reasonable amount of time immediately following the drill for teachers to debrief with their students. The opportunity to debrief must be provided to students before regular classroom activity may resume. During the debrief period, students must be allowed to access any mental health services available on campus, including counselors, school psychologists, social workers, or cultural liaisons. An active shooter drill must not be combined or conducted consecutively with any other type of emergency preparedness drill. An active shooter drill must be accompanied by an announcement prior to commencing. The announcement must use concise and age-appropriate language and, at a minimum, inform students there is no immediate danger to life and safety.

D. Notice

1. The school district must provide notice of a pending active shooter drill to every student's parent or legal guardian before an active shooter drill is conducted. Whenever practicable, notice must be provided at least 24 hours in advance of

a pending active shooter drill and inform the parent or legal guardian of the right to opt their student out of participating.

2. If a student is opted out of participating in an active shooter drill, no negative consequence must impact the student's general school attendance record nor may nonparticipation alone make a student ineligible to participate in or attend school activities.
3. The Commissioner must ensure the availability of alternative safety education for students who are opted out of participating or otherwise exempted from an active shooter drill. Alternative safety education must provide essential safety instruction through less sensorial safety training methods and must be appropriate for students with mobility restrictions, sensory needs, developmental or physical disabilities, mental health needs, and auditory or visual limitations.

E. Participation in Active Shooter Drills

Any student in early childhood through grade 12 must not be required to participate in an active shooter drill that does not meet the Criteria set forth above.

F. Active Shooter Simulations

A student must not be required to participate in an active shooter simulation. An active shooter simulation must not take place during regular school hours if a majority of students are present, or expected to be present, at the school. A parent or legal guardian of a student in grades 9 through 12 must have the opportunity to opt their student into participating in an active shooter simulation.

G. Violence Prevention

1. A school district or charter school conducting an active shooter drill must provide students in middle school and high school at least one hour, or one standard class period, of violence prevention training annually.
2. The violence prevention training must be evidence-based and may be delivered in-person, virtually, or digitally. Training must, at a minimum, teach students the following:
  - a. how to identify observable warning signs and signals of an individual who may be at risk of harming oneself or others;
  - b. the importance of taking threats seriously and seeking help; and
  - c. the steps to report dangerous, violent, threatening, harmful, or potentially harmful activity, including providing information about the Department of Public Safety's statewide anonymous threat reporting system and any local threat reporting systems.

**[NOTE: The Minnesota legislature enacted the addition to 2.c in 2025 (Session Law Chapter 35).]**

3. A school district or charter school must ensure that students have the opportunity to contribute to their school's safety and violence prevention planning, aligned with the recommendations for multihazard planning for

schools, including but not limited to:

- a. student opportunities for leadership related to prevention and safety;
- b. encouragement and support to students in establishing clubs and programs focused on safety; and
- c. providing students with the opportunity to seek help from adults and to learn about prevention connected to topics including bullying, sexual harassment, sexual assault, and suicide.

H. Board Meeting

At a regularly scheduled school board meeting, a school board of a district that has conducted an active shooter drill must consider the following:

1. the effect of active shooter drills on the safety of students and staff; and
2. the effect of active shooter drills on the mental health and wellness of students and staff.

**V. SAMPLE PROCEDURES INCLUDED IN THIS POLICY**

Sample procedures for the various hazards/emergencies listed below are attached to this Policy for use when drafting specific crisis management plans. Additional sample procedures may be found in the Response section of the *Comprehensive School Safety Guide* (2011 Edition). After approval by the school board, an adopted procedure will become an addendum to the Crisis Management Policy.

- A. Fire
- B. Hazardous Materials
- C. Severe Weather: Tornado/Severe Thunderstorm/Flooding
- D. Medical Emergency
- E. Fight/Disturbance
- F. Assault
- G. Intruder
- H. Weapons
- I. Shooting
- J. Hostage
- K. Bomb Threat
- L. Chemical or Biological Threat
- M. Checklist for Telephone Threats

- N. Demonstration
- O. Suicide
- P. Lock-down Procedures
- Q. Shelter-In-Place Procedures
- R. Evacuation/Relocation
- S. Media Procedures
- T. Post-Crisis Procedures
- U. School Emergency Response Team
- V. Emergency Phone Numbers
- W. Highly Contagious Serious Illness or Pandemic Flu

**VI. MISCELLANEOUS PROCEDURES**

A. Chemical Accidents

Procedures for reporting chemical accidents shall be posted at key locations such as chemistry labs, art rooms, swimming pool areas, and janitorial closets.

**[NOTE: School buildings must maintain Material Safety Data Sheets (M.S.D.S.) for all chemicals on campus. State law, federal law, and OSHA require that pertinent staff have access to M.S.D.S. in the event of a chemical accident.]**

B. Visitors

The school district shall implement procedures mandating visitor sign in and visitors in school buildings. See MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites).

The school district shall implement procedures to minimize outside entry into school buildings except at designated check-in points and assure that all doors are locked prior to and after regular building hours.

C. Student Victims of Criminal Offenses at or on School Property

The school district shall establish procedures allowing student victims of criminal offenses on school property the opportunity to transfer to another school within the school district.

**[NOTE: The Every Student Succeeds Act, 20 United States Code, section 6301, et seq.; Title IX, 20 United States Code, section 1681, et seq.; and the Unsafe School Choice Option, 20 United States Code, section 7912, require school districts to establish such transfer procedures.]**

D. Radiological Emergencies at Nuclear Generating Plants [OPTIONAL]

School districts within a 10-mile radius of the Monticello or Prairie Island nuclear power

plants will implement crisis plans in the event of an accident or incident at the power plant.

Questions relative to the creation or implementation of such plans will be directed to the Minnesota Department of Public Safety.

**Legal References:** Minn. Stat. Ch. 12 (Emergency Management)  
Minn. Stat. Ch. 12A (Natural Disaster; State Assistance)  
Minn. Stat. § 121A.035 (Crisis Management Policy)  
Minn. Stat. § 121A.038 (Students Safe at School)  
Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)  
Minn. Stat. § 299F.30 (Fire Drill in School; Doors and Exits)  
Minn. Stat. § 326B.02, Subd. 6 (Powers)  
Minn. Stat. § 326B.106 (General Powers of Commissioner of Labor and Industry)  
Minn. Stat. § 609.605, Subd. 4 (Trespasses)  
Minn. Rules Ch. 7511 (Fire Code)  
20 U.S.C. § 1681, *et seq.* (Title IX)  
20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)  
20 U.S.C. § 7912 (Unsafe School Choice Option)  
42 U.S.C. § 5121 *et seq.* (Disaster Relief and Emergency Assistance)

**Cross References:** MSBA/MASA Model Policy 407 (Employee Right to Know – Exposure to Hazardous Substances)  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 501 (School Weapons Policy)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 532 (Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds)  
MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)  
*Comprehensive School Safety Guide*  
[Minnesota School Safety Center - Resources \(mn.gov\)](http://mn.gov)

**Additional Resources:** I Love U Guys Foundation, *Standard Response Protocol*  
<https://iloveuguy.org/The-Standard-Response-Protocol.html> (012325)  
Safe and Sound Schools  
<https://safeandsoundschools.org/> (012325)

## **506 STUDENT DISCIPLINE**

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

### **I. PURPOSE**

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

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

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

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

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

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

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

### **III. DEFINITIONS**

- A. "Nonexclusionary disciplinary policies and practices" means policies and practices that are alternatives to dismissing a pupil from school, including but not limited to evidence-

based positive behavior interventions and supports, social and emotional services, school-linked mental health services, counseling services, social work services, academic screening for Title 1 services or reading interventions, and alternative education services. Nonexclusionary disciplinary policies and practices include but are not limited to the policies and practices under [Minnesota Statutes](#), sections 120B.12; 121A.575, clauses (1) and (2); 121A.031, subdivision 4, paragraph (a), clause (1); 121A.61, subdivision 3, paragraph (r); and 122A.627, clause (3).

- B. "Pupil withdrawal agreement" means a verbal or written agreement between a school administrator or district administrator and a pupil's parent to withdraw a student from the school district to avoid expulsion or exclusion dismissal proceedings. The duration of the withdrawal agreement cannot be for more than a 12-month period.

#### **IV. POLICY**

- A. The school board must establish uniform criteria for dismissal and adopt written policies and rules to effectuate the purposes of the Minnesota Pupil Fair Dismissal Act. The policies must include nonexclusionary disciplinary policies and practices consistent with Minnesota Statutes, section 121A.41, subdivision 12, and must emphasize preventing dismissals through early detection of problems. The policies must be designed to address students' inappropriate behavior from recurring.
- B. The policies must recognize the continuing responsibility of the school for the education of the pupil during the dismissal period.
- C. The school is responsible for ensuring that alternative educational services, if the pupil wishes to take advantage of them, must be adequate to allow the pupil to make progress toward meeting the graduation standards adopted under Minnesota Statutes, section 120B.02 and help prepare the pupil for readmission in accordance with section Minnesota Statutes, section 121A.46, subdivision 5.
- D. For expulsion and exclusion dismissals and pupil withdrawal agreements as defined in Minnesota Statutes, section 121A.41, subdivision 13:
  - 1. for a pupil who remains enrolled in the school district or is awaiting enrollment in a new district, the school district's continuing responsibility includes reviewing the pupil's schoolwork and grades on a quarterly basis to ensure the pupil is on track for readmission with the pupil's peers. The school district must communicate on a regular basis with the pupil's parent or guardian to ensure that the pupil is completing the work assigned through the alternative educational services as defined in Minnesota Statutes, section 121A.41, subdivision 11. These services are required until the pupil enrolls in another school or returns to the same school;
  - 2. a pupil receiving school-based or school-linked mental health services in the school district under Minnesota Statutes, section 245.4889 continues to be eligible for those services until the pupil is enrolled in a new district; and
  - 3. the school district must provide to the pupil's parent or guardian information on accessing mental health services, including any free or sliding fee providers in the community. The information must also be posted on the school district website.

#### **V. AREAS OF RESPONSIBILITY**

- A. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.
- B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students, and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.
- C. Principal. The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of Behavior referrals and shall make use of those agencies appropriate for assisting students and parents. A principal, in exercising the person's lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student to prevent bodily harm or death to the student or another. A principal shall not use prone restraint and shall not inflict any form of physical holding that restricts or impairs a student's ability to breathe; restricts or impairs a student's ability to communicate distress; places pressure or weight on a student's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a student's torso.
- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. A teacher, in exercising the person's lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student to prevent bodily harm or death to the student or another. A teacher shall not use prone restraint and shall not inflict any form of physical holding that restricts or impairs a student's ability to breathe; restricts or impairs a student's ability to communicate distress; places pressure or weight on a student's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a student's torso.
- E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising the person's lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student to prevent bodily harm or death to the student or another. A school employee, which does not include a school resource officer, shall not use prone restraint and shall not inflict any form of physical holding that restricts or impairs a student's ability to breathe; restricts or impairs a student's ability to communicate distress; places pressure or weight on a student's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a student's torso.

[For the purpose of Minnesota Statutes, section 121A.582 \(Student Discipline; Reasonable Force\), a school resource officer, as defined in Minnesota Statutes, section](#)

[626.8482, subdivision 1, paragraph \(c\) is not a school employee or agent of the district.](#)

- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the behavior of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.
- I. Reasonable Force Reports
  - 1. The school district must report data on its use of any reasonable force used on a student with a disability to correct or restrain the student to prevent bodily harm or death to the student or another that is consistent with the definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c), as outlined in section 125A.0942, subdivision 3, paragraph (b).
  - 2. Beginning with the 2024-2025 school year, the school district must report annually by July 15, in a form and manner determined by the MDE Commissioner, data from the prior school year about any reasonable force used on a general education student to correct or restrain the student to prevent bodily harm or death to the student or another that is consistent with the definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c).
  - 3. Any reasonable force used under Minnesota Statutes, sections 121A.582; 609.06, subdivision 1; and 609.379 which intends to hold a child immobile or limit a child's movement where body contact is the only source of physical restraint or confines a child alone in a room from which egress is barred shall be reported to the Minnesota Department of Education as a restrictive procedure, including physical holding or seclusion used by an unauthorized or untrained staff person.

## **VI. STUDENT RIGHTS**

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

## **VII. STUDENT RESPONSIBILITIES**

All students have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other school functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;

- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;
- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

#### **VIII. CODE OF STUDENT CONDUCT**

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.
  - 1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
  - 2. The use of profanity or obscene language, or the possession of obscene materials;

3. Gambling, including, but not limited to, playing a game of chance for stakes;
4. Violation of the school district's Hazing Prohibition Policy;
5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
6. Violation of the school district's Student Attendance Policy;
7. Opposition to authority using physical force or violence;
8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices Policy;
9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district's Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
19. Violation of any local, state, or federal law as appropriate;

20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Use of a cell phone in violation of the school district's Internet Acceptable Use and Safety Policy;
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district's Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy;

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

**IX. RECESS AND OTHER BREAKS**

- A. "Recess detention" means excluding or excessively delaying a student from participating in a scheduled recess period as a consequence for student behavior. Recess detention does not include, among other things, providing alternative recess at the student's choice.
- B. The school district is encouraged to ensure student access to structured breaks from the demands of school and to support teachers, principals, and other school staff in their efforts to use evidence-based approaches to reduce exclusionary forms of discipline.
- C. The school district must not use recess detention unless:
  1. a student causes or is likely to cause serious physical harm to other students or staff;

- 2. the student's parent or guardian specifically consents to the use of recess detention; or
  - 3. for students receiving special education services, the student's individualized education program team has determined that withholding recess is appropriate based on the individualized needs of the student.
- D. The school district must not withhold recess from a student based on incomplete schoolwork.
  - E. The school district must require school staff to make a reasonable attempt to notify a parent or guardian within 24 hours of using recess detention.
  - F. The school district must compile information on each recess detention at the end of each school year, including the student's age, grade, gender, race or ethnicity, and special education status. This information must be available to the public upon request. The school district is encouraged to use the data in professional development promoting the use of nonexclusionary discipline.
  - G. The school district must not withhold or excessively delay a student's participation in scheduled mealtimes. This section does not alter a district or school's existing responsibilities under Minnesota Statutes, section 124D.111 or other state or federal law.

**X. DISCIPLINARY ACTION OPTIONS**

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

- A. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
- B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
- C. Parent contact;
- D. Parent conference;
- E. Removal from class;
- F. In-school suspension;

- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;
- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the school district.

**XI. REMOVAL OF STUDENTS FROM CLASS**

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

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

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

4. Other conduct, which in the discretion of the teacher or administration, requires removal of the student from class.

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

A student must be removed from class immediately if the student engages in assault or violent behavior. "Assault" is an act done with intent to cause fear in another of immediate bodily harm or death; or the intentional infliction of, or attempt to inflict, bodily harm upon another.

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

**[Note: The following Sections C. - J. must be developed and inserted by each school district based upon individual district practices, procedures, and preferences. School districts may consider developing and inserting procedures identified in Sections K-N.]**

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

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

**D. Period of Time for which a Student may be Removed from a Class (may not exceed five (5) class periods for a violation of a rule of conduct)**

1. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

**E. Responsibility for and Custody of a Student Removed from Class.**

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

**F. Procedures for Return of a Student to a Specific Class from Which the Student was Removed.**

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

**G. Procedures for Notifying a Student and the Student's Parents or Guardian of Violation of the Rules of Conduct and of Resulting Disciplinary Actions;**

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

**H. Students with a Disability; Special Provisions.**

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

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

1. *Establishment of a chemical abuse preassessment team pursuant to Minnesota Statutes, section 121A.26;*
2. *Establishment of teacher reporting procedures to the chemical abuse preassessment team pursuant to Minnesota Statutes, section 121A.29.*

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

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

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

**M. Any Procedures Determined Appropriate for Referring a Student in Need of Special Education Services to Those Services;**

**N. Any Procedures Determined Appropriate for Ensuring Victims of Bullying who Respond with Behavior not Allowed under the School's Behavior Policies have Access to a Remedial Response, Consistent with Minnesota Statutes, section 121A.031; and**

~~**O. Unscheduled Student Removal From Class**~~

~~A public school is encouraged to adopt a school policy on parental notification for unscheduled student removal from class. The public school must consult with child abuse prevention experts to incorporate best practices into the school policy. A public school with a policy on parental notification must include the policy in the employee handbook and disseminate information to school staff regarding child abuse prevention in a school setting.~~

~~**[NOTE: The 2024 Minnesota legislature enacted this provision, which does not**~~

~~require a school board to adopt policy language. School districts may determine whether to adopt policy language.]~~

## **XII. DISMISSAL**

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

The school district shall not deny due process or equal protection of the law to any student involved in a dismissal proceeding which may result in suspension, exclusion or expulsion.

The school district shall not dismiss any student without attempting to use nonexclusionary disciplinary policies and procedures before dismissal proceedings or pupil withdrawal agreements, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

The use of exclusionary practices for early learners as defined in Minnesota Statutes, section 121A.425, is prohibited. The use of exclusionary practices to address attendance and truancy issues is prohibited.

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

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

- C. Disciplinary Dismissals Prohibited

1. A pupil enrolled in the following is not subject to dismissals under the Pupil Fair Dismissal Act:
  - a. a preschool or prekindergarten program, including an early childhood family education, school readiness, ~~school readiness plus~~, voluntary prekindergarten, Head Start, or other school-based preschool or prekindergarten program; or
  - b. kindergarten through Grade 3.
2. This section does not apply to a dismissal from school for less than one school day, except as provided under Minnesota Statutes, chapter 125A and federal law for a student receiving special education services.
3. Notwithstanding this section, expulsions and exclusions may be used only after

resources outlined under nNonexclusionary discipline have been exhausted, and only in circumstances where there is an ongoing serious safety threat to the child or others.

D. Suspension Procedures

1. "Suspension" means an action by the school administration, under rules promulgated by the sSchool bBoard, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.
2. School administration must allow a suspended pupil the opportunity to complete all school work assigned during the period of the pupil's suspension and to receive full credit for satisfactorily completing the assignments. The school principal or other person having administrative control of the school building or program is encouraged to designate a district or school employee as a liaison to work with the pupil's teachers to allow the suspended pupil to (1) receive timely course materials and other information, and (2) complete daily and weekly assignments and receive teachers' feedback.
3. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the student's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
4. The definition of suspension under Minnesota Statutes, section 121A.41, subdivision 10, does not apply to a student's dismissal from school for less than one day, except as provided under federal law for a student with a disability. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.
5. A child with a disability may be suspended. When a child with a disability has

been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6<sup>th</sup>) consecutive day of suspension or the tenth (10<sup>th</sup>) cumulative day of suspension has elapsed.

6. Alternative education services must be provided to a pupil who is suspended for more than five (5) consecutive school days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minnesota Statutes, section 123A.05 selected to allow the student to progress toward meeting graduation standards under Minnesota Statutes, section 120B.02, although in a different setting.
7. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
8. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
  - a. strongly encourage a parent or guardian of the student to attend school with the student for one day;
  - b. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
  - c. petition the juvenile court that the student is in need of services under Minnesota Statutes, chapter 260C.
9. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference. (See attached sample Notice of Suspension.)
10. The school administration shall make reasonable efforts to notify the student's

parent or guardian of the suspension by telephone as soon as possible following suspension.

11. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
12. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) consecutive school days.

E. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56; describe the nonexclusionary disciplinary practices accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district must advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE) and is posted on its website.
6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.

8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.
10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.
14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation provided that neither party presents any evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the Commissioner of the Minnesota Department of Education (Commissioner) of the basis and reason for the decision.

