

ISD 110 School Board Regular Meeting

Monday, April 22, 2024 7:00 PM

Waconia City Hall, 201 S Vine Street, Waconia, MN 55387

1. **CALL TO ORDER, ADOPTION OF AGENDA, and NOTATION OF MEMBERS IN ATTENDANCE, and PLEDGE OF ALLEGIANCE** **Presenter:** Chair Geller

2. **ANNOUNCEMENTS, ACKNOWLEDGMENTS, AND CORRESPONDENCE** **Presenter:** Chair Geller

2.A. Upcoming Meetings:

3. **PUBLIC COMMENT**

4. **MINUTES OF PREVIOUS MEETING**

ISD 110 School Board Regular Meeting
Monday, March 25, 2024 7:00 PM Central

Waconia City Hall
201 S Vine Street
Waconia, MN 55387

1. CALL TO ORDER, ADOPTION OF AGENDA, and NOTATION OF MEMBERS IN ATTENDANCE, and PLEDGE OF ALLEGIANCE

Members present: Geller, DeBoer, Kelzer-Breeden, Bergstrom, Amott, Hagen

Members absent: Myers

Call to order by Chair Geller at 7:00 PM

Motion by DeBoer to adopt agenda

Bergstrom second

All in favor

Motion carried

2. ANNOUNCEMENTS, ACKNOWLEDGMENTS, AND CORRESPONDENCE

2.A. Upcoming Meetings:

3. PUBLIC COMMENT

4. MINUTES OF PREVIOUS MEETING

Motion by DeBoer to approve minutes of Feb 26 regular and March 18 work session

Kelzer-Breeden second

All in favor

Motion carried

5. CONSENT AGENDA

Motion by DeBoer to approve Consent Agenda

Hagen second

All in favor

Motion carried

5.A. Bills and Wire Transfers

5.B. Human Resource Items:

Employment

Hulitt, Geoffrey
Replacement

Educational Assistant (SPED)
6.5 Hours/Day; 175 Days

SV

Lerfald, Karen
Replacement

Special Education Teacher
.26 FTE; 48 Days **Attach K**

LT

Schaefer, Micah
Replacement

DAPE Teacher
1.0 FTE; 184 Days **Attach K**

BV, LT, SV, ESC

7.A.4. 523 Policies Incorporated by Reference

7.A.5. 525 Violence Prevention

8. DISCUSSION ITEMS

9. BOARD COMMITTEE REPORTS

9.A. Self-Governance & Superintendent Relations Committee

Geller attended SEE and MSBA days at the Capitol, met with legislators, members can participate in MSBA Friday Chat for updates on bills. Negotiation met, WEA proposal is on the website, costing still to come.

9.B. Finance & Facilities Committee

9.C. Policy & Advocacy Committee

9.D. Schools for Equity in Education (SEE) Representative

9.E. Southwest Metro Intermediate District 288 Representative

9.F. MSHSL Representative

9.G. Special Education Advisory Council

9.H. Community Education Advisory Council Representative

Kelzer-Breden attended meeting, received updates on enrollment numbers for PreK and More than Pink programs

9.I. Teaching & Learning Advisory Council Representative

9.J. City of Waconia Liaison

Comment: DeBoer mentioned good board training session that happened week prior.

10. ADJOURNMENT

Motion by DeBoer to adjourn

Amott second

All in favor

Motion carried

Meeting adjourned at 7:25 PM. The preceding is a summary of the official transcript on file at the District Office located at 512 Industrial Blvd, Waconia, MN.

ISD 110 School Board Work Session
Monday, April 8, 2024 7:00 PM Central

Waconia Public Schools - District Office -
Conf Rm A
512 Industrial Blvd.
Waconia, MN 55387

Members present: Geller, DeBoer, Myers, Bergstrom, Hagen, Amott, Kelzer-Breeden
Members absent: none

1. Superintendent Updates

Career Fair, All Day PreK, Finance Director Search Update, WMS Roof Leak Update, May calendar, May meeting schedule to remain as posted

2. Adopt Revised SOD Plan

Motion by DeBoer to adopt Revised SOD Plan.

Amott second

All in favor

Motion carried

3. School Board Representative – Timeline

May 6 week: interviews

May 20 meeting: introduction

Kelzer-Breeden and Hagen will participate in the interview process. Determined 5/8 afternoon, and 5/10 morning as options.

4. Board Member Compensation

Compensation rates will remain same as FY 2024.

5. **CONSENT AGENDA**

Presenter: Chair
Geller

5.A. Bills and Wire Transfers

CHECK NUMBER	VENDOR	CHECK DATE	CHE TYP	POST AMOUNT	MONTH
611202	ADAMS PEST CONTROL CO INC	03/20/2024	R	132.05	March
611203	AFFINETY SOLUTIONS, INC	03/20/2024	R	710.00	March
611204	AQUA LOGIC INC	03/20/2024	R	388.45	March
611205	AUDIO LOGIC SYSTEMS	03/20/2024	R	5,527.66	March
611206	AVIBEN	03/20/2024	R	553.57	March
611207	BARRY & SEWALL INDUSTRIAL SUPP	03/20/2024	R	723.85	March
611208	BATTERIES R US	03/20/2024	R	119.98	March
611209	BIG PICTURE MURALS	03/20/2024	R	13,300.00	March
611210	BLUUM OF MINNESOTA LLC	03/20/2024	R	70.56	March
611211	BOB'S REPAIR OF MAYER INC.	03/20/2024	R	820.22	March
611212	BRIGHTWORKS	03/20/2024	R	35.00	March
611213	CHRIS J MEYER ENTERPRISES, LLC	03/20/2024	R	160.00	March
611214	COLONY PLAZA, INC	03/20/2024	R	294.84	March
611215	CRANKSHOOTER	03/20/2024	R	556.00	March
611216	CURFMAN TRUCKING & REPAIR, INC	03/20/2024	R	1,950.00	March
611217	DEMCO, INC	03/20/2024	R	166.01	March
611218	DIGITAL INS LLC	03/20/2024	R	1,600.00	March
611220	EARLEY, MATTHEW	03/20/2024	R	258.00	March
611221	ECM PUBLISHERS, INC	03/20/2024	R	193.80	March
611222	EDEN PRAIRIE HIGH SCHOOL	03/20/2024	R	300.00	March
611223	UNIVERSAL ATHLETIC LLC	03/20/2024	R	2,576.25	March
611224	GRAINGER	03/20/2024	R	1,871.16	March
611225	HENNEPIN COUNTY TREASURER	03/20/2024	R	572.00	March
611226	HYLAND HILLS	03/20/2024	R	1,760.00	March
611227	INDIANHEAD FS DISTRIBUTOR, INC	03/20/2024	R	25,743.01	March
611228	INGCO INT'L INC	03/20/2024	R	40.00	March
611229	INNOVATIVE OFFICE SOLUTIONS LL	03/20/2024	R	284.78	March
611230	INNOVATIONAL WATER SOLUTIONS I	03/20/2024	R	2,163.00	March
611231	ISD 466	03/20/2024	R	119.00	March
611232	JW PEPPER & SON, INC	03/20/2024	R	458.99	March
611234	LOFFLER COMPANIES	03/20/2024	R	833.75	March
611235	MACKENTHUN'S FINE FOODS	03/20/2024	R	2,287.74	March
611237	MAYER LUMBER CO, INC	03/20/2024	R	626.25	March
611238	MEI TOTAL ELEVATOR SOLUTIONS	03/20/2024	R	753.33	March
611239	MID-COUNTY CO-OP	03/20/2024	R	67.69	March
611240	MRI SOFTWARE LLC	03/20/2024	R	696.45	March
611241	MUSIC MART	03/20/2024	R	1,010.49	March
611242	RADEMACHER, BOB	03/20/2024	R	1,650.00	March
611243	SCHOLASTIC BOOK FAIRS-15	03/20/2024	R	887.35	March
611244	SECOND STORY FARMS	03/20/2024	R	80.00	March
611245	SHERWIN-WILLIAMS CO	03/20/2024	R	245.25	March
611247	SITELOGIQ, INC	03/20/2024	R	157,640.63	March
611248	SQUIRES,WALDSPURGER & MACE PA	03/20/2024	R	16,473.77	March
611249	STAPLES ADVANTAGE	03/20/2024	R	7.41	March
611250	STEP SAVER, INC	03/20/2024	R	127.68	March
611251	TERRAFORM PHOENIX II ARCADIA	03/20/2024	R	193.68	March
611252	TITAN ENERGY SYSTEMS INC	03/20/2024	R	10,871.65	March
611253	UHL CO	03/20/2024	R	75.89	March
611254	UNITED FARMERS COOPERATIVE	03/20/2024	R	3,505.60	March
611255	WEX BANK	03/20/2024	R	272.55	March
611256	WM CORPORATE SERVICES INC	03/20/2024	R	2,388.69	March
611257	AMAZON CAPITAL SERVICES	03/21/2024	R	7,640.74	March
611258	KOHLER, MAX	03/21/2024	R	92.00	March
611260	EYE MED-FIDELITY SECURITY LIFE	03/29/2024	R	1,979.97	March
611261	NCPERS GROUP LIFE INS	03/29/2024	R	96.00	March
611262	SCHOOL SERVICE EMPLOYEES	03/29/2024	R	914.82	March

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611263	WACONIA EDUCATION ASSOCIATION	03/29/2024	R	11,930.17	March
611264	21ST CENTURY SPORTS LLC	03/28/2024	R	310.00	March
611265	AED BRANDS	03/28/2024	R	118.00	March
611266	BELLE PLAINE COMM ED	03/28/2024	R	700.00	March
611267	BOB'S REPAIR OF MAYER INC.	03/28/2024	R	16.25	March
611268	BOYER, JACQUELYN	03/28/2024	R	408.00	March
611269	CAPITAL ONE TRADE CREDIT	03/28/2024	R	211.16	March
611270	CATALYST SOURCING SOLUTIONS	03/28/2024	R	808.04	March
611271	CHASKA HIGH SCHOOL ATHLETICS	03/28/2024	R	400.00	March
611272	COMM ED - EASTERN CARVER COUNT	03/28/2024	R	16,120.00	March
611273	CURFMAN TRUCKING & REPAIR, INC	03/28/2024	R	17,053.75	March
611274	CURTIS, MELISSA	03/28/2024	R	922.00	March
611275	ECM PUBLISHERS, INC	03/28/2024	R	204.75	March
611276	GALLAGHER BASSETT SERVICES INC	03/28/2024	R	3,146.00	March
611277	GRAINGER	03/28/2024	R	342.00	March
611278	HELEN SOLAR LLC	03/28/2024	R	4,195.74	March
611279	HILLYARD/HUTCHINSON	03/28/2024	R	456.66	March
611280	HLS GROUP	03/28/2024	R	1,208.80	March
611281	IEA, INC	03/28/2024	R	689.13	March
611282	INDIANHEAD FS DISTRIBUTOR, INC	03/28/2024	R	19,549.70	March
611283	JORDAN COMMUNITY ED	03/28/2024	R	40.00	March
611284	JT FLOOR COVERING INSTALL LLC	03/28/2024	R	607.84	March
611285	KOCH SCHOOL BUS SERVICE, INC	03/28/2024	R	408,211.76	March
611286	LANO EQUIPMENT INC	03/28/2024	R	30.25	March
611287	LOFFLER COMPANIES	03/28/2024	R	5,516.44	March
611288	MAYER LUTHERAN HIGH SCHOOL	03/28/2024	R	2,160.00	March
611289	MINI BIFF LLC	03/28/2024	R	115.26	March
611290	MINNETONKA HIGH SCHOOL ATHLETI	03/28/2024	R	300.00	March
611291	MN CLAY CO USA	03/28/2024	R	354.97	March
611292	MN TRUE TEAM TRACK & FIELD	03/28/2024	R	200.00	March
611293	OFFICE OF MNIT SERVICES	03/28/2024	R	87.15	March
611294	ORONO HIGH SCHOOL	03/28/2024	R	200.00	March
611295	PARTS CITY WACONIA	03/28/2024	R	20.98	March
611296	PARTY CRASHERS RC RACING	03/28/2024	R	361.00	March
611297	PERFORMANCE FOODSERVICE	03/28/2024	R	1,026.39	March
611298	PICK A TIME	03/28/2024	R	180.50	March
611299	PIONEER MANUFACTURING CO	03/28/2024	R	2,584.00	March
611300	PLANK ROAD PUBLISHING	03/28/2024	R	93.89	March
611301	PLANSOURCE BENEFITS ADMIN INC	03/28/2024	R	3,066.05	March
611302	PRITZL, LEE	03/28/2024	R	1,980.65	March
611303	RED BALLOON BOOKSHOP	03/28/2024	R	573.15	March
611304	SCHOOL COUNSELORS FOR MTSS	03/28/2024	R	250.00	March
611305	SIBLEY EAST COMMUNITY ED	03/28/2024	R	680.00	March
611306	SIGN PRODUCERS INC.	03/28/2024	R	4,175.00	March
611307	ST JOHN'S UNIVERSITY	03/28/2024	R	200.00	March
611308	STEWART CRAFTS	03/28/2024	R	144.00	March
611309	TAYLOR HUBBARD PHOTOGRAPHY LLC	03/28/2024	R	435.00	March
611310	TINTES, MATTHEW	03/28/2024	R	667.00	March
611311	TRINITY LUTHERAN SCHOOL	03/28/2024	R	1,850.00	March
611312	WORTZ, TYLER	03/28/2024	R	518.40	March
611313	AUDIO LOGIC SYSTEMS	04/05/2024	R	468.75	April
611314	AVIBEN	04/05/2024	R	261.44	April
611315	BSN SPORTS LLC	04/05/2024	R	14,605.50	April
611316	CANON FINANCIAL SERVICES INC	04/05/2024	R	890.18	April
611317	CHILDREN'S THEATRE COMPANY	04/05/2024	R	1,025.00	April
611318	DASSEL-COKATO HS ISD# 466	04/05/2024	R	80.00	April

