

Regular Board Meeting
Monday, June 20, 2022 6:30 PM

SPCC-Governor's Room
600 S. 5th St.
Saint Peter, MN 56082

Agenda

- I. **Call Meeting to Order**
- II. **Pledge of Allegiance**
- III. **Consideration and Adoption of the Agenda**
- IV. **Consider Requests to Speak on the Agenda**
- V. **Approval of Consent Agenda Items**
- VI. **Student Spotlight-Karla Torres, Rock Bend ALC**
- VII. **Action Items**
 - VII.1. Consider Approval of Candidates for Graduation
 - VII.2. Consider Approval of Tenure Action for Probationary Teachers
 - VII.3. Consider Policies for a Single Reading Due to Immaterial Changes
 - VII.4. Consider Second Reading of Revisions to the Policy Manual
 - VII.5. Consider Approval of the 2022-2023 Budget
 - VII.6. Consider the Continuation of a Joint Agreement with MVED to Provide Food Service
 - VII.7. Consider Approval of Non-Renewal of Probationary Teacher's Contracts
 - VII.8. Consider Approval of Yearly Governmental Lease
 - VII.9. Consider Approval of Memorandum of Understanding between the City of Saint Peter Recreation and Leisure and Saint Peter Community and Family Education
 - VII.10. Consider Membership in the Minnesota State High School League (MSHSL) for 2022-2023
 - VII.11. Consider Approval of Individual Contracts
- VIII. **Information Items**
 - VIII.1. First Reading of Revisions to the Policy Manual
- IX. **Reports**
 - IX.1. Building Principals
 - IX.2. Superintendent of Schools
 - IX.3. Board Members
 - IX.3.a. Around the Table
- X. **Upcoming Meetings of the School Board** Special Board Meeting
Monday, June 27, 2022
6:30PM
SPMS-Media Center

Policy Committee
Wednesday, June 29, 2022
7:00AM
DO

Study Session-Longview Education
Monday, July 11, 2022
6:30PM

- XI. SPMS-Media Center
Education Committee
Tuesday, July 12, 2022
1:00PM
SPMS-Conference Room A/B
- XII. Business Committee
Wednesday, July 13, 2022
4:00PM
SPMS-Conference Room A/B
- XIII. Policy Committee
Wednesday, July 27, 2022
4:00PM
DO
- XIV. **Adjournment**



ADDENDUM

REGULAR BOARD MEETING Monday, June 20, 2022 SPCC-Governor's Room 6:30PM

V. CONSENT AGENDA

1. Approval of Regular Board Meeting minutes of May 16, 2022.
2. Approval of Study Session minutes of May 23, 2022.
3. Approval of Study Session minutes of June 13, 2022.
4. Approval of Bills (\$1,541,549.23) and Wire Transfers (\$3,627,008.02) for May 2022.
5. Gifts and Donations
 - a. The acceptance of \$5,000 from Larry and Thalia Taylor. Larry and Thalia Taylor have awarded two Saint Peter graduates scholarships in the amount of \$2500 apiece. The intention of this scholarship is to help students obtain a higher level of post-secondary education. Preference is to be given to students of color or first-generation college-bound students.
 - b. The acceptance of a \$500 grant to Saint Peter High School from the Equitable Foundation. This grant was give in conjunction with the Equitable Excellence scholarship.
6. Personnel
 - a. The approval of the hiring of a Summer Targeted Services Teacher (Cayrl Bunkowski) at Saint Peter Middle School.
 - b. The approval of the hiring of a Summer Targeted Services Teacher (Ethan Sindelir) at Saint Peter Middle School.
 - c. The acceptance of the maternity leave request for a PE teacher (Abby Moore) at Saint Peter Middle School from August 22, 2022 through October 28, 2022.

- d. The approval of the hiring of a counselor (Regina Sirianni) at Saint Peter High School for the 2022-2023 school year. This is a replacement position.
- e. The approval of the hiring of a special education teacher (Wesley Heiser) at Saint Peter Middle School for the 2022-23 school year. This is a replacement position.
- f. The acceptance of the resignation of a science teacher (McKenzie Weis) at Saint Peter Middle School.
- g. The acceptance of the resignation of a physical education teacher (Alex Weis) at Saint Peter Middle School.
- h. The approval of the hiring of a Saints Overtime Assistant (Alex Dorow) at Saint Peter Community and Family Education. This is a replacement position.
- i. The approval of the hiring of an Operations and Maintenance Supervisor (Sharon Petersen) at Saint Peter Public Schools. This is a replacement position.
- j. The approval of returning Summer Saints Overtime Assistants with Saint Peter Community and Family Education.
 - Claire Bratland
 - Bailey Britton (guest artist & assistant sub)
 - Katie Engeldinger
 - Cassie Larsen (sub)
 - Jaimi McClintock
 - Bridget Mullaly
 - Amara Packey
 - Payton Portugue
 - Skyler Price
 - Evan Skinner (sub)
- k. The approval of the hiring of an art teacher (Ariana Bealey) at Saint Peter Middle School for the 2022-23 school year.
- l. The approval of the hiring of a district Operations & Maintenance Supervisor (Sharon Petersen) beginning July 1, 2022.
- m. The approval of the hiring of a Technology Director (Gus Sorbo) beginning July 1, 2022.

- n. The approval of the hiring of a .25 Adaptive Physical Education teacher (Lauren Satrom) at Saint Peter Early Childhood Special education for the 2022-2023 school year.
- o. The approval of the hiring of a supplemental teacher (Kellie Satrom) at Saint Peter Early Childhood Special education for the 2022-2023 school year.
- p. The acceptance of the resignation of an Unassigned Maintenance Custodial Engineer (Russell Lawrence) effective May 31, 2022.
- q. The acceptance of the resignation of a Custodial Engineer (Nathaniel Rustman) at North Elementary effective May 31, 2022.
- r. The approval of the hiring of a sPARK Mobile Arts Studio instructor (April Malphurs) for the summer of 2022.
- s. The approval of the hiring of a Food Service Director (Emily Craig) with Saint Peter Public Schools beginning July 1, 2022.
- t. The acceptance of the resignation of a math teacher (Chris Vanderhyde) at Saint Peter High School and Oshawa Learning Center effective May 27, 2022.
- u. The acceptance of a leave of absence for a world language and social studies teacher (Dan Engelhorn) at Saint Peter High School.
- v. The acceptance of the resignation of a social worker (Sarah Mages) at Saint Peter Middle School effective at the end of the 2021-22 school year.
- w. The approval of the hiring of a part-time Early Childhood housekeeper (Allan Humphrey) beginning August 29, 2022.
- x. The approval to deem items as obsolete due to disrepair.

THE MINUTES OF THE MEETING HAVE NOT BEEN APPROVED

Minutes of Regular Board Meeting

The School Board

Saint Peter Public Schools

Members Present: Drew Dixon, Tim Lokensgard, Kate Martens, Charlie Potts, Tracy Stuewe & Bill Kautt.

Members Absent: Ben Leonard

Principals: Annette Engeldinger, Doreen Oelke, Ytive Prafke & Jana Sykora

Administrative Team members: Tim Regner, Superintendent Gronseth, Administrative Assistant Sarah Janovsky and members of the public

A Regular Board Meeting of the School Board of Saint Peter Public Schools was held Monday, May 16, 2022, beginning at 6:30 PM in the SPCC-Governor's Room.

I. Call Meeting to Order-6:32PM, Dixon

II. Pledge of Allegiance

III. Consideration and Adoption of the Agenda-(Lokensgard/Potts, unanimous)

IV. Consider Requests to Speak on the Agenda

V. Approval of Consent Agenda Items-(Martens/Lokensgard, unanimous)

1. Approval of the Study Session minutes of April 7, 2022.
2. Approval of Regular Board Meeting minutes of April 18, 2022.
3. Approval of Bills (\$2,253,038.04) and Wire Transfers (\$3,238,504.72) for April 2022.
4. Contracts, MOUs and Agreements
 - a. The approval of a contract with Apteegy for district website services.
5. Personnel
 - a. The acceptance of the resignation of a social studies teacher (Kyle Hilding) at Saint Peter High School effective May 27, 2022.
 - b. The acceptance of the transfer of positions for middle school math teacher (Kurt Moelter). Mr. Moelter will move from Saint Peter Middle School to Saint Peter High School. This is a replacement position, due to a retirement.
 - c. The approval of the hiring of a custodial engineer (Veronica Otero) at Saint Peter Middle School beginning May 6, 2022.
 - d. The acceptance of the resignation of a custodial engineer (Gary Otero) at Saint Peter Middle School effective April 21, 2022.
 - e. The approval of the hiring of a Saints Overtime Assistant (Heidi Christensen) with Saint Peter Community and Family Education.
 - f. The approval of the hiring of a Saints Overtime Assistant (Dina Tolen) with Saint Peter Community and Family Education.

- g. The approval of the hiring of a custodial engineer (Nathan Hughes) at Saint Peter Middle School effective May 9, 2022.
- h. The acceptance of the resignation of a School Readiness Assistant (Morgan Small) at Saint Peter Early Childhood.
- i. The approval of the hiring of an Early Childhood paraprofessional (Susan Butcha) beginning April 18, 2022.
- j. The acceptance of the resignation of a Head Cook (Sandra Dietrich) at Saint Peter Middle School effective May 26, 2022.
- k. The acceptance of the resignation of a high school counselor (Maggie Carlson) at Saint Peter High School at the end of the 2021-22 school year.
- l. The approval of the hiring of a Saints Overtime Assistant (Oscar Ramirez) with Saint Peter Community and Family Education.
- m. The approval of the hiring of a Saints Overtime Assistant (Laura Mendoza) with Saint Peter Community and Family Education.
- n. The approval of the hiring of a Coordinator of the Office of Education Equity (Ayan Musse) with Saint Peter Public Schools.
- o. The approval of a position shift to days for custodian (Joe Delacruz) at Saint Peter Middle School beginning May 31, 2022.
- p. The approval of a position shift to days for custodian (Jose Velasquez) at Saint Peter High School beginning May 31, 2022.
- q. The acceptance of the resignation of an art teacher (Liz Burnett) at Saint Peter Middle School.
- r. The approval of the hiring of a special education teacher (Heather Bakke) at Saint Peter High School for the 2022-23 school year.
- s. The approval of a medical leave request for a first-grade teacher (Heidi Schultz) at South Elementary from May 1, 2022-May 26, 2022.
- t. The approval of a high school diploma for Dustin Hutchins and Luiz Carrasco. Mrs. Sykora has indicated that they have met all requirements for graduation from Saint Peter High School

VI. Student Spotlight- Saint Peter High School-Liliana Deming, Ellie Johnson and Kaitlyn Henry. Liliana, Ellie and Kaitlyn are currently in Mrs. Blue's Advanced Culinary Arts Program. This semester's project was to create a restaurant. Each restaurant had a theme, two of which were a diner and a bohemian lunch spot. The students enjoyed this project of working through numerous aspects of creating a restaurant.

VII. Action Items

1. Consider Policies for a Single Reading due to Inmaterial Changes-(Stuewe/Lokensgard, unanimous)
2. Consider Second Reading of Revisions to the Policy Manual-(Potts/Martens, unanimous)
3. Consider Revisions of FY22 Budget-(Lokensgard/Stuewe, unanimous)
4. Consider Resolution Designating Medsurety LLC and Matrix Trust as Health Reimbursement Arrangement Trustee-(Potts/Lokensgard) Yay: Potts, Lokensgard, Stuewe, Dixon, Martens, Kautt Nay: None, Resolution Passes

VIII. Information Items

1. Summer Programming 2022-Typical summer programming is resuming including: Read and Feed, Extended School Year, Summer Stars, Hoffmann Learning Center Summer School Program, SPSHS Extended School year and 2 session of High School Credit Recovery.
2. First Reading of Revisions to Policy Manual-10 policies were brought before the board for a first reading. Please let any committee member know if you would like see any changes to these policies.
3. School Board Election Filing Dates-School Board filing dates for the November 8, 2022 election are August 2-16. There is one, one-year term available for this year's election. This seat will be filled after the results are canvassed. The filing fee is \$2 and forms can be picked up in the district office.

IX. Reports

1. Building Principals

Early Childhood:

- Wrapping up the year, field trips, parent visits and more!

South Elementary:

- Keepers of the Pipe presentation at South and North today. This is a family of Native Americans from Pipestone sharing primary perspectives about living on the Bad River Reservation, origins of worldly things, and practiced culture of their family. This was paid for by our NAPAC's grant funds.
- Parent Council is sponsoring an end of the year Playground Night next Wednesday for all South families. This fun social event will run from 5-6:30pm and Rick from Lovable Llamas will also be there with several live llamas. Yes, I said live llamas. You won't want to miss it.
- Our kindergarten and first grade students have gone on a few local field trips in the past few weeks. First grade students attended a play in New Ulm. Kindergarten classes have visited the fire station, the police department, and the Gustavus Arboretum. We also had the pleasure of hosting the St. Peter High School FFA students last Friday brought several farm animals to the South Playground and provided our students with mini lessons about the animals.

North Elementary:

- Last week was our transition events for in-coming 2nd grade students. Events that took place were that 1st grade homerooms visited North during the school day and toured North. The next evening the students were invited to an open house at North and gave their families a tour of North from 5:00-6:30.
- May 4th was National Walk, Ride, and Roll to school day. Officer Hughes coordinated the event and also brought Sheriff Lang and Chief Grochow to help greet students and provide street-crossing support. Even bus riders could get off the bus two blocks away from North to walk.
- North is really excited about the Parade of Graduates this Friday at 9:45 am as the graduating class of 2022 walks through North with their caps and

gowns on. North students will be lined up in the hallway cheering and high-fiving them.

- Our last Passion Project afternoon is this Friday. Students can sign up for topics such as: bike repair clinic, flower planting, and casting a fishing rod.

St. Peter Middle School:

- SPMS is finishing up its spring concert series tonight with the 5th, 7th and 8th grade Choir concert. The bands performed last week.
- SPMS will be celebrating an amazing school year with the 4th quarter celebration day on Wednesday, May 18th. The celebration will include an all school assembly and various homeroom competitions throughout the day. Because students met their 4th quarter PRIDE goals, Mr. Graff and Officer Hughes will be sporting new haircuts.
- Congratulations to two of our adaptive bowling members - Abby Voeltz (State Participant) and Kallie Brovold (State Champion)

St. Peter High School:

- Apple Orchard
- FFA soils team to Nationals
- NHS induction - Wed.
- Pops concert
- Senior choir trip
- Spring Play
- Senior Awards Afternoon
- Sean Keating's award - Minnesota Promising Practices Award luncheon tomorrow at St. Mary's - Mental Warriors (Synergy and Leadership Exchange)
- NAPAC graduation celebration - feather ceremony
- Keith Hanson - Distinguished service award
- Graduation

Alternative Programs:

- The last session of night school is wrapping up this week. We have had 84 enrollments in night school this year, and registration is open for summer school.
- Rock Bend students are participating in the work skills competition tomorrow at South Central College. Both classes are also participating in a day of service at McGowan's family farm this week.
- The Rock Bend seniors are participating in many of the SPHS senior activities, and Rock Bend will also host a celebration on site next Tuesday. There will also be a small graduation celebration at Oshawa Learning Academy to honor two graduating seniors as well.

2. Superintendent of Schools-Superintendent Gronseth was happy to report that yearly traditions are well under way for the end of the school year. Free lunches for students will be expiring for next school year, families are encouraged to apply for Free and Reduced Lunch. Many thanks for district staff for their dedication to students during these difficult times.

3. Board Members

a. Around the Table

Member Kautt-Visted legislature

Member Stuewe-Landon Gran Memorial-Classic Car event, Saturday, May 21st from 10:00-2:00.

X. Upcoming Meetings of the School Board

Study Session-Longview Education

Monday, May 23, 2022

6:30PM

SPMS-Conference Room A/B

Policy Committee

Tuesday, May 24, 2022

7:00AM

DO

Graduation

Friday, May 27, 2022

8:00PM

SPHS

Education Committee

Tuesday, June 14, 2022

1:00PM

SPMS-Conference Room A/B

Business Committee

Thursday, June 16, 2022

4:00PM

SPMS-Conference Room A/B

Regular Board Meeting

Monday, June 20, 2022

6:30PM

SPCC-Governor's Room

XI. Adjournment-7:45PM (Stuewe/Kautt, unanimous)

Dated: June 20, 2022

Charlie Potts, Board Clerk

THE MINUTES OF THE MEETING HAVE NOT BEEN APPROVED

Minutes of Study Session

The School Board Saint Peter Public Schools

Members Present: Drew Dixon, Ben Leonard, Kate Martens, Charlie Potts, Bill Kautt and Superintendent Gronseth

Members Absent: Tracy Stuewe, Tim Lokensgard

A Study Session of the School Board of Saint Peter Public Schools was held Monday, May 23, 2022, beginning at 6:30 PM in the Saint Peter Middle School-Media Center.

