

Policy Committee

Monday, November 18, 2024 6:00 PM

Waconia High School - Office Meeting Space, 1650 Community Drive, Waconia, MN
55387

1. **Employee Use of Social Media Discussion**

Presenter: Dr. Brian
Gersich,
Superintendent

Employee Responsible Use of Social Media

Type:	School Board Policy
Section:	400 EMPLOYEES/PERSONNEL
Code:	447
Adopted Date:	5/14/2012
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Reviewed Date(s):	04/10/2017, 04/21/2020, 11/15/2022, 03/17/2023, 04/11/2023
Attachments:	

I. PURPOSE

The purpose of this policy is to ensure that employees are aware of and comply with the school district's expectations for personal and professional use of publicly available social media networks.

II. GENERAL STATEMENT

Moorhead Area Public Schools recognizes the importance of online social media networks as a communication and e-learning tool. The school district acknowledges the value of teacher inquiry, investigation, and innovation using new technology tools to enhance the learning experience. The district recognizes its obligation to teach and ensure the responsible and safe use of these technologies. Toward that end, the school district provides password-protected social media tools and district-approved technologies for e-learning and requires the use of district-provided tools for collaboration by employees.

The line between professional and personal relationships can be blurred within the context of social media. When employees choose to join or engage with school district students, families or fellow employees in a social media context that exists outside those approved by the district, they are advised to maintain their professionalism as district employees. Employees are responsible for their behavior or activity on these networks. Employees must report inappropriate student behavior, illegal actions or violations of school district policies governed by mandated reporting to their supervisor.

III. DEFINITIONS

A. “Public social media networks” are defined to include: websites, social networks, online forums, virtual worlds, and any other social media generally available to the public or consumers and which do not fall within Moorhead Area Public Schools network. Examples of public social media include (Facebook, Twitter, Snapchat, Instagram, LinkedIn, Vimeo, YouTube, and blogs).

B. “District-approved online engagement tools are those that fall within the Moorhead Area Public Schools network or which the school district has approved for educational or communications purposes. The district has greater authority and responsibility to protect minors from inappropriate content and can limit public access within this limited public forum. Examples include by are not limited to the following platforms: Apptegy, Schoology, Carousel, rSchools.

IV. REQUIREMENTS

Employees are expected to serve as positive ambassadors for our schools and to act as role models to students in this community. Because those on social media networks may view the employee as a representative of the schools and the district, Moorhead Area Public Schools requires employees to observe the following rules when referring to the school district, its schools, students, programs, activities, employees, volunteers and communities on any social media networks. Administrative Procedure 447.1: Social Media Guidelines for Employees contains additional guidelines:

A. The school district takes no position on employees’ decision to participate in the use of social media networks for personal use on personal time. However, the use of these media for personal use during district time and/or on district equipment is prohibited. In addition, employees must avoid posting any information or engaging in communications that violate state or federal laws, school district policies and procedures, and guidelines outlined in the employee handbook.

B. Public social media networks, outside of those sponsored by the school district, may not be used for classroom instruction or school-sponsored activities without the prior authorization of the Superintendent or designee and parental consent for student participation on public accessible social networks. The school district will maintain a list of acceptable social media network tools for instructional use on the Extranet. Moorhead Area Public Schools may use these tools and other communication technologies in fulfilling its responsibility for effectively communicating with the public.

C. An employee’s use of any social media network and an employee’s postings, displays, or communications on any social media network must comply with all state and federal laws, the website's terms of service, and any applicable district policies.

Employees are expected to be respectful and professional in all communications by word, image, or other means when using school district social media.

Employees shall not use their district-provided email address for communications on public social media networks for personal use or without approval from the Superintendent or designee.

Employees must make clear that any views expressed online are the employee's alone and do not necessarily reflect the views of the district. Employees may not act as a spokesperson for the district or post comments as a representative of the district, except as authorized by the Superintendent or the Superintendent's designee or as appropriate for their role as a spokesperson or social media poster for the District. When authorized as a spokesperson for Moorhead Area Public Schools, employees must disclose their employment relationship with the district.

Employees may not disclose on any social media network information that is confidential or proprietary to the district, its students, or employees or that is protected by data privacy laws.

Employees may not use or post the district logo on any social media network without permission from the Superintendent or designee.

Employees may not post images on any social media network of co-workers without the co-workers' consent., except for general images that may have been taken in the public arena, such as at sporting events or fine arts public performances etc.

Employees may not post images of students on any social media network without written parental consent, except for images of students taken in the public arena, such as at sporting events or fine arts public performances.

Employees may not post any nonpublic images of the district premises and property, including floor plans.

D. Moorhead Area Public Schools recognizes that student groups or members of the public may create social media accounts representing teams or groups within the district. When employees, including coaches/advisors, choose to join or engage with these social networking groups, they always do so as an employee of the district. Social Media sites representative of the school district must be approved by district administration. Current login and password information is available to the Department of Community Engagement and Public Relations as well as the Technology Department. Employees have responsibility for maintaining appropriate employee-student relationships at all times and have responsibility for addressing inappropriate behavior or activity on these networks. This includes acting to protect the safety of minors online. Employees shall annually disclose to the district the existence of and their participation in such networks. Employees are required to register their active district-related professional social media accounts under My Demographics on the Extranet. It is recommended that employees also register their personal social media networks as well.

1. When an official student group or team creates a social media site or team website for itself, the coach or advisor must request and secure the login, password, and recovery information for that online group. This will prevent, for example, dozens of out-of-date Twitter accounts for sports teams, as each year's team social designee has graduated and the social media account remains online, but not active.

E. An employee who is responsible for a social media network posting that fails to comply with the rules and guidelines set forth in this policy or as outlined in employee contract language may be subject to disciplinary action, up to and including termination. Employees will be held responsible for the disclosure, whether purposeful or inadvertent, of confidential or private information, information that violates the privacy rights or other rights of a third party, or the content of anything posted on any social media network.

F. Anything posted on an internet or social media site that is available to public view, such as the employee's personal website, or other Internet content for which the employee is responsible, will be subject to all district policies, rules, regulations, and guidelines. Due to the public nature of websites and weblogs, the district is free to view and monitor an employee's website or Web log at any time without consent or previous approval.

Legal References:

Minnesota Administrative Rule 8700.7500 (Code of Ethics for Minnesota Teachers Children's Internet Protection Act)

15 U.S.C. 6501 *et seq.* (Children's Online Privacy Protection Act)

17 U.S.C. 101 *et seq.* (Copyrights)

47 U.S.C. 254 (Children's Internet Protection Act of 2000)

Minn. Stat. 121A.0695 (School Board Policy; Prohibiting Intimidation and Bullying)

Cross References:

Minnetonka School Board Policy 470 Employee Use of Social Media

Moorhead School Board Policy 414: Employee Public and Private Personnel Data

Moorhead School Board Policy 448: Electronic Communication Between Employees and Students

Moorhead School Board Policy 504: Protection and Privacy of Student Records

Moorhead School Board Policy 534: Mandated Reporting of Child Neglect or Physical or Sexual Abuse

Moorhead School Board Policy 535: Maltreatment of Vulnerable Adults

Moorhead School Board Policy 551: Student Discipline

Moorhead School Board Policy 570: Prohibition of Harassment and Violence

Moorhead School Board Policy 601: Curriculum and Instruction Goals of Moorhead Area Public Schools

Moorhead School Board Policy 620: Selection of Textbooks and Instructional Materials

Moorhead School Board Policy 730: School District Copyright

Moorhead School Board Policy 731: Electronic Network and Systems Responsible Use and Safety

Board Adopted: November 22, 2021 [NEW]
Board Information: May 22, 2023
Board Approved: June 26, 2023 [No Change to Policy; Revised Appendix on Social Media Guidelines]
Contact Person: Executive Director of Human Resources

POLICY 458 EMPLOYEE USE OF SOCIAL MEDIA

I. PURPOSE

To address the use of social media by District personnel both personally and professionally.

II. GENERAL STATEMENT OF POLICY

- A. Bloomington Public Schools recognizes the importance of using social media as a tool to promote and enhance its education, communication and community engagement goals.
- B. The District acknowledges that many existing laws and policies apply to social media use by staff, students and the public. This includes, but is not limited to laws and policies in the areas of civility, privacy, public records retention and disclosure, copyright, ballot measures, access to District resources, and First Amendment rights. The District will comply with these laws and update its existing policies and procedures to these areas to address social media.
- C. All staff are expected to serve as appropriate role models for students and positive ambassadors for the District. Professional conduct should be demonstrated at all times. How staff conduct themselves on social media not only reflects on them personally, but also on the District.
- D. The line between professional and personal relationships can be blurred by social media. It is vital that staff maintain professionalism online.

III. DEFINITIONS

- A. Social media – Includes but is not limited to blogs, podcasts, discussion forums, online collaborative information and publishing systems that are accessible to internal and external audiences, RSS feeds, video sharing, and social networks like Facebook, Twitter, Instagram, YouTube, Pinterest, Snapchat, TikTok and emerging or future social media platforms.
- B. District-approved social media – Interactive media which the District has approved for educational use. The District has greater authority and responsibility to protect minors from inappropriate content and can limit public access within this forum.
- C. Blog/Vlog – A regularly updated website or web page where an individual or group posts content and/or videos with online audiences.

- D. Podcast – Digital audio files distributed over the internet, often using syndication feeds, for public download or playback on mobile devices and personal computers.

IV. PROVISIONS

A. Using Social Media

Staff are expected to serve as positive ambassadors for the District and to remember they are role models to students. Staff are seen as representatives of the school they work for and the District. Staff must adhere to the following rules when referring to the District, its schools, students, programs, activities, employees, volunteers and communities on any social media network.

B. Classroom Use of Online Social Media

1. Staff may not post material that is obscene, defamatory, profane, libelous, threatening, harassing, abusive, hateful, or embarrassing to another person or entity when posting to Bloomington Public Schools hosted or approved websites or social media.
2. Bloomington Public Schools-hosted blogs, podcasts or social media sites must focus on subjects related to the organization.
3. Staff may not post content or conduct any activity that fails to conform to any and all applicable state and federal laws. For the District and its employees' protection, it is critical that copyright laws are obeyed by ensuring that employees have permission to use or reproduce any copyrighted text, photos, graphics, video or other material owned by others. Employees must also abide by any applicable District policies.
4. Staff may not post images on any social media network of students who are on the District's directory information opt-out list.
5. Staff must follow District social media guidelines for [Facebook](#), [Twitter](#), and [Instagram](#) accounts affiliated with Bloomington Public Schools that they manage.

C. Personal Use of Public Online Social Media by Employees

1. This policy applies to employee social media use on their personal account(s), on a personal or school- owned device, both inside and outside of work.
2. Staff who participate in social media both inside and outside of work are expected to understand and follow the [staff social media guidelines](#).
3. Staff may not act as a spokesperson for the District or post comments as a representative of the District, except as authorized by the Superintendent or the Superintendent's designee. When authorized as a

spokesperson for the District, employees must disclose their employment relationship with the District.

4. Staff may not disclose any confidential or proprietary information of or about the District, its students, or employees that is protected by data privacy laws.
5. Staff should not use their District email address for personal communications on public social media networks that have not been approved by the District.
6. The District recognizes that student groups or members of the public may create social media sites representing students or groups within the District. When staff, including coaches/advisors, choose to join or engage with these social networking groups, they do so as an employee of the District.

D. Official School or District Public Online Social Media Sites

1. The District and individual schools, programs and departments may choose to establish an official presence on public social media sites with prior administrative approval. Staff must be designated as the site manager and the page must be shared with the Community Relations Office prior to its launch. The page manager is responsible for regular updates and monitoring content in accordance with the [District social media manager guidelines](#).
2. Staff responsible for a social media network posting that fails to comply with the rules and guidelines set forth in Policy and Regulations may be subject to discipline, up to and including termination. Staff will be held responsible for the disclosure, whether purposeful or inadvertent, of confidential or private information, information that violates the privacy rights or other rights of a third party, or the content of anything posted on any social media network. Staff violating these expectations and guidelines are subject to disciplinary action (reference HR).

V. APPENDICES

- Social Media Guidelines
- Rules of Engagement on Bloomington Public Schools Social Media Sites

Social Media Guidelines

These guidelines are for the use of social media while employed by Bloomington Public Schools or serving as a member of the School Board. We expect all staff and board members who use social media to understand and follow these guidelines.

Transparency

How you represent yourself online is an extension of yourself. Do not misrepresent yourself by using someone else's identity or misrepresenting your identity.

Email

The District requires that through acceptable use policies all electronic or any other communications by employees to students or parents at any time from any email system shall be expected to be professional, acceptable in content to any reasonable person, and limited to information that is school-related or is acceptable to both student and parent. Email between employees and students and parents shall be done through the school-provided email application and must conform to school email policies.

Use of Social Media Accounts Affiliated with Bloomington Public Schools

Always a School Employee

Whether it is clearly communicated or not, you will be identified as working for and sometimes representing the school in what you do and say online.

If asked by a member of the media to comment on school-related issues, refer them to the Community Relations Office or your principal or superintendent.

Student Safety

When employees, especially coaches/advisors, choose to participate in social media sites affiliated with the District, they do so as an employee of the District and have responsibility for monitoring content and addressing appropriate behavior or activity on these networks. This includes acting to protect the safety of minors online.

Student Values

All posts must be professional. Represent District values, expressing ideas and opinions in a respectful manner. Building trust and responsibility in relationships extends to online communications. Do not denigrate or insult others including students, staff, administrators, parents, or other districts. Do not use ethnic slurs or obscenity. Unless related to curriculum, do not post regarding alcohol, tobacco, illegal drugs or sexual activities.

Building Community

Represent the District and the students and parents you serve with respect. Respect the privacy and the feelings of others. Under no circumstance should offensive comments be made about students or colleagues, nor the district in general. Negative comments about people may amount to cyber-bullying and may warrant disciplinary consequences. Your posts and comments should help build and support the school community. Do not comment on or forward unsupported information. You are responsible for what you post; be certain it is accurate and supports your organization. If you are about to publish something that makes you hesitate, it is advised that you review the guidelines and/or talk to a colleague or supervisor before publishing.

Share your Expertise

Write what you know and be accurate. Add value to the discussion. Provide worthwhile information and perspective. A district's most valuable asset is its staff represented by its people and what you publish may reflect on the school. Speak in the first person with your own voice and perspective.

Respect and Responsibility

Employees, parents, and students reflect a diverse set of customs, values and points of view. Be respectful of the opinions of others in your posts or comments.

Language and Tone

Be polite and use appropriate language. Do not use abusive, profane, threatening, or offensive language. Statements that are harassing, discriminatory or defamatory could subject board members, and possibly the school district, to a legal action.

Own and Correct Mistakes

If you make a mistake, admit the mistake and correct it quickly. Clearly state if you've edited a previous post.

Confidential Information

Online postings and conversations are not private. Do not share confidential information whether it is internal school discussions or specific information about students or other staff. What you post will be seen by others and will be online for a long time. It can be saved, forwarded or shared in just a few clicks. Do not write about a colleague or student without their permission.

Responding to Negative Comments and Criticism

When publicly criticized or receiving a negative comment, first, stay calm and do not reply in haste. You may want to consult with administration regarding the appropriate response. If you do respond, express your view in a clear, logical way. Do not get personal. When in doubt, it is best to ignore a negative comment and not give it credibility by acknowledging it with a response publicly. Social media sites are not the

place for a private conversation. Sometimes, suggesting a face-to-face meeting is more appropriate.

Spell Check and Abbreviations

Blog and other social media posts should be well written. What you post will be online for the world to read. Follow writing conventions including proper grammar, capitalization, and punctuation. Consider your audience. Be cautious about using common abbreviations and educational jargon that could be unfamiliar to your readers.

Copyright and Fair Use

Respect copyright and fair use guidelines. Share what others have said by linking to the source and using embedded content. Be sure to cite your source when quoting. When using a hyperlink, confirm that the link goes where it should and that the content is appropriate. It is recommended that all online content be licensed under a Creative Commons Attribution Noncommercial Share Alike 3.0 United States License.

