

Policy Committee

Monday, April 27, 2026 6:00 PM

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

1. MSBA Model Policy Redlines (February 2026)

1.A. 701 Establishment and Adoption of School
District Budget

Presenter: Pam
Carman, Director of
Finance and
Operations

701 ESTABLISHMENT AND ADOPTION OF SCHOOL DISTRICT BUDGET

[Note: The provisions of this policy substantially reflect the requirements of Minnesota Statutes.]

I. PURPOSE

The purpose of this policy is to establish lines of authority and procedures for the establishment of the school district's revenue and expenditure budgets.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is to establish its revenue and expenditure budgets in accordance with the applicable provisions of law. Budget planning is an integral part of program planning so that the annual budget will effectively express and implement school board goals and the priorities of the school district.

III. REQUIREMENTS

- A. The superintendent or such other school official as designated by the superintendent or the school board shall each year prepare preliminary revenue and expenditure budgets for review by the school board or its designated committee or committees. ~~The preliminary budgets shall be accompanied by such written commentary as may be necessary for them to be clearly understood by the members of the school board and the public. The school board shall review the projected revenues and expenditures for the school district for the next fiscal year and make such adjustments in the expenditure budget as necessary to carry out the education program within the revenues projected.~~ When projected expenditures exceed projected revenues, the school board may consider use of an available fund balance, if one exists.
- B. ~~The school district must maintain separate accounts to identify revenues and expenditures for each building.~~ Expenditures shall be reported in compliance with Minnesota Statutes, section 123B.76.
- C. Prior to July 1 of each year, the school board ~~shall~~ **must** approve and adopt its ~~initial~~ revenue and expenditure budgets for the next school year. The ~~adopted expenditure~~ budget document ~~so adopted must~~ **shall** be considered ~~the school board's-an~~ expenditure ~~authorizing or appropriations document authorization for that school year~~. No funds ~~may~~ **shall** be expended for any purpose in any school year prior to the adoption of the budget document which authorizes that expenditure for that year, or prior to the adoption of an amendment to that budget document by the school board to authorize that expenditure for that year.
- D. Each year, the school district ~~shall~~ **must** publish its adopted revenue and expenditure budgets for the current year, the actual revenues, expenditures, and fund balances for the prior year, and the projected fund balances for the current

year in the form prescribed by the Commissioner of the Minnesota Department of Education within one week of the acceptance of the final audit by the school board, or November 30, whichever is earlier. A statement ~~shall~~ must be included in the publication that the complete budget in detail may be inspected by any resident of the school district upon request to the superintendent. ~~A summary of this information and the address of the school district's official website where the information can be found must be published in a newspaper of general circulation in the school district.~~ At the same time as this publication, the school district shall publish the other information required by Minnesota Statutes, section 123B.10.

- E. At the public hearing on the adoption of the school district's proposed property tax levy, the school board shall review its current budget and the proposed property taxes payable in the following calendar year.
- F. The school district must also post the materials specified in Paragraph III.D. above in a conspicuous place on the school district's official website, including a link to the school district's school report card on the Minnesota Department of Education's website, and publish a summary of information and the address of the school district's website where the information can be found in a qualified newspaper of general circulation in the district.

IV. IMPLEMENTATION

- A. The school board places the responsibility for administering the adopted budget with the superintendent. The superintendent may delegate duties related thereto to other school officials, but the superintendent maintains the ultimate responsibility for this function.
- B. The program-oriented budgeting system will be supported by a program-oriented accounting structure organized and operated on a fund basis as provided for in Minnesota statutes through the Uniform Financial Accounting and Reporting Standards for Minnesota School Districts (UFARS).
- C. The superintendent or the superintendent's designee is authorized to make payments of claims or salaries authorized by the adopted or amended budget prior to school board approval.
- D. Supplies and capital equipment can be ordered prior to budget adoption only by authority of the school board. If additional personnel are provided in the proposed budget, actual hiring may not occur until the budget is adopted unless otherwise approved by the school board. Other funds to be expended in a subsequent school year may not be encumbered prior to budget adoption unless specifically approved by the school board.
- E. The school district shall make such reports to the Commissioner as required relating to initial allocations of revenue, reallocations of revenue, and expenditures of funds.

Legal References: Minn. Stat. § 123B.10 (Publication of Financial Information)
Minn. Stat. § 123B.76 (Expenditures; Reporting)
Minn. Stat. § 123B.77 (Accounting, Budgeting, and Reporting Requirements)

Cross References: MSBA/MASA Model Policy 701.1 (Modification of School District Budget)
MSBA/MASA Model Policy 702 (Accounting)

Policy Adopted: June 2004, November 2006

Revised September 2017, reviewed August 2020, revised September 2023, revised February 2025

Independent School District #110
Waconia, MN

1.B.709 Student Transportation Safety

Presenter: Pam
Carman, Director of
Finance and
Operations

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.]

The following edit was presented to Policy Committee Oct. 2025, at that time was approved to move to a first read, however MSBA added additional redlines so the policy is being presented to committee with both old and new MSBA edits.

~~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.~~

[NOTE: The 2025 Minnesota legislature repealed Minnesota Statutes, section 123B.935, subdivision 2, which set forth the language deleted above.]

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 [Paragraphs 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 [Paragraph 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 Subparagraph 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 Subparagraph 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 ~~Program Manual~~.
2. Only students assigned to the school bus by the school district shall be transported. The number of students or other authorized passengers transported in a school bus shall not be more than the legal capacity for the bus. No person shall be allowed to stand when the bus is in motion.

3. The parent/guardian may designate, pursuant to school district policy, a day care facility, respite care facility, the residence of a relative, or the residence of a person chosen by the parent or guardian as the address of the student for transportation purposes. The address must be in the attendance area of the assigned school and meet all other eligibility requirements.
4. Bus drivers must minimize, to the extent practical, the idling of school bus engines and exposure of children to diesel exhaust fumes.
5. To the extent practical, the school district will designate school bus loading/unloading zones at a sufficient distance from school air-intake systems to avoid diesel fumes from being drawn into the systems.

[Note: A school district is not required to comply with Subparagraph 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 ~~p~~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 Statutes, section 171.3215, subdivision 1(c), (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor) may not operate a type III vehicle.
 - i. A person who sustains a conviction, as defined under Minnesota 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 [Paragraph 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 Program Manual. This includes procedures in the event of a crash (accident).
- C. School bus drivers and bus assistants for special education students requiring special transportation service because of a disability ~~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 a disability ~~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, and Cannabis 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)

Resources: [Minnesota Department of Public Safety: School Bus Resources \(accessed 10/12/25\)](#)
[National Highway Traffic Safety Administration: Guideline for the Safe Transportation of Pre-School Age Children in School Buses \(Feb. 1999\) \(accessed 10/12/25\)](#)

Policy Adopted: April 2004, April 2007, November 2008
Revised: September 2020, September 2023, January 2025
Independent School District 110
Waconia, MN

1.C.721 Uniform Grant Guidance Policy Regarding
Federal Revenue Sources

Presenter: Pam
Carman, Director of
Finance and
Operations

721 **PROCUREMENT POLICY**
UNIFORM GRANT GUIDANCE POLICY REGARDING FEDERAL REVENUE SOURCES

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

I. PURPOSE

The purpose of this policy is to ensure compliance with the requirements of the federal Uniform Grant Guidance regulations by establishing uniform administrative requirements, cost principles, and audit requirements for federal grant awards received by the school district. **This policy also seeks to ensure compliance with Minnesota procurement laws governing school districts.**

II. DEFINITIONS

[NOTE: In October 2024, MSBA updated Article II to ensure that the definitions are presented in alphabetical order. School districts may choose whether to adopt this change.]

- A. “Compensation for personal services” includes all remuneration, paid currently or accrued, for services of employees rendered during the period of performance under the federal award, including, but not necessarily limited to, wages and salaries. Compensation for personal services may also include fringe benefits which are addressed in 2 Code of Federal Regulations section 200.431 (Compensation - Fringe Benefits).
- B. **“Competitive procurement process” means a process for procurement by sealed bids or by proposals under Minnesota Statutes, section 471.345.**
- C. “Contract” means a legal instrument by which **the school district a non-federal entity** purchases property or services needed to carry out the project or program under a federal award. The term, as used in 2 Code of Federal Regulations Part 200, does not include a legal instrument, even if the **school district a non-federal entity** considers it a contract, when the substance of the transaction meets the definition of a federal award or subaward.
- ED.** “Direct costs” are those costs that can be identified specifically with a particular final cost objective, such as a federal award, or other internally or externally funded

activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

DE. “Equipment” means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which exceeds the lesser of the capitalization level established by the school district ~~a non-federal entity~~ for financial statement purposes, or \$5,000.

EF. “Federal award” has the meaning, depending on the context, in either paragraph 1. or 2. below of this definition:

1. a. The federal financial assistance that ~~a non-federal entity~~ school district receives directly from a federal awarding agency or indirectly from a pass-through entity, as described in 2 Code of Federal Regulations section 200.101 (~~Applicability~~); or
- b. The cost-reimbursement contract under the federal Acquisition Regulations that the school district ~~a non-federal entity~~ receives directly from a federal awarding agency or indirectly from a pass-through entity, as described in 2 Code of Federal Regulations section 200.101 (~~Applicability~~).
2. The instrument setting forth the terms and conditions. The instrument is the grant agreement, cooperative agreement, other agreement for assistance covered in paragraph (2b) of the definition of Federal financial assistance in 2 Code of Federal Regulations ~~section 200.140 (Federal Financial Assistance)~~; or the cost-reimbursement contract awarded under the federal Acquisition Regulations.
3. “Federal award” does not include other contracts that a federal agency uses to buy goods or services from a contractor or a contract to operate federal-government-owned, contractor-operated facilities.

EG. “Grants” includes

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

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

GH. “Non-federal entity” means a state, local government, Indian tribe, institution of higher education, or nonprofit organization that carries out a federal award as a recipient or subrecipient.

HI. “Post-retirement health plans” refer to costs of health insurance or health services not included in a pension plan covered by 2 Code of Federal Regulations section 200.431(g) for retirees and their spouses, dependents, and survivors.

IJ. “Severance pay” is a payment in addition to regular salaries and wages by the non-federal entities school district to workers whose employment is being terminated.

~~Procurement Methods-[moved to III.]~~

~~1. “Procurement by micro purchase” is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro purchase threshold (generally \$10,000, except as otherwise discussed in 48 Code of Federal Regulations Subpart 2.1 or as periodically adjusted for inflation).~~

~~**[Note: Minnesota school districts may choose to increase their federal micro purchase threshold to \$25,000, which would align with the Minnesota limit. School districts choosing to adopt this increase must annually certify the higher threshold and the justification for using the higher threshold. Acceptable reasons for justification must meet one of the following criteria: (1) a qualification as a low-risk auditee, in accordance with the criteria established in 2 Code of Federal Regulations section 200.520; (2) an annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or (3) a higher threshold consistent with state law.]**~~

~~2. “Procurement by small purchase procedures” are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than \$175,000 (periodically adjusted for inflation).~~

~~— [NOTE: Despite the federal government’s increase in the dollar cap for small purchases, Minnesota law limits the cap to \$175,000.]~~

~~3. “Procurement by sealed bids (formal advertising)” is a publicly solicited and a firm, fixed-price contract (lump sum or unit price) awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price.~~

- ~~4. “Procurement by competitive proposals” is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. Competitive proposals are generally used when conditions are not appropriate for the use of sealed bids.~~
- ~~5. “Procurement by noncompetitive proposals” is procurement through solicitation of a proposal from only one source.~~

~~JK. “Travel costs” are the expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of the school district.~~

~~“Relocation costs” are costs incident to the permanent change of duty assignment (for an indefinite period or for a stated period not less than 12 months) of an existing employee or upon recruitment of a new employee.~~

~~K. “Severance pay” is a payment in addition to regular salaries and wages by the non-federal entities to workers whose employment is being terminated. [moved to J.]~~

~~L. “Travel costs” are the expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of the school district. [moved to K.]~~

III. Procurement Methods-PROCUREMENT METHOD OPTIONS

~~1A. “Procurement by micro-purchase”~~

~~is †The acquisition of supplies or services when, the aggregate dollar amount of the procurement transaction which does not exceed the micro-purchase threshold (generally \$10,000, except as otherwise discussed in 48 Code of Federal Regulations Subpart 2.1 or as periodically adjusted for inflation).~~

[Note: Minnesota school districts may choose to increase their federal micro-purchase threshold to \$25,000, which would align with the Minnesota limit. School districts choosing to adopt this increase must annually certify the higher threshold. The annual certification must include a-and-the justification, clear identification of the threshold, and supporting documentation of any of the following: for using the higher threshold. Acceptable reasons for justification must meet one of the following criteria: (1) a qualification as a low-risk auditee, in accordance with the criteria established in 2 Code of Federal

Regulations section 200.520 for the most recent audit; (2) an annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or (3) a higher threshold consistent with state law.]

2B. “Procurement by small purchase procedures”

This procurement method may be used when the value of the procurement transaction does not exceed the federal simplified acquisition threshold and is within the state threshold of \$175,000. are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than \$175,000 (periodically adjusted for inflation).

[NOTE: Despite the federal government’s increase in the dollar cap for small purchases to \$250,000, Minnesota Statutes, section 471.345 law limits the cap for small purchase procedures to \$175,000.]

3C. “Procurement by sealed bids (formal advertising)”

This procurement method involves is a publicly solicited and a firm, fixed-price contract (lump sum or unit price) awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price.

4D. “Procurement by competitive proposals”

This procurement method is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. Competitive proposals are generally used when conditions are not appropriate for the use of sealed bids.

5E. “Procurement by noncompetitive proposals”

This is procurement method involves through solicitation of a proposal from only one source.

[NOTE Article IV. on Conflict of Interest has been moved to Article XI. to create a seamless set of Articles regarding procurement.]

CONFLICT OF INTEREST

- ~~A. Employee Conflict of Interest. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate~~

~~family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The employees, officers, and agents of the school district may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, the school district may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by employees, officers, or agents of the school district.~~

~~B. Organizational Conflicts of Interest. The school district is unable or appears to be unable to be impartial in conducting a procurement action involving the related organization because of relationships with a parent company, affiliate, or subsidiary organization.~~

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

IV. ACCEPTABLE METHODS OF GENERAL PROCUREMENT STANDARDS

A. General Procurement Standards. The school district must use its own documented procurement procedures ~~which~~ that reflect applicable state laws, provided that the procurements conform to the applicable federal law and the standards identified in the Uniform Grant Guidance.

B. The school district must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

C. The school district's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach.

D. The school district must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

E. The school district must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement; selection of the contract type; contractor selection or rejection; and the basis for the contract price.

- F. The school district alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the school district of any contractual responsibilities under its contracts.
- G. The school district must take all necessary affirmative steps to assure that minority businesses, women’s business enterprises, veteran-owned businesses, and labor surplus area firms are considered.

H. Thresholds for Employee Purchases

The superintendent and/or (insert title(s) as appropriate), in conjunction with the school board, is responsible for overseeing the procurement process, including establishment of procedures, internal controls, quality assurance, methods of greatest economy, and compliance with all applicable laws. To be valid, all contracts must be approved by the board, except as otherwise provided in this policy.

Individual school district employees may incur expenditures in the following amounts without prior board approval so long as such expenditures are consistent with the school board-approved budget, provided that in all cases the school board retains authority to disapprove any expenditure for any reason at its sole discretion:

- 1. Any school district employee may make a purchase for use in connection with school district operations when the expenditure is less than \$1,000 and is consistent with this policy’s requirements.
- 2. In addition to the foregoing, the following school district employees may execute a purchase or procurement that requires the expenditure of up to the following amounts:
 - a. Superintendent: Up to (insert dollar amount)
 - b. (insert title): Up to (insert dollar amount)

[NOTE: The school board has the authority to determine whether to adopt Subparagraph H.2. In addition, the board may determine the employees to be included and the expenditure amounts to be authorized.]

V. PROCUREMENT METHODS WHEN USING STATE FUNDS

~~Methods of Procurement.~~ The school district must use one of the following methods of procurement when using state funds:

A. Procurements for \$25,000 or less

If the amount of the contract is estimated to be \$25,000 or less, the contract may be made either upon quotation or in the open market, in the school district's discretion. If the contract is made upon quotation it shall be based, so far as practicable, on at least two (2) quotations which shall be kept on file for a period of at least one (1) year after their receipt.

Alternatively, the school district may award a contract for construction, alteration, repair, or maintenance work to the vendor or contractor offering the best value under a request for proposals as described in Minnesota Statutes, section 16C.28, subdivision 1, paragraph (a), clause (2), and paragraph (c).

Procurements for \$25,000 or less also may be conducted by micro-purchase.

B. Procurements Exceeding \$25,000 but not \$175,000

1. Sealed Bids or Direct Negotiation

If the amount of the contract is estimated to exceed \$25,000 but not to exceed \$175,000, the contract may be made either upon sealed bids or by direct negotiation, by obtaining two (2) or more quotations for the purchase or sale when possible, and without advertising for bids or otherwise complying with the requirements of competitive bidding. All quotations obtained shall be kept on file for a period of at least one (1) year after receipt thereof.

2. Best Value Alternative

As an alternative to the procurement method described in Subparagraph B.1 above, the school district may award a contract for construction, alteration, repair, or maintenance work to the vendor or contractor offering the best value under a request for proposals as described in Minnesota Statutes, section 16C.28, subdivision 1, paragraph (a), clause (2), and paragraph (c).

C. Procurements Exceeding \$175,000

If the amount of the contract is estimated to exceed \$175,000, sealed bids shall be solicited by public notice in the manner and subject to the requirements of the law governing school district contracts.

Procurement by Sealed Bids

Procurement by sealed bids means a process in which bids are publicly solicited and a firm fixed price contract by lump sum or unit price is awarded to the responsible bidder whose bid, conforming with all material terms and conditions of the invitation for bids, is the lowest in price. If sealed bids are used, the following

requirements apply:

1. bids must be solicited from an adequate number of qualified sources, providing bidders sufficient response time prior to the date set for opening bids;
2. the invitation for bids, which includes any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
3. all bids will be opened at the time and place prescribed in the invitation for bids, and the bids must be opened publicly;
4. a firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that the discounts are usually taken advantage of;
5. any or all bids may be rejected if there is a sound document reason; and
6. in order for a sealed bid to be feasible, the following conditions must be present:
 - a. a complete, adequate, and realistic specification or purchase description is available;
 - b. two (2) or more responsible bidders are willing and able to compete effectively for the business; and
 - c. the procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the price.

D. Procurement by Proposals

“Procurement by proposals” means a process in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids. They are awarded in accordance with the following requirements:

1. requests for proposals must be publicized and identify all evaluation factors and their relative importance. Proposals must be solicited from an adequate number of qualified offerors. Any response to publicized requests for proposals must be considered to the maximum extent practical;

2. the school district must have a written method for conducting technical evaluations of the proposals received and for making selections; and
3. contracts must be awarded to the responsible offeror whose proposal is most advantageous to the school district, with price and other factors considered.

VI. PROCUREMENT METHODS WHEN USING FEDERAL FUNDS

A. Procurement by Competitive Proposals

This is a procurement method used when conditions are not appropriate for using sealed bids. This procurement method may result in either a fixed-price or cost-reimbursement contract.

- ~~1. Procurement by micro-purchases. To the extent practicable, the school district must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the school district considers the price to be reasonable.~~
- ~~2. Procurement by small purchase procedures. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.~~
- ~~3. Procurement by sealed bids (formal advertising).~~
- ~~4. Procurement by competitive proposals. If this method is used, the following requirements apply:~~
 - ~~a1. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical. Requests for proposals require public notice, and all evaluation factors and their relative importance must be identified. Proposals must be solicited from multiple qualified entities. To the maximum extent practicable, any proposals submitted in response to the public notice must be considered;~~
 - ~~b2. Proposals must be solicited from an adequate number of qualified sources;~~
 - ~~c3. The school district must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;~~
 - ~~d4. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and~~

- e5. The school district may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method where price is not used as a selection factor can only be used in procurement of A/E professional services; it cannot be used to purchase other types of services, though A/E firms are a potential source to perform the proposed effort.

5B. Procurement by ~~n~~Noncompetitive ~~p~~Proposals:

Procurement by noncompetitive proposals may be used only when one or more of the following circumstances apply:

- 1a. ~~The aggregate amount of the procurement transaction does not exceed the micro-purchase threshold; The item is available only from a single source;~~
- 2b. The item is available only from a single source;
- 3e. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- 4d. The DOE or MDE expressly authorizes noncompetitive proposals in response to a written request from the school district; or
- 5e. After solicitation of a number of sources, competition is determined inadequate.

IC. Competition:

- 1. ~~All procurement transactions under the Federal award must be conducted in a manner that provides full and open competition and is consistent with the standards of 2 Code of Federal Regulations, sections 200.319 and .320.~~
- 2. The school district must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

- a. are made in accordance with 2 Code of Federal Regulations, section 200.319(b);
- 1b. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When making a clear and accurate description of the technical requirements is impractical or uneconomical, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and
- 2c. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.
- JD. The school district must ensure that all prequalified lists of persons, firms, or products ~~which are~~ used in acquiring goods and services procurement transactions are current and include enough qualified sources to ensure maximum open ~~and free~~ competition. When establishing or amending prequalified lists, the school district must consider objective factors that evaluate price and cost to maximize competition. Also, †The school district must not preclude potential bidders from qualifying during the solicitation period.
- KE. ~~Non-federal entities are~~ The school district is prohibited from contracting with or making subawards under “covered transactions” to parties that are suspended or debarred or whose principals are suspended or debarred. “Covered transactions” include procurement contracts for goods and services awarded under a grant or cooperative agreement that are expected to equal or exceed \$25,000.
- LF. All nonprocurement transactions entered into by a recipient (i.e., subawards to subrecipients), irrespective of award amount, are considered

covered transactions, unless they are exempt as provided in 2 Code of Federal Regulations, section 180.215.

G. Managing Property and Equipment and Safeguarding Assets

~~V. MANAGING EQUIPMENT AND SAFEGUARDING ASSETS~~

~~A.~~ 1. Property Standards:

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

The school district must adhere to the requirements concerning real property, equipment, supplies, and intangible property set forth in 2 Code of Federal Regulations sections 200.311, 200.314, and 200.315.

~~B.~~ 2. Managing Equipment

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

~~1a.~~ Property records must be maintained that include a description of the property; a serial number or other identification number; the source of the funding for the property (including the federal award identification number (FAIN)); who holds title; the acquisition date; the cost of the property; the percentage of the federal participation in the project costs for the federal award under which the property was acquired; the location, use, and condition of the property; and any ultimate disposition data, including the date of disposition and sale price of the property.