18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minnesota Statutes, section 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.
19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

#### **XIII. ADMISSION OR READMISSION PLAN**

A school administrator must prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan must include measures to improve the student's behavior, which may include completing a character education program consistent with Minnesota Statutes, section 120B.232, subdivision 1, social and emotional learning, counseling, social work services, mental health services, referrals for special education or 504 evaluation, and evidence-based academic interventions. The plan must include reasonable attempts to obtain parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

#### **XIV. NOTIFICATION OF POLICY VIOLATIONS**

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

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

#### **XV. STUDENT DISCIPLINE RECORDS**

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

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

#### **XVI. STUDENTS WITH DISABILITIES**

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

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

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

#### **XVII. OPEN ENROLLED STUDENTS**

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

#### **XVIII. DISCIPLINE COMPLAINT PROCEDURE**

Students, parents and other guardians, and school staff may file a complaint and seek corrective action when the requirements of the Minnesota Pupil Fair Dismissal Act, including the implementation of the local behavior and discipline policies, are not being implemented appropriately or are being discriminately applied.

The Discipline Complaint Procedure must, at a minimum:

1. provide procedures for communicating this policy including the ability for a parent to appeal a decision under Minnesota Statutes, section 121A.49 that contains explicit instructions for filing the complaint;

2. provide an opportunity for involved parties to submit additional information related to the complaint;
3. provide a procedure to begin to investigate complaints within three school days of receipt, and identify personnel who will manage the investigation and any resulting record and are responsible for keeping and regulating access to any record;
4. provide procedures for issuing a written determination to the complainant that addresses each allegation and contains findings and conclusions;
5. if the investigation finds the requirements of Minnesota Statutes, sections 121A.40 to 121A.61, including any local policies that were not implemented appropriately, contain procedures that require a corrective action plan to correct a student's record and provide relevant staff with training, coaching, or other accountability practices to ensure appropriate compliance with policies in the future; and
6. prohibit reprisals or retaliation against any person who asserts, alleges, or reports a complaint, and provide procedures for applying appropriate consequences for a person who engages in reprisal or retaliation.

**XIX. DISTRIBUTION OF POLICY**

The school district will notify students and parents of the existence and contents of this policy in such manner as it deems appropriate. Copies of this discipline policy shall be made available to all students and parents at the commencement of each school year and to all new students and parents upon enrollment. This policy shall also be available upon request in each principal's office.

**XX. REVIEW OF POLICY**

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

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota Students)  
Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 121A.26 (School Preassessment Teams)  
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)  
Minn. Stat. § 121A.58 (Corporal Punishment; Prone Restraint; And Certain Physical Holds)  
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)  
Minn. Stat. §§ 121A.60 (Definitions)  
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)  
Minn. Stat. § 121A.611 (Recess and Other Breaks)  
Minn. Stat. § 122A.42 (General Control of Schools)  
Minn. Stat. § 123A.05 (State-Approved Alternative Program Organization)  
Minn. Stat. § 124D.03 (Enrollment Options Program)  
Minn. Stat. § 124D.08 (School Boards' Approval to Enroll in Nonresident District; Exceptions)

Minn. Stat. Ch. 125A (Special Education and Special Programs)  
Minn. Stat. § 152.22, Subd. 6 (Definitions)  
Minn. Stat. § 152.23 (Limitations)  
Minn. Stat. Ch. 260A (Truancy)  
Minn. Stat. Ch. 260C (Juvenile Safety and Placement)  
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Act)  
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)  
34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

**Cross References:**

MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 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 501 (School Weapons)  
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)  
MSBA/MASA Model Policy 503 (Student Attendance)  
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)  
MSBA/MASA Model Policy 507.5 (School Resource Officers)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)  
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
MSBA/MASA Model Policy 526 (Hazing Prohibition)  
MSBA/MASA Model Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)  
MSBA/MASA Model Policy 610 (Field Trips)  
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)  
MSBA/MASA Model Policy 711 (Video Recording on School Buses)  
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

Orig. 1995  
Adopted: 11/05/20  
Revised: 8/22, 6/25  
Approved:

**522 TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**

**I. GENERAL STATEMENT OF POLICY**

- A. The school district does not discriminate on the basis of sex in its education programs or activities, and it is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The school district is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.
- B. The school district prohibits sexual harassment that occurs within its education programs and activities. When the school district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.
- C. This policy applies to sexual harassment that occurs within the school district's education programs and activities and that is committed by a school district employee, student, or other members of the school community. This policy does not apply to sexual harassment that occurs off school grounds, in a private setting, and outside the scope of the school district's education programs and activities. This policy does not apply to sexual harassment that occurs outside the geographic boundaries of the United States, even if the sexual harassment occurs in the school district's education programs or activities.
- D. Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy and grievance process should discuss them with the Title IX Coordinator. The school district's Title IX Coordinator(s) is/are:

**Activities Director or Designee  
316 Main Street East, Remer, MN 56672  
Phone: 218-566-2351 Email: ncs@isd118.org**

Questions relating solely to Title IX and its regulations may be referred to the Title IX Coordinator(s), the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

- E. The effective date of this policy is August 14, 2020, and applies to alleged violations of this policy occurring on or after August 14, 2020.

**II. DEFINITIONS**

- A. "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to the school district's Title IX Coordinator or to any employee of the school district. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the

only official of the school district with actual knowledge is the respondent.

- B. "Complainant" means a person who is alleged to be the victim of conduct that could constitute sexual harassment under Title IX. A Title IX Coordinator who signs a formal complaint is not a complainant unless the Title IX Coordinator is alleged to be the victim of the conduct described in the formal complaint.
- C. "Day" or "days" means, unless expressly stated otherwise, business days (i.e. day(s) that the school district office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).
- D. "Deliberately indifferent" means clearly unreasonable in light of the known circumstances. The school district is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.
- E. "Education program or activity" means locations, events, or circumstances for which the school district exercises substantial control over both the respondent and the context in which the sexual harassment occurs and includes school district education programs or activities that occur on or off of school district property.
- F. "Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school district investigate the allegation of sexual harassment.
  - 1. A formal complaint filed by a complainant must be a physical document or an electronic submission. The formal complaint must contain the complainant's physical or digital signature or otherwise indicate that the complainant is the person filing the formal complaint, and must be submitted to the Title IX Coordinator in person, by mail, or by email.
  - 2. A formal complaint shall state that, at the time of filing the formal complaint, the complainant was participating in, or attempting to participate in, an education program or activity of the school district with which the formal complaint is filed.
- G. "Informal resolution" means options for resolving a formal complaint that do not involve a full investigation and adjudication. Informal resolution may encompass a broad range of conflict resolution strategies, including mediation or restorative justice.
- H. "Relevant questions" and "relevant evidence" are questions, documents, statements, or information that are related to the allegations raised in a formal complaint. Relevant evidence includes evidence that is both inculpatory and exculpatory. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
- I. "Remedies" means actions designed to restore or preserve the complainant's equal access to education after a respondent is found responsible. Remedies may include the same individualized services that constitute supportive measures, but need not be non-punitive or non-disciplinary, nor must they avoid burdening the respondent.

- J. "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment under Title IX.
- K. "Sexual harassment" means any of three types of misconduct on the basis of sex that occurs in a school district education program or activity and is committed against a person in the United States:
1. *Quid pro quo* harassment by a school district employee (conditioning the provision of an aid, benefit, or service of the school district on an individual's participation in unwelcome sexual conduct);
  2. Unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; or
  3. Any instance of sexual assault (as defined in the Clery Act, 20 United States Code, section 1092(f)(6)A(v)), dating violence, domestic violence, or stalking (as defined in the Violence Against Women Act, 34 United States Code, section 12291).
- L. "Supportive measures" means individualized services provided to the complainant or respondent without fee or charge that are reasonably available, non-punitive, non-disciplinary, not unreasonably burdensome to the other party, and designed to ensure equal educational access, protect safety, and deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, alternative educational services as defined under Minnesota Statutes, section 121A.41, as amended, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the school district buildings or property, and other similar measures.
- M. "Title IX Personnel" means any person who addresses, works on, or assists with the school district's response to a report of sexual harassment or formal complaint, and includes persons who facilitate informal resolutions. The following are considered Title IX Personnel:
1. "Title IX Coordinator" means an employee of the school district that coordinates the school district's efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator is responsible for acting as the primary contact for the parties and ensuring that the parties are provided with all notices, evidence, reports, and written determinations to which they are entitled under this policy and grievance process. The Title IX Coordinator is also responsible for effective implementation of any supportive measures or remedies. The Title IX Coordinator must be free from conflicts of interest and bias when administering the grievance process.
  2. "Investigator" means a person who investigates a formal complaint. The investigator of a formal complaint may not be the same person as the Decision-maker or the Appellate Decision-maker. The Investigator may be a school district employee, school district official, or a third party designated by the school district.
  3. "Decision-maker" means a person who makes a determination regarding responsibility after the investigation has concluded. The Decision-maker cannot be the same person as the Title IX Coordinator, the Investigator, or the

Appellate Decision-maker.

4. "Appellate Decision-maker" means a person who considers and decides appeals of determinations regarding responsibility and dismissals of formal complaints. The Appellate Decision-maker cannot be the same person as the Title IX Coordinator, Investigator, or Decision-maker. The Appellate Decision-maker may be a school district employee, or a third party designated by the school district.
5. The superintendent of the school district may delegate functions assigned to a specific school district employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes, to any suitably qualified individual and such delegation may be rescinded by the superintendent at any time. The school district may also, in its discretion, appoint suitably qualified persons who are not school district employees to fulfill any function under this policy, including, but not limited to, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes.

### **III. BASIC REQUIREMENTS FOR GRIEVANCE PROCESS**

#### **A. Equitable Treatment**

1. The school district shall treat complainants and respondents equitably. However, equality or parity with respect to supportive measures provided to complainants and respondents is not required.
2. The school district will not impose any disciplinary sanctions or take any other actions against a respondent that do not constitute supportive measures until it has completed this grievance process and the respondent has been found responsible.
3. The school district will provide appropriate remedies for the complainant any time a respondent is found responsible.

#### **B. Objective and Unbiased Evaluation of Complaints**

1. Title IX Personnel, including the Title IX Coordinator, Investigator, Decision-maker, and Appellate Decision-maker, shall be free from conflicts of interest or bias for or against complainants or respondents generally or a specific complainant or respondent.
2. Throughout the grievance process, Title IX Personnel will objectively evaluate all relevant evidence, inculpatory and exculpatory, and shall avoid credibility determinations based solely on a person's status as a complainant, respondent, or witness.

C. Title IX Personnel will presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

#### **D. Confidentiality**

The school district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), 20 United States Code, section 1232g, FERPA regulations, 34 Code of Federal Regulations, part 99, Minnesota law under Minnesota Statutes section 13.32, or as required by law, or to carry out the purposes of 34 Code of Federal Regulations, part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the school district's obligation to maintain confidentiality shall not impair or otherwise affect the complainants and respondents receipt of the information to which they are entitled with respect to the investigative record and determination of responsibility).

E. Right to an Advisor; Right to a Support Person

Complainants and respondents have the right, at their own expense, to be assisted by an advisor of their choice during all stages of any grievance proceeding, including all meetings and investigative interviews. The advisor may be, but is not required to be, an attorney. In general, an advisor is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.

A complainant or respondent with a disability may be assisted by a support person throughout the grievance process, including all meetings and investigative interviews, if such accommodation is necessary. A support person may be a friend, family member, or any individual who is not otherwise a potential witness. The support person is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.

F. Notice

The school district will send written notice of any investigative interviews or meetings to any party whose participation is invited or expected. The written notice will include the date, time, location, participants, and purpose of the meeting or interview, and will be provided to allow sufficient time for the party to prepare to participate.

G. Consolidation

The school district may, in its discretion, consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

H. Evidence

1. During the grievance process, the school district will not require, allow, rely upon, or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
2. The school district shall not access, consider, disclose, or otherwise use a party's

medical, psychological, and similar treatment records unless the school district obtains the party's voluntary, written consent.

I. Burden of Proof

1. The burden of gathering evidence and the burden of proof shall remain upon the school district and not upon the parties.
2. The grievance process shall use a preponderance of the evidence standard (i.e. whether it is more likely than not that the respondent engaged in sexual harassment) for all formal complaints of sexual harassment, including when school district employees are respondents.

J. Timelines

1. Any informal resolution process must be completed within thirty (30) calendar days following the parties' agreement to participate in such informal process.
2. An appeal of a determination of responsibility or of a decision dismissing a formal complaint must be received by the school district within five (5) days of the date the determination of responsibility or dismissal was provided to the parties.
3. Any appeal of a determination of responsibility or of a dismissal will be decided within thirty (30) calendar days of the day the appeal was received by the school district.
4. The school district will seek to conclude the grievance process, including any appeal, within 120 calendar days of the date the formal complaint was received by the school district.
5. Although the school district strives to adhere to the timelines described above, in each case, the school district may extend the time frames for good cause. Good cause may include, without limitation: the complexity of the allegations; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other evidence (e.g., forensic evidence) involved; the availability of the parties, advisors, witnesses, and evidence (e.g., forensic evidence); concurrent law enforcement activity; intervening school district holidays, breaks, or other closures; the need for language assistance or accommodation of disabilities; and/or other unforeseen circumstances.

K. Potential Remedies and Disciplinary Sanctions

1. The following is the range of possible remedies that the school district may provide a complainant and disciplinary sanctions that the school district might impose upon a respondent, following determination of responsibility: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual or unilateral restrictions on contact between the parties, changes in work locations, leaves of absence, monitoring of certain areas of the school district buildings or property, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge.
2. If the Decision-maker determines a student-respondent is responsible for violating this policy, the Decision-maker will recommend appropriate remedies,

including disciplinary sanctions/consequences. The Title IX Coordinator will notify the superintendent of the recommended remedies, such that an authorized administrator can consider the recommendation(s) and implement appropriate remedies in compliance with MSBA Model Policy 506 – Student Discipline. The discipline of a student-respondent must comply with the applicable provisions of Minnesota Pupil Fair Dismissal Act, the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.

#### **IV. REPORTING PROHIBITED CONDUCT**

- A. Any student who believes they have been the victim of unlawful sex discrimination or sexual harassment, or any person (including the parent of a student) with actual knowledge of conduct which may constitute unlawful sex discrimination or sexual harassment toward a student should report the alleged acts as soon as possible to the Title IX Coordinator.
- B. Any employee of the school district who has experienced, has actual knowledge of, or has witnessed unlawful sex discrimination, including sexual harassment, or who otherwise becomes aware of unlawful sex discrimination, including sexual harassment, must promptly report the allegations to the Title IX Coordinator without screening or investigating the report or allegations.
- C. A report of unlawful sex discrimination or sexual harassment may be made at any time, including during non-business hours, and may be made in person, by mail, by telephone, or by e-mail using the Title IX Coordinator’s contact information. A report may also be made by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report.
- D. Sexual harassment may constitute both a violation of this policy and criminal law. To the extent the alleged conduct may constitute a crime, the School District may report the alleged conduct to law enforcement authorities. The school district encourages complainants to report criminal behavior to the police immediately.

#### **V. INITIAL RESPONSE AND ASSESSMENT BY THE TITLE IX COORDINATOR**

- A. When the Title IX Coordinator receives a report, the Title IX Coordinator shall promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant’s wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.
- B. The school district will offer supportive measures to the complainant whether or not the complainant decides to make a formal complaint. The school district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the school district’s ability to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.
- C. If the complainant does not wish to file a formal complaint, the allegations will not be investigated by the school district unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the complainant’s wishes is not clearly unreasonable in light of the known circumstances.

- D. Upon receipt of a formal complaint, the school district must provide written notice of the formal complaint to the known parties with sufficient time to prepare a response before any initial interview. This written notice must contain:
1. The allegations of sexual harassment, including sufficient details known at the time, the identities of the parties involved in the incident (if known), the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known;
  2. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
  3. A statement explaining that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
  4. A statement that the parties may inspect and review evidence gathered pursuant to this policy;
  5. A statement informing the parties of any code of conduct provision that prohibits knowingly making false statements or knowingly submitting false information; and
  6. A copy of this policy.

## **VI. STATUS OF RESPONDENT DURING PENDENCY OF FORMAL COMPLAINT**

### **A. Emergency Removal of a Student**

1. The school district may remove a student-respondent from an education program or activity of the school district on an emergency basis before a determination regarding responsibility is made if:
  - a. The school district undertakes an individualized safety and risk analysis;
  - b. The school district determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal of the student-respondent; and
  - c. The school district determines the student-respondent poses such a threat, it will so notify the student-respondent and the student-respondent will have an opportunity to challenge the decision immediately following the removal. In determining whether to impose emergency removal measures, the Title IX Coordinator shall consult related school district policies, including MSBA Model Policy 506 – Student Discipline. The school district must take into consideration applicable requirements of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973, prior to removing a special education student or Section 504 student on an emergency basis.

### **B. Employee Administrative Leave**

The school district may place a non-student employee on administrative leave during the pendency of the grievance process of a formal complaint. Such leave will typically be paid leave unless circumstances justify unpaid leave in compliance with legal requirements. The school district must take into consideration applicable requirements of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prior to removing an individual with a qualifying disability.

#### **VII. INFORMAL RESOLUTION OF A FORMAL COMPLAINT**

- A. At any time prior to reaching a determination of responsibility, informal resolution may be offered and facilitated by the school district at the school district's discretion, but only after a formal complaint has been received by the school district.
- B. The school district may not require as a condition of enrollment or continued enrollment, or of employment or continued employment, or enjoyment of any other right, waiver of the right to a formal investigation and adjudication of formal complaints of sexual harassment.
- C. The informal resolution process may not be used to resolve allegations that a school district employee sexually harassed a student.
- D. The school district will not facilitate an informal resolution process without both parties' agreement, and will obtain their voluntary, written consent. The school district will provide to the parties a written notice disclosing the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, the parties' right to withdraw from the informal resolution process, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
- E. At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

#### **VIII. DISMISSAL OF A FORMAL COMPLAINT**

- A. Under federal law, the school district must dismiss a Title IX complaint, or a portion thereof, if the conduct alleged in a formal complaint or a portion thereof:
  - 1. Would not meet the definition of sexual harassment, even if proven;
  - 2. Did not occur in the school district's education program or activity; or
  - 3. Did not occur against a person in the United States.
- B. The school district may, in its discretion, dismiss a formal complaint or allegations therein if:
  - 1. The complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations therein;
  - 2. The respondent is no longer enrolled or employed by the school district; or

3. Specific circumstances prevent the school district from gathering sufficient evidence to reach a determination.
- C. The school district shall provide written notice to both parties of a dismissal. The notice must include the reasons for the dismissal.
- D. Dismissal of a formal complaint or a portion thereof does not preclude the school district from addressing the underlying conduct in any manner that the school district deems appropriate.

**IX. INVESTIGATION OF A FORMAL COMPLAINT**

- A. If a formal complaint is received by the School District, the school district will assign or designate an Investigator to investigate the allegations set forth in the formal complaint.
- B. If during the course of the investigation the school district decides to investigate any allegations about the complainant or respondent that were not included in the written notice of a formal complaint provided to the parties, the school district must provide notice of the additional allegations to the known parties.
- C. When a party's participation is invited or expected in an investigative interview, the Investigator will coordinate with the Title IX Coordinator to provide written notice to the party of the date, time, location, participants, and purposes of the investigative interview with sufficient time for the party to prepare.
- D. During the investigation, the Investigator must provide the parties with an equal opportunity to present witnesses for interviews, including fact witnesses and expert witnesses, and other inculpatory and exculpatory evidence.
- E. Prior to the completion of the investigative report, the Investigator, through the Title IX Coordinator, will provide the parties and their advisors (if any) with an equal opportunity to inspect and review any evidence directly related to the allegations. The evidence shall be provided in electronic format or hard copy and shall include all relevant evidence, evidence upon which the school district does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or another source. The parties will have ten (10) days to submit a written response, which the Investigator will consider prior to completion of the investigative report.
- F. The Investigator will prepare a written investigative report that fairly summarizes the relevant evidence. The investigative report may include credibility determinations that are not based on a person's status as a complainant, respondent or witness. The school district will send the parties and their advisors (if any) a copy of the report in electronic format or hard copy, for their review and written response at least ten (10) days prior to a determination of responsibility.