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611319	EDUTRAK LLC	04/05/2024	R	3,506.50	April
611320	FLIPSIDE PRODUCTS, INC	04/05/2024	R	77.90	April
611321	GATEWAY MUSIC FESTIVALS & TOUR	04/05/2024	R	39,713.75	April
611322	HANSON SPORTS LLC	04/05/2024	R	1,336.80	April
611323	HEGER'S DAIRY LLC	04/05/2024	R	7,247.33	April
611324	HILLYARD/HUTCHINSON	04/05/2024	R	7,513.82	April
611325	HOUSE OF PRINT	04/05/2024	R	6,662.08	April
611326	IEA, INC	04/05/2024	R	1,990.21	April
611327	INDIANHEAD FS DISTRIBUTOR, INC	04/05/2024	R	108.00	April
611330	KOPPI, WILLIAM	04/05/2024	R	300.00	April
611331	LIEBHARD, COURTNEY	04/05/2024	R	313.50	April
611332	LITERACY RESOURCES LLC	04/05/2024	R	99.00	April
611333	LOFFLER COMPANIES	04/05/2024	R	4,865.50	April
611334	LSBBC	04/05/2024	R	100.00	April
611335	MASE	04/05/2024	R	618.00	April
611336	MAWSECO 938	04/05/2024	R	256.08	April
611337	METRONET	04/05/2024	R	1,873.58	April
611338	PAN-O-GOLD BAKING CO	04/05/2024	R	2,601.64	April
611339	PERFORMANCE FOODSERVICE	04/05/2024	R	1,961.91	April
611340	PERNSTEINER CREATIVE GROUP, IN	04/05/2024	R	1,233.00	April
611341	RENNEBERG HARDWOODS INC.	04/05/2024	R	2,886.63	April
611342	rSCHOOL TODAY (DWC)	04/05/2024	R	395.00	April
611343	SAFARI ISLAND COMMUNITY CENTER	04/05/2024	R	660.00	April
611344	SCHOOL SPECIALTY, LLC	04/05/2024	R	366.31	April
611345	SECOND STORY FARMS	04/05/2024	R	60.00	April
611346	SHAKOPEE HIGH SCHOOL	04/05/2024	R	400.00	April
611347	SHRED-N-GO - 446138	04/05/2024	R	170.00	April
611348	SOUTHWEST METRO INTERMEDIATE D	04/05/2024	R	3,458.57	April
611349	Southwest/West Central Service	04/05/2024	R	550.62	April
611350	STEP SAVER, INC	04/05/2024	R	263.76	April
611351	TRIO SUPPLY COMPANY	04/05/2024	R	484.43	April
611352	TWIN CITIES SOCCER LEAGUES	04/05/2024	R	6,130.00	April
611353	WINSTED SOLAR LLC	04/05/2024	R	4,631.41	April
611354	WORTZ, TYLER	04/05/2024	R	732.80	April
611355	21ST CENTURY SPORTS LLC	04/12/2024	R	10,390.00	April
611356	ADAMS PEST CONTROL CO INC	04/12/2024	R	120.12	April
611357	AFFINETY SOLUTIONS, INC	04/12/2024	R	215.00	April
611358	AGL CONSULTING	04/12/2024	R	1,500.00	April
611359	ALPHA WIRELESS COMMUNICATIONS	04/12/2024	R	6,932.84	April
611360	ARCHER, KIMBERLY	04/12/2024	R	125.00	April
611361	BAUDOIN, REBECCA	04/12/2024	R	194.30	April
611362	BEST BUY BUSINESS ADV ACCT	04/12/2024	R	912.58	April
611363	BIFFS, INC	04/12/2024	R	801.23	April
611364	BJORKLUND COMPENSATION LLC	04/12/2024	R	150.00	April
611365	BLICK ART MATERIALS	04/12/2024	R	499.24	April
611366	CDW GOVERNMENT LLC	04/12/2024	R	2,100.00	April
611367	CHANHASSEN DINNER THEATER	04/12/2024	R	545.00	April
611368	CITY OF WACONIA	04/12/2024	R	40,443.25	April
611369	COCK 'N DRAGON	04/12/2024	R	150.00	April
611370	COLONY PLAZA, INC	04/12/2024	R	155.13	April
611371	CULLIGAN BOTTLED WATER	04/12/2024	R	254.85	April
611372	CURTIS, MELISSA	04/12/2024	R	1,279.00	April
611374	EAU CLAIRE JAZZ INC	04/12/2024	R	600.00	April
611375	FOLLETT SCHOOL SOLUTIONS LLC	04/12/2024	R	153.27	April
611376	GOOSE LAKE AUTO PARTS	04/12/2024	R	1,863.66	April
611377	GRAINGER	04/12/2024	R	567.62	April

CHECK NUMBER	VENDOR	CHECK DATE	CHE TYP	AMOUNT	POST MONTH
611378	GRIEF CLUB OF MINNESOTA	04/12/2024	R	200.00	April
611379	HAPPY FEET SOCCER TWIN CITIES	04/12/2024	R	1,287.00	April
611380	HECK, MATTHEW	04/12/2024	R	97.00	April
611381	HIGH POINT NETWORKS, LLC	04/12/2024	R	4,314.55	April
611382	HILLYARD/HUTCHINSON	04/12/2024	R	157.41	April
611383	HOLY FAMILY CATHOLIC HIGH SCHO	04/12/2024	R	200.00	April
611384	INDIANHEAD FS DISTRIBUTOR, INC	04/12/2024	R	22,878.26	April
611385	JERRY'S PRINTING	04/12/2024	R	1,450.00	April
611386	LOFFLER COMPANIES	04/12/2024	R	3,189.50	April
611387	LOUIS ZAMPERINI FOUNDATION	04/12/2024	R	199.00	April
611388	MCCORMICKS GROUP LLC	04/12/2024	R	1,277.85	April
611389	MEI TOTAL ELEVATOR SOLUTIONS	04/12/2024	R	66.06	April
611390	MSBA	04/12/2024	R	60.00	April
611391	MUSIC MART	04/12/2024	R	48.78	April
611392	NASCO EDUCATION LLC	04/12/2024	R	266.20	April
611393	NEW DOMINION SCHOOL	04/12/2024	R	5,512.16	April
611394	NORTHERN LIGHTS	04/12/2024	R	1,830.00	April
611395	OLSON, THOR	04/12/2024	R	171.00	April
611396	ORONO FOOTBALL ASSOC	04/12/2024	R	300.00	April
611397	PABLO CENTER AT THE CONFLUENCE	04/12/2024	R	1,590.00	April
611398	PERFORMANCE FOODSERVICE	04/12/2024	R	1,301.59	April
611399	PLANK ROAD PUBLISHING	04/12/2024	R	18.75	April
611400	RED BALLOON BOOKSHOP	04/12/2024	R	268.11	April
611401	RENNEBERG HARDWOODS INC.	04/12/2024	R	2,407.66	April
611402	RIVERSIDE INSIGHTS	04/12/2024	R	1,340.00	April
611403	SCHOOL SPECIALTY, LLC	04/12/2024	R	125.77	April
611404	SNAP ON TOOLS	04/12/2024	R	720.20	April
611405	SOUTHWEST METRO INTERMEDIATE D	04/12/2024	R	47,992.51	April
611406	ST JAMES HIGH SCHOOL	04/12/2024	R	50.00	April
611407	ST PETER HIGH SCHOOL	04/12/2024	R	200.00	April
611408	STAPLES ADVANTAGE	04/12/2024	R	183.00	April
611409	SUPER TEACHER WORKSHEETS	04/12/2024	R	375.00	April
611410	THREE RIVERS PARK DISTRICT	04/12/2024	R	675.00	April
611411	TINTES, MATTHEW	04/12/2024	R	841.00	April
611412	TITAN ENERGY SYSTEMS INC	04/12/2024	R	1,544.31	April
611413	TOTAL MECHANICAL SERVICES INC.	04/12/2024	R	610.00	April
611414	TRIO SUPPLY COMPANY	04/12/2024	R	588.88	April
611415	TURNER & TURNER LLC	04/12/2024	R	192.00	April
611416	UNITED FARMERS COOPERATIVE	04/12/2024	R	1,912.87	April
611417	UNIVERSAL ATHLETIC LLC	04/12/2024	R	273.89	April
611418	VEX ROBOTICS INC	04/12/2024	R	506.78	April
611419	WM CORPORATE SERVICES INC	04/12/2024	R	2,282.19	April
611420	WORTZ, TYLER	04/12/2024	R	766.40	April
611421	WACONIA EDUCATION ASSOCIATION	04/15/2024	R	11,930.17	April
611422	AMAZON CAPITAL SERVICES	04/15/2024	R	13,072.41	April
202300913	EDUCATIONAL SUPPORT PARA UNION	03/15/2024	W	1,398.94	March
202300915	LIFE INS CO OF NORTH AMERICA	03/15/2024	W	4,090.77	March
202300921	ONEBRIDGE BENEFITS, INC.	03/15/2024	W	4,266.72	March
202300922	BLUE CROSS AND BLUE SHIELD OF	03/20/2024	W	674,676.00	March
202300924	EDUCATIONAL SUPPORT PARA UNION	03/29/2024	W	1,386.60	March
202300925	INTERNAL REVENUE SERVICE	03/29/2024	W	243,979.80	March
202300926	LIFE INS CO OF NORTH AMERICA	03/29/2024	W	6,722.18	March
202300927	MN CHILD SUPPORT PYMT CENTER	03/29/2024	W	128.00	March
202300928	MN DEPT OF REVENUE	03/29/2024	W	38,245.94	March
202300929	MN TEACHERS RETIREMENT ASSN	03/29/2024	W	145,283.39	March
202300930	PERA	03/29/2024	W	40,912.35	March

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202300931	AVIBEN	03/29/2024	W	57,859.97	March
202300932	ONEBRIDGE BENEFITS, INC.	03/29/2024	W	4,317.55	March
202300933	INTERNAL REVENUE SERVICE	03/29/2024	W	1,611.70	March
202300934	MN DEPT OF REVENUE	03/29/2024	W	286.16	March
202300935	QUADIENT FINANCE USA, INC	03/25/2024	W	700.00	March
202300936	XCEL ENERGY	03/25/2024	W	54.18	March
202300937	AT&T MOBILITY	03/04/2024	W	146.82	March
202300938	SECURITY BANK & TRUST CO	03/31/2024	W	163.55	March
202300939	PMA ASSET MANAGEMENT, LLC	03/31/2024	W	20.83	March
202300940	BRI Parent, Inc	03/30/2024	W	401.75	March
202300941	ONEBRIDGE BENEFITS, INC.	03/16/2024	W	913.50	March
202300942	AUTHORIZE.NET	03/04/2024	W	127.55	March
202300943	EDUTRAK LLC	03/10/2024	W	20,979.29	March
202300944	SFM	03/31/2024	W	29,210.00	March
202300946	ALDI	04/10/2024	W	267.00	April
202300947	TARGET BANK	04/10/2024	W	1,301.41	April
202300948	PRINTFUL	04/10/2024	W	849.97	April
202300949	FLEET FARM	04/10/2024	W	827.06	April
202300954	SUPERIOR WATER SYSTEMS CO. INC	04/10/2024	W	1,513.58	April
202300957	MONIN, INC.	04/10/2024	W	150.80	April
202300962	DOMINO'S PIZZA	04/10/2024	W	25.47	April
202300965	WEBSTAIRANT STORE	04/10/2024	W	951.99	April
202300966	VITAMINK12 LLC	04/10/2024	W	320.00	April
202300967	EHLERS' 2023 SCHOOL FINANCE SE	04/10/2024	W	110.00	April
202300968	WACONIA CHAMBER OF COMMERCE	04/10/2024	W	30.00	April
202300969	EVENTBRITE	04/10/2024	W	1,270.00	April
202300970	US POSTAL SERVICE	04/10/2024	W	9.85	April
202300971	MNAFEE	04/10/2024	W	375.00	April
202300972	XCEL ENERGY CENTER	04/10/2024	W	408.00	April
202300973	ROCKET SCIENCE GROUP, LLC	04/10/2024	W	300.00	April
202300974	THREE RIVERS PARK DISTRICT	04/10/2024	W	1,021.25	April
202300975	MHSGCA	04/10/2024	W	225.00	April
202300976	4IMPRINT, INC	04/10/2024	W	639.61	April
202300977	MICHAELS	04/10/2024	W	159.60	April
202300978	GUTHRIE THEATER	04/10/2024	W	3,292.00	April
202300980	FUN JUMPS ENTERTAINMENT, INC	04/10/2024	W	755.13	April
202300981	NATIONAL ART EDUCATION ASSOCIA	04/10/2024	W	285.00	April
202300982	ASCD	04/10/2024	W	89.00	April
202300984	CARVER COUNTY PARKS & RECREATI	04/10/2024	W	608.00	April
202300985	TEACHERS SYNERGY, LLC	04/10/2024	W	41.52	April
202300986	AAFCS	04/10/2024	W	399.00	April
202300987	MINNEAPOLIS ATHENA AWARDS	04/10/2024	W	465.87	April
202300988	AED TEAM	04/10/2024	W	867.00	April
202300989	MN VALLEY ELECTRIC CORP	04/10/2024	W	26,974.06	April
202300990	JIMMY JOHNS	04/10/2024	W	51.54	April
202300991	SAGE PUBLICATIONS	04/10/2024	W	146.80	April
202300992	SUPER TEACHER WORKSHEETS	04/10/2024	W	24.95	April
202300993	GOLFBALLS.COM	04/10/2024	W	250.29	April
202300995	LA QUINTA INN & SUITES	04/10/2024	W	3,296.00	April
202300996	JUGS SPORTS, INC	04/10/2024	W	3,358.00	April
202301003	SHAKOPEE BOWL	04/10/2024	W	1,290.00	April
202301004	HOMEGROWN LACROSSE	04/10/2024	W	300.00	April
202301006	DOLLAR TREE	04/10/2024	W	28.75	April
202301010	MAMBA GAGA, LLC	04/10/2024	W	65.00	April
202301011	MPSTMA	04/10/2024	W	45.00	April
202301012	PRESTWICK HOUSE, INC	04/10/2024	W	128.04	April

CHECK NUMBER	VENDOR	CHECK DATE	CHE TYP	AMOUNT	POST MONTH
202301016	ALERUS CENTER	04/10/2024	W	855.00	April
202301017	EBCO INC	04/10/2024	W	168.83	April
202301019	REV ROBOTICS	04/10/2024	W	119.00	April
202301026	INTERNAL REVENUE SERVICE	04/15/2024	W	262,767.88	April
202301028	MN CHILD SUPPORT PYMT CENTER	04/15/2024	W	128.00	April
202301029	MN DEPT OF REVENUE	04/15/2024	W	41,210.10	April
202301030	MN TEACHERS RETIREMENT ASSN	04/15/2024	W	151,855.38	April
202301031	PERA	04/15/2024	W	46,192.42	April
202301032	AVIBEN	04/15/2024	W	58,737.26	April
232400111	HACKLER, JEFFREY	03/21/2024	A	227.43	March
232400112	HANNES, JAKE	03/21/2024	A	147.62	March
232400113	OLSON SCHWICHTENBERG, KENDRA	03/21/2024	A	58.69	March
232400114	BOSCH, ALAN	03/28/2024	A	68.94	March
232400115	HACKLER, JEFFREY	03/28/2024	A	40.00	March
232400116	MUELLER, RYAN	03/28/2024	A	185.71	March
232400117	PORTHAN, SAMUEL	03/28/2024	A	13.40	March
232400118	RAETHER, KRISTOPHER	03/28/2024	A	300.00	March
232400119	STACKEN, RON	03/28/2024	A	99.97	March
232400120	DELANEY, DAVID	04/04/2024	A	159.11	April
232400121	OVERBY, MARY	04/04/2024	A	149.63	April
232400122	VAN EYLL, TONI	04/04/2024	A	268.67	April
232400123	VANDERLINDE, LEE	04/04/2024	A	150.00	April
232400124	OLSON, LISA	04/11/2024	A	25.75	April
232400125	SPARBY, PAUL	04/11/2024	A	44.68	April

Totals for checks 3,011,785.29

FUND SUMMARY

<u>FUND</u>	<u>DESCRIPTION</u>	<u>BALANCE SHEET</u>	<u>REVENUE</u>	<u>EXPENSE</u>	<u>TOTAL</u>
01	General	1,664,238.31	0.00	828,473.97	2,492,712.28
02	Food Service	62,406.16	0.00	113,143.30	175,549.46
04	Community Service	87,201.55	0.00	97,160.54	184,362.09
06	Building Construction	0.00	0.00	157,640.63	157,640.63
20	Internal Service	0.00	0.00	1,500.00	1,500.00
45	OPEB Irrevocable Trust Fund	0.00	0.00	20.83	20.83
***	Fund Summary Totals ***	1,813,846.02	0.00	1,197,939.27	3,011,785.29

***** End of report *****

5.B. Human Resource Items:

Presenter: Dr. Enid
Schonewise, Director
of Human Resources

**Waconia Public Schools
Independent School District No. 110
Waconia, Minnesota**

BOARD OF EDUCATION

Regular Meeting – April 22, 2024

AGENDA SECTION: APPROVAL OF AGENDA AND CONSENT AGENDA ITEMS

AGENDA ITEM: Human Resources Recommendations

ITEM ADDED BY: Dr. Enid Schonewise, Director of Human Resources

Employment

Carpenter, Eric Replacement	Special Education Teacher 1.0 FTE; 184 Days Attach K	WHS
Dietzler, Kelly Replacement	English / Language Arts Teacher 1.0 FTE; 184 Days Attach K	WHS
Gabrelcik, Angela New	School Social Worker 1.0 FTE; 184 Days Attach K	WMS
Hall, Isabell New	Special Education Teacher 1.0 FTE; 184 Days Attach K	WMS
Klein, Dan Replacement	DAPE Teacher 1.0 FTE; 184 Days Attach K	BV/LT/SV/ESC
Lopez, Nora Replacement	Kids' Company Lead 7.5 Hours/Day; 245 Days	Comm Ed
Sylvester, Carly Replacement	School Counselor 1.0 FTE; 184 Days Attach K	WMS

Yang, Vatoua
Replacement

Technology Support Specialist
8 Hours/Day; 260 Days

LT/SV

Employee Status Changes

Bielke, Kelly, Grade 6 Teacher, Overload added for a portion of Trimester 3 at WMS

Davis, Mary Ann, ELA Teacher, Overload added for a portion of Trimester 3 at WMS

Johnson, Kendra, from Educational Assistant (SPED) at WHS to Special Education Teacher at WMS [Attach K](#)

Sang, Carey, Spanish Teacher, Overload added for a portion of Trimester 3 at WMS

Shook, Cindy, Math Teacher, Overload added for a portion of Trimester 3 at WMS

Leaves of Absence

Peterson, Michael, Performing Arts Facilities Coordinator at Community Education

Dyck-Juncewski, Cynthia, Educational Assistant (SPED) at WHS

Haack, Les, Special Education Teacher at WHS

Schuetz, Jean, Head Cook at SV

Weierke, Andrew, Educational Assistant (SPED) at SV

Extended Leave of Absence

Galindo, Patti, School Counselor at WMS

Retirements/Resignations/Terminations

Balmer, Koen, Educational Assistant (SPED) at BV

Blezien, Mary Ann, Educational Assistant (SPED) at SV

Burque, Lindsay, Reading Specialist at WMS

Gentz, Lisa, Custodial Cleaner at LT

Johnson, Lizabeth, Title I ESP at SV

Leventry, Kailee, Health Associate at District-Wide

Nelson, Stacy, Educational Assistant (SPED) at SV

Schaefer, Micah, DAPE Teacher at BV, LT, SV, ESC

It is recommended that the ISD 110 Board of Education approve the above human resource actions as proposed.

5.C. Resolution for Non-Renewal of Probationary
Teaching Contracts

Presenter: Dr. Enid
Schonewise, Director
of Human Resources

Member _____ introduced the following resolution and moved its adoption:

Waconia Public Schools
Resolution Nonrenewing Probationary Teachers

WHEREAS, **Stephanie Syverson**, and **Sonja Oldenkamp** are probationary teachers in Independent School District No. 110.

BE IT RESOLVED, by the School Board of Independent School District No. 110, that pursuant to Minnesota Statutes 122A.40, subd. 5 and the District Master Agreement, the teaching contracts of **Stephanie Syverson**, and **Sonja Oldenkamp**, probationary teachers in Independent School District No. 110, shall be nonrenewed at the end of the 2023-2024 school year.

BE IT FURTHER RESOLVED, that written notice be sent to said teachers regarding the nonrenewal of their teaching contracts.

The motion for the adoption of the preceding resolution was duly seconded by

Member _____ and upon vote being taken thereon,

the following voted in favor thereof:

the following voted against the same:

Whereupon said resolution was duly passed/failed on _____ 2024

5.D. Agreement to Extend Probationary Period

Presenter: Dr. Enid
Schonewise, Director
of Human Resources



WACONIA PUBLIC SCHOOLS

AGREEMENT TO EXTEND PROBATIONARY PERIOD

This Agreement to Extend the Probationary Period ("Agreement") is entered into by and between Independent School District No. 110 ("District"), Jessica Stockstead ("STOCKSTEAD"), and Waconia Education Association ("Union").

WHEREAS, the District and the Union are parties to a collective bargaining agreement ("CBA") governing the negotiated terms and conditions of employment for teachers employed by the District;

WHEREAS, the District employs STOCKSTEAD as a teacher;

WHEREAS, Minnesota Statutes section 122A.40, subdivision 5, states: "The first three consecutive years of a teacher's first teaching experience in Minnesota in a single district is deemed to be a probationary year of employment, and after completion thereof, the probationary period in each district in which the teacher is thereafter employed shall be one year";

WHEREAS, all parties agree that STOCKSTEAD is in a probationary period of employment in the District;

WHEREAS, District administrators would like additional time to evaluate STOCKSTEAD's performance as a teacher in order to determine whether STOCKSTEAD consistently demonstrates the knowledge and skills expected of a teacher in the District;

WHEREAS, District administrators are charged with the responsibility of making a recommendation to the School Board, but the School Board has the statutory authority to decide whether the annual contract of a probationary employee will be renewed;

WHEREAS, to date the District's School Board has not decided whether it will renew STOCKSTEAD's annual contract for next school year; and

WHEREAS, STOCKSTEAD has reviewed the rights provided under the CBA and Minnesota Statutes section 122A.40, and she has carefully considered the available options;

NOW, THEREFORE, IN CONSIDERATION OF the foregoing and the mutual promises contained in this Agreement, including the relinquishment of certain rights, STOCKSTEAD, the Union, and the District agree as follows:



1. **Options.** STOCKSTEAD understands that he/she is under no obligation to enter into this Agreement. If STOCKSTEAD chooses to sign this Agreement, STOCKSTEAD understands that he/she will be agreeing to extend the probationary period of employment for one year, and that he/she will be waiving certain rights under the CBA and Minnesota Statutes section 122A.40. If he/she chooses not to sign this Agreement, the School Board may vote to give STOCKSTEAD written notice of non-renewal before July 1, 2024, or it may take no action, in which case STOCKSTEAD would attain non-probationary status after June 30, 2024.

2. **Waiver of Rights and Extension of Probationary Period.** By signing this Agreement, STOCKSTEAD knowingly and voluntarily waives his/her right to the probationary period described in Minnesota Statutes section 122A.40. STOCKSTEAD agrees to extend the statutory probationary period for one additional year, which will run from July 1, 2024 through June 30, 2025. In addition, for the 2023-2024 school year, STOCKSTEAD waives all rights that are afforded to non-probationary principals (sometimes referred to as “continuing contract” or “tenured” employees) under Minnesota law or the CBA.

3. **Contract for 2024-2025 School Year.** The District will offer STOCKSTEAD a probationary teaching contract for the 2024-2025 school year. During the 2024-2025 school year, STOCKSTEAD's employment rights will be the same, and no greater than, the employment rights of a probationary teacher under the CBA and Minnesota Statutes section 122A.40.

4. **Right to Non-Renew or Discharge.** This Agreement does not constitute a guarantee of employment. The School Board may or may not renew STOCKSTEAD's 2024-2025 contract as it sees fit, provided it gives notice of non-renewal before July 1, 2025. In addition, at any time during the 2024-2025 school year, the District may terminate STOCKSTEAD's annual contract by discharging him/her for cause after a hearing held upon due notice, or as otherwise permitted by law for a probationary teacher.

5. **No Undue Influence.** STOCKSTEAD affirms that neither the District nor any of its employees or representatives has in any way pressured, coerced, or unduly influenced him/her to sign this Agreement. STOCKSTEAD is voluntarily signing this Agreement because of the benefits it provides.

6. **Knowledge of Rights.** STOCKSTEAD has had the opportunity to consult with a Union representative or with legal counsel regarding this Agreement, the CBA, and his/her rights under Minnesota Statutes section 122A.40. STOCKSTEAD affirms that he/she understands his/her rights, his/her options, and the terms of this Agreement.

7. **No Precedent or Practice.** This Agreement may not be deemed to establish a precedent or practice or to alter any established precedent or practice arising out of or relating to the CBA.



8. **Entire Agreement.** This Agreement reflects the entire agreement between the parties relating to the extension of STOCKSTEAD's probationary period of employment. The terms of this Agreement are legally binding. This Agreement supersedes any prior agreements between the parties relating to the extension of STOCKSTEAD's probationary period of employment. No party has relied upon any statements, representations, or promises that are not expressly stated in this Agreement. No changes to this Agreement will be valid or enforceable unless they are in writing and signed by all parties. A signed copy of this Agreement will have the same legal effect as the original.

IN WITNESS WHEREOF, the parties have knowingly and voluntarily entered into this Agreement on the dates shown by their signatures. This Agreement will not take effect unless and until it is approved by the District's School Board and is fully executed.

EMPLOYEE

Jessica Stockstead
JESSICA STOCKSTEAD

4/17/24
Date

UNION

Reyanna Kuebsch
President

4/20/24
Date

INDEPENDENT SCHOOL DISTRICT NO. 110

School Board Chair

Date

School Board Clerk

Date

5.E. Application for Cooperative Sponsorship for
Boys Volleyball

Application for Cooperative Sponsorship

Deadline: Not later than 30 days prior to the first day of practice for that sport season.
 PLEASE SEE BYLAW 403.2 (A-C) and 403.4 (A-D) (amended May 15, 2017) FOR INFORMATION REGARDING REQUIRED DOCUMENTATION AND APPLICATION PROCEDURE

The governing boards of each participating school must jointly make application for cooperative sponsorship.

On behalf of the following schools, we hereby apply for cooperative sponsorship of **Boys Volleyball** beginning with the **2024 – 2025** school year. (activity) (boys' or girls') (Adapted-CI or PI)

List **ALL** schools included in the cooperative sponsorship. *Attach another form if necessary.*

	School	Enrollment (9-12)*	City	Administrative Region**	Competitive Section**
High School #1:	Mound Westonka	731	Minnetrista	2AA	2
High School #2:	Orono		Orono	2AA	2
High School #3:	Waconia	1343	Waconia	2AA	2
High School #4:					

*Enrollment reported to the State of Minnesota on October 1 of the previous school year. **Current (Number and Class)

- Do any of the above schools belong to a conference in this activity?
 Yes This application must include a review and comments from the conference(s) of which the schools are members.
 No
- Do any of the above schools currently have a cooperative agreement in this activity?
 Yes An application for dissolution must be submitted for the existing agreement.
 No
- Describe the conditions which have prompted your request to co-sponsor this activity. (See model resolution at www.mshsl.org/About MSHSL/Membership Information: A History & Model Resolution for School Boards)
- List the number of students, by grade level, who participated in this activity during the previous year. *If the school did not sponsor the program last year, indicate the number of students expected to participate in this cooperatively-sponsored activity this year if approved.*

	7th	8th	9th	10th	11th	12th
High School #1	0	0	4	8	8	5
High School #2						
High School #3					2	
High School #4						

- Team Identification: (Indicate how cooped schools should be identified in tournament programs):
- Team Colors: _____ Team Mascot: _____
- Host School (school that will receive revenue share check):

Board of Education (or designee)	School	Date
Signed _____	_____	_____
Signed _____	_____	_____
Signed _____	_____	_____
Signed _____	_____	_____

Official Action of the MSHSL Board of Directors

- Approved
 Not Approved

Signature: _____
 MSHSL Executive Director

Date: _____

5.F. Receipts of Donation

6. **REPORTS**

6.A. Student Representative Report

Presenter: Stella
Atkinson and Jayden
Kisner

6.B. Administrative Presentation: Early Childhood
Referral



Part C Special Education for Infants & Toddlers

Presented by: Paul Tordoff & Sam Jung

April 22, 2024

How do we identify infants and toddlers that need support?

- Parents
- Medical Care Providers (Dr., Nurse, therapists)
- Child Care Providers
- Preschool Screening
- Preschool Teachers
- Help Me Grow



What is Help Me Grow?

- Minnesota's Help Me Grow is an interagency initiative of the State of Minnesota Department of Education, Department of Health and Department of Human Services. We partner with all local service agencies.
- Help Me Grow Minnesota connects families to resources that help young children develop, learn and grow.

- [Refer a Child](#)





Help Me Grow Minnesota

Help Me Grow Minnesota connects families to resources that help young children grow. Watch Minnesota parents share their stories about finding support through Help Me Grow.

- Parents & Guardians Form
- Professionals Form
- Friends & Family Form
- Refer a Child

[Watch the videos](#)

Developmental Milestones

Learn more about how a child develops from birth to five.

Encouraging Healthy Development

Find ideas on how to support a child's development, healthy learning and growth.

Get Help For A Child

Learn what to do if you have concerns about a child's development.

Articles

Explore in-depth information on birth to five child development and growth and early intervention.

Help Me Connect

Locate services for pregnant and parenting families with young children.

Developmental Milestones

Children develop in certain, predictable ways, referred to as developmental milestones. Milestones help you understand how your child develops, learns and grows. Click on the ages to learn more.

Newborn

[View Milestones](#)



Download and Share Milestones

A quick and easy overview of development from birth to age five.



What happens after a referral is made?

- The information contained in the form will be submitted electronically to the local school district where the child lives.
- After referring a child, the family will be contacted by the local school district where the child lives.



What happens after a referral is made?

- The school district arranges for a screening or evaluation to determine if a child is eligible for Infant and Toddler Intervention or Preschool Special Education services in Minnesota.
- Eligible children receive free services regardless of income and immigration status.



What is Part C, Early Intervention?

- Federal Mandate to serve infants and toddlers with special needs.
- Students qualify after an evaluation.
- Students are typically served in the home with the family present.

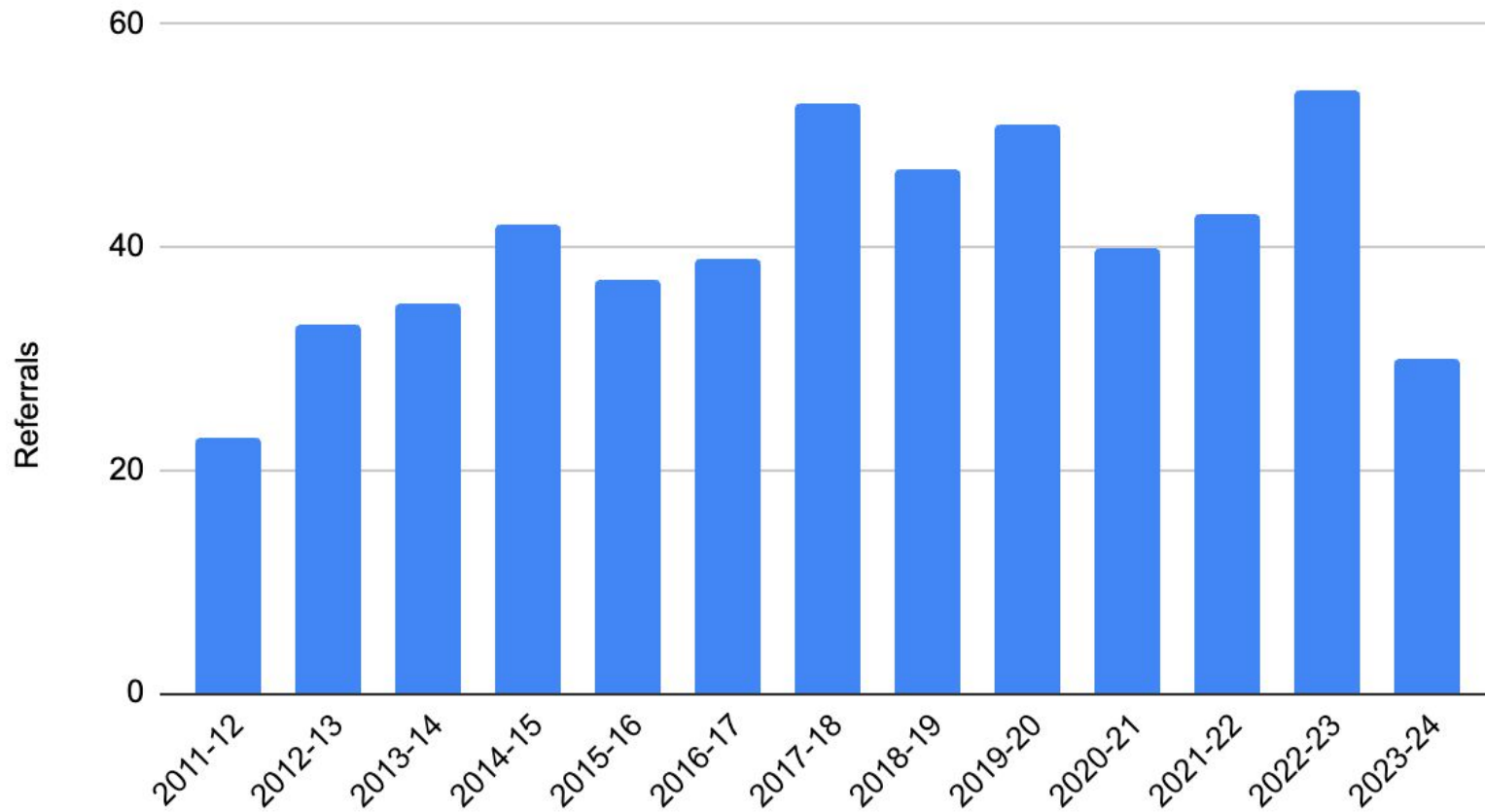


Who is on the early intervention team?