I. **Call Meeting to Order**-6:35PM (Dixon, Kautt)

II. **Equity Workshop with Longview Education**-Longview Education will be working with the Saint Peter School Board on the topic of Educational Equity over the next six months. Tonight's meeting provided an overview of this process and focused on the importance of education equity for our district.

III. **Other**-Ongoing Training Dates-Study Sessions will be held on the following dates with Longview Education.

May 23 | 6:30-7:30 pm

June 13 | 6:30-8pm

Jul 11 | 6:30-8pm

Aug 8 | 6:30-8pm

Sep 12 | 6:30-8pm

Oct 24 | 6:30-8pm

Nov 14 | 6:30-8pm

IV. **Upcoming Meetings of the School Board**

Policy Committee

Tuesday, May 24, 2022

7:00AM

DO

Graduation

Friday, May 27, 2022

8:00PM

SPHS

Education Committee
Tuesday, June 14, 2022
1:00PM
SPMS-Conference Room A/B

Business Committee
Thursday, June 16, 2022
4:00PM
SPMS-Conference Room A/B

Regular Board Meeting
Monday, June 20, 2022
6:30PM
SPCC-Governor's Room

V. **Adjournment**-8:02PM (Martens/Dixon, unanimous)

Dated: June 20, 2022

Charlie Potts, Board Clerk

THE MINUTES OF THE MEETING HAVE NOT BEEN APPROVED

Minutes of Study Session

The School Board Saint Peter Public Schools

Members Present: Drew Dixon, Tim Lokensgard, Ben Leonard, Kate Martens & Bill Kautt.

Others present: Superintendent Bill Gronseth

A Study Session of the School Board of Saint Peter Public Schools was held Monday, June 13, 2022, beginning at 6:30 PM in the Saint Peter Middle School-Media Center.

I. **Call Meeting to Order**-6:36PM (Dixon/Lokensgard, unanimous)

II. **Equity Workshop with Longview Education**- Longview Education is providing educational equity training to the Saint Peter School Board. This was the second of six sessions they will instruct.

III. **Upcoming Meetings of the School Board**

Education Committee
Tuesday, June 14, 2022
1:00PM
SPMS-Conference Room A/B

HR Committee
Tuesday, June 14, 2022
4:30PM
DO

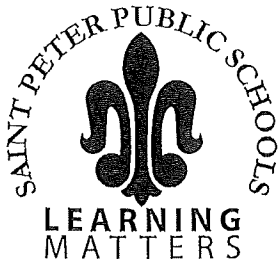
Business Committee
Thursday, June 16, 2022
4:00PM
SPMS-Conference Room A/B

Regular Board Meeting
Monday, June 20, 2022
6:30PM
SPCC-Governor's Room

IV. **Adjournment**-8:05PM (Dixon/Lokensgard, unanimous)

Dated: June 20, 2022

Charlie Potts, Board Clerk



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Saint Peter, MN 56082-1351
507-934-5703 (Office)
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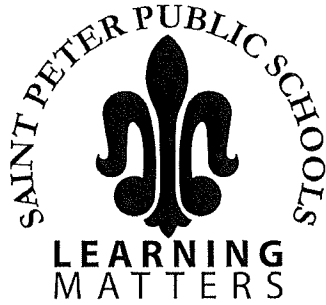
Date: 6/2/2022
To: Dr. Bill Gronseth - Superintendent
From: Bee Ong - Finance Accountant
Re: **Monthly Construction Bills, Board Bills,
Payroll & Student Activity Amounts:**

May 2022 - Construction Account	\$0.00
May 2022 - Board Bills	\$476,153.10
May 2022 - Payroll Account	\$1,042,776.43
May 2022 - Student Activity	\$22,619.70
	<hr/>
	<u>\$1,541,549.23</u>

St. Peter Public Schools
Wire Transfer Report

May-22

MSDLAF to FNB payroll account ACH	5/31/2022	535,000.00
MSDLAF-Max to FNB BO	5/9/2022	375,000.00
MSDLAF-Max to FNB BO	5/13/2022	475,000.00
MSDLAF-Max to FNB BO	5/13/2022	625,000.00
MSDLAF-Max to FNB BO	5/23/2022	300,000.00
MSDLAF-Max to CCF	5/6/2022	350,000.00
FNB-BO to BCBS - medicare health	5/23/22	17,355.00
Wire of federal payroll taxes	5/13/2022	162,999.96
Wire of federal payroll taxes	5/17/2022	40.18
Wire of federal payroll taxes	5/17/2022	3,043.58
Wire of federal payroll taxes	5/31/2022	168,823.15
Wire of state payroll taxes	5/2/2022	26,260.80
Wire of state payroll taxes	5/16/2022	27,643.47
Wire of state payroll taxes	5/18/2022	4.21
Wire of state payroll taxes	5/18/2022	281.83
PERA payments	5/3/2022	20,863.37
PERA payments	5/17/2022	36.75
PERA payments	5/17/2022	194.79
PERA payments	5/17/2022	23,109.52
TRA payments	5/3/2022	85,807.92
TRA payments	5/17/2022	1,237.56
TRA payments	5/17/2022	86,147.90
Further	5/3/2022	1,220.64
Further	5/4/2022	2,739.73
Further	5/10/2022	2,883.36
Further	5/17/2022	132.75
Further	5/18/2022	2,739.73
Further	5/23/2022	882.20
Further	5/23/2022	2,128.47
Horace Mann	5/5/2022	2,089.00
Horace Mann	5/19/2022	2,089.00
Ameriprise/NBSGroup Bill	5/17/2022	1,600.00
Ameriprise/NBSGroup Bill	5/31/2022	1,600.00
Pioneer - Dental direct debits	5/2/2022	4,521.42
Pioneer - Dental direct debits	5/10/2022	4,775.72
Pioneer - Dental direct debits	5/16/2022	2,109.54
Pioneer - Dental direct debits	5/23/2022	4,551.43
Pioneer - Dental direct debits	5/31/2022	1,821.36
CCF - BCBS debits	5/5/2022	104,273.66
CCF - BCBS debits	5/12/2022	87,402.49
CCF - BCBS debits	5/19/2022	55,186.90
CCF - BCBS debits	5/26/2022	58,350.68
Electronic Deposit Fees - Gateway	5/4/2022	20.00
Electronic Deposit Fees - Merch Billing	5/5/2022	39.95
Total Wires		3,627,008.02



MEMO TO: Mr. Bill Gronseth
School Board

FROM: Annette Engeldinger

DATE: June 6, 2022

RE: Taylor Scholarship-

Larry and Thalia Taylor have awarded two Saint Peter graduates scholarships in the amount of \$2500 apiece. The intention of this scholarship is to help students obtain a higher level of post-secondary education. Preference is to be given to students of color or first-generation college-bound students. We thank the Taylors for their generous scholarship!

I recommend the acceptance of this donation.

If you have any questions, please feel free to contact me.



MEMO TO: Mr. Bill Gronseth
School Board

FROM: Annette Engeldinger

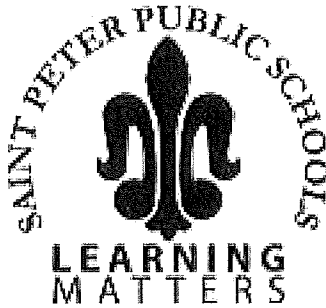
DATE: June 15, 2022

RE: Equitable Excellence Grant

The Equitable Foundation has presented the high school with a \$500 grant. Connor Snow, a member of the graduating class of 2022 was the recipient of an Equitable Excellence scholarship which included this \$500 grant for the high school. We thank both the foundation and Connor!

I recommend the acceptance of this donation.

If you have any questions, please feel free to contact me.



MEMO TO: Members of the School Board
Bill Gronseth

FROM: Jon Graff

DATE: May 20, 2022

SUBJECT: Middle School Summer
Targeted Services Teacher

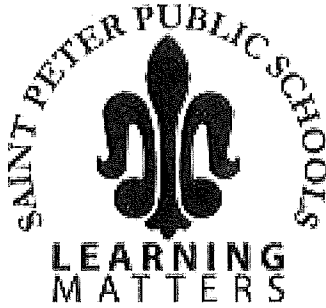
Applications were received and interviews took place for a 2022 Middle School Targeted Services teaching position

I am pleased to recommend Cayrl Bunkowski for the position.

NEW EMPLOYEE SUMMARY

- **Cayrl Bunkowski**
 - Summer Targeted Services Teaching Position
 - Compensation based on Step11/MA of teacher contract

CC: Cayrl Bunkowski
grp_hire_certified



MEMO TO: Members of the School Board
Bill Gronseth

FROM: Jon Graff

DATE: May 20, 2022

SUBJECT: Middle School Summer
Targeted Services Teacher

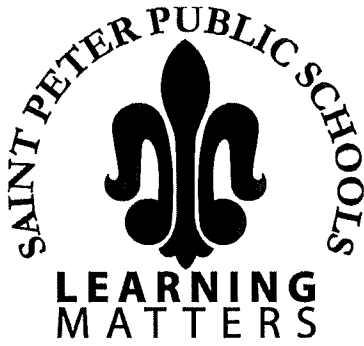
Applications were received and interviews took place for a 2022 Middle School Targeted Services teaching position

I am pleased to recommend Ethan Sindelir for the position.

NEW EMPLOYEE SUMMARY

- **Ethan Sindelir**
 - Summer Targeted Services Teaching Position
 - Compensation based on Step1/BA of teacher contract

CC: Ethan Sindelir
grp_hire_certified



MEMO TO: Bill Gronseth, Superintendent
School Board

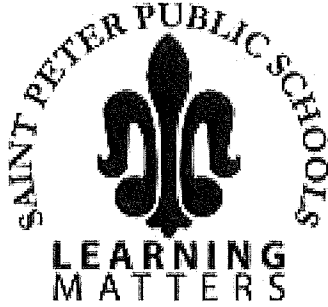
FROM: Jon Graff

DATE: May 16, 2022

SUBJECT: Maternity Leave Request

I recommend that you accept the maternity leave request of Mrs. Abby Moore, PE teacher at SPMS. This leave will begin on August 22, 2022 and run through October 28 , 2022.

Cc: Abby Moore
Grp_hire_certified



MEMO TO: Members of the School Board
Mr. Bill Gronseth

FROM: Annette Engeldinger

DATE: May 24, 2022

SUBJECT: High School Counselor Hire

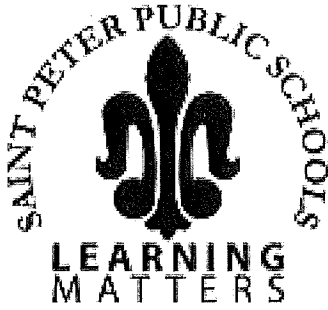
Applications were received and interviews took place for a high school counselor position. This is a replacement position due to the resignation of Maggie Carlson.

I am pleased to recommend Regina Sirianni for the position. Regina is currently a high school counselor at Sibley East, and our team is excited to have her on board!

NEW EMPLOYEE SUMMARY

- **Regina Sirianni**
 - 1.0
 - Step 4/Lane MA
 - \$56.963
 - Start Date: 2022-2023 school year

CC: Regina Sirianni
grp_hire_certified



MEMO TO: Members of the School Board
Bill Gronseth

FROM: Jon Graff

DATE: June 1, 2022

SUBJECT: Middle School Special
Education Teacher

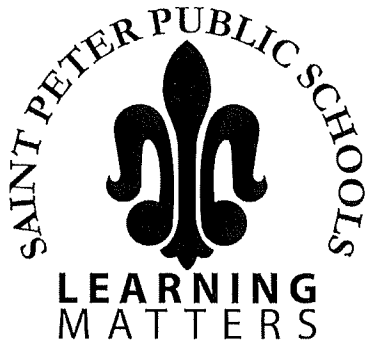
Applications were received and interviews took place for a 2022 Middle School Special Education Teacher. This is a new position created in response to an increase in student need.

I am pleased to recommend Wesley Heiser for the position. Wesley is a recent graduate of MSU, Mankato. This spring, he successfully completed his student teaching at SPMS.

NEW EMPLOYEE SUMMARY

- **Wesley Heiser**
 - 1.0 FTE
 - Step1/BA
 - \$45,077
 - NEW Position
 - Start Date: 2022-2023 school year

CC: Wesley Heiser
grp_hire_certified



MEMO TO: Bill Gronseth
School Board

FROM: Jon Graff

DATE: May 30, 2022

SUBJECT: Middle School Teacher Resignation

I am writing to recommend that you accept the resignation of McKenzie Weis from her position as a Middle School Science teacher, effective at the end of the 2021-2022 school year.

McKenzie has served in the district since 2019. She will be missed. We wish her the best of luck in her future endeavors.

CC:
grp_hire_Certified
McKenzie Weis

5/27/2022

To Whom It May Concern,

With many bittersweet feelings, I am informing you that I am resigning from my position as the Pine 7th and 8th grade Science Teacher at Saint Peter Middle School.

This was not an easy decision as my experiences here have challenged me, given me lots of opportunities and grown me personally and professionally.

Thank you for the opportunity to serve our students and community the last three years!

Alex, Rowan and I are off to new and exciting beginnings.

Thank you - Mckenzie Weis



MEMO TO: Bill Gronseth
School Board

FROM: Jon Graff

DATE: May 30, 2022

SUBJECT: Middle School Teacher Resignation

I am writing to recommend that you accept the resignation of Alex Weis from his position as a Middle School PE teacher, effective at the end of the 2021-2022 school year.

Alex has served in the district since 2018. Alex will be missed. We wish him the best of luck in his future endeavors.

CC:
grp_hire_Certified
Alex Weis

5/30/2022

To Whom It May Concern,

I am writing to inform you that I will be resigning from my 6th grade physical education teacher position at Saint Peter Middle School.

I am forever grateful for being offered the opportunity to work at SPPS as it has offered me so much! This is not an easy decision to make but I look forward to being closer to family and experiencing a new chapter.

Thanks again for the last four years and I wish you all the best!

Thank you,

Alex Weis



**TO: Bill Gronseth, Superintendent,
School Board Members**

**FROM: Tami Skinner, Community & Family
Education Director**

SUBJECT: Saints Overtime Staff

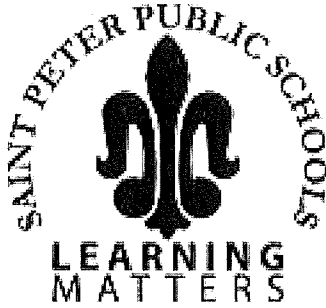
DATE: June 1, 2022

Interviews were conducted, and I am pleased to recommend the hiring of Alex Dorow as a Saints Overtime Assistant. Her previous work experiences make her an ideal candidate for this position.

This is a replacement position.

EMPLOYEE SUMMARY

- **Alex Dorow**
- Rate of pay - \$15/hr.
- Part-time hours to be submitted on a timesheet
- 2022 Summer and 2022-23 School Year



MEMO TO: Members of the School Board
Cc: Administrative Team

FROM: Bill Gronseth

DATE: June 1, 2022

SUBJECT: Operations & Maintenance
Supervisor

Applications were received and interviews took place for the Operations & Maintenance Supervisor . This is a replacement for an opening being created when the former Operations & Maintenance Supervisor retires.

I am pleased to recommend Sharon Petersen for the position. Sharon has served the Minneapolis Schools as a Senior Custodian & Head Engineer for the past 26 years. Sharon holds a Chief C Boiler Operators License as well as certificates for Mechanical Maintenance, Boiler Operation, Fundamentals of Refrigeration, Gas and Fuel Burner Operation, and Cold Absorption Generators.