~~2b.~~ A physical inventory of the property must be taken and the results reconciled with the property records at least once every two (2) years.

- 3c. A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated.
- 4d. Adequate maintenance procedures must be developed to keep property in good condition.
- 5e. If the school district is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

6H. Cybersecurity

The school district must take reasonable cybersecurity and other measures to safeguard

1. Personally identifiable information;
2. Information that the federal agency or pass-through entity designates as sensitive; and
3. Other information that the school district considers sensitive and is consistent with applicable Federal, State, local, and tribal laws regarding privacy and responsibility over confidentiality.

[NOTE: See 2 Code of Federal Regulations 200.303, which establishes internal controls that the school district must implement.]

VII. FINANCIAL MANAGEMENT REQUIREMENTS

A. Financial Management.

The school district's financial management systems, including records documenting compliance with federal statutes, regulations, and the terms and conditions of the federal award, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and ~~the tracking of funds to a level of~~ expenditures adequate to establish that ~~such~~ funds have been used ~~according to the~~ in accordance with federal statutes, regulations, and the terms and conditions of the federal award.

B. Payment:

The school district must be paid in advance, provided it maintains or demonstrates

the willingness to maintain both written procedures that minimize the time elapsing between the transfer of funds and disbursement between the school district and the financial management systems that meet the standards for fund control and accountability.

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

C. Internal Controls-

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

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

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

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

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

VIII. ALLOWABLE USE OF FUNDS AND COST PRINCIPLES

A. Allowable Use of Funds. The school district administration and board will enforce appropriate procedures and penalties for program, compliance, and accounting staff responsible for the allocation of federal grant costs based on their allowability and their conformity with federal cost principles to determine the allowability of costs.

B. Definitions

1. “Advance payment” means a payment that a federal awarding agency or passthrough entity makes by any appropriate payment mechanism, including a predetermined payment schedule, before and payment method before the school district non-federal entity disburses the funds for program purposes.

~~“Allowable cost” means a cost that complies with all legal requirements that apply to a particular federal education program, including statutes, regulations, guidance, applications, and approved grant awards.~~

2. “Allowable cost” means a cost that complies with all legal requirements that apply to a particular federal education program, including statutes, regulations, guidance, applications, and approved grant awards.

~~“Education Department General Administrative Regulations (EDGAR)” means a compilation of regulations that apply to federal education programs. These regulations contain important rules governing the administration of federal education programs and include rules affecting the allowable use of federal funds (including rules regarding allowable costs, the period of availability of federal awards, documentation requirements, and grants management requirements). EDGAR can be accessed at: <http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.html>.~~

3. “Education Department General Administrative Regulations (EDGAR)” means a compilation of regulations that apply to federal education programs. These regulations contain important rules governing the administration of federal education programs and include rules affecting the allowable use of federal funds (including rules regarding allowable costs, the period of availability of federal awards, documentation requirements, and grants management requirements). EDGAR can be accessed at: <http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.html>.

~~“Omni Circular” or “2 Code of Federal Regulations, Part 200s” or “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” means federal cost principles that provide standards for determining whether costs may be charged to federal grants.~~

4. “Omni Circular” or “(also known as 2 Code of Federal Regulations, Part 200s” or “Uniform Administrative Requirements, Cost Principles, and

Audit Requirements for Federal Awards,” or the Uniform Grant Guidance) means federal cost principles that provide standards for determining whether costs may be charged to federal grants.

“Advance payment” means a payment that a federal awarding agency or passthrough entity makes by any appropriate payment mechanism, including a predetermined payment schedule, before the non-federal entity disburses the funds for program purposes.

C. Allowable Costs:

The following items are costs that may be allowable under the 2 Code of Federal Regulations, Part 200, subpart Es under specific conditions (review the specific part of 2 Code of Federal Regulations 200, subpart E for allowability requirements for the specific cost):

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

property;

15. ~~Security costs~~ Maintenance, and repair costs;
16. ~~Professional service costs~~ Materials and supplies costs, including costs of computing devices;
17. ~~Proposal costs~~ Memberships, subscriptions, and professional activity costs;
18. ~~Publication and printing costs~~ Organization costs;
19. ~~Rearrangement and alteration costs~~ Participant costs;
20. ~~Rental costs of building and equipment~~ Plant and security costs;
21. ~~Training costs; and~~ Pre-award costs;
22. ~~Travel costs.~~ Professional service costs;
23. Proposal costs;
24. Publication and printing costs;
25. Rearrangement and reconversion costs;
26. Recruiting costs;
27. Relocation costs of employees;
28. Rental costs of buildings and equipment;
29. Scholarships, student aid costs, and tuition remission;
30. Specialized service facilities;
31. Taxes;
32. Telecommunication and video surveillance costs;
33. Termination and standard closeout costs;
34. Training and education costs;
35. Transportation costs;
36. Travel costs.

D. Costs Forbidden by Federal Law:

2 Code of Federal Regulations, Part 200s and EDGAR identify certain costs that may never be paid with federal funds. The following list below provides examples

of such costs. If a cost is on this list, it may not be supported with federal funds unless an exception exists (review the specific part of 2 Code of Federal Regulations 200, subpart E for possible exceptions to unallowable costs). The fact that a cost is not on this list does not mean it is necessarily permissible. Other important restrictions apply to federal funds, such as those items detailed in the 2 Code of Federal Regulations, Part 200s, subpart E; thus, the following list is not exhaustive:

1. ~~Advertising and public relations costs (with limited exceptions), including promotional items and memorabilia, models, gifts, and souvenirs~~ Alcoholic beverages;
2. ~~Alcoholic beverages~~ Bad debts;
3. ~~Bad debts~~ Contingency provisions (with limited exceptions);
4. ~~Contingency provisions (with limited exceptions)~~ Contributions and donations;
5. ~~Fundraising and investment management costs (with limited exceptions)~~ Entertainment (with limited exception);
6. ~~Donations~~ Fines, penalties, damages, and other settlements;
7. ~~Contributions~~ Fundraising and investment management costs (with limited exceptions);
8. ~~Entertainment (amusement, diversion, and social activities and any associated costs)~~ General costs of government expenses (with limited exceptions pertaining to Indian tribal governments and Councils of Government (COGs));
9. ~~Fines and penalties~~ Goods or services for personal use;
10. ~~General government expenses (with limited exceptions pertaining to Indian tribal governments and Councils of Government (COGs))~~ Interest (except interest specifically stated in 2 Code of Federal Regulations, section 200.449 as allowable);
11. ~~Goods or services for personal use~~ Lobbying;
12. ~~Interest, except interest specifically stated in 2 Code of Federal Regulations section 200.441 as allowable~~ Losses on other Federal awards or contracts;
13. ~~Religious use~~ Selling and marketing;
14. ~~The acquisition of real property (unless specifically permitted by~~

~~programmatic statute or regulations, which is very rare in federal education programs) Student activity costs;~~

- ~~15. Construction (unless specifically permitted by programmatic statute or regulations, which is very rare in federal education programs); and Religious use;~~
- ~~16. Tuition charged or fees collected from students applied toward meeting matching, cost sharing, or maintenance of effort requirements of a program. The acquisition of real property (unless specifically permitted by programmatic statute or regulations, which is very rare in federal education programs);~~
- ~~17. Construction (unless specifically permitted by programmatic statute or regulations, which is very rare in federal education programs); and~~
- ~~18. Tuition charged or fees collected from students applied toward meeting matching, cost sharing, or maintenance of effort requirements of the program.~~

E. Program Allowability

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

F. Federal Cost Principles

~~1.~~ The Omni Circular defines the parameters for the permissible uses of federal funds. While many requirements are contained in the Omni Circular, it includes ~~five~~ core principles that serve as an important guide for effective grant management. These core principles require all costs to be:

- ~~a1.~~ Necessary for the proper and efficient performance or administration of the program.

- b2. Reasonable. An outside observer should clearly understand why a decision to spend money on a specific cost made sense in light of the cost, needs, and requirements of the program.
- e3. Allocable to the federal program that paid for the cost. A program must benefit in proportion to the amount charged to the federal program – for example, if a teacher is paid 50% with Title I funds, the teacher must work with the Title I program/students at least 50% of the time. Recipients also need to be able to track items or services purchased with federal funds so they can prove they were used for federal program purposes.
- d4. Authorized under state and local rules. All actions carried out with federal funds must be authorized and not prohibited by state and local laws and policies.
- e5. Adequately documented. A recipient must maintain proper documentation so as to provide evidence to monitors, auditors, or other oversight entities of how the funds were spent over the lifecycle of the grant.

G. Program Specific Fiscal Rules

The Omni Circular also contains specific rules on selected items of costs. Costs must comply with these rules in order to be paid with federal funds.

1. All federal education programs have certain program specific fiscal rules that apply. Determining which rules apply depends on the program; however, rules such as supplement, not supplant, maintenance of effort, comparability, caps on certain uses of funds, etc., have an important impact when analyzing whether a particular cost is permissible.
2. Many state-administered programs require school districts local education agencies (LEAs) to use federal program funds to supplement the amount of state, local, and, in some cases, other federal funds they spend on education costs and not to supplant (or replace) those funds. Generally, the “supplement, not supplant” provision means that federal funds must be used to supplement the level of funds from non-federal sources by providing additional services, staff, programs, or materials. In other words, federal funds normally cannot be used to pay for things that would otherwise be paid for with state or local funds (and, in some cases, with other federal funds).
3. Auditors generally presume supplanting has occurred in three (3) situations:

- a. School district uses federal funds to provide services that the school district is required to make available under other federal, state, or local laws.
 - b. School district uses federal funds to provide services that the school district provided with state or local funds in the prior year.
 - c. School district uses Title I, Part A, or Migrant Education Program funds to provide the same services to Title I or Migrant students that the school district provides with state or local funds to nonparticipating students.
4. These presumptions apply differently in different federal programs and also in schoolwide program schools. Staff should be familiar with the supplement not supplant provisions applicable to their program.

H. Approved Plans, Budgets, and Special Conditions

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

I. Training

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

J. Employee Sanctions:

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

K. Reduction in Aid

If the school district makes a purchase without a procurement policy adopted by the school board or makes a purchase not in conformity with the school district's procurement policy, the Commissioner may reduce that school district's state aid in an amount equal to the purchase.

L. Property, Financial Investments, and Contracting

The school district is subject to and must comply with Minnesota Statutes, sections 15.054 and 118A.01 to 118A.06 governing government property and financial investments and sections 471.38, 471.391, 471.392, and 471.425 governing municipal contracting.

M. Mandatory Disclosures

The school district must promptly disclose whenever, in connection with the Federal award (including any activities or subawards thereunder), it has credible evidence of the commission of a violation of Federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in 18 United States Code or a violation of the civil False Claims Act (31 United States Code, sections 3729-3733).

The disclosure must be made in writing to the ~~DOE Federal agency, MDE, and the agency's MDE~~ Office of Inspector General, ~~and Pass-through entity~~ (if applicable). School districts are also required to report matters related to ~~recipient school district~~ integrity and performance in accordance with Appendix XII 2 Code of Federal Regulations, part 200. of this part. Failure to make required disclosures can result in any of the remedies described in 2 Code of Federal Regulations, section 200.339.

VHIX. COMPENSATION – PERSONAL SERVICES EXPENSES AND REPORTING

A. Compensation – Personal Services

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

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

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

B. Compensation – Fringe Benefits

1. During leave:

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

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

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

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

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

5. Post-retirement costs may be computed using a pay-as-you-go method or an acceptable actuarial cost method in accordance with established school district written policies ~~of the school district~~.
 6. Costs of severance pay are allowable only to the extent that, in each case, severance pay is required by law; employer-employee agreement; established policy that constitutes, in effect, an implied agreement on the school district's part; or circumstances of the particular employment.
- C. Insurance and Indemnification. Types and extent and cost of coverage are in accordance with the school district's policy and sound business practice.
- D. Recruiting Costs. Short-term, travel visa costs (as opposed to longer-term, immigration visas) may be directly charged to a federal award, so long as they are:
1. Critical and necessary for the conduct of the project;
 2. Allowable under the cost principles set forth in the Uniform Grant Guidance;
 3. Consistent with the school district's cost accounting practices and school district policy; and
 4. Meeting the definition of "direct cost" in the applicable cost principles of the Uniform Grant Guidance.
- ~~E. Relocation Costs of Employees. Relocation costs are allowable, subject to the limitations described below, provided that reimbursement to the employee is in accordance with the school district's reimbursement policy.~~
- ~~FE. Travel Costs.~~

Under 2 Code of Federal Regulations, section 200.475, travel costs include the transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of the school district.

Travel costs may be charged on an actual cost basis, on a per diem or mileage basis ~~in lieu of actual costs incurred~~, or on a combination of the two, provided the method used is applied to an entire trip and not to selected days of the trip, ~~and results in charges~~ The method used must be consistent with those normally allowed in like circumstances in the school district's ~~non-federally funded other~~ activities and in accordance with the school district's ~~reimbursement~~ established written policies.

Costs incurred by employees and officers for travel, including costs of lodging, other subsistence, and incidental expenses, must be considered reasonable and

otherwise allowable only to the extent such costs do not exceed charges normally allowed by the school district in its regular operations as a result of according to the school district's written policy reimbursement and/or travel policies.

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

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

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

1. A direct result of the individual's travel for the federal award;
2. Consistent with the school district's ~~documented travel~~ established written policy for all school district travel; and
3. Only temporary during the travel period.

[Note: Noncompliance. If a school district fails to comply with federal statutes, regulations, or the terms and conditions of a federal award, the DOE or MDE may impose additional conditions, as described in 2 Code of Federal Regulations section 200.20~~8~~7 (Specific Conditions).

If the DOE or MDE determines that noncompliance cannot be remedied by imposing additional specific conditions, the DOE or MDE may take one or more of the following actions, as appropriate under the circumstances: (1) Temporarily withhold ~~each~~ payments until the school district takes corrective action; pending correction of the deficiency by the school district or more severe enforcement action by the DOE or MDE; (2) Disallow (that is, deny both use of funds and any applicable matching credit for) ~~all or part of the costs for all or part of the activity associated with the noncompliance or action not in compliance;~~ (3) Wholly or partly suspend or terminate the federal award; (4) Initiate suspension or debarment proceedings as authorized under 2 Code of Federal Regulations Part 180 and DOE regulations (or, in the case of MDE, recommend such a proceeding be initiated by the DOE); (5) Withhold further federal awards (new awards or continuation funding) for the project or program; and/or (6) Take other remedies that may be legally available.]

X. SUBRECIPIENT MONITORING

[NOTE: MDE auditors have stated that subrecipient monitoring must be covered in policy.]

A. The school district will:

1. Verivy that the subrecipient is not excluded or disqualified in accordance with 2 Code of Federal Regulations, section 180.300. Verification methods are provided in section 180.300, which include confirming in SAM.gov that a potential subrecipient is not suspended, debarred, or otherwise excluded from receiving federal funds.

2. Ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the information provided below. A pass-through entity must provide the best available information when some of the information below is unavailable. A pass-through entity must provide the unavailable information when it is obtained.

a. Required information includes:

(1) Federal award identification

i. Subrecipient's name (must matc the name associated with its unique entity identifier);

ii. Subrecipient's unique entity identifier;

iii. Federal Award Identification Number (FAIN);

iv. Federal Award Date;

v. Subaward Period of Performance Start and End Date;

vii. Amount of Federal Funds Obligated in the subaward;

viii. Total Amount of Federal Funds Obligated to the subrecipient by the pass-through entity, including the current financial obligation;

ix. Total Amount of the Federal Award committed to the subrecipient by the pass-through entity;

x. Federal award project description, as required by the Federal Funding Accountability and Transparency Act (FFATA);

xi. Name of the Federal agency, pass-through entity, and contact information for awarding official of the

pass-through entity;

xii. Assistance Listings title and number; the pass-through entity must identify the dollar amount made available under each Federal award and the Assistance Listings Number at the time of disbursement;

xiii. Identification of whether the federal award is for research and development; and

xiv. Indirect cost rate for the federal award (including if the de minimis rate is used in accordance with 2 Code of Federal Regulations, section 200.414).

(2) All requirements of the subaward, including requirements imposed by Federal statutes, regulations, and the terms and conditions of the Federal award;

(3) Any additional requirements that the pass-through entity imposes on the subrecipient for the pass-through entity to meet its responsibilities under the Federal award. This includes information and certifications (see 2 Code of Federal Regulations, section 200.415) required for submitting financial and performance reports that the pass-through entity must provide to the federal agency;

(4) Indirect cost rate;

(5) A requirement that the subrecipient permit the pass-through entity and auditors to access the subrecipient's records and financial statements for the pass-through entity to fulfill its monitoring requirements; and

(6) Appropriate terms and conditions concerning the closeout of the subaward.

3. Evaluate each subrecipient's fraud risk and risk and risk of noncompliance with a subaward to determine the appropriate subrecipient monitoring described in 2 Code of Federal Regulations, section 200.332, paragraph (f). When evaluating a subrecipient's risk, a pass-through entity should consider the following:

a. The subrecipient's prior experience with the same or similar subawards;

b. The results of previous audits. This includes considering whether

- or not the subrecipient receives a Single Audit in accordance with 2 Code of Federal Regulations, part 200, subpart F and the extent to which the same or similar subawards have been audited as a major program;
- c. Whether the subrecipient has new personnel or new or substantially changed systems; and
 - d. The extent and results of any federal agency monitoring (for example, if the subrecipient also receives federal awards directly from the federal agency).
4. If appropriate, consider implementing specific conditions in a subaward as described in 2 Code of Federal Regulations, section 200.208 and notify the Federal agency of the specific conditions.
5. Monitor the activities of a subrecipient as necessary to ensure that the subrecipient complies with Federal statutes, regulations, and the terms and conditions of the subaward. The pass-through entity is responsible for monitoring the overall performance of a subrecipient to ensure that the goals and objectives of the subaward are achieved. In monitoring a subrecipient, a pass-through entity must:
- a. Review financial and performance reports.
 - b. Ensure that the subrecipient takes corrective action on all significant developments that negatively affect the subaward. Significant developments include Single Audit findings related to the subaward, other audit findings, site visits, and written notifications from a subrecipient of adverse conditions which will impact their ability to meet the milestones or the objectives of a subaward, a subrecipient must provide the pass-through entity with information on their plan for corrective action and any assistance needed to resolve the situation.
 - c. Issue a management decision for audit findings pertaining only to the Federal award provided to the subrecipient from the pass-through entity as require by 2 Code of Federal Regulations, section 200.521.
 - d. Resolve audit findings specifically related to the subaward. However, the pass-through entity is not responsible for resolving cross-cutting audit findings that apply to the subaward and other Federal awards or subawards. If a subrecipient has a current Single Audit report and has not been excluded from receiving Federal funding (meaning, has not been debarred or suspended), the pass-through entity may rely on the subrecipient's cognizant agency for

audit or oversight agency for audit to perform audit follow-up and make management decisions related to cross-cutting audit findings in accordance with 2 Code of Federal Regulations, section 200.513(a)(4)(viii). Such reliance does not eliminate the responsibility of the pass-through entity to issue subawards that conform to agency and award-specific requirements, to manage risk through ongoing subaward monitoring, and to monitor the status of the findings that are specifically related to the subaward.

6. Depending upon the pass-through entity's assessment of the risk posed by the subrecipient (as described in 2 Code of Federal Regulations, section 200.332, paragraph (c)), the following monitoring tools may be useful for the pass-through entity to ensure proper accountability and compliance with program requirements and achievement of performance goals:
 - a. Providing subrecipients with training and technical assistance on program-related matters;
 - b. Performing site visits to review the subrecipient's program operations; and
 - c. Arranging for agreed-upon-procedures engagements as described in 2 Code of Federal Regulations, section 200.425.
7. Verify that a subrecipient is audited as required by 2 Code of Federal Regulations, part 200, subpart F.
8. Consider whether the results of a subrecipient's audit, site visits, or other monitoring necessitate adjustments to the pass-through entity's records.
9. Consider taking enforcement action against noncompliant subrecipients as described in 2 Code of Federal Regulations, section 200.339 and in program regulations.

XI. CONFLICT OF INTEREST

A. ~~Employee Conflict of Interest.~~ Standards of Conduct

The school district will maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

- AB. No employee, officer, ~~or~~ agent, or board member may participate in the selection, award, or administration of a contract supported by a federal award if he or she

has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, ~~or agent,~~ or board member, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The employees, officers, ~~and agents,~~ and board members of the school district may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, the school district may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by employees, officers, ~~or agents,~~ or board members of the school district. Disciplinary actions may be undertaken pursuant to the school district's Discipline, Suspension, and Dismissal of School Employees policy.

[Note: The Minnesota Department of Education confirmed that the “written standards of conduct” required under 2 Code of Federal Regulations, section 200.318(c)(1) may appear in this policy, another policy and/or in an employee handbook. School boards may decide whether to adopt this section or address written standards of conduct elsewhere.]

BC. Organizational Conflicts of Interest:

If the school district has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the school district must maintain written standards concerning organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, Tthe school district is unable or appears to be unable to be impartial in conducting a procurement action involving the related organization. ~~because of relationships with a parent company, affiliate, or subsidiary organization.~~

CD. Disclosing Conflicts of Interest:

The school district ~~must~~ will disclose in writing any potential conflict of interest to MDE in accordance with ~~applicable established~~ federal awarding agency policy.