Promotional Content

Employees are prohibited from accepting remuneration for endorsing or promoting any product or service as a representative of the school district, and social media posts should not be promotional in nature with regard to outside companies, organizations and products. Employees must clearly and conspicuously disclose any relationship they have with a brand or product, i.e. brand ambassadors or influences.

Personal Information

Be careful about sharing personal information. Make full use of privacy settings and know how to disable anonymous postings and use moderating tools. Astute criminals can piece together information you provide on different sites and then use it to impersonate you or someone you know, or even reset your passwords.

Personal Use of Online Social Media

Staff-Student Relations

Excessive, informal involvement with individual students on social media, is unprofessional, is not compatible with staff-student relationships, and is inappropriate.

Employees are prohibited from establishing personal relationships with students that are unprofessional or inappropriate in any way. If inappropriate use of social media with individual students is discovered, school and district officials will investigate employees and if warranted will be disciplined up to and including termination, depending upon the severity of the offense. Employees may have their case forwarded to law enforcement or the appropriate state department for review and possible further sanctions.

Speaking on behalf of the District

Employees may not act as spokesperson for the District or post comments as a representative of the District, except as authorized by the Superintendent or Superintendent's designee. Staff are prohibited from using their District e-mail address when posting on personal social media.

Confidential Information

Staff may not post student pictures or discuss student data on personal online social media sites. Staff may not disclose confidential or proprietary information about the District, its students or employees protected by state or federal data privacy laws.

Bloomington Public Schools Social Media Sites

The goal of Bloomington Public Schools social media sites ([Facebook](#), [Twitter](#), [Instagram](#), and [YouTube](#)) is to share news, photos, and videos about our district, students, schools, staff and upcoming events and to engage with our stakeholders in an open and respectful dialogue.

We invite staff, students, families, and the community to join the conversation by liking, commenting and sharing the BPS news and photos on any of our pages. We ask that users abide by the following guidelines:

- Comments and posts must be appropriate for an educational environment and for community members of all ages.
- Personal attacks or comments that are deemed offensive to any member of the school district or community will not be tolerated. Inappropriate remarks and profanity will be removed, and the poster may be blocked from our sites.
- These platforms are not intended to circumvent regular communication channels for sharing personal issues and concerns. While the district makes every effort to respond to direct questions in a timely manner, comments regarding a personal issue with the district, a school or staff member may be removed. If you have a personal issue or concern and wish to share it with district staff, please email commrelations@isd271.org, and we will do our best to address it.
- Stay on topic. Keep comments and posts related to the news and stories shared by the district.
- Posts regarding product sales or promotions of any sort are not allowed and will be removed.

430: EMPLOYEE USE OF SOCIAL MEDIA

Adopted: 12/1/20

NEW POLICY

Revised: _____

I. PURPOSE

This policy establishes prohibitions and expectations for the use of social media in professional, educational, and personal settings.

II. DEFINITIONS

A. Blog: A series of entries, written by either one person or a group of people, in an online journal, usually posted in chronological order, like a diary. Blogs can allow comments on entries or not. The term is short for web log.

B. Comment: A response to a blog post, news article, social media entry, or other social networking post.

C. District's Computer System: All hardware and software that is owned by the district, leased by the district, or used by the district pursuant to a license agreement or other type of agreement; all aspects of the district's computer electronic system, including all data stored on that system; the district's internet and Wi-Fi network; and all portable electronic communication devices that are owned by the district, leased by the district, or used by the district or its employees pursuant to an agreement with the provider of the electronic communication device.

D. Employee: All employees of the district, regardless of whether they are hourly or salaried, and all volunteers of the district while volunteering on district property.

E. Forum: An online discussion site.

F. Post: An item inserted to a blog, published or displayed on social media, or entered on any type of computerized bulletin board or forum. For purposes of this policy, "posts" include "comment" and "blogs."

G. Social Media: A variety of online sources that allow people to communicate, share information, share photos, share videos, share audio, and exchange text and other multimedia files with others through an online or cellular network platform. Examples of social media include, but are not limited to, websites, weblogs (blogs), wikis, social networks, online forums, virtual worlds, Facebook, Twitter, LinkedIn, Flickr, YouTube, Snapchat, and Instagram.

H. Social Networking: The use of social media formats such as Facebook, Twitter, YouTube, Snapchat, MySpace, LinkedIn, message boards or bulletin boards, blogs, and other similarly developed formats, to communicate with others using the same formats while also networking with other users based upon similar interests, geographical location, skills, occupation, ideology, beliefs, etc.

I. Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, video, or related forms of communication.

J. Website: A set of interconnected web pages that are prepared and maintained as a collection of information by a person, group, or organization.

III. ESTABLISHMENT OF DISTRICT SPONSORED SOCIAL MEDIA

A. District May Establish and Regulate Social Media Sites. The district may establish social media sites and accounts for the district and its schools and may monitor and regulate the content of information on its sites and accounts. The district's website is an example of a district social media site. The Superintendent must approve the establishment of all district social media sites and school media sites.

B. Must Comply with All Applicable Policies and Laws. District social media sites and school social media sites must comply with all applicable laws and district policies. Accordingly, employees who post or otherwise publish data to a district social media site or school social media site must comply with all applicable district policies and all laws, including, but not limited to, copyright laws, privacy laws, and laws governing the use of another person's name, likeness, or other personal attributes.

IV. RULES THAT APPLY AT ALL TIMES (DURING THE DUTY DAY AND OUTSIDE THE DUTY DAY)

A. May Not Speak for the District. The Superintendent is the authorized spokesperson for the district. Without prior written authorization from the Superintendent or the School Board Chair, employees may not use social media during the duty day or outside the duty day to state or imply: (1) that they are speaking for, or on behalf of, the district; (2) that they are authorized to speak for, or on behalf of, the district; or (3) that their views represent the views of the district. Members of the public often have difficulty discerning whether a public employee is speaking as a private citizen or as a public employee. When a reasonable person would question whether an employee is acting as a private citizen or as a public employee, the employee is encouraged to include a disclaimer on the social media site to eliminate any confusion and clarify that the employee is speaking as a private citizen, and not as a district employee, and that the employee's views do not necessarily reflect the views of the district.

B. **May Not Disclose Private or Confidential Data.** Unless authorized by the Superintendent or the School Board, employees may not use social media to post, publish, or otherwise disclose data on students, parents, or employees if the data are classified as private or confidential under federal or state law. Removing names is insufficient if any member of the community could still identify the student or employee. For the same reason, posting or otherwise publishing “fictional” information about situations that parallel an actual situation involving students or employees is prohibited.

C. **May Not Post Student Photos or Videos.** Unless authorized in advance by the Superintendent or the building principal, employees may not post, text, or otherwise publish any photograph, audio, video, or other multimedia file that depicts or identifies a student and was created at school or a school sponsored activity, or that was submitted by or collected from a student at school or a school sponsored activity. This policy applies regardless of the classification of the photograph, audio, or video under the Minnesota Government Data Practices Act.

D. **May Not Post Security Data.** Employees may not post, text, publish, or otherwise disclose any floor plans or blueprints of district buildings, any emergency response plans, or any other data that, if disclosed, could jeopardize the security or safety of students or staff at school.

E. **May Not Post Inappropriate Material.** Employees may not use social media to post, make, or otherwise publish any statement, comment, image, picture, audio, or video that: (1) is pornographic; (2) promotes domestic violence; (3) promotes crimes against children; (4) promotes illegal drugs; (5) threatens physical harm to another person; (6) incites violence at school; (7) creates, or could reasonably be predicted to create, a material and substantial disruption to school operations; (8) creates, or could reasonably be predicted to create, an environment that is not conducive to learning; (9) significantly interferes with the learning of students; or (10) ridicules, maligns, disparages, unlawfully discriminates, harasses, or otherwise expresses bias based on race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, familial status, disability, sexual orientation, or age.

F. **Must Maintain Appropriate Boundaries.** All employees, including employees who use social media, must maintain professional boundaries with students. Employees may not engage in communications with students that give the impression of being peer-to-peer communications, unless the employee and student are related. Additionally, employees may not have extensive social involvement or develop personal or private relationships with individual students through social media, unless they are closely related. Such conduct crosses professional boundaries and may lead to an investigation, a report to the Professional Education Licensing and Standards Board or other licensing board, and discipline up to and including discharge, depending on the severity and nature of the conduct. Additionally, public employees must understand that such conduct may result in irreparable harm to their reputation in the community and may significantly impair their ability to work in a school setting.

G. **Must Not Violate Any Laws.** All employees who use social media must do so in a manner that complies with all applicable federal and state laws, including but not limited to: trademark, copyright, intellectual property, and other laws governing the publishing of the work of others; privacy laws; laws governing the use of another person's name, likeness, or other personal attributes; defamation laws; laws governing the publication of confidential business information; and criminal laws.

V. USE OF SOCIAL MEDIA DURING THE DUTY DAY

A. **Educational Use Permitted for Teachers and Administrators.** Teachers and administrators may use the district's computer system to access educationally appropriate social media for legitimate educational purposes, including promoting student learning and implementing the district approved curriculum. Teachers who access social media for legitimate educational purposes must notify the building principal in advance and must use their school email address or other school contact information to access the social media. When using social media during the duty day for legitimate educational purposes, teachers and administrators must comply with all applicable laws and with all district policies.

B. **Personal Use Prohibited.** Employees may not engage in personal use of social media during the duty day, unless such use occurs during a duty-free lunch period. With the exception of school administrators and teachers who are using social media for an educational purpose, employees may not use any part of the district's computer system to access social media during the duty day.

C. **No Expectation of Privacy.** The district routinely monitors and inspects its computer system. Employees who use the district's computer system have no expectation of privacy in any data that are stored in or transmitted through the district's computer system, including, but not limited to, data showing an employee's use of the district's system. Data that are stored in the district's computer system are subject to inspection and may also be subject to disclosure under the Minnesota Government Data Practices Act and through the discovery process in litigation.

VI. USE OF SOCIAL MEDIA OUTSIDE THE DUTY DAY

A. **May Not Use District Computer System or Other School Equipment.** Employees may not use any district equipment or any part of the district's computer system to access social media outside the duty day.

B. **May Not Use School Email Address.** Employees may not use their district e-mail address or other district information to establish or access a social media site or account outside the duty day.

C. **May Not Use District Name or Trademarks.** No employee may post, display, or otherwise publish on social media the district's name, any district trademark, or any other intellectual property belonging to the district, including any logo, branding, or

image that is owned or used by the district or any of its schools. In addition to violating the district's intellectual property rights, the unauthorized use of the district's name or intellectual property can give the false impression that an employee's speech is sponsored or endorsed by the district.

D. **Speech Pursuant to Job Duties Is Not Protected.** As a general matter, public employees have a First Amendment right to use social media to express their views on matters of public concern. However, this right is not absolute. When public employees make statements pursuant to their official job duties, they are not speaking as citizens for First Amendment purposes and, therefore, their speech is not constitutionally protected. When employees are speaking pursuant to their official job duties, they must follow their supervisor's directives and the district approved curriculum. Employees may be disciplined for speech that is not protected under the Constitution or a federal or state law.

E. **Speech that Interferes with Efficient Operations Is Prohibited.** Even when speech touches on a matter of public concern and is not pursuant to an employee's job duties, an employee's free speech rights must be balanced against the district's right to maintain efficient operations and an environment that is conducive to working and learning. When balancing these rights, the courts have held that a public employee's speech is not protected if it would create disharmony in the workplace, impede the employee's ability to perform his or her job duties, significantly impair the working relationship with other employees who work closely with the speaker, or significantly harm the employer's image. Accordingly, employees may be disciplined for speech that creates disharmony in the workplace, impedes the employee's ability to perform his or her job duties, significantly impairs the working relationship with other employees who work closely with the speaker, or significantly harms the district's image.

VII. CONSEQUENCES FOR VIOLATIONS OF POLICY

A. **Discipline.** Employees who violate this policy may be subject to discipline, up to and including discharge. The level of discipline will depend on the nature and severity of the offense. Any information that employees create, transmit, download, exchange, or discuss through public social media or any public online forum may be accessed by the district at any time without prior notice. Employees should expect that any such information will exist in some electronic form forever, whether on the original site or copied to some other site or memory storage.

B. **Cooperation with Law Enforcement.** To the greatest extent permitted under the law, the district will cooperate with local, state, and federal authorities involved in investigating employee activity through social media.

C. **Other Consequences.** Employees who engage in personal use of social media must recognize that the public may have difficulty discerning between private (personal) activity and public (professional) activity. Employees must also recognize the risk of harm to their own reputation and the embarrassment that can occur from engaging in

inappropriate or questionable use of social media. Such harm can be longstanding, because information published on social media can be widely distributed and easily accessible for a long period of time.

D. Good Judgment Expected. Employees are expected to exercise good judgment when using social media. Employees are also expected to be thoughtful about how they present themselves through social media and the impact that using obscene, profane, or vulgar language may have on their effectiveness as an employee of a public school district.

Legal References:

Garcetti v. Ceballos, 547 U.S. 410 (2006)

Kinkade v. City of Blue Springs, 64 F.3d 389 (8th Cir. 1995); see also Lewis v. Harrison School District No. 1, 805 F.2d 310 (8th Cir. 1986).

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)

Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)

Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)

17 U.S.C. § 101, et seq. (Copyrights)

20 U.S.C. § 1232g, et seq. (Family Educational Rights and Privacy Act)

20 U.S.C. § 6751, et seq. (Enhancing Education through Technology Act of 2001)

47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))

34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy Act)

47 C.F.R. § 54.520 (FCC rules implementing CIPA)

Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)

Minn. Rules Part 3512.5200 (Code of Ethics for School Administrators)

Minn. Rules Part 8700.7500 (Code of Ethics for Minnesota Teachers)

Cross Reference:

Policy 403 (Discipline, Suspension and Dismissal of School District Employees)

Policy 406 (Public and Private Personnel Data)

Policy 413 (Harassment and Violence)

Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)

Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)

Policy 423 (Employee-Student Relationships)

Policy 505 (Distribution of Non-School Sponsored Materials on School Premises by Students and Employees)

Policy 514 (Bullying Prohibition Policy)

Policy 515 (Protection and Privacy of Pupil Records)

Policy 524 (Technology Acceptable Use and Safety Policy)

Policy 525 (Violence Prevention - Applicable to Students and Staff)

Policy 526 (Hazing Prohibition)

Policy 606 (Textbooks and Instructional Materials)

Policy 905 (Advertising)

INDEPENDENT SCHOOL DISTRICT 719
PRIOR LAKE - SAVAGE AREA SCHOOLS**428 EMPLOYEE USE OF SOCIAL MEDIA****I. PURPOSE**

Prior Lake-Savage Area Schools recognizes the value of technology tools to enhance student learning experiences and the increasing role of social media in our learning environments. The District also recognizes its obligation to teach and ensure responsible and safe use of these technologies.

The purpose of this policy is to address the use of social media in the classroom, to provide guidance to employees on the maintenance of professional ethics and boundaries when utilizing social media in their personal and professional lives, and to provide Student Code of Ethics guidelines.

II. DEFINITIONS

Public online social media are defined to include: websites, blogs, wikis, social networks, online forums, virtual worlds, and any other interactive social media generally available to the public on the Internet (e.g., Facebook, Twitter, Pinterest, Instagram, Snapchat, YouTube, blogs, etc.).

The Learning Management System (LMS) is defined as a software application for the administration, documentation, tracking, reporting and delivery of e-learning education courses or training programs.

Per Policy 404, employee means all persons whose employment is approved by the board.

III. GENERAL STATEMENT OF POLICY

A. This policy addresses employees' use of publicly available social media networks. The District takes no position on employees' decision to participate in the use of social media networks for personal use on personal time. However, use of these media for personal use during District time or on District equipment is prohibited. In addition, employees must avoid posting any information or engaging in communications that violate state or federal laws, or District policies.

The District provides password-protected District-approved technologies for e-learning and encourages use of District tools for collaboration by employees. However, public social media networks, outside of those sponsored by the District, may not be used for classroom instruction or school-sponsored activities without the prior authorization of the Superintendent, or designee.

The District may use social media tools and other communication technologies in fulfilling its responsibility for effectively communicating with the general public.