- This is a multidisciplinary team comprised of people from many different specialties. The team members are based on need.
- Parents and Early Childhood Special Education (ECSE) teachers are always part of the team.



Annual Part C - Birth to 3 Referrals (to date)



Other Resources

Center for Parent Information & Resources

www.parentcenterhub.org/babies

Help Me Grow

<http://helpmegrowmn.org>





Questions?

6.C. Labor Relations Update

Presenter: Dr. Enid
Schonewise, Director
of Finance &
Operations



Labor Relations Update April 2024

Dr. Enid Schonewise
Director of Human Resources

Our Core Values

ISD 110 commits to:

Respect

We honor and listen to all voices to ensure everyone feels valued.

Collaboration

We achieve our common goals through trust, teamwork, and partnership.

Inclusiveness

We welcome all and seek multiple perspectives to create one connected community.

Empathy

We listen and act with genuine care.

Resilience

We empower one another and persevere with courage, determination and optimism.



No Two Districts are the Same

How does ISD 110 select our district comparables?

- Geographic Proximity
- Student Enrollment
- High School Size
- Voter-Approved Dollars
- City Population

School District	Proximity (win 150 mi.)	District Size (win 1,000)	High School Size (win 300)	Referendum Revenue Payable FY 24	Referendum Authority Per Student Payable 24	City Population (win 5,000)
Alexandria	132	4,100	1208	2,678,333	595	14,382
Austin	118	5200	1102	2,749,795	513	26,225
Belle Plaine	16	1575	167	0	0	7,485
Berndji	218	4,971	1294	922,608	180	15,355
Central (NYA)	9	930	336	799,099	1,281	3,896
Dassel-Cokato	40	2300	591	1,823,273	788	4,200
Delano	17	2400	1200	1,633,178	620	8,638
Eastern Carver County	12	9,379	3000	15,408,415	2,212	62,037
Eden Prairie	18	8,861	2,828	20,625,283	3,100	64,198
Edina	26	8,473	2,690	20,764,962	3,095	53,094
Glencoe-Silver Lake	20	1523	528	838,646	554	6530
Hastings	56	4,300	1353	7,279,150	1,864	21,925
Howard Lake Waverly Winsted	27	1200	358	861,840	600	8680
Hutchinson	35	2761	922	867,355	311	15,000
Jordan	20	1900	610	0	0	8,777
Lester Prairie	17	490	236	358,314	694	1904
Mahtomedi	57	3,229	1129	4,557,882	1,572	8,075
Minnetonka	16	11,108	3,200	27,235,210	2,950	53,266
Monticello	38	4,166	1199	3,022,978	674	14,564
New Prague	30	4100	1250	1,083,753	247	8,247
Northfield	56	3,988	1281	8,776,542	2,584	20,729
Owatonna	78	4,962	1374	2,851,470	542	26,398
Richfield	30	4,151	1,137	9,273,728	2,203	36,527
Sartell	75	4000	1318	2,008,288	460	18,000
Sauk Rapids-Rice	69	4,364	1280	0	0	23,982
St. Francis	67	4,234	1136	0	0	8,342
Waconia	0	3980	1288	4,800,163	1,057	13,071
Watertown-Mayer	12	1465	494	968,764	593	10,547
Westonka	13	2480	978	5,437,894	2,998	20,175



Service Employees International Union Local 284 Custodial/Maintenance Employees

- First meeting: April 3, 2024
- Future meetings: April 24 and May 1, 2024



WEA-Negotiations Timeline

June 13, 2023: Negotiations between ISD 110 and WEA began.

Twelve meetings took place prior to mediation

January 22, 2024: First day of mediation

February 7, 2024: Second day of mediation

February 9, 2024: District communicated offer outside of mediation

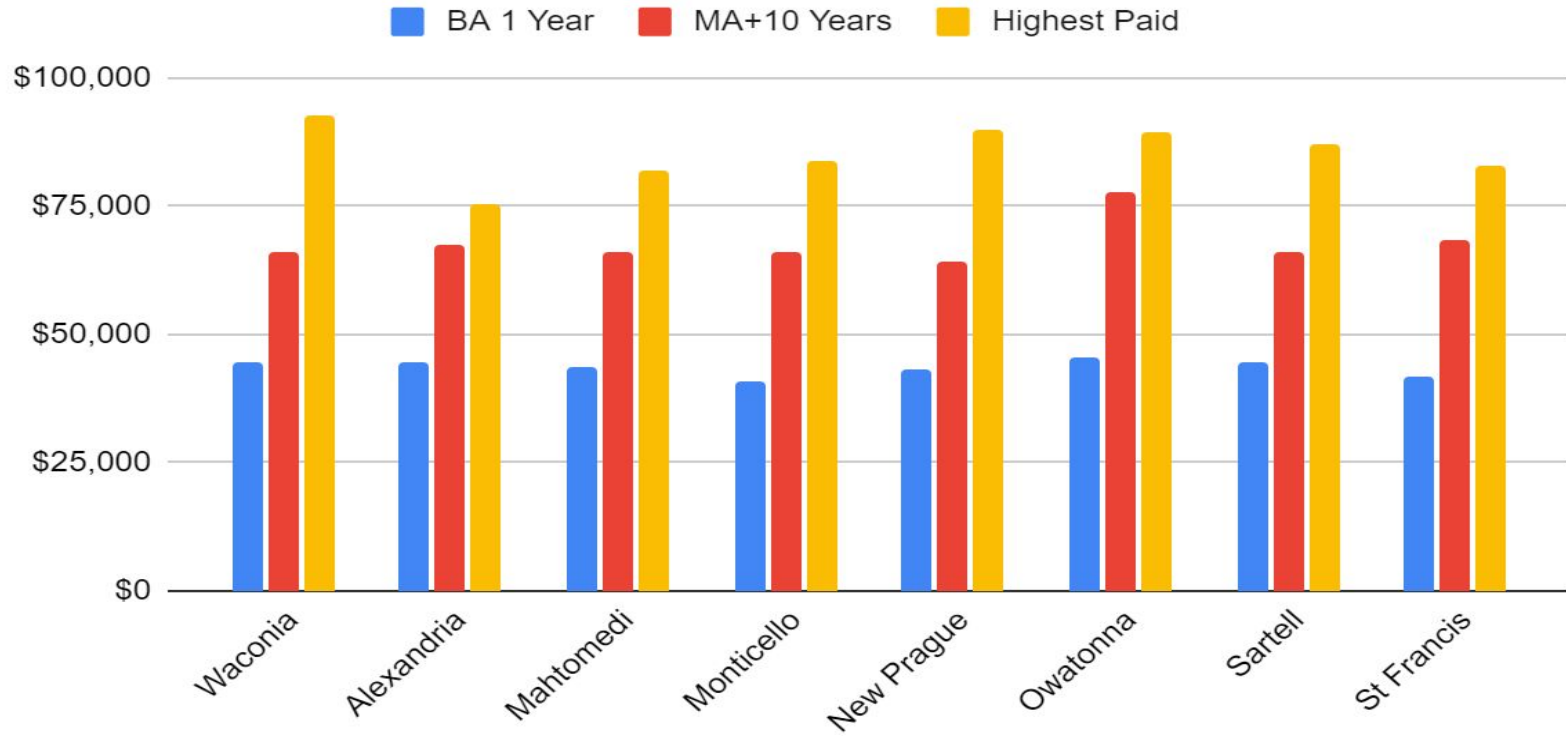
March 13, 2024 District Offer to enter into Interest Arbitration

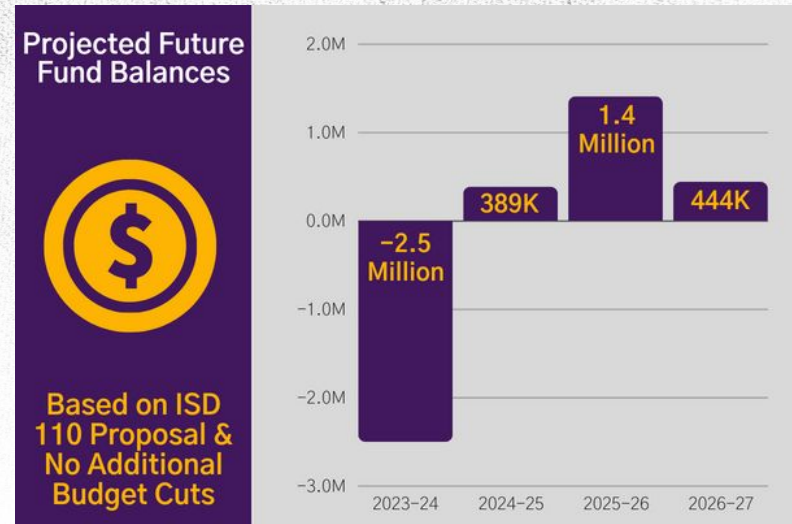
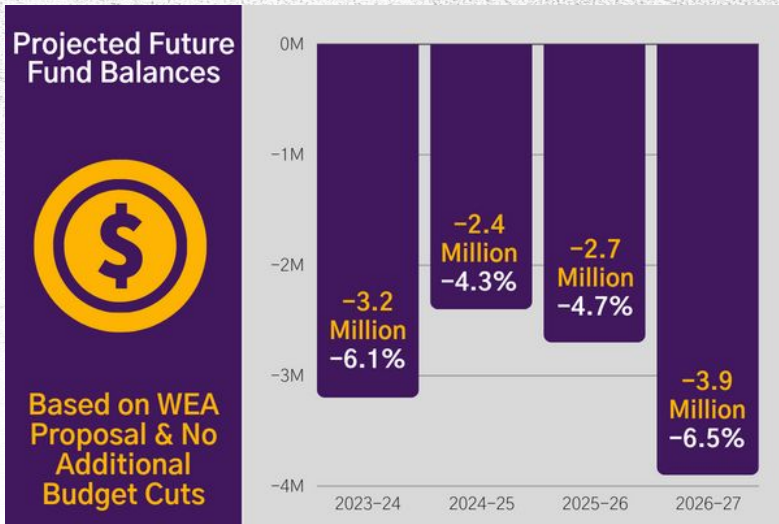
Three meetings have been held since mediation (March 13, March 25, April 15).

April 29, 2024 is the next scheduled meeting.



2022-2023 Salary Schedule Comparison





Original WEA Proposal

(5.5%, 4% + step raises + lane raises)

- In SOD Indefinitely
- Staff Reductions Likely & Imminent
- Not in a strong position for Board to consider a referendum

Final ISD 110 Proposal

(1%, 1%, 3%, 5% + step raises + lane raises)

- Out of SOD, but not within Fund Balance Board Policy
- Staff Reductions possible in 26-27, but less Likely than the WEA proposal
- Better position from a financial responsibility standpoint for Board to consider a referendum



March 13 WEA Counterproposal

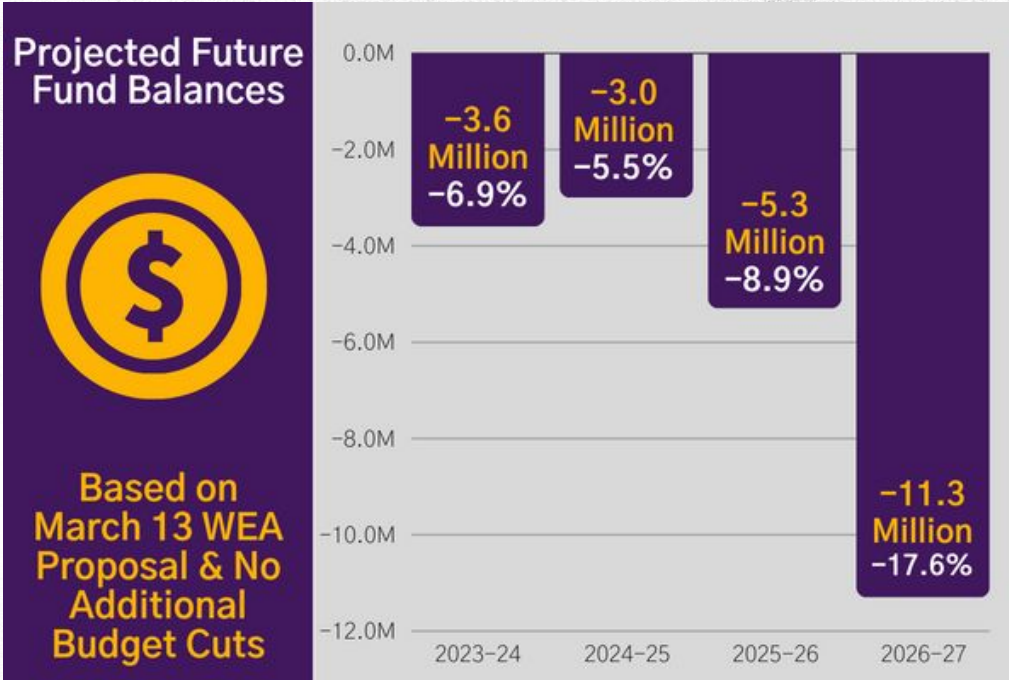
- 1.5% salary schedule increase in year one
- 2.5% salary schedule increase in year two
- 6.0% salary schedule increase in year three
- 9.0% salary schedule increase in year four
- 18% increase in the District's health insurance contribution in year one
- 13% increase in the District's health insurance contribution in year two



Comparing the Proposals



March 13 WEA Counterproposal



- Would drive the District further into debt than it already is
- Would create a projected negative fund balance of -11.3 million by the end of 2026-27
- Would necessitate nearly \$12 million in cuts to staffing and programs and would create a significant negative impact on class sizes