**X. DETERMINATION REGARDING RESPONSIBILITY**

- A. After the school district has sent the investigative report to both parties and before the school district has reached a determination regarding responsibility, the Decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness.
- B. The Decision-maker must provide the relevant questions submitted by the parties to the

other parties or witnesses to whom the questions are offered, and then provide each party with the answers, and allow for additional, limited follow-up questions from each party.

- C. The Decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant.
- D. When the exchange of questions and answers has concluded, the Decision-maker must issue a written determination regarding responsibility that applies the preponderance of the evidence standard to the facts and circumstances of the formal complaint. The written determination of responsibility must include the following:
  - 1. Identification of the allegations potentially constituting sexual harassment;
  - 2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
  - 3. Findings of fact supporting the determination;
  - 4. Conclusions regarding the application of the school district's code of conduct to the facts;
  - 5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the school district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the school district to the complainant; and
  - 6. The school district's procedures and permissible bases for the complainant and respondent to appeal and the date by which an appeal must be made.
- E. In determining appropriate disciplinary sanctions, the Decision-maker should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incident occurred.
- F. The written determination of responsibility must be provided to the parties simultaneously.
- G. The Title IX Coordinator is responsible for the effective implementation of any remedies.
- H. The determination regarding responsibility becomes final either on the date that the school district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

## **XI. APPEALS**

- A. The school district shall offer the parties an opportunity to appeal a determination regarding responsibility or the school district's dismissal of a formal complaint or any allegations therein, on the following bases:

1. A procedural irregularity that affected the outcome of the matter (e.g., a material deviation from established procedures);
  2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
  3. The Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- B. If notice of an appeal is timely received by the school district, the school district will notify the parties in writing of the receipt of the appeal, assign or designate the Appellate Decision-maker, and give the parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.
- C. After reviewing the parties' written statements, the Appellate Decision-maker must issue a written decision describing the result of the appeal and the rationale for the result.
- D. The written decision describing the result of the appeal must be provided simultaneously to the parties.
- E. The decision of the Appellate Decision-maker is final. No further review beyond the appeal is permitted.

## **XII. RETALIATION PROHIBITED**

- A. Neither the school district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitutes retaliation. Retaliation against a person for making a report of sexual harassment, filing a formal complaint, or participating in an investigation, constitutes a violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.
- B. Any person may submit a report or formal complaint alleging retaliation in the manner described in this policy and it will be addressed in the same manner as other complaints of sexual harassment or sex discrimination.
- C. Charging an individual with violation of school district policies for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

## **XIII. TRAINING**

- A. The school district shall ensure that Title IX Personnel receive appropriate training. The training shall include instruction on:
  - 1. The Title IX definition of sexual harassment;
  - 2. The scope of the school district's education program or activity;
  - 3. How to conduct an investigation and grievance process, appeals, and informal resolution processes, as applicable;
  - 4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
  - 5. For Decision-makers, training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's prior sexual behavior are not relevant; and
  - 6. For Investigators, training on issues of relevance, including the creation of an investigative report that fairly summarizes relevant evidence.
- B. The training materials will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints.
- C. Materials used to train Title IX Personnel must be posted on the school district's website. If the school district does not have a website, it must make the training materials available for public inspection upon request.

#### **XIV. DISSEMINATION OF POLICY**

- A. This policy shall be made available to all students, parents/guardians of students, school district employee, and employee unions.
- B. The school district shall conspicuously post the name of the Title IX Coordinator, including office address, telephone number, and work e-mail address on its website and in each handbook that it makes available to parents, employees, students, unions, or applicants.
- C. The school district must provide applicants for admission and employment, students, parents or legal guardians of secondary school students, employees, and all unions holding collective bargaining agreements with the school district, with the following:
  - 1. The name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator;
  - 2. Notice that the school district does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX not to discriminate in such a manner;
  - 3. A statement that the requirement not to discriminate in the education program or activity extends to admission and employment, and that inquiries about the application of Title IX may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the United States Department of Education, or both; and

4. Notice of the school district's grievance procedures and grievance process contained in this policy, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the school district will respond.

## **XV. RECORDKEEPING**

- A. The school district must create, and maintain for a period of seven calendar years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the school district must document:
  1. The basis for the school district's conclusion that its response to the report or formal complaint was not deliberately indifferent;
  2. The measures the school district has taken that are designed to restore or preserve equal access to the school district's education program or activity; and
  3. If the school district does not provide a complainant with supportive measures, then it must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. Such a record must be maintained for a period of seven years.
  4. The documentation of certain bases or measures does not limit the recipient in the future from providing additional explanations or detailing additional measures taken.
- B. The school district must also maintain for a period of seven calendar years records of:
  1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the recipient's education program or activity;
  2. Any appeal and the result therefrom;
  3. Any informal resolution and the result therefrom; and
  4. All materials used to train Title IX Personnel.

**Legal References:** Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)  
Minn. Stat. §§ 121A.40 – 121A.575 (Minnesota Pupil Fair Dismissal Act)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments)  
34 C.F.R. Part 106 (Implementing Regulations of Title IX)  
20 U.S.C § 1400, *et seq.* (Individuals with Disabilities Education Act)  
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act)  
42 U.S.C. § 12101, *et seq.* (Americans with Disabilities Act)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act of 1974)  
20 U.S.C. § 1092 *et seq.* (Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act ("Clery Act"))

**Cross References:** MSBA/MASA Model Policy 102 (Equal Educational Opportunity)  
MSBA/MASA Model Policy 413 (Harassment and Violence)

MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status  
Nondiscrimination)

Org. 1997  
Revised: ~~08/23~~, 06/24  
Reviewed: 08/04/25  
Approved:

## 616 SCHOOL DISTRICT SYSTEM ACCOUNTABILITY

**[NOTE: Minnesota Statutes, section 120B.11 requires school districts to adopt a comprehensive long-term strategic plan that addresses the review of curriculum, instruction, student achievement, and assessment. Model Policies 601, 603, and 616 address these statutory requirements. In addition, Model Policies 613-615 and 617-620 provide procedures to further implement the requirements of Minnesota Statutes, section 120B.11.]**

### I. PURPOSE

The purpose of this policy is to focus public education strategies on a process that promotes higher academic achievement for all students and ensures broad-based community participation in decisions regarding implementation of the Minnesota K-12 Academic Standards and federal law.

### II. GENERAL STATEMENT OF POLICY

Implementation of the Minnesota K-12 Academic Standards and federal law requires accountability for the school district. The school district established a system to transition to the graduation requirements of the Minnesota K-12 Academic Standards. The school district also established a system to review and improve instruction, curriculum, and assessment which will include substantial input by students, parents or guardians, and local community members. The school district will be accountable to the public and the state through annual reporting.

### III. DEFINITIONS

A. “Comprehensive achievement and civic readiness” means striving to: meet school readiness goals; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school; and prepare students to be lifelong learners.

**[NOTE: The 2024 Minnesota legislature revised Minnesota Statutes, section 120B.11, including replacement of the term “” with “comprehensive achievement and civic readiness.”]**

B. “Credit” means a student’s successful completion of an academic year of study or a student’s mastery of the applicable subject matter, as determined by the school district.

### IV. ESTABLISHMENT OF GOALS; IMPLEMENTATION; EVALUATION AND REPORTING

A. School District Goals

1. The school board has established school district-wide goals that provide broad direction for the school district. Incorporated in these goals are the graduation and education standards contained in the Minnesota K-12 Academic Standards and federal law. The broad goals shall be reviewed annually and approved by the school board. The school board shall adopt annual goals based on the recommendations of the school district's Advisory Committee.
  2. The District Advisory Committee created under Policy 603 (Curriculum Development) is established by the school board to ensure active community participation in all phases of planning and improving the instruction and curriculum affecting state and district academic standards.
  3. The school district-wide improvement goals should address recommendations identified through the District Advisory Committee process. The school district's goal setting process will include consideration of individual site goals. School district goals may also be developed through an education effectiveness program, or through some other locally determined process.
- B. System for Reviewing All Instruction and Curriculum. Incorporated in the process will be analysis of the school district's progress toward implementation of the Minnesota Academic Standards. Instruction and curriculum shall be reviewed and evaluated by taking into account strategies and best practices, student outcomes, principal evaluations under Minnesota Statutes, section 123B.147, and teacher evaluations under Minnesota Statutes, section 122A.40 or 122A.41

	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030
Year 1	Science and Industrial Tech	Social Studies and Social Emotional Learning	Language Arts	Health and PE	Music and Art	Math	Science and Industrial Tech
Year 2	Math	Science and Industrial Tech	Social Studies and Social Emotional Learning	Language Arts	Health and PE	Music and Art	Math
Year 3	Music and Art	Math	Science and Industrial Tech	Social Studies and Social Emotional Learning	Language Arts	Health and PE	Music and Art
Year 4	Health and PE	Music and Art	Math	Science and Industrial Tech	Social Studies and Social Emotional Learning	Language Arts	Health and PE
Year 5	Language Arts	Health/PE	Music and Art	Math	Science and Industrial Tech	Social Studies and Social Emotional Learning	Language Arts
Year 6	Social Studies and Social Emotional Learning	Language Arts	Health/PE	Music and Art	Math	Science and Industrial Tech	Social Studies and Social Emotional Learning

**KEY:**

Year 1 – Preparation (meetings bi-weekly)

Year 2 - Implementation and fiscal purchasing year (meetings monthly)

Year 3 - Pacing check and assessment development (meetings quarterly)

Year 4-5 – Monitor Year 6 – Evaluate (meetings twice a year)

Year 1	Year 2	Year 3	Year 4-5	Year 6
<p><b>Conduct Research</b></p> <p>Examine and review state and national standards</p> <p>Research trends and shifts in emphasis among the standards</p> <p>Analyze results of data and current levels of achievement</p> <p><b>Guiding Change Framework</b></p> <p>Determine current reality</p> <p>Discuss parameters and unacceptable means related to curriculum and program development</p> <p>Determine desired results</p> <p><b>Determine Criteria</b></p> <p>Determine program goals and criteria for the selection of instructional resources</p> <p>Establish broad units of study</p> <p>Identify priority standards</p> <p><b>Resource and Material Evaluation</b></p> <p>Evaluate existing resources</p> <p>Identify potential new resources (if necessary) and vet through research and vendor presentations</p> <p><b>Curriculum Approval</b></p> <p>Advisory Committee</p> <p>Board of Education</p>	<p><b>Purchase (July 1)</b></p> <p><b>Curriculum Development</b></p> <p>Review priority standards and broad units of study</p> <p>Develop/Revise Learning Targets</p> <p>Identify key vocabulary</p> <p>Map units of study</p> <p>Develop pacing guides</p> <p>Update course descriptions and syllabi</p> <p><b>Professional Development</b></p> <p>Provide professional development for program implementation</p>	<p><b>Assessment Development</b></p> <p>Working from priority standards and learning targets, align instructional activities and assessments</p> <p>Review/refine pacing guides</p> <p>Develop formative assessment strategies (assessment for learning)</p> <p>Develop common summative assessments (assessment of learning) and align rubrics or learning scales</p> <p>Establish common grading criteria for processes and products that inform the report card</p> <p><b>Professional Development</b> (ongoing throughout cycle)</p> <p>Use PLC time to examine student work</p> <p>Analyze results of data and current levels of achievement</p> <p>Use PLC and curriculum development time to collaborate and make adjustments to curriculum, assessments, and instructional activities</p> <p>Share new learning and new instructional strategies</p>	<p><b>Monitor</b></p> <p>Gather feedback from teachers in the department</p> <p>Attend to vertical and horizontal alignment</p> <p>Provide professional development as needed.</p> <p>Update instructional units and assessments as needed.</p> <p>Consider additional supplemental and differentiated resources.</p> <p><b>Professional Development</b> (ongoing throughout cycle)</p> <p>Use PLC time to examine student work</p> <p>Analyze results of data and current levels of achievement</p> <p>Use PLC and curriculum development time to collaborate and make adjustments to curriculum, assessments, and instructional activities</p> <p>Consider opportunities for ongoing professional development through conference or workshop attendance</p> <p>Share new learning and new instructional strategies</p>	<p><b>Resource and Material Evaluation</b></p> <p>Evaluate existing resources</p> <p>Gather input from department teachers</p> <p><b>Professional Development</b> (ongoing throughout cycle)</p> <p>Use PLC time to examine student work</p> <p>Analyze results of data and current levels of achievement</p> <p>Use PLC and curriculum development time to collaborate and make adjustments to curriculum, assessments, and instructional activities</p> <p>Consider opportunities for ongoing professional development through conference or workshop attendance</p> <p>Share new learning and new instructional strategies</p>

C. Implementation of Graduation Requirements

1. The District Advisory Committee shall also advise the school board on implementation of the state and local graduation requirements, including K-12 curriculum, assessment, student learning opportunities, and other related issues. Recommendations of the District Advisory Committee shall be published annually to the community. The school board shall receive public input and comment and shall adopt or update this policy at least annually.

2. The school board shall annually review and determine if student achievement levels at each school site meet federal expectations. If the school board determines that student achievement levels at a school site do not meet federal expectations and the site has not made adequate yearly progress for two consecutive school years, the District Advisory Committee shall work with the school site to adopt a plan to raise student achievement levels to meet federal expectations. The District Advisory Committee may seek assistance from the Commissioner of the Minnesota Department of Education (MDE) (Commissioner) in developing a plan which must include parental involvement components.

3. The educational assessment system component utilized by the school board to measure individual students' educational progress must be based, to the extent annual tests are administered, on indicators of current achievement that show growth relative to an individual student's prior achievement. Indicators of achievement and prior achievement must be based on highly reliable statewide or districtwide assessments. The school board will utilize models developed by the Commissioner for measuring individual student progress. The school board must coordinate with MDE in evaluating school sites and continuous improvement plans, consistent with best practices.

D. Comprehensive Continuous Improvement of Student Achievement

1. Annually, the District Advisory Committee will meet to advise and assist the school district in the implementation of the school district system accountability and comprehensive continuous improvement process.

2. The District Advisory Committee, working in cooperation with other committees of the school district [*such as the Technology, Educational Effectiveness, Grade Level, Site Instruction, Curriculum and Assessment Committees, etc.*], will provide active community participation in:

- a. Reviewing the school district instructional and curriculum plan, with emphasis on implementing the Minnesota K-12 Academic Standards;
- b. Identifying annual instruction and curriculum improvement goals for recommendation to the school board;
- c. Making recommendations regarding the evaluation process that will be used to measure school district progress toward its goals; and,
- d. Advising the school board about development of the annual budget.

3. The District Advisory Committee shall meet the following criteria:
  - a. The District Advisory Committee shall ensure active community participation in all planning for instruction and curriculum affecting Graduation Standards.
  - b. The District Advisory Committee shall make recommendations to the school board on school district-wide standards, assessments, and program evaluation.
  - c. Building teams may be established as subcommittees to develop and implement an education effectiveness plan and to carry out methods to improve instruction, curriculum, and assessments as well as methods to use technology in meeting the school district improvement plan.
  - d. A local plan to evaluate student progress, using a local process, shall be used for developing a plan for assessment of student progress toward the Graduation Standards, as well as program evaluation data for use by the District Advisory Committee in the instruction and curriculum review process. This plan shall annually be approved by the school board.

4. Translation services should be provided to the extent appropriate and practicable.

5. The District Advisory Committee shall meet the following timeline each year:

Month: Organizational meeting of the Committee to review the authorizing legislation and the roles and responsibilities of the Committee as determined by the school board.

Month(s): Agree on the process to be used. Become familiar with the instruction and curriculum of the cycle content area.

Month(s): Review evaluation results and prepare recommendations.

Month: Present recommendations to the school board for its input and approval.

F. Reporting

1. Consistent with Minnesota Statutes, section 120B.36, subdivision. 1, the school board shall publish a report in the local newspaper with the largest circulation in the district, by mail, or by electronic means on the school district website. The school board shall hold an annual public meeting to review and revise, where appropriate, student achievement goals, local assessment outcomes, plans, strategies, and practices for improving curriculum and instruction and cultural competency and efforts to equitably distribute diverse, effective, experienced, and in-field teachers, and to review school district success in realizing the previously adopted student achievement goal and related benchmarks and the improvement plans leading to comprehensive achievement and civic readiness. The school board must transmit an electronic summary of its report to the Commissioner in the form and manner the Commissioner determines. The school district shall periodically survey affected constituencies in their native languages, where appropriate and practicable, about their connection to and level of satisfaction with school. The school district shall include the results of this evaluation in its published

reports and in its summary report to the Commissioner

2. The school performance report for a school site and a school district must include performance reporting information and calculate proficiency rates as required by the most recently reauthorized Elementary and Secondary Education Act.
3. The school district must annually report the district's class size ratios by each grade to the Commissioner of education in the form and manner specified by the Commissioner.
4. The school district must report whether programs funded with compensatory revenue are consistent with best practices demonstrated to improve student achievement.

***Legal References:*** Minn. Stat. § 120B.018 (Definitions)

Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota's Students)

Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement Goals; Striving for Comprehensive Achievement and Civic Readiness)

Minn. Stat. § 120B.35 (Student Academic Achievement and Growth)

Minn. Stat. § 120B.36 (School Accountability)

Minn. Stat. § 122A.40 (Employment; Contracts; Termination)

Minn. Stat. § 122A.41 (Teacher Tenure Act; Cities of the First Class; Definitions)

Minn. Stat. § 123B.04 (Site Decision Making; Individualized Learning Agreement; Other Agreements)

Minn. Stat. § 123B.147 (Principals)

Minn. Stat. § 126C.12 (Learning and Development Revenue Amount and Use)

Minn. Rules Parts 3501.066040-3501.0655 (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 3501.0900-3501.096055 (Academic Standards in Science)

Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)

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

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

***Cross References:*** MSBA/MASA Model Policy 104 (School District Mission Statement)

MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)

MSBA/MASA Model Policy 613 (Graduation Requirements)

MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)

MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)

MSBA/MASA Model Policy 617 (School District Ensurance of Preparatory and High School Standards)

MSBA/MASA Model Policy 618 (Assessment of Student Achievement)

MSBA/MASA Model Policy 619 (Staff Development for Standards)

MSBA/MASA Model Policy 620 (Credit for Learning)

## **621 LITERACY AND THE READ ACT**

**[NOTE: By the 2026-2027 school year, the school district must provide evidence-based reading instruction through a focus on student mastery of the foundational reading skills of phonemic awareness, phonics, and fluency, as well as the development of oral language, vocabulary, and reading comprehension skills. Students must receive evidence-based instruction that is proven to effectively teach children to read, consistent with Minnesota Statutes, sections 120B.118 to 120B.124.]**

**[NOTE: The 2024 Minnesota legislature renumbered the Read Act statutes to 120B.118 and 120B.119.]**

### **I. PURPOSE**

This policy aligns with Minnesota law established in the Read Act and on other topics related to reading.

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

The school district recognizes the centrality of reading in a student's educational experience.

### **III. DEFINITIONS**

- A. "Evidence-based" means the instruction or item described is based on reliable, trustworthy, and valid evidence and has demonstrated a record of success in increasing students' reading competency in the areas of phonological and phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension. Evidence-based literacy instruction is explicit, systematic, and includes phonological and phonemic awareness, phonics and decoding, spelling, fluency, vocabulary, oral language, and comprehension that can be differentiated to meet the needs of individual students. Evidence-based instruction does not include the three-cueing system, as defined in subdivision 16.
- B. "Fluency" means the ability of students to read text accurately, automatically, and with proper expression.
- C. "Foundational reading skills" includes phonological and phonemic awareness, phonics and decoding, and fluency. Foundational reading skills appropriate to each grade level must be mastered in kindergarten, grade 1, grade 2, and grade 3. Struggling readers in grades 4 and above who do not demonstrate mastery of grade-level foundational reading skills must continue to receive explicit, systematic instruction to reach mastery.
- D. "Literacy specialist" means a person licensed by the Professional Educator Licensing and Standards Board as a teacher of reading, a special education teacher, or a kindergarten through grade 6 teacher, who has completed professional development approved by the Minnesota Department of Education (MDE) in structured literacy. A literacy specialist employed by the department under Minnesota Statutes, section 120B.123, subdivision 7, or by a district as a literacy lead, is not required to complete the approved training before August 30, 2025.