NEW POSITION SUMMARY

- **Sharon Petersen**
 - 1.0 FTE
 - \$78,000
 - Start Date: July 1, 2022



**TO: Bill Gronseth, Superintendent,
School Board Members**

**FROM: Tami Skinner, Community & Family
Education Director**

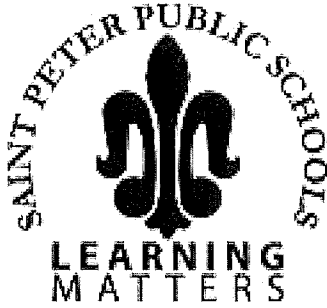
**SUBJECT: Returning Summer Saints
Overtime Staff**

DATE: June 1, 2022

The following individuals will resume their role as Summer Saints Overtime Assistants. Their hours will be submitted on a timesheet.

EMPLOYEE SUMMARY - \$15.00 per hour pay rate

- Claire Bratland
- Bailey Britton (guest artist & assistant sub)
- Katie Engeldinger
- Cassie Larsen (sub)
- Jaimi McClintock
- Bridget Mullaly
- Amara Packey
- Payton Portugue
- Skyler Price
- Evan Skinner (sub)



MEMO TO: Superintendent, Bill Gronseth
Members of the School Board

FROM: Jon Graff

DATE: June 2, 2022

SUBJECT: Middle School Art Teacher

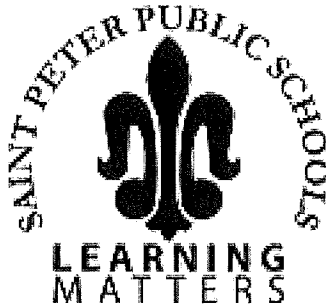
Applications were received and interviews took place for a 2022 Middle School Art Teacher. This is a replacement position created by a recent resignation.

I am pleased to recommend Ariana Bealey for the position. Ariana comes to us with a wealth of experience in art education, most recently from Mankato Area Public Schools.

NEW EMPLOYEE SUMMARY

- **Ariana Bealey**
 - 1.0 FTE
 - Step 11 (year 14) BA +10
 - \$65,785
 - Replacement Position
 - Start Date: 2022-2023 school year

CC: Ariana Bealey
grp_hire_certified



MEMO TO: Members of the School Board
Cc: Administrative Team

FROM: Bill Gronseth

DATE: June 1, 2022

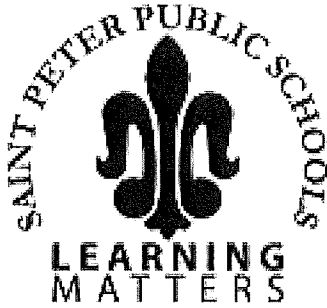
SUBJECT: Operations & Maintenance
Supervisor

Applications were received and interviews took place for the Operations & Maintenance Supervisor . This is a replacement for an opening being created when the former Operations & Maintenance Supervisor retires.

I am pleased to recommend Sharon Petersen for the position. Sharon has served the Minneapolis Schools as a Senior Custodian & Head Engineer for the past 26 years. Sharon holds a Chief C Boiler Operators License as well as certificates for Mechanical Maintenance, Boiler Operation, Fundamentals of Refrigeration, Gas and Fuel Burner Operation, and Cold Absorption Generators.

NEW POSITION SUMMARY

- **Sharon Petersen**
 - 1.0 FTE
 - \$78,000
 - Start Date: July 1, 2022



MEMO TO: Members of the School Board
Cc: Administrative Team

FROM: Bill Gronseth

DATE: June 1, 2022

SUBJECT: Technology Director

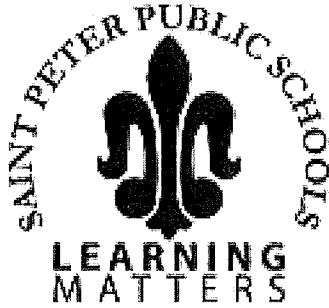
Applications were received and interviews took place for Technology Director. This is a replacement for an opening created when the former Technology Director resigned.

I am pleased to recommend Gustavus Sorbo for the position. Gus has served the Saint Peter Schools as a teacher, Technology Coordinator, and most recently served as Interim in the absence of a Technology Director.

NEW POSITION SUMMARY

- **Gustavus Sorbo**
 - 1.0 FTE
 - \$95,000
 - Start Date: July 1, 2022

CC: Gus Sorbo



MEMO TO: Members of the School Board
Bill Gronseth

FROM: Ytive Prafke

DATE: June 7, 2022

SUBJECT: .25 ECSE DAPE Teacher

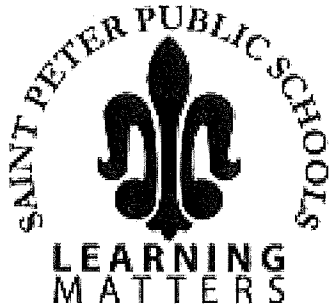
I am pleased to recommend Lauren Satrom for the position of .25 ECSE Adaptive Physical Education teacher. During the 2022-2023 school year this position will be in place for approximately 10 hours per week.

NEW EMPLOYEE SUMMARY

- **Lauren Satrom**
 - MA +30 Step 11 (\$54.32 per hour)
 - ECSE Adaptive Physical Education teacher
 - Timesheets will be submitted
 - Start Date: 2022-2023 school year

Thank you for your consideration and your support of the Early Childhood programs.

CC: Lauren Satrom
grp_hire_certified



MEMO TO: Members of the School Board
Bill Gronseth

FROM: Ytive Prafke

DATE: June 7, 2022

SUBJECT: ECSE Supplemental Teacher

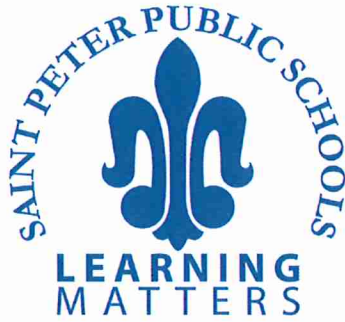
I am pleased to recommend Kellie Satrom for the position of ECSE supplemental teacher beginning in the 2022-2023 school year. Kellie taught in the ECSE program through an MVED contract and retired from that teaching position at the end of the 2019-2020 school year. She will be working on an as needed basis in the ECSE program as a supplemental ECSE teacher pushing into School Readiness classes to provide special education and substitute teaching services.

NEW EMPLOYEE SUMMARY

- **Kellie Satrom**
 - MA +40 Step 11 (\$56.17 per hour)
 - Supplemental ECSE teacher based upon need
 - Timesheets will be submitted
 - Start Date: 2022-2023 school year

Thank you for your consideration and your support of the Early Childhood programs.

CC: Kellie Satrom
grp_hire_certified



May 31, 2022

To: Bill Gronseth

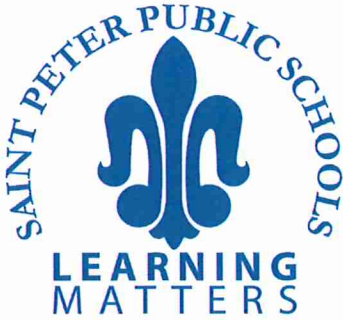
**From: Marc Bachman
Operations and Maintenance Supervisor**

RE: Resignation

Russell Lawrence has submitted his letter of resignation as Unassigned Maintenance Custodial Engineer. Russ's resignation is effective immediately, May 31, 2022.

The needs of the custodial staff will be reviewed before a replacement position is posted. The search for a replacement will begin internally after the review. We will advertise in the local media if necessary to fill this position.

**Cc: Mike Keller
Drew Brodeen**



May 26, 2022

To: Bill Gronseth

**From: Marc Bachman
Operations and Maintenance Supervisor**

RE: Resignation

Nathaniel Rustman has submitted his letter of resignation as Custodial Engineer at North Elementary School. Nathaniels's last day of work will be June 9, 2022.

The needs of the custodial staff will be reviewed before a replacement position is posted. The search for a replacement will begin internally after the review. We will advertise in the local media if necessary to fill this position.

**Cc: Darin Doherty
Mike Keller
Drew Brodeen**



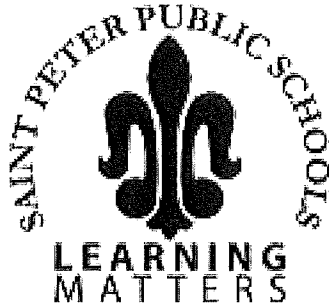
**TO: Bill Gronseth, Superintendent,
School Board Members**

**FROM: Tami Skinner, Community & Family
Education Director**

SUBJECT: Saints Overtime Staff

DATE: June 9, 2022

April Malphurs has previously worked as the sPARK Mobile Arts Studio instructor. She will resume her role this summer. Funds from a Prairie Lakes Regional Arts Grant cover her \$3,000 stipend, which will be divided into three \$1,000 requests throughout the summer.



MEMO TO: Members of the School Board
Bill Gronseth

FROM: Ytive Prafke

DATE: June 14, 2022

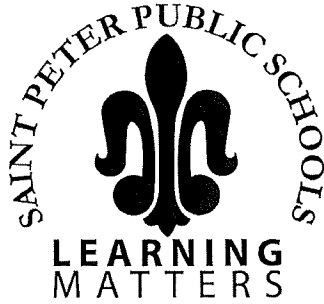
SUBJECT: Food Service Director

I am pleased to recommend Emily Craig for the position of Food Service Director. This is a new position for St. Peter Public Schools as the District moves from a vended model of food service to a self operations model. Emily brings a wealth of food service experience to this leadership position and we are excited to welcome her.

NEW EMPLOYEE SUMMARY

- **Emily Craig**
 - Food Service Director
 - New position-transition from vended to self-operations model
 - Salary and Benefits outlined in contract
 - Start Date: July 1, 2022

CC: Emily Craig



TO: Members of the School Board
Mr. Gronseth

FROM: Annette Engeldinger

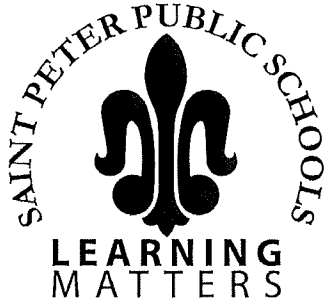
DATE: June 15, 2022

RE: Teacher resignation

I am writing to recommend that you accept the resignation of Chris Vanderhyde as a math teacher at Saint Peter High School and the Oshowa Learning Center. His last day with Saint Peter Schools was May 27, 2022.

We sincerely thank Mr. Vanderhyde for his time and dedication to the students of Saint Peter High School. We wish him the best of luck as he pursues his dream of being a full time college basketball coach!

Please let me know if you have any questions.



TO: Members of the School Board
Mr. Gronseth

FROM: Annette Engeldinger

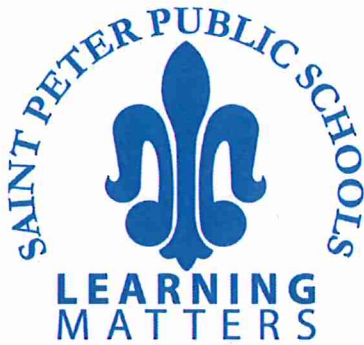
DATE: June 15, 2022

RE: Leave of Absence Recommendation

Dan Englehorn, world language and social studies teacher at Saint Peter High School, has submitted a request for a leave of absence. During this time, Mr. Englehorn will care for his mother who has a serious health condition. He also requests that benefits and retirement service credits continue during his absence. I am recommending that his leave request, beginning on September 6, be granted.

Please let me know if you have any questions.

cc: Ytive Prafke



MEMO TO: Bill Gronseth
School Board

FROM: Jon Graff

DATE: June 15, 2022

SUBJECT: Middle School Social Worker
Resignation

I am writing to recommend that you accept the resignation of Sarah Mages from her position as a Middle School social worker, effective at the end of the school year.

Sarah has served in the district since 2019. Sarah will be missed. We wish her the best of luck in her future endeavors.

CC:
grp_hire_Certified
Sarah Mages



Sarah Janovsky <sjanovsky@stpeterschools.org>

Fwd: Resignation

1 message

Jon Graff <jgraff@stpeterschools.org>
To: Sarah Janovsky <sjanovsky@stpeterschools.org>

Wed, Jun 15, 2022 at 8:51 PM

Sarah Mages, social worker resignation letter.



Jon Graff

Saint Peter Middle School Principal

Saint Peter Middle School

100 Lincoln Drive

St Peter, MN 56082

507-934-4210 ext: 5019

www.stpeterschools.org

Saints Nation - Saints Strong, Everyone Belongs

----- Forwarded message -----

From: **Sarah Mages** <smages@stpeterschools.org>

Date: Mon, Jun 13, 2022 at 8:16 AM

Subject: Resignation

To: Jon Graff <jgraff@stpeterschools.org>

Dear Mr. Graff,

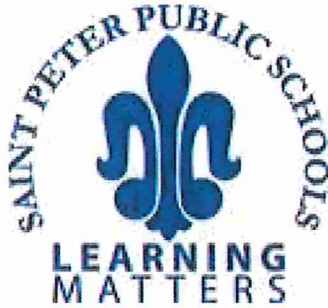
I am tendering my resignation at the end of this contract year (21-22) from the position of School Social Worker at St. Peter Middle School. I have been truly blessed to be part of a great team these last few years and while I am excited for a new career opportunity, I am sad to leave both students and staff at St. Peter Middle School. Thank you.

Sincerely,

Sarah Mages, MSW, LICSW

School Social Worker

SPMS



MEMO TO: Bill Gronseth, Superintendent
School Board

FROM: Marc Bachman

DATE: May 22, 2022

SUBJECT: Recommendation for hire

The Operations and Maintenance Department has part time Early Childhood housekeeper position open at Saint Peter Middle School. The position was posted internally and via the district website.

I recommend the hiring of Allan Humphrey to serve as a part time Housekeeper at Saint Peter Middle School. Allan brings a friendly face to support the staff of Early Childhood.

EMPLOYMENT HIRING SUMMARY

- **Allan Humphrey**
 - Housekeeper
 - Works school days only
 - Start Date: August 29, 2022
 - 9 month probationary period ending May 29, 2023

Cc: Allan Humphrey
Drew Brodeen
Mike Keller
Ytive Prafke
Jerry Doyle



TO: Dr. Jeff Olson
School Board

FROM: Jon Graff

DATE: August 29, 2019

SUBJECT: Obsolete Items

The following items are not in working order or are no longer needed as a part of the middle school physical education curriculum. I recommend the School Board deem these items obsolete.

- #1: SportsArt Treadmill T620 Extreme Series (Model# T620)
- #2: Ascent AFG Elliptical (Model# 18.1AXT) serial number: EP2581112BA00339
- #3: SportsArt 8300 Elliptical (model# 8300)
- #4: SportsArt 5150R Bike (model# 5150R)
- #5: SportsArt 5200U Bike (model# 5200U)

CC: Marc Bachman



ADDENDUM

REGULAR BOARD MEETING Monday, June 20, 2022 SPCC-Governor's Room 6:30PM

VII. ACTION ITEMS

1. AGENDA ITEM #1

Subject: Consider Approval of Candidates for Graduation

Action: Requires a Motion

Background: To be eligible to graduate, a student must meet all requirements set by the local School Board and the State of Minnesota. Ms. Engeldinger will present the list of students who met these requirements and graduated from Saint Peter High School on May 27, 2022.

Presentation: High School Principal

Options/Recommendation: I recommend your approval of the 2022 graduating class of Saint Peter High School.

MEMO TO: Mr. Gronseth
Members of the Board of Education

FROM: Annette Engeldinger

DATE: May 11, 2022

SUBJECT: Approval of Candidates for Graduation

Attached is a list of seniors who, at this time, have met all graduation requirements and are scheduled to be awarded diplomas on May 27, 2022. Students who do not fulfill all graduation requirements are not permitted to go through commencement exercises. This approval is therefore tentative, pending final completion of all requirements.