Legal References: Minn. Stat. § 15.054 (Sale or Purchase of State Property; Penalty)
Minn. Stat. § 16C.28 (Contracts; Awards)
Minn. Stat. § 118A.01-.06 (Deposit and Investment of Local Public Funds)
Minn. Stat. § 123B.52 (Contracts)
Minn. Stat. § 471.345 (Uniform Municipal Contracting Law)
Minn. Stat. § 471.38 (Claims)

[Minn. Stat. § 471.391 \(Declaration Form\)](#)
[Minn. Stat. § 471.392 \(Penalty\)](#)
[Minn. Stat. § 471.425 \(Prompt Payment of Local Government Bills\)](#)
[18 U.S.C. \(Crimes and Criminal Procedures\)](#)
[31 U.S.C. §§ 3729-3733 \(False Claims\)](#)
[2 C.F.R. § 180.215 \(Which Nonprocurement Transactions are Not Covered Transactions\)](#)
[2 C.F.R. § 180.300 \(What Must I Do before I Enter Into a Covered Transaction with Another Person at the Next Lower Tier?\)](#)
[2 C.F.R. § 200 Subpart E \(Cost Principles\)](#)
[2 C.F.R. § 200 Subpart F \(Audit Requirements\)](#)
[2 C.F.R. § 200.1 \(Definitions; ~~Capital Assets~~\)](#)
[2 C.F.R. § 200.101 \(Applicability\)](#)
[2 C.F.R. § 200.112 \(Conflict of Interest\)](#)
[2 C.F.R. § 200.113 \(Mandatory Disclosures\)](#)
[2 C.F.R. § 200.205 \(d\) \(Federal Awarding Agency Review of Merit of Proposals\)](#)
[2 C.F.R. § 200.208 \(Specific Conditions\)](#)
[2 C.F.R. § 200.214 \(Suspension and Debarment\)](#)
[2 C.F.R. § 200.300\(b\) \(Statutory and National Policy Requirements\)](#)
[2 C.F.R. § 200.302 \(Financial Management\)](#)
[2 C.F.R. § 200.303 \(Internal Controls\)](#)
[2 C.F.R. § 200.305\(b\)\(1\) \(Federal Payment\)](#)
[2 C.F.R. § 200.310 \(Insurance Coverage\)](#)
[2 C.F.R. § 200.311 \(Real Property\)](#)
[2 C.F.R. § 200.312 \(Federally-owned and Exempt Property\)](#)
[2 C.F.R. § 200.313\(d\) \(Equipment\)](#)
[2 C.F.R. § 200.314 \(Supplies\)](#)
[2 C.F.R. § 200.315 \(Intangible Property\)](#)
[2 C.F.R. § 200.318 \(General Procurement Standards\)](#)
[2 C.F.R. § 200.319\(e\) \(Competition\)](#)
[2 C.F.R. § 200.320 \(Methods of Procurement to be Followed\)](#)
[2 C.F.R. § 200.321 \(Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms\)](#)
[2 C.F.R. § 200.328 \(Financial Reporting\)](#)
[2 C.F.R. § 200.332 \(Requirements for Pass-Through Entities\)](#)
[2 C.F.R. § 200.339 \(Remedies for Noncompliance\)](#)
[2 C.F.R. § 200.403\(c\) \(Factors Affecting Allowability of Costs\)](#)
[2 C.F.R. § 200.413 \(Direct Costs\)](#)
[2 C.F.R. § 200.414 \(Indirect Costs\)](#)
[2 C.F.R. § 200.415 \(Required Certifications\)](#)
[2 C.F.R. § 200.425 \(Audit Services\)](#)
[2 C.F.R. § 200.430 \(Compensation – Personal Services\)](#)
[2 C.F.R. § 200.431 \(Compensation – Fringe Benefits\)](#)
[2 C.F.R. § 200.447 \(Insurance and Indemnification\)](#)
[2 C.F.R. § 200.463 \(Recruiting Costs\)](#)
[2 C.F.R. § 200.464 \(Relocation Costs of Employees\)](#)

2 C.F.R. § 200.474 (Transportation Costs)
2 C.F.R. § 200.475 (Travel Costs)
[2 C.F.R. § 200.513 \(Responsibilities\)](#)
[2 C.F.R. § 200.521 \(Management Decisions\)](#)
[45 C.F.R. § 75.2 \(Definitions\)](#)
[45 C.F.R. § 75.317 \(Insurance Coverage\)](#)
[45 C.F.R. § 75.320 \(Equipment\)](#)
[48 C.F.R. § Subpart 2.1 \(Definitions\)](#)

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

Resources: [Minnesota Department of Education \(MDE\): Procurement Handbook \[January 8, 2025\] \(accessed 01/07/26\)](#)
[MDE: Competitive Proposal Method \[April 2020\] \(accessed 01/07/26\)](#)
[Office of Management and Budget: OMB Guidance for Federal Financial Assistance \(Uniform Guidance\) \(accessed 01/09/26\)](#)
[U.S. DOE: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards \(accessed 01/09/26\)](#)

Policy Adopted: September 2017
Revised: August 2020, January 2024, February 2025

Independent School District No. 110

Waconia, MN

1.D. 807 Health and Safety Policy

Presenter: Pam
Carman, Director of
Finance and
Operations

807 HEALTH AND SAFETY POLICY

[Note: ~~To receive health and safety revenue for any fiscal year, school districts must submit an application to the Minnesota Commissioner of Education, along with a health and safety budget adopted and confirmed by the school board as being consistent with the school district's health and safety policy. This policy has been approved by the Minnesota Department of Education.~~

~~The subdivisions of Minnesota Statutes Section 123B.57 that relate to a school district's ability to apply for health and safety revenue have been repealed effective fiscal year 2017. The provisions of this policy substantially reflect statutory requirements.]~~

I. PURPOSE

The purpose of this policy is to assist the school district in promoting health and safety, reducing injuries, and complying with federal, state, and local health and safety laws and regulations.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to implement a health and safety program that includes plans and procedures to protect employees, students, volunteers, and members of the general public who enter school district buildings and grounds. The objective of the health and safety program will be to provide a safe and healthy learning environment; to increase safety awareness; to help prevent accidents, illnesses, and injuries; to reduce liability; to assign duties and responsibilities to school district staff to implement and maintain the health and safety program; to establish written procedures for the identification and management of hazards or potential hazards; to train school district staff on safe work practices; and to comply with all health and safety, environmental, and occupational health laws, rules, and regulations.
- B. All school district employees have a responsibility for maintaining a safe and healthy environment within the school district and are expected to be involved in the health and safety program to the extent practicable. For the purpose of implementing this policy, the school district may form a health and safety advisory committee to be appointed by the superintendent. The health and safety advisory committee will be composed of employees and other individuals with specific knowledge of related issues. The advisory committee will provide recommendations to the administration regarding plans and procedures to implement this policy and to establish procedures for identifying, analyzing, and controlling hazards, minimizing risks, and training school district staff on safe work practices. The committee will also recommend procedures for investigating accidents and enforcement of workplace safety rules. Each recommendation shall include estimates of annual costs of implementing and maintaining that proposed recommendation. The superintendent may request that the safety committee established under Minnesota Statutes section 182.676 carry out all or part of the

duties of the advisory committee or the advisory committee may consider recommendations from a separate safety committee established under Minnesota Statutes section 182.676.

III. PROCEDURES

- A. Based upon recommendations from the health and safety advisory committee and subject to the budget adopted by the school board to implement or maintain these recommendations, the administration will adopt and implement written plans and procedures for identification and management of hazards or potential hazards existing within the school district in accordance with federal, state, and local laws, rules, and regulations. Written plans and procedures will be maintained, updated, and reviewed by the school board on an annual basis and shall be an addendum to this policy. The administration shall identify in writing a contact person to oversee compliance with each specific plan or procedure.
- B. To the extent that federal, state, and local laws, rules, and regulations do not exist for identification and management of hazards or potential hazards, the health and safety advisory committee shall evaluate other available resources and generally accepted best practice recommendations. Best practices are techniques or actions which, through experience or research, have consistently proven to lead to specific positive outcomes.
- C. The school district shall monitor and make good faith efforts to comply with any new or amended laws, rules, or regulations to control potential hazards.

IV. PROGRAM AND PLANS

- A. For the purpose of implementing this policy, the administration will, within the budgetary limitations adopted by the school board, implement a health and safety program that includes specific plan requirements in various areas as identified by the health and safety advisory committee. Areas that may be considered include, but are not limited to, the following:
 - 1. Asbestos
 - 2. Fire and Life Safety
 - 3. Employee Right to Know
 - 4. Emergency Action Planning
 - 5. Combustible and Hazardous Materials Storage
 - 6. Indoor Air Quality
 - 7. Mechanical Ventilation
 - 8. Mold Cleanup and Abatement
 - 9. Accident and Injury Reduction Program: Model AWAIR Program for Minnesota Schools
 - 10. Infectious Waste/Bloodborne Pathogens
 - 11. Community Right to Know
 - 12. Compressed Gas Safety
 - 13. Confined Space Standard

14. Electrical Safety
15. First Aid/CPR/AED
16. Food Safety Inspection
17. Forklift Safety
18. Hazardous Waste
19. Hearing Conservation
20. Hoist/Lift/Elevator Safety
21. Integrated Pest Management
22. Laboratory Safety Standard/Chemical Hygiene Plan
23. Lead
24. Control of Hazardous Energy Sources (Lockout/Tagout)
25. Machine Guarding
26. Safety Committee
27. Personal Protection Equipment (PPE)
28. Playground Safety
29. Radon
30. Respiratory Protection
31. Underground and Above Ground Storage Tanks
32. Welding/Cutting/Brazing
33. Fall Protection
34. National Emission Standards for Hazardous Air Pollutants for School Generators established by the United States E.P.A.
35. Other areas determined to be appropriate by the health and safety advisory committee.

If a risk is not present in the school district, the preparation of a plan or procedure for that risk will not be necessary.

- B. The administration shall establish procedures to ensure, to the extent practicable, that all employees are properly trained and instructed in job procedures, crisis response duties, and emergency response actions where exposure or possible exposure to hazards and potential hazards may occur.
- C. The administration shall conduct or arrange safety inspections and drills. Any identified hazards, unsafe conditions, or unsafe practices will be documented and corrective action will be taken to the extent practicable to control that hazard, unsafe condition, or unsafe practice.
- D. Communication from employees regarding hazards, unsafe or potentially unsafe working conditions, and unsafe or potentially unsafe practices is encouraged in either written or oral form. No employee will be retaliated against for reporting hazards or unsafe or potentially unsafe working conditions or practices.
- E. The administration shall conduct periodic workplace inspections to identify potential hazards and safety concerns.
- F. In the event of an accident or a near miss, the school district shall promptly cause an accident investigation to be conducted in order to determine the cause of the

incident and to take action to prevent a similar incident. All accidents and near misses must be reported to an immediate supervisor as soon as possible.

V. BUDGET

The superintendent shall be responsible to provide for periodic school board review and approval of the various plan requirements of the health and safety program, including current plan requirements and related written plans and procedures and recommendations for additional plan requirements proposed to be adopted. The superintendent, or such other school official as designated by the superintendent, each year shall prepare preliminary revenue and expenditure budgets for the school district's health and safety program. The preliminary budgets shall be accompanied by such written commentary as may be necessary for them to be clearly understood by the members of the school board and the public. The school board shall review the projected revenues and expenditures for this program and make such adjustments within the expenditure budget to carry out the current program and to implement new recommendations within the revenues projected and appropriated for this purpose. No funds may be expended for the health and safety program in any school year prior to the adoption of the budget document authorizing that expenditure for that year, or prior to the adoption of an amendment to that budget document by the school board to authorize that expenditure for that year. The health and safety program shall be implemented, conducted, and administered within the fiscal restraints of the budget so adopted.

VI. ENFORCEMENT

Enforcement of this policy is necessary for the goals of the school district's health and safety program to be achieved. Within applicable budget limitations, school district employees will be trained and receive periodic reviews of safety practices and procedures, focusing on areas that directly affect the employees' job duties. Employees shall participate in practice drills. Willful violations of safe work practices may result in disciplinary action in accordance with applicable school district policies.

Legal References: Minn. Stat. § 123B.56 (Health, Safety, and Environmental Management)
Minn. Stat. § 123B.57 (Health and Safety Projects)
Minn. Stat. § 182.676 (Safety Committees)
Minn. Rules Part 5208.0010 (Accident and Injury Reduction Program;
Applicability)
Minn. Rules Part 5208.0070 (Accident and Injury Reduction Program;
Alternative Forms of Committee)

Cross References: MSBA/MASA Model Policy 407 (Employee Right to Know - Exposure to Hazardous Substances)
MSBA/MASA Model Policy 701 (Establishment and Adoption of School District Budget)
MSBA/MASA Model Policy 806 (Crisis Management Policy)

Policy Adopted: July 2012 / June 2013/ June 2014/June 2015/June 2018

Revised: Dec 2020, revised September 2023
Independent School District No. 110
Waconia, MN

2. **3 Year Review**

2.A.701.1 Modification of School District Budget

Presenter: Pam
Carman, Director of
Finance and
Operations

701.1 MODIFICATION OF SCHOOL DISTRICT BUDGET

[Note: The provisions of this policy substantially reflect the requirements of Minnesota Statutes.]

I. PURPOSE

The purpose of this policy is to establish procedures for the modification of the school district's adopted revenue and expenditure budgets.

II. GENERAL STATEMENT OF POLICY

The policy of this school district is to modify its revenue and expenditure budgets in accordance with the applicable provisions of law.

III. REQUIREMENT

- A. The school district's adopted expenditure budget shall be considered the school board's expenditure authorization for that school year.
- B. If revisions or modifications in the adopted expenditure budget are determined to be advisable by the administration, the superintendent shall recommend the proposed changes to the school board. The proposed changes shall be accompanied by sufficient and appropriate background information on the revenue and policy issues involved to allow the school board to make an informed decision. A school board member may also propose modifications on that board member's own motion, provided, however, the school board member is encouraged to review the proposed modifications with the superintendent prior to their being proposed so that the administration may prepare necessary background materials for the school board prior to its consideration of those proposed modifications.
- C. If sufficient funds are not included in the expenditure budget in a particular fund to allow the proposed expenditure, funds for this purpose may not be expended from that fund prior to the adoption of an expenditure budget amendment by the school board to authorize that expenditure for that school year. An amended expenditure shall not exceed the projected revenues available for that purpose in that fund.
- D. The school district's revenue budget shall be amended from time to time during a fiscal year to reflect updated or revised revenue estimates. The superintendent shall make recommendations to the school board for appropriate revisions. If necessary, the school board shall also make necessary revisions in the expenditure budget if it appears that expenditures would otherwise exceed revenues and fund balances in a fund.

Legal References: Minn. Stat. § 123B.77 (Accounting, Budgeting, and Reporting

Requirement)

Cross References: MSBA/MASA Model Policy 701 (Establishment and Adoption of School District Budget)

Policy Adopted: September 2004

Reviewed November 2006, revised August 2020, revised September 2023

Independent School District #110 Waconia, MN

2.B. 702 Accounting

Presenter: Pam
Carman, Director of
Finance and
Operations

702 ACCOUNTING

[Note: The provisions of this policy reflect the applicable statutes and are not discretionary in nature.]

I. PURPOSE

The purpose of this policy is to adopt the Uniform Financial Accounting and Reporting Standards for Minnesota School Districts (UFARS) provided for in guidelines adopted by the Minnesota Department of Education.

II. GENERAL STATEMENT OF POLICY

It is the policy of this school district to comply with the Uniform Financial Accounting and Reporting Standards for Minnesota School Districts.

III. MAINTENANCE OF BOOKS AND ACCOUNTS

The school district shall maintain its books and records and do its accounting in compliance with the Uniform Accounting and Reporting Standards for Minnesota School Districts (UFARS) provided for in the guidelines adopted by the Minnesota Department of Education and in compliance with applicable state laws and rules relating to reporting of revenues and expenditures.

IV. PERMANENT FUND TRANSFERS

Unless otherwise authorized pursuant to Minnesota Statutes section 123B.80, as amended, or any other law, fund transfers shall be made in compliance with UFARS and permanent fund transfers shall only be made in compliance with Minnesota Statutes section 123B.79, as amended, or other applicable statute.

V. REPORTING

The school board shall provide for an annual audit of the books and records of the school district to assure compliance of its records with UFARS. Each year, the school district shall also provide for the publication of the financial information specified in Minnesota Statutes section 123B.10 in the manner specified therein.

Legal References: Minn. Stat. § 123B.02 (General Powers of Independent School Districts)
Minn. Stat. § 123B.09 (Boards of Independent School Districts)
Minn. Stat. § 123B.10 (Publication of Financial Information)
Minn. Stat. § 123B.14, Subd. 7 (Officers of Independent School Districts)
Minn. Stat. § 123B.75 (Revenue; Reporting)
Minn. Stat. § 123B.76 (Expenditures; Reporting)
Minn. Stat. § 123B.77 (Accounting, Budgeting and Reporting Requirements)

Minn. Stat. § 123B.78 (Cash Flow; School District Revenues; Borrowing
for Current Operating Costs; Capital Expenditure Deficits)
Minn. Stat. § 123B.79 (Permanent Fund Transfers)
Minn. Stat. § 123B.80 (Exceptions for Permanent Fund Transfers)

Cross References: MSBA/MASA Model Policy 703 (Annual Audit)

Policy Adopted: June 2004

Reviewed November 2006, revised August 2020, September 2023

Independent School District #110 Waconia, MN

2.C.703 Annual Audit

Presenter: Pam
Carman, Director of
Finance and
Operations

703 ANNUAL AUDIT

[Note: The provisions of this policy reflect the applicable statutes and are not discretionary in nature.]

I. PURPOSE

The purpose of this policy is to provide for an annual audit of the books and records of the school district in order to comply with law, to provide a permanent record of the financial position of the school district, and to provide guidance to the school district to correct any errors and discrepancies in its practices.

II. GENERAL STATEMENT OF POLICY

The policy of this school district is to comply with all laws relating to the annual audit of the books and records of the school district.

III. REQUIREMENT

- A. The school board shall appoint independent certified public accountants to audit, examine, and report upon the books and records of the school district. The school board may enter into a contract with a person or firm to provide the agreed upon services.
- B. After the close of each fiscal year, the books, records, and accounts of the school district shall be audited by said independent certified public accountants in accordance with applicable standards and legal requirements. The superintendent and members of the administration shall cooperate with the auditors.
- C. The school district shall, prior to September 15 of each year, submit unaudited financial data for the preceding year to the Minnesota Commissioner of Education (Commissioner) on forms prescribed by the Commissioner. The report shall also include those items required by Minnesota Statutes section 123B.14, subdivision 7.
- D. The school district shall, prior to November 30 of each year, provide to the Commissioner audited financial data for the preceding fiscal year. The school district shall, prior to December 31 of each year, provide to the Commissioner and the State Auditor an audited financial statement in a form that will allow comparison with and correction of material differences in the unaudited data. The audited financial statement must also provide a statement of assurance pertaining to compliance with uniform financial accounting and reporting standards and a copy of the management letter submitted to the school district by its auditor.
- E. The audit must be conducted in compliance with generally accepted governmental auditing standards, the Federal Single Audit Act and the Minnesota Legal Compliance Audit Guide for School Districts issued by the Office of the State

Auditor.

- F. The school board must approve the audit report by resolution or require a further or amended report.
- G. The administration shall report to the school board regarding any actions necessary to correct any deficiencies or exceptions noted in the audit.
- H. The accounts and records of the school district shall also be subject to audit and inspection by the State Auditor to the extent provided in Minnesota Statutes chapter 6.

Legal References: Minn. Stat. Ch. 6 (State Auditor)
Minn. Stat. § 123B.02 (General Powers of Independent School Districts)
Minn. Stat. § 123B.09 (Boards of Independent School Districts)
Minn. Stat. § 123B.14, Subd. 7 (Officers of Independent School Districts)
Minn. Stat. § 123B.77, Subds. 2 and 3 (Accounting, Budgeting, and Reporting Requirement)

Cross References: MSBA/MASA Model Policy 702 (Accounting)

Policy Adopted: June 2004, November 2006
Revised: August 2020, September 2023
Independent School District #110 Waconia, MN

2.D. 705 Investments

Presenter: Pam
Carman, Director of
Finance and
Operations

705 INVESTMENTS

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

I. PURPOSE

The purpose of this policy is to establish guidelines for the investment of school district funds.

II. GENERAL STATEMENT OF POLICY

The policy of this school district is to comply with all state laws relating to investments and to guarantee that investments meet certain primary criteria.

III. SCOPE

This policy applies to all investments of the surplus funds of the school district, regardless of the fund accounts in which they are maintained, unless certain investments are specifically exempted by the school board through formal action.

IV. AUTHORITY; OBJECTIVES

- A. The funds of the school district shall be deposited or invested in accordance with this policy, Minn. Stat. Ch. 118A and any other applicable law or written administrative procedures.
- B. The primary criteria for the investment of the funds of the school district, in priority order, are as follows
 - 1. Safety and Security. Safety of principal is the first priority. The investments of the school district shall be undertaken in a manner that seeks to ensure the preservation of the capital in the overall investment portfolio.
 - 2. Liquidity. The funds shall be invested to assure that funds are available to meet immediate payment requirements, including payroll, accounts payable, and debt service.
 - 3. Return and Yield. The investments shall be managed in a manner to attain a market rate of return through various economic and budgetary cycles, while preserving and protecting the capital in the investment portfolio and taking into account constraints on risk and cash flow requirements.

V. DELEGATION OF AUTHORITY

- A. The Finance Director of the school district is designated as the investment officer of the school district and is responsible for investment decisions and activities under the direction of the school board. The investment officer shall operate the

school district's investment program consistent with this policy. The investment officer may delegate certain duties to a designee or designees but shall remain responsible for the operation of the program.

- B. All officials and employees that are a part of the investment process shall act professionally and responsibly as custodians of the public trust and shall refrain from personal business activity that could conflict with the investment program or which could reasonably cause others to question the process and integrity of the investment program. The investment officer shall avoid any transaction that could impair public confidence in the school district.

VI. STANDARD OF CONDUCT

The standard of conduct regarding school district investments to be applied by the investment officer shall be the "prudent person standard." Under this standard, the investment officer shall exercise that degree of judgment and care, under the circumstances then prevailing, that persons of prudence, discretion, and intelligence would exercise in the management of their own affairs, investing not for speculation and considering the probable safety of their capital as well as the probable investment return to be derived from their assets. The prudent person standard shall be applied in the context of managing the overall investment portfolio of the school district. The investment officer, acting in accordance with this policy and exercising due diligence, judgment, and care commensurate with the risk, shall not be held personally responsible for a specific security's performance or for market price changes. Deviations from expectations shall be reported in a timely manner and appropriate actions shall be taken to control adverse developments.

VII. MONITORING AND ADJUSTING INVESTMENTS

The investment officer shall routinely monitor existing investments and the contents of the school district's investment portfolio, the available markets, and the relative value of competing investment instruments.

VIII. INTERNAL CONTROLS

The investment officer shall establish a system of internal controls which shall be documented in writing. The internal controls shall be reviewed by the school board and shall be annually reviewed for compliance by the school district's independent auditors. The internal controls shall be designed to prevent and control losses of public funds due to fraud, error, misrepresentation, unanticipated market changes, or imprudent actions by officers, employees, or others. The internal controls may include, but shall not be limited to, provisions relating to controlling collusion, separating functions, separating transaction authority from accounting and record keeping, custodial safekeeping, avoiding bearer form securities, clearly delegating authority to applicable staff members, limiting securities losses and remedial action, confirming telephone transactions in writing, supervising and controlling employee actions, minimizing the number of authorized investment officials, and documenting transactions and strategies.