- E. "Literacy lead" means a literacy specialist with expertise in working with educators as adult learners. A district literacy lead must support the district's implementation of the Read Act; provide support to school-based coaches; support the implementation of structured literacy, interventions, curriculum delivery, and teacher training; assist with the development of personal learning plans; and train paraprofessionals and other support staff to support classroom literacy instruction. A literacy lead may be employed by one district, jointly by two or more districts, or may provide services to districts through a partnership with the regional service cooperatives or another district.
- F. "Multitiered system of support" or "MTSS" means a systemic, continuous improvement framework for ensuring positive social, emotional, behavioral, developmental, and academic outcomes for every student. The MTSS framework provides access to layered tiers of culturally and linguistically responsive, evidence-based practices and relies on the understanding and belief that every student can learn and thrive. Through an MTSS at the core (Tier 1), supplemental (Tier 2), and intensive (Tier 3) levels, educators provide high quality, evidence-based instruction and intervention that is matched to a student's needs; progress is monitored to inform instruction and set goals and data is used for educational decision making.
- G. "Oral language," also called "~~spoken-expressive language,~~ or "receptive language,"" includes speaking and listening, and consists of five components: phonology, morphology, syntax, semantics, and pragmatics.
- H. "Phonemic awareness" means the ability to notice, think about, and manipulate individual sounds in spoken syllables and words.
- I. "Phonics instruction" means the explicit, systematic, and direct instruction of the relationships between letters and the sounds they represent and the application of this knowledge in reading and spelling.
- J. "Progress monitoring" means using data collected to inform whether interventions are working. Progress monitoring involves ongoing monitoring of progress that quantifies rates of improvement and informs instructional practice and the development of individualized programs using state-approved screening that is reliable and valid for the intended purpose.
- K. "Reading comprehension" means a function of word recognition skills and language comprehension skills. It is an active process that requires intentional thinking during which meaning is constructed through interactions between the text and reader. Comprehension skills are taught explicitly by demonstrating, explaining, modeling, and implementing specific cognitive strategies to help beginning readers derive meaning through intentional, problem-solving thinking processes.
- L. "Structured literacy" means an approach to reading instruction in which teachers carefully structure important literacy skills, concepts, and the sequence of instruction to facilitate children's literacy learning and progress. Structured literacy is characterized by the provision of systematic, explicit, sequential, and diagnostic instruction in phonemic awareness, phonics, fluency, vocabulary and oral language development, and reading comprehension. This approach is consistent with the principles identified in the science of reading and is designed to ensure all students develop strong foundational literacy skills.
- M. "Three-cueing system," also known as "meaning structure visual (MSV)," means a

method that teaches students to use meaning, structure and syntax, and visual cues when attempting to read an unknown word.

- N. "Vocabulary development" means the process of acquiring new words. A robust vocabulary improves all areas of communication, including listening, speaking, reading, and writing. Vocabulary growth is directly related to school achievement and is a strong predictor for reading success.

#### **IV. READING SCREENER; PARENT NOTIFICATION AND INVOLVEMENT**

- A. The school district must administer an approved ~~evidence-based~~ reading screener to students in kindergarten through grade 3 within the first six weeks of the school year, by February 15 each year, and again within the last six weeks of the school year. The screener must be one of the screening tools approved by MDE.
- B. The school district must identify any screener it uses in the district's annual literacy plan, and submit screening data with the annual literacy plan by June 15.
- C. Schools, ~~at least biannually~~ after administering each screener, must follow the language access plan under Minnesota Statutes, section 123B.32 and must give the parent of each student who is not reading at or above grade level ~~timely~~ information from the screener about:
  - 1. the student's reading proficiency as measured by a screener approved by MDE;
  - 2. reading-related services currently being provided to the student and the student's progress; and
  - 3. strategies for parents to use at home in helping their student succeed in becoming grade-level proficient in reading in English and in their native language.
- D. For students enrolled in dual language immersion programs, the school district must measure the student's reading proficiency in English or in the program's partner language, if available, according to Article V below. Following its language access plan under Minnesota Statutes, section 123B.32, the school district must notify families with timely information about students' reading proficiency, including how the student's reading proficiency is assessed, any reading-related services or supports provided to the student and the student's progress, and strategies for families to use at home in helping students succeed in becoming grade-level proficient in reading in English or the partner language. The dual language immersion program may provide information about national research on reading proficiency for students in dual language immersion programs in the parent notification.
- E. The school district may not use this section to deny a student's right to a special education evaluation.

#### **V. IDENTIFICATION AND REPORT**

- A. Students enrolled in kindergarten, grade 1, grade 2, and grade 3, including multilingual learners and students receiving special education services, and students enrolled in dual language immersion programs, must be universally screened for mastery of foundational reading skills, including phonemic awareness, phonics, decoding, fluency, oral language, and for characteristics of dyslexia as measured by a screening tool

approved by MDE. The screening for characteristics of dyslexia may be integrated with universal screening for mastery of foundational skills and ~~oral-expressive or receptive language mastery~~. The screening tool used must be a valid and reliable universal screener that is highly correlated with foundational reading skills. For students reading at grade level, beginning in the winter of grade 2, the oral reading fluency screener may be used to assess reading difficulties, including characteristics of dyslexia, without requiring a separate screening of each subcomponent of foundational reading skills.

B. The school district must submit data on student performance in kindergarten, grade 1, grade 2, and grade 3 on foundational reading skills, including phonemic awareness, phonics, decoding, fluency, and oral language to MDE in the annual local literacy plan submission due on June 15.

C. For students enrolled in dual language immersion programs:

1. if students are screened in the partner language, they must be screened at the same interval as the screenings in English under paragraph A above;

2. if the program provides instruction in foundational reading skills in English, the students receiving that instruction must be screened in English;

3. if the program provides instruction in foundational reading skills in the partner language, the students receiving that instruction must be screened in the partner language;

4. if no screener is available in the partner language, the school district must identify how students' reading proficiency is assessed and how the school district determines and provides targeted reading instruction in the partner language and supports to students identified as needing additional support in developing mastery of foundational reading skills; and

5. the partner language screening tool must be approved by the school district for kindergarten through grade 3 students.

D. Students in grades 4 and above, including multilingual learners and students receiving special education services, who ~~do not demonstrate mastery of foundational reading skills, including phonemic awareness, phonics, decoding, fluency, and oral language, are not reading at grade level~~ must be screened for reading difficulties, including characteristics of dyslexia, using a screening tool approved by MDE ~~for characteristics of dyslexia~~ and must continue to receive evidence-based instruction, interventions, and progress monitoring until the students achieve grade-level proficiency. A parent, in consultation with a teacher, may opt a student out of the literacy screener if the parent and teacher decide that continuing to screen would not be beneficial to the student. In such limited cases, the student must continue to receive progress monitoring and literacy interventions.

E. Reading screeners in English, and in the predominant languages of school district students where practicable, must identify and evaluate students' areas of academic need related to literacy. The school district also must monitor the progress and provide reading instruction appropriate to the specific needs of multilingual learners. The school district must use an approved, developmentally appropriate, and culturally responsive screener and annually report summary screener results to the MDE Commissioner ("Commissioner") by June 15 in the form and manner determined by the Commissioner.

- F. The school district must include in its local literacy plan a summary of the district's efforts to screen, identify, and provide interventions to students who demonstrate characteristics of dyslexia as measured by a screening tool approved by MDE. With respect to students screened or identified under paragraph (a), the report must include:
1. a summary of the school district's efforts to screen for characteristics of reading difficulties, including dyslexia;
  2. the number of students universally screened for that reporting year;
  3. the number of students demonstrating characteristics of dyslexia for that year; and
  4. an explanation of how students identified under this subdivision are provided with alternate instruction and interventions under Minnesota Statutes, section 125A.56, subdivision 1.

## VI. INTERVENTION

- A. For each student identified under the screening identification process, the school district shall provide aligned and targeted reading intervention to accelerate student growth and reach the goal of reading at or above grade level by the end of the current grade and school year.
- B. The school district must implement progress monitoring, as defined in Minnesota Statutes, section 120B.119, for a student not reading at grade level.
- C. The school district must use evidence-based curriculum and intervention materials at each grade level that are designed to ensure student mastery of phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension. Starting July 1, 2023, if the school district purchases new literacy curriculum, or literacy intervention or supplementary materials, the curriculum or materials must be evidence-based as defined in Minnesota Statutes, section 120B.119.

**[NOTE: Starting in the 2026-2027 school year, a school district must use only evidence-based literary interventions. The 2025 Minnesota legislature amended Minnesota Statutes, section 120B.12, subdivision 3, to delay the 2025-26 requirement for one school year.]**

- D. If a student does not read at or above grade level by the end of the current school year, the school district must continue to provide aligned and targeted reading intervention as defined by the MTSS framework until the student reads at grade level. School district intervention methods shall encourage family engagement and, where possible, collaboration with appropriate school and community programs that specialize in evidence-based instructional practices and measure mastery of foundational reading skills, including phonemic awareness, phonics, decoding, fluency, and oral language.
- E. By the 2025-2026 school year, intervention programs must be taught by an intervention teacher or special education teacher who has successfully completed training in evidence-based reading instruction approved by MDE. Intervention may include but is not limited to requiring student attendance in summer school, intensified reading instruction that may require that the student be removed from the regular classroom for part of the school day, extended-day programs, or programs that

strengthen students' cultural connections.

- F. The school district must determine the format of the personal learning plan in collaboration with the student's educators and other appropriate professionals. The school must develop the learning plan in consultation with the student's parent or guardian. The personal learning plan must include targeted instruction that is evidence-based and ongoing progress monitoring, and address knowledge gaps and skill deficiencies through strategies such as specific exercises and practices during and outside of the regular school day, group interventions, periodic assessments or screeners, and reasonable timelines. The personal learning plan may include grade retention, if it is in the student's best interest; a student may not be retained solely due to delays in literacy or not demonstrating grade-level proficiency. A school must maintain and regularly update and modify the personal learning plan until the student reads at grade level. This paragraph does not apply to a student under an individualized education program.

## **VII. LOCAL LITERACY PLAN**

- A. The school district must adopt a local literacy plan to have every child reading at or above grade level every year beginning in kindergarten and to support multilingual learners and students receiving special education services in achieving their individualized reading goals. The school district must update and submit the plan to the Commissioner by June 15 each year. The plan must be consistent with the Read Act, and include the following:
1. a process to assess students' foundational reading skills, oral language, and level of reading proficiency and the screeners used, by school site and grade level, under Minnesota Statutes, section 120B.123;
  2. a process to notify and involve parents;
  3. a description of how schools in the school district will determine the targeted reading instruction that is evidence-based and includes an intervention strategy for a student and the process for intensifying or modifying the reading strategy in order to obtain measurable reading progress;
  4. evidence-based intervention methods for students who are not reading at or above grade level and progress monitoring to provide information on the effectiveness of the intervention;
  5. identification of staff development needs, including a plan to meet those needs;
  6. the curricula used by school site and grade level and, if applicable, the district plan and timeline for adopting evidence-based curricula and materials starting in the 2025-2026 school year;
  7. a statement of whether the school district has adopted an MTSS framework;
  8. student data using the measures of foundational literacy skills and mastery identified by MDE for the following students:
    - a. students in kindergarten through grade 3;

- b. students who demonstrate characteristics of dyslexia; and
- c. students in grades 4 to 12 who are identified as not reading at grade level;~~;~~ ~~and~~

9. the number of teachers and other staff that have completed training approved by the department;

~~10. the number of teachers and other staff proposed for training in structured literacy;~~

~~11. how the district used funding provided under the Read Act to implement the requirements of the Read Act;~~

~~12. beginning as soon as practicable after the end of fiscal year 2026, how the district used literacy aid funding received under Minnesota Statutes, section 124D.98; and~~

~~13. beginning on December 31, 2025, for a district with a dual language immersion program:~~

~~a. the program’s partner language;~~

~~b. grade levels included in the program;~~

~~c. the language used to screen students’ foundational reading skills;~~

~~d. the percentage of grade 3 students taking the Minnesota Comprehensive Assessments; and~~

~~e. the number of students in the program in grades 4 to 12 who are identified as not reading at grade level.~~

B. ~~Annually by June 15,~~ the school district must post its literacy plan on the official school district website and submit it to the Commissioner using the template developed by the Commissioner ~~beginning June 15, 2024.~~

~~C. The school district must use a streamlined template developed by the Commissioner for local literacy plans that meets the requirements of Minnesota Statutes, section 120B.12, subdivision 4a, and requires all reading instruction and teacher training in reading instruction to be evidence-based.~~

## VIII. STAFF TRAINING

~~A. Beginning July 1, 2024, a school district must provide access to the training required under Minnesota Statutes, section 120B.123, subdivision 5. The district must provide training from a menu of approved evidence-based training programs to the following teachers and staff by July 1, 2026: to:~~

1. ~~reading~~ intervention teachers working with students in kindergarten through grade 12;

2. all classroom teachers of students in kindergarten through grade 3 and children in prekindergarten programs;

3. kindergarten through grade 12 special education teachers responsible for foundational reading instruction;
  4. curriculum directors;
  5. instructional support staff, contractors, and volunteers who assist in providing reading interventions under the oversight and monitoring of a trained licensed teacher; who provide reading instruction; and
  6. employees who select literacy instructional materials for a district; and
  7. teachers holding English as a second language teaching licenses.
- B. The school district must provide training from a menu of approved evidence-based training programs to the following teachers by July 1, 2027:
1. teachers who provide foundational reading instruction to students in grades 4 to 12;
  2. teachers who provide instruction to students in a state-approved alternative program; and
  3. teachers who provide instruction to students in dual language immersion programs.
- ~~all reading intervention teachers, literacy specialists, and other teachers and staff identified in Minnesota Statutes, section 120B.12, subdivision 1, paragraph (b), by July 1, 2025; and by July 1, 2027, to other teachers in the school district, prioritizing teachers who work with students with disabilities, English learners, and students who qualify for the graduation incentives program under Minnesota Statutes, section 124D.68. The Commissioner may grant a school district an extension to these deadlines.~~
- C. By August 30, 2025, the school district must employ or contract with a literacy lead, or be actively supporting a designated literacy specialist through the process of becoming a literacy lead. The school board may satisfy the requirements of this subdivision by contracting with another school board or cooperative unit under Minnesota Statutes, section 123A.24 for the services of a literacy lead by August 30, 2025. The school district literacy lead must collaborate with school district administrators and staff to support the school district's implementation of requirements under the Read Act.
- D. Training provided by the following may satisfy the professional development requirements under this Article:
1. a certified trained facilitator; or
  2. a training program that MDE has determined meets the professional development requirements under the Read Act.

## IX. STAFF DEVELOPMENT

- A. The school district must provide training programs on evidence-based reading instruction to teachers and instructional staff in accordance with subdivision 1, paragraph (b). The training must include teaching in the areas of phonemic awareness,

phonics, vocabulary development, reading fluency, reading comprehension, and culturally and linguistically responsive pedagogy.

- B. The school district shall use the data under Article V. above to identify the staff development needs so that:
1. elementary teachers are able to implement explicit, systematic, evidence-based instruction in the five reading areas of phonemic awareness, phonics, fluency, vocabulary, and comprehension with emphasis on mastery of foundational reading skills as defined in Minnesota Statutes, section 120B.119 and other literacy-related areas including writing until the student achieves grade-level reading and writing proficiency;
  2. elementary teachers have sufficient training to provide students with evidence-based reading and oral language instruction that meets students' developmental, linguistic, and literacy needs using the intervention methods or programs selected by the school district for the identified students;
  3. licensed teachers employed by the school district have regular opportunities to improve reading and writing instruction;
  4. licensed teachers recognize students' diverse needs in cross-cultural settings and are able to serve the oral language and linguistic needs of students who are multilingual learners by maximizing strengths in their native languages in order to cultivate students' English language development, including oral academic language development, and build academic literacy; and
  5. licensed teachers are well trained in culturally responsive pedagogy that enables students to master content, develop skills to access content, and build relationships.
- C. The school district must provide staff in early childhood programs sufficient training to provide children in early childhood programs with explicit, systematic instruction in phonological and phonemic awareness; oral language, including listening comprehension; vocabulary; and letter-sound correspondence.

**X. LITERACY INCENTIVE AID USES**

The school district must use its literacy incentive aid to ~~support implementation of evidence-based reading instruction meet the requirements and goals adopted in the school district's local literacy plan.~~ The following are eligible uses of literacy incentive aid:

1. ~~training for kindergarten through grade 3 teachers, early childhood educators, special education teachers, reading intervention teachers working with students in kindergarten through grade 12, curriculum directors, and instructional support staff that provide reading instruction, on using evidence-based screening and progress monitoring tools;~~
2. ~~evidence-based training using a training program approved by MDE;~~
3. ~~employing or contracting with a literacy lead, as defined in Minnesota Statutes, section \_\_\_\_\_ 120B.119;~~

4. ~~materials, training, and ongoing coaching to ensure reading interventions under Minnesota Statutes, section 125A.56, subdivision 1, are evidence-based; and costs of substitute teachers to allow teachers to complete required training during the teachers' contract day.~~

**[NOTE: The 2025 Minnesota legislature amended Minnesota Statutes, section 124D.98 to enact these changes.]**

**Legal References:** Minn. Stat. § 120B.119 (Read Act Definitions)  
Minn. Stat. § 120B.12 (Read Act Goal and Interventions)  
Minn. Stat. § 120B.123 (Read Act Implementation)  
Minn. Stat. § 123A.24 (Withdrawing from a Cooperative Unit; Appealing Denial of Membership)  
Minn. Stat. § 124D.68 (Graduation Incentives Program)  
Minn. Stat. § 124D.98 (Literacy Incentive Aid)  
Minn. Stat. § 125A.56 (Alternate Instruction Required before Assessment Referral)

**Cross References:** None



## **PARENTS: We need your help!**

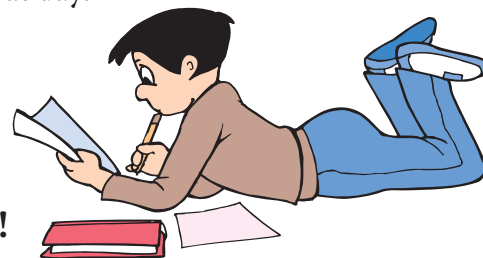
In order for your students to have the best chance at success in the new year, the District 118 School Board encourages you to consider the following simple household rules for your children:

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1. Have children put the devices away (not in bedrooms) at 8:30 every evening.
2. Have a consistent bedtime (9:30?).
3. Do not allow children to have devices in their bedroom overnight.
4. Talk to your children about what they learned at school that day.

If you do these four simple things, you'll be amazed at how much better your child will do in school. It will help your child and it will help our District Teaching staff to better educate your children.

**Please help us, educating children is a team effort!**



PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT is entered into between INDEPENDENT SCHOOL DISTRICT NO. 118, NORTHLAND SCHOOL DISTRICT, hereinafter referred to as “Northland School District” and North Homes Inc. hereinafter referred to as “Service Provider”.

RECITALS

The parties recite and declare:

A. Northland School District is a legal entity created and established pursuant to Minn.Stat.sec. 471.51, having the status of an independent school district with a purpose and mission to provide educational and administrative services and programs within the geographical limits and boundaries of its members.