Attachment

SENIOR CLASS OF 2022

Marwan	Abdi	Shea	Hildebrandt	Keona	Sisler
Sundus	Abdirahman	Logan	Jacobsen	Tyler	Skeen
Kyanne	Abraham	Jorgen	Jeremiason	Salena	Smit
Juan	Adame Jr.	Bayleigh	Johnson	Zachary	Smith
Hana	Ahmed	Danielle	Johnson	Connor	Snow
Yahye	Ahmed	Ellie	Johnson	Ariel	Straka
Kiyonia	Alexander	Lexi	Johnson	Thomas	Straka
Daisy	Anchondo Nielsen	Grace	Karels	Harley	Strande
Brianna	Baker	Jaeger	Kennedy	Lilian	Sund
Gabriel	Baker	Halima	Khalif	Kadence	Theis
Jason	Beckman	Anna	Klatt	Riley	Throldahl
Luke	Borowy	Eva	Kracht	Hailie	Timmerman
Skylar	Borth	Brady	Lachmiller	Madelyn	Tollefson
Alexander	Bosacker	Brent	Ladd-Wilmes	Maija	Tollefson
Nathan	Braam	Jaiden	Landsom	Hector	Torres
Andrew	Brown	Melvin	Leslie	Connor	Travaille
Molly	Brunow	Angeline	Maas	Virgil	Uvalle-Ramos
Sarah	Busse	Camden	Marquardt	McKenna	Van Zee
Audrey	Chalin	Myles	Martinez	Molly	Voeltz
Ben	Claeys	Isaac	Mckenzie	Ericka	Volk
Jason	Creel	Benjamen	Mediger	Hayat	Warsame
Abdille	Dahir	Elyssa	Meixner	Cassidy	White
Rowan	Dahlseid	Jake	Moelter	Josephine	Wiebusch
Nur	Daud	Mohamed	Hassen	Madeline	Winsell
Cooper	Dean	Abdilahi	Mohamed	Eleanor	Winterfeldt
Farhiya	Dekene	Amina	Mohamed	Jaxson	Witty
Olivia	Denzer	Ayan	Mohamed	Hannah	Wohlers
Sophia	Doherty	Makayla	Moline	Anna	Woods
Deanna	Domagala	Willem	Nelsen	Bashir	Yussuf
Kaden	Eckert	Marshall	Nicolai	David	Zhang
Rogelio	Espinoza-Harroun	Gilbert	Nowell	Federico	Zimmermann
Zach	Evans	Lauren	Odland		
Eric	Freeman	Christopher	Olmos		
Kathryn	Frey	Bennett	Olson		
Vanessa	Fugon	Samantha	Pell		
Gavin	Fuller	Morgan	Petersen		
Ilhan	Garad	Taylor	Peterson		
Juanita	Garcia Landa	MacKenzie	Pettis		
Sky	Gassman	Ryenne	Pettis		
Ashley	Grack	Theodore	Pierret		
Vincenzo	Guappone	Jeremy	Plonske		
Elise	Guimond	Daniela	Ramirez		
Katherine	Gurrola	Brooke	Rehnelt		
Caroline	Guth	Grace	Remmert		
Kole	Guth	Jasmine	Rettig		
Jessica	Haas	Jose	Reyes		
Sherman	Hagen	Guadalupe	Rocha		
Brogan	Hanson	Sasha	Rodeback		
Morgan	Hanson	Adrian	Rojas-Malleo		
Bryan	Harroun	Humberto	Romero		
Mallory	Hartfiel	Lilly	Ruffin		
Leslie	Havemeier	Katherine	Salzwedel		
Ella	Henry	Aidan	Schumacher		
Kaitlyn	Henry	Hannah	Seitzer		
Zachary	Hermanson	Cadence	Selzler-Campion		
Logan	Hickey				
Oziel	Hidalgo-Nieto				



ADDENDUM

BOARD MEETING Monday, June 20, 2022 Governor's Room 6:30 PM

VII. ACTION ITEMS

2. AGENDA ITEM #2

Subject: Consider Approval of Tenure Action for Probationary Teachers

Action: Requires a Motion

Background: The following teachers have successfully completed their probationary period and are recommended for continuing contracts by the building principals:

- Vero Castillo-Clark High School
- Scott Robinson High School
- Bri Bergstrom High School
- Ander Vander-Linden High School
- Madison Bergren Middle School
- Paul Geving Middle School
- Abigail Moore Middle School
- Cari Panitski Middle School
- Emmelie Pinz Middle School
- Ashley Pope Middle School
- Paola Rodeback Middle School
- Abby Ramirez North Elementary
- Jordyn Jarr North Elementary
- Marissa Woitas North Elementary
- Amanda Kennedy North Elementary
- Ryan Drazan South Elementary
- Rachael Schweigert South Elementary
- Jen Stenzel South Elementary
- Hannah Struckman South Elementary

Presentation: Superintendent
Building Principals

Options/Recommendation: I recommend the School Board grant tenure to the teachers recommended by the building principals.



MEMO TO: Mr. Gronseth

FROM: Annette Engeldinger

DATE: May 23, 2022

RE: Teacher Tenure Recommendation

The following teachers have completed all necessary portions of our supervision and evaluation system, and I am recommending they be granted tenure in Saint Peter Public Schools:

- Vero Castillo-Clark
- Scott Robinson
- Bri Bergstrom
- Andy Vander-Linden



MEMO TO: Bill Gronseth

FROM: Jon Graff

DATE: June 2, 2022

RE: Teacher Tenure Recommendations

The following teachers have completed all necessary portions of our probationary teacher supervision and evaluation system. I am recommending they be granted tenure in Saint Peter Public Schools:

- Madison Bergren
- Paul Geving
- Abigail Moore
- Cari Panitski
- Emmelie Pinz
- Ashley Pope
- Paola Rodeback



Date: May 31, 2022

To: Mr. Bill Gronseth, Superintendent

From: Darin Doherty, Principal
North Elementary School

Re: Tenure Recommendations

I am recommending the following individuals for a continuing contract (tenure) starting with the 2022-23 school year:

Abby Ramirez
Jordyn Jarr
Marissa Woitas
Amanda Kennedy

Mrs. Ramirez, Ms. Jarr, and Mrs. Woitas have all successfully completed their third year of teaching at North Elementary. Mrs. Kennedy obtained tenure in Mankato Area Public Schools prior to coming to Saint Peter Public Schools for the 2021-22 school year.

If you have questions, please contact me.

CC: Abby Ramirez <aramirez2@stpeterschools.org>
Jordyn Jarr <jjarr@stpeterschools.org>
Marisa Woitas <mwoitas@stpeterschools.org>
Mandy Kennedy <mkennedy2@stpeterschools.org>



MEMO TO: Bill Gronseth, Saint Peter School Board
FROM: Doreen Oelke, South Elementary Principal
DATE: May 23, 2022
RE: Teacher Tenure Recommendations

The following teachers have completed all necessary portions of our supervision and evaluation system, and I am recommending they be granted tenure in Saint Peter Public Schools:

- Ryan Drazan
- Rachael Schweigert
- Jen Stenzel
- Hannah Struckman



ADDENDUM

REGULAR BOARD MEETING Monday, June 20, 2022 SPCC-Governor's Room 6:30PM

VII. ACTION ITEMS

3. AGENDA ITEM #3

Subject: Consider Policies for a Single Reading due to Immaterial Changes

Action: Requires a Motion

Background: When Policies have immaterial changes, they can be adopted after a single reading. Policy 702 Accounting is receiving a new number to align with the new numbering system. The current number is policy 004.14 Accounting.

Presentation: Superintendent Gronseth
Policy Committee

Options/Recommendation: I recommend renumbering Policy 004.14 to Policy 702.

Adopted: _____

MSBA/MASA Model Policy 702

Orig. 1995

Revised: _____

Rev. 2006

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 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 Minn. Stat. § 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 Minn. Stat. §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 Minn. Stat. §123B.10 in the manner specified therein.

Legal References: Minn. Stat. § 123B.02 (School District Powers)
Minn. Stat. § 123B.09 (School Board Powers)
Minn. Stat. § 123B.10 (Publication of Financial Information)
Minn. Stat. § 123B.14, Subd. 7 (Duties of School Board Clerk)
Minn. Stat. § 123B.75 (Revenue)
Minn. Stat. § 123B.76 (Expenditures)
Minn. Stat. § 123B.77 (Accounting, Budgeting and Reporting Requirements)
Minn. Stat. § 123B.78 (Cash Flow, Revenues, Borrowing, 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)
MSBA Service Manual, Chapter 7, Education Funding



ADDENDUM

REGULAR BOARD MEETING Monday, June 20, 2022 SPCC-Governor's Room 6:30PM

VII. ACTION ITEMS

4. AGENDA ITEM #4

Subject: Consider Second Reading of Revisions to the Policy Manual

Action: Requires a Motion

Background: The Policy Committee reviewed the following policies and have brought them forward for a second reading.

305 Policy Implementation
306 Administrator Code of Ethics
404 Employment Background Checks
Deletion of current Policy 005.91
405 Veteran's Preference
408 Subpoena of a School District Employee
414 Mandated Reporting of Child Neglect or Physical or Sexual Abuse
Deletion of current Policy 007.45
415 Mandated Reporting of Maltreatment of Vulnerable Adults
Deletion of current Policy 007.46
416 Drug and Alcohol Testing
423 Employee-Student Relationships
425 Staff Development

Presentation: Superintendent Gronseth
Policy Committee

Options/Recommendation: I recommend approving these policies and deletions.

Adopted: _____

MSBA/MASA Model Policy 305

Orig. 1995

Revised: _____

Rev. 1999

305 POLICY IMPLEMENTATION

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

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

Adopted: _____

MSBA/MASA Model Policy 306

Orig. 1995

Revised: _____

Rev. 2002

306 ADMINISTRATOR CODE OF ETHICS

I. PURPOSE

The purpose of this policy is to establish the requirements of the school board that school administrators adhere to the standards of ethics and professional conduct in this policy and Minnesota law.

II. GENERAL STATEMENT OF POLICY

- A. An educational administrator's professional behavior must conform to an ethical code. The code must be idealistic and at the same time practical, so that it can apply reasonably to all educational administrators. The administrator acknowledges that the schools belong to the public they serve for the purpose of providing educational opportunities to all. However, the administrator assumes responsibility for providing professional leadership in the school and community. This responsibility requires the administrator to maintain standards of exemplary professional conduct. It must be recognized that the administrator's actions will be viewed and appraised by the community, professional associates, and students. To these ends, the administrator must subscribe to the following standards.
- B. The Educational Administrator:
 - 1. Makes the well-being of students the fundamental value of all decision-making and actions.
 - 2. Fulfills professional responsibilities with honesty and integrity.
 - 3. Supports the principle of due process and protects the civil and human rights of all individuals.
 - 4. Obeys local, state, and national laws and does not knowingly join or support organizations that advocate, directly or indirectly, the overthrow of the government.
 - 5. Implements the school board's policies.
 - 6. Pursues appropriate measures to correct those laws, policies, and regulations that are not consistent with sound educational goals.
 - 7. Avoids using positions for personal gain through political, social, religious, economic, or other influence.
 - 8. Accepts academic degrees or professional certification only from duly accredited institutions.
 - 9. Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.

10. Honors all contracts until fulfillment, release, or dissolution is mutually agreed upon by all parties to the contract.
11. Adheres to the Code of Ethics for School Administrators in Minnesota Rule.

Legal References: Minn. Stat. § 122A.14, Subd. 4 (Code of Ethics)
Minn. Rules Part 3512.5200 (Code of Ethics for School Administrators)

Cross References:

Adopted: _____

MSBA/MASA Model Policy 404

Orig. 1995

Revised: _____

Rev. 2018

404 EMPLOYMENT BACKGROUND CHECKS

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

I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment in the school district in order to promote the physical, social, and psychological well-being of its students. To that end, the school district will seek a criminal history background check for applicants who receive an offer of employment with the school district and on all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether any compensation is paid, or such other background checks as provided by this policy. The school district may also elect to do background checks of other volunteers, independent contractors, and student employees in the school district.

II. GENERAL STATEMENT OF POLICY

- A. The school district shall require that applicants for school district positions who receive an offer of employment and all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether any compensation is paid, submit to a criminal history background check. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by the school district that an individual's criminal history does not preclude the individual from employment with, or provision of services to, the school district.
- B. The school district specifically reserves any and all rights it may have to conduct background checks regarding current employees, applicants, or service providers without the consent of such individuals.
- C. Adherence to this policy by the school district shall in no way limit the school district's right to require additional information, or to use procedures currently in place or other procedures to gain additional background information concerning employees, applicants, volunteers, service providers, independent contractors, and student employees.

III. PROCEDURES

- A. Normally an individual will not commence employment or provide services until the school district receives the results of the criminal history background check. The school district may conditionally hire an applicant or allow an individual to provide services pending completion of the background check but shall notify the individual that the individual's employment or opportunity to provide services may be terminated based on the result of the background check. Background checks will be performed by the Minnesota Bureau of Criminal Apprehension (BCA). The BCA shall conduct the background check by retrieving criminal history data as defined in Minn. Stat. § 13.87. The school district reserves the right to also have criminal history background checks conducted by other organizations or agencies.

- B. In order for an individual to be eligible for employment or to provide athletic coaching services or other extracurricular academic coaching services to the school district, except for an enrolled student volunteer, the individual must sign a criminal history consent form, which provides permission for the school district to conduct a criminal history background check, and provide ~~a money order or check payable to either the BCA or to the school district, at the election of the school district, in an amount equal to the actual cost to the BCA and the school district of~~ **payment for** conducting the criminal history background check. The cost of the criminal history background check is the responsibility of the individual, unless the school district decides to pay the costs for a volunteer, an independent contractor, or a student employee. If the individual fails ~~to provide the school district with a signed Informed Consent Form and fee to~~ **provide a criminal background check** at the time the individual receives a job offer, or permission to provide services, the individual will be considered to have voluntarily withdrawn the application for employment or request to provide services.

[Note: If the school district elects to receive payment, it may, at its discretion, accept payment in the form of a negotiable instrument other than a money order or check and then pay the superintendent of the BCA directly to conduct the background check.]

- ~~C. The school district, in its discretion, may elect not to request a criminal history background check on an individual who holds an initial entrance license issued by the Minnesota Professional Educator Licensing and Standards Board or the commissioner of education within the 12 months preceding an offer of employment or permission to provide services.~~
- ~~D. The school district may use the results of a criminal background check conducted at the request of another school hiring authority if:~~
- ~~1. the results of the criminal background check are on file with the other school hiring authority or otherwise accessible;~~
 - ~~2. the other school hiring authority conducted a criminal background check within the previous 12 months;~~
 - ~~3. the individual executes a written consent form giving the school district access to the results of the check; and~~
 - ~~4. there is no reason to believe that the individual has committed an act subsequent to the check that would disqualify the individual for employment or provision of services.~~
- ~~E. For all nonstate residents who are offered employment with or the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, the school district shall request a criminal history background check on such individuals from the superintendent of the BCA and from the government agency performing the same function in the resident state or, if no government entity performs the same function in the resident state, from the Federal Bureau of Investigation. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by the school district that an individual's criminal history does not preclude the individual from employment with, or provision of services to, the school district. Such individuals must provide an executed criminal history consent form.~~

- F. When required, individuals must provide fingerprints to assist in a criminal history background check. If the fingerprints provided by the individual are unusable, the individual will be required to submit another set of prints.
- G. Copies of this policy shall be available in the school district's employment office and will be distributed to applicants for employment and individuals who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services upon request. The need to submit to a criminal history background check may be included with the basic criteria for employment or provision of services in the position posting and position advertisements.
- H. The individual will be informed of the results of the criminal background check(s) to the extent required by law.
- I. If the criminal history background check precludes employment with, or provision of services to, the school district, the individual will be so advised.
- J. The school district may apply these procedures to other volunteers, independent contractors, or student employees.
- K. At the beginning of each school year or when a student enrolls, the school district will notify parents and guardians about this policy and identify those positions subject to a background check and the extent of the school district's discretion in requiring a background check. The school district may include this notice in its student handbook, a school policy guide, or other similar communication. A form notice for this purpose is included with this policy.

IV. CRIMINAL HISTORY CONSENT FORM

A form to obtain consent for a criminal history background check is included with this policy.

Legal References: Minn. Stat. § 13.04, Subd. 4 (Inaccurate or Incomplete Data)
Minn. Stat. § 13.87, Subd. 1 (Criminal History Data)
Minn. Stat. § 123B.03 (Background Check)
Minn. Stat. §§ 299C.60-299C.64 (Minnesota Child Protection Background Check Act)
Minn. Stat. § 364.09(b) (Exception for School Districts)

Cross References:

Sample Informed Consent Form

For Criminal History Background Check
Your School District Name and Number
Street Address
City, State, and Zip Code
Telephone Number

_____ Date: _____

The following named individual has made application with this School District for employment or provision of athletic coaching services or other extracurricular academic coaching services.