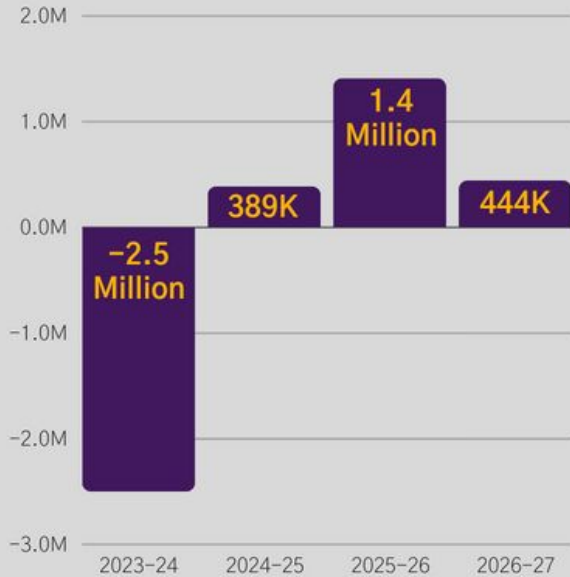


District Final Offer vs. WEA Proposal

Projected Future Fund Balances



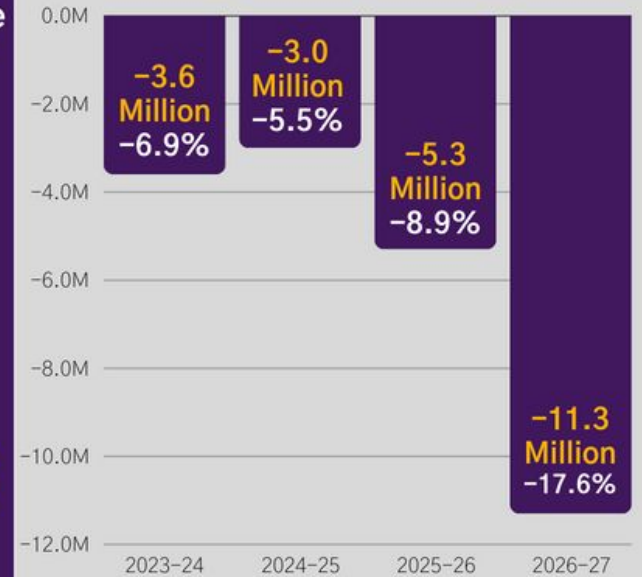
Based on ISD 110 Proposal & No Additional Budget Cuts



Projected Future Fund Balances



Based on March 13 WEA Proposal & No Additional Budget Cuts



Final Offer Highlights

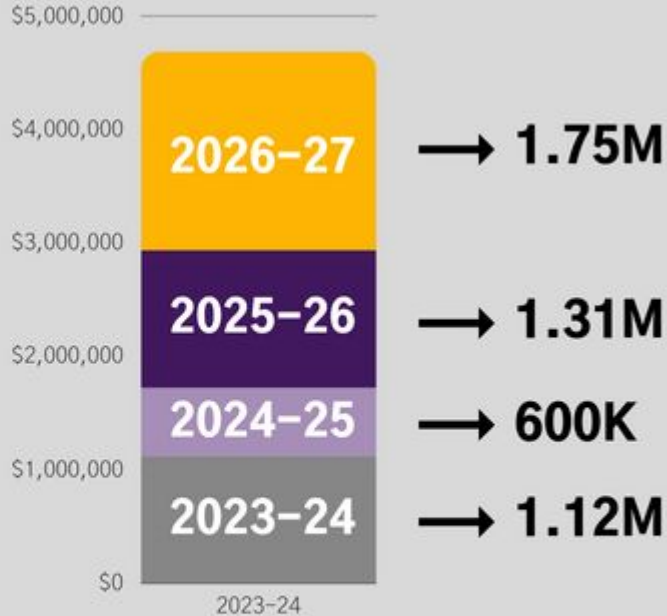
- The 1%, 1%, 3%, 5% is the most lucrative proposal the District can offer while maintaining a positive fund balance.
- Years three and four of the proposal are binding - not a “promise”.
- We believe years three and four of the proposal represent the largest raise the WEA has ever been offered.
- Makes the likelihood of future cuts to staffing and programming less likely.
- Continues to honor commitments and build trust within the community and taxpayers should we decide to seek a new revenue source in the future.



Two consecutive
2-year contract
proposals



Total packages
include salaries,
steps and lanes,
and benefits



Total additional investment from the
District's General Fund over four years:
\$4,786,574

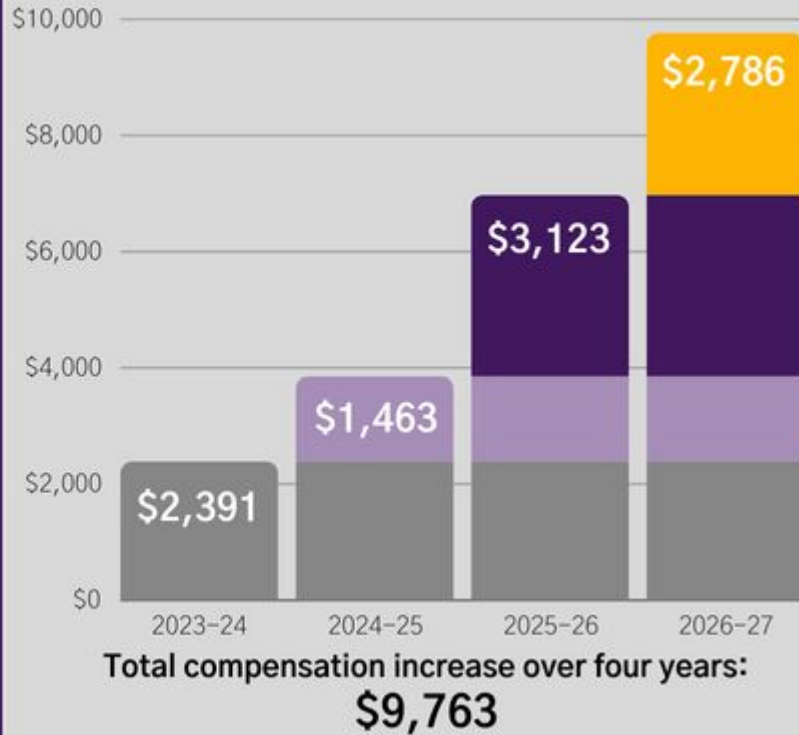
Based on the District's Final Offer of 1%, 1%, 3%, 5%



Compensation Increase Over Four Years



For a teacher with a BA and five years of experience



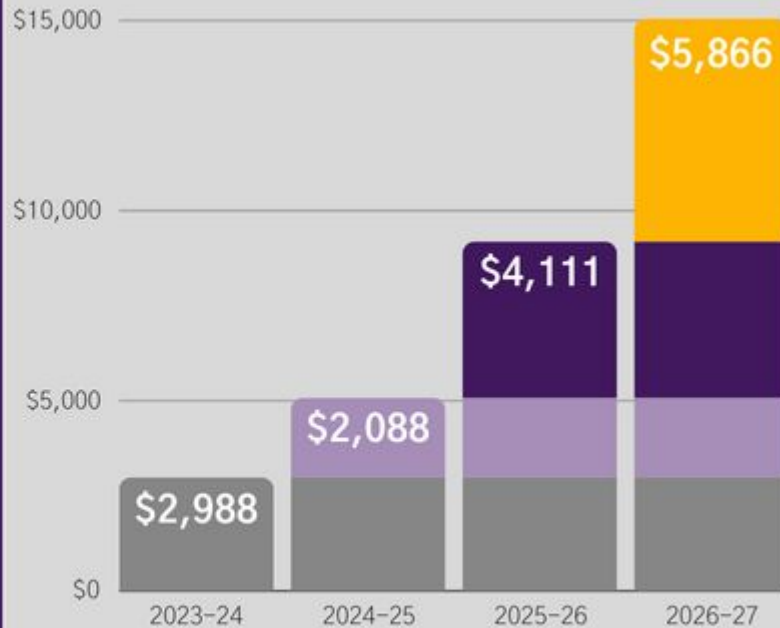
- Under the District's latest proposal, a teacher with a Bachelor's Degree and 5 years of experience would see a salary increase of \$9,763 over the next four years.
- This teacher's salary would go from \$48,743 in 2022-23 to \$58,506 in 2026-27.



Compensation Increase Over Four Years



For a teacher with a Masters and 10 years of experience



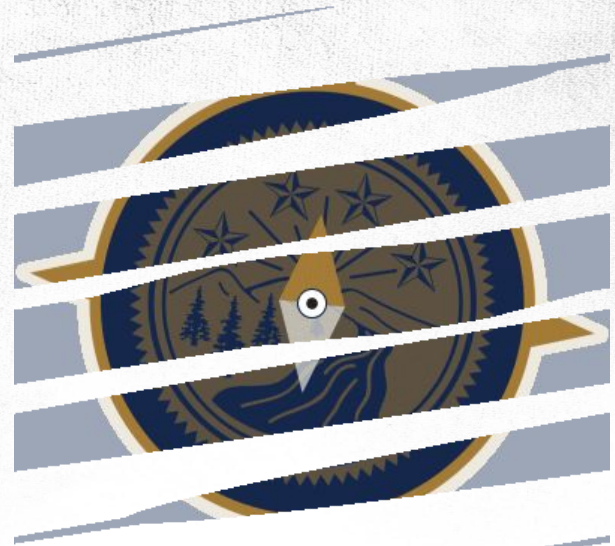
Total compensation increase over four years:
\$15,053

- Under the District's latest proposal, a teacher with a Master's Degree and 10 years of experience would see a salary increase of \$15,053 over the next four years.
- This teacher's salary would go from \$64,199 in 2022-23 to \$79,252 in 2026-27.



Going Forward

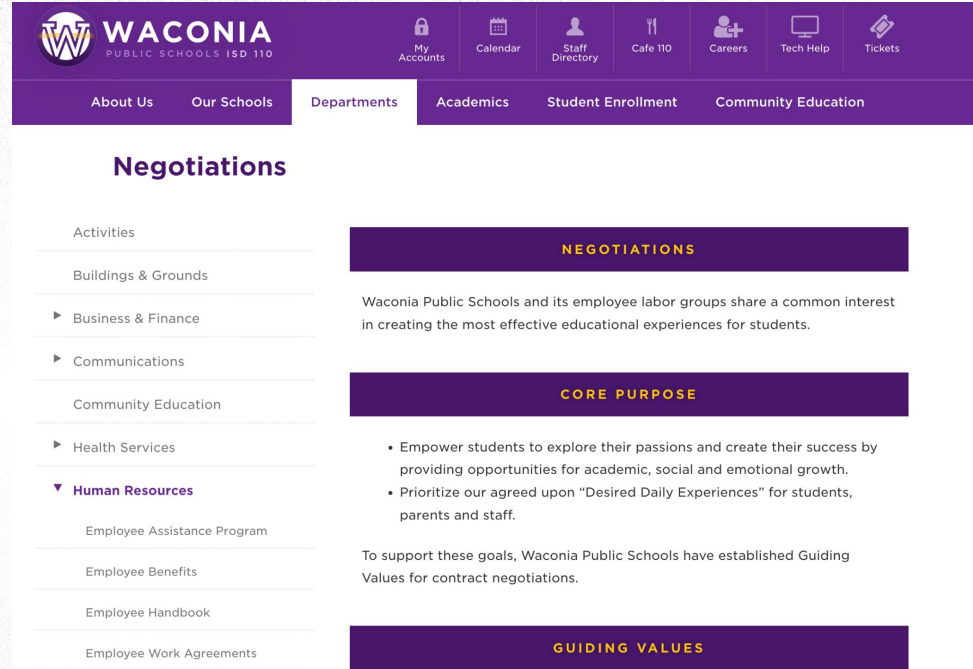
- Acknowledge that this is a challenging situation.
- Keep lines of communication open.
- Work together to find a solution that is fiscally responsible, builds trust within the community, and recognizes the teachers for the valuable work they do.



Labor Relations Updates – Website

Waconia Public Schools Website

[Website Link](#)



The screenshot shows the Waconia Public Schools website interface. At the top is a purple navigation bar with the Waconia Public Schools logo and the text 'WACONIA PUBLIC SCHOOLS ISD 110'. To the right of the logo are several utility icons: My Accounts, Calendar, Staff Directory, Cafe 110, Careers, Tech Help, and Tickets. Below the navigation bar is a secondary menu with options: About Us, Our Schools, Departments (selected), Academics, Student Enrollment, and Community Education. The main content area is titled 'Negotiations' and features a left-hand sidebar with a list of menu items: Activities, Buildings & Grounds, Business & Finance, Communications, Community Education, Health Services, Human Resources (expanded), Employee Assistance Program, Employee Benefits, Employee Handbook, and Employee Work Agreements. The 'Human Resources' section is expanded to show three sub-sections: 'NEGOTIATIONS', 'CORE PURPOSE', and 'GUIDING VALUES'. The 'NEGOTIATIONS' section contains the text: 'Waconia Public Schools and its employee labor groups share a common interest in creating the most effective educational experiences for students.' The 'CORE PURPOSE' section contains two bullet points: 'Empower students to explore their passions and create their success by providing opportunities for academic, social and emotional growth.' and 'Prioritize our agreed upon "Desired Daily Experiences" for students, parents and staff.' The 'GUIDING VALUES' section contains the text: 'To support these goals, Waconia Public Schools have established Guiding Values for contract negotiations.'





Thank You
Questions?

7. **ACTION ITEMS**

7.A. Sitelogiq Payment for December, January, and
March Invoices



INVOICE

Project #: PUBMID-006344

MN - Waconia - LTFM - PSA - Phase I

BILLING DATE	1/5/2024
PERIOD TO:	12/31/2023
ACCOUNT NUMBER	102640
INVOICE NUMBER	9212
AMOUNT DUE	\$ 757,305.55

INVOICE TO:
Waconia Public Schools
 ATTN: Brian Gersich
 512 Industrial Blvd
 Waconia, MN 55387
bgersich@isd110.org

PLEASE REMIT PAYMENT TO:
 SitelogIQ Inc. - Accounts Receivables Midwest
 IDS Center
 80 South 8th Street, Suite 1850
 Minneapolis, MN 55402

DETACH HERE - RETURN TOP PORTION WITH YOUR PAYMENT - RETAIN THIS COPY FOR YOUR RECORDS



BILLING DATE	1/5/2024
PERIOD TO:	12/31/2023
ACCOUNT NUMBER	102640
INVOICE NUMBER	9212
AMOUNT DUE	\$ 757,305.55

TERMS:	30 DAYS UPON RECEIPT

Waconia Public Schools


Program	Fund	Description	Project Amount	Percent Complete	Previously Billed	Current Billing	Cumulative Billing
		Design Document Phase	\$ 2,206,968.74	34%	\$ -	\$ 757,305.55	\$ 757,305.55
		Construction Implementation Phase	\$ 788,203.13	0%	\$ -	\$ -	\$ -
		Post Construction	\$ 157,640.63	0%	\$ -	\$ -	\$ -
							\$ -
			\$ 3,152,812.50	24%	\$ -	\$ 757,305.55	\$ 757,305.55

DIRECT INQUIRIES AND CORRESPONDENCE TO:

Michael Smith
 651.528.2518
michael.smith@sitelogiq.com

SitelogIQ, Inc - Accounts Receivables Midwest
 IDS Center 80 South 8th
 Suite 1850
 Minneapolis, MN 55402

PAY THIS AMOUNT IN US DOLLARS

 **\$ 757,305.55**



INVOICE

Project #: PUBMID-006344

MN - Waconia - LTFM - PSA - Phase I

BILLING DATE	1/26/2024
PERIOD TO:	1/31/2024
ACCOUNT NUMBER	102640
INVOICE NUMBER	9693
AMOUNT DUE	\$ 157,640.63

INVOICE TO:
Waconia Public Schools
 ATTN: Brian Gersich
 512 Industrial Blvd
 Waconia, MN 55387
 bgersich@isd110.org