B. Northland School District’s Early Childhood Program is a model family support program for families that are eligible to attend the Northland School District Early Childhood Program. The Early Childhood Program has a unique approach to delivering services to families with young children in a manner that is comprehensive, yet flexible and responsive to the needs of families. It is in the Early Childhood Program’s best interest to provide a mental health consultation and intervention component for children enrolled in the Early Childhood Program, as well as their parents.

C. Service Provider is a business which provides trained and qualified staff in the mental health field to conduct mental health consultations and systems-of-care model interventions.

D. Northland School District desires to purchase and obtain professional mental health consultations and services from Service Provider for children enrolled in Northland School District's Early Childhood Program, as well as their parents. Service Provider desires to provide said services listed herein.

FOR THE REASONS SET FORTH HEREIN AND IN CONSIDERATION OF THE MUTUAL COVENANTS AND PROMISED OF THE PARTIES, THE PARTIES AGREE AND COVENANT AS FOLLOWS:

I. DESCRIPTION OF SERVICES PROVIDED BY SERVICE PROVIDER

A. A fully qualified mental health practitioner with professional mental health supervision at the sites noted herein;

B. A mental health practitioner who will participate in monthly inclusive practice team meetings at the sites noted herein;

C. A mental health practitioner who will provide classroom observations, direct consultations for interventions, including hands on modeling as requested by the Early Childhood Program Staff;

D. A mental health practitioner who will be on site each week;

E. A mental health practitioner who will work cooperatively with Early Childhood staff to provide appropriate, unduplicated, timely and professional mental health consultations/interventions;

F. A mental health practitioner who will cooperate with Early Childhood staffing the development and implementation of the mental health component of the Early Childhood Program;

G. Professional staff that is covered by professional liability insurance provided by Service Provider.

II. NORTHLAND SCHOOL DISTRICTS DUTIES AND RESPONSIBILITIES

Northland School District shall have the following duties and responsibilities by and through this Agreement:

A. Obtaining and signing confidentiality releases when necessary;

B. Working cooperatively with Service Provider to develop and implement the mental health component of the Early Childhood Program;

III. DURATION

The initial term of this contract shall commence on the 1<sup>st</sup> day of Sept, 2025, shall continue in full force and effect until the 30<sup>th</sup> day of June 2026.

This Agreement may be terminated with or without cause by either party with sixty (60) days written notice.

IV. PAYMENT

Northland School District shall pay Service Provider for the services described above, as follows:

A. At the rate of \$50.00 for each hour of direct service to the Early Childhood Program. Payments shall be made on a monthly basis.

B. Total funds allocated for the mental health component of the Early Childhood Program shall not exceed \$900 during the term of this Agreement.

V. SERVICE SITES

Service Provider shall provide mental health consultation/intervention at classrooms in Northland as applicable.

## VI. RELATIONSHIP OF THE PARTIES

The parties intend that Service Provider be an independent contractor in conjunction with providing mental health services. The overall conduct and control of the mental health services performed under this Agreement will lie with Service Provider. However, Service Provider agrees and represents that its employees/personnel shall perform said services in accordance with approved methods and procedures for such services and in conformity to federal and state law, rule and policy.

A. Service Provider and its employees/personnel performing services under this Agreement are not to be considered as agents or employees of Northland School District for any purpose, and Service Provider's employees/personnel will not be entitled to any rights or benefits from Northland School District.

## VII. COMPLIANCE WITH POLICIES AND PROCEDURES

A. Service Provider agrees that its employees/personnel assigned to perform the mental health services under this contract shall fully comply with all policies and procedures of Northland School District and the Early Childhood Program. Any deficiency, failure, or refusal on the part of any employee/personnel of Service Provider with regard to compliance with the policies and procedures of Northland School District and the Early Childhood Program shall be brought to the attention of Service Provider both orally and in written form. While Service Provider maintains overall responsibility for its employees/personnel, Service provider agrees that its employees/personnel shall be subject to site direction and instruction from the Director of the Early Childhood Program.

B. Service Provider agrees that its employees/personnel assigned to perform services under this Agreement shall conform to, and comply with, all federal and state laws dealing with the release and dissemination of data.

C. Service Provider agrees and represents that its employees will not perform any of the services contemplated and intended by this agreement after having used or consumed any alcoholic beverages, illegal drugs, or after misusing prescription drugs.

D. The parties agree that any violation or non-compliance by employee/personnel assigned by Service Provider to perform services under this agreement shall be dealt with by Service Provider. However, Northland School District shall have the rights to request removal of any such employee/personnel from performing service under this Agreement.

North Homes, Inc.

Northland School District

\_\_\_\_\_  
Authorize Signature

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**PROFESSIONAL SERVICE AGREEMENT  
BETWEEN  
NORTH HOMES, INC. AND INDEPENDENT SCHOOL DISTRICT 118**

This Agreement is entered into by and between Independent School District #118, 316 Main Street, Remer, MN 55672, (hereafter District) and North Homes, Inc., 303 SE First Street, Grand Rapids, MN 55744 (hereafter “Contractor”).

**RECITALS**

The parties hereto recite and declare:

- A. The **District** is a legal entity created and established pursuant to Minn. Stat. 471.51 having the status of an independent school district with a purpose and mission to provide services and programs within the geographical limits and boundaries of its members.
- B. **Contractor** is a provider of mental health and related services under the Minnesota Department of Human Services CTSS (Children’s Therapeutic Support Service) certification.
- C. The **District** desires to purchase the services of Contractor for Mental Health services and supports to students and indirect/consultative support into planning pre-interventions;
- D. **Contractor** is duly qualified to provide the desired services.
- E. The parties desire to set forth the terms and conditions of their relationship in written form.

**NOW THEREFORE, in consideration of the mutual undertakings and agreements hereinafter set forth, the District, and the Contractor agree as follows:**

**1. TERM AND COST OF THE AGREEMENT**

This contract shall be in effect from the date of execution by all parties, or from commencement of services hereunder, whichever is first, and shall continue in effect until June 30, 2026. This Agreement shall be renewed automatically for succeeding terms of one (1) year each unless either party gives written notice to the other at least thirty (30) days prior to the expiration of any term.

All of the agreed upon services are available to the District at the same rate with or without the service being included in an individual educational plan (IEP).

NHCFS will bill services provided to District students to appropriate 3<sup>rd</sup> party funding sources. No service will be billed to the District without their prior written approval. These could include but are not limited to:

Medical Assistance – Primary Funder CTSS  
School Linked Grant – Crisis, Ancillary and Uninsured  
3<sup>rd</sup> Party Plans – Mental Health Therapy  
Payment Waiver (Guardian Sliding Fee Scale)  
In-Kind - Necessary Unfunded Activity  
School District (with appropriate referral and prior approval)

## **2. CORE SERVICES OF THE AGREEMENT**

### **CTSS – Standard**

School-based CTSS services strengthen students and their families through prevention, intervention and skill building within the school setting. NHCFS professionals and/or practitioners work with the school professional, student and family to formulate goals and objectives identified by the team.

CTSS Services Include:

- Individual, family and group skills training to improve functioning at school, home and in the community.
- Psychotherapy directed towards changing or reducing symptoms of a mental health condition.
- Diagnostic assessments and treatment planning by a licensed Mental Health Professional.
- Student specific consultations with parents and school staff.

### **CTSS – Intensive**

This level incorporates all of the elements in the Standard CTSS but increases the amount of service to the student. Typically, this service works in conjunction with the EBD rooms providing a seamless and intensive mental health component to student's experiencing significant emotional and behavioral challenges.

### **Crisis Intervention**

NHCFS school-based practitioners and professionals remain at the ready to respond to any student experiencing a crisis. This would include early intervention and a course of action to ensure ongoing support.

### **Day Treatment**

When Day Treatment Services are being provided for the District, those services will be addressed under a separate contract.

### **Diagnostic Assessments**

As a Rule 29 provider NHCFS has numerous qualified Mental Health Professionals who will make it a priority to provide high quality and timely Diagnostic Assessments. Please

note that NHCFS professionals take this very seriously and do not diagnose unless clearly indicated.

### **Therapy**

NHCFS School Practitioners work under the direction of the Mental Health Professional. They are well-trained and supervised to conduct group, individual and/or family skills work. Mental Health Professionals are also available to do therapy at our clinic or in the school if requested.

### **Ancillary Services and Other Functions**

#### **(a) Parent and Child Study Sessions**

NHCFS feels it is very important to create a team with the school and family. Therefore, our Practitioners and Mental Health Professionals (when requested) will participate in the child and family study, IEP meetings, etc.

#### **(b) Suicide Prevention and Intervention Services**

All NHCFS Practitioners are trained in the ASIST (Applied Suicide Intervention Training) curriculum. NHCFS has therapists at our clinics with extensive training in suicide prevention and intervention. At the time this contract was written, NHCFS has 23 therapists that have completed Trauma Based Cognitive Behavioral Treatment training, 4 of which are nationally certified.

#### **(c) On-going Behavioral Health Consultation**

As stated above, when working in the schools we are one team. NHCFS work with very behaviorally challenging children throughout our continuum. Our effectiveness is dependent on our ability in this regard.

#### **(d) Training (Behavioral Management, Mental Health)**

NHCFS trains our staff in the behavioral management model Life Space Crisis Intervention (LSCI). Upon request of the District, NHCFS would offer cross training of these skills to the district staff. NHCFS staff working in the School District locations are not trained in CPI and are instructed not to do physical interventions or holds unless there is no other option for ensuring the immediate safety of the student. School staff are to take lead in any physical interventions or hold.

#### **(e) Tragic Event Response Services**

Whenever a tragedy occurs within a school (i.e. suicide, car accident, etc.) NHCFS

commits to put our collective resources on-site to assist, council and support. NHCFS professionals are trained and skilled in Informed Trauma Therapy and we commit to assisting your staff and students in coping with tragic events.

(f) Wrap Around Services and Coordination with Community Resources

NHCFS has a comprehensive service continuum and strong connections with community resources, as such, we have at our disposal resources and consultants to address the often complex needs of students. Our multi-disciplinary team in our Rule 29 Clinic can staff difficult cases and come up with intervention strategies.

### **Summer Programming**

NHCFS will provide quality outdoor programming for the CTSS students in the summer months. Programming will focus on outdoor skill building and healthy recreation. NHCFS will seek to partner with other community resources such as the Boys and Girls Club for summer programming at the Middle School level.

### **3. SERVICES TO BE PROVIDED**

Contractor shall utilize best efforts to:

- a. Provide licensed mental health professionals and qualified mental health practitioners that meet the guidelines of Minnesota Department of Human Services certification for Children's Therapeutic Support Services (CTSS). Upon request by the District, the Contractor will provide license, background and supporting professional and practitioner documentation for Contractor staff working in their District.
- b. Provide appropriate mental health services on a regular basis according to DA (Diagnostic Assessment) specifications.
- c. Provide appropriate documentation required by the school.
- d. Bill all appropriate third-party payer sources.
- e. Participate in student's educational meetings and appropriate conferences in person, via computer, or by phone. If the Provider cannot attend a meeting by one of these means, a written update will be provided for the team's review.

### **4. PAYMENT FOR SERVICES**

Payment for services shall be made directly to the Contractor by Third Party Payor source. It will be the Contractors responsibility to bill and collect for services provided.

The District will provide referral data to the Contractor and will aid in obtaining Consent Authorizations as deemed necessary and appropriate.

If payment under this Agreement is dependent upon the availability of federal, state, District or other funds and such funds are reduced or terminated, this Agreement may be renegotiated or terminated at the sole discretion of the District.

Contractor certifies that payment for purchased services will be in accordance with rates of payment which do not exceed amounts reasonable and necessary to assure quality of services.

## **5. INDEPENDENT CONTRACTOR**

- A. Contractor is to be and shall remain an independent contractor with respect to any and all work performed under this Contract. Nothing contained in this Agreement is intended or should be construed as creating the relationship of co-partners or joint ventures with the Contractor. No tenure or any rights including worker's compensation, unemployment insurance, medical care, sick leave, vacation leave, severance pay, PERA, or other benefits available Contractor's employees, including indemnification for third party personal injury/property damage claims, shall accrue to the Contractor or employees of the Contractor performing services under this Agreement.
- B. Contractor acknowledges and agrees that no withholding or deduction for State or Federal income taxes, FICA, FUTA, or other, will be made from the payments due Contractor and it is Contractor's sole obligation to comply with all federal and state tax laws.
- C. Contractor shall at all times be free to exercise initiative, judgment and discretion as to how to best perform or provide services identified in this Agreement.
- D. Contractor is responsible for hiring sufficient workers to perform the services required by this Agreement and withholding taxes and paying all other employment tax obligation on their behalf.
- E. The Contractor is solely responsible for supervision, control and direction of the Contract personnel utilized to provide the services under this agreement.

## **6. INDEMNIFICATION AND INSURANCE**

Each party shall be liable for its own acts to the extent provided by law and hereby agrees to indemnify, hold harmless and defend the other, its officers and employees against any and all liability, loss, costs, damages, expenses, claims or actions, including attorney's fees which the other, its officers and employees may hereafter sustain, incur or be required to pay, arising out of or by reason of any negligent act or omission of the party, its agents, servants or employees, in the execution or performance or failure to adequately perform its obligations pursuant to this Agreement.

It is understood and agreed that the District's and the Contractor's liability shall be limited by the provisions of Minnesota Statute § 466 and/or other applicable law.

Contractor further agrees that in order to protect itself as well as the District under the indemnity provision set forth above, it will at all times during the term of this Agreement keep in force liability limits in compliance with Minnesota Statutes, Section 466 or:

- A. Commercial General Liability Insurance Policy with minimum limits of \$1,500,000 combined single limit (CSL), with coverage pertaining premise operations. In the event Combined Single Limits Coverage is not secured by the Contractor, the minimum limits apply:
  - \$3,000,000 Aggregate
  - \$2,000,000 Each Occurrence
- B. Automobile Liability Insurance including owned, non-owned, and hired vehicles in an amount not less than \$2,000,000 combined single limit (CSL) for total bodily injuries and/or damages arising from any one accident.
- C. Professional Liability Insurance (when required) the following minimum limits apply:
  - \$3,000,000 Aggregate
  - \$2,000,000 Each Occurrence
- D. Excess Umbrella Liability Policy will be additionally required if any of the above policies have lower limits than stated.
- E. Worker's Compensation Insurance.
- F. At the request of the District, the Contractor will furnish the District with an original Certificate of Insurance providing proof of the coverage areas.

**7. DATA PRIVACY/DATA OWNERSHIP**

- A. Data Practices.

All data collected, created, received, maintained, or disseminated in any form, for any purposes by the activities of Contractor because of this contract is governed by the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as amended, the Minnesota Rules promulgated pursuant to Chapter 13 and the Federal Health Insurance Portability and Accountability Act (45 C.F.R. §§160,162,164) The Contractor will be responsible for release of all data under this Agreement and will abide by all governing State and Federal laws.

- B. Health Insurance Portability and Accountability Act (HIPAA - 45 C.F.R. §§160,162,164)

If under this Agreement the exchange of Protected Health Information in any form is anticipated the Contractor shall comply with all regulatory obligations including signing any required agreements (e.g., Business Associate Agreement). Such Agreements shall be attached to and incorporated into this Agreement.

- C. Release.  
No educational data may be released by the Contractor to a third party without the express consent of the District's representative as indicated below – this includes any media relations.
- D. Ownership.  
Ownership of all data prepared by the Contractor for the District under this contract, whether having commercial value or not shall be owned by the Contractor. Any reports, studies, photographs, negatives or other documents or any other form of data prepared by the Contractor in the performance of its obligations under this contract shall be maintained by the Contractor as part of the mental health records. Contractor shall not use, allow, or cause to have such materials used for any purpose other than performance of the Contractor's obligations under this contract without the prior written consent of the District.

**8. RECORDS: AVAILABILITY AND RETENTION**

Pursuant to Minnesota Statute §16C.05, subd. 5, the Contractor agrees that the District, the State Auditor, or any of their duly authorized representatives at any time during normal business hours and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc., which are pertinent to the accounting practices and procedures of the Contractor and involve transactions relating to this Agreement. Contractor agrees to maintain these records for a period of six years from the date of termination of this Agreement. Any educational data may be retained for a longer period, as the District may determine in accordance with applicable law and policy.

**9. MERGER AND MODIFICATION**

- A. It is understood and agreed that the entire Agreement between the parties is contained herein and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter. All items referred to in this Agreement are presumed to be incorporated or attached and are deemed to be part of this Agreement. Where the incorporated terms differ with the terms of this Agreement, the terms of this Agreement shall control.
- B. Any material alteration, modification, or variation shall be reduced to writing as an amendment and signed by the parties.

**10. DEFAULT AND CANCELLATION**

- A. If the Contractor fails to perform any of the provisions of this Agreement or so fails to administer the work as to endanger the performance of the Agreement, this shall constitute default. Unless the Contractor’s default is excused by the District, the District may, upon written notice to the Contractor’s representative listed herein, cancel this Agreement in its entirety as indicated in (10 B.) below.
- B. This Agreement may be cancelled with or without cause by either party upon thirty (30) days written notice.
- C. Representatives for each of the parties to this Agreement are as listed below:

<b><u>District</u></b>	<b><u>Contractor</u></b>
Mark Morrison, Superintendent ISD #118 316 Main Street Remer, MN 55672 218.566-2351	James C. Christmas, President & CEO North Homes, Inc. 303 SE First Street Grand Rapids, MN 55744 218.327.3000

- D. The District and the Contractor agree to attempt to resolve quickly all matters related to uncontrollable circumstances and use all reasonable efforts to mitigate its effects.

**11. SUBCONTRACTING AND ASSIGNMENT**

- A. Contractor shall not enter into any subcontract for the performance of any services contemplated under this Agreement without the prior written approval of the District and subject to such conditions and provisions as the District may deem necessary. The Contractor shall be responsible for the performance of all Subcontracts. Any agreement between the Contractor and any subcontractor shall obligate the subcontractor with the general terms of this Contract.
- B. No party may assign or transfer any rights or obligations under this Agreement without the prior consent of the other parties and a fully executed Assignment Agreement, executed and approved by the same parties who executed and approved this Agreement, or their successors.

**12. NONDISCRIMINATION**

During the performance of this Agreement, the Contractor agrees to the following: No person shall, on the grounds of race, color, religion, age, sex, disability, marital status, sexual orientation, public assistance status, criminal record, creed or national origin be excluded from full employment rights in, participation in, be denied the benefits of or be otherwise subjected to discrimination under any and all applicable Federal and State laws against discrimination.

**13. HEALTH AND SAFETY**

The Contractor shall be solely responsible for the health and safety of its employees and subcontractor’s employees in connection with the services performed in accordance with this Agreement. The Contractor shall ensure that all employees, including those of all subcontractors, have received training required to properly and safely perform services outlined in this Agreement. Upon the request of the District, the Contractor shall provide copies of any licenses and/or training records for Contractor and/or Contractor’s employees or subcontractor’s employees who perform services pursuant to this Agreement.

**14. NONWAIVER, SEVERABILITY & APPLICABLE LAWS**

- A. Nonwaiver.  
Nothing in this Agreement shall constitute a waiver by the District of any statute of limitations or exceptions on liability. If the District does not enforce any provision of this Agreement, that failure does not waive the provision or its right to enforce it.
- B. Severability.  
If any part of this Agreement is rendered void, invalid or unenforceable, by a court of competent jurisdiction, such rendering shall not affect the remainder of this Agreement unless it shall substantially impair the value of the entire Agreement with respect to either party. The parties agree to substitute for the invalid provision a valid provision that most closely approximates the intent of the invalid provision.
- C. Applicable Laws.  
The Laws of the State of Minnesota shall apply to this Agreement. The Contractor shall abide by all Federal, State, or local laws, statutes, ordinances, rules and regulations now in effect or hereinafter adopted pertaining to this Contract or to the facilities, programs and staff for which Contractor is responsible.