Full Name of Individual: _____
(please print) _____ Last _____ First _____ Middle _____

Maiden, Previous, Alias: _____

Date of Birth: _____ Sex (M or F): _____
_____ Month/Day/Year

I authorize the Minnesota Bureau of Criminal Apprehension to disclose all criminal history record information to _____ pursuant to Minn. Stat. § 123B.03 for the purpose of _____ with this School District.

CONDITIONAL HIRING: I understand that the School District may permit me to commence my employment duties or provide athletic coaching services or other extracurricular academic coaching services pending completion of the criminal history background check and acknowledge and agree that my employment or services may be terminated based on the result of the background check.

The expiration of this authorization shall be for a period no longer than one year from the date of my signature.

Signature of Applicant or Potential Service Provider _____ Date

Subscribed and sworn to before me
this _____ day of _____, 20____.

Notary Public

The School District should forward this executed form, along with a check or money order in the amount of \$15.00 payable to the "MN BCA" and a self-addressed, stamped envelope, to:

*Minnesota Bureau of Criminal Apprehension
Criminal Justice Information Section
Attn: Record Checks
1430 Maryland Avenue E.
St. Paul, MN 55106*

EMPLOYMENT AND SERVICES CRIMINAL HISTORY BACKGROUND CHECKS

NOTICE TO PARENTS AND GUARDIANS

The school district has adopted a policy, the purpose of which is to promote the physical, social, and psychological well-being of its students. Pursuant to this policy, the school district shall seek criminal history background checks for all applicants who receive an offer of employment with the school district. The school district also shall seek criminal history background checks for all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether compensation is paid. These positions include, but are not limited to, all athletic coaches, extracurricular academic coaches, assistants, and advisors. The school district may elect to seek criminal history background checks for other volunteers, independent contractors, and student employees.

Adopted: _____

MSBA/MASA Model Policy 405

Orig. 1995

Revised: _____

Rev. 2016

405 VETERAN'S PREFERENCE

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

I. PURPOSE

The purpose of this policy is to comply with the Minnesota Veterans Preference Act (VPA) which provides preference points for veterans applying for employment with political subdivisions, including school districts, as well as additional rights for veterans in the discharge process.

II. GENERAL STATEMENT OF POLICY

- A. The school district's policy is to comply with the VPA regarding veteran's preference rights and mandated preference points to veterans and spouses of deceased veterans or disabled veterans.
- B. The school district's policy is also to comply with the VPA requirement that no covered veteran may be removed from public employment except for incompetency or misconduct shown after a hearing upon due notice, upon stated charges, and in writing. This paragraph does not apply to the position of teacher.
- C. **All applicants claiming Veteran's preference will be granted an interview.**
~~Veteran's preference points will be applied pursuant to applicable law as follows:~~
 - 1. ~~A credit of ten points shall be added to the competitive open examination rating of a non-disabled veteran, who so elects, provided that the veteran obtained a passing rating on the examination without the addition of the credit points.~~
 - 2. ~~A credit of fifteen points shall be added to the competitive open examination rating of a disabled veteran, who so elects, provided that the veteran obtained a passing rating on the examination without the addition of the credit points.~~
 - 3. ~~A credit of five points shall be added to the competitive promotional examination rating of a disabled veteran, who so elects, provided that (a) the veteran obtained a passing rating on the examination without the addition of the credit points and (b) the veteran is applying for a first promotion after securing public employment.~~
 - 4. ~~A preference may be used by the surviving spouse of a deceased veteran and by the spouse of a disabled veteran who, because of the disability, is unable to qualify.~~
- D. Eligibility for and application of veteran's preference, the definition of a veteran, and the definition of a disabled veteran for purposes of this policy will be pursuant to the VPA.
- E. When notifying applicants that they have been accepted into the selection process, the school district shall notify applicants that they may elect to use veteran's preference.

- F. The school district's policy is to use a 100-point hiring system to enable allocation of veteran's preference points. The school district may or may not use a 100-point hiring system for filling teaching positions. If a 100-point hiring system is not used for filling a teaching position, preference points will not be added, but all veteran applicants who have proper licensure for the teaching position will be granted an interview for the position.
- G. If the school district rejects a member of the finalist pool who has claimed veteran's preference, the school district shall notify the finalist in writing of the reasons for the rejection and file the notice with the school district's personnel officer.

[Note: A school district may require a veteran to complete an initial hiring probationary period as defined in Minn. Stat. § 43A.16.]

- H. In accordance with the VPA, no honorably discharged veteran shall be removed from a position of employment except for incompetency, misconduct, or good faith abolishment of position.
 - 1. Incompetency or misconduct must be shown after a hearing, upon due notice, upon stated charges, in writing.
 - 2. A veteran must irrevocably elect to be governed either by the VPA or by arbitration provisions set forth in a collective bargaining agreement in the event of a discharge.
- I. The VPA and the provisions of this policy do not apply to the position of private secretary, superintendent, head of a department, or any person holding a strictly confidential relation to the school board or school district. The VPA and the provisions of this policy apply to teachers only with respect to the hiring process, as set forth in Paragraph F., above.

Legal References: Minn. Stat. § 43A.11 (Veteran's Preference)
 Minn. Stat. § 197.455 (Veteran's Preference Applied)
 Minn. Stat. § 197.46 (Veterans Preference Act)
Hall v. City of Champlin, 463 N.W.2d 502 (Minn. 1990)
Young v. City of Duluth, 410 N.W.2d 27 (Minn. Ct. App. 1987)

Cross References: [MSBA/MASA Model](#) Policy 401 (Equal Employment Opportunity)

Adopted: _____

MSBA/MASA Model Policy 408

Orig. 1995

Revised: _____

Rev. 2007

408 SUBPOENA OF A SCHOOL DISTRICT EMPLOYEE

I. PURPOSE

The purpose of this policy is to protect the privacy rights of school district employees and students under both state and federal law when requested to testify or provide educational records for a judicial or administrative proceeding.

II. GENERAL STATEMENT OF POLICY

This policy is to provide guidance and direction for school district employees who may be subpoenaed to testify and/or provide educational records for a judicial or administrative proceeding.

III. DATA CLASSIFICATION

A. Educational Data

1. State Law

The Minnesota Government Data Practices Act (MGDPA), Minn. Stat. Ch. 13, classifies all educational data, except for directory information as designated by the school district, as private data on individuals. The state statute provides that **private data on individuals may not be released, except pursuant to a valid court order or informed consent by the subject of the data or a parent if the subject of the data is a minor.**

2. Federal Law

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, provides that educational data may not be released, except pursuant to informed consent by the individual subject of the data or any lawfully issued subpoena. Regulations promulgated under the federal law require that the school district must first make a reasonable effort to notify the parent of the student, or the student if the student is 18 years of age or older, of the subpoena in advance of releasing the information pursuant to the subpoena.

B. Personnel Data

The MGDPA, Minn. Stat. Ch. 13, also classifies all personnel data, except for certain data specifically classified as public, as private data on individuals. The state statute provides that **private data on individuals may not be released, except pursuant to a valid court order or informed consent by the subject of the data.**

IV. APPLICATION AND PROCEDURES

- A. Any employee who receives a subpoena for any purpose related to employment is to inform the building administrator or designated supervisor when the employee receives the subpoena. The building administrator or designated supervisor shall

immediately inform the superintendent that the employee has received a subpoena.

- B. No employee may release educational data, personnel data, or any other data of any kind without consultation in advance with the school district official who is designated as the authority responsible for the collection, use and dissemination of data.
- C. Payment for attendance at judicial or administrative proceedings and the retention of witness and mileage fees is to be determined in accordance with the applicable school board policies and collective bargaining agreements.
- D. The administration shall not release any information except in strict compliance with state and federal law and this policy. Recognizing that an unauthorized release may expose the school district or its employees to civil or criminal penalties or loss of employment, the administration shall confer with school district legal counsel prior to release of such data.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Rules 1205.0100, Subp. 5 (Minnesota Rules Regarding Data Practices)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

Cross References: ~~MSBA/MASA Model~~ Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee, or Student)
~~MSBA/MASA Model~~ Policy 515 (Protection and Privacy of Pupil Records)
MSBA Service Manual, Chapter 13, School Law Bulletin "I" (School Records – Privacy – Access to Data)

Adopted: _____

MSBA/MASA Model Policy 414

Orig. 1995

Revised: _____

Rev. 2019

414 MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE

[Note: This policy reflects the mandatory law regarding reporting of maltreatment of minors and is not discretionary in nature.]

I. PURPOSE

The purpose of this policy is to make clear the statutory requirements of school personnel to report suspected child neglect or physical or sexual abuse.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to fully comply with Minn. Stat. § 626.556 requiring school personnel to report suspected child neglect or physical or sexual abuse.
- B. A violation of this policy occurs when any school personnel fails to immediately report instances of child neglect or physical or sexual abuse when the school personnel knows or has reason to believe a child is being neglected or physically or sexually abused or has been neglected or physically or sexually abused within the preceding three years.

III. DEFINITIONS

- A. "Accidental" means a sudden, not reasonably foreseeable, and unexpected occurrence or event which:
 - 1. is not likely to occur and could not have been prevented by exercise of due care; and
 - 2. if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the facility are in compliance with the laws and rules relevant to the occurrence of event.
- B. "Child" means one under age 18 and, for purposes of Minn. Stat. Ch. 260C (Child Protection) and Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment), includes an individual under age 21 who is in foster care pursuant to Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18).
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. "Mandated reporter" means any school personnel who knows or has reason to believe a child is being neglected or physically or sexually abused, or has been neglected or physically or sexually abused within the preceding three years.
- E. "Neglect" means the commission or omission of any of the acts specified below, other than by accidental means:
 - 1. failure by a person responsible for a child's care to supply a child with necessary food, clothing, shelter, health care, medical care, or other care

required for the child's physical or mental health when reasonably able to do so, including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;

2. failure to protect a child from conditions or actions that seriously endanger the child's physical or mental health when reasonably able to do so;
3. failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors such as the child's age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for his or her own basic needs or safety or the basic needs or safety of another child in his or her care;
4. failure to ensure that a child is educated in accordance with state law, which does not include a parent's refusal to provide his or her child with sympathomimetic medications;
5. prenatal exposure to a controlled substance used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child's birth, or medical effects or developmental delays during the child's first year of life that medically indicate prenatal exposure to a controlled substance or the presence of a fetal alcohol spectrum disorder;
6. medical neglect as defined by Minn. Stat. § 260C.007, Subd. 6, Clause (5);
7. chronic and severe use of alcohol or a controlled substance by a parent or person responsible for the care of the child that adversely affects the child's basic needs and safety; or
8. emotional harm from a pattern of behavior which contributes to impaired emotional functioning of the child which may be demonstrated by a substantial and observable effect in the child's behavior, emotional response, or cognition that is not within the normal range for the child's age and stage of development, with due regard to the child's culture.

Neglect does not include spiritual means or prayer for treatment or care of disease where the person responsible for the child's care in good faith has selected and depended on those means for treatment or care of disease, except where the lack of medical care may cause serious danger to the child's health.

- F. "Nonmaltreatment mistake" means: (1) at the time of the incident, the individual was performing duties identified in the center's child care program plan required under Minn. Rules Part 9503.0045; (2) the individual has not been determined responsible for a similar incident that resulted in a finding of maltreatment for at least seven years; (3) the individual has not been determined to have committed a similar nonmaltreatment mistake under this paragraph for at least four years; (4) any injury to a child resulting from the incident, if treated, is treated only with remedies that are available over the counter, whether ordered by a medical professional or not; and (5) except for the period when the incident occurred, the facility and the individual providing services were both in compliance with all licensing requirements relevant to the incident. This definition only applies to child care centers licensed under Minn. Rules Ch. 9503.

- G. "Physical abuse" means any physical injury, mental injury, or threatened injury, inflicted by a person responsible for the child's care other than by accidental means; or any physical or mental injury that cannot reasonably be explained by the child's history of injuries or any aversive or deprivation procedures, or regulated interventions, that have not been authorized by Minn. Stat. § 125A.0942 or § 245.825.

Abuse does not include reasonable and moderate physical discipline of a child administered by a parent or legal guardian which does not result in an injury. Abuse does not include the use of reasonable force by a teacher, principal, or school employee as allowed by Minn. Stat. § 121A.582.

Actions which are not reasonable and moderate include, but are not limited to, any of the following: (1) throwing, kicking, burning, biting, or cutting a child; (2) striking a child with a closed fist; (3) shaking a child under age three; (4) striking or other actions which result in any nonaccidental injury to a child under 18 months of age; (5) unreasonable interference with a child's breathing; (6) threatening a child with a weapon, as defined in Minn. Stat. § 609.02, Subd. 6; (7) striking a child under age one on the face or head; (8) striking a child who is at least age one but under age four on the face or head, which results in an injury; (9) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled substances which were not prescribed for the child by a practitioner, in order to control or punish the child, or giving the child other substances that substantially affect the child's behavior, motor coordination, or judgment or that result in sickness or internal injury, or subject the child to medical procedures that would be unnecessary if the child were not exposed to the substances; (10) unreasonable physical confinement or restraint not permitted under Minn. Stat. § 609.379 including, but not limited to, tying, caging, or chaining; or (11) in a school facility or school zone, an act by a person responsible for the child's care that is a violation under Minn. Stat. § 121A.58.

- H. "Report" means any communication received by the local welfare agency, police department, county sheriff, or agency responsible for child protection pursuant to this section that describes neglect or physical or sexual abuse of a child and contains sufficient content to identify the child and any person believed to be responsible for the neglect or abuse, if known.
- I. "School personnel" means professional employee or professional's delegate of the school district who provides health, educational, social, psychological, law enforcement, or child care services.
- J. "Sexual abuse" means the subjection of a child by a person responsible for the child's care, by a person who has a significant relationship to the child (as defined in Minn. Stat. § 609.341, Subd. 15), or by a person in a current or recent position of authority (as defined in Minn. Stat. § 609.341, Subd. 10) to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual penetration, sexual contact, solicitation of children to engage in sexual conduct, and communication of sexually explicit materials to children. Sexual abuse also includes any act involving a minor which constitutes a violation of Minnesota statutes prohibiting prostitution or use of a minor in a sexual performance. Sexual abuse includes all reports of known or suspected child sex trafficking involving a child who is identified as a victim of sex trafficking. Sexual abuse includes threatened sexual abuse which includes the status of a parent or household member who has committed a violation which requires registration under Minn. Stat. § 243.166, Subd. 1b(a) or (b) (Registration of Predatory Offenders).

- K. "Mental injury" means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child's ability to function within a normal range of performance and behavior with due regard to the child's culture.
- L. "Person responsible for the child's care" means (1) an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, other school employees or agents, or other lawful custodian of a child having either full-time or short-term care responsibilities including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.
- M. "Threatened injury" means a statement, overt act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes, but is not limited to, exposing a child to a person responsible for the child's care who has subjected the child to, or failed to protect a child from, egregious harm, or a person whose parental rights were involuntarily terminated, been found palpably unfit, or one from whom legal and physical custody of a child has been involuntarily transferred to another.

IV. REPORTING PROCEDURES

- A. A mandated reporter as defined herein shall immediately report the neglect or physical or sexual abuse, which he or she knows or has reason to believe is happening or has happened within the preceding three years, to the local welfare agency, police department, county sheriff, tribal social services, or tribal police department. The reporter will include his or her name and address in the report.
- B. If the immediate report has been made orally, by telephone or otherwise, the oral report shall be followed by a written report within 72 hours (exclusive of weekends and holidays) to the appropriate police department, the county sheriff, local welfare agency, or agency responsible for assisting or investigating maltreatment. The written report shall identify the child, any person believed to be responsible for the abuse or neglect of the child if the person is known, the nature and extent of the abuse or neglect and the name and address of the reporter.
- C. Regardless of whether a report is made, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident has occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.
- D. A mandated reporter who knows or has reason to know of the deprivation of parental rights or the kidnapping of a child shall report the information to the local police department or the county sheriff.
- E. With the exception of a health care professional or a social service professional who is providing the woman with prenatal care or other health care services, a mandated reporter shall immediately report to the local welfare agency if the person knows or has reason to believe that a woman is pregnant and has used a controlled substance for a nonmedical purpose during the pregnancy, including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive.