- B. The line between professional and personal relationships is blurred within a social media context. When employees choose to join or engage with District students, families or fellow employees in a social media context that exists outside those approved by the District, they are advised to maintain their professionalism as District employees and have responsibility for addressing inappropriate behavior or activity on these networks, including requirements for mandated reporting.

All employees are expected to serve as positive ambassadors for our schools and to remember they are role models to students in this community. Because readers of social media networks may view the employee as a representative of the schools and the District, the District requires employees to observe the following rules when referring to the District, its schools, students, programs, activities, employees, volunteers and communities on any social media networks:

1. An employee's use of any social media network and an employee's postings, displays, or communications on any social media network must comply with all state and federal laws and any applicable District policies.
2. Employees must be respectful and professional in all communications (by word, image or other means).
3. Employees shall not use obscene, profane or vulgar language on any social media network or engage in communications or conduct that is harassing, threatening, bullying, libelous, or defamatory or that discusses or encourages any illegal activity or the inappropriate use of alcohol, use of illegal drugs, sexual behavior, sexual harassment, or bullying.
4. Employees should not use their District email address for communications on public social media networks that have not been approved by the District.
5. Employees must make clear that any views expressed are the employee's alone and do not necessarily reflect the views of the District.
6. Employees may not act as a spokesperson for the District or post comments as a representative of the District, except as authorized by the Superintendent or the Superintendent's designee. When authorized as a spokesperson for the District, employees must disclose their employment relationship with the District.
7. Employees may not disclose information on any social media network that is confidential or proprietary to the District, its students, or employees or that is protected by data privacy laws.
8. Employees may not use or post the District logo (defined as the leaf seedling) on any social media network without permission from the Superintendent, or designee.
9. Employees may not post images on any social media network of co-workers without the co-workers' consent.
10. The use of student photos for educational purposes on school-approved social media venues is allowable. A parent/legal guardian or student may, however, notify the school in writing that photos of individual students may not be shared on social media sites. Parents/legal guardians (or students age 18+) who wish to opt out of Directory Information and/or Use of Student Photos in Social Media must fill out and submit an

opt out form to the school district by October 1st of each year. Employees may not post or publish any student photos if an opt out form for an individual student has been submitted to the building principal. Opt out forms are to be submitted no later than October 1st of each year, per policy 515.

11. Employees may not post any non-public images of the District premises and property, including floor plans.
12. Exercise caution when choosing to be “friends” with students of Prior Lake-Savage Area Schools or their parents/legal guardians on your personal online social media site. Educational employees have a responsibility to maintain appropriate employee-student relationships, whether on or off duty. In general, if your connection is due to your role as an employee of the district (rather than as a relative or family friend) it is recommended that you maintain a professional relationship and decline the online “friendship” on your personal site.

If you are uncertain of the language to use when declining the “friend” request of a student or parent/legal guardian, consider the following suggestion for a response:

Thank you for your friend request. I have a routine practice of only sharing information with students or parents/legal guardians through my professional email and web resources. If you feel your request is directly related to my professional responsibilities, feel free to use my school email or through the LMS to contact me.

- C. The District recognizes that student groups that are sanctioned by the District or members of the public may create social media representing students or groups within the District. When employees, including coaches/advisors, choose to join or engage with these social networking groups, they do so as an employee of the District.

Employees have responsibility for maintaining appropriate employee-student relationships at all times and have responsibility for addressing inappropriate behavior or activity on these networks. This includes acting to protect the safety of minors online. Employees shall annually disclose to their principal or administrative supervisor the existence of their professional participation in such networks.

- D. Employees who participate in social media networks may decide to include information about their work with the District as part of their personal profile, as it would relate to a typical social conversation. This may include:

1. Work information included in a personal profile, to include District name, job title, and job duties.

2. Status updates regarding an employee’s own job promotion.

3. Personal participation in District -sponsored events, including volunteer activities.

- E. An employee who is responsible for a professional social media network posting that fails to comply with the rules and guidelines set forth in this policy may be subject to discipline, up to and including termination. Employees will be held responsible for the disclosure, whether purposeful or inadvertent, of confidential or private information, information that violates the privacy rights or other rights of a third party, or the content of anything posted on any social media network.

- F. Anything posted on an employee's website, blog or other Internet content or social media site for which the employee is responsible will be subject to all District policies, rules, regulations, and guidelines. Where applicable, employees may be asked to disclose to the District the existence of and to provide the District with access to an employee's website, blog or other personal social media network as part of an employment selection, promotion, or disciplinary process.
- G. Use of District-approved, online social media in the classroom is subject to the following:
1. Students will adhere to a Student Code of Ethics Using Social Media which can be found in Policy 524: Electronic Technologies Acceptable Use Policy.
 2. Teachers shall instruct students on the appropriate use of such sites. Policy 524 Electronic Technologies Acceptable Use Policy, contains Acceptable and Unacceptable Internet Use by Students and a Student Code of Ethics Using Social Media.
 3. Teachers must ensure that private student data and work is not made public on public online social media sites unless permission for publication of student work or data on the Internet is obtained.
 4. When using online social media in the classroom, teachers shall ensure compliance with any applicable terms of use.

Cross References: Policy 404 (Employment Of All Staff)
Policy 515 (Protection and Privacy of Student Records)
Policy 524 (Electronic Technologies Acceptable Use Policy)

School Board Adoption: February 12, 2024

Orig: May 2011
Revised: August 2012
June 2014
October 2017
February 2022
February 2024

MINNETONKA PUBLIC SCHOOLS

POLICY #470: EMPLOYEE USE OF SOCIAL MEDIA

I. PURPOSE

As a national leader in using technology as an accelerator of learning, the Minnetonka School District recognizes the value of inquiry, investigation and innovation in using new technology tools and resources to enhance the learning experience and to share information. The District also recognizes its obligation to teach, model and ensure responsible safe use of such technology tools.

District staff are expected to model appropriate and healthy use of technology tools in their interactions with one another, students and the global community both in person and through technology. With social media continuing to emerge and thrive as a dynamic, influential and evolving aspect of communication, the District developed this policy to address the unique circumstances that arise when employees engage through publicly available social media such as personal websites, virtual and augmented reality environments, social networks, online forums and other similar tools.

II. GENERAL STATEMENT OF POLICY

The District recognizes the importance of social media networks and platforms as communication and e-learning tools. To that end, the District provides select, approved social media accounts and other online engagement tools and encourages use of these tools for collaboration by employees, as appropriate for employees' roles with the District. Public social media, outside of accounts sponsored and approved by the District, may not be used for classroom instruction or school-sponsored activities without the prior authorization of the Superintendent, or designee. Additionally, such use must comply with all District policies and with regulations set forth by the social media provider.

The District has official accounts on select social media platforms (Facebook, Twitter, Instagram, Vimeo, YouTube, other) and additional technologies (Schoology, PreciouStatus, Peachjar, Let's Talk) it uses in fulfilling its responsibility for effectively communicating with its various audiences, including the general public. Communications Department staff members and designated staff at each of the schools and in some additional departments,

such as Athletics and Community Education, are approved to post for the District on accounts that have been designated as their responsibility. They are the only employees who may post for the District or schools on such accounts without additional approval from the Superintendent or designee.

Employees must limit personal use of social media during work, using professional discretion. If a building principal or executive staff member determines personal use of social media is becoming an issue for an employee, restrictions may be placed on employees' use of personal devices. Such restrictions would take place at the discretion of the Superintendent or designee.

When a new official District social media account is desired by an employee, the request should be elevated to a principal or executive staff member, who then will discuss it with the Superintendent or designee and the Executive Director of Communications. From there, any approved social media account will be created in coordination with the Communications Department. The login, password and recovery information will be shared with the Communications Department, and any update to that information in future will be shared, as well.

All employees must avoid posting any information or engaging in communications that violates state or federal laws or District policy.

When employees choose to join or engage with District students, families, fellow employees or members of the general public in a social media context that exists outside those approved by the District, they must maintain their professionalism as District employees and have responsibility for addressing inappropriate behavior or activity on these networks, including requirements for [mandated reporting](#).

III. DEFINITIONS

- A. ***Public social media networks*** are defined to include: websites, social networks, online forums, virtual and augmented reality environments, and any other social media generally available to the public or consumers. Examples of public social media include but are not limited to the following platforms: Facebook, Twitter, Snapchat, Instagram, LinkedIn, Vimeo, YouTube and blogs.
- B. ***District approved online engagement tools*** are those the District has approved for educational or official communication purposes. The District has greater ability to protect minors from inappropriate content and can limit public access with such tools. Examples include but are not limited to the following platforms: Schoology, Let's Talk, PreciouStatus.

IV. REQUIREMENTS

As set forth in the District's Vision, all employees are expected to serve as positive ambassadors for our schools and to remember they are role models to students in the

community. Because those on social media networks may view the employee as a representative of the schools and the District, the District requires employees to observe the following rules when referring to the District, its schools, students, programs, activities, employees, volunteers and communities on any social media networks:

- A. An employee's postings, displays, or communications must comply with all state and federal laws and any applicable District policies.

Employees must be respectful and professional in all communications (by word, image, implication and other means). Employees shall not use obscene, profane or vulgar language on any social media network or engage in communications or conduct that is harassing, threatening, bullying, libelous, defamatory or that encourages any illegal activity, the inappropriate use of alcohol, the use of illegal drugs, sexual behavior, sexual harassment or bullying.

Employees should not use their District e-mail address for communications on public social media networks for personal use or without approval from the Superintendent or designee.

Employees must make clear that any views expressed are the employee's alone and do not necessarily reflect the views of the District. Employees may not act as a spokesperson for the District or post comments as a representative of the District, except as authorized by the Superintendent or the Superintendent's designee or as appropriate for their defined role as a spokesperson or social media poster for the District. When authorized as a spokesperson for the District and not posting from a District account, employees must disclose their employment relationship with the District.

Employees may not disclose information that is confidential or proprietary to the District, its students, or employees or that is protected by data privacy laws.

Employees may not use or post the District's logos on any social media network nor create a social media account that represents the District without permission from the Superintendent or designee.

Employees may not post images on any social media network of co-workers without the co-workers' consent.

Employees may not post images of students on any public social media network if the parent has opted out of image use of their child, except for images of students taken in the public arena, such as at sporting events or fine arts public performances.

Employees may not post any nonpublic images of the District's floor plans.

- B. The District recognizes that student groups or members of the public may create social media accounts representing teams or groups within the District. When employees, including coaches/advisors, choose to join or engage with these social networking

groups, they always do so as an employee of the District. Employees have responsibility for maintaining appropriate employee-student and employee-public relationships at all times and have responsibility for addressing inappropriate student behavior or activity witnessed on these networks. This includes acting to protect the safety of minors online.

1. When an official student group or team creates a social media site or team website for itself, the coach or advisor must request and secure the login, password and recovery information for that online group. This will prevent, for example, dozens of out of date Twitter accounts for a sports team, as each year's team captain has graduated and the social media account remains up but not active.
- C. Employees who participate in social media networks may decide to include information about their work with the District as part of their personal profile, as it would relate to a typical social conversation. This may include:
1. Work information included in a personal profile, to include District name, job title, and job duties.
 2. Status updates regarding an employee's own job promotion.
 3. Personal participation in District-sponsored events, including volunteer activities.
 4. Words of praise for a District accomplishment.
- D. The District monitors social media and will respond to content when necessary. An employee who is responsible for a social media posting that fails to comply with the requirements set forth in this policy may be subject to discipline, up to and including termination. Employees will be held responsible for the disclosure, whether purposeful or inadvertent, of confidential or private information or information that violates the privacy rights or other rights of a third party.
- E. Anything posted on an employee's personal or professional website, blog, social media account or other online content for which the employee is responsible will be subject to all District policies, rules, regulations, and guidelines. The District is free to view and monitor an employee's publicly viewable website or blog at any time without an employee's consent or previous approval or knowledge. Where applicable, employees may be asked to disclose to the District the existence of and to provide the District with access to an employee's personal or professional website, blog, social media account or other online content for which the employee is responsible as part of an employment selection, promotion or disciplinary process.

Cross Reference:

Policy #427: Harassment and Violence
Policy #428: Respectful Workplace
Policy #515: Protection and Privacy of Pupil Records
Policy #524: Acceptable Use of Electronic Technologies
Policy #525: Website and Intranet
Policy # 542: Civility of Students
Policy #606: Instructional Materials Review, Selection and Use

Policy #910: Media Relations

Legal Reference:

Minnesota Administrative Rule 8700.7500 Code of Ethics For Minnesota
Teachers Children's Internet Protection Act

Approved: March 8, 2018

MINNETONKA PUBLIC SCHOOLS

Guidelines for Policy #470: Employee Use of Social Media

These are guidelines for social media in the Minnetonka School District. If you're an employee contributing to blogs, social networks, virtual or augmented reality environments, or any other kind of social media both on and off the District network—these guidelines are for you.

We expect all who participate in social media to understand and follow these guidelines. Failure to do so may place your employment at risk. These guidelines will continually evolve as new technologies and social networking tools emerge. Employees are encouraged to check in periodically on the Social Media Use policy to stay current.

It's your responsibility. What you write, upload, post, react to or publish in any other way is ultimately your responsibility. If it seems inappropriate, use caution. If you're about to publish something that makes you even the slightest bit uncomfortable, don't shrug it off and hit 'post.' Take time to review these guidelines and determine what's bothering you and fix it. If you're still unsure, you may want to discuss it with your supervisor. Ultimately, what you publish is your responsibility. What you publish is widely accessible and may be around for a long time, so consider the content carefully. Trademark, copyright, and fair use requirements must also be respected.

Ensure the safety of students. When employees, especially coaches/advisors, choose to join or engage in social networking, they do so as an employee of the District and have responsibility for monitoring content and addressing inappropriate behavior or activity on these networks. This includes acting to protect the safety of minors online.

Be transparent. Your honesty—or dishonesty—will be quickly noticed in the social media environment. If you are posting about your work, use your real name and identify your employment relationship with the District. Be clear about your role; if you have a vested interest in something you are discussing, be the first to point it out. If you publish to a site outside the District's network, please use a disclaimer to state in clear terms that the views expressed are yours alone and that they do not necessarily reflect the views of the Minnetonka School District.

Protect confidential information. Be thoughtful about what you publish. Make sure you do not disclose or use confidential information. Students, parents and colleagues should not be cited or referenced without their approval. For example, ask permission before posting someone's picture or statement in a social network (student photos require parental consent). Do not publish a conversation that was meant to be private.

It is acceptable to discuss general details about projects, lessons, or events and to use non-identifying pseudonyms for an individual if you do not have permission from the individual to use their name, so long as the information provided does not make it easy for someone to identify the individual or violate any privacy laws. Furthermore, public social networking sites are not the place for employees who are not designated as official posters for the District to

conduct school business with students or parents.

Respect your audience and your coworkers. Always express ideas and opinions in a respectful manner. Make sure your communications are in good taste. Do not denigrate or insult others, including other schools or competitors. Remember that our communities reflect a diverse set of customs, values and points of view. Be respectful. This includes not only the obvious (no racial slurs, personal insults, obscenity, etc.) but also proper consideration of privacy and of topics that may be considered objectionable or inflammatory. Be sensitive about linking to content. Redirecting to another site may imply an endorsement of its content.

Perception can be reality. On social media, the lines between public and private, personal and professional are blurred. Just by identifying yourself as a District employee, you are creating perceptions about your expertise and about the District by community members, parents, students and the general public; and you are creating perceptions about yourself with your colleagues and managers. If you chose to join or engage with District students and families in a social media context, do so in a professional manner, ever mindful that in the minds of students, families, colleagues and the public, you are a District employee. Be sure that all content associated with you is consistent with your work and with the District's beliefs and professional standards.

Are you adding value? Communication associated with our District should help fellow educators, parents, students, and co-workers. It should be thought-provoking and build a sense of community. If it helps people improve knowledge or skills, do their jobs, solve problems, or understand education better—then it's adding value.

Keep your cool. One of the aims of social media is to create dialogue, and people will not always agree on an issue. When confronted with a difference of opinion, stay cool. If you make an error, be upfront about your mistake and correct it quickly. Express your points in a clear, logical way. Don't pick fights, and correct mistakes. Sometimes, it's best to ignore a comment and not give it credibility by acknowledging it with a response.