**15. SECTION HEADINGS**

The section headings contained in this Agreement are for reference purposes only and shall not affect the meaning or interpretation of this Agreement.

**16. THIRD PARTIES**

This Agreement does not create any rights, claims or benefits inuring to any person that is not a party hereto nor create or establish any third-party beneficiary.

**17. CONFLICT OF INTEREST**

Contractor agrees that it will not contract for or accept employment for the performance of any work or services with any individual, business, partnership, corporation, government, governmental unit or any other organization that would create a conflict of interest in the performance of its obligations under this Contract.

District and Contractor, having signed this Agreement and pursuant to the proper District and Contractor officials having signed this Agreement, the parties hereto agree to be bound by the provisions herein and attached.

NORTH HOMES, INC.

ISD #118

\_\_\_\_\_  
Contractor Date

\_\_\_\_\_  
Superintendent Date

\_\_\_\_\_  
Chairperson, School Board Date

## **PROFESSIONAL SERVICES AGREEMENT**

THIS AGREEMENT entered into between **INDEPENDENT SCHOOL DISTRICT NO. 118, NORTHLAND COMMUNITY SCHOOLS**, hereinafter referred to as "Northland" and **INDEPENDENT SCHOOL DISTRICT NO. 317, DEER RIVER SCHOOLS**, hereinafter referred to as "Deer River".

### **RECITALS**

The parties hereto recite and declare as follows:

- A. **Northland and Deer River** are public school districts created by and operating under the laws of the state of Minnesota.
- B. **Deer River** desires to purchase and obtain certain professional services from **Northland**: specifically, .7 FTE licensed school psychologist services, for the 2025-2026 school year.
- C. **Northland** desires and agrees to provide the needed professional services to **Deer River**, as set forth herein.

**NOW, THEREFORE, FOR THE REASONS SET FORTH ABOVE AND IN CONSIDERATION OF THE MUTUAL COVENANTS AND PROMISES OF THE PARTIES HERETO, THE PARTIES COVEANT AND AGREE, AS FOLLOWS:**

#### **I. DESCRIPTION OF WORK:**

**Northland** shall provide to **Deer River** the following services:

- A .7 FTE licensed school psychologist services for the 2025-2026 school year;

**II. PAYMENT:**

**Deer River** shall pay to **Northland** for the above services, as follows:

The sum of the .7 FTE of MA+45, Step 15 (\$83,466) from the salary schedule in the Northland teacher contract plus benefits and relevant administrative costs payable at the end of FY26, or as otherwise agreed upon by the parties.

**III. PERSONNEL PERFORMING SERVICES:**

A. Personnel or employees of **Northland** assigned by **Northland** to perform the professional services described above shall be, during the term of this agreement, qualified and properly licensed to perform the duties and services contemplated and intended by this agreement. **Northland** agrees that it shall provide the Superintendent of **Deer River** with the identity and curriculum vitae of the person(s) it intends to assign to the performance of these services at the commencement of the school year, and that every reasonable effort shall be made to provide continuity in the performance of these services throughout the school year. The parties shall meet and confer prior to any such assignment, and must agree on the person(s) assigned by **Northland** to perform the services.

**Northland** agrees and represents that it shall have subjected any personnel assigned to perform services under this contract to both a criminal history and background check, and shall not assign anyone to perform services under this agreement who has any record or history which would have a negative bearing on that individual's ability to properly and safely perform the services contemplated by this agreement, or who might pose even the slightest risk to co-employees or students with whom he/she may come into contact.

B. **Northland** assumes full responsibility for its employee/personnel providing services hereunder, and will make all deductions required of employers by state, federal and local laws, including deductions for TRA, social security and withholding taxes, and contributions for unemployment compensation; and shall maintain workers' compensation and liability insurance coverage for such employee.

C. **Northland** shall not be permitted to subcontract any of the services to be provided hereunder to any other entity, without the express written consent of **Deer River**.

**IV. RELATIONSHIP OF PARTIES:**

A. The parties intend that an independent contractor relationship be created by this contract. The overall conduct and control of the services performed under this agreement will lie with **Northland**. However, **Northland** agrees and represents that its employees/personnel shall perform said services in accordance with approved methods and procedures for such services and in conformity to federal and state law, rule and policy.

B. **Northland** and its employees/personnel performing services under this contract are not to be considered as agents or employees of **Deer River** for any purpose, and **Northland's** personnel/employees will not be entitled to any benefits from **Deer River** or to any of the benefits and rights which **Deer River** provides its own employees.

**V. DURATION:**

A. The agreement shall continue throughout 2025-2026 school year and shall automatically terminate at that time, unless renewed or extended by written agreement of the parties.

**VI. COMPLIANCE WITH POLICIES AND PROCEDURES:**

A. **Northland** agrees that its personnel/employee assigned to perform services under this contract shall fully comply with all policies and procedures of **Deer River**, and will be subject to on-site, day-to-day direction of the superintendent and building principal of **Deer River** relative to the performance of such services, so as to conform to the needs and mission of **Deer River**. Any deficiency, failure, or refusal on the part of any employees of **Northland** assigned to perform the services with regard to compliance with the policies and procedures of **Deer River** and the directions of its site administrator or superintendent shall be both orally and in written form brought to the attention of the designated **Northland** administrator having oversight responsibilities over said employee.

B. **Northland** agrees that its employee assigned to perform services under this agreement shall conform to, and comply with, all federal and state laws dealing with the release and dissemination of data. Further, the conduct and actions of any such employee, whether by omission or commission, shall not violate any of the policies and rules of **Northland**; with any such violation of policy or rule to be considered also a violation of policy or rule of **Deer River**.

C. **Northland** agrees and represents that its employee will not perform any of the services contemplated and intended by this agreement after having used or consumed any alcoholic beverages, illegal drugs, or after misusing prescription drugs.

D. The parties agree that any violation or non-compliance by the employee assigned by **Northland** to perform services under this agreement shall be dealt with by **Northland**, and shall be subject to **Northland's** collective bargaining agreement and disciplinary process. However, **Deer River** shall have the right to request removal of any such employee from performing services under this agreement, and have the right to have another **Northland** employee assigned to perform said services.

E. All written information, data, student records, personnel records and other data compiled or kept in conjunction with the services performed under this contract, or related thereto, will be subject to state and federal data practice laws and rules to the extent that each party to this contract complies with and safeguards its own data. Each party shall be responsible for its own wrongful acts with regard to the inappropriate or unlawful release of protected data, but shall be allowed and authorized to have access to each other's data to the extent necessary to perform services under this agreement.

#### **VII. LIABILITIES AND INDEMNIFICATION:**

A. **Northland** shall be solely liable for the actions, conduct, and/or wrongdoing, whether by omission or commission, of any of its personnel/employees assigned to perform services under this agreement and arising directly or indirectly from the performance of those services. **Northland** agrees that it shall hold **Deer River** harmless from and for any claim or cause of action which might arise therefrom.

B. **Deer River** shall be solely liable for the actions, conduct, and/or wrongdoing, whether by omission or commission, of any of its personnel/employees. **Deer River** agrees that it shall indemnify and hold **Northland** harmless from and for any claim or cause of action which might arise therefrom.

#### **VIII. DISPUTE RESOLUTION:**

The parties agree that any and all disputes arising out of this agreement shall be subject to binding arbitration through the Minnesota Bureau of Mediation Services, and shall be conducted in accordance with its procedures and rules. Under no circumstances, shall the arbitrator render a decision which is outside the parameters and the specific terms and provisions of this agreement.

#### **XI. TERMS TO BE EXCLUSIVE:**

A. The entire agreement between the parties with respect to the services provided hereunder is contained in this agreement.

B. The provisions of this agreement are for the benefit of the parties hereto and not for the benefit of any other person or legal entity.

**X. WAIVER OR MODIFICATION OF TERMS.**

No waiver, alteration or modification any of the terms and provisions of this agreement shall be binding unless in written form and signed and executed by the authorized representatives of the parties hereto.

**"Deer River":**

**INDEPENDENT SCHOOL DISTRICT NO. 317,  
Deer River Schools,**

By   
Authorized Signature

Date 8-11-25

**"Northland":**

**INDEPENDENT SCHOOL DISTRICT NO. 118,  
NORTHLAND**

By \_\_\_\_\_  
Authorized Signature

Date \_\_\_\_\_



IEA, INC.

# PROPOSAL



## Contact Us:

**BROOKLYN PARK OFFICE**  
9201 W. BROADWAY, #600  
BROOKLYN PARK, MN 55445  
763-315-7900

**MANKATO OFFICE**  
610 N. RIVERFRONT DRIVE  
MANKATO, MN 56001  
507-345-8818

**ROCHESTER OFFICE**  
210 WOOD LAKE DRIVE SE  
ROCHESTER, MN 55904  
507-281-6664

**BRAINERD OFFICE**  
601 NW 5TH ST. SUITE #4  
BRAINERD, MN 56401  
218-454-0703

**MARSHALL OFFICE**  
1420 EAST COLLEGE DRIVE  
MARSHALL, MN 56258  
507-476-3599

**VIRGINIA OFFICE**  
5525 EMERALD AVENUE  
MOUNTAIN IRON, MN 55768  
218-410-9521

[www.ieasafety.com](http://www.ieasafety.com)

800-233-9513

**2025 - 2028**

## **Environmental, Health and Safety Management Services**

**for**

## **Northland Community Schools**

**JULY 2, 2025**

### PROPOSAL PROVIDED TO:

Mark Morrison  
Superintendent  
Northland Community Schools  
316 East Main Street  
Remer, MN 56672  
Phone: (218) 566-2351  
E-mail: [mmorrison@isd118.org](mailto:mmorrison@isd118.org)

### PROPOSAL CONTACT:

Grant Chapa  
Virginia & Brainerd Regional Manager  
IEA, Inc.  
5525 Emerald Avenue  
Mountain Iron, MN 55768  
Phone: (320) 248-1374  
E-mail: [grant.chapa@ieasafety.com](mailto:grant.chapa@ieasafety.com)

### PROJECT INTRODUCTION

The Institute for Environmental Assessment, Inc. (IEA) is pleased to offer this proposal to provide a knowledgeable support team to meet your Environmental, Health and Safety (EH&S) compliance needs. IEA will assist the District in the implementation of safety programs, identification of health and safety related hazards and overall consulting based on the District's needs.

This proposal includes traditional EH&S management services, online training services, as well as the option to proceed with regularly occurring projects.

To assist with budgeting, this proposal has the option to select to proceed with standard, regularly occurring services, including lead-in-water sampling, AHERA Third Year inspections, radon testing, and bleacher certification inspections that are due to be completed in the District within the contract period.

### SCOPE OF WORK

#### ***EH&S Management***

IEA will provide EH&S management services to assist in compliance with: Occupational Safety and Health Administration (OSHA), Minnesota Department of Education (MDE), Minnesota Pollution Control Agency (MPCA), National and Minnesota State Fire Code and other federal, state, and local regulations. Please see Appendix A for a list of possible related tasks.

IEA will review identified health and safety programs for compliance with applicable regulations. This program review will be documented as the annual program review which is required or recommended for most of the District's written programs. A final report will be developed, including details on each program, as well as recommendations and/or plans for bringing programs into compliance. Annual compliance tasks will be identified prior to the start of each fiscal year and communicated to the District via a scheduling letter.

#### ***Online Training***

IEA will provide health and safety training sessions using an online learning management system for the groups outlined below.

- Annual health and safety training for teaching, administrative, and support staff
- Annual health and safety training for food service staff
- Annual health and safety training for art department staff
- Annual health and safety training for industrial arts department staff
- Annual health and safety training for science department staff
- AHERA Designated Person training (completed by your District's Designated Person)
- Hazardous materials training (required to be completed by certain positions every three years)
- Automotive lift safety training (required to be completed annually by users)
- Asbestos 2-hour initial awareness training (required to be completed by all new maintenance or custodial staff)

## 2025-2028 Environmental, Health and Safety Management Services

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Annual training links will be prepared and distributed to District representatives, in early August each year. Other training courses listed above will be distributed to staff members as they are necessary. Maintenance, custodial and transportation staff sessions will remain completed in-person as a regular EH&S site visit listed on the scheduling letter.

### ***Individual Projects due to be Completed***

Project specific scope of works may be located in Appendix C.

## LIMITATIONS & ASSUMPTIONS

IEA will remain flexible to accommodate the District's needs; however, any project work outside of this scope of work or sampling, equipment fees or additional contractors, will be provided in a project-specific scope of work with an associated fee.

The District is expected to provide sufficient workspace and support resources (office supplies, equipment, clerical support, and internet connection) as required to perform services under this contract.

When electronic documents are submitted to the District, IEA is not responsible for changes made after the date of submittal.

Documents provided by IEA are developed for your exclusive use and are not intended to be shared, distributed or sold to any other party. While some firms maintain ownership of their written management plans, the work we do for your district is customized for you and becomes the property of your district.

Contract hours may be spent working at IEA's office for access to resources or references necessary to complete a task.

IEA will assist the District in compliance with applicable standards and regulations; however, actual compliance remains the responsibility of Northland Community Schools.

If project(s) are approved, the fees listed below are accurate following current guidelines/regulations/laws that are in place at the current time. Should guidelines/regulations/laws change, it may change the project requirement. IEA would provide a change order should that situation arise.

IEA does have online training options for Type III Driver training. This training is not included in this proposal, but a group rate can be provided upon request.

## SCHEDULE

IEA's services may commence on July 1, 2025, upon receipt of a signed proposal. IEA will schedule this project through a designated contact within the District.

This contract is valid July 1, 2025, through June 30, 2028.

## 2025-2028 Environmental, Health and Safety Management Services

### COMPENSATION

#### ***EH&S Management***

IEA's services will be billed on a per site visit basis of seven site visits each contract year. Please see the site visit rates listed below:

FY 2025-2026	FY 2026-2027	FY 2027-2028
\$875	\$1,040	\$1,120

Each site visit consists of an approximate eight-hour workday, including preparation time, administrative work, travel time, and site time.

Each written program is customized using a contact representative from the District. Should the contact person leave the District, all programs need to be updated to a new contact. Should this occur, IEA will add an additional site visit to that year(s) contract to complete the changes.

An annual fee of **\$500** will be charged to maintain current customized online training and to have access available for District staff to complete the listed training when necessary.

#### ***Individual Projects due to be Completed***

Projects listed below are due to be completed within the timeframe of this proposal. If approving project(s) listed below to be completed at the time they are due, please initial below.

PROJECT	TIMEFRAME DUE	ADDITIONAL COST
AHERA Third Year Inspection	February 2027	\$1,750
Radon Testing	February 2027	\$6,335

### PROPOSAL TERMS

Terms on payment of services are net 30 days after invoicing, with interest added to unpaid balances. Please review the attached General Conditions in Appendix B.

Should additional projects be approved in this proposal, IEA will continue to set up project specific billing.

Credit card payments are subject to a 3% service charge.

# 2025-2028 Environmental, Health and Safety Management Services

## AUTHORIZATION TO PROCEED

We appreciate the opportunity to present this proposal for Environmental, Health and Safety Management Services. Please sign this authorization to proceed and send to Grant Chapa at [grant.chapa@ieasafety.com](mailto:grant.chapa@ieasafety.com). Retain the original for your records.

IEA, Inc.



Grant Chapa  
Virginia & Brainerd Regional Manager

\*\*\*

Please proceed according to the above stated fees, terms, attached General Conditions, and proposal dated July 2, 2025.

Regularly occurring projects that are due within this contract cycle are listed below and can be approved now for budgeting purposes. IEA will only proceed with projects below that have been initialed.

PROJECT	TIMEFRAME DUE	ADDITIONAL COST	APPROVAL INITIALS
AHERA Third Year Inspection	February 2027	\$1,750	
Radon Testing	February 2027	\$6,335	

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
PO Number

# **Appendix A**

## *Possible Task List*

## **A Workplace Accident & Injury Reduction Program (AWAIR)**

- Develop and implement a written management plan for workplace accident and injury reduction.
- Develop and implement a written plan for OSHA-mandated safety committees.
- Conduct safety committee meetings at least quarterly to identify and eliminate workplace safety hazards. Develop and document methods used to identify, analyze and control new or existing hazards.
- Identify and document methods of how the plan will be communicated to all affected employees so that they are informed of work-related hazards and controls.
- Develop and document procedures for investigation of workplace accidents and corrective actions.

## **Air Permitting**

- Conduct assessment and perform calculations to identify equipment and processes that require an air discharge permit.
- Develop and implement a written management plan for air permitting, if applicable.
- Complete monthly and annual reports and submit to the Minnesota Pollution Control Agency.
- Maintain all air permitting records.

## **Americans with Disabilities Act (ADA)**

- Conduct an assessment of facilities to determine compliance with ADA.
- Recommend and coordinate projects to address identified ADA issues.

## **Asbestos**

- Complete six-month periodic inspections.
- Conduct asbestos awareness training as needed.
- Maintain all records.
- Maintain/implement written management plan.

## **Bleacher Safety**

- Develop and implement a written bleacher safety plan.

## **Bloodborne Pathogens Standard-Exposure Control Plan**

- Develop and implement a written Bloodborne Pathogens-Exposure Control Plan encompassing OSHA Standard 29 CFR 1910.1030.
- Survey the facility to identify job categories in which employees may be at risk for exposure (Exposure Control Plan exposure determination). Document this process.
- Train affected employees on proper specific and universal precaution methods and techniques.
- Develop post exposure procedures.
- Evaluate engineering controls and document on an annual basis.

## **Community Right to Know**

- Develop and implement a written Community Right to Know plan.
- Compile an inventory of products and develop product file.
- Complete annual Tier Two report and submit to Minnesota Emergency Response Commission and local fire department(s).

## **Compressed Gas**

- Develop and implement a written management plan for compressed gases.
- Conduct inventory and evaluation of compressed gases.
- Conduct annual audit of inventory, postings/warning labels, and documentation.
- Conduct annual training as needed for applicable employees in compressed gas handling and use, respiratory protection, and emergency response procedures.

## **Confined Space**

- Develop and implement a written management plan for confined space procedures.
- Conduct a workplace inventory and determine whether confined spaces are permit-required or non-permit required. Develop, distribute and post entry/exit permit requirements.
- Conduct annual review of program compliance, audit entry/exit procedural compliance, review permit use history and documentation, and provide initial and annual refresher training.

### **Electrical Safety**

- Develop and implement a written management plan for electrical safety.
- Conduct annual training for affected employees.

### **Emergency Action Plan**

- Review Emergency Action Plan and provide suggestions for plan development.
- Conduct training for staff on crisis management, troubled persons/staff recognition, and violence prevention.
- Coordinate response action with local agencies.
- Develop quick reference emergency procedures flip chart for employees.

### **Employee Right to Know (ERK)**

- Develop and implement a written management plan.
- Provide annual training for applicable employees.
- Maintain training records.

### **Ergonomics**

- Develop and implement a written management plan for ergonomics.
- Conduct an assessment of employees (office, custodial, etc.).
- Coordinate abatement of identified ergonomic issues.

### **Fall Protection**

- Develop and implement written management plan.
- Conduct an assessment of facilities.

### **Fire Protection / Fire Prevention**

- Develop and implement a written management plan for fire protection/prevention.
- Conduct an assessment of facilities.
- Conduct annual review/update of written plan.

### **First Aid/CPR**

- Develop and implement a written management plan for first aid/CPR.
- Survey the facility for first aid/CPR needs.

### **Forklift Safety**

- Develop a written plan if applicable.
- Provide required training
- Assist with inventory, inspection, and carbon monoxide monitoring.