- F. A person mandated by Minnesota law and this policy to report who fails to report may be subject to criminal penalties and/or discipline, up to and including termination of employment.
- G. Submission of a good faith report under Minnesota law and this policy will not adversely affect the reporter's employment, or the child's access to school.
- H. Any person who knowingly or recklessly makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, and the reckless making of a false report may result in discipline. The court may also award attorney's fees.

[Note: The Minnesota Department of Education (MDE) is responsible for assessing or investigating allegations of child maltreatment in schools. Although a report may be made to any of the agencies listed in Section IV. A., above, and there is no requirement to file more than one report, if the initial report is not made to MDE, it would be helpful to MDE if schools also report to MDE.]

V. INVESTIGATION

- A. The responsibility for investigating reports of suspected neglect or physical or sexual abuse rests with the appropriate county, state, or local agency or agencies. The agency responsible for assessing or investigating reports of child maltreatment has the authority to interview the child, the person or persons responsible for the child's care, the alleged perpetrator, and any other person with knowledge of the abuse or neglect for the purpose of gathering the facts, assessing safety and risk to the child, and formulating a plan. The investigating agency may interview the child at school. The interview may take place outside the presence of a school official. The investigating agency, not the school, is responsible for either notifying or withholding notification of the interview to the parent, guardian or person responsible for the child's care. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded.
- B. When the investigating agency determines that an interview should take place on school property, written notification of intent to interview the child on school property will be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school property.
- C. Except where the alleged perpetrator is believed to be a school official or employee, the time and place, and manner of the interview on school premises shall be within the discretion of school officials, but the local welfare or law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place, and manner of the interview set by the school officials shall be reasonable and the interview shall be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school officials and the local welfare or law enforcement agency. Every effort must be made to reduce the disruption of the educational program of the child, other students, or school employees when an interview is conducted on school premises.

- D. Where the alleged perpetrator is believed to be a school official or employee, the school district shall conduct its own investigation independent of MDE and, if involved, the local welfare or law enforcement agency.
- E. Upon request by MDE, the school district shall provide all requested data that are relevant to a report of maltreatment and are in the possession of a school facility, pursuant to an assessment or investigation of a maltreatment report of a student in school. The school district shall provide the requested data in accordance with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE

- A. When a local welfare or local law enforcement agency determines that a potentially abused or abused child should be interviewed on school property, written notification of the agency’s intent to interview on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct the interview. The notification shall be private data. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notice or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation has been concluded.
- B. All records regarding a report of maltreatment, including any notification of intent to interview which was received by the school as described above in Paragraph A., shall be destroyed by the school only when ordered by the agency conducting the investigation or by a court of competent jurisdiction.

VII. PHYSICAL OR SEXUAL ABUSE AS SEXUAL HARASSMENT OR VIOLENCE

Under certain circumstances, alleged physical or sexual abuse may also be sexual harassment or violence under Minnesota law. If so, the duties relating to the reporting and investigation of such harassment or violence may be applicable.

VIII. DISSEMINATION OF POLICY AND TRAINING

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 121A.58 (Corporal Punishment)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)
Minn. Stat. § 243.166, Subd. 1b(a)(b) (Registration of Predatory Offenders)
Minn. Stat. § 245.825 (Use of Aversive or Deprivation Procedures)
Minn. Stat. § 260C.007, Subd. 6, Clause (5) (Child in Need of Protection)
Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18)
Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment)
Minn. Stat. § 609.02, Subd. 6 (Definitions – Dangerous Weapon)

Minn. Stat. § 609.341, Subd. 10 (Definitions – Position of Authority)
Minn. Stat. § 609.341, Subd. 15 (Definitions – Significant Relationship)
Minn. Stat. § 609.379 (Reasonable Force)
Minn. Stat. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)
Minn. Stat. § 626.5561 (Reporting of Prenatal Exposure to Controlled Substances)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

Cross References: ~~MSBA/MASA Model~~ Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)

Confidential Student Maltreatment Reporting Form

Date Submitted: _____

MDE File #: _____ (MDE staff use only)

REPORTER (name of person completing form) Reporter is confidential under Minnesota Statutes, section 626.556.

Name: _____ Title: _____ Phone: _____ Mandated Reporter: Yes ___ No ___

Address: _____ City: _____ State: _____ Zip: _____

SCHOOL INFORMATION

ISD #: _____ School District: _____ Program Name: _____

School Name: _____ Address: _____ City: _____ Zip: _____

Principal/Director: _____ Phone: _____

(Ext): _____

Transportation Company (if necessary): Contact: _____ Phone: _____

ALLEGED VICTIM (Complete one reporting form for each alleged victim)

Name: _____ Address: _____ City: _____ State: _____ Zip: _____

Parent/Guardian: _____ Phone: _____ Alternate Phone: _____

Gender: Male ___ Female ___ DOB: _____ Grade: _____ Ethnicity: _____

Special Education: Yes ___ No ___ Disability Description: _____ State Student ID: _____

ALLEGED OFFENDER

Name: _____ Position: _____ DOB: _____ Gender: Male ___ Female ___

Address: _____ City: _____ State: _____ Zip: _____

Ethnicity: _____ Phone: _____ Alternate Phone: _____

Licensed: Yes ___ No ___ If licensed, name of licensing board: _____ Folder #: _____

INCIDENT

Date: _____ Time: _____ Location (i.e. - bus, classroom): _____

Address (if different than school): _____ County: _____

Witness Contact Information: _____

Police Notified: Yes ___ No ___ Police Department: _____

Police Contact: _____ Phone: _____ Case No.: _____

Alleged Maltreatment: Physical Abuse _____ Sexual Abuse _____ Neglect _____ Unknown _____ **Injury:** Yes _____ No _____ Unknown _____

Description of Incident and Injury: (please attach additional page if needed).

Minnesota Department of Education
Student Maltreatment Program
1500 Highway 36 West, Roseville, MN 55113-4266
Reporting Line: 651-582-8546 Fax: 651-797-1601
Email: mde.student-maltreatment@state.mn.us

This form is available online at: <https://education.mn.gov/mde/dse/mal/>

June 2016

Adopted: _____

MSBA/MASA Model Policy 415

Orig. 1995

Revised: _____

Rev. 2015

415 MANDATED REPORTING OF MALTREATMENT OF VULNERABLE ADULTS

[Note: This policy reflects the mandatory law regarding reporting maltreatment of vulnerable adults and is not discretionary in nature.]

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. "Mandated Reporters" means any school personnel who has reason to believe that a vulnerable adult is being or has been maltreated.
- B. "Maltreatment" means the neglect, abuse, or financial exploitation of a vulnerable adult.
- C. "Neglect" means the failure or omission by a caregiver to supply a vulnerable adult with care or services, including but not limited to, food, clothing, shelter, health care, or supervision which is: (1) reasonable and necessary to obtain or maintain the vulnerable adult's physical or mental health or safety, considering the physical and mental capacity or dysfunction of the vulnerable adult; and (2) which is not the result of an accident or therapeutic conduct. Neglect also includes the absence or likelihood of absence of care or services, including but not limited to, food, clothing, shelter, health care, or supervision necessary to maintain the physical and mental health of the vulnerable adult which a reasonable person would deem essential to obtain or maintain the vulnerable adult's health, safety, or comfort considering the physical or mental capacity or dysfunction of the vulnerable adult. Neglect does not include actions specifically excluded by Minn. Stat. § 626.5572, Subd. 17.
- D. "Abuse" means: (a) An act against a vulnerable adult that constitutes a violation of, an attempt to violate, or aiding and abetting a violation of: (1) assault in the first through fifth degrees as defined in sections 609.221 to 609.224; (2) the use of drugs to injure or facilitate crime as defined in section 609.235; (3) the solicitation, inducement, and promotion of prostitution as defined in section 609.322; and (4) criminal sexual conduct in the first through fifth degrees as defined in sections 609.342 to 609.3451. A violation includes any action that meets the elements of the crime, regardless of whether there is a criminal proceeding or conviction. (b) Conduct which is not an accident or therapeutic conduct as defined in this section, which produces or could

reasonably be expected to produce physical pain or injury or emotional distress including, but not limited to, the following: (1) hitting, slapping, kicking, pinching, biting, or corporal punishment of a vulnerable adult; (2) use of repeated or malicious oral, written, or gestured language toward a vulnerable adult or the treatment of a vulnerable adult which would be considered by a reasonable person to be disparaging, derogatory, humiliating, harassing, or threatening; (3) use of any aversive or deprivation procedure, unreasonable confinement, or involuntary seclusion, including the forced separation of the vulnerable adult from other persons against the will of the vulnerable adult or the legal representative of the vulnerable adult; and (4) use of any aversive or deprivation procedures for persons with developmental disabilities or related conditions not authorized under section 245.825. (c) Any sexual contact or penetration as defined in section 609.341, between a facility staff person or a person providing services in the facility and a resident, patient, or client of that facility. (d) The act of forcing, compelling, coercing, or enticing a vulnerable adult against the vulnerable adult's will to perform services for the advantage of another. Abuse does not include actions specifically excluded by Minn. Stat. § 626.5572, Subd. 2.

- E. "Financial Exploitation" means a breach of a fiduciary duty by an actor's unauthorized expenditure of funds entrusted to the actor for the benefit of the vulnerable adult or by an actor's failure to provide food, clothing, shelter, health care, therapeutic conduct or supervision, the failure of which results or is likely to result in detriment to the vulnerable adult. Financial exploitation also includes: the willful use, withholding or disposal of funds or property of a vulnerable adult; the obtaining of services for wrongful profit or advantage which results in detriment to the vulnerable adult; the acquisition of a vulnerable adult's funds or property through undue influence, harassment, duress, deception or fraud; and the use of force, coercion, or enticement to cause a vulnerable adult to perform services against the vulnerable adult's will for the profit or advantage of another.
- F. "Vulnerable Adult" means any person 18 years of age or older who: (1) is a resident or inpatient of a facility; (2) receives services required to be licensed under Minn. Stat. Ch. 245A, except as excluded under Minn. Stat. § 626.5572, Subd. 21(a)(2); (3) receives services from a licensed home care provider or person or organization that offers, provides, or arranges for personal care assistance services under the medical assistance program; or (4) regardless of residence or type of service received possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction that impairs the individual's ability to adequately provide the person's own care without assistance or supervision and, because of the dysfunction or infirmity and need for care or services, has an impaired ability to protect the individual's self from maltreatment.
- G. "Caregiver" means an individual or facility who has responsibility for the care of a vulnerable adult as a result of a family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, by contract, or by agreement.
- H. "School Personnel" means professional employees or their delegates of the school district engaged in providing health, educational, social, psychological, law enforcement, or other caretaking services of vulnerable adults.
- I. "Immediately" means as soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received.

IV. REPORTING PROCEDURES

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

V. INVESTIGATION

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

VI. DISSEMINATION OF POLICY AND TRAINING

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

Legal References: Minn. Stat. § 13.02 (Collection, Security, and Dissemination of Records; Definitions)
Minn. Stat. § 245.825 (Aversive and Deprivation Procedures; Licensed Facilities and Services)
Minn. Stat. §§ 609.221-609.224 (Assault)

Minn. Stat. § 609.234 (Crimes Against the Person)
Minn. Stat. § 609.235 (Use of Drugs to Injure or Facilitate Crime)
Minn. Stat. § 609.322 (Solicitation, Inducement, and Promotion of Prostitution; Sex Trafficking)
Minn. Stat. § 609.341 (Definitions)
Minn. Stat. §§ 609.342-609.3451 (Criminal Sexual Conduct)
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)
Minn. Stat. § 626.5572 (Definitions)
In re Kleven, 736 N.W.2d 707 (Minn. App. 2007)

Cross References: ~~MSBA/MASA Model~~ Policy 103 (Complaints – Students, Employees, Parents, Other Persons)
~~MSBA/MASA Model~~ Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee, or Student)
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
~~MSBA/MASA Model~~ Policy 406 (Public and Private Personnel Data)
~~MSBA/MASA Model~~ Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)

Adopted: _____

MSBA/MASA Model Policy 416

Orig. 1995

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Rev. 2015

416 DRUG AND ALCOHOL TESTING

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

- D. The use, possession, sale, purchase, transfer, or dispensing of alcohol is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of alcohol is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of alcohol are prohibited from entering or remaining on school district property.
- E. Any employee who violates this section shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge.

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

A. General Statement of Policy

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

B. Definitions

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

8. "Evidential Breath Testing Device" (EBT) means a device approved by the National Highway Traffic Safety Administration for the evidentiary testing of breath for alcohol concentration and placed on its Conforming Products List for such devices.
9. "Medical Review Officer" (MRO) means a licensed physician responsible for receiving and reviewing laboratory results generated by the school district's drug testing program and for evaluating medical explanations for certain drug tests.
10. "Refusal to Submit" (to an alcohol or controlled substances test) means that a driver: (a) fails to appear for any test within a reasonable time, as determined by the school district, consistent with applicable DOT regulations, after being directed to do so; (b) fails to remain at the testing site until the testing process is complete; (c) fails to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test; (d) fails to permit the observation or monitoring of the driver's provision of a specimen in the case of a directly observed or monitored collection in a drug test; (e) fails to provide a sufficient breath specimen or sufficient amount of urine when directed and a determination has been made that no adequate medical explanation for the failure exists; (f) fails or declines to take an additional test as directed; (g) fails to undergo a medical examination or evaluation, as directed by the MRO or the DER; (h) fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector, fails to sign the certification on the forms); (i) fails to follow the observer's instructions, in an observed collection, to raise the driver's clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the driver has any type of prosthetic or other device that could be used to interfere with the collection process; (j) possesses or wears a prosthetic or other device that could be used to interfere with the collection process; (k) admits to the collector or MRO that the driver adulterated or substituted the specimen; or (l) is reported by the MRO as having a verified adulterated or substituted test result. An applicant who fails to appear for a pre-employment test, who leaves the testing site before the pre-employment testing process commences, or who does not provide a urine specimen because he or she has left before it commences is not deemed to have refused to submit to testing.
11. "Safety-sensitive functions" are on-duty functions from the time the driver begins work or is required to be in readiness to work until relieved from work, and include such functions as driving, loading and unloading vehicles, or supervising or assisting in the loading or unloading of vehicles, servicing, repairing, obtaining assistance to repair, or remaining in attendance during the repair of a disabled vehicle.
12. "Screening Test Technician" (STT) means anyone who instructs and assists individuals in the alcohol testing process and operates an ASD.
13. "Stand Down" means to temporarily remove an employee from performing safety-sensitive functions after a laboratory reports a confirmed positive, an adulterated, or a substituted test result but before the MRO completes the verification process.

14. "Substance Abuse Professional" (SAP) means a qualified person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

C. Policy and Educational Materials

~~**[Note: The federal regulations require that school districts provide materials to bus drivers explaining the school district's policies and procedures and the federal requirements with respect to the mandatory drug and alcohol testing of bus drivers. 49 C.F.R. § 382.601. Almost all of the required information is contained within this model policy. Additional materials to be provided to employees are described in Paragraph 2. of this Section C.]**~~

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

~~**[Note: The federal regulations require a school district to obtain a signed statement from each driver certifying that he or she has received a copy of these materials. 49 C.F.R. § 382.601(d). The original signed certificate must be maintained by the school district and a copy may be provided to the driver.]**~~

D. Alcohol and Controlled Substances Testing Program Manager

~~**[Note: School districts are required by the federal regulations to designate a person to answer driver questions about the policy and the education materials described in Section C. above and to notify the drivers of the designation. 49 C.F.R. § 382.601(b)(1).]**~~

1. The program manager will coordinate the implementation, direction, and administration of the alcohol and controlled substances testing policy for bus drivers. The program manager is the principal contact for the collection site, the testing laboratory, the MRO, the BAT, the SAP, and the person submitting to the test. Employee questions concerning this policy shall be directed to the program manager.

2. The school district shall designate a program manager and provide written notice of the designation to each driver along with this policy.