Be careful with personal information. Make full use of privacy settings. Know how to disable anonymous postings and use moderating tools on your social media site(s). Astute criminals can piece together information you provide on different sites and then use it to impersonate you or someone you know, or even re-set your passwords.

Be a positive role model. Educational employees have a responsibility to maintain appropriate employee-student relationships, whether on or off duty. Both case law and public expectations hold educational employees to a higher standard of conduct than the general public.

Don't forget your day job. You should make sure that your online activities do not interfere with your job. Remember that District technologies are provided for educational use. Use of social media for personal use during District time or on District equipment should be limited, using professional discretion. If a building principal or executive staff member determines personal use of social media is becoming an issue for an employee, restrictions may be placed on employees' use of personal devices.



Policy 432
Adopted: 8.26.10
Reviewed: 1.5.15
Revised: 2.26.15
Revised: 5.25.17

TECHNOLOGY ACCEPTABLE USE AND SAFETY POLICY FOR STAFF

I. Definitions

For the purpose of clarity, any reference to “district technologies” in this document includes, but is not limited to, the district’s electronic technologies, communications, cloud services, network, computers/tablets, cellular devices and Internet access.

Any reference to “personal technologies” in this document includes, but is not limited to, electronic devices, technologies, communication devices, the Internet, computers/tablets, cellular devices and iPods. These items may or may not be personally owned by the user.

Any reference to just “technologies” encompasses both district and personal technologies.

II. Limited Educational Purpose

The Big Lake School District’s purpose in providing students and employees with access to district and personal technologies while at school is more specific than providing general access. Use of the district’s electronic technologies and personal technologies while at school is primarily for educational or job-related purposes.

Users are expected to use technologies while at school to further educational and personal goals consistent with the Big Lake School District’s mission, goals and strategic directions.

Use of district technologies while at school or at home, and personal technologies while at school, is a privilege, not a right.

III. Policy Application Guidelines

A. This policy applies to employees in the following usage situations:

1. Use of district-provided technologies while on school grounds, or at school-related activities.

2. Use of district-provided technologies while off school grounds.

3. Use of personal technologies, while on district property or at school related activities.

4. Use of personal technologies while off district property may also be subject to this policy and related district policies and guidelines if the use causes a substantial disruption of the school environment, or an invasion of the rights of others.

IV. Unacceptable Uses

A. The following uses of technologies are considered unacceptable:

1. Users will not use district technologies or personal technologies at school to access, review, upload, download, store, print, post, receive, transmit, or distribute:
 - a. Pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
 - b. Obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
 - c. Materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
 - d. Information or materials that could cause damage or danger of disruption to the educational process;
 - e. Materials that use language or images that advocate violence or discrimination toward other people or that may constitute harassment, discrimination or assault.
2. Users will not use district technologies or personal technologies at school to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
3. Users will not use technologies to engage in any illegal act or violate any local, state, or federal statute or law.
 4. Users will not use technologies to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change technologies software, hardware, or wiring or take any action to violate the school district's security system, and will not use technologies in such a way as to disrupt the use of the system by other users.
5. Users will not use district technologies or personal technologies at school to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.
6. Users will not use district technologies or personal technologies at school for political campaigning.
 7. Users must not deliberately or knowingly delete a student or employee file.

8. Users will not use technologies to publically post private, non-public information about another person, personal contact information about themselves or other persons.
 - a. This paragraph does not prohibit the posting of employee contact information on school district webpages, district social media tools, or communications between employees and other individuals when such communications are made for legitimate education-related or personnel related purposes.
 - b. These prohibitions specifically prohibit a user from utilizing technologies to post personal information, which is not considered directory information, about a user or another individual on social networks.
9. Users will not repost a message that was sent to the user privately without permission of the person who sent the message.
10. Users will not attempt to gain unauthorized access to district technologies or any other system through district technologies, attempt to log in through another person's account, or use computer accounts, access codes, or network identification other than those assigned to the user. Users must keep all passwords and login information private.
11. Messages and records on district technologies may not be encrypted without the permission of appropriate school authorities.
12. Users will not use technologies to violate copyright laws or usage licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.
13. Users will not use district technologies for conducting business, for unauthorized commercial purposes, or for financial gain unrelated to the mission of the school district. Users will not use district technologies to offer or provide goods or services or for product advertisement. Users will not use district technologies to purchase goods or services for personal use without authorization from the appropriate school district official.

B. An employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations include, but are not limited to, situations where district technologies are compromised or if a school district employee or student is negatively impacted. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the Big Lake School District may investigate such reports to the best of its ability.

C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet

to the employee's immediate supervisor and/or the building administrator. In certain rare instances, a user also may access otherwise unacceptable materials to complete an assignment if done with prior approval of a teacher or, in the case of a school district employee, the building administrator.

D. Staff use of personal technologies during working hours should be very limited and should not interfere with job duties. Additionally, staff should not use personal technologies, including personal cell phones, to communicate with students and/or parents regarding district-related/job-related information. Only district-appointed and approved technologies should be used to communicate with students and/or parents regarding district-related information. Staff may use personal technologies to connect to district technologies, such as email, to communicate with students and parents. The only exceptions to this paragraph are if use of personal technologies is warranted by an emergency circumstance or if a supervisor's pre-approval has been obtained.

V. Filter

A. With respect to any of its technologies, the school district will monitor the online activities of both minors and adults and employ technology protection measures during any use of such technologies by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:

1. Obscene;
2. Child pornography; or
3. Harmful to minors.

B. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

C. An administrator, supervisor, or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.

VI. No Expectation of Privacy

Big Lake Schools Policy 432 Page 4

A. By authorizing use of district technologies, the Big Lake School District does not relinquish control over materials on the system or contained in files on the system. Users should expect no privacy in the contents of personal files on district technologies.

B. Routine maintenance and monitoring of technologies may lead to a discovery that a user has violated this policy, another school district policy, or the law.

C. An individual investigation or search will be conducted if school authorities have any suspicion that the search will uncover a violation of law or school district policy.

D. Big Lake School employees should be aware that the school district retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, school district employees should be aware that data and other materials in files maintained on district technologies may be subject to review, disclosure or discovery under Minn. Stat. Ch. 13 (the Minnesota Government Data Practices Act).

E. The Big Lake School District will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through district technologies.

VII. Consequences for Unacceptable Use

Unacceptable use of technologies may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs or unauthorized financial obligations; or discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.

Evidence of illegal or prohibited activities may be disclosed to law enforcement authorities and civil or criminal liability under applicable laws may result.

VIII. Limitation on Big Lake School District Liability

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

IX. Technologies Use Agreement

A. The proper use of technologies and the educational value to be gained from proper use, is the joint responsibility of students, parents, and employees of the Big Lake School District.

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B. The use agreement form for employees must be signed by the employee at the time of employment.

Rationale: Access to technologies enables employees to explore millions of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The Big Lake School District expects that faculty will blend thoughtful use of technologies throughout curriculum and will provide guidance and instruction to staff in their use.

Legal References: 15 U.S.C. § 6501 et seq. (Children's Online Privacy Protection Act) 17
U.S.C. § 101 et seq. (Copyrights)
20 U.S.C. § 6751 et seq. (Enhancing Education through Technology Act of 2001)
47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))
47 C.F.R. § 54.520 (FCC rules implementing CIPA)
Minn. Stat. § 121A.0695 (School Board Policy; Prohibiting Intimidation and Bullying)
Minn. Stat. § 125B.15 (Internet Access for Students)
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
United States v. Amer. Library Assoc., 539 U.S. 194, 123 S.Ct. 2297, 56 L.Ed.2d 221 (2003)
Doninger v. Niehoff, 527 F.3d 41 (2nd Cir. 2008)
R.S. v. Minnewaska Area Sch. Dist. No. 2149, No. 12-588, 2012 WL 3870868 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), aff'd on other grounds 816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee's Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)
Kowalski v. Berkeley County Sch., 652 F.3d 656 (4th Cir. 2011)
Layshock v. Hermitage Sch. Dist., 650 F.3d 205 (3rd Cir. 2011)
Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)
J.S. v. Bethlehem Area Sch. Dist., 807 A.2d 847 (Pa. 2002)

2. **MSBA Redlines following 2024 Minnesota
Legislative Session**

2.A. 806 Crisis Management Policy

Presenter: Matt
Thomas, Director of
Communications

806 CRISIS MANAGEMENT POLICY

I. PURPOSE

The purpose of this Crisis Management Policy is to act as a guide for school district administration, school employees, students, school board members, and community members to address a wide range of potential crisis situations in the school district. The step-by-step procedures suggested by this Policy will provide guidance to each school building in drafting crisis management plans to coordinate protective actions prior to, during, and after any type of emergency or potential crisis situation.

The school district will, to the extent possible, engage in ongoing emergency planning within the school district and with emergency responders and other relevant community organizations. The school district will ensure that relevant emergency responders in the community have access to their building-specific crisis management plans and will provide training to school district staff to enable ~~them-staff~~ to act appropriately in the event of a crisis.

II. GENERAL INFORMATION

A. The Policy and Plans

The school district's Crisis Management Policy has been created in consultation with local community response agencies and other appropriate individuals and groups that would likely be involved in the event of a school emergency. It is designed so that each building administrator has tailored building-specific crisis management plan to meet that building's specific situation and needs.

The school district's administration and/or the administration of each building shall maintain tailored building-specific crisis management plans. The building-specific crisis management plans will include general crisis procedures and crisis-specific procedures. Such crisis management plans shall be presented to the school board yearly. This Policy and the plans will be maintained and updated on an annual basis.

B. Elements of the District Crisis Management Policy

1. General Crisis Procedures

The Crisis Management Policy includes general crisis procedures for securing buildings, classroom evacuation, building evacuation, campus evacuation, and sheltering. The Policy designates the individual(s) who will determine when these actions will be taken. These district-wide procedures may be modified by building administrators when creating their building-specific crisis management plans. A communication system will be in place

to enable the designated individual to be contacted at all times in the event of a potential crisis, setting forth the method to contact the designated individual, the provision of at least two designees when the contact person is unavailable, and the method to convey contact information to the appropriate staff persons. The alternative designees may include members of the emergency first responder response team. A secondary method of communication should be included in the plan for use when the primary method of communication is inoperable. Each building in the school district will have access to a copy of the Comprehensive School Safety Guide (2011 Edition) to assist in the development of building-specific crisis management plans.

All general crisis procedures will address specific procedures for the safe evacuation of children and employees with special needs such as physical, sensory, motor, developmental, and mental health challenges.

a. Lock-Down Procedures

Lock-down procedures will be used in situations where harm may result to persons inside the school building, such as a shooting, hostage incident, intruder, trespass, disturbance, or when determined to be necessary by the building administrator or ~~his or her~~ designee. The building administrator or designee will announce the lock-down over the public address system or other designated system. Code words will not be used. Provisions for emergency evacuation will be maintained even in the event of a lock-down. Each building administrator will submit lock-down procedures for their building as part of the building-specific crisis management plan.

b. Evacuation Procedures

Evacuations of classrooms and buildings shall be implemented at the discretion of the building administrator or ~~his or her~~ designee. Each building's crisis management plan will include procedures for transporting students and staff a safe distance from harm to a designated safe area until released by the building administrator or designee. Safe areas may change based upon the specific emergency situation. The evacuation procedures should include specific procedures for children with special needs, including children with limited mobility (wheelchairs, braces, crutches, etc.), visual impairments, hearing impairments, and other sensory, developmental, or mental health needs. The evacuation procedures should also address transporting necessary medications for students that take medications during the school day.

c. Sheltering Procedures

Sheltering provides refuge for students, staff, and visitors within the school building during an emergency. Shelters are safe areas that maximize the safety of inhabitants. Safe areas may change based upon the specific emergency. The building administrator or ~~his or her~~ designee will announce the need for sheltering over the public address system or other designated system. Each building administrator will submit sheltering procedures for ~~his or her the administrator's~~ building as part of the building-specific crisis management plan.

2. Crisis-Specific Procedures

The Crisis Management Policy includes crisis-specific procedures for crisis situations that may occur during the school day or at school-sponsored events and functions. These district-wide procedures are designed to enable building administrators to tailor response procedures when creating building-specific crisis management plans.

[NOTE: The 2024 Minnesota legislature enacted permissive language stating that a school board “may adopt the model cardiac emergency response plan provided by” the Commissioner (as of Nov. 12, 2024, a response plan is not yet available.)]

3. School Emergency Response Teams

a. Composition

The building administrator in each school building will select a school emergency response team that will be trained to respond to emergency situations. All school emergency response team members will receive on-going training to carry out the building's crisis management plans and will have knowledge of procedures, evacuation routes, and safe areas. For purposes of student safety and accountability, to the extent possible, school emergency response team members will not have direct responsibility for the supervision of students. Team members must be willing to be actively involved in the resolution of crises and be available to assist in any crisis situation as deemed necessary by the building administrator. Each building will maintain a current list of school emergency response team members which will be updated annually. The building administrator, and ~~his or her~~ alternative designees, will know the location of that list in the event of a school emergency. A copy of the list will be kept on file in the school district office.

b. Leaders

The building administrator or ~~his or her~~ designee will serve as the leader of the school emergency response team and will be the primary contact for emergency response officials. In the event the primary designee is unavailable, the designee list should include more than one alternative designee and may include members of the emergency response team. When ~~present,~~ emergency response officials ~~are present, they~~ may elect to take command and control of the crisis. It is critical in this situation that school officials assume a resource role and be available as necessary to emergency response officials.

III. PREPARATION BEFORE AN EMERGENCY

A. Communication

1. District Employees

Teachers generally have the most direct contact with students on a day-to-day basis. As a result, ~~they teachers~~ must be aware of their role in responding to crisis situations. This also applies to non-teaching school personnel who have direct contact with students. All staff shall be aware of the school district's Crisis Management Policy and their own building's crisis management plan. Each school's building-specific crisis management plan shall include the method and dates of dissemination of the plan to its staff. Employees will receive a copy of the relevant building-specific crisis management plans and shall receive periodic training on plan implementation.

2. Students and Parents

Students and parents shall be made aware of the school district's Crisis Management Policy and relevant tailored crisis management plans for each school building. Each school district's building-specific crisis management plan shall set forth how students and parents are made aware of the district and school-specific plans. Students shall receive specific instruction on plan implementation and shall participate in a required number of drills and practice sessions throughout the school year.

B. Planning and Preparing for Fire

1. Designate a safe area at least 50 feet away from the building to enable students and staff to evacuate. The safe area should not interfere with emergency responders or responding vehicles and should not be in an

area where evacuated persons are exposed to any products of combustion. (Depending on the wind direction, where the building on fire is located, the direction from which the fire is arriving, and the location of fire equipment, the distance may need to be extended.)

2. Each building's facility diagram and site plan shall be available in appropriate areas of the building and shall identify the most direct evacuation routes to the designated safe areas both inside and outside of the building. The facility diagram and site plan must identify the location of the fire alarm control panel, fire alarms, fire extinguishers, hoses, water spigots, and utility shut offs.
3. Teachers and staff will receive training on the location of the primary emergency evacuation routes and alternate routes from various points in the building. During fire drills, students and staff will practice evacuations using primary evacuation routes and alternate routes.
4. Certain employees, such as those who work in hazardous areas in the building, will receive training on the locations and proper use of fire extinguishers and protective clothing and equipment.
5. Fire drills will be conducted periodically without warning at various times of the day and under different circumstances, e.g., lunchtime, recess, and during assemblies. State law requires a minimum of five fire drills each school year, consistent with Minn. Stat. § 299F.30. See Minn. Stat. § 121A.035.
6. A record of fire drills conducted at the building will be maintained in the building administrator's office.
7. The school district will have prearranged sites for emergency sheltering and transportation as needed.
8. The school district will determine which staff will remain in the building to perform essential functions if safe to do so (e.g., switchboard, building engineer, etc.). The school district also will designate an administrator or his or her designee to meet local fire or law enforcement agents upon their arrival.