IX. PERMISSIBLE INVESTMENT INSTRUMENTS

The school district may invest its available funds in those instruments specified in Minnesota Statute sections 118A.04 and 118A.05, as these sections may be amended from time to time, or any other law governing the investment of school district funds. The assets of an other postemployment benefits (OPEB) trust or trust account established pursuant to Minnesota Statutes section 471.6175 to pay postemployment benefits to employees or officers after their termination of service, with a trust administrator other than the Public Employees Retirement Association, may be invested in instruments authorized under Minnesota Statutes chapter 118A or § 356A.06, subdivision 7. Investment of funds in an OPEB trust account under Minnesota Statutes 356A.06, subdivision 7, as well as the overall asset allocation strategy for OPEB investments, shall be governed by an OPEB Investment Policy Statement (IPS) developed between the investment officer, as designed herein, and the trust administrator.

X. PORTFOLIO DIVERSIFICATION; MATURITIES

- A. Limitations on instruments, diversification, and maturity scheduling shall depend on whether the funds being invested are considered short-term or long-term funds. All funds shall normally be considered short-term except those reserved for building construction projects or specific future projects and any unreserved funds used to provide financial-related managerial flexibility for future fiscal years.
- B. The school district shall diversify its investments to avoid incurring unreasonable risks inherent in over-investing in specific instruments, individual financial institutions or maturities.
 - 1. The investment officer shall prepare and present a table to the school board for review and approval. The table shall specify the maximum percentage of the school district's investment portfolio that may be invested in a single type of investment instrument, such as U.S. Treasury Obligations, certificates of deposit, repurchase agreements, banker's acceptances, commercial paper, etc. The approved table shall be attached as an exhibit to this policy and shall be incorporated herein by reference.
 - 2. The investment officer shall prepare and present to the school board for its review and approval a recommendation as to the maximum percentage of the total investment portfolio that may be held in any one depository. The approved recommendation shall be attached as an exhibit or part of an exhibit to this policy and shall be incorporated herein by reference.
 - 3. Investment maturities shall be scheduled to coincide with projected school district cash flow needs, taking into account large routine or scheduled expenditures, as well as anticipated receipt dates of anticipated revenues. Maturities for short-term and long-term investments shall be timed according to anticipated need. Within these parameters, portfolio maturities shall be staggered to avoid undue concentration of assets and a specific maturity sector. The maturities selected shall provide for stability

of income and reasonable liquidity.

XI. COMPETITIVE SELECTION OF INVESTMENT INSTRUMENTS

Before the school district invests any surplus funds in a specific investment instrument, a competitive bid or quotation process shall be utilized. If a specific maturity date is required, either for cash flow purposes or for conformance to maturity guidelines, quotations or bids shall be requested for instruments which meet the maturity requirement. If no specific maturity is required, a market trend analysis, which includes a yield curve, will normally be used to determine which maturities would be most advantageous. Quotations or bids shall be requested for various options with regard to term and instrument. The school district will accept the quotation or bid which provides the highest rate of return within the maturity required and within the limits of this policy. Generally all quotations or bids will be computed on a consistent basis, i.e., a 360-day or a 365-day yield. Records will be kept of the quotations or bids received, the quotations or bids accepted, and a brief explanation of the decision that was made regarding the investment. If the school district contracts with an investment advisor, bids are not required in those circumstances specified in the contract with the advisor.

XII. QUALIFIED INSTITUTIONS AND BROKER-DEALERS

- A. The school district shall maintain a list of the financial institutions that are approved for investment purposes.
- B. Prior to completing an initial transaction with a broker, the school district shall provide to the broker a written statement of investment restrictions which shall include a provision that all future investments are to be made in accordance with Minnesota statutes governing the investment of public funds. The broker must annually acknowledge receipt of the statement of investment restrictions and agree to handle the school district's account in accordance with these restrictions. The school district may not enter into a transaction with a broker until the broker has provided this annual written agreement to the school district. The notification form to be used shall be that prepared by the State Auditor. A copy of this investment policy, including any amendments thereto, shall be provided to each such broker.

XIII. SAFEKEEPING AND COLLATERALIZATION

- A. All investment securities purchased by the school district shall be held in third-party safekeeping by an institution designated as custodial agent. The custodial agent may be any Federal Reserve Bank, any bank authorized under the laws of the United States or any state to exercise corporate trust powers, a primary reporting dealer in United States Government securities to the Federal Reserve Bank of New York, or a securities broker-dealer defined in Minnesota Statutes section 118A.06. The institution or dealer shall issue a safekeeping receipt to the school district listing the specific instrument, the name of the issuer, the name in which the security is held, the rate, the maturity, serial numbers and other distinguishing marks, and other pertinent information.

- B. Deposit-type securities shall be collateralized as required by Minnesota Statutes section 118A.03 for any amount exceeding FDIC, SAIF, BIF, FCUA, or other federal deposit coverage.
- C. Repurchase agreements shall be secured by the physical delivery or transfer against payment of the collateral securities to a third party or custodial agent for safekeeping. The school district may accept a safekeeping receipt instead of requiring physical delivery or third-party safekeeping of collateral on overnight repurchase agreements of less than \$1,000,000.

XIV. REPORTING REQUIREMENTS

- A. The investment officer shall generate daily and monthly transaction reports for management purposes. In addition, the school board shall be provided a monthly report that shall include data on investment instruments being held as well as any narrative necessary for clarification.
- B. The investment officer shall prepare and submit to the school board a quarterly investment report that summarizes recent market conditions, economic developments, and anticipated investment conditions. The report shall summarize the investment strategies employed in the most recent quarter and describe the investment portfolio in terms of investment securities, maturities, risk characteristics, and other features. The report shall summarize changes in investment instruments and asset allocation strategy approved by the investment officer for an OPEB trust in the most recent quarter. The report shall explain the quarter's total investment return and compare the return with budgetary expectations. The report shall include an appendix that discloses all transactions during the past quarter. Each quarterly report shall indicate any areas of policy concern and suggested or planned revisions of investment strategies. Copies of the report shall be provided to the school district's auditor.
- C. Within ninety (90) days after the end of each fiscal year of the school district, the investment officer shall prepare and submit to the school board a comprehensive annual report on the investment program and investment activity of the school district for that fiscal year. The annual report shall include 12-month and separate quarterly comparisons of return and shall suggest revisions and improvements that might be made in the investment program.
- D. If necessary, the investment officer shall establish systems and procedures to comply with applicable federal laws and regulations governing the investment of bond proceeds and funds in a debt service account for a bond issue. The record keeping system shall be reviewed annually by the independent auditor or by another party contracted or designated to review investments for arbitrage rebate or penalty calculation purposes.

XV. DEPOSITORIES

The school board shall annually designate one or more official depositories for school district funds. The treasurer or the chief financial officer of the school district may also exercise the power of the school board to designate a depository. The school board shall be provided notice of any such designation by its next regular meeting. The school district and the depository shall each comply with the provisions of ~~Minn. Stat. §~~ Minnesota Statutes section 118A.03 and any other applicable law, including any provisions relating to designation of a depository, qualifying institutions, depository bonds, and approval, deposit, assignment, substitution, addition, and withdrawal of collateral.

XVI. ELECTRONIC FUNDS TRANSFER OF FUNDS FOR INVESTMENT

The school district may make electronic fund transfers for investments of excess funds upon compliance with Minn. Stat. § 471.38.

Legal References: Minn. Stat. § 118A.01 (Definitions)
Minn. Stat. § 118A.02 (Depositories; Investing; Sales, Proceeds, Immunity)
Minn. Stat. § 118A.03 (When and What Collateral Required)
Minn. Stat. § 118A.04 (Investments)
Minn. Stat. § 118A.05 (Contracts and Agreements)
Minn. Stat. § 118A.06 (Safekeeping; Acknowledgements)
Minn. Stat. § 356A.06, Subd. 7 (Investments; Additional Duties)
Minn. Stat. § 471.38 (Claims)
Minn. Stat. § 471.6175 (Trust for Postemployment Benefits)

Cross References: MSBA/MASA Model Policy 703 (Annual Audit)
Minnesota Legal Compliance Audit Guide for School Districts Prepared by the Office of the State Auditor

Policy Adopted: September 2004, November 2006
Revised September 2008, April 2009, September 2020, September 2023
Independent School District 110
Waconia, MN 55387

2.E. 706 Acceptance of Gifts

Presenter: Pam
Carman, Director of
Finance and
Operations

706 ACCEPTANCE OF GIFTS

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

I. PURPOSE

The purpose of this policy is to provide guidelines for the acceptance of gifts by the school board.

II. GENERAL STATEMENT OF POLICY

It is the policy of this school district to accept gifts only in compliance with state law.

III. ACCEPTANCE OF GIFTS GENERALLY

The school board may receive, for the benefit of the school district, bequests, donations or gifts for any proper purpose. The school board shall have the sole authority to determine whether any gift or any precondition, condition, or limitation on use included in a proposed gift furthers the interests of or benefits the school district and whether it should be accepted or rejected.

IV. GIFTS OF REAL OR PERSONAL PROPERTY

The school board may accept a gift, grant or devise of real or personal property only by the adoption of a resolution approved by two-thirds of its members. The resolution must fully describe any conditions placed on the gift. The real or personal property so accepted may not be used for religious or sectarian purposes.

[Note: This voting requirement and gift use provision is specified by Minn. Stat. § 465.03.]

V. ADMINISTRATION IN ACCORDANCE WITH TERMS

If the school board agrees to accept a bequest, donation, gift, grant or devise which contains preconditions, conditions or limitations on use, the school board shall administer it in accordance with those terms. Once accepted, a gift shall be the property of the school district unless otherwise provided in the agreed upon terms.

Legal References: Minn. Stat. § 123B.02, Subd. 6 (General Powers of Independent School Districts)

Minn. Stat. § 465.03 (Gifts to Municipalities)

Cross References: None

Policy Adopted: June 2004, March 2007

Revised: August 2020, September 2023

Independent School District #110 Waconia, MN

2.F. 711 Videotaping on School Buses

Presenter: Pam
Carman, Director of
Finance and
Operations

711 VIDEO RECORDING ON SCHOOL BUSES

I. PURPOSE

The transportation of students to and from school is an important function of the school district, and transportation by the school district is a privilege and not a right for an eligible student. The behavior of students and employees on the bus is a significant factor in the safety and efficiency of school bus transportation. Student and employee misbehavior increases the potential risks of injury. Therefore, the school district believes that video recording student passengers and employees on the school bus will encourage good behavior and, as a result, promote safety. The purpose of this policy is to establish a school bus video recording system.

II. GENERAL STATEMENT OF POLICY

A. Placement

1. Each and every school bus owned, leased, contracted, and/or operated by the school district shall be equipped with a fully enclosed box for placement and operation of a video camera and conspicuously placed signs notifying riders that their conversations or actions may be recorded.
2. A video camera will not necessarily be installed in each and every school bus owned, leased, contracted, and/or operated by the school district, but cameras may be rotated from bus to bus without prior notice to students.
3. Video cameras will be placed on a particular school bus, to the extent possible, where the school district has received complaints of inappropriate behavior.

B. Use of Video Recordings

1. A video recording of the actions of student passengers and/or employees may be used by the school district as evidence in any disciplinary action brought against any student or employee arising out of the student's or employee's conduct on the bus.
2. A video recording will be released only in conformance with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13 and the Family Educational Rights and Privacy Act, 20 United States Code section 1232g and the rules and/or regulations promulgated thereunder.
3. Video recordings will be viewed by school district personnel on a random basis and/or when discipline problems on the bus have been brought to the attention of the school district.

4. A video recording will be retained by the school district until relooped or until the conclusion of disciplinary proceedings in which the video recording is used for evidence.

[Note: School districts should review their record retention policies/schedules as to the stated retention period for school bus video recordings. The retention time period in the retention schedule should be consistent with the retention time period set forth in this policy. The January 2000 School District General Records Retention Schedule, adopted by many school districts, provides that building security/transportation video recordings are to be retained until relooped.]

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 121A.585 (Notice of Recording Device)
Minn. Stat. § 138.17 (Government Records, Administration)
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

Policy Adopted: April 2004, April 2007

Amended: October 2020, September 2023

Independent School District #110 Waconia, MN

2.G. 713 Student Activity Accounting

Presenter: Pam
Carman, Director of
Finance and
Operations

713 STUDENT ACTIVITY ACCOUNTING

I. PURPOSE

The school board recognizes the need to provide alternative paths to learning, skill development for its students, and activities for student enjoyment. It also understands its commitment to and obligation for assuring maximum accountability for public funds and student activity funds. For these reasons, the school board will assume control over and/or oversee funds for student activities as set forth in this policy.

II. GENERAL STATEMENT OF POLICY

A. Curricular and Cocurricular Activities

The school board shall take charge of, control over, and account for all student activity funds that relate to curricular and cocurricular activities.

[Note: The school board is required by Minnesota Statutes section 123B.49, subdivision 2, to take charge of and control over all cocurricular activities, including all money received for such activities.]

B. Extracurricular Activities

The school board shall take charge of and control over all student activity accounting that relates to extracurricular activities.

[Note: The school board is required by Minnesota Statutes section 123B.49, subdivision 4, to take charge of and control over all extracurricular activities, including all money received for such activities.]

C. Non-Student Activities

In overseeing student activity accounts under this policy, the school board shall not maintain or account for funds generated by non-students including, but not limited to, convenience funds of staff members, booster club funds, parent-teacher organization or association funds, or funds donated to the school district for specified purposes other than student activities.

III. DEFINITIONS

A. Cocurricular Activity

A “cocurricular activity” means those portions of the school-sponsored and directed activities designed to provide opportunities for students to participate in such experiences on an individual basis or in groups, at school and at public

events, for improvement of skills (i.e., interscholastic sports, band, etc.). Cocurricular activities are not offered for school credit, cannot be counted toward graduation, and have *one or more* of the following characteristics:

1. They are conducted at regular and uniform times during school hours, or at times established by school authorities;
2. They are directed or supervised by instructional staff in a learning environment similar to that found in courses offered for credit; and
3. They are partially, primarily, or totally funded by public moneys for general instructional purposes under direction and control of the school board.

B. Curricular Activity

A “curricular activity” means those portions of the school program for which credit is granted, whether the activity is part of a required or elective program.

C. Extracurricular (Noncurricular/Supplementary) Activity

An “extracurricular (noncurricular/supplementary) activity” means all direct and personal services for students for their enjoyment that are managed and operated under the guidance of an adult or staff member. Extracurricular activities have *all* of the following characteristics:

1. They are not offered for school credit nor required for graduation;
2. They generally are conducted outside school hours or, if partly during school hours, at times agreed by the participants and approved by school authorities;
3. The content of the activities is determined primarily by the student participants under the guidance of a staff member or other adult.

D. Public Purpose Expenditure

A “public purpose expenditure” is one which benefits the community as a whole, is directly related to the functions of the school district, and does not have as its primary objective the benefit of private interest.

IV. MANAGEMENT AND CONTROL OF ACTIVITY FUNDS

A. Curricular and Cocurricular Activities

1. All money received on account of cocurricular activities shall be turned over to the treasurer, who shall deposit such funds in the general fund, to be disbursed for expenses and salaries connected with the activities, or otherwise, by the school board upon properly allowed itemized claims.
2. The treasurer shall account for all revenues and expenditures related to curricular and cocurricular activities in accordance with the Uniform Financial Accounting and Reporting Standards (UFARS) and school district policies and procedures.

B. Extracurricular Activities

1. Any and all costs of extracurricular activities may be provided from school revenues.
2. All money received or expended for extracurricular activities shall be recorded in the same manner as other revenues and expenditures of the school district and shall be turned over to the treasurer, who shall deposit such funds in the general fund, to be disbursed for expenses and salaries connected with the activities, or otherwise, by the school board upon properly allowed itemized claims.
3. The treasurer shall account for all revenues and expenditures related to extracurricular activities in accordance with UFARS and school district policies and procedures.
4. All student activity funds will be collected and expended:
 - a. in compliance with school district policies and procedures;
 - b. under the general direction of the principal and with the participation of students and faculty members who are responsible for generating the revenue;
 - c. in a manner which does not produce a deficit or an unreasonably large accumulation of money to a particular student activity fund;
 - d. for activities which directly benefit the majority of those students making the contributions in the year the contributions were made whenever possible; and
 - e. in a manner which meets a public purpose.
5. Activity accounts of a graduated class will be terminated prior to the start of the school year following graduation. Any residual money from a graduating class activity fund will remain in the general fund and may be

used for any school district purpose. Prior to depositing such accounts, all donations or gifts accepted for the specific purpose of the student activity account shall be administered in accordance with the terms of the gift or donation and school district policy.

V. DEMONSTRATION OF ACCOUNTABILITY

A. Annual External Audit

The school board shall direct its independent certified public accountants to audit, examine, and report upon student activity accounts as part of its annual school district audit in accordance with state law.

B. Fundraising Proposals

The superintendent will present fundraising proposals which will be reviewed by the school board. The proposals will list the activity, type of fundraisers, timing, purpose, and estimated results.

[Note: The school board should conduct periodic reviews of student fundraising. The manner in which such reviews are conducted is in the discretion of the school board.]

Legal References:

Minn. Stat. § 123B.02, Subd. 6 (General Powers of Independent School Districts)
Minn. Stat. § 123B.09 (Boards of Independent School Districts)
Minn. Stat. § 123B.15, Subd. 7 (Officers of Independent School Districts)
Minn. Stat. § 123B.35 (General Policy)
Minn. Stat. § 123B.36 (Authorized Fees)
Minn. Stat. § 123B.37 (Prohibited Fees)
Minn. Stat. § 123B.38 (Hearing)
Minn. Stat. § 123B.49 (Extracurricular Activities; Insurance)
Minn. Stat. § 123B.52 (Contracts)
Minn. Stat. § 123B.76 (Expenditures; Reporting)
Minn. Stat. § 123B.77 (Accounting, Budgeting, and Reporting Requirement)
Minn. Rules Part 3500.1050 (Definitions for Pupil Fees)
Visina v. Freeman, 252 Minn. 177, 89 N.W.2d 635 (1958)
Minn. Op. Atty. Gen. 159a-16 (May 10, 1966)

Cross References:

Uniform Financial Accounting and Reporting Standards (UFARS)
MSBA/MASA Model Policy 510 (School Activities)
MSBA/MASA Model Policy 511 (Student Fundraising)

MSBA/MASA Model Policy 701 (Establishment and Adoption of School District Budget)
MSBA/MASA Model Policy 701.1 (Modification of School District Budget)
MSBA/MASA Model Policy 702 (Accounting)
MSBA/MASA Model Policy 703 (Annual Audit)
MSBA/MASA Model Policy 704 (Development and Maintenance of an Inventory of Fixed Assets and a Fixed Asset Accounting System)
MSBA/MASA Model Policy 706 (Acceptance of Gifts)

Policy Adopted: August 2021
Revised: September 2023

Waconia Public Schools
Waconia, MN

2.H. 714 Fund Balances

Presenter: Pam
Carman, Director of
Finance and
Operations

714 FUND BALANCES

[Note: The provisions of this policy include the provisions of Statement No. 54 of the Governmental Accounting Standards Board (GASB).]

I. PURPOSE

The purpose of this policy is to create new fund balance classifications to allow for more useful fund balance reporting and for compliance with the reporting guidelines specified in Statement No. 54 of the Governmental Accounting Standards Board (GASB).

II. GENERAL STATEMENT OF POLICY

The policy of this school district is to comply with GASB Statement No. 54. To the extent a specific conflict occurs between this policy and the provisions of GASB Statement No. 54, the GASB Statement shall prevail.

III. DEFINITIONS

- A. “Assigned” fund balance amounts are comprised of unrestricted funds constrained by the school district’s intent that they be used for specific purposes, but that do not meet the criteria to be classified as restricted or committed. In funds other than the general fund, the assigned fund balance represents the remaining amount that is not restricted or committed. The assigned fund balance category will cover the portion of a fund balance that reflects the school district’s intended use of those resources. The action to assign a fund balance may be taken after the end of the fiscal year. An assigned fund balance cannot be a negative number.
- B. “Committed” fund balance amounts are comprised of unrestricted funds used for specific purposes pursuant to constraints imposed by formal action of the school board and that remain binding unless removed by the school board by subsequent formal action. The formal action to commit a fund balance must occur prior to fiscal year end; however, the specific amounts actually committed can be determined in the subsequent fiscal year. A committed fund balance cannot be a negative number.
- C. “Enabling legislation” means legislation that authorizes a school district to assess, levy, charge, or otherwise mandate payment of resources from external providers and includes a legally enforceable requirement that those resources be used only for the specific purposes listed in the legislation.
- D. “Fund balance” means the arithmetic difference between the assets and liabilities reported in a school district fund.

- E. “Nonspendable” fund balance amounts are comprised of funds that cannot be spent because they are either not in spendable form or are legally or contractually required to be maintained intact. They include items that are inherently unspendable, such as, but not limited to, inventories, prepaid items, long-term receivables, non-financial assets held for resale, or the permanent principal of endowment funds.
- F. “Restricted” fund balance amounts are comprised of funds that have legally enforceable constraints placed on their use that either are externally imposed by resource providers or creditors (such as through debt covenants), grantors, contributors, voters, or laws or regulations of other governments, or are imposed by law through constitutional provisions or enabling legislation.
- G. “Unassigned” fund balance amounts are the residual amounts in the general fund not reported in any other classification. Unassigned amounts in the general fund are technically available for expenditure for any purpose. The general fund is the only fund that can report a positive unassigned fund balance. Other funds would report a negative unassigned fund balance should the total of nonspendable, restricted, and committed fund balances exceed the total net resources of that fund.
- H. “Unrestricted” fund balance is the amount of fund balance left after determining both nonspendable and restricted net resources. This amount can be determined by adding the committed, assigned, and unassigned fund balances.

IV. CLASSIFICATION OF FUND BALANCES

The school district shall classify its fund balances in its various funds in one or more of the following five classifications: nonspendable, restricted, committed, assigned, and unassigned.

V. MINIMUM FUND BALANCE

The school district will strive to maintain a minimum unassigned general fund balance of 5% percent of the annual budget.

[Note: School districts need to select one of the bracketed choices above and fill in the blank. The other bracketed choice should be deleted. If a minimum fund balance is specified, a stabilization arrangement such as that specified in Part IX below that sets aside specific stabilization amounts may not be necessary.]

VI. ORDER OF RESOURCE USE

If resources from more than one fund balance classification could be spent, the school district will strive to spend resources from fund balance classifications in the following order (first to last): restricted, committed, assigned, and unassigned.

[Note: The school board determines this order.]