### **Hoist / Lift / Crane Safety**

- Develop a written plan if applicable.
- Inventory of hoists
- Assist with inspection and supporting documentation
- Provide training
- Assist with required recordkeeping

### **Hazardous Waste**

- Develop and implement a written management plan for hazardous waste. These are defined as wastes that are toxic, combustible, corrosive, or reactive.
- Identify facility hazardous waste streams by functional areas and by waste stream types.
- Examine the potential for generating hazardous waste products each facility.
- Implement proper waste disposal procedures. Complete waste disposal manifests.
- Acquire an EPA generator number and MPCA annual permit for each building that generates hazardous waste.
- Provide training to affected employees. Conduct annual training if applicable according to VSQG or SQG criteria.
- Complete annual hazardous waste report for MPCA or local County government

### **Hearing Conservation**

- Develop and implement a written management plan for hearing conservation.
- Assess all facilities and employees for occupational noise exposure.
- Coordinate annual hearing tests for affected employees.
- Recommend noise abatement or administrative controls to reduce or eliminate employee exposure and coordinate the distribution of hearing protection devices.
- Conduct noise dosimeter testing.
- Conduct employee training and annual review/update of training records.

### **Indoor Air Quality (IAQ)**

- Develop, implement and maintain an IAQ management plan and building walk through.
- Provide training to employees in indoor air quality.
- Maintain appropriate IAQ records.
- Coordinate IAQ investigations.

### **Infectious Waste**

- Develop and implement a written management plan for infectious waste, if any. NOTE: Blood or other potentially infectious materials are covered under the Bloodborne Pathogens Standard.
- Identify sources of infectious waste in each facility.
- Review current infectious waste handling procedures.
- Evaluate current infectious waste recordkeeping forms and procedures (including archiving).
- Provide annual training to affected employees.

### **Integrated Pest Management (IPM)**

- Develop and implement a written management plan for integrated pest management.
- Prepare required notifications to the community.
- Coordinate with pest control companies to ensure proper pest management.

### **Lead Contamination Control Act**

- Develop and implement a written management plan for lead contamination control.
- Report testing results and provide recommendations for areas with excess lead levels present.

### **Lockout/Tagout**

- Develop and implement a written management plan for lockout/tagout.
- Assist with purchasing of appropriate locks and tags.
- Provide training for affected personnel.
- Conduct annual audit of compliance with lockout/tagout plan procedures.

### **OSHA Inspections**

- Conduct mock OSHA and other regulatory agency inspections.
- Participate in OSHA review of facility and provide management activity for programs.

### **OSHA Recordkeeping**

- Develop and implement a written management plan for OSHA recordkeeping.
- Assist with completion of OSHA 300 Log.
- Review and investigate accidents, develop trend information, and recommend procedures and policies to reduce occurrences.
- Assist with the management of the Workers' Compensation Program.

### **Personal Protective Equipment (PPE)**

- Develop and implement a written management plan.
- Conduct assessment of facilities to determine equipment needs.
- Provide training to employees on the proper care and usage of personal protective equipment.

### **Playground Safety**

- Develop and implement a written management plan for each playground.

- Conduct periodic site reviews, inspections and management plan updates.

### **Process Safety Management**

- Develop and implement a written process safety management plan.
- Provide employee training as required.
- Conduct periodic review/update of written plan.

### **Radon**

- Develop and implement a written management plan for radon.
- Provide recommendations for abatement for areas with excess radon levels present.

### **Respiratory Protection Program**

- Develop and implement a written management plan for respiratory protection.
- Conduct workplace evaluation to determine respiratory protection needs.
- Provide annual respiratory protection program training to applicable employees.
- Coordinate annual medical exams, conduct and document annual fit test and records update.

### **Underground Storage Tanks (USTs) / Aboveground Storage Tanks (ASTs)**

- Develop and implement a written management plan for underground and aboveground storage tanks.
- Complete an inventory of tanks including age, size, type, contents, spill protection, overfill devices, corrosion protection or leak detection systems.
- Develop and coordinate tank removal prioritization for under-equipped or leaking tanks.

### **Welding, Cutting or Brazing**

- Develop a written plan.
- Provide training and assist with required recordkeeping.

# **Appendix B**

## *General Conditions*

# General Conditions

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The word "Consultant" refers to the Institute for Environmental Assessment ("IEA"), the contracting company is referred to as the "Client". Client agrees to be bound by these General Conditions by accepting the Proposal and engaging Consultant.

The Agreement with you, the Client, is comprised of this Agreement and accompanying written proposal.

## 1. Scope of Work

Consultant will furnish and perform the professional services specified in Consultant's proposal (the "Proposal"). The services as set forth in the Proposal (the "Services") will be provided by Consultant's personnel at the location of the Client (the "Site") (hereinafter referred to as the "Project"). If any portion of the Proposal is inconsistent with this Agreement, the terms of this Agreement shall control:

Consultant's obligation to perform the Services shall terminate upon delivery of a final report within 45 days of Project completion.

In addition to the Proposal, Consultant and Client agree as follows:

### A. Right of Access

Unless otherwise agreed in writing, Client will furnish Consultant with right-of-access to the Site and accurate information necessary to conduct the Services, as requested by Consultant.

### B. Confidential & Proprietary Information

The Consultant and Client agree not to disclose to others or use any confidential or proprietary information or trade secrets of the other, which may become known to each prior to, during or after the performance of this Agreement without the prior written consent of the other. "Confidential or propriety information" and "trade secrets" shall mean any information about the other which is neither publicly known nor legally accessible to the other parties from third parties. Prior to the disclosure of any such confidential or proprietary information or trade secrets, each shall obtain the written approval of the other.

## C. General

Consultant warrants that the Services it performs under this Agreement will be performed with the care and skill ordinarily exercised by reputable members of its profession practicing under similar conditions during the period of this Agreement and in the same or similar locality. The AIHA-certified IEA laboratory will perform PCM analysis if specified. Other field PCM analysis will be completed by laboratory-approved field technicians, generally under AAR Guidelines.

## 2. Payment for Services

### A. Fee Schedule & Maximum Costs

The fee schedule in the Proposal specifies the amounts due to Consultant from Client for its Services performed under this Agreement.

### B. Schedule of Payment

Invoices will be submitted to Client once a month for services performed during the prior month. Payment to Consultant is due upon presentation to Client, and past due after thirty (30) days of receipt of the invoice, in which case a service fee of 1.5% monthly shall be added to the invoice, unless specifically arranged otherwise by Consultant and communicated in writing. Client reserves the right to question any item on any invoice and Consultant agrees, upon Client's request, to supply such documentation as is necessary to reasonably justify such invoice amount to Client's reasonable satisfaction. Client agrees to pay Consultant any costs of collection including reasonable attorneys' fees and costs if payment for Services are not made when due.

### C. Expert Fee Expenses

If Client requests Consultant to participate on behalf of Client in litigation regarding the subject matter of this Agreement, Client agrees to pay all of Consultant's expenses arising therefrom at the prevailing rate for Consultant's time plus out-of-pocket costs and expenses, including reasonable attorney fees incurred by Consultant in conjunction with the participation.

## 3. Indemnity & Insurance

### A. Indemnity

Consultant shall indemnify and hold harmless Client against losses, damages and claims, demands, actions, costs (including reasonable attorney fees), and fines of any kind resulting from any breach of this Agreement by Consultant, its employees, agents, subcontractors or licensees, of their obligation under this Agreement, or from any negligence or misconduct by Consultant, its employees, agents, subcontractors or licensees, but only for the proportion of damages which is equal to Consultant's proportion of the total fault which directly caused the damages. Client shall indemnify and hold harmless Consultant against losses, damages and claims, demands, actions, costs (including reasonable attorney fees), and fines of any kind resulting from any breach of this Agreement by Client, its employees, agents, subcontractors or licensees, of their obligation under this Agreement, or from any negligence or misconduct by Client, its employees, agents, subcontractors or licensees, but only for the proportion of damages which is equal to Client's proportion of the total fault which directly caused the damages.

### B. Limitation of Liability

EXCEPT AS EXPRESSLY SET FORTH IN SECTION 1(C) HEREOF, CONSULTANT DISCLAIMS ALL WARRANTIES OF ANY KIND, WHETHER EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. IN NO EVENT SHALL EITHER CONSULTANT OR CLIENT BE LIABLE TO THE OTHER PARTY FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES OF ANY KIND WHETHER FOR BREACH OF ANY WARRANTY, FOR BREACH OR REPUDIATION OF ANY OTHER TERM OR CONDITION OF THIS AGREEMENT, FOR NEGLIGENCE ON THE BASIS OF STRICT LIABILITY OR OTHERWISE.

# General Conditions (cont'd)

## C. Insurance

- (1) Consultant carries coverage and limits of liability insurance as follows:
  - (a) Workers Compensation with statutory limits.
  - (b) Employers' Liability with a minimum policy limit of \$1,000,000.00.
  - (c) Comprehensive General Liability with the following coverage:
    - I. Limit \$1,000,000.00 per occurrence
    - II. \$2,000,000.00 general aggregate
    - III. \$2,000,000.00 products completed/ operations aggregate
    - IV. \$1,000,000.00 personal and advertising injury
    - V. \$300,000.00 fire Damage (any one fire)
    - VI. \$25,000.00 medical expenses (any one person)
  - (d) Automobile insurance covering all owned, non-owned or hired automobiles used in connection with the work covering bodily injury and property damage with a minimum combined occurrence limit of \$1,000,000.00
  - (e) Professional Liability (claims made) with the following coverage:

\$1,000,000.00 per occurrence
  - (f) Contractor Pollution Liability (claims made):

\$1,000,000.00 each occurrence
  - (g) Umbrella Liability.

\$5,000,000.00 each occurrence
- (2) Client (or Owner if applicable), Subcontractors and Agents agree to provide Consultant, upon request, Certificate(s) of Insurance signed by the insurer evidencing insurance for premise liability, general liability, auto and workers comp. equal or greater than those limits carried by the Consultant.

- (3) Consultant shall promptly deliver to Client (or Owner if applicable), upon request, certificate(s) of insurance signed by the insurer for the policies described in (3) (C) above, or certified copies of such insurance policies indicating the existence of such coverage. IEA must be listed as both certificate holder and insured, or additional insured on each certificate of insurance.

## 4. Assignment

This Agreement shall not be assigned by Consultant without prior written consent of the Client.

## 5. Independent Contractor

Consultant is an independent Contractor and shall not be considered an employee, partner or joint venturer of the Client for any purpose.

## 6. Restriction to hire employees of Consultant

Client agrees to refrain from hiring, contracting, or retaining the services of Consultant's employees during or within 12 months after the termination of Consultant's services. If Client hires an employee of Consultant in violation of this Section 6 without Consultant's written consent, Client shall pay Consultant a placement fee equal to twenty-five percent (25%) of such employee's annual wages.

## 7. Notices

Any notice under this Agreement shall be in writing and shall be deemed to be properly given when delivered to an officer of Client or the Consultant's Chief Financial Officer, as the case may be, at their addresses as set forth in the Proposal. The courts located in the State of Minnesota shall have exclusive jurisdiction in any actions commenced by Consultant or Client in connection with this Agreement, the Project or the Services.

## 8. Applicable Law

This Agreement shall be governed by and construed under the laws of the State of Minnesota. Parties agree to participate in pre-suit mediation prior to commencement of an action.

## 9. Extent of Agreement

This Agreement, together with the Proposal, represents the entire Agreement between Client and Consultant, and supersedes all prior obligations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument, dated and executed by both Client and Consultant.

## 10. Termination

Upon completion of the Project, Consultant will, at Client's request, deliver to Client or its designee all records, documents or materials in its possession or control of Consultant which are owned by Client. The obligations and provisions of Sections 1B, 2, 3, 5, 6 and 10 shall survive completion of the Project or termination of this Agreement.

# Appendix C

*Project Specific Scope of Work,  
Limitations & Assumptions*

# Project Specific Scope, Limitations and Assumptions

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## AHERA THIRD YEAR INSPECTION

AHERA Third Year inspections are required by the Environmental Protection Agency's (EPA's) Asbestos Hazard Emergency Response Act (AHERA) – 40 CFR Part 763.85, for all buildings owned or leased by non-profit K-12 school districts that contain asbestos-containing building materials (ACBM). All buildings covered by the Rule are to be re-inspected every three years by an accredited asbestos building inspector.

### *Scope of Work*

IEA will conduct an AHERA Third Year Re-Inspection, which is due to be completed within three years of the last inspection which was completed in February 2024. IEA will inspect the K-12 School, Early Childhood Building, and Bus Garage.

This service includes the following:

- Re-inspect previously identified ACBM and update changes in quantity, amount of damage, EPA condition assessment category, laboratory analysis, and other relevant issues. This work will be performed by a state-certified asbestos building inspector.
- Review inspection data and provide recommended response actions for friable, damaged ACBM. This work will be performed by a state-certified asbestos management planner.
- Provide a district copy of the reports in a three-ring binder as well as individual building copies in separate binders. These reports include three sections identifying damaged ACBM (Chart A), identified ACBM (Chart B), and identified suspect materials (Chart C). Each binder contains numbered tabs for the inclusion of the required periodic surveillance reports.
- Provide inspection reports in electronic format, upon request.

Any bulk samples collected and analyzed (by Polarized Light Microscopy) during the contracted inspection will be invoiced at \$23/per sample layer.

### *Limitations and Assumptions*

- The intent of the AHERA inspections is to comply with the requirements of the Environmental Protection Agency's (EPA's) Asbestos Hazard Emergency Response Act (AHERA) – 40 CFR Part 763.85. They are not intended to fulfill the requirements of the EPA's National Emissions Standard for Hazardous Air Pollutants (NESHAP) for required renovation or demolition inspections.

# Project Specific Scope, Limitations and Assumptions

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## **RADON TESTING (SHORT-TERM)**

According to Minnesota Statute 123B.571, school districts that receive authority to use long-term facilities maintenance revenue to conduct radon testing must conduct the testing according to MDH's 'Radon Testing Plan.' MDH recommends that schools initially be tested for radon and re-tested after significant changes occur to building structure or the HVAC system, or every five years.

Because radon levels have been found to vary significantly from room to room, MDH requires that measurements be taken in all occupied or intended to be occupied rooms in contact with the ground, or those located above unoccupied rooms in ground contact (e.g., rooms above basements, crawlspaces, or utility tunnels).

### ***Scope of Work***

IEA will conduct one site visit to deploy approximately 132 short-term radon test kits in the K-12 School and Early Childhood buildings.

IEA will conduct a second site visit within two to four days to collect the test kits.

Radon kits will be submitted to an accredited laboratory for analysis.

Once IEA has received results of the analysis, a final report will be developed, including the following information:

- Summary of the testing results
- Laboratory analysis documents
- Recommendations, including recommendations for any results above the Action Level

### ***Limitations and Assumptions***

- IEA is not responsible for radon kits that are misplaced or removed during the sampling period.
- IEA assumes access to all locations and information about the HVAC systems will be provided.
- The following conditions are required during the testing period: Closed-building (windows/exterior doors closed, HVAC set to normal and lowest seasonal ventilation, avoiding excessive operation of exhaust systems and no use of fireplaces). Delays and additional expense may occur when test locations are not readily accessible or where requirements for closed-building conditions are not observed per ANSI/AARST MALB 2014 (*with 1/21 revisions*).
- Testing will include following the MDH and ANSI/AARST MALB 2014 (*with 1/21 revisions*) requirements for quality assurance measurements by including duplicate radon kits and control radon kits (blanks), as required by the MDH radon measurement licensing program. Spiked radon kits and lab-transit blanks are part of IEA's internal quality assurance program.
- Additional detectors not listed above may be required to complete the project to MDH standards. If additional detectors are needed, IEA will bill additional detectors at \$18/each.

2025-2026  
Mentor-Mentee Program  
Handbook

ISD #118  
Northland Community Schools



*Eagle Pride School Wide!*

Mentor-Mentee List  
2025-2026

Mentee

Karissa Benoit y3  
CarrieAnn Mortenson y3  
Stephaney Williamson-PreK Sped  
Megan Beck-HS sped  
Karlys Gries-Elem. Sped  
Science (pending)  
Middle/HS Sped (pending)  
Nick Valtinson- Soc. Studies  
Danica Fairbanks-PreK

Mentor

Julie Knapp  
Raina Boucher  
Lori Kuck  
Stacey McKinney  
Mark Gravelle  
  
Mike Horn  
Kelly Riewer

Y2 Year 2 of 3-year program  
Y3 Year 3 of 3-year program

## Mission Statement

Northland Community Schools recognizes the need to attract and retain qualified professionals to provide its students with the best possible education.

The mentorship program is established to assist new teachers and licensed staff in the district in developing skills that help them become more effective and successful in their first years, as well as to understand the Northland Instruction Model.

The primary objective of the Northland Mentorship Program is to facilitate professional growth and development by utilizing experienced educators to guide and support those new to the profession or in a new assignment. Ultimately, this will result in success for the students of Northland Community Schools.

## District Mentorship Goals

- 1) Attract, maintain, and retain high-quality teachers in the profession.
- 2) Develop a teacher induction program that promotes personal and professional growth to enhance teaching and provide students in District 118 with practical learning experiences.
- 3) Identify the varying needs of participants at the primary, intermediate, and high school levels.
- 4) Establish a program that links the theory of teaching to the practice of teaching.
- 5) Develop a program that benefits not only mentees but also the mentor.
- 6) Orient mentees to the overall district goals and norms.
- 7) Generate an up-to-date list of resources for teachers' use.

## Mentor Responsibilities

- 1) Encourage the professional growth of your mentee through participation in the mentorship program.
- 2) Participate in mentorship training offered by the district.
- 3) Schedule and complete an Observation of the mentee and be observed by the mentee.
- 4) Meet regularly with your mentee to provide them with perspective when needed.
- 5) Assist your mentee in setting goals, planning activities to achieve those goals, and evaluating progress on those goals mid-year and at the end of the year.
- 6) Attend meetings/workshops scheduled by the principal or mentor coordinator.
- 7) Experience career rejuvenation and professional growth while serving as a role model.
- 8) Experience personal satisfaction from helping to contribute to the improvement of the teaching profession.
- 9) Arrange observations of other teachers.

## Mentee Responsibilities

- 1) Work toward becoming a professional and highly competent teacher through participation in the mentorship program.
- 2) Participate in mentorship training offered in the district.
- 3) Meet regularly with your mentor to discuss progress, issues, concerns, and needs.
- 4) Develop a trusting relationship with an advocate who supports, guides, and provides encouragement.
- 5) Work with your mentor to set goals, plan activities to meet those goals, and evaluate your progress mid-year and at the end of the year.
- 6) Be observed and observe your mentor.
- 7) Attend meetings/workshops scheduled by the principal.
- 8) Gain self-esteem, competence, and personal satisfaction as an educator in a non-threatening setting.

Increase instructional effectiveness through peer observation, collaboration, and coaching.

## Characteristics of Mentors-Mentees

APPROACHABLE  
WILLING TO LISTEN  
SINCERE  
CONFIDENTIAL  
STRONG COMMUNICATOR  
WILLING TO SPEND TIME  
ENTHUSIASTIC  
ACCEPTING  
COMPETENT  
TRUSTWORTHY  
RESPECTED BY COLLEAGUES  
WILLING TO WORK HARD  
EMPATHETIC  
POSITIVE  
CONFIDENT  
COMMITTED TO PROGRESS  
OPEN  
VALUE REAL WORLD LEARNING  
TACTFUL  
COOPERATIVE  
FLEXIBLE  
LIFE LONG LEARNER  
HONEST AND FAIR

# Who do you call or email?

## Your mentor or:

You are having trouble with your computer, phone, website, or copiers

Lori Sizenbach

[lsizenbach@isd118.org](mailto:lsizenbach@isd118.org)

You are not sure or need help with your paycheck, paystub, direct deposit or withholdings, or benefits, or you need to turn in an expense reimbursement, invoice, or receipt

Julie Erpelding - Payroll and Benefits, ext. 32025

[jerpelding@isd118.org](mailto:jerpelding@isd118.org)

You need help with requisitions/purchase orders, district credit card purchases, lane credits, and building keys/key FOBs

Tina Anderson, ext. 32076

[tanderson@isd118.org](mailto:tanderson@isd118.org)

You need help with or have questions anything pertaining to PreK-5

Elementary principal Janessa Green

[jgreen@isd118.org](mailto:jgreen@isd118.org)

and superintendent Mark Morrison or Interim Activities Director, Max Torgerson shared with Hill City

[mmorrison@isd118.org](mailto:mmorrison@isd118.org)

You need help with or have questions about anything pertaining to High School

High School Principal Mary Yakibchuk

[myakibchuck@isd118.org](mailto:myakibchuck@isd118.org)

Infinite Campus:

Laura Flood

[lflood@isd118.org](mailto:lflood@isd118.org)

You have compensation questions:

Julie E and Carol Procopio: union representatives

[cprocopio@isd118.org](mailto:cprocopio@isd118.org)

When does my teaching license expire?