PLEASE REMIT PAYMENT TO:
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BILLING DATE	1/26/2024
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ACCOUNT NUMBER	102640
INVOICE NUMBER	9693
AMOUNT DUE	\$ 157,640.63

TERMS: 30 DAYS UPON RECEIPT

Waconia Public Schools

Program	Fund	Description	Project Amount	Percent Complete	Previously Billed	Current Billing	Cumulative Billing
		Design Document Phase	\$ 2,206,968.74	41%	\$ 757,305.55	\$ 157,640.63	\$ 914,946.18
		Construction Implementation Phase	\$ 788,203.13	0%	\$ -	\$ -	\$ -
		Post Construction	\$ 157,640.63	0%	\$ -	\$ -	\$ -
							\$ -
			\$ 3,152,812.50	29%	\$ 757,305.55	\$ 157,640.63	\$ 914,946.18

DIRECT INQUIRIES AND CORRESPONDENCE TO:

Michael Smith
 651.528.2518
 michael.smith@sitelogiq.com

SitelogIQ, Inc - Accounts Receivables Midwest
 IDS Center 80 South 8th
 Suite 1850
 Minneapolis, MN 55402

PAY THIS AMOUNT IN US DOLLARS



\$ 157,640.63



INVOICE

Project #: PUBMID-006344

MN - Waconia - LTFM - PSA - Phase I

BILLING DATE	3/31/2024
PERIOD TO:	3/31/2024
ACCOUNT NUMBER	102640
INVOICE NUMBER	10370
AMOUNT DUE	\$ 220,696.88

INVOICE TO:
Waconia Public Schools
 ATTN: Brian Gersich
 512 Industrial Blvd
 Waconia, MN 55387
 bgersich@isd110.org

PLEASE REMIT PAYMENT TO:
 SitelogIQ Inc. - Accounts Receivables Midwest
 IDS Center
 80 South 8th Street, Suite 1850
 Minneapolis, MN 55402

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BILLING DATE	3/31/2024
PERIOD TO:	3/31/2024
ACCOUNT NUMBER	102640
INVOICE NUMBER	10370
AMOUNT DUE	\$ 220,696.88

TERMS:	30 DAYS UPON RECEIPT

Waconia Public Schools

Program	Fund	Description	Project Amount	Percent Complete	Previously Billed	Current Billing	Cumulative Billing
		Design Document Phase	\$ 2,206,968.74	59%	\$ 1,072,586.81	\$ 220,696.88	\$ 1,293,283.69
		Construction Implementation Phase	\$ 788,203.13	0%	\$ -	\$ -	\$ -
		Post Construction	\$ 157,640.63	0%	\$ -	\$ -	\$ -
							\$ -
			\$ 3,152,812.50	41%	\$ 1,072,586.81	\$ 220,696.88	\$ 1,293,283.69

DIRECT INQUIRIES AND CORRESPONDENCE TO:

Michael Smith
 651.528.2518
 michael.smith@sitelogiq.com

SitelogIQ, Inc - Accounts Receivables Midwest
 IDS Center 80 South 8th
 Suite 1850
 Minneapolis, MN 55402

PAY THIS AMOUNT IN US DOLLARS



\$ 220,696.88

8. **DISCUSSION ITEMS**

8.A. First Read Board Policies

8.A.1. 104 School District Mission Statement

Presenter:

Superintendent Brian
Gersich, Ed. D.

104 SCHOOL DISTRICT MISSION STATEMENT

I. PURPOSE

The purpose of this policy is to establish a clear statement of the purpose for which the school district exists.

II. GENERAL STATEMENT OF POLICY

The school board believes that a mission statement should be adopted. The mission statement should be based on the beliefs and values of the community, should direct any change effort and should be the basis on which decisions are made. The school board, on behalf of and with extensive participation by the community, should develop a consensus among its members regarding the nature of the enterprise the school board governs, the purposes it serves, the constituencies it should consider, including student representation, and the results it intends to produce.

III. OUR MISSION STATEMENT

ISD 110 ~~empowers~~ maximizes opportunities for all students to explore their passions and create their success by ~~providing opportunities for~~ committing to a community that includes academic rigor, social growth, and emotional growth wellbeing.

A. OUR CORE VALUES

~~Drivers of Our Words and Actions~~

- Respect: We honor ~~the perspectives of others and we own our individual actions~~ and listen to all voices to ensure everyone feels valued.
- Collaboration: We ~~work and learn together~~ achieve our common goals through trust, teamwork, and partnership.
- Inclusiveness: We ~~reach beyond ourselves to value and connect with others~~ welcome all and seek multiple perspectives to create one connected community.
- Empathy: We ~~respond to others~~ listen and act with authentic genuine care.
- Resilience: We ~~work through challenges and setbacks with courage, persistence~~ empower one another and persevere with courage, determination, and optimism.

B. OUR VISION STATEMENT

~~What We Commit to Create~~

ISD110 ~~commits to students will:~~

- ~~Achieve academic success through choice, rigor, and relevance~~
- ~~Be inspired to explore who they are and who they will become~~

- ~~Feel they belong in school and in the community~~
- Inspiring students to explore a variety of pathways including academic offerings and extra curricular activities that will allow them to recognize who they are and who they will become.
- Fostering a community with a collective sense of belonging and wellbeing
- Establishing efficient systems and structures as part of a world-class school district that will create opportunities for staff to engage in innovative teaching and students to experience academic success.

C. ~~THEORY OF ACTION OUR STRATEGIC DIRECTIONS~~
~~Our Commitment to Continuous Learning~~

If we:

- ~~Believe all students have the ability to learn and achieve to their potential, and~~
- ~~Create an environment of safety and belonging, and~~
- ~~Respond to our students' social, emotional, and academic needs, and~~
- ~~Build trust and genuine partnerships with students, parents, and colleagues, and~~
- ~~Achieve learning through high expectations, effective instruction, and established outcomes, and~~
- ~~Commit to continuous learning and improvement, then all students will...
 ...EXPLORE THEIR PASSIONS AND CREATE THEIR SUCCESS!~~

Student Outcomes:

- Elementary student performance on MCAs
- Middle school student performance on MCAs
- High school student readiness for post-high school success

Student & Staff Experience

- Physically and emotionally safe at school
- Recognize & respond to cultural commonalities and differences. Feel welcomed, respected, and heard
- Access to inclusive academic, leadership, service and social experiences

Systems & Structures

- Management of financial resources
- Proactive planning for and management of facilities
- Monitor & promote student enrollment

D. STRATEGIC ~~ROADMAP PLAN~~ can be viewed on the district website:
[www.isd110.org/.....\(TBD\).....](http://www.isd110.org/.....(TBD).....)

IV. REVIEW

The school board will review the school district's mission every two years, especially when members of the board change. The school board will conduct a comprehensive review of the mission, including the beliefs and values of the community, every five to seven years.

Legal References: Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement)

Cross References:

Original Board Policy
Amended: December 8, 1986 / March 11, 1996 / July 2007
May 2016 / December 9, 2019/September 2022
Independent School District 110
Waconia, Minnesota

8.A.2. 206 Notice

TIME, PLACE, AND MANNER RESTRICTIONS AND PROCEDURES FOR PUBLIC SCHOOL BOARD MEETINGS AND PUBLIC COMMENTS

Welcome. The School Board welcomes input from community members, including letters, emails, and phone calls. For those who prefer to address the School Board directly, the School Board typically sets aside up to thirty minutes for public comment at regular School Board meetings, but not at study sessions or special meetings. Time for public comment at regular School Board meetings is not a requirement of the law; it is something the School Board chooses to provide. The School Board would like to provide the community with some general information about public comment sessions, including the purpose of a public comment session, the procedures that apply, and prohibited conduct.

Purpose. The purpose of a public comment period is to give community members an opportunity to provide input directly to the School Board about issues that fall within the School Board's authority. To fulfill this purpose, comments must be directed to the School Board. Public comment is not a time for citizens to speak to the community or to the audience. For this reason, public comment sessions will not be recorded or livestreamed.

Written Request to Speak. Individuals who want to speak during a public comment session must submit a written request to speak before 3:00 p.m. on the day of the School Board meeting. Requests must be submitted by email to the following email address: jkilian@isd110.org

- The written request must state: (1) the individual's name, (2) the individual's home address, (3) whether the individual has a child attending school in the District, (4) whether the individual is employed by the District, and (5) the agenda item, if any, that the individual wishes to discuss during the public comment period.
- In the event that more than ten individuals submit a written request to speak during the public comment session, the School Board will give first priority to individuals who reside in the District, have a child attending school in the District, or are employed by the District. The School Board will give second priority to individuals who wish to address a specific item that is on the agenda for that meeting. After these priorities have been applied, any remaining openings to speak up to the total of ten individuals - will be determined by lot.

Speakers Must Be Recognized. The School Board Chair will call speakers to the microphone and will recognize one speaker at a time. Only those individuals who have been recognized by the School Board Chair will be allowed to speak during the public comment period. The School Board Chair will rule out of order individuals who have not been recognized.

Time Limits. The public comment period will be held open for up to thirty (30) minutes in total. This time limit is necessary in order to ensure that the School Board is able to conduct its business during the meeting in an orderly, efficient, and timely fashion. Each speaker is permitted to speak for up to three (3) minutes in total. One speaker may not give time to another speaker. Any person who does not get a chance to speak is encouraged to submit written comments to the School Board. Email addresses for School Board members are listed on the District's website.

- Due to time parameters, the sign-up list is limited to 10 speakers

Cumulative Presentations. Speakers are encouraged to avoid repeating comments that other speakers have made. Redundant presentations are not helpful and can deprive other individuals of the opportunity to speak during the public comment session.

Prohibited Conduct. The following conduct is prohibited during a public School Board meeting, including during the public comment period:

- Speakers may not discuss or disclose any private educational data on any current or former student as defined in Minnesota Statutes section 13 .32. As a result, speakers may not identify any current or former student during public comment. The only exception is that a parent who is speaking may choose to discuss private educational data on their own child.
- Speakers may not make allegations, charges, or complaints against any student or employee. If a person wishes to make an allegation or to file a charge or complaint against a student or employee, the person should make the allegation, charge, or complaint to the Superintendent in writing or in a private meeting, or to the individual designated in District policy to receive the allegation, charge, or complaint. • Speakers may not make comments or gestures that are threatening, profane, lewd, vulgar, obscene, harassing, or abusive.
- Speakers may not make personal attacks against others, including, but not limited to, any student, parent, community member, employee, or School Board member.
- Speakers may not make comments that would violate federal or state law, including laws protecting the privacy rights of an individual.
- Speakers may not make comments related to **on specifics** of pending contract negotiations, ~~or to~~ **and no comments are allowed on related to** pending litigation to which the District is a party, including grievance proceedings.
- Speakers may not campaign for or against a political candidate during any part of a public school board meeting.
- Speakers may not promote or advertise products that are for sale or purchase, unless the Board has invited the speaker to present on the product as an agenda item.
- Members of the public may not engage in conduct that materially and substantially disrupts any part of a School Board meeting, or that otherwise impedes the School Board's ability to conduct its business in an orderly and efficient fashion.

The following are examples of conduct that is materially and substantially disruptive or that otherwise 2 impedes the School Board's ability to conduct its business in an orderly and efficient fashion:

- o Making comments that incite violence;
- o Making comments that reasonably instill fear;
- o Interrupting a speaker who has been recognized by the School Board Chair;
- o Making comments from the audience when the person making comments has not been recognized by the School Board Chair;
- o Interrupting the School Board Chair or any other School Board member or school official who is speaking;

- o Holding up a sign or displaying a banner, regardless of the content of the sign or banner;
- o Clapping, cheering, booing, vocalizing approval, or vocalizing disapproval for a speaker during the speaker's presentation, unless a School Board member or school official is presenting an award to a person or is describing an honor or award that a person received;
- o Addressing the audience rather than the School Board;
- o Bringing a weapon into the meeting room or onto school property, except as allowed under Minnesota law;
- o Violating room capacity requirements; and
- o Violating any law or District policy.

Violations. If a speaker violates any of established procedure or engages in any prohibited conduct, the Board Chair will rule the speaker out of order.

- If the speaker is presenting to the School Board, the Board Chair may require the speaker to immediately end their presentation.
- If the speaker persists in violating any procedure or rule, the speaker will be directed to leave the premises and not to return, a no trespass order may be issued, and a referral may be made to law enforcement.
- If repeated disruptions occur during the public comment period, the School Board Chair may call a recess and order that the room be cleared until the meeting resumes. 3
- If repeated disruptions occur, any School Board member may make a motion to immediately end the public comment period. If the motion passes, citizens may use alternative avenues of communication to share their views with the School Board, including written communications.
- If repeated disruptions occur during multiple meetings, the School Board may vote to suspend public comment at meetings and to require that all public comments be in writing.

Disorderly Conduct. The District will refer potential incidents of disorderly conduct to law enforcement. Minnesota Statutes section 609.72 states:

Whoever does any of the following in a public or private place ... knowing, or having reasonable grounds to know that it will, or will tend to, alarm, anger or disturb others or provoke an assault or breach of the peace, is guilty of disorderly conduct, which is a misdemeanor:

* * * * *

(3) engages in offensive, obscene, abusive, boisterous, or noisy conduct or in offensive, obscene, or abusive language tending reasonably to arouse alarm, anger, or resentment in others.

Superintendent Response After Public Comment. Following public comments, the School Board Chair may ask the Superintendent or a designee to respond or provide clarifying information to the School Board. As a general matter, the School Board will not act on any comments that were made during a meeting and do not relate directly to an agenda item for the meeting.

Use of School Property. All property of the District, including District parking lots and other grounds, are considered to be school property. Individuals or groups may not use school property for any purpose

that has not been authorized by the District. Any use of school property must comply with District Policy 902 and all administrative procedures related to that policy.

8.A.3. 416 Drug and Alcohol Testing

416 DRUG, ALCOHOL, AND CANNABIS TESTING

[Note: Drug, alcohol, and cannabis testing of school bus drivers and 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 are 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 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 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, marijuana (including medical cannabis), cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP), pursuant to federal law. Drivers who test positive for alcohol or drugs shall be subject to disciplinary action, which may include termination of employment.

B. Definitions

1. "Actual Knowledge" means actual knowledge by the school district that a driver has used alcohol or controlled substances based on: (a) direct observation of the employee's use (not observation of behavior sufficient to warrant reasonable suspicion testing); (b) information provided by a previous employer; (c) a traffic citation; or (d) an employee's admission, except when made in connection with a qualified employee self-admission program.
2. "Alcohol Screening Device" (ASD) means a breath or saliva device, other than an Evidential Breath Testing Device (EBT), that is approved by the National Highway Traffic Safety Administration and placed on its Conforming Products List for such devices.
3. "Breath Alcohol Technician" (BAT) means an individual who instructs and assists individuals in the alcohol testing process and who operates the EBT.
4. "Commercial Motor Vehicle" (CMV) includes a vehicle that 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 the driver 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 reports to the MRO of a confirmed positive, an adulterated, 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; and available methods of intervening when an alcohol or drug problem is suspected, including confrontation, referral to an employee assistance program, and/or referral to management.
3. The school district shall provide written notice to representatives of employee organizations that the information described above is available.
4. The school district shall require each driver to sign a statement certifying that the driver 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 they 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 the 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 marijuana. MROs will verify a drug test confirmed as positive, even if a driver claims to have only used nonintoxicating cannabinoids or edible cannabinoid product.