VII. COMMITTING FUND BALANCE

A majority vote of the school board is required to commit a fund balance to a specific purpose and subsequently to remove or change any constraint so adopted by the board.

VIII. ASSIGNING FUND BALANCE

The school board, by majority vote, may assign fund balances to be used for specific purposes when appropriate. The board also delegates the power to assign fund balances to the following: Director of Finance and Operations. Assignments so made shall be reported to the school board on a monthly basis, either separately or as part of ongoing reporting by the assigning party if other than the school board.

An appropriation of an existing fund balance to eliminate a projected budgetary deficit in the subsequent year's budget in an amount no greater than the projected excess of expected expenditures over expected revenues satisfies the criteria to be classified as an assignment of fund balance.

IX. STABILIZATION ARRANGEMENTS

[Note: If the school board has established any arrangement(s) for emergencies and other contingencies, the description(s) should be included in this section. The school board needs to specifically define the circumstances or conditions when these amounts may be used, which must be unanticipated adverse financial or economic circumstances. These circumstances or conditions cannot be situations that are expected to or which occur routinely. Stabilization arrangements should be reported as restricted or committed if they meet the criteria or, otherwise, should be reported as unassigned. They should not be reported as assigned. If the school board does not have any such arrangements, this section should be deleted.]

X. REVIEW

The school board will conduct an annual review of the sufficiency of the minimum unassigned general fund balance level.

[Note: The school board should determine the review period adequate for their school district and change "an annual" to "a quarterly" or "a monthly" or some other time frame if appropriate.]

Legal References: Statement No. 54 of the Governmental Accounting Standards Board

Cross References:

Policy Adopted: June 2011
Revised: September 2020, September 2023
Independent School District 110
Waconia, MN

2.I. 724 Purchasing Policy

Presenter: Pam
Carman, Director of
Finance and
Operations

724 PURCHASING POLICY

I. Purpose

This policy outlines and defines the process for purchasing supplies, equipment, materials, and services that will be used to meet the needs and purpose of Waconia Public Schools Independent School District 110. The policy is to assist Waconia Public Schools' purchases and adhere to all applicable state and federal regulations and guidelines.

II. General Statement of Policy

Waconia Public Schools' purchasing process will adhere to state and federal guidelines as well as statutes with the Minnesota Department of Education in partnership with Waconia Public Schools' best practices. This process will be subject to Waconia Public Schools' annual financial audit.

III. Requisition and Purchase Order Process

Any orders that are of material value will follow the Waconia Public Schools' requisition and purchase order process established by the Director of Finance and Operations. In the event there is an emergency and time is of the essence, this process may be modified with a pre-approval by the Director of Finance and Operations. Payments to vendors are to follow the process of creating a purchase order with the approval workflow. In the event a request for payment is not followed by the receivable process in no such terms will payment be approved. Every purchase order must be signed and dated including an indication of receipt of merchandise and forwarded to the Waconia Public School District Finance office for payment.

IV. Orders, Quotations, Bids, and Request for Proposal (RFP) Requirements

All products, equipment, and services purchases must conform to Waconia Public Schools guidelines and protocol established by the Director of Finance and Operations including purchases of \$25,000 and/or less must be completed through quotations in the open market. Departments are required to request quotes at a minimum from two vendors, three or more when funding is from Federal Grants that exceed \$3,000. When contracts reach a \$25,000 cumulative total, SAM.gov (<https://www.sam.gov/portal/SAM/#11>) will be utilized to confirm that vendors have not been debarred or suspended.

For purchases that are \$25,000 to \$175,000 two quotes at the minimum must be obtained. NO exception to this rule. Quotes will be awarded based on the needs of Waconia Public Schools. Consideration will be given to qualified vendors based on experience, price, and responsibility for quality products or services that will perform to the needs of Waconia Public Schools.

Purchases over \$175,000 within a year require one of the following actions:

1. Awarded via sealed bid process in accordance with state and federal procurement statutes
2. Purchased with the use of a current, valid Joint-Powers-eligible cooperative agreement held by the selected vendor or service provider

Waconia Public School will make every effort to utilize a formal procurement process for items over \$175,000. Exceptions to the procurement process could be granted in writing by both the Director of Finance and Operations, and the Superintendent in such rare cases for conditions set forth below.

1. Purchase of copyrighted materials
2. Awarding of professional services agreements
3. Technology-related purchases in which proprietary technology is required for purposes of continuity and/or integration

Any requests for proposals of services must include a document detailing the rationale of services being sought, criteria for the selection process, and the application. In the spirit of best practice, Waconia Public School holds the right every three to five years to seek RFPs for services such as administrative service, waste management, legal services, and insurance carriers.

Legal References:

- Minn. Stat. § 471.345 (Uniform Municipal Contracting Law)
- Minn. Stat. 471.345 Subd. 3 (Contracts Over \$175,000)
- Minn. Stat. 471.345 Subd. 4 (Contracts Exceeding \$25,000 But Not \$175,000)
- Minn. Stat. 471.345 Subd. 5 (Contracts \$25,000 Or Less)
- Minn. Stat. 471.345 Subd. 15 (Cooperative Purchasing)

Cross References:

Policy Adopted: December 2022
Independent School District No. 110
Waconia, MN

2.J. 801 Equal Access to Facilities

Presenter: Pam
Carman, Director of
Finance and
Operations

801 EQUAL ACCESS TO SCHOOL FACILITIES

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

I. PURPOSE

The purpose of this policy is to implement the Equal Access Act by granting equal access to secondary school facilities for students who wish to conduct a meeting for religious, political, or philosophical purposes during noninstructional time.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is not to deny equal access or a fair opportunity to, or to discriminate against, any students who wish to conduct a meeting, on the basis of the religious, political, philosophical, or other content of the speech at such meetings.
- B. The school board has created a limited open forum for students enrolled in secondary schools during which noncurriculum-related student groups shall have equal access and a fair opportunity to conduct meetings during noninstructional time.
- C. Student use of facilities under this policy does not imply school district sponsorship, approval, or advocacy of the content of the expression at such meetings.
- D. The school district retains its authority to maintain order and discipline on school premises, to protect the well-being of students and faculty, and to assure that attendance of students at meetings is voluntary.
- E. In adopting and implementing this equal access policy, the school district will NOT:
 - 1. influence the form or content of any prayer or other religious activity;
 - 2. require any person to participate in prayer or other religious activity;
 - 3. expend public funds beyond the incidental cost of providing the space for student-initiated meetings;
 - 4. compel any school agent or employee to attend a school meeting if the content of the speech at the meeting is contrary to the beliefs of the agent or employee;
 - 5. sanction meetings that are otherwise unlawful;
 - 6. limit the rights of groups of students based on the size of the group;
 - 7. abridge the constitutional rights of any person.

III. DEFINITIONS

- A. “Limited open forum” means that the school grants an offering to or opportunity for one or more noncurriculum related student groups to meet on school premises during noninstructional time.
- B. “Secondary school” means any school with enrollment of pupils ordinarily in grades 7 through 12 or any portion thereof.
- C. “Sponsorship” includes the act of promoting, leading, or participating in a meeting. The assignment of a school employee for custodial, observation, or maintenance of order and discipline purposes does not constitute sponsorship of the meeting.
- D. “Meeting” includes activities of student groups which are permitted under a limited open forum and are not directly related to the school curriculum. Distribution of literature does not constitute a meeting protected by the Equal Access Act.
- E. “Noninstructional time” means time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends, including such other periods that occur during the school day when no classroom instruction takes place.

IV. FAIR OPPORTUNITY CRITERIA

Schools in this school district shall uniformly provide that:

- A. A meeting held pursuant to this policy is voluntary and student-initiated;
- B. There is no sponsorship of the meeting by the school or its agents or employees;
- C. Employees or agents of the school are present at religious meetings only in a nonparticipatory capacity;
- D. The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and
- E. Nonschool persons may not direct, control, or regularly attend activities of student groups.

V. PROCEDURES

- A. Any student who wishes to initiate a meeting under this policy shall apply to the principal of the building at least 48 hours in advance of the time of the activity or meeting. The student must agree to the following:

1. All activities or meetings must comply with existing policies, regulations, and procedures that govern operation of school-sponsored activities.
 2. The activities or meetings are voluntary and student-initiated. The principal may require assurances of this fact.
- B. Student groups meeting under this policy must comply with the following rules:
1. Those attending must not engage in any activity that is illegal, dangerous, or which materially and substantially interferes with the orderly conduct of the educational activities of the school. Such activities shall be grounds for discipline of an individual student and grounds for a particular group to be denied access.
 2. The groups may not use the school name, school mascot name, school emblems, the school district name, or any name that might imply school or district sponsorship or affiliation in any activity, including fundraising and community involvement.
 3. The groups must comply with school policies, regulations and procedures governing school-sponsored activities.
- C. Students applying for use of school facilities under this policy must provide the following information to the principal: time and date of meeting, estimated number of students in attendance, and special equipment needs.
- D. The building principal has responsibility to:
1. Keep a log of application information.
 2. Find and assign a suitable room for the meeting or activity. The number of students in attendance will be limited to the safe capacity of the meeting space.
 3. Note the condition of the facilities and equipment before and after use.
 4. Assure proper supervision. Assignment of staff to be present in a supervisory capacity does not constitute school district sponsorship of the meeting or activity.
 5. Assure that the meeting or activity does not interfere with the school's regular instructional activities.
- E. The school district shall not expend public funds for the benefit of students meeting pursuant to this policy beyond the incidental cost of providing space. The school district will provide no additional or special transportation.
- F. Nonschool persons may not direct, conduct, control, or regularly attend meetings

and activities held pursuant to this policy.

- G. School district employees or agents may not promote, lead, participate in, or otherwise sponsor meetings or activities held pursuant to this policy.
- H. A copy of this policy and procedures shall be made available to each student who initiates a request to use school facilities.

Legal References: 20 U.S.C. §§ 4071-74 (Equal Access Act)
20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act)
Board of Educ. of Westside Community Schools v. Mergens, 496 U.S. 226, (1990)
Good News Club v. Milford Central School (2001)
Child Evangelism Fellowship of Minnesota v. Special Sch. Dist. 1, 690 F.3d 996 (8th Cir. 2012)
Child Evangelism Fellowship of Minnesota v. Elk River Area School Dist. 728, 599 F.Supp. 2d 1136 (D. Minn. 2009)

Cross References: MSBA/MASA Model Policy 902 (Use of School District Facilities and Equipment)

The Purpose, General Statement of Policy, Definitions, and Fair Opportunity Criteria sections reflect the language and requirements of the Equal Access Act and so should be adopted as written. School Boards have discretion to adopt reasonable procedures to implement the Act, however. We have provided a section on Procedures as a model.

Policy Adopted: September 2004, April 2007, June 2018, August 2020, revised September 2023
Independent School District #110
Waconia, MN

2.K. 805 Waste Reduction and Recycling

Presenter: Pam
Carman, Director of
Finance and
Operations

805 WASTE REDUCTION AND RECYCLING

[Note: The obligations stated in this policy are substantial and virtually all are governed by statute. Obviously a school district may choose to add obligations by policy.]

I. PURPOSE

The purpose of this policy is to establish a resource recovery program to promote the reduction of waste, the separation and recovery of recyclable and reusable commodities, the procurement of recyclable commodities and commodities containing recycled materials, the disposition of waste materials and surplus property, and the establishment of a program of education to develop an awareness of environmentally sound waste management.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is to comply with all state laws relating to waste management and to make resource conservation an integral part of the physical operations and curriculum of the school district.

III. DEFINITIONS

- A. "Lamp recycling facility" means a facility operated to remove, recover, and recycle for reuse mercury or other hazardous materials from fluorescent or high intensity discharge lamps.
- B. "Mixed municipal solid waste" means garbage, refuse, and other solid waste that is aggregated for collection but does not include auto hulks, street sweepings, ash, construction debris, mining waste, sludges, tree and agricultural wastes, tires, lead acid batteries, motor and vehicle fluids and filters, and other materials collected, processed, and disposed of as separate waste streams.
- C. "Packaging" means a container and any appurtenant material that provide a means of transporting, marketing, protecting, or handling a product and includes pallets and packing such as blocking, bracing, cushioning, weatherproofing, strapping, coatings, closures, inks, dyes, pigments, and labels
- D. "Postconsumer materials" means a finished material that would normally be discarded as a solid waste having completed its life cycle as a consumer item.
- E. "Rechargeable battery" means a sealed nickel-cadmium battery, a sealed lead acid battery, or any other rechargeable battery, except certain dry cell batteries or a battery exempted by the Commissioner of the Minnesota Pollution Control Agency (PCA) (Commissioner).
- F. "Recyclable commodities" means materials, pieces of equipment, and parts which are not reusable but which contain recoverable resources.

- G. “Recyclable materials” means materials that are separated from mixed municipal solid waste for the purpose of recycling or composting, including paper, glass, plastics, metals, automobile oil, batteries, source-separated compostable materials, and sole source food waste streams that are managed through biodegradative processes. Refuse-derived fuel or other material that is destroyed by incineration is not a recyclable material.
- H. “Recycling” means the process of collecting and preparing recyclable materials and reusing the materials in their original form that do not cause the destruction of recyclable materials in a manner that precludes further use.
- I. “Resource conservation” means the reduction in the use of water, energy, and raw materials. (Minn. Stat. § 115A.03, Subd. 26a)
- J. “Reusable commodities” means materials, pieces of equipment, parts, and used supplies which can be reused for their original purpose in their existing condition.
- K. “Source-separated compostable materials” means materials that:
1. are separated at the source by waste generators for the purpose of preparing them for use as compost;
 2. are collected separately from mixed municipal solid waste and are governed by state licensing provisions;
 3. are comprised of food wastes, fish and animal waste, plant materials, diapers, sanitary products, and paper that is not recyclable because the Commissioner has determined that no other person is willing to accept the paper for recycling;
 4. are delivered to a facility to undergo controlled microbial degradation to yield a humus-like product meeting the PCA’s class I or class II, or equivalent, compost standards and where process rejects do not exceed 15 percent by weight of the total material delivered to the facility; and
 5. may be delivered to a transfer station, mixed municipal solid waste processing facility, or recycling facility only for the purposes of composting or transfer to a composting facility, unless the Commissioner determines that no other person is willing to accept the materials.
- L. “Waste reduction” or “source reduction” means an activity that prevents generation of waste or the inclusion of toxic materials in waste, including:
1. reusing the product in its original form;
 2. increasing the life span of a product;

3. reducing material or the toxicity of material used in production or packaging; or
4. changing procurement, consumption, or waste generation habits to result in smaller quantities or lower toxicity of waste generated.

IV. WASTE DISPOSAL

- A. The school district will attempt to decrease the amount of waste consumable materials by:
 1. reduction of the consumption of consumable materials whenever practicable;
 2. full utilization of materials prior to disposal;
 3. minimization of the use of non-biodegradable products whenever practicable.
- B. Each school district facility shall also collect at least three recyclable materials, such as, but not limited to, the following: paper, glass, plastic, and metal.
- C. The school district will transfer all recyclable materials collected to a recycler and, to the extent practicable, cooperate with, and participate in, recycling efforts being made by the city and/or county where the school district is located.
- D. Prior to entering into a contract for the management of mixed municipal solid waste, the school district will determine whether the disposal method provided for in the contract is equal to or better than the waste management practices currently employed in the county or district plan in the county where the school district is located and whether the contract is consistent with the solid waste plan. If the waste management method provided for in the contract is ranked lower than the waste management practices employed by the county or district, the school district will:
 1. determine the potential liability to the school district and its taxpayers for managing waste in this manner;
 2. develop and implement a plan for managing the potential liability; and
 3. submit the information in (1) and (2) above to the PCA.

If the contract is inconsistent with the county plan or if the school district's waste management activities are inconsistent with the county plan, the school district should obtain the consent of the county prior to entering into a binding contract or developing or implementing inconsistent solid waste management activities.

- E. The school district may not knowingly place motor oil, brake fluid, power steering fluid, transmission fluid, motor oil filters, or motor vehicle antifreeze (other than small amounts of antifreeze contained in water used to flush the cooling system of a vehicle after the antifreeze has been drained and does not include de-icer that has been used on the exterior of a vehicle) in or on:
1. solid waste or solid waste management facilities other than a recycling facility or household hazardous waste collection facility;
 2. the land unless approved by the PCA; or
 3. the waters of the state, an individual sewage treatment system, or in a storm water or waste water collection or treatment system unless:
 - a. permitted to do so by the operator of the system and the PCA;
 - b. the school district generates an annual average of less than 50 gallons of waste motor vehicle antifreeze per month; and
 - c. the school district keeps records of the amount of waste antifreeze generated, maintains these records on site and makes the records available for inspection for a minimum of three years following generation of the waste antifreeze.
- F. The school district may not place mercury or a thermostat, thermometer, electric switch, appliance, gauge, medical or scientific instrument, fluorescent or high-intensity discharge lamp, electric relay, or other electrical device from which the mercury has not been removed for reuse or recycling:
1. in solid waste; or
 2. in a wastewater disposal system.
- G. The school district may not knowingly place mercury or a thermostat, thermometer, electric switch, appliance, gauge, medical or scientific instrument, fluorescent or high-intensity discharge lamp, electric relay, or other electrical device from which the mercury has not been removed for reuse or recycling:
1. in a solid waste processing facility; or
 2. in a solid waste disposal facility.
- H. The school district will recycle a fluorescent or high-intensity discharge lamp by delivery of the lamp to a lamp recycling facility or to a facility that collects and stores lamps for the purpose of delivering them to a lamp recycling facility, including, but not limited to, a household hazardous waste collection or recycling

facility, retailer take-back and utility provider program sites, or other sites designated by an electric utility under Minnesota Statutes section 216B.241, subdivisions 2 and 4.

- I. The school district may not place a lead acid battery in mixed municipal solid waste or dispose of a lead acid battery. The school district also may not place in mixed municipal solid waste a dry cell battery containing mercuric oxide electrode, silver oxide electrode, nickel-cadmium, or sealed lead-acid that was purchased for use or used by the school district. The school district also may not place in mixed municipal solid waste a rechargeable battery, a rechargeable battery pack, a product with a nonremovable rechargeable battery, or a product powered by rechargeable batteries or rechargeable battery pack, from which all batteries or battery packs have not been removed.
- J. The school district may not place yard waste:
 - 1. in mixed municipal solid waste;
 - 2. in a disposal facility;
 - 3. in a resource recovery facility, except for the purposes of reuse, composting, or cocomposting; or
 - 4. in a plastic bag unless exempt as specified in Minnesota Statutes section 115A.931(c), (d), or (e).
- K. The school district may not place a telephone directory:
 - 1. in solid waste;
 - 2. in a disposal facility; or
 - 3. in a resource recovery facility, except a recycling facility.
- L. The school district may not:
 - 1. place major appliances in mixed municipal solid waste; or
 - 2. dispose of major appliances in or on the land or in a solid waste processing or disposal facility.
- M. The school district may not place in mixed municipal solid waste an electronic product containing a cathode-ray tube.
- N. The school district, on its own or in cooperation with others, may implement a program to collect, process, or dispose of household batteries. The school district

may provide financial incentives to any person, including public or private civic groups, to collect the batteries.

V. PROCUREMENT OF RECYCLED COMMODITIES AND MATERIALS

- A. When practicable and when the price of recycled materials does not exceed the price of nonrecycled materials by more than 10 percent, the school district may purchase recycled materials. In order to maximize the quantity and quality of recycled materials purchased, the school district may also use other appropriate procedures to acquire recycled materials at the most economical cost to the school district.
- B. When purchasing commodities and services, the school district will apply and promote waste management practices with special emphasis on the reduction of the quantity and toxicity of materials in waste.
- C. Whenever practicable, the school district will:
 - 1. purchase uncoated copy paper, office paper, and printing paper unless the coated paper is made with at least 50 percent postconsumer material;
 - 2. purchase recycled content copy paper with at least 30 percent postconsumer material by weight and purchase office and printing paper with at least 10 percent postconsumer material by weight;
 - 3. purchase paper which has not been dyed with colors, excluding pastel colors;
 - 4. purchase recycled content copy, office, and printing paper that is manufactured using little or no chlorine bleach or chlorine derivatives;
 - 5. use reusable binding materials or staples and bind documents by methods that do not use glue;
 - 6. use soy-based inks;
 - 7. purchase printer or duplication cartridges that:
 - a. have 10 percent post-consumer material; or
 - b. are purchased as remanufactured; or
 - c. are backed by a vendor-offered program that will take back the printer cartridges after their useful life, ensure that the cartridges are recycled, and comply with the definition of recycling in Minnesota Statutes section 115A.03, subdivision 25b;
 - 8. produce reports, publications, and periodicals that are readily recyclable;

9. purchase paper which has been made on a paper machine located in Minnesota; and
 10. print documents on both sides of the paper where commonly accepted publishing practices allow.
- D. The school district may not use a specified product included on the prohibited products list published in the State Register.
- E. In developing bid specifications, the school district will consider the extent to which a commodity or product is durable, reusable or recyclable, and marketable through applicable local or regional recycling programs and the extent to which the commodity or product contains postconsumer material.
- F. When a project involves the replacement of carpeting, the school district may require all persons who wish to bid on the project to designate a carpet recycling company in their bids.

VI. OTHER

The policy of the school district is to actively advocate, where appropriate, for resource conservation practices to be adopted at the local, regional, and state levels.

Legal References: Minn. Stat. § 16C.073 (Purchase and Use of Paper Stock; Printing)
Minn. Stat. § 115A.03 (Definitions)
Minn. Stat. § 115A.15 (State Government Resource Recovery)
Minn. Stat. § 115A.151 (Recycling Requirements; Public Entities; Commercial Buildings; Sports Facilities)
Minn. Stat. § 115A.46 (Regional and Local Solid Waste Management Plan; Requirements)
Minn. Stat. § 115A.471 (Public Entities; Managing Solid Waste)
Minn. Stat. § 115A.915 (Lead Acid Batteries; Land Disposal Prohibited)
Minn. Stat. § 115A.9155 (Disposing of Certain Dry Cell Batteries)
Minn. Stat. § 115A.9157 (Rechargeable Batteries and Products)
Minn. Stat. § 115A.916 (Motor Vehicle Fluids and Filters; Prohibitions)
Minn. Stat. § 115A.931 (Yard Waste Prohibition)
Minn. Stat. § 115A.932 (Mercury Prohibition)
Minn. Stat. § 115A.951 (Telephone Directories)
Minn. Stat. § 115A.9561 (Major Appliances)
Minn. Stat. § 115A.9565 (Cathode-Ray Tube Prohibition)
Minn. Stat. § 115A.961, Subd. 3 (Household Batteries; Collection, Processing, and Disposal)
Minn. Stat. § 115A.9651 (Listed Metals in Specified Products; Enforcement)
Minn. Stat. § 116.93, Subd. 1 (Lamp Recycling Facilities)
Minn. Stat. § 216B.241, Subds. (Public Utilities; Energy Conservation and

Optimization)

Minn. Stat. § 458D.07 (Sewage Collection and Disposal)

National Solid Waste Management Ass'n v. Williams, et al., 966 F.Supp.
844 (D. Minn. 1997)

Cross References: None

Policy Adopted: June 2004, April 2007, May 2010, June 2013, June 2018

Revised: August 2020, revised September 2023

Independent School District #110

Waconia, MN

2.L. 809 Naming Rights Policy

Presenter:
Superintendent
Gersich

809 NAMING RIGHTS POLICY

I. PURPOSE

The purpose of this policy is to establish the criteria and procedures for granting Naming Rights in relation to District facilities. This policy does not cover scholarships or research grants. The Naming Rights Policy applies district-wide.