C. Facility Diagrams and Site Plans

All school buildings will have a facility diagram and site plan that includes the location of primary and secondary evacuation routes, exits, designated safe areas inside and outside of the building, and the location of fire alarm control panel, fire alarms, fire extinguishers, hoses, water spigots, and utility shut offs. All facility diagrams and site plans will be updated regularly and

whenever a major change is made to a building. Facility diagrams and site plans will be maintained by the building administrator and will be easily accessible and on file in the school district office. Facility diagrams and site plans will be provided to first responders, such as fire and law enforcement personnel.

D. Emergency Telephone Numbers

Each building will maintain a current list of emergency telephone numbers and the names and addresses of local, county, and state personnel who may be involved in a crisis situation. The list will include telephone numbers for local police, fire, ambulance, hospital, the Poison Control Center, county and state emergency management agencies, local public works departments, local utility companies, the public health nurse, mental health/suicide hotlines, and the county welfare agency. A copy of this list will be kept on file in the school district office, or at a secondary location for single building school districts, and updated annually.

School district employees will receive training on how to make emergency contacts, including 911 calls, when the school district's main telephone number and location is electronically conveyed to emergency personnel instead of the specific building in need of emergency services.

School district plans will set forth a process to internally communicate an emergency, using telephones in classrooms, intercom systems, or two-way radios, as well as the procedure to enable the staff to rapidly convey emergency information to a building designee. Each plan will identify a primary and secondary method of communication for both internal and secondary use. It is recommended that the plan include several methods of communication because computers, intercoms, telephones, and cell phones may not be operational or may be dangerous to use during an emergency.

E. Warning and Notification Systems

The school district shall maintain a warning system designed to inform students, staff, and visitors of a crisis or emergency. This system shall be maintained on a regular basis under the maintenance plan for all school buildings. The school district should consider an alternate notification system to address the needs of staff and students with special needs, such as vision or hearing.

The building administrator shall be responsible for informing students and employees of the warning system and the means by which the system is used to identify a specific crisis or emergency situation. Each school's building-specific crisis management plan will include the method and frequency of dissemination of the warning system information to students and employees.

F. Early School Closure Procedures

The superintendent will make decisions about closing school or buildings as early in the day as possible. The early school closure procedures will set forth the criteria for early school closure (e.g., weather-related, utility failure, or a crisis situation), will specify how closure decisions will be communicated to staff, students, families, and the school community (designated broadcast media, local authorities, e-mail, or district or school building web sites), and will discuss the factors to be considered in closing and reopening a school or building.

Early school closure procedures also will include a reminder to parents and guardians to listen to designated local radio and TV stations for school closing announcements, where possible.

G. Media Procedures

The superintendent has the authority and discretion to notify parents or guardians and the school community in the event of a crisis or early school closure. The superintendent will designate a spokesperson who will notify the media in the event of a crisis or early school closure. The spokesperson shall receive training to ensure that the district is in strict compliance with federal and state law relative to the release of private data when conveying information to the media.

H. Behavioral Health Crisis Intervention Procedures

Short-term behavioral health crisis intervention procedures will set forth the procedure for initiating behavioral health crisis intervention plans. The procedures will utilize available resources including the school psychologist, counselor, community behavioral health crisis intervention, or others in the community. Counseling procedures will be used whenever the superintendent or the building administrator determines it to be necessary, such as after an assault, a hostage situation, shooting, or suicide. The behavioral health crisis intervention procedures shall include the following steps:

1. Administrator will meet with relevant persons, including school psychologists and counselors, to determine the level of intervention needed for students and staff.
2. Designate specific rooms as private counseling areas.
3. Escort siblings and close friends of any victims as well as others in need of emotional support to the counseling areas.
4. Prohibit media from interviewing or questioning students or staff.

5. Provide follow-up services to students and staff who receive counseling.
6. Resume normal school routines as soon as possible.

I. Long-Term Recovery Intervention Procedures

Long-term recovery intervention procedures may involve both short-term and long-term recovery planning:

Recovery Team

Recovery is an important part of a district emergency plan. Core team members are key administrators, and, depending on the incident, may include all or some of the following: superintendent; communications; human resources; business and finance; buildings and grounds; teaching and learning; student support services.

1. Physical/structural recovery

Ensuring the safety and usability of a building is the primary goal of physical and structural recovery. Physical damages must be assessed to determine the cost and feasibility of repairing or replacing structures or contents. Building and grounds personnel working with the district business/risk manager and insurance carrier will help to lead this function.

2. Fiscal recovery

Following a disaster, critical business functions of a school must be restored as soon as possible. Payroll systems, accounting and access to personnel and student data need to be available and operational. Fiscal/business recovery also involves planning for lines of succession for key administrators. Schools must have “continuity of operations plans” to ensure a smooth transition of authority and responsibility should top leadership be unable to function in their role due to a disaster or traumatic incident.

Fiscal and business recovery planning considerations:

- Assign responsibilities and determine who is in charge of fiscal services restoration
- Develop continuity of operations or succession plans
- Track expenditures and payments for the incident. Track overtime hours, rentals, supplies and equipment.
- Expedite contracting services needed immediately (clean up, debris removal, utility restoration)
- Apply for and administer recovery grant programs

- Back up electronic data files. Determine who is responsible, where the files will be stored and how the school's technological functions will be restored

3. Academic recovery

Restoring the structure and routine of learning is the goal of academic recovery. Returning to the normal school day enhances the healing process. While changes in routine may occur due to the disaster or emergency, staff, students, and families working through the event will create a "new normal."

4. Social/emotional recovery

Planning for social/emotional recovery is the responsibility of student support staff (nurses, school social workers, counselors, school psychologists) working with teachers, school administrators, and key community mental health agencies. This planning involves establishing partnerships and developing agreements between the school and community agencies, providing training for staff and recommending policies for school board consideration. Community-based resources need to be identified before an emergency or disaster so they are available for families needing assistance.

5. Recovery communications

There are many school stakeholders -- school board, staff, parents, students, and vendors -- that need information after an emergency response is over. Communication is key to getting timely, accurate information to a wide variety of audiences.

When the school is actively responding to an emergency, the district's public information officer (PIO) works closely with the community's PIO to coordinate statements and press releases with emergency responders.

During recovery, the district PIO works with school administrators and recovery team members to plan for the school's continuing communication with internal and external audiences. Timeliness and accuracy are critical in disseminating recovery messages and controlling rumors.

The district may also designate a phone number for all "recovery" calls and/or provide an email contact on the web site for recovery inquiries. Communications staff monitors trends coming from these inquiries to help identify rumors and possible misinformation so corrective messages can be sent out immediately.

Recovery communication considerations:

- Identify and prioritize stakeholders and their need for information from the district
- Consider internal and external audiences, the kind of information each will need and the form and method of delivery used.
- Coordinate news briefings and parent meetings when necessary
- Determine authorship of communications from school administrators or subject matter experts
- Send frequent updates to key audiences in a timely manner
- Provide resources
- Communications staff controls rumors to the best of their ability by tracking down rumors and misinformation and respond with corrections
- Convey messages of resilience and a return to normalcy
- Keep school board members informed throughout and post incident

IV. ACTIVE SHOOTER DRILL

A. Definitions

1. “Active shooter drill” means an emergency preparedness drill designed to teach students, teachers, school personnel, and staff how to respond in the event of an armed intruder on campus or an armed assailant in the immediate vicinity of the school. An active shooter drill is not an active shooter simulation, nor may an active shooter drill include any sensorial components, activities, or elements which mimic a real life shooting.
2. “Active shooter simulation” means an emergency exercise including full-scale or functional exercises, designed to teach adult school personnel and staff how to respond in the event of an armed intruder on campus or an armed assailant in the immediate vicinity of the school which also incorporates sensorial components, activities, or elements mimicking a real life shooting. Activities or elements mimicking a real life shooting include, but are not limited to, simulation of tactical response by law enforcement. An active shooter simulation is not an active shooter drill.
3. “Evidence-based” means a program or practice that demonstrates any of the following:
 - a. strong evidence from one or more well designed and well implemented quasi-experimental studies; or
 - i. strong evidence from one or more well designed and well implemented experimental studies;
 - ii. moderate evidence from one or more well designed and well implemented quasi-experimental studies; or

- iii. promising evidence from one or more well designed and well implemented correlational studies with statistical controls for selection bias; or
 - b. a rationale based on high-quality research findings or positive evaluations that the program or practice is likely to improve relevant outcomes, including the ongoing efforts to examine the efforts of the program or practice.
4. “Full-scale exercise” means an operations-based exercise that is typically the most complex and resource-intensive of the exercise types and often involves multiple agencies, jurisdictions, organizations, and real-time movement of resources.
5. “Functional exercises” means an operations-based exercise designed to assess and evaluate capabilities and functions while in a realistic, real-time environment, however, movement of resources is usually simulated.

B. Criteria

An active shooter drill conducted according to Minnesota Statutes, section 121A.037 with students in early childhood through grade 12 must be:

1. accessible;
2. developmentally appropriate and age appropriate, including using appropriate safety language and vocabulary;
3. culturally aware;
4. trauma-informed; and
5. inclusive of accommodations for students with mobility restrictions, sensory needs, developmental or physical disabilities, mental health needs, and auditory or visual limitations.

C. Student Mental Health and Wellness

Active shooter drill protocols must include a reasonable amount of time immediately following the drill for teachers to debrief with their students. The opportunity to debrief must be provided to students before regular classroom activity may resume. During the debrief period, students must be allowed to access any mental health services available on campus, including counselors, school psychologists, social workers, or cultural liaisons. An active shooter drill must not be combined or conducted consecutively with any other type of emergency preparedness drill. An active shooter drill must be accompanied by an announcement prior to commencing. The announcement must use concise and age-

appropriate language and, at a minimum, inform students there is no immediate danger to life and safety.

D. Notice

1. The school district must provide notice of a pending active shooter drill to every student's parent or legal guardian before an active shooter drill is conducted. Whenever practicable, notice must be provided at least 24 hours in advance of a pending active shooter drill and inform the parent or legal guardian of the right to opt their student out of participating.
2. If a student is opted out of participating in an active shooter drill, no negative consequence must impact the student's general school attendance record nor may nonparticipation alone make a student ineligible to participate in or attend school activities.
3. The Commissioner ~~of the Minnesota Department of Education~~ must ensure the availability of alternative safety education for students who are opted out of participating or otherwise exempted from an active shooter drill. Alternative safety education must provide essential safety instruction through less sensorial safety training methods and must be appropriate for students with mobility restrictions, sensory needs, developmental or physical disabilities, mental health needs, and auditory or visual limitations.

E. Participation in Active Shooter Drills

Any student in early childhood through grade 12 must not be required to participate in an active shooter drill that does not meet the Criteria set forth above.

F. Active Shooter Simulations

A student must not be required to participate in an active shooter simulation. An active shooter simulation must not take place during regular school hours if a majority of students are present, or expected to be present, at the school. A parent or legal guardian of a student in grades 9 through 12 must have the opportunity to opt their student into participating in an active shooter simulation.

G. Violence Prevention

1. A school district conducting an active shooter drill must provide students in the middle school and high school at least one hour, or one standard class period, of violence prevention training annually.
2. The violence prevention training must be evidence-based and may be delivered in-person, virtually, or digitally. Training must, at a minimum, teach students the following:
 - a. how to identify observable warning signs and signals of an individual

- who may be at risk of harming oneself or others;
 - b. the importance of taking threats seriously and seeking help; and
 - c. the steps to report dangerous, violent, threatening, harmful, or potentially harmful activity.
3. A school district must ensure that students have the opportunity to contribute to their school's safety and violence prevention planning, aligned with the recommendations for multihazard planning for schools, including but not limited to:
- a. student opportunities for leadership related to prevention and safety;
 - b. encouragement and support to students in establishing clubs and programs focused on safety; and
 - c. providing students with the opportunity to seek help from adults and to learn about prevention connected to topics including bullying, sexual harassment, sexual assault, and suicide.

H. Board Meeting

At a regularly scheduled school board meeting, a school board that will conduct an active shooter drill must consider the following both before and after the drill:

- 1. the effect of active shooter drills on the safety of students and staff; and
- 2. the effect of active shooter drills on the mental health and wellness of students and staff.

V. **SAMPLE PROCEDURES INCLUDED IN THIS POLICY**

Sample procedures for the various hazards/emergencies listed below are attached to this Policy for use when articulating specific crisis management plans.

- A. Fire and hazardous materials, including biological and chemical threats
- B. Natural disasters, including severe weather, shelter in place procedures
- C. Bomb threats
- D. Utility emergencies
- E. Disturbances and medical emergencies
- F. Intruders and lock-down procedures

VI. MISCELLANEOUS PROCEDURES

A. Chemical Accidents

Procedures for reporting chemical accidents shall be posted at key locations such as chemistry labs, art rooms, swimming pool areas, and janitorial closets.

B. Visitors

The school district shall implement procedures mandating visitor sign-in and visitors in school buildings. See MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites).

The school district shall implement procedures to minimize outside entry into school buildings except at designated check-in points and assure that all doors are locked prior to and after regular building hours.

C. Student Victims of Criminal Offenses at or on School Property

The school district shall establish procedures allowing student victims of criminal offenses on school property the opportunity to transfer to another school within the school district.

Legal References: Minn. Stat. Ch. 12 (Emergency Management)
Minn. Stat. Ch. 12A (Natural Disaster; State Assistance)
Minn. Stat. § 121A.035 (Crisis Management Policy)
Minn. Stat. § 121A.038 (Students Safe at School)
Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)
Minn. Stat. § 299F.30 (Fire Drill in School)
Minn. Stat. § 326B.02, Subd. 6 (Powers)
Minn. Stat. § 326B.106 (General Powers of Commissioner of Labor and Industry)
Minn. Stat. § 609.605, Subd. 4 (Trespasses on School Property)
Minn. Rules Ch. 7511 (Fire Safety)
20 U.S.C. § 1681, *et seq.* (Title IX)
20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)
20 U.S.C. § 7912 (Unsafe School Choice Option)
42 U.S.C. § 5121 *et seq.* (Disaster Relief and Emergency Assistance)

Cross References: MSBA/MASA Model Policy 407 (Employee Right to Know – Exposure to Hazardous Substances)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 501 (School Weapons Policy)
MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 532 (Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds)

MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)

<https://dps.mn.gov/divisions/sfm/documents/2011comprehensiveschoolsafetyguide.pdf>

[Minnesota School Safety Center – Resources \(mn.gov\)](#)

Policy Adopted: September 2004 / November 2006 / reviewed April 2009 / June 2015 / May 2016/ revised August 2021/revised January 2024

Reviewed: June 2022

Independent School District #110

Waconia, MN

2.B.204 School Board Meeting Minutes

Presenter: Dr. Brian
Gersich,
Superintendent

204 SCHOOL BOARD MEETING MINUTES

[Note: The provisions of this policy are required by statute.]

I. PURPOSE

The purpose of this policy is to establish procedures relating to the maintenance of records of the school board and the publication of its official proceedings.

II. GENERAL STATEMENT OF POLICY

It is the policy of the school district to maintain its records so that they will be available for inspection by members of the general public and to provide for the publication of its official proceedings in compliance with law.

III. MAINTENANCE OF MINUTES AND RECORDS

- A. The clerk shall keep and maintain permanent records of the school board, including records of the minutes of school board meetings and other required records of the school board. All votes taken at meetings required to be open to the public pursuant to the Minnesota Open Meeting Law must be recorded in a journal or minutes kept for that purpose. Public records maintained by the school district must be available for inspection by members of the public during the regular business hours of the school district. Minutes of meetings shall be available for inspection at the administrative offices of the school district after they have been prepared. Minutes of a school board meeting shall be approved or modified by the school board at a subsequent meeting, which action shall be reflected in the official proceedings of that subsequent meeting.
- B. Recordings of Closed Meetings
 - 1. All closed meetings, except those closed as permitted by the attorney-client privilege, must be electronically recorded at the school district's expense. Recordings of closed meetings shall be made separately from the recordings of an open meeting to the extent such meetings are recorded. If a meeting is closed to discuss more than one (1) matter, each matter shall be separately recorded.
 - 2. Recordings of closed meetings shall be preserved by the school district for the following time periods:
 - a. Meetings closed to discuss labor negotiations strategy shall be preserved for two (2) years after the contract is signed.
 - b. Meetings closed to discuss security matters shall be preserved for at least four (4) years.
 - c. Meetings closed to discuss the purchase or sale of property shall be preserved for at least eight (8) years after the date of the meeting.
 - d. All other closed meetings shall be preserved by the school district for at least three (3) years after the date of the meeting.
 - e. Following the expiration of the above time periods, recordings of closed meetings shall be maintained as set forth in the school district's Records Retention Schedule.