H. Testing Requirements

[Note: School district 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: The 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 they have 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 and accident in violation of federal law. The applicant just 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 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 or within four (4) hours before coming on duty, or just after the period of the work day. The test shall be done as soon as practicable following the observation of the behavior indicative of the use of controlled substances or alcohol.
- b. The reasonable suspicion determination must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech, or body odors. The required observations for reasonable suspicion of a controlled substances violation may include indications of the chronic and withdrawal effects of controlled substances.
- c. Alcohol testing shall be administered within two (2) hours following a determination of reasonable suspicion. If it is not done within two (2) hours, the school district shall prepare and maintain a record explaining why it was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours. If an alcohol test is not administered within eight (8) hours following the determination of reasonable suspicion, the school district shall cease attempts to administer the test and state in the record the reasons for not administering the test.

- d. The supervisor or school district official who makes observations leading to a controlled substances reasonable suspicion test shall make and sign a written record of the observations within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

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

Information obtained from previous employers	3 years
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
 - i. Any on-duty alcohol use;
 - ii. Any pre-duty alcohol use;
 - iii. Any alcohol use following an accident; and
 - iv. Any controlled substance use.
- f. Any report from a substance abuse professional certifying successful completion of the return-to-work process;
- g. Any negative return-to-duty test; and

- h. Any employer's report of completion of follow-up testing.

N. Training

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

O. Consequences of Prohibited Conduct and Enforcement

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

- 2. Referral, Evaluation, and Treatment

- a. A driver or driver applicant who has engaged in prohibited conduct shall be provided a listing of SAPs readily available to the driver or applicant and acceptable to the school district.

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

[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, 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 Regulation, 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 regulation. The school district shall comply with the query requirements set forth in 49 Code of Federal Regulations 382.701.

2. The school district may not access an individual's Clearinghouse record unless the school district (1) obtains the individual's prior written or electronic consent for access to the record; and (2) submits proof of the individual's consent to the Clearinghouse. The school district must retain the consent for three (3) years from the date of the last query. The school district shall retain 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 the 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 charter school 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 charter school's drug and alcohol testing policy relating to school bus drivers (Section III.).
8. "Other Employees" means any persons, independent contractors, or persons working for an independent contractor who perform services for the charter school 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 charter school'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."
9. "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.
10. "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 charter school discretion to waive the selection of any employee selected under the mechanism.
11. "Reasonable Suspicion" means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.
12. "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 will not request or require an employee or job applicant whose position does not require a commercial driver's

license to undergo drug or alcohol testing or cannabis testing, unless the testing is done pursuant to this policy; and is conducted by a testing laboratory that meets one of the criteria listed in Minnesota Statutes, section 181.953, subdivision 1.

- b. The school district will not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing 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. 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.

5. 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.

6. 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.

7. 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 ~~FE~~ and ~~GF~~ 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 GH 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 and 382 (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)

Policy adopted: June 8, 1998

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Independent School District No. 110
Waconia, MN 55387

8.A.4. 416 Forms

**ATTACHMENTS TO
~~DRUG, AND~~ ALCOHOL, AND CANNABIS TESTING POLICY**

Attachments A through C are to be used in conjunction with the drug and alcohol testing of school bus drivers and driver applicants.

- Attachment A is a “**Driver Acknowledgment–Drug and Alcohol Testing Policy Materials**” form that should be used to document receipt of the policy and other materials by drivers and driver applicants. It is referred to in Article III., Section C., Paragraph 4. of the policy.
- Attachment B is a “**Bus Driver or Driver Applicant–Authorization to Release Information**” form. It is referred to in Article III., Section H., Paragraph 1. of the policy
- Attachment C is a “Consent to Clearinghouse Full Query” form. It is referred to in Article III, Section H, Paragraph e of the policy.
- Attachment DC is a “**Bus Driver or Driver Applicant–Refusal to Submit to Testing**” form. It is referred to in Article III., Section H., Paragraph 87. of the policy.

Attachments ED through HG are to be used in conjunction with drug, cannabis, and alcohol testing of non-bus drivers and applicants.

- Attachment ED is a “**Pretest Notice**” that must be provided to non-school bus driver employees or job applicants before requesting that the employee or job applicant undergo drug or alcohol testing. It is referred to in Article IV., Section E., Paragraph 1. of the policy.
- Attachment FE is a “**Notice of Test Results and Various Rights**” which should be used by the District when notifying non-school bus driver employees or job applicants of test results and other rights. It is referred to in Article IV., Section E., Paragraph 6. of the policy.
- Attachment GF is an “**Explanation of Positive Test Result**” form which should be used by the school district to request that the employee or job applicant submit information to the school district relevant to the reliability of, or explanation for, a positive test result. It is referred to in Article IV., Section E., Paragraph 4. of the policy.
- Finally, the District may wish to use Attachment HG, entitled “**Acknowledgment–Drug and Alcohol, and Cannabis Testing Policy**,” to document that written notice of the policy was given to all affected employees. It is referred to in Article IV., Section J. of the policy.

ATTACHMENT A

(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

— DRIVER ACKNOWLEDGMENT —
DRUG AND ALCOHOL TESTING POLICY AND MATERIALS

I have received a copy of the Drug, ~~and~~ Alcohol, and Cannabis Testing Policy of Independent School District No. _____, _____, Minnesota and have read it in its entirety. I understand that I am subject to the provisions of Article III of the policy, entitled Federally Mandated Drug and Alcohol Testing for School Bus Drivers, because the position involves operating a commercial motor vehicle and requires a commercial driver's license.

The District's policy was provided to me:

- Upon adoption of the policy (employee).
- Upon my hire (job applicant/new employee).
- After receipt of my conditional job offer, before any testing if my job offer is contingent upon my passing of drug and alcohol testing (job applicant).

I also received materials 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 ~~drug-controlled~~ substance problem; and available methods of intervening when an alcohol or drug problem is suspected.

I have been advised that the Alcohol and Controlled Substances Testing Program Manager is _____ and that any questions I may have concerning the Policy should be directed to the Program Manager.

Dated: _____

Signature of Employee/Applicant

Typed or Printed Name

ATTACHMENT B

(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

— BUS DRIVER OR DRIVER APPLICANT —
AUTHORIZATION TO RELEASE INFORMATION

Section I. To be completed by the school district, signed by the bus driver, or driver applicant, and transmitted to the previous employer:

Employee Printed or Typed Name: _____

Employee SS or ID Number: _____

I hereby authorize release of information from my Department of Transportation regulated drug and alcohol testing records by my previous employer, listed in Section I-B, to the employer listed in Section I-A. This release is in accordance with DOT Regulation 49 CFR Part 40, Section 40.25. I understand that information to be released in Section II-A by my previous employer, is limited to the following DOT-regulated testing items:

1. Alcohol tests with a result of 0.04 or higher;
2. Verified positive drug tests;
3. Refusals to be tested;
4. Other violations of DOT agency drug and alcohol testing regulations;
5. Information obtained from previous employers of a drug and alcohol rule violation;
6. Documentation, if any, of completion of the return-to-duty process following a rule violation.

Employee Signature: _____ Date: _____

Section I-A.

School District Name: _____

Address: _____

Phone #: _____ Fax #: _____

Designated Employer Representative: _____

Section I-B.

Previous Employer Name: _____

Address: _____

Phone #: _____

Designated Employer Representative (if known): _____

Section II. To be completed by the previous employer and transmitted by mail or fax to the new employer:

Section II-A. In the two years prior to the date of the employee's signature (in Section I), for DOT-regulated testing:

1. Did the employee have alcohol tests with a result of 0.04 or higher? YES ___ NO ___
2. Did the employee have verified positive drug tests? YES ___ NO ___
3. Did the employee refuse to be tested? YES ___ NO ___
4. Did the employee have other violations of DOT agency drug and alcohol testing regulations? YES ___ NO ___
5. Did a previous employer report a drug and alcohol rule violation to you? YES ___ NO ___
6. If you answered "yes" to any of the above items, did the employee complete the return-to-duty process? N/A ___ YES ___ NO ___

NOTE: If you answered "yes" to item 5, you must provide the previous employer's report. If you answered "yes" to item 6, you must also transmit the appropriate return-to-duty documentation (e.g., SAP report(s), follow-up testing record).

Section II-B.

Name of person providing information in Section II-A: _____

Title: _____

Phone #: _____

Date: _____

ATTACHMENT CB

(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

— BUS DRIVER OR DRIVER APPLICANT —
CONSENT TO SCHOOL DISTRICT CONDUCT
OF CLEARINGHOUSE FULL QUERY

Before employing a driver subject to controlled substances and alcohol testing, the school district must conduct a full pre-employment query of the federal Commercial Driver's License (CDL) Drug and Alcohol Clearinghouse ("Clearinghouse") to obtain information about whether the driver

- (1) has a verified positive, adulterated, or substituted controlled substances test result;
- (2) has an alcohol confirmation test with a concentration of 0.04 or higher;
- (3) has refused to submit to a test in violation of federal law; or
- (4) that an employer has reported actual knowledge that the driver used alcohol on duty, before duty, or following an accident in violation of federal law or used a controlled substance in violation of federal law.

The applicant must give specific written or electronic consent for the school district to conduct the Clearinghouse full query. The school district shall retain the consent for three (3) years from the date of the query.

I consent to the school district's conduct of a Clearinghouse full query.

Dated: _____

Signature of Applicant

Typed or Printed Name

ATTACHMENT **DE**

(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

**— BUS DRIVER OR DRIVER APPLICANT —
REFUSAL TO SUBMIT TO TESTING**

I hereby refuse to submit to drug/alcohol testing by doing the following:

- Failing 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;
- Failing to remain at the testing site until the testing process is complete;
- Failing to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test;
- Failing to permit the observation or monitoring of any provision of a specimen in the case of a directly observed or monitored collection in a drug test;
- Failing to provide a sufficient breath specimen or sufficient amount of urine when directed and it has been determined that there was no adequate medical explanation for the failure;
- Failing or declining to take a second test as directed;
- Failing to undergo a medical examination or evaluation, as directed by the Medical Review Officer (MRO) or the Designated Employer Representative (DER);
- Failing to cooperate with any part of the testing process (e.g., refusing to empty pockets when so directed by the collector, behaving in a confrontational way that disrupts the collection process, failing to wash hands after being directed to do so by the collector, failing to sign the certification on the form);
- Failing 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;
- Possessing or wearing a prosthetic or other device that could be used to interfere with the collection process;
- Admitting to the collector or MRO that the driver adulterated or substituted the specimen; or
- Having a verified adulterated or substituted test as reported by the MRO.

[An applicant who fails to appear for a preemployment test, who leaves the testing site before the preemployment testing process commences, or who does not provide a urine specimen because applicant left before it commences, is not deemed to have refused to submit to testing.]

I recognize that my refusal subjects me to the consequences specified in federal law and regulations. It also constitutes a presumption of a positive result. I further recognize that if I am an applicant, I will be disqualified from consideration for the conditionally-offered position. If I am an employee, I will not be permitted to perform safety-sensitive functions, and will be considered insubordinate and subject to disciplinary action, up to and including dismissal. If the school district offers me an opportunity to return to a DOT safety-sensitive function, I understand I will be evaluated by a substance abuse professional, and will be required to submit to a return-to-duty test prior to being considered for reassignment to safety-sensitive functions.

Date: _____

Time: _____

Signature of Employee/Applicant

Supervisor: _____

Supervisor's Signature

Comments: _____

Employee refusal to sign

Supervisor's Initials: _____

ATTACHMENT **ED**

(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

— PRETEST NOTICE —

I, the undersigned employee/job applicant of Independent School District No. _____, _____, Minnesota ("School District") do hereby acknowledge that I have been provided a copy of the School District's Drug ~~and~~ Alcohol ~~and Cannabis~~-Testing Policy.

Date: _____

Signature of Employee/Job Applicant

Typed or Printed Name

ATTACHMENT **FE**

(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

[Employee Name]
[Employee Address]

RE: Drug, ~~and/or~~ Alcohol, ~~and/or~~ Cannabis Test
[Date of Testing]

NOTICE OF TEST RESULTS AND VARIOUS RIGHTS

Test Results:

Independent School District No. _____, Minnesota has received the test result report from the testing laboratory:

- G Your initial screening test result was negative.
- G Your confirmatory test result was negative.
- G Your confirmatory test result was positive.

Test Result Report:

You have the right to request and receive from the school district a copy of the test result on any drug or alcohol test **or cannabis test**.

Right to Explain Positive Test Result:

In the case of a positive test result on a confirmatory test, you have the right to explain the results. You may, within three (3) working days after notice of a positive test result on a confirmatory test, submit information to the school district, in addition to any information already submitted, to explain that result. Attached to this Notice is a document entitled "Explanation of Positive Test Result" for this purpose.

Right to Request Confirmatory Retests:

In the case of a positive test result on a confirmatory test, you have the right to request a confirmatory retest of the original sample at your own expense.

Within five (5) working days after notice of the confirmatory test result, you must notify the school district in writing of your 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 you have requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under Minn. Stat. § 181.953, Subd. 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that appropriate chain-of-custody procedures are followed during transfer of the sample to the other laboratory. The confirmatory retest must use the same drug, ~~or~~ alcohol, **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 you.

Other Rights:

In the case of a positive test result on a confirmatory test, you may have other rights provided under the sections detailed below.

A. Employee Discharge and Discipline

1. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee whose position does not require a commercial driver's license on the basis of 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 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.

2. The school district may not discharge an employee whose position does not require a commercial driver's license for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test requested by the school district, unless the following conditions have been met:
 - a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol or cannabis counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with a certified chemical use 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.
3. 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.
4. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information revealed to the school district, unless the employee was under an affirmative duty to provide the information before, upon, or after hire.
5. An employee must be given access to information in the employee's personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing or cannabis testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

B. Withdrawal of Applicant's Job Offer

If a job applicant for a position that does not require a commercial driver's license has received a job offer made contingent on the applicant passing drug, ~~and~~ alcohol, and/or cannabis 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.

ATTACHMENT **GF**

(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

EXPLANATION OF POSITIVE TEST RESULT

I, the undersigned employee/job applicant of Independent School District No. _____, _____, Minnesota acknowledge receipt of a Notice of Test Results and Various Rights. This includes my right to explain the positive test result on a confirmatory test.

I am currently taking or have recently taken:

- no over-the-counter or prescription medications; or
- the following over-the-counter or prescription medications:

I also offer the following information relevant to the reliability of, or explanation for, a positive test result:

Date: _____

Signature of Employee/Job Applicant

Typed or Printed Name

ATTACHMENT **HG**

(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

— ACKNOWLEDGMENT —

DRUG, ~~AND~~ ALCOHOL, AND CANNABIS TESTING POLICY

I have received a copy of the Drug, ~~and~~ Alcohol, and Cannabis Testing Policy of Independent School District No. _____, _____, Minnesota and have read it in its entirety.

The District's policy was provided to me:

- Upon adoption of the policy (employee)
- Upon my hire (job applicant/new employee)
- After receipt of my conditional job offer, before any testing if my job offer is contingent upon my passing of drug, ~~and~~ alcohol, and cannabis testing as applicable. (job applicant)

Dated: _____

Signature of Employee/Applicant

Typed or Printed Name

8.A.5. 506 Student Discipline

Presenter:
Superintendent Brian
Gersich, Ed.D.

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. Each school has handbook to explain disciplinary procedures.

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 their lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student to prevent imminent bodily harm or death to the student or another.
- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to restrain a student to prevent imminent bodily harm or death to the student or another.

- E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising their lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student to prevent imminent bodily harm or death to the student or another.
- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the behavior of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.
- 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 imminent 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 imminent 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 or tobacco paraphernalia;
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' 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 language toward 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 language that is discriminatory, abusive, obscene, threatening, intimidating, or that degrades other people;
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 school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
45. 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. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

- B. If a student is removed from class more than ten (10) times in a school year, the school district shall notify the parent or guardian of the student's tenth removal from class and make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.
- C. Procedures for Removal of a Student from a Class
 1. Students must be sent to the principal's office or another area clearly designated by the building principal. The teacher should follow the communication protocol established by the principal or designee.
 2. The referring staff shall provide the building principal or designee an

explanation for the removal using the appropriate district-approved behavior documentation system.