II. GENERAL STATEMENT OF POLICY

It is the policy of this school district to recognize persons who have either supported the district through distinguished effort or substantial financial contributions by naming facilities in their honor.

III. REQUIREMENT

A. Facilities included in the Naming Rights Policy include:

1. Buildings or parts of a building such as wings where the identification focuses on the external feature.
2. Parts of buildings, such as theatres, laboratories, gymnasiums, or classrooms.
3. Outdoor areas, which may be gardens, courtyards, stadiums, playing fields, roads or walkways.
4. Other facilities may be recommended for naming after consultation with the school board.

B. “Naming Rights in Consideration” is in consideration of financial contributions, sponsorships or other commercial transactions.

C. “Naming Rights in Recognition” is in recognition of any significant contributions to the district that it wishes to honor.

1. Recognition of outstanding services to the district while serving in an academic or administrative capacity.
2. Recognition of the achievement of distinguished alumni.
3. Recognition of a financial contribution or other contribution from a donor.

IV. GRANTING NAMING RIGHTS

- A. The granting of Naming Rights must be consistent with the District 110 Mission and Core Values.
- B. For the purposes of this policy, a significant financial contribution is set at a minimum of \$100,000.00.
- C. All requests for Naming Rights must be submitted in writing to the board of education.
- D. The board of education will designate the superintendent or designee to form a committee to review and make recommendations for naming opportunities.
- E. The committee will review and research each submitted facility-naming nomination on its individual merits.
- F. The committee will make its recommendation to the superintendent.
- G. The superintendent will submit her/his recommendation to the board of education for review and action.
- H. The physical display of the Naming Rights shall be decided or negotiated on a case-by-case basis.

V. GUIDELINES

The superintendent will decide the monetary valuation of each naming right after receiving a recommendation from the director of business services who may take advice from such persons or other professionals, as needed. Each case should take into account market comparisons for naming rights for which professional advice may be sought.

VI. DURATION OF NAMING RIGHTS

- A. The duration of naming rights is decided or negotiated on a case-by-case basis.
- B. Naming Rights will normally remain in place for a period of no longer than twenty-five [25] years.
- C. Exceptions to the duration may be granted with the approval of the board of education.

VII. EARLY TERMINATION OF NAMING RIGHTS

- A. The Naming Rights agreement may be terminated under the following conditions:
 - 1. Termination by the District – The district reserves the right, at its sole discretion, to terminate Naming Rights without refund of consideration, prior to the scheduled

termination date, should it feel it is necessary to do so to avoid the district being brought into a disrepute.

2. Termination by the Named Party – The Named Party without refund of consideration, at its sole discretion, may terminate its acceptance of the Naming Rights prior to the scheduled termination date, in the event that the district directly brings the Named Party into disrepute.

VIII. TRANSFERABILITY OF NAMING RIGHTS

- A. Naming Rights may only be transferred to any other Named Party by mutual agreement between all named parties.
- B. “Naming Rights in Consideration” may be traded by mutual agreement between all parties. Traded is defined as “to exchange one naming right for another” as in the case where a company changes its name, the naming right might be “traded” to reflect the new name.

IX. RENEWABILITY OF NAMING RIGHTS

- A. Naming Rights may be renewed by the mutual agreement between all the parties.

X. LIMIT OF NAMING RIGHTS

- A. On the Part of the District
The school district’s right to use the name and other brand elements of the named party is permitted by express agreement with the named party.
- B. On the Part of the Named Party
The named party, after whom a building or part of a building is named, has no decision-making rights as to the purpose of the building or part of the building unless specifically provided for in the written agreement between the parties. The school district will not agree to any condition in an agreement that could unnecessarily limit progress toward the district’s mission and purpose, statutory obligations, or the local authority of the school board. In turn, the named party has no liability in respect of that building or part of a building unless provided for in a specific contract between the parties. Any such limits must be included in any naming rights’ agreement.

2.M. 901 Community Education

Presenter: Steven
Jensen, Director of
Community Ed

901 COMMUNITY EDUCATION

I. PURPOSE

The purpose of this policy is to convey to employees and to the general public the important role of community education within the school district.

II. GENERAL STATEMENT OF POLICY

The school board affirms a strong commitment to the community education program. The school board welcomes, and strongly encourages use of school buildings and activity areas by the community when not used for regularly scheduled elementary and secondary programs. The school administration should strive to accomplish the following objectives:

- A. Maximum use should be made of public school facilities within the school district service area.
- B. Educational needs and interest of area residents should be determined periodically.
- C. Community resources and expertise of residents should be utilized to develop a vibrant, well-rounded community education program.
- D. Area residents should be encouraged to actively participate in program opportunities.

III. COMMUNITY EDUCATION ADVISORY COUNCIL

- A. The council shall assist in promoting the goals and objectives of the program.
- B. The membership of the community education advisory will consist of members who represent: various service organizations; churches; public and nonpublic schools; local government including elected officials; public and private nonprofit agencies serving youth and families; parents; youth; park, recreation or forestry services of municipal or local government units located in whole or in part within the boundaries of the school district; and any other groups participating in the community education program in the school district.
- C. Bylaws of the community education advisory council shall provide the framework for the organization including criteria pertaining to membership, officers' duties, frequency and structure of meetings and such other matters as deemed necessary and appropriate.
- D. The council will adopt a policy to reduce and eliminate program duplication within the school district.

Legal References: Minn. Stat. § 123B.51 (Schoolhouses and Sites; Uses for School and Nonschool Purposes; Closings)
Minn. Stat. § 124D.19, Subd. 1 (Community Education Programs; Advisory Council)
Minn. Stat. § 124D.20, Subd. 1 (Community Education Revenue)

Cross References: MSBA/MASA Model Policy 902 (Use of School District Facilities and Equipment)

Policy Adopted: October 13, 1997

Revised: June 2004, September 2020, revised September 2023

Independent School District 110

Waconia, MN

2.N. 902 Facility Use Policy

Presenter: Steven
Jensen, Director of
Community Ed

902 FACILITY USE POLICY

I. PHILOSOPHY

ISD 110 Waconia Public Schools (Serving the communities of Minnetrista, New Germany, St. Bonifacius, Victoria, and Waconia) believes that the public schools are owned and operated by and for community residents. The schools are an integral part of the community. The School Board welcomes and encourages the public use of the school facilities. This policy is in effect until any revision is ratified by the board of education.

Authorization for use of school facilities shall not be considered as an endorsement or approval of the activity, group or organization, nor the purposes they may represent. The right to authorize use of school facilities shall be retained by the School Board through the Director of Community Education.

II. REGULATION A: ADMINISTRATIVE RESPONSIBILITY

- A. Administrators shall be responsible for providing information to the Community Education office on K-12 activities scheduled in their building after regular school hours 7:00 a.m. - 3:00 p.m. Major activities for the upcoming year should generally be scheduled by June 30; Additional school activities remaining to be scheduled during the year are to be scheduled at least 10 days prior to the event in the Community Education office.
- B. The Community Education office shall be responsible for scheduling the use of school facilities outside the regular school day.
- C. The Community Education office shall keep a master calendar of all activities held in the schools and provide public access to view the facility calendar.

III. REGULATION B: VISITORS AND GUESTS

All visitors must report to the building office during school hours for building passes. District personnel have the authority to remove an unwelcome guest from school grounds. All visitors and guests after school hours will be monitored by either school authorities, or the responsible representative using/renting school facilities. School authorities may contact law enforcement if an unwelcome guest is unwilling to leave school grounds.

IV. REGULATION C: APPLICATION AND USAGE PROCEDURE

- A. Facility User groups or individuals interested in using district facilities are required to obtain prior approval. Request forms are available online at

www.waconiacommunityed.org or by contacting the district facility scheduler at (952) 442-0610.

Forms can be submitted through:

1. Mail to: Community Education, 516 Industrial Blvd, Waconia, MN 55387.
 2. Fax to: (952) 442-0619
 3. Drop off at the Community Education office
 4. Submit online
- B. An application for the use of facilities shall be completed before using the space. There is a \$5 non-refundable facility reservation fee. One application may be used for a series of meetings or practices. Applications will be processed on a first-come first-served basis according to the priority schedule stated in Regulation D.
- C. Every application for the use of a school district facility shall state the general nature and purpose of the meeting. The application must be signed by an authorized adult representative (18 years or older) of the group applying for the use and must list the person(s) responsible. All groups must be supervised by responsible adults.
- D. Permission for using the facility will not be granted for any meeting which, in the judgment of the School District, conflict(s) with the District's belief and mission, or for which satisfactory sponsorship or adequate adult supervision is not provided. Facilities shall be used strictly for purposes for which the space was designed.
- E. All facility rental fees are due after the event takes place. The Community Education office will bill the user after the event for fees; i.e. custodial, cooks, refuse and building supervisors, etc. There are exceptions to this. If renting the Performing Arts Center, fees may be required upfront depending on the event.
- F. The Community Education office will arrange for custodial service, food service, auditorium manager supervision if required, and an appropriate building supervisor may be necessary. If and when the additional services are needed, and/or the nature of the activity indicates such staffing fees will be assessed. (See Regulation G for a detailed description) Fees will be assessed after the event. Qualified food service personnel as determined by the District will be staffed if the request includes use of a kitchen. Staffing costs are the responsibility of the user. All groups and organizations using school facilities must have authorized building supervisory personnel on duty, approved by the Director of Community Education.
- G. Requests for the use of school district equipment (recreation, audio visual etc.) must be included on the application. Some equipment is not available to the public, and no district

equipment can be taken from the premises.

- H. Application for school facilities shall constitute acceptance by the applicant of the responsibilities stated and willingness to comply with all rules and regulations regarding the use of school facilities as prescribed by the School District. See Regulation H, Rules for Buildings and Grounds.

V. REGULATION D: CATEGORIES AND PRIORITY FOR USE OF FACILITIES

A. Group 1

In all cases, District 110 School sponsored events and activities, including community education programming, shall have scheduling priority. School District sponsored activities shall not be assessed rental fees. Group I activities requiring special custodial services or building supervisor services after hours shall be charged for these services, if occurring on weekends and non-school times.

Booster Clubs Defined:

The District 110 Foundation and recognized Booster Clubs (e.g. Music and Wildcat) providing support to District 110 programs will be able to use district facilities (for meetings and activities meeting broad student needs) under Group 1.

A recognized Booster Club:

1. Exists solely for the purpose of supporting/promoting District 110 programs.
2. Has a mission statement and written constitution
3. Has clear financial standards and accounting procedures
4. Has met the requirements to be a 501C-3
5. Works to enrich student lives through a strong and recognizable commitment to the Mission and Vision statements of District 110.

B. Group 2

Second priority will go to local youth, adults, government, service groups and charitable organizations, non-school youth groups, local AAU teams, scouts, 4-H, precinct caucuses and elections etc., local religious organizations for worship or instruction, local private agencies, local companies, local political groups. (Local refers to, in the school district boundaries) If the function is held during normal custodial hours, there will only be a custodial fee assessed if cleaning services required go beyond the normal routine. If the function is after normal custodial hours or is held on weekends or holidays, there will be a one and a half-

time custodial fee billed to the user. This includes kitchen help if the kitchen is requested, and a building supervisor or administrator. All Group 2 users will be assessed appropriate charges per each use. See rental fee sheet for rates.

C. Group 3

Third priority will go commercial business groups that serve a regional, state or national clientele, and vendors (based outside District 110). Non local political and non-local religious groups, out of District 110 youth or adult teams/individuals. All Group 3 users will be assessed appropriate charges per each use. See rental fee sheet for rates.

D. Other Users

1. The use of school facilities by District 110 staff for private tutoring, either music, athletic, or academic, shall be allowed if the following criteria are met:
 - a. The tutoring is approved by the appropriate building principal.
 - b. The tutoring takes place during normal school/custodian hours.
 - c. A seasonal fee is paid, per ISD 110 staff member, per year.

* Occasionally, non-school scheduled activities may conflict with a school program. If a conflict occurs, every effort will be made to find an alternate facility for the non-school group.

VI. REGULATION E: BUILDING HOURS

District 110 Buildings are open weekdays from 6:00 a.m. to 10:30 p.m.

Groups considering an activity in District 110 buildings beyond these previously mentioned times, must receive approval from the Community Education Office. Weekend reservations may include a custodial fee.

VII. REGULATION F: FEE AMOUNTS

The school board may require a rental fee for the use of school facilities. Such fee may include the cost of custodial and supervisory service if deemed necessary. It may also require a deposit or surety bond for the proper use and repair of damage to school facilities. A rental fee schedule, deposit or surety bond schedule, and payment procedure shall be presented for review and approval by the school board.

VIII. REGULATION G: SUPERVISION

- A. All groups and organizations using school facilities must have their own authorized

supervisor on duty, approved by the Director of Community Education or Building Principal.

- B. Adult supervision is required at all activities. The group's authorized supervisor must be in attendance at all times to accept responsibility for the conduct of the group, care of the building and equipment.
- C. Authorized School District personnel must be present at all times to supervise the building during any use outside of the normal school day.
- D. Groups or organizations using district 110 facilities shall assume the cost of supervision for the use of the school during hours after the designated duty hours as set by the Community Education Director.
- E. Supervision by law enforcement may be required for some activities by the Director of Community Education. Costs associated with police coverage shall be paid by the group.
- F. Certain events must also pay for a district administrator or designee to assist with building supervision. This determination will be made by the Community Education Director, and the additional fee is the responsibility of the user group. The decision to add a district supervisor(s), is dependent upon the type of activity, number of participants, square footage requested and/or type of rooms/area requested. The role of the Administrator or ~~his/her~~ designee, for your event is to:
 - 1. Meet and greet the user.
 - 2. Make sure all areas are ready to handle your needs.
 - 3. Ensure a safe traffic flow.
 - 4. Handle or direct staff in regards to emergencies that may arise.
- G. Certain building use may warrant a custodian and in addition a site designee pending a decision by the Community Education Director. The role of the custodian for your event is to:
 - 1. Open and close the building/ rooms of use.
 - 2. Troubleshooting throughout the day.
 - 3. Building security and cleanliness during your use.

4. Auto/scrub/vacuum/sweep the floors at the end of your use.
5. Clean and restock restrooms.
6. Set up and take down chairs/tables.
7. Remove all refuse.

IX. REGULATION H: RULES FOR BUILDINGS AND GROUNDS

- A. The following rules must be observed in the use of school facilities, and the group leader will be held responsible for compliance.
- B. All groups or organizations, that are not School District 110 based, must provide Proof of Liability Insurance to use District facilities. This may be in the form of a “blanket” policy or of a certificate for one-time events. The Certificate of Liability must be on file in the Community Education office prior to the event.
 1. The applicant and/or organization agrees to assume all responsibility for damage or liability of any kind and further agrees to hold harmless School District 110 from any liability and/or expense occurring as a result of the use of the school facilities. The Board of Education requires the applicant and/or organization to furnish a Certificate of Liability Insurance in the amount of \$1,000,000/occurrence and \$3,000,000/aggregate which names District 110 as an additional insured.
 2. Certificates of Liability Insurance are required for large groups, groups serving food, athletic events not sponsored by District 110 and any other event for which the district or its agent deem it necessary.
 3. The individual names on the permit, and the group in whose name the permit is issued, are jointly required to assume full responsibility for personal injury to any participants or spectators.
- C. The applicant must exercise the utmost care in the use of school premises and agree to protect, indemnify and hold harmless Independent School District 110 and its officers and employees from any and all claims, liabilities, damages or rights of action, directly or indirectly, growing out of the use of the premises covered by the permit.
- D. Any loss, breakage or need of repairs of facilities or equipment must be reported to the Community Education office immediately by the leader in charge of the scheduled activity. If damage is not reported, it may result in revocation of future building usage. Any loss, breakage, or damage to facilities or equipment is the responsibility of the contracting organization, as determined by the School District.

- E. Facility Use reservations are non-transferable.
- F. All activities must be under adult supervision by the organization using the facilities. Members of this group should not begin their activity until the group authorized supervisor is present.
- G. Gambling and the use of tobacco in any form is prohibited in school district facilities.
- H. Possession or consumption of intoxicating beverages or illegal drugs in any form in or on school premises is prohibited.
- I. Disorderly conduct is prohibited and punishable by removal from school buildings or grounds and involvement of law enforcement.
- J. Food and drink in appropriate areas only. Each group is responsible for cleaning up the area used prior to leaving. There is no eating or drinking in either the Auditorium or the Performing Arts Center.
- K. Building must be vacated by the time indicated on the user's facility use application. Additional charges may be otherwise assessed.
- L. Rooms and areas used must be left as you found it. Put all furniture and equipment back where you found it.
- M. The Community Education Director is authorized to act in any case not covered by the rules and regulations of this policy.
- N. The Community Education Director may cancel a permit effective immediately if, in ~~his~~ or her the Community Ed Director's judgment, continuation would be potentially harmful and/or dangerous or that the program and/or participants' actions are not of a moral standard.
- O. The school district assumes no liability or responsibility for non-district equipment, owned or leased by the permit holder, which is used or stored on District property.
- P. Groups using school facilities need to follow school district recycling procedures.
- Q. School district policy prohibits all forms of sexual, racial or religious harassment and violence. This school district policy applies to anyone using school facilities. Individuals who believe they have been the victim of sexual, racial or religious harassment or violence on school premises should report the alleged acts immediately to the Human Rights Officer of their organization or to the Director of Community Education. A complete copy of the school district's policy is available in the District Office or in the

Community Education office.

- R. Groups having special needs, such as extra-electrical, generators, dry-ice, or re-configuration of standard District 110 equipment and facilities may be required to seek prior plan approval from the Director of Community Education. Subsequent approval may also be required from the: Local Fire Inspector, Building Inspector, Health Inspector, etc. Any and all expenses incurred through these approvals and licenses are all to be paid by the facility user group(s).

X. REGULATION I: LEASES

- A. The school district may lease facilities to organizations that are nonprofit and provide a general service to the majority of the residents of the school district.
- B. All leases should be for a period not to exceed one year.
- C. Leases generally involve physical facilities that are not otherwise used and/or needed by the school district.
- D. All leases shall be coordinated through Community Education and approved by the School Board.
- E. The lease shall be defined as a written agreement between the school district and another party for the purpose of exclusive use of school facilities and/or land for a specified period of time.
- F. Long-Term User: Groups renting District 110 facilities on a long-term basis will be given a 33% break in their facility use rental fees. This discount does not apply to personnel: custodial fees, building supervisor fees, kitchen staff. * Long-term user refers to those groups renting facilities for twelve months (or more) continuously from July through June, or any twelve month period.

XI. REGULATION J: STUDENTS – EQUAL ACCESS TO FACILITIES

Secondary school students (grades 9-12) may hold meetings in school facilities during non-instructional time for non-curriculum-related purposes which are not sponsored by the school upon prior notice to the building principal. Such meetings shall be subject to the following:

- A. The meeting must be voluntary and student-initiated.
- B. The meeting must not materially and substantially interfere with the orderly conduct of

educational activities within the school.

- C. The meeting must not require the expenditure of public funds beyond the incidental cost of providing the space for the meeting.
- D. Non-school persons may not direct, conduct, control or regularly attend activities of student groups.
- E. School employees or agents shall not stay in or be present at such meetings except for custodial purposes, to maintain order and discipline, or to assure that the attendance of students at meetings is voluntary.
- F. The Principal or Principal's designee shall be notified in writing 48 hours in advance of the meeting by the student who is initiating the meeting.
- G. The Principal may assign a specific space to be used for the meeting and may designate a member of the school staff to be present at such meetings for the purposes set forth in item F above.
- H. The Principal or designee shall notify the Community Education Office of space assigned.
- I. Appropriate notices of such meetings may be posted in places designated by the Principal for student notices.
- J. Meetings shall not begin prior to one hour before the instructional day nor continue more than two hours beyond the instructional day.

XII. REGULATION K: PUBLICITY

When any organization is granted use of a school facility, and when publicity of the meeting is disseminated by press, radio, leaflets, or other means, the organization or association must, at all times, fully identify itself, the person who is the official organizational representative and contact information in/on all such publicity.

XIII. REGULATION L: PUBLIC FACILITIES AVAILABLE FOR ELECTIONS

District 110 facilities are available for the holding of city, county, school district, state and federal elections subject to the approval of local election official(s). Facilities designated for the election are up to the Superintendent or ~~his/her~~ designated representative.

A charge for the use of the facilities may be imposed by law. The fee cannot exceed the lowest amount charged to any user group.

XIV. REGULATION M: CANCELLATION OF FACILITY RESERVATIONS

- A. The applicant shall notify the Community Education Office of any cancellation of previously scheduled facilities at least twenty-four (24) hours prior to the scheduled use. In case of failure to do so, the District may invoice for expenses incurred in preparation for use of the facility requested.
- B. An approved reservation shall not be considered by the applicant as a lease, and the school district reserves the right to cancel or revoke any reservation at any time with or without cause. In the event of such cancellation or revocation, there shall be no claim or right by the user to damages or compensation.
- C. Facility reservation may be canceled by the school district for any of the following reasons:
 - 1. Inadequate group supervision as determined by the authorized building supervisory personnel or Community Education Director.
 - 2. Misuse of equipment or facilities.
 - 3. Group conduct of an inappropriate or unacceptable nature as determined by the authorized building supervisor or the Community Education Director.
 - 4. The Community Education Director may cancel a reservation effective immediately if, in ~~his or her~~ the Community Education Director's judgment, continuation would be potentially harmful and/or dangerous or that the program and/or participants' actions are not of a moral standard.
 - 5. When school is canceled or closes early due to inclement weather or physical problems, all after school and evening youth activities will be canceled. Adult evening activities may or may not be canceled, pending a decision by the Community Education Director.