3. Recordings of closed meetings shall be classified by the school district as protected non-public data that is not accessible by the public or any subject of the data, with the following exceptions:
 - a. Recordings of labor negotiations strategy meetings shall be classified as public data and made available to the public after all labor contracts are signed by the school district for the current budget period.
 - b. Recordings of meetings related to the purchase or sale of property shall be classified as public data and made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the school district has abandoned the purchase or sale.
 - c. Recordings of any other closed meetings shall be classified and/or released as required by court order.
4. Recordings of closed meetings shall be maintained separately from recordings of open meetings, to the extent recordings of open meetings are maintained by the school district, with the exception of recordings that have been classified as public data as set forth in Section III.B.3. above. Recordings of closed meetings classified as non-public data also shall be maintained in a secure location, separate from recordings classified as public data.
5. Recordings of closed meetings shall be maintained in a manner to easily identify the data classification of the recording. The recordings shall be identified with at least the following information:
 - a. The date of the closed meeting;
 - b. The basis upon which the meeting was closed (i.e.: labor negotiations strategy, purchase or sale of real property, educational data, etc.); and
 - c. The classification of the data.
6. Recordings of closed meetings related to labor negotiations strategy and the purchase or sale of property shall be maintained and monitored in a manner that reclassifies the recording as public upon the occurrence of an event reclassifying that data as set forth in Section III.B.3. above.

IV. PUBLICATION OF OFFICIAL PROCEEDINGS

- A. The school board shall cause its official proceedings to be published once in the official newspaper of the school district within thirty (30) days of the meeting at which the proceedings occurred; however, if the school board conducts regular meetings not more than once every thirty (30) days, the school board need not publish the minutes until ten (10) days after they have been approved by the school board.

[NOTE: In 2024, the Minnesota legislature enacted two laws regarding publication of school board minutes. Under Chapter 109 (2024), five school districts are authorized to publish their minutes on their websites; this section expires on August 1, 2026.]

Under Chapter 115 (2024), the Minnesota legislature enacted the following:

(a) Notwithstanding any law to the contrary, when a qualified newspaper designated by a school district ceases to exist for any reason except consolidation with another newspaper, the school district may publish its proceedings on the school district's website instead of publishing the proceedings in a newspaper. The school district must

also request that the same information be posted at each public library located within the school district for the notice's publication period. This section expires August 1, 2026.

(b) If, before August 1, 2026, there is a newspaper located within a school district's boundaries that is qualified to be designated as the school district's official newspaper pursuant to Minnesota Statutes, section 331A.04, then the exemption provided in this section shall not apply, provided that the qualified newspaper's legal rate is not more than ten percent above the rate charged by the school district's previous official newspaper and the qualified newspaper provides some coverage of the activities of the school district that is publishing the notice.

[NOTE: MSBA has not inserted paragraph (a) into this model policy because its application is limited to specific circumstances and for a defined period. School districts that meet the conditions in paragraph (a) may choose to publish on the school district's website.]

- B. The proceedings to be published shall be sufficiently full to fairly set forth the proceedings. They must include the substance of all official actions taken by the school board at any regular or special meeting, and at minimum must include the subject matter of a motion, the persons making and seconding the motion, a listing of how each member present voted on the motion, the character of resolutions offered including a brief description of their subject matter and whether adopted or defeated. The minutes and permanent records of the school board may include more detail than is required to be published with the official proceedings. If the proceedings have not yet been approved by the school board, the proceedings to be published may reflect that fact.
- C. The proceedings to be published may be a summary of the essential elements of the proceedings, and/or of resolutions and other official actions of the school board. Such a summary shall be written in a clear and coherent manner and shall, to the extent possible, avoid the use of technical or legal terms not generally familiar to the public. When a summary is published, the publication shall clearly indicate that the published material is only a summary and that the full text is available for public inspection at the administrative offices of the school district and that a copy of the proceedings, other than attachments to the minutes, is available without cost at the offices of the school district or by means of standard or electronic mail.

Legal References: Minn. Stat. § 13D.01, Subds. 4-6 (Open Meeting Law)
Minn. Stat. § 123B.09, Subd. 10 (Boards of Independent School Districts)
Minn. Stat. § 123B.14, Subd. 7 (Officers of Independent School Districts)
Minn. Stat. § 331A.01 (Definitions)
Minn. Stat. § 331A.05, Subd. 8 (Form of Public Notices)
Minn. Stat. § 331A.08, Subd. 3 (Computation of Time)
Op. Atty. Gen. 161-a-20, December 17, 1970
Ketterer v. Independent School District No. 1, 248 Minn. 212, 79 N.W.2d 428 (1956)

Cross References: MSBA/MASA Model Policy 205 (Open Meetings and Closed Meetings)

Policy Adopted:
Amended April 14, 1997 / November 12, 2001/ April 11, 2005 / April 2009 / October 2022
Policy Reviewed: September 2017
Independent School District No. 110
Waconia, MN

2.C. 509 Enrollment of Nonresident Students

Presenter: Dr. Brian
Gersich,
Superintendent

509 ENROLLMENT OF NONRESIDENT STUDENTS

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

I. PURPOSE

The school district desires to participate in the Enrollment Options Program (Open Enrollment) established by Minnesota Statutes section 124D.03. The purpose of this policy is to set forth the application and exclusion procedures used by the school district in making said determination.

II. GENERAL STATEMENT OF POLICY

The school board adopts specific standards for acceptance and rejection of Open Enrollment applications.

III. OPEN ENROLLMENT PROCESS

- A. Open Enrollment applications will be approved provided that acceptance of the application will not exceed the capacity of a program, excluding special education services; class; grade level; or school building as established by school board resolution and provided that:
1. space is available for the applicant under enrollment cap standards established by school board policy or other directive; and
 2. in considering the capacity of a grade level, the school district may only limit the enrollment of nonresident students to a number not less than the lesser of:
(a) one percent of the total enrollment at each grade level in the school district;
or (b) the number of school district resident students at that grade level enrolled in a nonresident school district in accordance with Minnesota Statutes section 124D.03.
 3. the applicant is not otherwise excluded by action of the school district because of previous conduct in another school district.
- B. If the school district limits enrollment of nonresident students pursuant to this section, the district shall report to the Commissioner of the Minnesota Department of Education (MDE) by July 15 on the number of nonresident pupils denied admission due to the limitations on the enrollment of nonresident pupils.

C. The parent of a student with a disability not yet enrolled in kindergarten and not open enrolled in a nonresident district may elect, in the same manner as the parent of a resident student with a disability, a school in the nonresident district where the child is enrolled in a Head Start program or a licensed child care setting in the nonresident district, provided the child can be served in the same setting as other children in the nonresident district with the same level of disability.

Under this paragraph, parents must demonstrate enrollment in a community preschool or childcare setting.

[NOTE: MDE states: "There is no standard set for how parents must demonstrate enrollment in a community preschool or childcare setting. We recommend written policy for this process." A district may choose to insert applicable local provisions here.]

D. A nonresident preschool aged child with a disability open enrolled in the district may be

required to open enroll for kindergarten.

[NOTE: MDE offers the following recommendation: “the non-resident district may elect to allow the child’s enrollment status to continue without completing another application. We recommend that districts create policies around this election which must be non-discriminatory and in writing.” A district may choose to insert applicable local provisions here.]

IV. BASIS FOR DECISIONS

A. Standards that may be used for rejection of application.

In addition to the provisions of Paragraph II.A., the school district may refuse to allow a pupil who is expelled under Minnesota Statutes section 121A.45 to enroll during the term of the expulsion if the student was expelled for:

1. possessing a dangerous weapon, including a weapon, device, instruments, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade less than two and one-half inches in length, at school or a school function;
2. possessing or using an illegal drug at school or a school function;
3. selling or soliciting the sale of a controlled substance while at school or a school function; or
4. committing a third-degree assault involving assaulting another and inflicting substantial bodily harm.

B. Standards that may not be used for rejection of application

The school district may not use the following standards in determining whether to accept or reject an application for open enrollment:

1. previous academic achievement of a student;
2. athletic or extracurricular ability of a student;
3. disabling conditions of a student;
4. a student’s proficiency in the English language;
5. the student’s district of residence except where the district of residence is directly included in an enrollment options strategy included in an approved achievement and integration program; or
6. previous disciplinary proceedings involving the student. This shall not preclude the school district from proceeding with exclusion as set out in Section F. of this policy.

C. Application

The student and parent or guardian must complete and submit the “General Statewide Enrollment Options Application for K-12 and Early Childhood Special Education” (or the Statewide Enrollment Options Application for State-funded Voluntary Prekindergarten (VPK) ~~or School Readiness Plus (SRP)~~ Application if applicable) developed by the Minnesota Department of Education and available on their website (education.mn.gov).

The school district may require a nonresident student enrolled in a program under Minnesota Statutes, section 125A.13, or in a preschool program, except for a program under Minnesota Statutes, section 124D.151 ~~or Laws 2017, First Special Session chapter 5, article 8, section 9,~~ to follow the application procedures under this subdivision to enroll in kindergarten. A district must allow a nonresident student enrolled in a program under Minnesota Statutes, section 124D.151 or ~~Laws 2017, First Special Session chapter 5, article 8, section 9,~~ to remain enrolled in the district when the student enters kindergarten without submitting annual or periodic applications, unless the district terminates the student's enrollment under subdivision 12.

The school district shall notify the parent or guardian in writing by February 15 or within ninety (90) days for applications submitted after January 15 in the case of achievement and integration district transfers whether the application has been accepted or rejected. If an application is rejected, the district must state in the notification the reason for rejection. The parent or guardian must notify the nonresident district by March 1 or within ten (10) business days whether the pupil intends to enroll in the nonresident district.

D. Lotteries.

If a school district has more applications than available seats at a specific grade level, it must hold an impartial lottery following the January 15 deadline to determine which students will receive seats. The district must give priority to enrolling siblings of currently enrolled students, students whose applications are related to an approved integration and achievement plan, children of the school district's staff, and students residing in that part of a municipality (a statutory or home rule charter city or town) where:

1. the student's resident district does not operate a school building;
2. the municipality is located partially or fully within the boundaries of at least five school districts;
3. the nonresident district in which the student seeks to enroll operates one or more school buildings within the municipality; and
4. no other nonresident, independent, special, or common school district operates a school building within the municipality.

The process for the school district lottery must be established by school board policy and posted on the school district's website.

E. Exclusion

1. Administrator's initial determination. If a school district administrator knows or has reason to believe that an applicant has engaged in conduct that has subjected or could subject the applicant to expulsion or exclusion under law or school district policy, the administrator will transmit the application to the superintendent with a recommendation of whether exclusion proceedings should be initiated.
2. Superintendent's review. The superintendent may make further inquiries. If the superintendent determines that the applicant should be admitted, **he or she the superintendent** will notify the applicant and the school board chair. If the superintendent determines that the applicant should be excluded, the superintendent will notify the applicant and determine whether the applicant wishes to continue the application process.

Although an application may not be rejected based on previous disciplinary proceedings, the school district reserves the right to initiate exclusion procedures pursuant to the Minnesota Pupil Fair Dismissal Act as warranted on a case-by-case basis.

F. Termination of Enrollment

The school district may terminate the enrollment of a nonresident student enrolled under an enrollment options program pursuant to Minnesota Statutes section 124D.03 or 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 under Minnesota Statutes chapter 260A, and the student's case has been referred to juvenile court. A "habitual truant" is a child under 17 years of age who is absent from attendance at school without lawful excuse for seven school days in a school year if the child is in elementary school or for one or more class periods on seven school days in a school year if the child is in middle school, junior high school, or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days in a school year and who has not lawfully withdrawn from school under Minnesota Statutes section 120A.22, subdivision 8. The school district may also terminate the enrollment of a nonresident student over 17 years of age if the student is absent without lawful excuse for one or more periods on 15 school days and has not lawfully withdrawn from school under Minnesota Statutes section 120A.22, subdivision 8.

A student who has not applied for and been accepted for open enrollment pursuant to this policy and does not otherwise meet the residency requirements for enrollment may be terminated from enrollment and removed from school. Prior to removal from school, the school district will send to the student's parents a written notice of the school district's belief that the student is not a resident of the school district. The notice shall include the facts upon which the belief is based and notice ~~to the parents~~ of ~~their~~ ~~the parent's~~ opportunity to provide documentary evidence, in person or in writing, of residency to the superintendent or the superintendent's designee. The superintendent or the superintendent's designee will make the final determination as to the residency status of the student.

Notwithstanding the requirement that an application must be approved by the board of the nonresident district, a student who has been enrolled in a district, who is identified as homeless, and whose parent or legal guardian moves to another district, or who is placed in foster care in another school district, may continue to enroll in the nonresident district without the approval of the board of the nonresident district. The approval of the board of the student's resident district is not required.

Legal References:

Minn. Stat. § 120A.22, Subd. 3(e) and Subd. 8 (Compulsory Instruction)

Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)

Minn. Stat. § 124D.03 (Enrollment Options Program)

Minn. Stat. § 124D.08 (School Board Approval to Enroll in Nonresident District; Exceptions)

[Minn. Stat. § 124D.151 \(Voluntary Prekindergarten Program\)](#)

Minn. Stat. § 124D.68 (Graduation Incentives Program)

[Minn. Stat. § 125A.13 \(School of Parents' Choice\)](#)

Minn. Stat. Ch. 260A (Truancy)

Minn. Stat. § 260C.007, Subd. 19 (Definitions)

Minn. Op. Atty. Gen. 169-f (Aug. 13, 1986)

Indep. Sch. Dist. No. 623 v. Minn. Dept. of Educ., Co. No. A05-361, 2005

WL 3111963 (Minn. Ct. App. 2005) (unpublished)

18 U.S.C. 930, para. (g)(2) (Definition of weapon)

Cross References: MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 517 (Student Recruiting)

Policy Adopted: March 8, 1971

Revised July 8, 1996, revised June 2003, revised July 2006, reviewed November 2013, reviewed May 2016,
reviewed October 2017, revised February 2020, revised July 2023, revised September 2023

Independent School District 110

Waconia, MN

2.D. 709 Student Transportation Policy

Presenter: Dr. Brian
Gersich,
Superintendent

709 STUDENT TRANSPORTATION SAFETY POLICY

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

I. PURPOSE

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

II. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING

A. School Bus Safety Week

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

B. Student School Bus Safety Training

1. The school district shall provide students enrolled in grades kindergarten (K) through 10 with age-appropriate school bus safety training of the following concepts:
 - a. transportation by school bus is a privilege, not a right;
 - b. school district policies for student conduct and school bus safety;
 - c. appropriate conduct while on the bus;
 - d. the danger zones surrounding a school bus;
 - e. procedures for safely boarding and leaving a school bus;
 - f. procedures for safe vehicle lane crossing; and
 - g. school bus evacuation and other emergency procedures.
2. All students in grades K through 6 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training by the end of the third week of school. All students in grades 7 through 10 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training or receive bus safety instruction materials by the end of the sixth week of school, if they have not previously received school bus training. Students in grades K through 10 who enroll in a school after the second week of school, are transported by school bus, and have not received training in their previous school districts shall undergo school bus safety training or receive bus safety instructional materials within 4 weeks of their first day of attendance.

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

C. Active Transportation Safety Training

1. Training required
 - a. The school district must provide public school pupils enrolled in kindergarten through grade 3 with age-appropriate active transportation safety training. At a minimum, the training must include pedestrian safety, including crossing roads.
 - b. The school district must provide pupils enrolled in grades 4 through 8 with age-appropriate active transportation safety training. At a minimum, the training must include:
 - (1) pedestrian safety, including crossing roads safely using the searching left, right, left for vehicles in traffic technique; and

(2) bicycle safety, including relevant traffic laws, use and proper fit of protective headgear, bicycle parts and safety features, and safe biking techniques.