E. Specific Prohibitions for Drivers

~~[Note: The specific prohibitions for drivers are contained, in large part, in 49 C.F.R. §§ 382.201-382.215.]~~

1. Alcohol Concentration. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. Drivers who test greater than 0.04 will be taken out of service and will be subject to evaluation by a professional and retesting at the driver's expense.
2. Alcohol Possession. No driver shall be on duty or operate a CMV while the driver possesses alcohol.
3. On-Duty Use. No driver shall use alcohol while performing safety-sensitive functions.
4. Pre-Duty Use. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.
5. Use Following an Accident. No driver required to take a post-accident test shall use alcohol for eight (8) hours following the accident, or until he or she undergoes a post-accident alcohol test, whichever occurs first.
6. Refusal to Submit to a Required Test. No driver shall refuse to submit to an alcohol or controlled substances test required by post-accident, random, reasonable suspicion, return-to-duty, or follow-up testing requirements. A verified adulterated or substituted drug test shall be considered a refusal to test.
7. Use of Controlled Substances. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to instructions (which have been presented to the school district) from a licensed physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a CMV. Controlled substance includes medical cannabis, regardless of whether the driver is enrolled in the state registry program.
8. Positive, Adulterated, or Substituted Test for Controlled Substance. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive for controlled substances, including medical cannabis, or has adulterated or substituted a test specimen for controlled substances.
9. General Prohibition. Drivers are also subject to the general policies and procedures of the school district which prohibit the possession, transfer, sale, exchange, reporting to work under the influence of drugs or alcohol, and consumption of drugs or alcohol while at work or while on school district premises or operating any school district vehicle, machinery, or equipment.

F. Other Alcohol-Related Conduct

~~**[Note: Consequences for drivers engaging in alcohol-related conduct are described in the federal regulations, 49 C.F.R. § 382.505.]**~~

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

G. Prescription Drugs

A driver shall inform his or her supervisor if at any time the driver is using a controlled substance pursuant to a physician's prescription. The physician's instructions shall be presented to the school district upon request. Use of a prescription drug shall be allowed if the physician has advised the driver that the prescribed drug will not adversely affect the driver's ability to safely operate a CMV. Use of medical cannabis is prohibited notwithstanding the driver's enrollment in the patient registry.

H. Testing Requirements

1. Pre-Employment Testing

~~**[Note: 49 C.F.R. § 382.301 details the requirements for pre-employment testing.]**~~

- a. A driver applicant shall undergo testing for [alcohol and] controlled substances, including medical cannabis, before the first time the driver performs safety-sensitive functions for the school district.

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

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

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

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

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

2. Post-Accident Testing

~~**[Note: 49 C.F.R. § 382.303 governs post-accident testing of drivers.]**~~

- a. As soon as practicable following an accident involving a CMV, the school district shall test the driver for alcohol and controlled substances, including medical cannabis, if the accident involved the loss of human life or if the driver receives a citation for a moving traffic violation arising from an accident which results in bodily injury or disabling damage to a motor vehicle.
- b. Drivers should be tested for alcohol use within two (2) hours and no later than eight (8) hours after the accident.
- c. Drivers should be tested for controlled substances, including medical cannabis, no later than thirty-two (32) hours after the accident.
- d. A driver subject to post-accident testing must remain available for testing, or shall be considered to have refused to submit to the test.
- e. If a post-accident alcohol test is not administered within two (2) hours following the accident, the school district shall prepare and maintain on file a record stating the reasons the test was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours.
- f. If a post-accident alcohol test is not administered within eight (8) hours following the accident or a post-accident controlled substances test is not administered within thirty-two (32) hours following the accident, the school district shall cease attempts to administer the test, and prepare and maintain on file a record stating the reasons for not administering the test.

3. Random Testing

[Note: 49 C.F.R. § 382.305 governs random testing of drivers.]

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

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

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

4. Reasonable Suspicion Testing

[Note: 49 C.F.R. § 382.307 governs reasonable suspicion testing of drivers.]

- a. The school district shall require a driver to submit to an alcohol test and/or controlled substances, including medical cannabis, test when a supervisor or school district official, who has been trained in accordance with the regulations, has reasonable suspicion to believe that the driver has used alcohol and/or controlled substances, including medical cannabis, on duty or within four (4) hours before coming on duty. The test shall be done as soon as practicable following the observation of the behavior indicative of the use of controlled substances or alcohol.

- b. The reasonable suspicion determination must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech, or body odors. The required

observations for reasonable suspicion of a controlled substances violation may include indications of the chronic and withdrawal effects of controlled substances.

- c. Alcohol testing shall be administered within two (2) hours following a determination of reasonable suspicion. If it is not done within two (2) hours, the school district shall prepare and maintain a record explaining why it was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours. If an alcohol test is not administered within eight (8) hours following the determination of reasonable suspicion, the school district shall cease attempts to administer the test and state in the record the reasons for not administering the test.
- d. The supervisor or school district official who makes observations leading to a controlled substances reasonable suspicion test shall make and sign a written record of the observations within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

~~[Note: 49 C.F.R. §§ 382.309, 40.23(d), and 40.305 govern return-to-duty testing.]~~

- 5. Return-To-Duty Testing. A driver found to have violated this policy shall not return to work until an SAP has determined the employee has successfully complied with prescribed education and/or treatment and until undergoing return-to-duty tests indicating an alcohol concentration of less than 0.02 and a confirmed negative result for the use of controlled substances.

~~[Note: 49 C.F.R. §§ 382.311, 40.307, and 40.309 govern follow-up testing.]~~

- 6. Follow-Up Testing. When an SAP has determined that a driver is in need of assistance in resolving problems with alcohol and/or controlled substances, the driver shall be subject to unannounced follow-up testing as directed by the SAP for up to sixty (60) months after completing a treatment program.

- 7. Refusal to Submit and Attendant Consequences

~~[Note: Consequences for refusals to submit to required drug and alcohol tests are addressed generally in 49 C.F.R. §§ 40.191, 40.261, and 382.211. They are more specifically addressed in 49 C.F.R. §§ 382.501-382.507 and in 49 U.S.C. § 521(b).]~~

- a. A driver or driver applicant may refuse to submit to drug and alcohol testing.
- b. Refusal to submit to a required drug or alcohol test subjects the driver or driver applicant to the consequences specified in federal regulations as well as the civil and/or criminal penalty provisions of 49 U.S.C. §

521(b). In addition, a refusal to submit to testing establishes a presumption that the driver or driver applicant would test positive if a test were conducted and makes the driver or driver applicant subject to discipline or disqualification under this policy.

- c. A driver applicant who refuses to submit to testing shall be disqualified from further consideration for the conditionally offered position.
- d. An employee who refuses to submit to testing shall not be permitted to perform safety-sensitive functions and will be considered insubordinate and subject to disciplinary action, up to and including dismissal. If an employee is offered an opportunity to return to a DOT safety-sensitive duty, the employee will be evaluated by an SAP and must submit to a return-to-duty test prior to being considered for reassignment to safety-sensitive functions.
- e. Drivers or driver applicants who refuse to submit to required testing will be required to sign Attachment C to this policy.

I. Testing Procedures

1. Drug Testing

~~[Note: The Federal Drug Testing Custody and Control Form (CCF) must be used to document every urine collection required by the DOT drug testing program. 49 C.F.R. § 40.45.]~~

- a. Drug testing is conducted by analyzing a donor's urine specimen. Split urine samples will be collected in accordance with federal regulations. The donor will provide a urine sample at a designated collection site. The collection site personnel will then pour the sample into two sample bottles, labeled "primary" and "split," seal the specimen bottles, complete the chain of custody form, and prepare the specimen bottles for shipment to the testing laboratory for analysis. The specimen preparation shall be conducted in sight of the donor.
- b. If the donor is unable to provide the appropriate quantity of urine, the collection site person shall instruct the individual to drink up to forty (40) ounces of fluid distributed reasonably through a period of up to three (3) hours to attempt to provide a sample. If the individual is still unable to provide a complete sample, the test shall be discontinued and the school district notified. The DER shall refer the donor for a medical evaluation to determine if the donor's inability to provide a specimen is genuine or constitutes a refusal to test. For pre-employment testing, the school district may elect to not have a referral made, and revoke the employment offer.
- c. Drug test results are reported directly to the MRO by the testing laboratory. The MRO reports the results to the DER. If the results are negative, the school district is informed and no further action is necessary. If the test result is confirmed positive, adulterated, substituted, or invalid, the MRO shall give the donor an opportunity to discuss the test result. The MRO will contact the donor directly, on a confidential basis, to determine whether the donor wishes to discuss the test result. The MRO shall notify each donor that the donor has

seventy-two (72) hours from the time of notification in which to request a test of the split specimen at the donor's expense. No split specimen testing is done for an invalid result.

- d. If the donor requests an analysis of the split specimen within seventy-two (72) hours of having been informed of a confirmed positive test, the MRO shall direct, in writing, the laboratory to provide the split specimen to another Department of Health and Human Services – SAMHSA certified laboratory for analysis. If the donor has not contacted the MRO within seventy-two (72) hours, the donor may present the MRO information documenting that serious illness, injury, inability to contact the MRO, lack of actual notice of the confirmed positive test, or other circumstances unavoidably prevented the donor from timely making contact. If the MRO concludes that a legitimate explanation for the donor's failure to contact him/her within seventy-two (72) hours exists, the MRO shall direct the analysis of the split specimen. The MRO will review the confirmed positive test result to determine whether an acceptable medical reason for the positive result exists. The MRO shall confirm and report a positive test result to the DER and the employee when no legitimate medical reason for a positive test result as received from the testing laboratory exists.
- e. If, after making reasonable efforts and documenting those efforts, the MRO is unable to reach the donor directly, the MRO must contact the DER who will direct the donor to contact the MRO. If the DER is unable to contact the donor, the donor will be suspended from performing safety-sensitive functions.
- f. The MRO may confirm the test as a positive without having communicated directly with the donor about the test results under the following circumstances:
 - (1) The donor expressly declines the opportunity to discuss the test results;
 - (2) The donor has not contacted the MRO within seventy-two (72) hours of being instructed to do so by the DER; or
 - (3) The MRO and the DER, after making and documenting all reasonable efforts, have not been able to contact the donor within ten (10) days of the date the confirmed test result was received from the laboratory.

2. Alcohol Testing

[Note: The DOT Alcohol Testing Form (ATF) must be used for every DOT alcohol test. 49 C.F.R. § 40.225]

- a. The federal alcohol testing regulations require testing to be administered by a BAT using an EBT or an STT using an ASD. EBTs and ASDs can be used for screening tests but only EBTs can be used for confirmation tests.

- b. Any test result less than 0.02 alcohol concentration is considered a "negative" test.
- c. If the donor is unable to provide sufficient saliva for an ASD, the DER will immediately arrange to use an EBT. If the donor attempts and fails to provide an adequate amount of breath, the school district will direct the donor to obtain a written evaluation from a licensed physician to determine if the donor's inability to provide a breath sample is genuine or constitutes a refusal to test.
- d. If the screening test results show alcohol concentration of 0.02 or higher, a confirmatory test conducted on an EBT will be required to be performed between fifteen (15) and thirty (30) minutes after the completion of the screening test.
- e. Alcohol tests are reported directly to the DER.

J. Driver/Driver Applicant Rights

- 1. All drivers and driver applicants subject to the controlled substances testing provisions of this policy who receive a confirmed positive test result for the use of controlled substances have the right to request, at the driver's or driver applicant's expense, a confirming retest of the split urine sample. If the confirming retest is negative, no adverse action will be taken against the driver, and a driver applicant will be considered for employment.

~~[Note: The limitation on discharge in Paragraph 2., below, is contained solely in Minnesota law. State law is preempted by federal laws and regulations as it relates to drivers of commercial motor vehicles (such as bus drivers). See Minn. Stat. § 221.031, Subd. 10. Nevertheless, school districts may decide to comply with the state law requirements for various reasons (such as to treat all school district employees equally since employees subject to testing only under state law are accorded these additional rights). Consultation with the school district's legal counsel is recommended.]~~

- 2. The school district will not discharge a driver who, for the first time, receives a confirmed positive drug or alcohol test UNLESS:
 - a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with the SAP; and
 - b. The employee refuses to participate in the recommended program, or fails to successfully complete the program as evidenced by withdrawal before its completion or by a positive test result on a confirmatory test after completion of the program.
 - c. This limitation on employee discharge does not bar discharge of an employee for reasons independent of the first confirmed positive test result.

K. Testing Laboratory

The testing laboratory for controlled substances will be [***name, address, telephone number***], which is a laboratory certified by the Department of Health and Human Services – SAMHSA to perform controlled substances testing pursuant to federal regulations.

L. Confidentiality of Test Results

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

M. Recordkeeping Requirements and Retention of Records

1. The school district shall keep and maintain records in accordance with the federal regulations in a secure location with controlled access.

[Note: The federal recordkeeping requirements for school districts are detailed in the federal regulations 49 C.F.R. §§ 382.401 et seq. and 40.331. The DOT publishes a guide to the recordkeeping requirements of mandatory drug and alcohol testing for persons with a commercial driver’s license as part of its Alcohol & Drugs; DOT Compliance Manual.]

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

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

Information obtained from previous employers	3 years
Collection records	2 years
Negative and cancelled drug tests	1 year
Alcohol tests with less than 0.02 concentration	1 year
Education and training records	indefinite

“Education and training records” must be maintained while the individuals perform the functions which require training and for the two (2) years after ceasing to perform those functions.

N. Training

The school district shall ensure all persons designated to supervise drivers receive training. The designated employees shall receive at least sixty (60) minutes of training on alcohol misuse and at least sixty (60) minutes of training on controlled substances use. The training shall include physical, behavioral, speech, and

performance indicators of probable misuse of alcohol and use of controlled substances. The training will be used by the supervisors to make determinations of reasonable suspicion.

O. Consequences of Prohibited Conduct and Enforcement

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

2. Referral, Evaluation, and Treatment

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

~~[Note: Subparagraphs b. and c., below, are based on the provisions of 49 C.F.R. § 40.289.]~~

b. If the school district offers a driver an opportunity to return to a DOT safety-sensitive duty following a violation, the driver must be evaluated by an SAP and the driver is required to successfully comply with the SAP's evaluation recommendations (education, treatment, follow-up evaluation(s), and/or ongoing services). The school district is not required to provide an SAP evaluation or any subsequent recommended education or treatment.

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

~~b. — The school district will offer a driver an opportunity to return to a DOT safety-sensitive duty following an employee's first positive test result on a confirmatory test if no reasons independent of the first test result for discharge exist. Otherwise, the school district may choose, but is not required, to provide an SAP evaluation or any subsequent recommended education or treatment.]~~

c. Drivers are responsible for payment for SAP evaluations and services unless a collective bargaining agreement or employee benefit plan provides otherwise.

d. Drivers who engage in prohibited conduct also are required to comply with follow-up testing requirements.

3. Disciplinary Action

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

P. Other Testing

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

~~[Note: When the testing of drivers complies with federal testing requirements and procedures, school districts clearly are exempt from the state drug and alcohol testing requirements in Minn. Stat. §§ 181.950-181.957. See Minn. Stat. § 221.031, Subd. 10. When testing beyond the federally mandated requirements, however, school districts still must comply with state law.]~~

IV. DRUG AND ALCOHOL TESTING FOR OTHER EMPLOYEES

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

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

1. General Limitations

- a. The school district will not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug or alcohol testing, unless the testing is done pursuant to this drug and alcohol testing policy; and is conducted by a testing laboratory which participates in one of the programs listed in Minn. Stat. § 181.953, Subd. 1.

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

2. Job Applicant Testing

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

~~3. Random Testing~~ **RENUMBER**

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

4. Reasonable Suspicion Testing

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

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

5. Treatment Program Testing

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

dependency treatment program.

6. Routine Physical Examination Testing

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

B. No Legal Duty to Test

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

C. Definitions

1. "Drug" means a controlled substance as defined in Minnesota Statutes, including medical cannabis, regardless of enrollment in the state registry program.
2. "Drug and alcohol testing," "drug or alcohol testing," and "drug or alcohol test" mean analysis of a body component sample according to the standards established under one of the programs listed in Minn. Stat. § 181.953, Subd. 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested.
3. "Other Employees" means any persons, independent contractors, or persons working for an independent contractor who perform services for the school district for compensation, either full time or part time, in whatever form, except for persons whose positions require a commercial driver's license, and includes both professional and nonprofessional personnel. Persons whose positions require a commercial driver's license are primarily governed by the provisions of the school district's drug and alcohol testing policy relating to school bus drivers (Section III.). To the extent that the drug and alcohol testing of persons whose positions require a commercial driver's license is not mandated by federal law and regulations, such testing shall be governed by Section IV. of this policy and the drivers shall fall within this definition of "other employees."
4. "Job applicant" means a person, independent contractor, or person working for an independent contractor who applies to become an employee of the school district in a position that does not require a commercial driver's license, and includes a person who has received a job offer made contingent on the person's passing drug or alcohol testing. Job applicants for positions requiring a commercial driver's license are governed by the provisions of the school district's drug and alcohol testing policy relating to school bus drivers (Section III.).
5. "Positive test result" means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minn. Stat. § 181.953, Subd. 1.