XV. WACONIA PERFORMING ARTS CENTER

In addition to procedures that apply to use of all District 110 facilities, the following apply to the use of the Waconia Performing Arts Center.

- A. Scheduling
Community Education is responsible for scheduling the Performing Arts Center after school hours and on weekends.
- B. Fees

1. The application process outlined in Policy 902 must be followed for PAC usage.
2. A damage deposit of \$200 will be required for groups using the PAC. An additional \$200 deposit may be required if technical equipment or musical equipment instruments are used. A separate check should be submitted for the deposit. The deposit check will be held until after the final performance. If damage to the facility, equipment, or instruments exceeds the deposit, the user group will be billed for the balance of the cost.
3. When renting the Performing Arts Center. There will be some fees that are due up front at the time of the reservations.

C. Staff Required for Use of PAC

1. A custodian and/or approved building supervisor or Auditorium manager must be available in the building whenever the PAC is used.
2. Whenever technical light, sound or fly systems are to be used, the systems will be operated only by technicians hired and trained by District 110 or by the Auditorium manager. User groups will be billed by Community Education for the technician time on an hourly basis.

D. Event Management

Event Management includes but is not limited to: event supervision, parking, ticket sellers, and takers, ushers, some set-up arrangements, general clean up (post event), etc. In general, event management will be the responsibility of the user group with approval from the Auditorium Manager. In some instances, the district may elect to provide event management and appropriate fees will be assessed.

E. General Reservation Holder Responsibilities

1. The reservation holder is solely responsible for arranging for and paying for all performance rights, licensing fees and other applicable fees associated with their production.
2. The reservation holder must enforce any restrictions on recording, broadcasting, televising, or photographing their production as outlined in relevant contractual agreements. The reservation holder must inform the audience and the school district of such restrictions.

XVI. PAC BACKSTAGE FACILITIES AND EQUIPMENT/INSTRUMENT USE

- A. Dressing rooms and the make-up room are available for use by performers. The props/costumes and scene storage rooms are available for the school district use only.

- B. Groups preparing for a play or musical performance may leave sets, props, and costumes overnight for a period of up to 2 weeks prior to the scheduled performance or as determined by the auditorium manager. The District does not provide permanent storage to user groups. At the end of each rehearsal, all items left behind must be put into a designated area, as there may be other users in between scheduled rehearsals and performances. The stage must be struck within one day of the final performance. Anything left behind will be disposed of by the District at the users group expense. The District is not responsible for theft or damage to items left in the facility.
- C. User groups will be responsible for properly disposing of unused paint and other substances or disposal cost will be deducted from the damage deposit. Only non-toxic materials may be used.
- D. The District regularly tunes the piano in the PAC. There may be an extra charge to the group if an additional tuning is requested.
- E. The band room is available for use if needed to accommodate performers for an event. Standard usage of the band room includes chairs and the music stands only. The band room must be put back exactly as it is found.
- F. The music commons area and the practice rooms are not available for use.
- G. District owned instruments (percussion, etc.) are available only by special arrangement and a fee will be assessed for their usage.

XVII. RULES

- A. No food or beverages are allowed in the PAC or sound/lighting area. Plain, non-carbonated water is allowed on stage and back stage only.
- B. No candy or gum is allowed anywhere in the PAC.
- C. No adhesive tape may be placed on the carpet, walls, or curtains in the PAC. Approved gaffers, tape and spike tape.
- D. Posters and other signage for events in the PAC may be hung only in designated areas after obtaining approval from the district.

Policy adopted: November 2004

Policy revised: September 2017, December 2023

Independent School District No. 110

Waconia, MN

2.0. Facility Use Rates

Presenter: Steven
Jensen, Director of
Community Ed

Facility Use Rental Fees 2023-2024
ISD 110 Community Education & Recreation

Southview		Group 2	Group 3
Facility	Group 1	Hourly	Hourly
Gym, Small/ Cafeteria	School/ CE are Group 1 users	10 \$20	15 \$25
Gym, Large		\$20	\$25
Kitchen *		\$20	\$25
Computer Lab *		\$20	\$25
Media Center		\$15	\$20
Commons		20 \$15	15 \$20
Classroom		\$10	\$15

Bayview		Group 2	Group 3
Facility	Group 1	Hourly	Hourly
Gym	School/ CE are Group 1 users	\$20	\$25
Cafeteria/Flex		\$20	\$25
Kitchen *		\$20	\$25
Computer Lab *		\$20	\$25
Media Center		\$15	\$25
Classroom		\$10	\$15
Choir Room		\$15	\$15
Football Field		\$75	\$125
Track		\$10	\$20
Commons		20 \$15	15 \$20
Football Press Box		\$10	\$15

Laketown		Group 2	Group 3
Facility	Group 1	Hourly	Hourly
Choir Room	School/ CE are Group 1 users	\$15	\$15
Gym		\$20	\$25
Kitchen *		\$20	\$25
Computer Lab *		\$20	\$25
Media Center		\$15	\$25
Cafeteria		\$20	\$25
Commons		\$20	\$25
Classroom		\$10	\$15

Waconia Middle School		Group 2	Group 3
Facility	Group 1	Hourly	Hourly
Main Gym 1 Court	School/ CE are Group 1 users	\$20	\$25
Main Gym 2 Courts		\$40	\$50
Main Gym 3 Courts		\$60	\$75
Auditorium		\$25	\$40
Commons		\$30	\$35
Kitchen		\$20	\$25
Computer Lab*		\$20	\$25
Media Center		\$15	\$25
Choir Room		\$15	\$25
Classroom		\$10	\$15
Band Room		\$15	\$25
Group Space D110		\$15	\$25
Conference Room		\$15	\$20
Weight Room		\$25	\$30
Wrestling Room		\$15	\$25

Waconia Middle School Auditorium		Group 2	Group 3
Facility	Group 1	Hourly/Daily	Hourly/Daily
Auditorium**	School/ CE are Group 1 users	\$25 \$35	\$40 \$45
Equipment Fees		\$250	\$350
Projector		\$25	\$35
Sound Board		\$30	\$30
Additional Microphone per use		\$10	\$10
Stage Lighting System		\$30	\$30
Stage Monitor		\$10	\$10
Wired Intercom Pack		\$10 each	\$15 each
Choir/Band Risers per section		\$25*	\$25*
Band/Choir Shells		\$65*	\$65*

Additional equipment rental is available. Please inquire.

* Fees do not include custodian time or Auditorium technician time for set up

** Standard rental includes: (2) wireless microphones and (2) microphone stands.

Waconia High School		Group 2	Group 3
Facility	Group 1	Hourly	Hourly
Main Gym 1 Court		\$20	\$25

Main Gym 2 Courts		\$40	\$50						
Main Gym 3 Courts		\$60	\$75						
Field House 1 Court		\$20	\$25						
Field House 2 Courts		\$40	\$50						
Field House 3 Courts		\$60	\$75						
Field House 4 Courts		\$80	\$100						
Band Room		\$15	\$25						
Gymnastics Room		\$15	\$15						
Commons		\$30	\$35						
Kitchen*		\$20	\$25						
Computer Lab*		\$20	\$25						
Locker Room		\$15	\$25						
Dressing Room		\$50	\$75						
Media Center		\$15	\$25						
Choir Room		\$15	\$25						
Classroom	School/ CE are Group	\$10	\$15						
Wrestling Room	1 users	\$15	\$25						

Waconia High School PAC		Group 2		Group 3	
Facility	Group 1	Hourly / Full Day		Hourly / Full Day	
Performing Arts Center**					
1. Meetings/Rehearsals		\$50	\$300	\$100	500 \$600
2. Performances		\$100	500 \$600	\$200	800 \$1,200
Equipment Fees					
Projector			\$50		\$75
Sound Board			\$50*		\$50*
Additional Microphone per use			\$10		\$10
Stage Monitor			\$10 each		\$10 each
Clear Com			\$10 each		\$20 each
Grand Piano			\$50***		\$50***
Choir/Band Risers per section			\$25*		\$25*
Orchestra Shells and Clouds			100*		100*
Dressing/Makeup Room	School/ CE are Group 1 users	\$25		\$30	

Additional equipment rental is available. Please inquire.

*Fees do not include custodian time or Auditorium technician time for setup

** Standard PAC rental includes: (2) microphones, (2) 25 foot cords, and (2) microphone stands.

*** Piano tuning is done in October and April. If you want additional tuning, groups would cover that cost.

Associated Equipment and Operational Fees Are Charged as Follows

ITEM	DESCRIPTION	FEE
Equipment/Fields		
	Waconia Middle Portable Stage - Full Stage	\$100.00
	Waconia Middle School Portable Stage - Half Stage	\$50.00
	<i>(No outside building rental is permitted of the portable stage. If rented by any group, the WHS custodians must assemble. Your group will be billed for the custodial time.)</i>	
	Waconia Middle School Gym Floor Tarp - Per Section <i>(If rented by any group, the WHS custodians must place for you. Your group will be billed for the custodial time. Chamber of Commerce is exempt of all fees associated with the gym floor tarps)</i>	\$25.00
	Risers or Band Shells <i>(If rented by any group, the building custodians must assemble for you. Your group will be billed for the actual custodial time.)</i>	\$25.00
	Scoreboard Use (Per board)	\$25.00
	Sound System Use	\$25.00
	Spot Lights (2)	\$25.00
	LCD Projector per use	\$25.00
	Portable Bleachers(WMS) - Per section	\$15.00
	Grand Piano @ WHS	\$50.00
	Standard Upright Piano	\$30.00
	Field Lights (Group 2)	\$50.00
	Field Lights (Group 3 & 4)	\$100.00
	Tennis Courts (Individual per court)	\$10. per hour
	Tennis Courts (Whole Complex per day)	\$150. per day
	Turf Field Use; Per Field	\$175. per hour

		Sand Peet Field Use; Per Field		\$50. per hour		
		Grass Field Use; Per Field		\$25. per hour		
All Buildings		* Denotes that either Kitchen Staff or Auditorium Technical manager must supervise the rental of this space. This cost is paid for by the renter of the facility.				
Operational Fees						
		ISD 110 Staff Tutors		\$20.00		
		Scheduling Fee (Per use, or a series of meetings, or a series of practices per team)		\$25.00		
		Team Fee for practices for outside groups (WBA & JO, WWA)		\$75. per team		
		Utility Fees		\$15.00		
		Weekend Refuse Fee*		\$25. or \$200.		
		<i>(* If an event is likely to generate extra refuse/recycling, an additional fee may be added. The determining criteria are the number of people, length of event, type of event. This determination will be made by the Community Education Director.)</i>				
		Administrator on duty per Regulation H & I #8		\$35. per hour		
		Kitchen Staff - Time and a half		\$35. per hour	Holiday Rate - \$45. per hour	
		Custodial Staff - Time and a half		\$45. per hour	Holiday Rate - \$50. per hour	
		Auditorium Manager - Time and a half		\$40. per hour	Holiday Rate - \$50. per hour	
		Auditorium Tech		\$20/hr	\$75/hr	
		<i>* If an event is likely to generate extra refuse/recycling, an additional fee may be added. The determining criteria are the number of people, length of event, type of event. This determination will be made by the Community Education Director.</i>				
Cancellation Policy						
		In the event a cancellation by the user group is made:				
		1. If the cancellation is made to Community Education with 10 or more days notice there will be a full refund, minus an administrative fee of either 25% or \$40 whichever is less.				
Long Term User:						
		Groups renting District #110 facilities on a long term basis will be given a 33% break in their facility use rental fees. This discount does not apply to personnel: custodial fees, building supervisor fees, kitchen staff or the facility use permit fee.				
		<i>* Long term user refers to those groups renting facilities for 12 months (or more) continuously from July through June, or any 12 month period.</i>				

2.P. 903 Visitors & Volunteers to School Buildings
and Sites

Presenter:
Superintendent
Gersich

903 VISITORS TO SCHOOL DISTRICT BUILDINGS AND SITES

I. PURPOSE

The purpose of this policy is to inform the school community and the general public of the position of the school board on visitors to school buildings and other school property.

II. GENERAL STATEMENT OF POLICY

- A. The school board encourages interest on the part of parents and community members in school programs and student activities. The school board welcomes visits to school buildings and school property by parents and community members provided the visits are consistent with the health, education and safety of students and employees and are conducted within the procedures and requirements established by the school district.
- B. The school board reaffirms its position on the importance of maintaining a school environment that is safe for students and employees and free of activity that may be disruptive to the student learning process or employee working environment.

III. POST-SECONDARY ENROLLMENT OPTIONS STUDENTS

- A. A student enrolled in a post-secondary enrollment options course may remain at the school site during regular school hours in accordance with established procedures.
- B. A student enrolled in a post-secondary enrollment options course may be provided with reasonable access, during regular school hours, to a computer and other technology resources that the student needs to complete coursework for a post-secondary enrollment course in accordance with established procedures.

IV. RESPONSIBILITY

- A. The school district administration shall present recommended visitor and post-secondary enrollment options student procedures and requirements to the school board for review and approval. The procedures should reflect input from employees, students and advisory groups, and shall be communicated to the school community and the general public. Upon approval by the school board, such procedures and requirements shall be an addendum to this policy.
- B. The superintendent shall be responsible for providing coordination that may be needed throughout the process and providing for periodic school board review and approval of the procedures.

V. VISITOR LIMITATIONS

- A. An individual, post-secondary enrollment options student, or group may be denied permission to visit a school or school property or such permission may be revoked

if the visitor(s) does not comply with the school district procedures and regulations or if the visit is not in the best interest of students, employees or the school district.

- B. Visitors, including post-secondary enrollment options students, are authorized to park vehicles on school property at times and in locations specified in the approved visitor procedures and requirements which are an addendum to this policy or as otherwise specifically authorized by school officials. When unauthorized vehicles of visitors are parked on school property, school officials may:
1. move the vehicle or require the driver or other person in charge of the vehicle to move it off school district property; or
 2. if unattended, provide for the removal of the vehicle, at the expense of the owner or operator, to the nearest convenient garage or other place of safety off of school property.
- C. An individual, post-secondary enrollment options student, or group who enters school property without complying with the procedures and requirements may be guilty of criminal trespass and thus subject to criminal penalty. Such persons may be detained by the school principal or a person designated by the school principal in a reasonable manner for a reasonable period of time pending the arrival of a police officer.

Legal References: Minn. Stat. § 123B.02 (General Powers of Independent School Districts)
Minn. Stat. § 124D.09 (Post-secondary Enrollment Options Act)
Minn. Stat. § 128C.08 (Assaulting a Sports Official Prohibited)
Minn. Stat. § 609.605, Subd. 4 (Trespass)

Cross References:

Policy Adopted: September 2004 Revised: April 2017/ November 2017
Revised: August 2020, September 2023
Independent School District #110
Waconia, MN

2.Q. 903.1 AR School District Visitor/Volunteer
Regulations

Presenter:
Superintendent
Gersich

903 ADMINISTRATIVE REGULATIONS

SCHOOL DISTRICT VISITOR/VOLUNTEER REGULATIONS

I. VISITOR/VOLUNTEER REGULATIONS

- A. During designated hours, visitors/volunteers to a school building must register at the main office or designated site by providing: (1) name, (2) time of entry, (3) name of person visiting or reason for visit, and (4) other information deemed appropriate by the building principal. Visitors may be asked to submit their driver's license or other valid form of government-issued identification containing a photograph to obtain a visitor pass. While in the school building, a visitor must wear the visitor pass provided at registration at all times. The visitor pass must be worn so that it is readily visible to other individuals in the building. Before exiting the school, the visitor must sign out and return the visitor pass.
- B. The school district administration reserves the right to select and determine the use of each volunteer based on the best interest of school building operations and the needs of students.
- C. The school district administration reserves the right to conduct a criminal background check on a volunteer before a volunteer's services are used. Background checks are required for any volunteer working with students outside of the direct supervision of a school employee. The school district administration further reserves the right to dismiss a volunteer from their services for failure to meet the guidelines established by the school district.
- D. An individual or group who enters school property without complying with the procedures and requirements may be guilty of criminal trespass and thus subject to criminal penalty. Such persons may be detained by the school principal or a person designated by the school principal in a reasonable manner for a reasonable period of time pending the arrival of a police officer.

Legal References: Minn. Stat. § 123B.02 (General Powers of Independent School Districts)
Minn. Stat. § 128C.08 (Assaulting a Sports Official Prohibited)
Minn. Stat. § 609.605, Subd. 4 (Trespasses on School Property)
Minn. Stat. § 123B.03, Subd. 1(c) (Background Checks for School Volunteers)

Cross References: ISD 110 School Board Policy No. 903 (Visitors/Volunteers)
ISD 110 School Board Policy No. 404 (Employment Background Checks)

Regulations Approved: April 2017, September 2020, September 2023
Independent School District #110
Waconia, Minnesota

2.R. 904 Distribution of Materials on School
District Property by Nonschool Persons

Presenter:
Superintendent
Gersich

904 DISTRIBUTION OF MATERIALS ON SCHOOL DISTRICT PROPERTY BY NONSCHOOL PERSONS

I. PURPOSE

The purpose of this policy is to provide for distribution of materials appropriate to the school setting by nonstaff and nonstudents on school district property in a reasonable time, place, and manner which does not disrupt the educational program nor interfere with the educational objectives of the school district.

II. GENERAL STATEMENT OF POLICY

- A. The school district intends to provide a method for nonschool persons and organizations to distribute materials appropriate to the school setting within the limitations and provisions of this policy.
- B. To provide for orderly and nondisruptive distribution of materials, the school board adopts the following regulations and procedures.

III. DEFINITIONS

- A. “Distribution” means circulation or dissemination of materials by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying materials, or placing materials in internal staff or student mailboxes.
- B. “Materials” includes all materials and objects intended by nonschool persons or nonschool organizations for distribution. Examples of nonschool-sponsored materials include, but are not limited to, leaflets, brochures, buttons, badges, flyers, petitions, posters, underground newspapers whether written by students, employees or others, and tangible objects.
- C. “Nonschool person” means any person who is not currently enrolled as a student in or employed by the school district.
- D. “Obscene to minors” means:
 - 1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
 - 2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, and lewd exhibition of the

genitals; and

3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- E. “Minor” means any person under the age of eighteen (18).
- F. “Material and substantial disruption” of a normal school activity means:
1. Where the normal school activity is an educational program of the school district for which student attendance is compulsory, “material and substantial disruption” is defined as any disruption which interferes with or impedes the implementation of that program.
 2. Where the normal school activity is voluntary in nature (including school athletic events, school plays and concerts, and lunch periods) “material and substantial disruption” is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

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

- G. “School activities” means any activity sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays, other theatrical productions, and in-school lunch periods.
- H. “Libelous” is a false and unprivileged statement about a specific individual that tends to harm the individual’s reputation or to lower him or her in the esteem of the community.

IV. GUIDELINES

- A. Nonschool persons and organizations may, within the provisions of this policy, be granted permission to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, materials and objects which are appropriate to the school setting.
- B. Requests for distribution of materials will be reviewed by the administration on a case-by-case basis. However, distribution of the following materials is always prohibited. Material is prohibited that:
1. is obscene to minors;

2. is libelous;
3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended;
4. advertises any product or service not permitted to minors by law;
5. advocates violence or other illegal conduct;
6. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religious, or ethnic origin);
7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.

C. Permission for nonschool persons to distribute materials on school district property is a privilege and not a right. In making decisions regarding permission for such distribution, the administration will consider factors including, but not limited to, the following:

1. whether the material is educationally related;
2. the extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline, or school activities;
3. whether the materials can be distributed from the office or other isolated location so as to minimize disruption of traffic flow in hallways;
4. the quantity or size of materials to be distributed;
5. whether distribution would require assignment of school district staff, use of school district equipment, or other resources;
6. whether distribution would require that nonschool persons be present on the school grounds;
7. whether the materials are a solicitation for goods or services not requested by the recipients.

V. TIME, PLACE, AND MANNER OF DISTRIBUTION

If permission is granted pursuant to this policy for the distribution of any materials, the time, place, and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy.

VI. PROCEDURES

- A. Any nonschool person wishing to distribute materials must first submit for approval a copy of the materials to the administration at least five days in advance of desired distribution time, together with the following information:
 - 1. Name and phone number of the person submitting the request.
 - 2. Date(s) and time(s) of day of requested distribution.
 - 3. If material is intended for students, the grade(s) of students to whom the distribution is intended.
 - 4. The proposed method of distribution.
- B. The administration will review the request and render a decision. The administration will assign a location and method of distribution and will inform the persons submitting the request whether nonschool persons may be present to distribute the materials. In the event that permission to distribute the materials is denied or limited, the person submitting the request should be informed in writing of the reasons for the denial or limitation.
- C. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the school board, or the individual reviewing the material submitted.
- D. In the event that permission to distribute materials is denied, the nonschool person or organization may request reconsideration of the decision by the superintendent. The request for reconsideration must be in writing and must set forth the reasons why distribution is desirable and in the interest of the school community.

VII. VIOLATION OF POLICY

Any party violating this policy or distributing materials without permission will be directed to leave the school property immediately and, if necessary, the police will be called.

VIII. IMPLEMENTATION

The school district administration may develop any additional guidelines and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy.

[Note: School districts are encouraged to consider additional guidelines which reflect varied local practices relating to this subject matter including addressing the subject of consistency and uniformity for approving or disapproving practices under this policy.]

Legal References: U. S. Const., amend. I
Hazelwood School District v. Kuhlmeier, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)
Doe v. South Iron R-1 School District, 498 F.3d 878 (8th Cir. 2007)
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987)
Cornelius v. NAACP Legal Defense and Educational Fund, Inc., 473 U.S. 788, 105 S.Ct. 3439, 87 L.Ed.2d 567 (1985)
Perry Education Ass'n v. Perry Local Educators' Ass'n, 460 U.S. 37, 103 S.Ct. 948, 74 L.Ed.2d 794 (1983)
Roark v. South Iron R-1 School Dist., 573 F.3d 556 (8th Cir. 2009)
Victory Through Jesus Sports Ministry Foundation v. Lee's Summit R-7 School Dist., 640 F.3d 329 (8th Cir. 2011), cert. denied ___ U.S. ___, 132 S.Ct. 592 (2011)

Cross References: MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 512 (School-Sponsored Student Publications)

Policy Adopted: September 2004
Policy Revised: September 2017, reviewed September 2023
Independent School District #110
Waconia, MN

2.S. 905 Advertising

Presenter: Pam
Carman, Director of
Finance and
Operations

905 ADVERTISING

[Note: School districts should carefully consider whether they wish to allow advertising in school district facilities or publications. Once advertisements are accepted, First Amendment Rights may limit the school district's ability to reject specific advertisements or to regulate the content of advertisements.]