(3) electric-assisted bicycle safety, including that a person under the age of 15 is not allowed to operate an electric-assisted bicycle.

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

2. Deadlines.

a. Students under subdivision 1, paragraph (a), who are enrolled during the first or second week of school and have not previously received active transportation safety training specified in that paragraph must receive the safety training by the end of the third week of school.

b. Students under subdivision 1, paragraph (b), who are enrolled during the first or second week of school and have not previously received active transportation safety training specified in that paragraph must receive the safety training by the end of the sixth week of school.

c. Students under subdivision 1, paragraph (a) or (b), who enroll in a school after the second week of school and have not received the appropriate active transportation safety training in their previous school district must undergo the training or receive active transportation safety instructional materials within four weeks of the first day of attendance.

d. The school district and a nonpublic school may provide kindergarten pupils with active transportation safety training before the first day of school.

3. Instruction

a. The school district may provide active transportation safety training through distance learning.

b. The district and a nonpublic school must make reasonable accommodations for the active transportation safety training of pupils known to speak English as a second language and pupils with disabilities.

III. CONDUCT ON SCHOOL BUSES AND CONSEQUENCES FOR MISBEHAVIOR

A. Riding the school bus is a privilege, not a right. The school district's general

student behavior rules are in effect for all students on school buses, including nonpublic and charter school students.

B. Consequences for school bus/bus stop misconduct will be imposed by the school district under adopted administrative discipline procedures. In addition, all school bus/bus stop misconduct will be reported to the school district's transportation safety director. Serious misconduct may be reported to local law enforcement.

1. School Bus and Bus Stop Rules. The school district school bus safety rules are to be posted on every bus. If these rules are broken, the school district's discipline procedures are to be followed. In most circumstances, consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the school district's Transportation Office/School Office.

2. Rules at the Bus Stop

- a. Get to your bus stop 5 minutes before your scheduled pick up time. The school bus driver will not wait for late students.
- b. Respect the property of others while waiting at your bus stop.
- c. Keep your arms, legs, and belongings to yourself.
- d. Use appropriate language.
- e. Stay away from the street, road, or highway when waiting for the bus.
- f. Wait until the bus stops before approaching the bus.
- g. After getting off the bus, move away from the bus.
- h. If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
- i. No fighting, harassment, intimidation, or horseplay.
- j. No use of alcohol, tobacco, or drugs.

3. Rules on the Bus

- a. Immediately follow the directions of the driver.
- b. Sit in your seat facing forward.

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

4. Consequences

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

(1) Elementary (K-6)

1st offense – warning

2nd offense – 3 school-day suspension from riding the bus

3rd offense – 5 school-day suspension from riding the bus

4th offense – 10 school-day suspension from riding the bus/meeting with parent

Further offenses – individually considered. Students may be suspended for longer periods of time, including the remainder of the school year.

(2) Secondary (7-12)

1st offense – warning

2nd offense – 5 school-day suspension from riding the bus

3rd offense – 10 school-day suspension from riding the bus

4th offense – 20 school-day suspension from riding the bus/meeting with parent

5th offense – suspended from riding the bus for the remainder of the school year

Note: When any student goes 60 transportation days without a report, the student's consequences may start over at the first offense.

(3) Other Discipline

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

(4) Records

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

(5) Vandalism/Bus Damage

Students damaging school buses will be responsible for the damages. Failure to pay such damages (or make arrangements to pay) within 2 weeks may result in the loss of bus privileges until damages are paid.

(6) Notice

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

(7) Criminal Conduct

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

IV. PARENT AND GUARDIAN INVOLVEMENT

A. Parent and Guardian Notification

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

B. Parents/Guardians Responsibilities for Transportation Safety

Parents/Guardians are responsible to:

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

V. SCHOOL BUS DRIVER DUTIES AND RESPONSIBILITIES

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

2. reckless driving;
 3. improper or erratic traffic lane changes;
 4. following the vehicle ahead too closely;
 5. a violation of state or local law, relating to motor vehicle traffic control, arising in connection with a fatal accident;
 6. driving a commercial vehicle without obtaining a commercial driver's license or without having a commercial driver's license in the driver's possession.
- D. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of violating, in any type of motor vehicle, a Minnesota state or local law relating to motor vehicle traffic control, other than a parking violation, shall notify the person's employer of the conviction within 30 days of conviction. The notification shall be in writing and shall contain all the information set forth in Attachment A accompanying this policy.
- E. A school bus driver, with the exception of a driver operating a type A-I school bus, who has a Minnesota commercial driver's license suspended, revoked, or cancelled by the state of Minnesota or any other state or jurisdiction and who loses the right to operate a commercial vehicle for any period or who is disqualified from operating a commercial motor vehicle for any period shall notify the person's employer of the suspension, revocation, cancellation, lost privilege, or disqualification. Such notification shall be made before the end of the business day following the day the employee received notice of the suspension, revocation, cancellation, lost privilege, or disqualification. The notification shall be in writing and shall contain all the information set forth in Attachment B accompanying this policy.
- F. A person who operates a type III vehicle and who sustains a conviction as described in Section VII.C.1.g. (i.e., driving while impaired offenses), VII.C.1.h. (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor), or VII.C.1.i. (multiple moving violations) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the person's employer within 10 days of the date of the conviction. The notification shall be in writing and shall contain all the information set forth in Attachment C accompanying this policy.

VI. SCHOOL BUS DRIVER TRAINING

A. Training

1. All new school bus drivers shall be provided with pre-service training, including in-vehicle (actual driving) instruction, before transporting students and shall meet the competency testing specified in the Minnesota Department of Public Safety Model School Bus Driver Training Manual. All school bus drivers shall receive in-service training annually. For purposes of this section, “annually” means at least once every 380 days from the initial or previous evaluation and at least once every 380 days from the initial or previous license verification. The school district shall retain on file an annual individual school bus driver “evaluation certification” form for each school district driver as contained in the Model School Bus Driver Training Manual.

[Note: The Model School Bus Driver Training Manual is available online through the Minnesota Department of Public Safety State Patrol web page.]

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

B. Evaluation

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

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

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

[Note: The school district may use alternative assessments rather than those set forth in the Model School Bus Driver Training Manual for bus driver training competencies with the approval of the Commissioner of Public Safety. A driver also may receive at

least 8 hours of school bus in-service training in any year as an alternative to being assessed for bus driver competencies after the initial year of being assessed for bus driver competencies.]

VII. OPERATING RULES AND PROCEDURES

A. General Operating Rules

1. School buses shall be operated in accordance with state traffic and school bus safety laws and the procedures contained in the Minnesota Department of Public Safety Model School Bus Driver Training Manual.

[Note: The Model School Bus Driver Training Manual is available online through the Minnesota Department of Public Safety State Patrol web page.]

2. Only students assigned to the school bus by the school district shall be transported. The number of students or other authorized passengers transported in a school bus shall not be more than the legal capacity for the bus. No person shall be allowed to stand when the bus is in motion.
3. The parent/guardian may designate, pursuant to school district policy, a day care facility, respite care facility, the residence of a relative, or the residence of a person chosen by the parent or guardian as the address of the student for transportation purposes. The address must be in the attendance area of the assigned school and meet all other eligibility requirements.
4. Bus drivers must minimize, to the extent practical, the idling of school bus engines and exposure of children to diesel exhaust fumes.
5. To the extent practical, the school district will designate school bus loading/unloading zones at a sufficient distance from school air-intake systems to avoid diesel fumes from being drawn into the systems.

[Note: A school district is not required to comply with Section VII.A.5. if the school board determines that alternative locations block traffic, impair student safety, or are not cost effective.]

6. A bus driver may not operate a school bus while communicating over, or otherwise operating, a cellular phone for personal reasons, whether hand-held or hands free, when the vehicle is in motion or a part of traffic. For purposes of this paragraph, "school bus" has the meaning given in Minn. Stat. § 169.011, Subd. 71. In addition, "school bus" also includes type III vehicles when driven by employees or agents of the school district. "Cellular phone" means a cellular, analog, wireless, or digital telephone capable of sending or receiving telephone or text messages without an access line for service.

B. Type III Vehicles

1. Type III vehicles are restricted to passenger cars, station wagons, vans, and buses having a maximum manufacturer's rated seating capacity of 10 or fewer people including the driver and a gross vehicle weight rating of 10,000 pounds or less. A van or bus converted to a seating capacity of 10 or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.
2. Type III vehicles must be painted a color other than national school bus yellow.
3. Type III vehicles shall be state inspected in accordance with legal requirements.
4. Vehicles model year 2007 or older must not be used as type III vehicles to transport school children, except those vehicles that are manufactured to meet the structural requirements of federal motor vehicle safety standard 222, Code of Federal Regulations, title 49, part 571.
5. If a type III vehicle is school district owned, the school district name will be clearly marked on the side of the vehicle. The type III vehicle must not have the words "school bus" in any location on the exterior of the vehicle or in any interior location visible to a motorist.
6. A "type III vehicle" must not be outwardly equipped and identified as a type A, B, C, or D bus.
7. Eight-lamp warning systems and stop arms must not be installed or used on type III vehicles.
8. Type III vehicles must be equipped with mirrors as required by law.
9. Any type III vehicle may not stop traffic and may not load or unload before making a complete stop and disengaging gears by shifting into neutral or park. Any type III vehicle used to transport students must not load or unload so that a student has to cross the road, except where not possible or impractical, then the driver or assistant must escort a student across the road. If the driver escorts the student across the road, then the motor must be stopped, the ignition key removed, the brakes set, and the vehicle otherwise rendered immobile.
10. Any type III vehicle used to transport students must carry emergency equipment including:
 - a. Fire extinguisher. A minimum of one 10BC rated dry chemical type fire extinguisher is required. The extinguisher must be mounted in a bracket, and must be located in the driver's

compartment and be readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.

- b. First aid kit and body fluids cleanup kit. A minimum of a 10-unit first aid kit and a body fluids cleanup kit is required. They must be contained in removable, moisture- and dust-proof containers mounted in an accessible place within the driver's compartment and must be marked to indicate their identity and location.
- c. Passenger cars and station wagons may carry a fire extinguisher, a first aid kit, and warning triangles in the trunk or trunk area of the vehicle if a label in the driver and front passenger area clearly indicates the location of these items.

11. Students will not be regularly transported in private vehicles that are not state inspected as type III vehicles. Only emergency, unscheduled transportation may be conducted in vehicles with a seating capacity of 10 or fewer without meeting the requirements for a type III vehicle. Also, parents may use a private vehicle to transport their own children under a contract with the district. The school district has no system of inspection for private vehicles.

12. All drivers of type III vehicles will be licensed drivers and will be familiar with the use of required emergency equipment. The school district will not knowingly allow a person to operate a type III vehicle if the person has been convicted of an offense that disqualifies the person from operating a school bus.

13. Type III vehicles will be equipped with child passenger restraints, and child passenger restraints will be utilized to the extent required by law.

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

1. The holder of a Class A, B, C, or D driver's license, without a school bus endorsement, may operate a type III vehicle, described above, under the following conditions:

- a. The operator is an employee of the entity that owns, leases, or contracts for the school bus, which may include the school district.
- b. The operator's employer, which may include the school district, has adopted and implemented a policy that provides for annual training and certification of the operator in:

- (1) safe operation of a type III vehicle;

- (2) understanding student behavior, including issues relating to students with disabilities;
- (3) encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately;
- (4) knowing and understanding relevant laws, rules of the road, and local school bus safety policies;
- (5) handling emergency situations;
- (6) proper use of seat belts and child safety restraints;
- (7) performance of pretrip vehicle inspections;
- (8) safe loading and unloading of students, including, but not limited to:
 - (a) utilizing a safe location for loading and unloading students at the curb, on the nontraffic side of the roadway, or at off-street loading areas, driveways, yards, and other areas to enable the student to avoid hazardous conditions;
 - (b) refraining from loading and unloading students in a vehicular traffic lane, on the shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane;
 - (c) avoiding a loading or unloading location that would require a student to cross a road, or ensuring that the driver or an aide personally escort the student across the road if it is not reasonably feasible to avoid such a location;
 - (d) placing the type III vehicle in “park” during loading and unloading;
 - (e) escorting a student across the road under clause (c) only after the motor is stopped, the ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile; and
- (9) compliance with paragraph V.F. concerning reporting convictions to the employer within 10 days of the date of conviction.

c. A background check or background investigation of the operator

has been conducted that meets the requirements under Minnesota Statute section 122A.18, subdivision 8, or Minnesota Statute section 123B.03 for school district employees; Minnesota Statute section 144.057 or Minnesota Statute Chapter 245C for day care employees; or Minnesota Statute section 171.321, subdivision 3, for all other persons operating a type III vehicle under this section.

- d. Operators shall submit to a physical examination as required by Minnesota Statute section 171.321, subdivision 2.
- e. The operator's employer requires preemployment drug testing of applicants for operator positions. Current operators must comply with the employer's policy under Minnesota Statute section 181.951, subdivision 2, 4, and 5. Notwithstanding any law to the contrary, the operator's employer may use a breathalyzer or similar device to fulfill random alcohol testing requirements.
- f. The operator's driver's license is verified annually by the entity that owns, leases, or contracts for the type III vehicle as required by Minnesota Statute section 171.321, subdivision 5.
- g. A person who sustains a conviction, as defined under Minnesota Statute section 609.02, of violating Minnesota Statute section 169A.25, § 169A.26, § 169A.27 (driving while impaired offenses), or § 169A.31 (alcohol-related school bus driver offenses), or whose driver's license is revoked under Minnesota Statute sections 169A.50 to 169A.53 of the implied consent law, or who is convicted of violating or whose driver's license is revoked under a similar statute or ordinance of another state, is precluded from operating a type III vehicle for 5 years from the date of conviction.
- h. A person who has ever been convicted of a disqualifying offense as defined in Minnesota Statute section 171.3215, subdivision 1(c), (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor) may not operate a type III vehicle.
- i. A person who sustains a conviction, as defined under Minnesota Statute section 609.02, of a moving offense in violation of Minnesota Statute Chapter 169 within 3 years of the first of 3 other moving offenses is precluded from operating a type III vehicle for 1 year from the date of the last conviction.
- j. Students riding the type III vehicle must have training required under Minnesota Statute section 123B.90, subdivision 2 (see section above.)

- k. Documentation of meeting the requirements listed in this section must be maintained under separate file at the business location for each type III vehicle operator. The school district or any other entity that owns, leases, or contracts for the type III vehicle operating under this section is responsible for maintaining these files for inspection.
2. The type III vehicle must bear a current certificate of inspection issued under Minnesota Statute section 169.451.
3. An employee of the school district who is not employed for the sole purpose of operating a type III vehicle may, in the discretion of the school district, be exempt from paragraphs VII.C.1.d. (physical examination) and VII.C.1.e. (drug testing), above.

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

1. The holder of a Class D driver’s license, without a school bus endorsement, may operate a type A-I school bus or a Multifunction School Activity Bus (MFSAB) under the following conditions:
 - a. The operator is an employee of the school district or an independent contractor with whom the school district contracts for the school bus and is not solely hired to provide transportation services under this paragraph.
 - b. The operator drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.
 - c. The operator is prohibited from using the 8-light system if the vehicle is so equipped.
 - d. The operator has submitted to a background check and physical examination as required by Minnesota Statute section 171.321, subdivision 2.
 - e. The operator has a valid driver’s license and has not sustained a conviction of a disqualifying offense as set forth in Minnesota Statute section 171.02, subdivisions 2a(h) - 2a(j).
 - f. The operator has been trained in the proper use of child safety restraints as set forth in the National Highway Traffic Safety Administration’s “Guideline for the Safe Transportation of Pre-school Age Children in School Buses,” if child safety restraints are used by passengers, in addition to the training required in Section

VI., above.