<https://mn.gov/pelsb>

Click the link: License lookup

Mike Horn

Do I have any personal leave left?

Mentor

OR look for yourself in "Absence Management"

Union Questions Carol Procopio or Education Minnesota:

1-800-652-9073

# Monthly Meeting Guide 1st year

## September:

- Introductions
- Review Mentor Handbook
- Prepare the mentee for initial parent contact, PIE conferences K-5  
And IEP information
- Discuss the use of paraprofessionals & support staff
- Review computer grade books/voicemail
- Begin to develop a collegial relationship
- Schedule weekly meetings

*Focus: Relationships and Establish Rules and Procedures*

## October:

- Continue familiarization with the curriculum
- Cultivate a sense of belonging in your classroom.
- Review a student's cumulative file
- Introduce teaching best practices/strategies  
Marzano Framework  
Resources on i-observation
- Set professional goals for the year

*Focus: Physical Layout of the Classroom*

## November:

- Explain Parent-Teacher conferences
- Discuss midterm report procedures

- Discuss report card procedures

*Focus: Providing Scales and Rubrics*

## December:

- Discuss pre-referrals (STAT)
- Discuss Legal Issues (Harassment, Corporal punishment, Data privacy, Mandated Reporting, Truancy)
- Formal Observation Process

*Focus: Tracking Student Progress*

## January:

- Review progress on the goal
- Review best practices/Marzano Framework
- End of Semester 1

*Focus: Celebrate Success*

## February:

- Celebrate professional successes
- Review ALICE /safety
- Classroom management check-in

*Focus: Native culture and program*

## March:

Budget Packets & ordering for the next school year

Graduation Standards Implementation

*Focus: Building Relationships with families*

## April:

Explain end-of-the-year procedures

Review of the year's progress

Celebrate success

*Focus: Building quality assessments based on power standards.*

# Parent-Teacher Conferences: Helpful Hints for Teachers

## **Prepare yourself before the conference**

Outline the key points you want to discuss with each parent. Gather materials.

## **Be flexible.**

Encourage parents to begin the discussion.

## **Be Positive.**

Welcome, parents. Thank them for coming to the conference. Talk about the child's strengths. Show interest in the child. Talk about the good things you see in the child. Show curiosity and want to help. Talk about progress.

## **Begin where the parents are.**

Help them feel relaxed and comfortable. Encourage them to talk. Find out what they like about their child and what their concerns are. Think and talk developmentally.

## **Ask leading questions**

Facilitate conversation by asking questions that require more than a "yes" or "no" answer. Some leading questions might be: "What does he do when...?" "What does she say about...?" "How do you feel about...?" "What do you do when...?"

Listen

Do not interrupt to say what you have done. Be an attentive listener.

## **Be a good observer**

Notice what the parent says and what they do not say. Be aware of body tension, hesitation, and excitability.

## **Make comments and thoughts.**

Speak simply and sincerely. Use your comments to reassure, encourage, or carefully direct parents to relevant matters. Avoid education jargon. Be tactful but honest. Remember that you may be wrong. Carefully consider their point of view.

## **Answer personal questions**

Be frank, brief, and truthful within your boundaries. Then try to redirect the conversation back to the parent or child.

## **End the conversation with a summary.**

Repeat the ideas discussed. Try to highlight both one strength and one "growth-needed" area.

## **Good Relationships take time.**

Working with parents is a process. It takes time to develop rapport and trust. Don't try to do everything in one meeting.

## **Maintain ethical standards**

Maintain confidentiality. Discussions about students other than their parents' own are not appropriate. Be aware of mandatory reporting issues. Be familiar with and give attention to data privacy.

# What Parents Want To Know

His/her child's academic progress in classroom subjects. What do you take into account in deciding grades?

Is my child doing as well as she/he should in school? Is he working up to his ability?

In what ways is my child working/ not working up to your expectations?

In what ways does my child contribute positively to the class?

What group is he/she in and why? (Ability grouping needs to be explained) Can my child move to another group if needed?

What books are being used? Show and explain why.

Is my child finishing the work assigned in class?

How much time should be spent on homework each day?

What are the consequences of incomplete or late homework?

How is homework graded?

How does he/she get along with other students or adults?

How well does my child pay attention in class?

What are the consequences for his/her behavior?

What does my child need to work on most?

His/her response to rules in school. Does he/she obey you?

Does he/she respect the rights and property of others?

Have you noticed signs of initiative, originality, or responsibility in the classroom?

What do you expect from me as a parent with a child in your class?

## Mentor/Mentee Meeting Log

August

Date	Meeting Time	Topics Discussed

September

Date	Meeting Time	Topics Discussed

October

Date	Meeting Time	Topics Discussed

November

Date	Meeting Time	Topics Discussed

December

Date	Meeting Time	Topics Discussed

January

Date	Meeting Time	Topics Discussed

February

Date	Meeting Time	Topics Discussed

March

Date	Meeting Time	Topics Discussed

April

Date	Meeting Time	Topics Discussed

May

Date	Meeting Time	Topics Discussed

# Northland Community Schools Teacher Induction Program

The Northland Community Schools Teacher Induction Program's purpose is multi-faceted and comprehensive in scope. NCS boasts a unique learning environment, complemented by a structured set of procedures and processes designed to promote staff development, enhance student achievement, and foster a positive school climate. The purpose of the NCS Teacher Induction Program is to bring teachers up to speed on NCS policies and procedures while supporting new teacher development through pairing new teachers with mentors. This pairing enables professional development, facilitates environmental acclimation, and encourages professional reflection pertinent to classroom teaching.

The goals of the NCS Teacher Induction Program are multiple in number but comprehensive in scope:

- A) Improve instructional practices and educator self-care
- B) Enhance student achievement
- C) Align with school and district improvement priorities,
- D) Retain teachers in the district and the profession
- E) Make professional learning a career-long process

Through facilitating the goals mentioned above, the NCS Teacher Induction Program aims to support our teachers as they continually develop skills in their respective skill sets, meet and exceed school and district priorities, and, most importantly, do what is best for children by granting them access to the best quality teachers possible.

## **Intended Outcomes**

This program is designed to support various aspects of teaching and learning, including teacher development, student achievement, and fostering strong, trusting staff relationships to promote a positive school climate. Some expected outcomes of this program are as follows:

- A) Raising teacher retention from year to year
- B) Improving teacher satisfaction through creating robust teacher support systems
- C) Supporting and facilitating continual teacher development
- D) Increasing both teacher and student achievement

Through achieving these outcomes, NCS can more equitably offer students access to high-quality instruction and enable teachers to become leaders in our profession.

## **Leadership and Administration**

The mentor coordinator and the administration team will select program mentors. To adequately prepare coaches to coach new teachers, coaches will be trained in instructional coaching according to the principles of Marzano's Art and Science of Teaching.

Teacher coaches will team with one or two new staff members per year to help facilitate both new employee professional goals and the Ten design areas within three categories of teaching that form a road map for teacher lessons and unit planning of the Marzano Art and Science of Teaching Framework:

- A) Year 1: Understand the Northland model of Instruction and set yearly goals.
- B) Year 2 has looked at all 43 categories and set yearly and 5-year goals
- C) Year 3: Working on professional development to refine teaching and learning skills

Teacher coaches(Mentor) will try to meet with the mentee once/week to discuss personal goal progress in years one and two, in addition to once/month with all other coaches and mentees to discuss overarching topics relating to school acclimation and program questions. In addition, mentors will use the 3 Feedback, Content, and Context framework while *observing* mentees and providing constructive feedback up to three times in the first year of the program.

Teacher coaches (mentors) and mentees will be paid a rate of \$489.00/year to facilitate the coaching/induction process upon completion of each year.

## **Collaboration**

PBIS will work to assign teachers in the Teacher Induction Program a "teacher buddy" to help resolve logistical, procedural, and technical issues related to basic operating procedures and day-to-day tasks.

Coaches and mentees will meet as needed outside of scheduled school hours to facilitate the coaching process. Meeting formats will follow the format outlined in the Teacher Induction Coaching Calendar and the Marzano Art and Science of Teaching Framework.

All coaches and mentees will meet monthly to discuss general concerns regarding building acclimation or ask questions about professional development, teaching practices, or building processes.

## **Support of Site Administrators**

Building administrators will support the Teacher Induction Program by addressing concerns raised by the program coordinator, teacher coaches, or other building administrators. They will also meet periodically with the program coordinator to assess program fidelity, identify any issues, and discuss program successes. Building

administrators will also focus on day-to-day duties, including, but not limited to, Infinite Campus, completing forms, and classroom administrative tasks.

### **Context**

Program coaches will work with mentees to discuss topics related to how Northland High School, Pre-K, Little Sand Learning Center, and Remer Elementary differ, how staff members collaborate between buildings and at the district level, and how school initiatives work at each school.

### **Provisions of Schedule/Structured Time (Calendar)**

#### **Year One/Year Two:**

Cohort One: Focused on Marzano design questions 6, 1, 5, 7, & 8.

Cohort Two: Focused on Marzano design questions 2, 3, 4, & 9.

Cohort Three: Focused on district initiatives and individual development.

### **Professional Development**

Building professional development will be planned and organized using the Marzano Model. Therefore, building professional development opportunities will align with the coaching aspect of the Induction Program and mentees' yearly professional development goals.

### **Individual Follow-up**

Mentees will meet with coaches regularly, as well as monthly with all other coaches and new teachers, throughout the first year of employment. In years two and three, the program will see coaches and mentors meeting quarterly and on an "as-needed" basis.

### **Feedback to Beginning Teachers**

New teachers will receive feedback through coach observation, coach meeting opportunities, monthly group meetings, and administrator observations. This feedback may be shared with the building administrator for consideration during the formal evaluation of the Teacher Induction program, rather than for individual teachers.

### **Evaluation**

Mentors and mentees will provide reflective summaries of the value of the Teacher Induction Program by May 15th of each school year, while they are in the induction program.

# Northland Community Schools

## Instructional Model | 2025-2026

Categories of Instruction	Instructional Design Areas
<b>Feedback</b>	Providing and Communicating Clear Learning Goals
	Assessment
<b>Content</b>	Direct Instruction Lessons
	Practicing and Deepening Lessons
	Knowledge Application Lessons
	Strategies That Appear in All Types of Lessons
<b>Context</b>	Engagement
	Rules and Procedures
	Relationships
	Communicating High Expectations

Feedback	Content	Context
<p><b>Providing and Communicating Clear Learning Goals</b></p> <ol style="list-style-type: none"> <li><a href="#">Providing scales and rubrics</a></li> <li><a href="#">Tracking student progress</a></li> <li><a href="#">Celebrating success</a></li> </ol> <p><b>Using Assessments</b></p> <ol style="list-style-type: none"> <li><a href="#">Using informal assessments of the whole class</a></li> <li><a href="#">Using formal assessments of individual students</a></li> </ol>	<p><b>Conducting Direct Instruction Lessons</b></p> <ol style="list-style-type: none"> <li><a href="#">Chunking content</a></li> <li><a href="#">Processing content</a></li> <li><a href="#">Recording and representing content</a></li> </ol> <p><b>Conducting Practice and Deepening Lessons</b></p> <ol style="list-style-type: none"> <li><a href="#">Using structured practice sessions</a></li> <li><a href="#">Examining similarities and differences</a></li> <li><a href="#">Examining errors in reasoning</a></li> </ol> <p><b>Conducting Knowledge Application Lessons</b></p> <ol style="list-style-type: none"> <li><a href="#">Engaging students in cognitively complex tasks</a></li> <li><a href="#">Providing resources and guidance</a></li> <li><a href="#">Generating and defending claims</a></li> </ol> <p><b>Using Strategies That Appear in All Types of Lessons</b></p> <ol style="list-style-type: none"> <li><a href="#">Previewing strategies</a></li> <li><a href="#">Highlighting critical information</a></li> <li><a href="#">Reviewing content</a></li> <li><a href="#">Revising knowledge</a></li> <li><a href="#">Reflecting on learning</a></li> <li><a href="#">Assigning purposeful homework</a></li> <li><a href="#">Elaborating on information</a></li> <li><a href="#">Organizing students to interact</a></li> </ol>	<p><b>Using Engagement Strategies</b></p> <ol style="list-style-type: none"> <li><a href="#">Noticing and reacting when students are not engaged</a></li> <li><a href="#">Increasing response rates</a></li> <li><a href="#">Using physical movement</a></li> <li><a href="#">Maintaining a lively pace</a></li> <li><a href="#">Demonstrating intensity and enthusiasm</a></li> <li><a href="#">Presenting unusual information</a></li> <li><a href="#">Using friendly controversy</a></li> <li><a href="#">Using academic games</a></li> <li><a href="#">Providing opportunities for students to talk about themselves</a></li> <li><a href="#">Motivating and inspiring students</a></li> </ol> <p><b>Implementing Rules and Procedures</b></p> <ol style="list-style-type: none"> <li><a href="#">Establishing rules and procedures</a></li> <li><a href="#">Organizing the physical layout of the classroom</a></li> <li><a href="#">Demonstrating withitness</a></li> <li><a href="#">Acknowledging adherence to rules and procedures</a></li> <li><a href="#">Acknowledging lack of adherence to rules and procedures</a></li> </ol> <p><b>Building Relationships</b></p> <ol style="list-style-type: none"> <li><a href="#">Using verbal and nonverbal behaviors that indicate affection for students</a></li> <li><a href="#">Understanding students' backgrounds and interests</a></li> <li><a href="#">Displaying objectivity and control</a></li> </ol> <p><b>Communicating High Expectations</b></p> <ol style="list-style-type: none"> <li><a href="#">Demonstrating value and respect for each learner</a></li> <li><a href="#">Asking in-depth questions of each learner</a></li> <li><a href="#">Probing incorrect answers with each learner</a></li> </ol>

## AVID: 6-12 grade

AVID's mission is to close the opportunity gap by preparing all students for college and career readiness and success in a global society.



### AVID's Four Stages of Building Relational Capacity

The diagram illustrates four stages of building relational capacity, each shown in a photo with an information icon (i) and a location pin icon (📍). The background is decorated with colorful paper clips and a pencil.

- Stage 1:** A group of diverse students smiling and interacting.
- Stage 2:** A student pointing at a whiteboard while others look on.
- Stage 3:** A group of students sitting in a circle, engaged in a discussion.
- Stage 4:** A group of students gathered around a table, working together on papers.

## WICOR Core Strategies

**Think About It:** How are you currently using WICOR® with your students?

[Overview](#)

[Writing](#)

[Inquiry](#)

[Collaboration](#)

[Organization](#)

[Reading](#)

**WICOR** (writing, inquiry, collaboration, organization, reading) . . .

- Is an integrated approach involving both teachers and students.
- Places students at the center of instruction and empowers them to take ownership of their thinking and learning.

**WICOR-based instruction** . . .

- Transforms the teaching and learning environment so that students are actively engaged with content through productive struggle, cognitive wrestling, and critical thinking.
- Is characterized by the integration of multiple elements of **WICOR** into each lesson, lesson segment, or activity.



**G**ET READY TO LEARN

**R**EVIEW WHAT YOU KNOW

**O**PEN YOUR MIND

**W**ONDER AND ASK



## Responsive classroom pre-K to 8th Grade:

*Responsive Classroom* is an evidence-based approach to teaching and discipline that focuses on engaging academics, positive community, effective management, and developmental awareness. Our professional development, books and resources help elementary and middle school educators to create safe, joyful, and engaging classrooms and school communities where students develop strong social and academic skills and every student can thrive.

▶ What is Responsive Classroom?

### The Four Key Domains of Responsive Classroom



# Marzano's Art and Science of Teaching

## **Instruction**

Prescriptive model of instruction across disciplines and age groups

## **Teacher Development**

Support the development of teacher ability to follow this model through mentorship and observation

## **Best Practices**

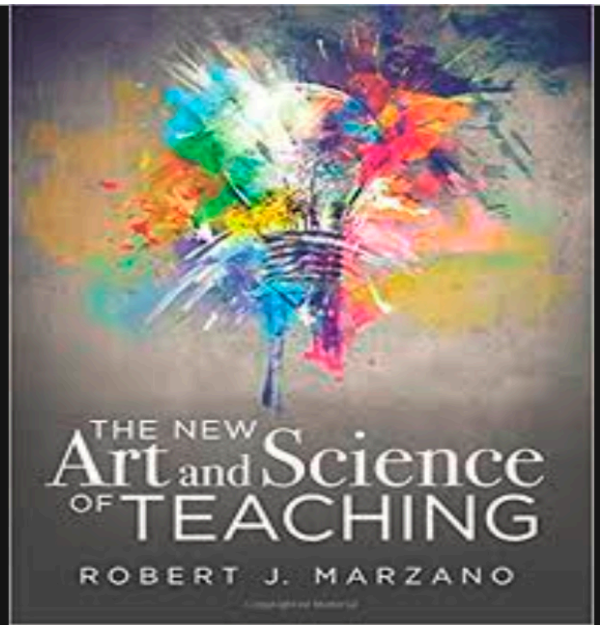
Committed as a staff and district to use research-based best practices

## **Growth**

Committed to growth.

## Marzano

NCS is a Marzano, “**High Reliability School**” and we use the Marzano Framework and Elements of Effective Practice to guide our instruction and evaluations.



# Instruction

## Learning Target

Every hour of the day (every lesson segment) begins with a learning goal/target



## Teaching Map

Teachers plan lessons according to this order:



1. What **standard** am I teaching?
2. What **assessments** (formative and summative) will I use to assure student understanding of content?
3. What **content** will I use for instruction?
4. What **activities** will I plan to do with students?
5. How will I **develop rigor** with instruction and assessment for students?

## Engagement

Continuous monitoring of students engagement, and learning

# Organized, Safe Learning Environment



## Routine

Students thrive in safe and predictable environments

## Explicitly Teach

Students need to be explicitly taught classroom expectations, routines and procedures

## Ownership

Students need to be involved in the process of developing classroom routines and procedures



# Engagement

- ❖ Students who are engaged are more likely to do what you want them to do, and less likely to do what you don't want them to do!
- ❖ Engaged students are actively learning, exploring your lesson objective.
- ❖ ACTIVE vs PASSIVE engagement, passive engagement and un-engaged look a lot alike!
- ❖ Think of as many ways as possible to actively engaged ALL learners, throughout the lesson.



# Monitoring for Learning

## **Formative Assessment**

Deliberate, planned, and enacted minute by minute

## **Summative Assessment**

Provide evidence of student understanding of standards

## **Student Accountability**

Every student able to answer every question, every time.

# W

## **Wait Time**

Delaying a few strategic seconds after you finish asking a question and before you ask a student to begin answering it.

# C

## **Cold Call**

Calling on students to answer questions at random, and not based on who volunteers to participate.

# N

## **No Opt Out**

Get a student to answer by getting the answer from another student (or supply it yourself) and have the first student repeat the answer.

# T

## **Think, Pair,**

**Share**  
Give students 30-60 seconds to think, turn to partner to talk about thinking, share with the class.