I. PURPOSE

The purpose of this policy is to provide guidelines for the advertising or promoting of products or services to students and parents in the schools.

II. GENERAL STATEMENT OF POLICY

The school district's policy is that the name, facilities, staff, students, or any part of the school district shall not be used for advertising or promoting the interests of a commercial or nonprofit agency or organization except as set forth below.

III. ADVERTISING GUIDELINES

- A. School publications, including publications such as programs and calendars, may accept and publish paid advertising provided they receive advance approval from the appropriate administrator. In no instance shall publications accept advertising or advertising images for alcohol, tobacco, drugs, drug paraphernalia, weapons, or obscene, pornographic, or illegal materials. Advertisements may be rejected by the school district if determined to be inconsistent with the educational objectives of the school district or inappropriate for inclusion in the publication. For example, advertisements may be rejected if determined to be false, misleading, or deceptive, or if they relate to an illegal activity or antisocial behavior. The faculty advisor is responsible for screening all such advertising for appropriateness, including compliance with the school district policy prohibiting sexual, racial, and religious harassment.
- B. The school board may approve advertising in school district facilities or on school district property. Any approval will state precisely where such advertising may be placed. The restrictions listed in Section A. above will apply. Advertising will not be allowed outside the specific area approved by the school board. Specific advertising must be approved by the superintendent or designee. In no instance will an advertising device be erected or maintained within 100 feet of a school that is visible to and primarily intended to advertise and inform or to attract or which does attract the attention of operators and occupants of motor vehicles.
- C. Donations which include or carry advertisements must be approved by the school board.
- D. The school district or a school may acknowledge a donation it has received from an organization by displaying a "donated by," "sponsored in part by," or a similar by-line with the organization's name and/or symbol on the item. Examples include

activity programs or yearbooks.

- E. Nonprofit entities and organizations may be allowed to use the school district name, students, or facilities for purposes of advertising or promotion if the purpose is determined to be educationally related and prior approval is obtained from the school board. Advertising will be limited to the specific event or purpose approved by the school board.
- F. Contracts for computers or related equipment or services that require advertising to be disseminated to students will not be entered into or permitted unless done pursuant to and in accordance with state law.
- G. The inclusion of advertisements in school district publications, in school district facilities, or on school district property does not constitute approval and/or endorsement of any product, service, organization, or activity. Approved advertisements will not imply or declare such approval or endorsement.

IV. ACCOUNTING

Advertising revenues must be accounted for and reported in compliance with UFARS. A periodic report shall be made to the school board by the superintendent regarding the scope and amount of such revenues.

Legal References: Minn. Stat. § 123B.93 (Advertising on School Buses)
Minn. Stat. § 125B.022 (Contracts for Computers or Related Equipment or Service)
Minn. Stat. § 173.08 (Excluded Road Advertising Devices)

Cross References: MSBA/MASA Model Policy 421 (Gifts to Employees and School Board Members)
MSBA/MASA Model Policy 702 (Accounting)

Policy Adopted: August 2020, reviewed September 2023
Independent School District 110
Waconia, MN

2.T. 907 Rewards

Presenter:
Superintendent
Gersich

907 REWARDS

I. PURPOSE

The purpose of this policy is to authorize the school board to offer rewards to persons who provide accurate and reliable information leading to the conviction of a person who has committed or conspired to commit a crime against students or school employees, volunteers, or school board members as a result of their affiliation with the school district, or against school district property.

II. GENERAL STATEMENT OF POLICY

The school board believes that, in certain circumstances, the offering of a reward may lead to the receipt of information that would solve or prevent a crime against students, school employees, volunteers, school board members, or school district property. The school board also believes that the fact that the school board may offer a reward may have a deterrent effect on the commission of such crimes.

III. APPROVAL OF OFFERING OF REWARDS

The school board shall approve the offering of any rewards by the school district. The approval shall specify the amount of the reward and the crime to which it is applicable. The approval may relate to a specific incident or to a continuing category of crime, i.e., assault of a teacher, damage to school property, etc.

IV. ESTABLISHMENT OF PROCEDURES

The superintendent shall approve the timing and method of payment of any reward earned by an information provider. The information provided must have led to the conviction of the person who committed or conspired to commit the crime for which the reward was offered.

Legal References: Minn. Stat. § 123B.02, Subd. 22 (General Powers of Independent School Districts)

Cross References:

Policy Adopted: May 2006

Policy Reviewed: September 2017, Dec 2020, revised September 2023

Independent School District No. 110

Waconia, MN

2.U. 998 Memorials of Deceased Students and Staff

Presenter:
Superintendent
Gersich

998 MEMORIALS FOR DECEASED STUDENTS OR STAFF

I. PURPOSE

It is recognized that the loss of a member of the school community is deeply felt by students, staff, and families. The purpose of this policy is to ensure that ISD110 will support staff, students, and families impacted by death by assisting them with connections to appropriate school and community resources. Because it is recognized that memorial decisions made immediately in the aftermath of a crisis or death may be made without full consideration of the potential implications for students, staff, families, and the community, ISD110 will provide a process for memorial decision-making.

II. DEFINITIONS

- A. **Memorials:** Objects, activities, or donations to remember an event or deceased person(s).
- B. **Building Crisis Team:** A designated group of staff members within each school building who plan and implement support specific to the crisis event.
- C. **Crisis:** Any natural disaster or unexpected event that is perceived as extremely negative, generates feelings of helplessness, powerlessness, and/or entrapment, and may occur suddenly, unexpectedly, and without warning.
- D. **Impact:** The magnitude of the potential loss or seriousness of the crisis.
- E. **District Support Team:** A designated group of staff members who develop and execute district-wide procedures specific to the crisis event.

III. GENERAL STATEMENT OF POLICY

- A. Memorial activities expressed at school need to be coordinated and approved through the Building Crisis Team. The Building Crisis Team will assist families and students in selecting memorial activities that are appropriate and assist students in healthy bereavement.
- B. In recognition that schools are designed primarily to support learning, school sites should not serve as the main venue for the memorializing of students or staff. Schools should focus on maintaining the regular schedule, structure, and routine.

- C. Temporary school memorials, as approved by school administration who will consult with the Director of Buildings and Grounds. The memorials may be displayed for one week or until the day of the funeral, whichever is sooner and will then be offered to the family. Selling of memorabilia items on school grounds is prohibited. Allowable temporary memorials are banners and pictures displayed in an area accessible to all students but not in an area where all students will have to view the memorial. Viewing of the memorial needs to be optional. Memorials that may spontaneously arise on lockers and desks should be transferred to the designated area. Memorial symbols displayed by individual students or staff on school grounds will be limited to one week after death, or to the day after the funeral, whichever is sooner and will then be offered to the family.
- D. Permanent memorials for deceased students and staff will be limited to endowments, scholarships, and books or items with educational significance. Scholarship and endowment memorials may be established one time, or in the form of a perpetual award, with a description of the purpose of the endowment or scholarship. Existing memorials established prior to the implementation of this policy will not be affected.
- E. Schools should strive to treat all deaths in the same way. Having a different approach for death by suicide reinforces prejudice associated with suicide and may be deeply painful to the deceased's family and friends. However, memorials following suicide are particularly important to monitor. Schools can play an important role in channeling the energy and passion of the students (and greater community) in a positive direction, balancing the community's need to grieve with the impact that the proposed activity will likely have on students, particularly on those who might be vulnerable to suicide contagion.
- F. Whenever possible, schools should communicate with the student's family and friends to coordinate memorialization with the family in the interest of identifying a meaningful, safe approach to acknowledging the loss. Make sure to be sensitive to the cultural needs of the deceased and family.
- G. School district facilities will not be used for memorial services or funerals. However, the superintendent, in consultation with the District Support Team, has the discretion to consider school-wide memorial activities when a crisis event has a significant impact on a majority of students, staff, and community.
- H. Other possible memorial activities include:

1. **Yearbooks:** A student or staff member who has died may be acknowledged the year the death occurred. Information shall be limited to the student's name, photo, dates of birth and death, and school activities in which the student participated.
2. **Commemorative Events:** A commemorative event may be established and held in the name of the deceased student or staff member. Activities cannot be held during the school day and should be sponsored by a class, club, or activity in which the deceased student or staff member participated. Advertisements of events must occur outside the school day. It is recommended that commemorative events utilize community partners (e.g., employers of the deceased, faith communities, etc.)
3. **Graduation Recognition:** One symbol representing all deceased members of a graduating class, such as a plant or bouquet of flowers, may be present on stage. A member of the school administration can also direct the audience in a moment of silence to collectively recognize deceased members of the graduating class.
4. **Moment of Silence Recognition:** A 'moment of silence' may be used following the death of a student or staff member to honor their memory. School-wide moments of silence should occur within 2 school days following notification of the death. Moments of silence are also approved for use at ISD110 Board of Education meetings, co-curricular events in which the deceased participated, and community-based events.

Legal References:

Cross References: MSBA/MASA Model Policy 706 (Acceptance of Gifts)
MSBA/MASA Model Policy 801 (Equal Access to School Facilities)
MSBA/MASA Model Policy 806 (Crisis Management)
ISD 110 Policy 809 (Naming Rights)

Policy Adopted: January 2023
Waconia Public Schools ISD 110
Waconia, MN

3. **534 School Meals Policy**

Presenter: Pam
Carman, Director of
Finance and
Operations

534 SCHOOL MEALS POLICY

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

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

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

I. PURPOSE

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

II. PAYMENT OF MEALS

- A. Students have use of a meal account. When the balance reaches zero, a student may charge no more than \$25.00 to this account. When an account reaches this limit, a student shall not be allowed to charge second meals or a la carte items until the negative account balance is paid. Families may add money to students' accounts by electronic payment, pay at the school office, or pay cashier.

If the school district participates in the United States Department of Agriculture National School Lunch program and has an Identified Student Percentage below the federal percentage determined for all meals to be reimbursed at the free rate via the Community Eligibility Provision must participate in the free school meals program.

B. Free School Meals Program

1. The free school meals program is created within the Minnesota Department of Education
2. Each school that participates in the United States Department of Agriculture National School Lunch program and has an Identified Student Percentage

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

3. Each school that participates in the United States Department of Agriculture National School Lunch program and has an Identified Student Percentage at or above the federal percentage determined for all meals to be reimbursed at the free rate must participate in the federal Community Eligibility Provision in order to participate in the free school meals program.
4. Each school that participates in the free school meals program must:
 - a. participate in the United States Department of Agriculture School Breakfast Program and the United States Department of Agriculture National School Lunch Program; and
 - b. provide to all students at no cost up to two federally reimbursable meals per school day, with a maximum of one free breakfast and one free lunch.
 - c. serve a reimbursable meal to any student eligible for free or reduced price meals even if that student has an outstanding debt.

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

- C. ~~The school district may provide an alternate meal that meets federal and state requirements to a student who does not have sufficient funds in the student's account or cannot pay cash for a meal. The school district will accommodate special dietary needs with respect to alternate meals. The cost of the alternative meal \$0.00 will be charged to the student's account or otherwise charged to the student. Once a meal has been placed on a student's tray or served, it will not be taken away by the cashier or any school official, regardless of the student's meal account status. All reimbursable meals offered meet state and federal guidelines. We will not provide an alternative meal unless related to a dietary need.~~
- D. A student may purchase a second breakfast at the nonprogram price if the student has already selected a reimbursable breakfast.
- E. A student may purchase a second lunch at the nonprogram price if the student has already selected a reimbursable lunch.

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

III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION

- A. The school district will make reasonable efforts to notify families when meal account balances are low or fall below zero.
- B. Families will be notified of an outstanding negative balance once the negative balance reaches a set family preference. Families will be notified by calling, email, letters sent home.
- C. Reminders for payment of outstanding student meal balances will not demean or stigmatize any student participating in the school lunch program.

IV. UNPAID MEAL CHARGES

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free or reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- D. The school district will not impose any other restriction prohibited under Minnesota Statutes section 123B.37 due to unpaid student meal balances. The school district will not limit a student's participation in any school activities, graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities or access to materials, technology, or other items provided to students due to an unpaid student meal balance.
- E. Once an unpaid meal account is determined to be uncollectable, the district does not use a collections agency to collect the funds.

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

V. COMMUNICATION OF POLICY

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

Legal References: Minn. Stat. § 124D.111, Subd. 4
42 U.S.C. § 1751 *et seq.* (Healthy and Hunger-Free Kids Act)
7 C.F.R. § 210 *et seq.* (School Lunch Program Regulations)
7 C.F.R. § 220.8 (School Breakfast Program Regulations)
USDA Policy Memorandum SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies (2016)
USDA Policy Memorandum SP 47-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments (2016)
USDA Policy Memorandum SP 23-2017, Unpaid Meal Charges: Guidance and Q&A
Minn. Op. Atty. Gen. 169j (May 14, 2019) (*Letter to Ricker*)

Policy Adopted: February 2020, revised December 2021, revised September 2023, revised Dec 2025
Waconia Public Schools ISD 110
Waconia, MN

4. **533 Wellness Policy**

Presenter: Pam
Carman, Director of
Finance and
Operations

533 WELLNESS

[Note: All school districts that participate in the National School Lunch and School Breakfast Programs are required by the Healthy, Hunger-Free Kids Act of 2010 (Act) to have a wellness policy that includes standards and nutrition guidelines for foods and beverages made available to students on campus during the school day, as well as specific goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. The Act requires the involvement of parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the public in the development, implementation, and periodic review and update of the wellness policy. The Act also requires a plan for measuring implementation of the policy and reporting wellness policy content and implementation issues to the public, as well as the designation of at least one person charged with responsibility for the implementation and oversight of the wellness policy to ensure the school district is in compliance with the policy.]

I. PURPOSE

The purpose of this policy is to set forth methods that promote student wellness, prevent and reduce childhood obesity, and assure that school meals and other food and beverages sold and otherwise made available on the school campus during the school day are consistent with applicable minimum local, state, and federal standards.

II. GENERAL STATEMENT OF POLICY

- A. The school board recognizes that nutrition promotion and education, physical activity, and other school-based activities that promote student wellness are essential components of the educational process and that good health fosters student attendance and learning.
- B. The school environment should promote students' health, well-being, and ability to learn by encouraging healthy eating and physical activity.
- C. The school district encourages the involvement of parents, students, representatives of the school food authority, teachers, school health professionals, the school board, school administrators, and the general public in the development, implementation, and periodic review and update of the school district's wellness policy.
- D. Children need access to healthy foods and opportunities to be physically active in order to grow, learn, and thrive.
- E. All students in grades K-12 will have opportunities, support, and encouragement to be physically active on a regular basis.
- F. Qualified food service personnel will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; try to accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.

III. WELLNESS GOALS

- A. Nutrition Promotion and Education

1. The school district will encourage and support healthy eating by students and engage in nutrition promotion that is:
 - a. offered as part of a comprehensive program designed to provide students with the knowledge and skills necessary to promote and protect their health;
 - b. part of health education classes, as well as classroom instruction in subjects such as math, science, language arts, social sciences, and elective subjects, where appropriate; and
 - c. enjoyable, developmentally appropriate, culturally relevant, and includes participatory activities, such as contests, promotions, taste testing, and field trips.
2. The school district will encourage all students to make age appropriate, healthy selections of foods and beverages, including those sold individually outside the reimbursable school meal programs, such as through a la carte/snack lines, vending machines, fundraising events, concession stands, and student stores.

B. Physical Activity

1. Students need opportunities for physical activity and to fully embrace regular physical activity as a personal behavior. Toward that end, health and physical education will reinforce the knowledge and self-management skills needed to maintain a healthy lifestyle and reduce sedentary activities, such as watching television;
2. Opportunities for physical activity will be incorporated into other subject lessons, where appropriate; and
3. Classroom teachers will provide short physical activity breaks between lessons or classes, as appropriate.

C. Communications with Parents

1. The school district recognizes that parents and guardians have a primary role in promoting their children’s health and well-being.
2. The school district will support parents’ efforts to provide a healthy diet and daily physical activity for their children.
3. The school district encourages parents to pack healthy lunches and snacks and refrain from including beverages and foods without nutritional value.
4. The school district will provide information about physical education and other school-based physical activity opportunities and will support parents’ efforts to provide their children with opportunities to be physically active outside of school.

IV. STANDARDS AND NUTRITION GUIDELINES

A. School Meals

1. The school district will provide healthy and safe school meal programs that comply with all applicable federal, state, and local laws, rules, and regulations.

2. Food service personnel will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students.
3. Food service personnel will try to accommodate the religious, ethnic, and cultural diversity of the student body in meal planning.
4. Food service personnel will provide clean, safe, and pleasant settings and adequate time for students to eat.
5. Food service personnel will take every measure to ensure that student access to foods and beverages meets or exceeds all applicable federal, state, and local laws, rules, and regulations and that reimbursable school meals meet USDA nutrition standards.
6. Food service personnel shall adhere to all applicable federal, state, and local food safety and security guidelines.
7. The school district will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price school meals.
8. The school district will provide students access to hand washing or hand sanitizing before they eat meals or snacks.
9. The school district will make every effort to provide students with sufficient time to eat after sitting down for school meals and will schedule meal periods at appropriate times during the school day.
10. The school district will discourage tutoring, club, or organizational meetings or activities during mealtimes unless students may eat during such activities.

B. School Food Service Program/Personnel

1. The school district shall designate an appropriate person to be responsible for the school district's food service program, whose duties shall include the creation of nutrition guidelines and procedures for the selection of foods and beverages made available on campus to ensure food and beverage choices are consistent with current USDA guidelines.
2. As part of the school district's responsibility to operate a food service program, the school district will provide continuing professional development for all food service personnel in schools.

C. Competitive Foods and Beverages

1. All foods and beverages sold on school grounds to students, outside of reimbursable meals, are considered "competitive foods." Competitive foods include items sold a la carte in the cafeteria, from vending machines, school stores, and for in-school fundraisers.
2. All competitive foods will meet the USDA Smart Snacks in School (Smart Snacks) nutrition standards and any applicable state nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day, and create an environment that reinforces the development of healthy eating habits.
3. Before and Aftercare (child care) programs must also comply with the school district's nutrition standards unless they are reimbursable under USDA school

meals program, in which case they must comply with all applicable USDA standards.

D. Other Foods and Beverages Made Available to Students

1. Student wellness will be a consideration for all foods offered, but not sold, to students on the school campus, including those foods provided through:
 - a. Celebrations and parties. The school district will provide a list of healthy party ideas to parents and teachers, including non-food celebration ideas.
 - b. Classroom snacks brought by parents. The school district will provide to parents a list of suggested foods and beverages that meet Smart Snacks nutrition standards.
2. Rewards and incentives. Schools will not use foods or beverages as rewards for academic performance or good behavior (unless this practice is allowed by a student's individual education plan or behavior intervention plan) and will not withhold food or beverages as punishment.
3. Fundraising. The school district will make available to parents and teachers a list of suggested healthy fundraising ideas.

E. Food and Beverage Marketing in Schools

1. School-based marketing will be consistent with nutrition education and health promotion.
2. Schools will restrict food and beverages marketing to the promotion of only those foods and beverages that meet the Smart Snacks nutrition standards.

V. WELLNESS LEADERSHIP AND COMMUNITY INVOLVEMENT

A. Wellness Coordinator

1. The District designates the Health Coordinator and the Director of Nutrition Services as the leaders responsible for ensuring compliance with and coordination of the Local School Wellness Policy. These positions will jointly oversee implementation, assessment, and updates of the policy, and will work collaboratively with district staff and stakeholders to support wellness initiatives across all schools.

~~The superintendent will designate a school district official to oversee the school district's wellness-related activities (Wellness Coordinator). The Wellness Coordinator will ensure that each school implements the policy.~~

- ~~2. The principal of each school, or a designated school official, will ensure compliance within the school and will report to the Wellness Coordinator regarding compliance matters upon request.~~

B. Public Involvement

1. The Wellness Coordinator will permit parents, students, representatives of the school food authority, teachers of physical education, school health

professionals, the school board, school administrators, and the general public to participate in the development, implementation, and periodic review and update of the wellness policy.

2. The Wellness Coordinator will hold meetings, from time to time, for the purpose of discussing the development, implementation, and periodic review and update of the wellness policy. All meeting dates and times will be posted on the school district's website and will be open to the public.

VI. POLICY IMPLEMENTATION AND MONITORING

A. Implementation and Publication

1. After approval by the school board, the wellness policy will be implemented throughout the school district.
2. The school district will post its wellness policy on its website, to the extent it maintains a website.

B. Annual Reporting

The Wellness Coordinator will annually inform the public about the content and implementation of the wellness policy and make the policy and any updates to the policy available to the public.

C. Triennial Assessment

1. At least once every three years, the school district will evaluate compliance with the wellness policy to assess the implementation of the policy and create a report that includes the following information:
 - a. the extent to which schools under the jurisdiction of the school district are in compliance with the wellness policy;
 - b. the extent to which the school district's wellness policy compares to model local wellness policies; and
 - c. a description of the progress made in attaining the goals of the school district's wellness policy.
2. The Wellness Coordinator will be responsible for conducting the triennial assessment.
3. The triennial assessment report shall be posted on the school district's website or otherwise made available to the public.

D. Recordkeeping

The school district will retain records to document compliance with the requirements of the wellness policy. The records to be retained include, but are not limited to:

1. The school district's written wellness policy.
2. Documentation demonstrating compliance with community involvement requirements, including requirements to make the local school wellness policy and triennial assessments available to the public.

3. Documentation of the triennial assessment of the local school wellness policy for each school under the school district's jurisdiction efforts to review and update the wellness policy (including an indication of who is involved in the update and methods the school district uses to make stakeholders aware of their ability to participate on the Wellness Committee).

Legal References: Minn. Stat. § 121A.215 (Local School District Wellness Policy; Website)
42 U.S.C. § 1751 *et seq.* (Healthy and Hunger-Free Kids Act)
42 U.S.C. § 1758b (Local School Wellness Policy)
42 U.S.C. § 1771 *et seq.* (Child Nutrition Act)
7 U.S.C. § 5341 (Establishment of Dietary Guidelines)
7 C.F.R. § 210.10 (School Lunch Program Regulations)
7 C.F.R. § 220.8 (School Breakfast Program Regulations)

Local Resources: Minnesota Department of Education, www.education.state.mn.us
Minnesota Department of Health, www.health.state.mn.us
County Health Departments
Action for Healthy Kids Minnesota, www.actionforhealthykids.org
United States Department of Agriculture, www.fns.usda.gov

POLICY ADOPTED: JULY 2006

Revised: November 2013 / June 2021 / May 2023

Independent School District No. 110
Waconia, MN