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. Students must go to the principal's office or another area designated by the building principal.
2. Depending on the age of the student and severity of the situation, the teacher will determine if a student must be accompanied to the designated area.
3. Students may be engaged in one or more of the following: calming strategies, classwork, learning focused on the reason for the removal or restorative activities while removed from the class.
4. The principal or designee will provide custodial care of the student when a student is removed from class until the student returns to class.

F. Procedures for Return of a Student to a Specific Class from which the Student was Removed

1. When a teacher removes a student from class, the principal or designee shall follow up with teachers to develop a re-entry plan.
2. After the teacher has removed the student from class the teacher will provide the principal or designee with documentation of a record of teacher interventions and parent or guardian contacts.

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. When a teacher removes a student from class, the principal or designee shall follow up with teachers to develop a re-entry plan.
2. After the teacher has removed the student from class the teacher will provide the principal or designee with documentation of a record of teacher interventions and parent or guardian contacts.

H. **Disabled** Students with a Disability; Special Provisions

1. A student's special education case manager will be notified of the incident leading to removal from class to determine if there is a need for further assessment.
 2. A student's special education case manager will be notified of the incident leading to removal from class to determine if there is a need for a review of the adequacy of the current Individualized Education Program (IEP).
 3. The principal or designee will follow the MTSS procedures set by the district to determine if a student is in need of special education services.
- I. Procedures for Detecting and Addressing Chemical Abuse Problems of Students while on School Premises
1. The preassessment team will be developed following the steps outlined in District Policy 417 Chemical Use and Abuse.
 2. The teacher will report suspected chemical abuse to the principal or designee who will then follow steps outlined with the preassessment team.
 3. The principal or designee, the teacher and the MTSS team will meet to develop interventions that may be needed for the student tied to violations of the Code of Student Conduct.

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 Nonexclusionary 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 School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.
2. 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 ~~one school day or 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 (6th) consecutive day of suspension or the tenth (10th) 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. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the student to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.
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 Minn. Stat. Ch. 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, Minn. Stat. §§ 121A.40-121A.56, shall be personally served upon the student at or before the time the

suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference. (See attached sample Notice of Suspension.)

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.

D. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56; 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 Education (Commissioner) of the basis and reason for the decision.
18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minn. Stat. § 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.
19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and their 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 Minn. Stat. § 120B.232, Subd. 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 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, Minn. Stat. Ch. 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 (Minn. Stat. § 124D.03) or Enrollment in Nonresident District (Minn. Stat. § 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minn. Stat. Ch. 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of seventeen (17) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

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 for Minnesota Students)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.26 (School Preassessment Teams)
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)
Minn. Stat. § 121A.582 (Reasonable Force)
Minn. Stat. §§ 121A.60-121A.61 (Removal From Class)
Minn. Stat. § 122A.42 (General Control of Schools)
Minn. Stat. § 123A.05 (Area Learning Center Organization)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.08 (Enrollment in Nonresident District)
Minn. Stat. Ch.125A (Students With Disabilities)
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)

Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
Minn. Stat. Ch. 260A (Truancy)
Minn. Stat. Ch. 260C (Juvenile Court Act)
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

Cross References: MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 501 (School Weapons)
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
MSBA/MASA Model Policy 503 (Student Attendance)
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)
MSBA/MASA Model Policy 610 (Field Trips)
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

Policy Adopted: November 2005

Revised: November 2009 / May 2012 / June 2015/ May 2016 / October 2017 / January 2024

Reviewed: June 2018/ April 2021/ June 2022

Independent School District No. 110

Waconia MN

8.A.6. 506 Discipline Complaint Procedure and
Form (NEW)

Presenter:
Superintendent Brian
Gersich, Ed.D.



Discipline Complaint Procedure

Students, parents and other guardians, and school staff (Complainant) may file a complaint and seek corrective action when the requirements of the Minnesota Pupil Fair Dismissal Act, including the implementation of the behavior and discipline policies are not being implemented appropriately or are being discriminately applied.

The discipline complaint process is initiated when a Complainant completes and submits a Discipline Complaint Form to the school district superintendent or the superintendent's designee.

A Discipline Complaint Form is available on the school district website and in administrative offices.

Investigation of the complaint will commence within three school days of receipt of the complaint. The superintendent will direct the investigation and will designate and identify the school district personnel who will manage the investigation and who are responsible for keeping and regulating access to any resulting record. The school district may use outside counsel as it sees fit.

Upon completion of the investigation, a Written Determination addressing each allegation and containing findings and conclusions will be issued to the Complainant in a manner consistent with the Minnesota Government Data Practices Act.

If the investigation finds the requirements of the Minnesota Pupil Fair Dismissal Act (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 school district staff with training, coaching, or other accountability practices to ensure appropriate compliance with policies in the future, the superintendent or the superintendent's designee will take necessary measures.

Reprisal or retaliation against any person who asserts, alleges, or reports a complaint is prohibited. The school district will take appropriate action consistent with Minnesota law and school district policies in the event that an individual or individuals are found to have engaged in reprisal or retaliation.



**Waconia Public Schools ISD 110
Discipline Complaint Form**

Date of Complaint: _____

Name of Person Completing Form: _____

Email Address _____ Cell Phone _____

Student Name _____ Grade _____

Applicable Governing Discipline Documents

- Minnesota Pupil Fair Dismissal Act
- School District Student Discipline Policy

Describe your complaint(s) and/or allegation(s) regarding improper implementation of the Minnesota Pupil Fair Dismissal Act and/or the school district student discipline policy or how the procedures in these two documents are being discriminately applied.

Provide additional information you request the school district to consider:

Involved persons may submit additional information related to this complaint.

A Complainant may appeal the school district's Written Decision by submitting a written notice of appeal to the superintendent or the superintendent's designee within three (3) school days of the date that the Written Decision is provide to the Complainant. The notice shall set forth the grounds upon which the Complainant appeals the Written Decision.

Signature: _____ Date: _____

For Administrative Use (Notes):

Date Received: _____

Assignment of Investigator: _____

Date Investigation Complete: _____

Written Decision Sent to Complainant: _____

Corrective Action Required: _____

Corrective Action Taken: _____

Notice of Right to Appeal: _____

Matter Closed: _____

Data Practices Act Compliance Conducted: _____

604 INSTRUCTIONAL CURRICULUM

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

1. basic communication skills including reading and writing, literature, and fine arts;
2. mathematics and science;
3. social studies, including history, geography, economics, government, and citizenship that includes civics (see II.I.);
4. health and physical education;

[Note: Health curriculum may include child sexual abuse prevention in consultation with other federal, state, or local agencies and community-based organizations to identify research-based tools, curricula, and programs.]

5. The arts;
6. Career and technical education; and
7. World languages.

[Note: the school district must use the current world languages standards developed by the American Council on the Teaching of Foreign Languages. World languages programs should be developed and implemented to acknowledge and reinforce the language proficiency and cultural awareness that non-English language speakers already possess and encourage students' proficiency in multiple world languages. Programs also must encompass indigenous American Indian languages and cultures, among other world languages and cultures. School districts may award Minnesota World Language Proficiency Certificates consistent with Minnesota Statutes section 120B.022]

B. The basic instructional program shall include all courses required for each grade level by the Minnesota Department of Education (MDE) and all courses required in all elective subject areas. Instruction shall be provided in a nondiscriminatory manner, which includes a nonsexist and multicultural approach. In the presentation of subject matter (including controversial issues) teachers shall provide access to a variety of viewpoints, theories, ways of knowing, and methods of inquiry. Teachers shall foster sensitive communication by and among all students, and understand the influence of personal bias on student learning.

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

~~music, theater, and visual arts.~~

- DC. The school district must establish and regularly review its own standards for career and technical education (CTE) programs. Standards must align with CTE frameworks developed by the Department of Education, standards developed by national CTE organizations, or recognized industry standards.
- ED. The school board, at its discretion, may offer additional courses in the instructional program at any grade level.
- FE. Each instructional program shall be planned for optimal benefit taking into consideration the financial condition of the school district and other relevant factors. Each program plan should contain goals and objectives, materials, minimum student competency levels, and methods for student evaluation.
- GF. The superintendent [or designee] shall have discretionary authority to develop guidelines and directives to implement school board policy relating to instructional curriculum.
- HG. The school district ~~or~~ may not discriminate against or discipline a teacher or principal on the basis of incorporating into curriculum contributions of persons in a federally protected class or state protected class when the included contribution is in alignment with standards and benchmarks adopted under Minnesota Statutes, sections 120B.021 and 120B.023.

III. REQUIRED ACADEMIC STANDARDS

- A. The following subject areas are required for statewide accountability:
 - 1. language arts;
 - 2. mathematics, encompassing algebra II, integrated mathematics III, or an equivalent in high school, and to be prepared for the three credits of mathematics in grades 9 through 12, the grade 8 standards include the completion of algebra;
 - 3. science, including earth and space science, life science, and the physical sciences, including chemistry and physics;
 - 4. social studies, including history, geography, economics, and government and citizenship that includes civics;
 - 5. physical education;
 - 6. health, for which locally developed academic standards apply; and
 - 7. the arts.
- B. Elementary and middle schools must offer at least three and require at least two of the following five arts areas: dance, media arts, music, theater, and visual arts. High schools must offer at least three and require at least one of the following five arts areas: media arts, dance, music, theater, and visual arts.

IV. PARENTAL CURRICULUM REVIEW

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

V. CPR AND AED INSTRUCTION

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

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

[Note: If a school district requests resources, the Minnesota Resuscitation Consortium must provide them to the school district for instruction and training provided to students under this section.]

VI. COLLEGE AND CAREER PLANNING

- A. The school district shall assist all students by no later than grade 9 to explore their educational college and career interests, aptitudes, and aspirations and develop a plan for a

smooth and successful transition to postsecondary education or employment. All students' plans must:

1. provide a comprehensive plan to prepare for and complete career and college-ready curriculum by meeting state and local academic standards and developing career and employment-related skills such as team-work, collaboration, creativity, communication, critical thinking, and good work habits;
 2. emphasize academic rigor and high expectations and inform the student, and the student's parent or guardian, if the student is a minor, of the student's achievement level score on the Minnesota Comprehensive Assessments that are administered during high school;
 3. help students identify interests, aptitudes, aspirations, and personal learning styles that may affect their career and college-ready goals and postsecondary education and employment choices;
 4. set appropriate career and college-ready goals with timelines that identify effective means for achieving those goals;
 5. help students access education and career options;
 6. integrate strong academic content into career-focused courses and applied and experiential learning opportunities and integrate relevant career-focused courses and applied and experiential learning opportunities into strong academic content;
 7. help identify and access appropriate counseling and other supports and assistance that enable students to complete required coursework, prepare for postsecondary education and careers, and obtain information about postsecondary education costs and eligibility for financial aid and scholarship;
 8. help identify collaborative partnerships among pre-kindergarten through grade 12 schools, postsecondary institutions, economic development agencies, and local and regional employers that support students' transitions to postsecondary education and employment and provide students with applied and experiential learning opportunities; and
 9. be reviewed and revised at least annually by the student, the student's parent or guardian, and the school district to ensure that the student's course-taking schedule keeps the student making adequate progress to meet state and local academic standards and high school graduation requirements and with a reasonable chance to succeed with employment or postsecondary education without the need to first complete remedial course work.
- B. The school district may develop grade-level curricula or provide instruction that introduces students to various careers, but must not require any curriculum, instruction, or employment-related activity that obligates an elementary or secondary student to involuntarily select or pursue a career, career interest, employment goals, or related job training.
- C. Educators must possess the knowledge and skills to effectively teach all English learners in their classrooms. School districts must provide appropriate curriculum, targeted

materials, professional development opportunities for educators, and sufficient resources to enable English learners to become career and college-ready.

- D. When assisting students in developing a plan for a smooth and successful transition to postsecondary education and employment, school districts must recognize the unique possibilities of each student and ensure that the contents of each student's plan reflect the student's unique talents, skills, and abilities as the student grows, develops, and learns.
- E. If a student with a disability has an Individualized Education Program (IEP) or standardized written plan that meets the plan components herein, the IEP satisfies the requirement, and no additional transition plan is needed.
- F. Students who do not meet or exceed the Minnesota Academic Standards, as measured by the Minnesota Comprehensive Assessments that are administered during high school, shall be informed that admission to a public school is free and available to any resident under 21 years of age or who meets the requirements of the compulsory attendance law. A student's plan under this provision shall continue while a student is enrolled.

~~VII.—CIVICS TEST~~

- ~~A.—A student enrolled in a public school must correctly answer at least 30 of 50 civics test questions.—A school or district may record on a student's transcript that the student answered at least 30 of 50 civics test questions correctly.~~
- ~~B.—“Civics test questions” means 50 of the 100 questions that, as of January 1, 2015, United States Citizenship and Immigration Services officers use to select the questions they pose to applicants for naturalization so the applicants can demonstrate their knowledge and understanding of the fundamentals of United States history and government, as required by federal law.—The Learning Law and Democracy Foundation, in consultation with Minnesota civics teachers, must select by July 1 each year 50 of the 100 questions under this paragraph to serve as the state's civics test questions for the proximate school year and immediately transmit the 50 selected civics test questions to MDE and to the Legislative Coordinating Commission, which must post the 50 questions it receives on the Minnesota's Legacy website by August 1 of that year.~~
- ~~C.—The school district may exempt a student with disabilities from this requirement if the student's IEP team determines the requirement is inappropriate and establishes an alternative requirement.~~
- ~~D.—The school district may administer the civics test questions in a language other than English to students who qualify for English learner services.~~
- ~~E.—The school districts may administer civics test questions as part of the social studies curriculum.~~
- ~~F.—The school district must not prevent a student from graduating or deny a student a high school diploma for failing to correctly answer at least 30 of 50 civics test questions.~~
- ~~G.—The school district cannot charge a fee related to this requirement.~~

~~*[Note: This requirement is effective for students enrolling in grade 9 in the 2017-2018 school year and later.]*~~

Legal References: Minn. Stat. § 120A.20 (Parental Curriculum Review)
Minn. Stat. § 120B.101 (Curriculum)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 120B.021 (Required Academic Standards)
Minn. Stat. § 120B.022 (Elective Standards)
Minn. Stat. § 120B.023 (Benchmarks Implement, Supplement Statewide Academic Standards)
Minn. Stat. § 120B.125 (Planning for Students' Successful Transition to Postsecondary Education and Employment; Personal Learning Plans)
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)
Minn. Stat. § 120B.236 (Cardiopulmonary Resuscitation and Automatic External Defibrillator Instruction)

Cross References: MSBA/MASA Model Policy 603 (Curriculum Development)
MSBA/MASA Model Policy 605 (Alternative Programs)

Policy Adopted: January 2004
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Independent School District No. 110 Waconia, MN

9. **BOARD COMMITTEE REPORTS**

9.A. Self-Governance & Superintendent Relations
Committee

9.B. Finance & Facilities Committee

9.C. Policy & Advocacy Committee

9.D. Schools for Equity in Education (SEE)
Representative

9.E. Southwest Metro Intermediate District 288
Representative

9.F. MSHSL Representative

9.G. Special Education Advisory Council

9.H. Community Education Advisory Council
Representative

9.I. Teaching & Learning Advisory Council
Representative

9.J. City of Waconia Liaison

10. **ENTER CLOSED SESSION**

11. **ADJOURNMENT**