- g. The bus has a gross vehicle weight rating of 14,500 pounds or less and is designed to transport 15 or fewer passengers, including the driver.
2. The school district shall maintain annual certification of the requirements listed in this section for each Class D license operator.
3. A school bus operated under this section must bear a current certificate of inspection.
4. The word “School” on the front and rear of the bus must be covered by a sign that reads “Activities” when the bus is being operated under authority of this section.

VIII. SCHOOL DISTRICT EMERGENCY PROCEDURES

- A. If possible, school bus drivers or their supervisors shall call “911” or the local emergency phone number in the event of a serious emergency.
- B. School bus drivers shall meet the emergency training requirements contained in Unit III “Crash & Emergency Preparedness” of the Minnesota Department of Public Safety Model School Bus Driver Training Manual. This includes procedures in the event of a crash (accident).

[Note: The Model School Bus Driver Training Manual is available online through the Minnesota Department of Public Safety State Patrol web page.]

- C. School bus drivers and bus assistants for special education students requiring special transportation service because of their handicapping condition shall be trained in basic first aid procedures, shall within one (1) month after the effective date of assignment participate in a program of in-service training on the proper methods for dealing with the specific needs and problems of students with disabilities, assist students with disabilities on and off the bus when necessary for their safe ingress and egress from the bus; and ensure that protective safety devices are in use and fastened properly.
- D. Emergency Health Information shall be maintained on the school bus for students requiring special transportation service because of their handicapping condition. The information shall state:
 1. the student’s name and address;
 2. the nature of the student’s disabilities;
 3. emergency health care information; and

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

IX. SCHOOL DISTRICT VEHICLE MAINTENANCE STANDARDS

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

X. SCHOOL TRANSPORTATION SAFETY DIRECTOR

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

XI. STUDENT TRANSPORTATION SAFETY COMMITTEE

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

district staff, and representatives from other units of local government.

- Legal References:** Minn. Stat. § 122A.18, Subd. 8 (Board to Issue Licenses)
Minn. Stat. § 123B.03 (Background Check)
Minn. Stat. § 123B.42 (Textbooks; Individual Instructor or Cooperative Learning Material; Standard Tests)
Minn. Stat. § 123B.88 (Independent School Districts; Transportation)
Minn. Stat. § 123B.885 (Diesel School Buses; Operation of Engine; Parking)
Minn. Stat. § 123B.90 (School Bus Safety Training)
Minn. Stat. § 123B.91 (School District Bus Safety Responsibilities)
Minn. Stat. § 123B.935 (Active Transportation Safety Training)
Minn. Stat. § 144.057 (Background Studies on Licensees and Other Personnel)
Minn. Stat. Ch. 169 (Traffic Regulations)
Minn. Stat. § 169.011, Subds. 15, 16, and 71 (Definitions)
Minn. Stat. § 169.02 (Scope)
Minn. Stat. § 169.443 (Safety of School Children; Bus Driver's Duties)
Minn. Stat. § 169.446, Subd. 2 (Driver Training Programs)
Minn. Stat. § 169.451 (Inspecting School and Head Start Buses; Rules; Misdemeanor)
Minn. Stat. § 169.454 (Type III Vehicle Standards)
Minn. Stat. § 169.4582 (Reportable Offense on School Buses)
Minn. Stat. §§ 169A.25-169A.27 (Driving While Impaired)
Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)
Minn. Stat. §§ 169A.50-169A.53 (Implied Consent Law)
Minn. Stat. § 171.02, Subds. 2, 2a, and 2b (Licenses; Types, Endorsements, Restrictions)
Minn. Stat. § 171.168 (Notification of Conviction for Violation by a Commercial Driver)
Minn. Stat. § 171.169 (Notification of Suspension of License of Commercial Driver)
Minn. Stat. § 171.321 (Qualifications of School Bus Driver)
Minn. Stat. § 171.3215, Subd. 1(c) (Canceling Bus Endorsement for Certain Offenses)
Minn. Stat. § 181.951 (Authorized Drug and Alcohol Testing)
Minn. Stat. Ch. 245C (Human Services Background Studies)
Minn. Stat. § 609.02 (Definitions)
Minn. Rules Parts 7470.1000-7470.1700 (School Bus Inspection)
49 C.F.R. § 383.31 (Notification of Convictions for Driver Violations)
49 C.F.R. § 383.33 (Notification of Driver's License Suspensions)
49 C.F.R. § 383.5 (Transportation Definitions)
49 C.F.R. Part 571 (Federal Motor Vehicle Safety Standards)
- Cross References:** MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)
MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

MSBA/MASA Model Policy 707 (Transportation of Public Students)

MSBA/MASA Model Policy 708 (Transportation of Nonpublic Students)

MSBA/MASA Model Policy 710 (Extracurricular Transportation)

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Independent School District 110

Waconia, MN

3. Follow Up

3.A. 425 Staff Development and Mentoring

Presenter: Erika
Nesvig, Director of
Education Services

425 STAFF DEVELOPMENT AND MENTORING

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

I. PURPOSE

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

II. ADVISORY STAFF DEVELOPMENT COMMITTEE AND SITE PROFESSIONAL DEVELOPMENT TEAMS

- A. The school board ~~directs the superintendent or designee to will~~ establish an Advisory Staff Development Committee to develop a District Staff Development Plan, assist Site Professional Development Teams in developing a site plan consistent with the goals of the Staff Development District Plan, and evaluate staff development efforts at the site level.
1. The majority of the membership of the Advisory Staff Development Committee shall consist of teachers representing various grade levels, subject areas, and special education. The Committee also will include nonteaching staff, ~~parents,~~ and administrators.
 - ~~2. Members of the Advisory Staff Development Committee shall be appointed by the school board. Committee members shall serve a two-year term^{1*} based upon nominations by board members, teachers, and educational support professionals paraprofessionals. The school board shall appoint replacement members of the Advisory Staff Development Committee as soon as possible following the resignation, death, serious illness, or removal of a member from the Committee.~~
- B. The school board ~~directs the superintendent or designee to shall~~ approve the guidelines for member representation of the Site Professional Development Teams.
1. Members of the Site Professional Development Teams will be ~~appointed by the Superintendent or designee established by building administration based on site and staff needs. Team members shall serve a two-year term* based upon nominations by board members, administration, teachers, and paraprofessionals. The school board shall appoint replacement members of the Site Professional Development Teams as soon as possible following the resignation, death, serious illness, or removal of a member from the Team.~~
 2. The majority of the Site Professional Development Teams shall be teachers representing various grade levels, subject areas, and special education.

III. DUTIES OF THE ADVISORY STAFF DEVELOPMENT COMMITTEE

- ~~A. The Advisory Staff Development Committee will develop a Staff Development Plan that will be reviewed and subject to approval by the school board annually.^{2*}~~
- BA.** The District Staff Development Plan must contain the following elements:
1. ~~Staff development outcomes that are consistent with the education outcomes~~

^{1*} This time period may be changed to accommodate individual school district needs.

~~as may be determined periodically by the school board~~ Goals and desired outcomes that are aligned with the district's strategic plan;

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

2. The means to achieve the Staff Development goals and desired outcomes;
3. The procedures for evaluating progress at each school site toward meeting educational outcomes consistent with relicensure requirements under Minnesota Statutes, section 122A.187;
4. Ongoing staff development activities that contribute toward continuous improvement in achievement of the following goals:
 - a. Improve student achievement of state and local education standards in all areas of the curriculum, including areas of regular academic and applied and experiential learning, by using research-based best practices methods;
 - b. Effectively meet the needs of a diverse student population, including at-risk children, children with disabilities, English learners, and gifted children, within the regular classroom, applied and experiential learning settings, and other settings;
 - c. Provide an inclusive curriculum for a racially, ethnically, linguistically, and culturally diverse student population that is consistent with state education diversity rule and the district's education diversity plan;
 - d. Improve staff collaboration and develop mentoring and peer coaching programs for teachers new to the school or district;
 - e. Effectively teach and model violence prevention policy and curriculum that address early intervention alternatives, issues of harassment, and teach nonviolent alternatives for conflict resolution;
 - f. Effectively deliver digital and blended learning and curriculum and engage students with technology; and
 - g. Provide teachers and other members of site-based management teams with appropriate management and financial management skills.
5. The Staff Development Plan also must:
 - a. Support stable and productive professional communities achieved through ongoing and schoolwide progress and growth in teaching practice;
 - b. Emphasize coaching, professional learning communities, classroom action research, and other job-embedded models;
 - c. Maintain a strong subject matter focus premised on students' learning goals consistent with Minnesota Statutes, section 120B.125;
 - d. Ensure specialized preparation and learning about issues related to teaching English learners and students with special needs by focusing on long-term systemic efforts to improve educational services and opportunities and raise student achievement; and

- e. Reinforce national and state standards of effective teaching practice.
6. Staff development activities must:
- a. Focus on the school classroom and research-based strategies that improve student learning;
 - b. Provide opportunities for teachers to practice and improve their **the teacher's** instructional skills over time;
 - c. Provide opportunities for teachers to use student data as part of their **the teacher's** daily work to increase student achievement;
 - d. Enhance teacher content knowledge and instructional skills, including to accommodate the delivery of digital and blended learning and curriculum and engage students with technology;
 - e. Align with state and local academic standards;
 - f. Provide opportunities to build professional relationships, foster collaboration among principals and staff who provide instruction, and provide opportunities for teacher-to-teacher mentoring;
 - g. Align with the plan, if any, of the district or site for an alternative teacher professional pay system;
 - h. Provide teachers of English learners, including English as a second language, and content teachers with differentiated instructional strategies critical for ensuring students long-term academic success, the means to effectively use assessment data on the academic literacy, oral academic language, and English language development of English learners, and skills to support native and English language development across the curriculum; and
 - i. Provide opportunities for staff to learn about current workforce trends, the connections between workforce trends and postsecondary education, and training options, including career and technical education options.
7. Staff development activities may include curriculum development and curriculum training programs and activities that provide teachers and other members of site-based teams training to enhance team performance.
8. The school district may implement other staff development activities required by law and activities associated with professional teacher compensation models.

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

- CB.** The Advisory Staff Development Committee will assist Site Professional Development Teams in developing a site plan consistent with the goals and outcomes of the **District** Staff Development Plan.

- DC.** The Advisory Staff Development Committee will evaluate staff development efforts at the site level and will report to the school board annually^{3*} the extent to which staff at the site have met the outcomes of the Staff Development Plan.
- ED.** In addition to developing a Staff Development Plan, the Staff Development Advisory Committee also must develop teacher mentoring programs for teachers new to the profession or school district, including teaching residents, teachers of color, teachers who are American Indian, teachers in license shortage areas, teachers with special needs, or experienced teachers in need of peer coaching. Teacher mentoring programs must be included in or aligned with the school district's teacher evaluation and peer review processes under Minnesota Statutes sections 122A.40, subdivision 8 or 122A.41, subdivision 5.
- FD.** The Advisory Staff Development Committee shall assist the school district in preparing any reports required by the Minnesota Department of Education (MDE) relating to staff development or teacher mentoring including, but not limited to, the reports referenced in Section VII. below.

IV. DUTIES OF THE SITE PROFESSIONAL DEVELOPMENT TEAM

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

V. STAFF DEVELOPMENT FUNDING

- A. Unless the school district is in statutory operating debt or a majority of the school board and a majority of its licensed teachers annually vote to waive the requirement to reserve basic revenue for staff development, the school district will reserve an amount equal to at least two percent of its basic revenue for: (1) teacher development and evaluation under Minnesota Statutes section 122A.40, subdivision 8 or 122A.41, subdivision 5; (2) principal development and evaluation under section 123B.147, subdivision 3; (3) professional development under section 122A.60; (4) in-service education for programs under section 120B.22, subdivision 2; and (5) teacher mentorship under section 122A.70, subdivision 1. To the extent extra funds remain, staff development revenue may be used for development plans, including plans for challenging instructional activities and experiences under section 122A.60, and for curriculum development and programs, other in-service education, teacher's workshops, teacher conferences, the cost of substitute teachers for staff development purposes, preservice and in-service education for special education professionals and educational support professionals paraprofessionals, and other related costs for staff development efforts. The school district also may use the revenue reserved for staff development for grants to the school district's teachers to pay for coursework and training leading to certification as either a college in the schools teacher or a concurrent enrollment teacher. To receive a grant, the teacher must be enrolled in a program that includes coursework and training focused on teaching a core subject.
- B. The school district may, in its discretion, expend an additional amount of unreserved

^{3*} This time period may be changed to accommodate individual school district needs.

revenue for staff development based on its needs.

- C. Release time provided for teachers to supervise students on field trips and school activities, or independent tasks not associated with enhancing the teacher's knowledge and instructional skills, such as preparing report cards, calculating grades, or organizing classroom materials, may not be counted as staff development time that is financed with staff development reserved revenue under Minnesota Statutes section 122A.61.
- D. The school district may use staff development revenue, special grant programs established by the legislature, or another funding source to pay a stipend to a mentor who may be a current or former teacher who has taught at least three (3) years and is not on an improvement plan. Other initiatives using such funds or funds available under Minnesota Statutes sections 124D.861, may include:
 - 1. additional stipends as incentives to mentors of color or who are American Indian;
 - 2. financial supports for professional learning community affinity groups across schools within and between districts for teachers from underrepresented racial and ethnic groups to come together throughout the school year;
 - 3. programs for induction aligned with the school district or school mentorship program during the first three (3) years of teaching, especially for teachers from underrepresented racial and ethnic groups; or
 - 4. grants supporting licensed and nonlicensed educator participation in professional development, such as workshops and graduate courses, related to increasing student achievement for students of color and American Indian students in order to close opportunity and achievement gaps.

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

VI. PROCEDURE FOR USE OF STAFF DEVELOPMENT FUNDS

- A. On a yearly^{4*} basis, the Advisory Staff Development Committee, with the assistance of the Site Professional Development Teams, shall prepare a projected budget setting forth proposals for allocating staff development and mentoring funds reserved for each school site. Such budgets shall include, but not be limited to, projections as to the cost of building site training programs, costs of individual staff seminars, and cost of substitutes.
- B. Upon approval of the budget by the school board, the Advisory Committee shall be responsible for monitoring the use of such funds in accordance with the Staff Development Plan and budget. The requested use of staff development funds must meet or make progress toward the goals and objectives of the Staff Development Plan. All costs/expenditures will be reviewed by the school board and/or superintendent for consistency with the Staff Development Plan on an quarterly annual basis.*

^{4*} This time period may be changed to accommodate individual school district needs.

- C. Individual requests from staff for leave to attend staff development activities shall be submitted and reviewed according to school district policy, staff procedures, contractual agreement, and the effect on school district operations. Failure to timely submit such requests may be cause for denial of the request.

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

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

[NOTE: The 2024 Minnesota legislature added these provisions, Paragraph E is in effect for the 2024-2025 school year only]

VIII. REPORTING

- A. The school district and site staff development committee shall prepare a report of the previous fiscal year's staff development activities and expenditures as part of the school district's world's best workforce comprehensive achievement and civic readiness report.
 - 1. The report must include assessment and evaluation data indicating progress toward district and site staff development goals based on teaching and learning outcomes, including the percentage of teachers and other staff involved in instruction who participate in effective staff development activities.
 - 2. The report will provide a breakdown of expenditures for:
 - a. Curriculum development and curriculum training programs;
 - b. Staff development training models, workshops, and conferences; and
 - c. The cost of releasing teachers or providing substitute teachers for staff development purposes.

The report also must indicate whether the expenditures were incurred at the district level or the school site level and whether the school site expenditures were made possible by the grants to school sites that demonstrate exemplary use of allocated staff development revenue. These expenditures must be reported using the uniform financial and accounting and reporting standards (UFARS).

3. The report will be signed by the superintendent and staff development chair.
- B. To the extent the school district receives a grant for mentorship activities described in Section V.D., by June 30 of each year after receiving a grant, the site staff development committee must submit a report to the Professional Educator Licensing and Standards Board on program efforts that describes mentoring and induction activities and assesses the impact of these programs on teacher effectiveness and retention.

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

Cross References: None.

Policy Adopted: May 12, 2008

Revised: June 2011, August 2015, February 2020, March 2023, September 2023

Independent School District No. 110

Waconia, MN