- ~~6. "Random selection basis" means a mechanism for selection of employees that:~~
- ~~a. results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected; and~~
 - ~~b. does not give the school district discretion to waive the selection of any employee selected under the mechanism.~~

RENUMBER

- 7. "Reasonable suspicion" means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.
- 8. "Safety-sensitive position" means a job, including any supervisory or management position, in which an impairment caused by drug or alcohol usage would threaten the health or safety of any person.

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

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

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

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

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

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

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

E. Reliability and Fairness Safeguards

1. Pretest Notice

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

2. Notice of Test Results

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

3. Notice of and Right to Test Result Report

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

4. Notice of and Right to Explain Positive Test Result

- a. If an employee or job applicant has a positive test result on a confirmatory test, the school district shall provide him or her with notice of the test results and, at the same time, written notice of the right to explain the results and to submit additional information.
- b. The school district may request that the employee or job applicant indicate any over-the-counter or prescription medication that the individual is currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result.
- c. The employee may present verification of enrollment in the medical cannabis patient registry as part of the employee's explanation.
- d. Within three (3) working days after notice of a positive test result on a confirmatory test, an employee or job applicant may submit information (in addition to any information already submitted) to the school district to explain that result.

5. Notice of and Right to Request Confirmatory Retests

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

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

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

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

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

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

requested confirmatory retest is negative.

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

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

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

H. Chain-of-Custody Procedures

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

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

I. Privacy, Confidentiality and Privilege Safeguards

1. Privacy Limitations

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

2. Confidentiality Limitations

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

3. Exceptions to Privacy and Confidentiality Disclosure Limitations

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

4. Privilege

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

J. Notice of Testing Policy to Affected Employees

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

V. POSTING

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 43A (State Personnel Management)
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
Minn. Stat. § 152.32 (Protections for Registry Program Participation)
Minn. Stat. §§ 181.950-181.957 (Drug and Alcohol Testing in the Workplace)
Minn. Stat. § 221.031 (Motor Carrier Rules)
49 U.S.C. § 31306 (Omnibus Transportation Employee Testing Act of 1991)
49 U.S.C. § 521(b) (Civil and Criminal Penalties for Violations)
49 C.F.R. Parts 40 and 382 (Department of Transportation Rules Implementing
Omnibus Transportation Employee Testing Act of 1991)

Cross-References: ~~MSBA/MASA Model~~ Policy 403 (Discipline, Suspension, and Dismissal of School
District Employees)
~~MSBA/MASA Model~~ Policy 406 (Public and Private Personnel Data)
~~MSBA/MASA Model~~ Policy 417 (Chemical Use and Abuse)
~~MSBA/MASA Model~~ Policy 418 (Drug-Free Workplace/Drug-Free School)

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**ATTACHMENTS TO
DRUG AND ALCOHOL TESTING POLICY**

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

- Attachment A is a "Driver Acknowledgment-Drug and Alcohol Testing Policy Materials" form which should be used to document receipt of the policy and other materials by drivers and driver applicants. It is referred to in Article III., Section C., Paragraph 4. of the policy.
- Attachment B is a "Bus Driver or Driver Applicant-Authorization to Release Information" form. It is referred to in Article III., Section H., Paragraph 1. of the policy.
- Attachment C is a "Bus Driver or Driver Applicant-Refusal to Submit to Testing" form. It is referred to in Article III., Section H., Paragraph 7. of the policy.

Attachments D through G are to be used in conjunction with drug and alcohol testing of non-bus drivers and applicants.

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

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416-29F
(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

— DRIVER ACKNOWLEDGMENT —
DRUG AND ALCOHOL TESTING POLICY AND MATERIALS

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

The District’s policy was provided to me:

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

I also received materials concerning the effects of alcohol and controlled substances use on an individual’s health, work, and personal life; signs and symptoms of an alcohol or drug problem; and available methods of intervening when an alcohol or drug problem is suspected.

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

Dated: _____

Signature of Employee/Applicant

Typed or Printed Name

416-30F
(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

— BUS DRIVER OR DRIVER APPLICANT —
AUTHORIZATION TO RELEASE INFORMATION

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

Employee Printed or Typed Name: _____

Employee SS or ID Number: _____

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

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

Employee Signature: _____ Date: _____

Section I-A.

School District Name: _____

Address: _____

Phone #: _____ Fax #: _____

Designated Employer Representative: _____

Section I-B.

Previous Employer Name: _____

Address: _____

Phone #: _____

Designated Employer Representative (if known): _____

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

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

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

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

Section II-B.

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

Title: _____

Phone #: _____

Date: _____

416-32F
(D R A F T)**[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]****— BUS DRIVER OR DRIVER APPLICANT —
REFUSAL TO SUBMIT TO TESTING**

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

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

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

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

Date: _____

Time: _____

Signature of Employee/Applicant

Supervisor: _____

Supervisor's Signature

Comments: _____

G Employee refusal to sign

Supervisor's Initials: _____

416-34F

(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

— PRETEST NOTICE —

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

Date: _____

Signature of Employee/Job Applicant

Typed or Printed Name

416-35F

(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

[Employee Name]
[Employee Address]

**RE: Drug and/or Alcohol Test
[Date of Testing]**

NOTICE OF TEST RESULTS AND VARIOUS RIGHTS

Test Results:

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

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

Test Result Report:

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

Right to Explain Positive Test Result:

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

Right to Request Confirmatory Retests:

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

Within five (5) working days after notice of the confirmatory test result, you must notify the school district in writing of your intention to obtain a confirmatory retest.

Within three (3) working days after receipt of the notice, the school district shall notify the original testing laboratory that you have requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under Minn. Stat. § 181.953, Subd. 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that appropriate chain-of-custody procedures are followed during transfer of the

416-36F

sample to the other laboratory. The confirmatory retest must use the same drug or alcohol threshold detection levels as used in the original confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against you.

Other Rights:

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

A. Employee Discharge and Discipline

1. The school district may not discharge, discipline, discriminate against, request or require rehabilitation of an employee whose position does not require a commercial driver's license on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.

In the case of a positive test result on a confirmatory test, the employee shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge, pursuant to the provisions of this policy.

2. The school district may not discharge an employee whose position does not require a commercial driver's license for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test requested by the school district, unless the following conditions have been met:

a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with a certified chemical use counselor or a physician trained in the diagnosis and treatment of chemical dependency; and

b. The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program.

3. Notwithstanding Paragraph 1., the school district may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the school district believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.

4. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information revealed to the school district, unless the employee was under an affirmative duty to provide the information before, upon, or after hire.

5. An employee must be given access to information in the employee's personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

B. Withdrawal of Applicant's Job Offer

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

416-38F

(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

EXPLANATION OF POSITIVE TEST RESULT

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

I am currently taking or have recently taken:

G no over-the-counter or prescription medications; or

G the following over-the-counter or prescription medications:

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

Date: _____

Signature of Employee/Job Applicant

Typed or Printed Name

(D R A F T)

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

**— ACKNOWLEDGMENT —
DRUG AND ALCOHOL TESTING POLICY**

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

The District's policy was provided to me:

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

Dated: _____

Signature of Employee/Applicant

Typed or Printed Name

Adopted: _____

MSBA/MASA Model Policy 422

Orig. 1995

Revised: _____

Rev. 2019

422 POLICIES INCORPORATED BY REFERENCE

PURPOSE

Certain policies as contained in this policy reference manual are applicable to employees as well as to students. In order to avoid undue duplication, the school district provides notice by this section of the application and incorporation by reference of the following policies which also apply to employees:

Model Policy 102	Equal Educational Opportunity
Model Policy 103	Complaints – Students, Employees, Parents, Other Persons
Model Policy 206	Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations
Model Policy 211	Criminal or Civil Action Against School District, School Board Member, Employee, or Student
Model Policy 305	Policy Implementation
Model Policy 505	Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees
Model Policy 507	Corporal Punishment
Model Policy 510	Student Activities
Model Policy 511	Student Fundraising
Model Policy 517	Student Recruiting
Model Policy 518	DNR-DNI Orders
Model Policy 519	Interviews of Students by Outside Agencies
Model Policy 524	Internet Acceptable Use and Safety Policy
Model Policy 525	Violence Prevention
Model Policy 535	Service Animals in Schools
Model Policy 610	Field Trips
Model Policy 710	Extracurricular Transportation
Model Policy 711	Video Recording on School Buses
Model Policy 712	Video Surveillance Other Than on Buses
Model Policy 802	Disposition of Obsolete Equipment and Material

Employees are charged with notice that the above cited policies are also applicable to employees; however, employees are also on notice that

the provisions of the various policies speak for themselves and may be applicable although not specifically listed above.

Legal References:

Cross References:

Adopted: _____

MSBA/MASA Model Policy 423

Orig. 1999

Revised: _____

Rev. 2009

423 EMPLOYEE-STUDENT RELATIONSHIPS

I. PURPOSE

The school district is committed to an educational environment in which all students are treated with respect and dignity. Every school district employee is to provide students with appropriate guidance, understanding, and direction while maintaining a standard of professionalism and acting within accepted standards of conduct.

II. GENERAL STATEMENT OF POLICY

- A. This policy applies to all school district employees at all times, whether on or off duty and on or off of school district locations.
- B. At all times, students will be treated by teachers and other school district employees with respect, courtesy, and consideration and in a professional manner. Each school district employee is expected to exercise good judgment and professionalism in all interpersonal relationships with students. Such relationships must be and remain on a teacher-student basis or an employee-student basis.
- C. Teachers must be mindful of their inherent positions of authority and influence over students. Similarly, other school district employees also may hold positions of authority over students of the school district and must be mindful of their authority and influence over students.
- D. Sexual relationships between school district employees and students, without regard to the age of the student, are strictly forbidden and may subject the employee to criminal liability.
- E. Other actions that violate this policy include, but are not limited to, the following:
 - 1. Dating students.
 - 2. Having any interaction/activity of a sexual nature with a student.
 - 3. Committing or attempting to induce students or others to commit an illegal act or act of immoral conduct which may be harmful to others or bring discredit to the school district.
 - 4. Supplying alcohol or any illegal substance to a student, allowing a student access to such substances, or failing to take reasonable steps to prevent such access from occurring.
- F. School district employees shall, whenever possible, employ safeguards against improper relationships with students and/or claims of such improper relationships.

[Note: Such safeguards may include the following: avoiding altogether or minimizing physical contact, keeping doors open when talking or meeting with students one-on-one, and/or making sure that such meetings with a

~~student take place in rooms with windows and/or others nearby.]~~

- G. Excessive informal and social involvement with individual students is unprofessional, is not compatible with employee-student relationships, and is inappropriate.
- H. School district employees will adhere to applicable standards of ethics and professional conduct in Minnesota law.

III. REPORTING AND INVESTIGATION

- A. Complaints and/or concerns regarding alleged violations of this policy shall be handled in accordance with MSBA/MASA Model Policy 103 (Complaints – Students, Employees, Parents, Other Persons) unless other specific complaint procedures are provided within any other policy of the school district.
- B. All employees shall cooperate with any investigation of alleged acts, conduct, or communications in violation of this policy.

IV. SCHOOL DISTRICT ACTION

Upon receipt of a report, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. It also may include reporting to appropriate state or federal authorities, including the Minnesota Professional Educator Licensing and Standards Board or the appropriate licensing authority and appropriate agencies responsible for investigating reports of maltreatment of minors and/or vulnerable adults. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and school district policies.

V. SCOPE OF LIABILITY

Employees are placed on notice that if an employee acts outside the performance of the duties of the position for which the employee is employed or is guilty of malfeasance, willful neglect of duty, or bad faith, the school district is not required to defend and indemnify the employee for damages in school-related litigation.

Legal References: Minn. Stat. § 13.43, Subd. 16 (School District or Charter School Disclosure of Violence or Inappropriate Sexual Contact)
Minn. Stat. § 122A.20, Subd. 2 (Mandatory Reporting to Professional Educator Licensing and Standards Board or Board of School Administrators)
Minn. Stat. § 122A.40, Subds. 5(b) and 13(b) (Mandatory immediate discharge of teachers with license revocations due to child or sex abuse convictions)
Minn. Stat. §§ 609.341-609.352 (Defining “intimate parts” and “position of authority” as well as detailing various sex offenses)
Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)
Minn. Rules Part 3512.5200 (Code of Ethics for School Administrators)
Minn. Rules Part 8710.2100 (Code of Ethics for Minnesota Teachers)

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

~~MSBA/MASA Model~~ Policy 306 (Administrator Code of Ethics)
~~MSBA/MASA Model~~ Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
~~MSBA/MASA Model~~ Policy 413 (Harassment and Violence)
~~MSBA/MASA Model~~ Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
~~MSBA/MASA Model~~ Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
~~MSBA/MASA Model~~ Policy 421 (Gifts to Employees and School Board Members)
~~MSBA/MASA Model~~ Policy 507 (Corporal Punishment)

Adopted: _____

MSBA/MASA Model Policy 425

Orig. 2001

Revised: _____

Rev. 2016

425 STAFF DEVELOPMENT

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

I. PURPOSE

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

II. ADVISORY STAFF DEVELOPMENT COMMITTEE AND SITE PROFESSIONAL DEVELOPMENT TEAMS

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

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

III. DUTIES OF THE ADVISORY STAFF DEVELOPMENT COMMITTEE

- A. The Advisory Staff Development Committee will develop a Staff Development Plan which will be reviewed and subject to approval by the school board twice a year.*
- B. The Staff Development Plan must contain the following elements:
 - 1. Staff development outcomes which are consistent with the education outcomes as may be determined periodically by the school board;

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

- 2. The means to achieve the Staff Development outcomes;
- 3. The procedures for evaluating progress at each school site toward meeting educational outcomes consistent with relicensure requirements under Minn. Stat. § 122A.18, Subd. 4;
- 4. Ongoing staff development activities that contribute toward continuous improvement in achievement of the following goals:
 - a. Improve student achievement of state and local education standards in all areas of the curriculum, including areas of regular academic and applied and experiential learning, by using research-based best practices methods;
 - b. Effectively meet the needs of a diverse student population, including at-risk children, children with disabilities, English learners, and gifted children, within the regular classroom, applied and experiential learning settings, and other settings;
 - c. Provide an inclusive curriculum for a racially, ethnically, linguistically, and culturally diverse student population that is consistent with state education diversity rule and the district's education diversity plan;
 - d. Improve staff collaboration and develop mentoring and peer coaching programs for teachers new to the school or district;
 - e. Effectively teach and model violence prevention policy and curriculum that address early intervention alternatives, issues of harassment, and teach nonviolent alternatives for conflict resolution;
 - f. Effectively deliver digital and blended learning and curriculum and engage students with technology; and
 - g. Provide teachers and other members of site-based management teams with appropriate management and financial management skills.

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

5. The Staff Development Plan also must:
 - a. Support stable and productive professional communities achieved through ongoing and schoolwide progress and growth in teaching practice;
 - b. Emphasize coaching, professional learning communities, classroom action research, and other job-embedded models;
 - c. Maintain a strong subject matter focus premised on students' learning goals consistent with Minn. Stat. § 120B.125;
 - d. Ensure specialized preparation and learning about issues related to teaching English learners and students with special needs by focusing on long-term systemic efforts to improve educational services and opportunities and raise student achievement; and
 - e. Reinforce national and state standards of effective teaching practice.
6. Staff development activities must:
 - a. Focus on the school classroom and research-based strategies that improve student learning;
 - b. Provide opportunities for teachers to practice and improve their instructional skills over time;
 - c. Provide opportunities for teachers to use student data as part of their daily work to increase student achievement;
 - d. Enhance teacher content knowledge and instructional skills, including to accommodate the delivery of digital and blended learning and curriculum and engage students with technology;
 - e. Align with state and local academic standards;
 - f. Provide opportunities to build professional relationships, foster collaboration among principals and staff who provide instruction, and provide opportunities for teacher-to-teacher mentoring;
 - g. Align with the plan, if any, of the district or site for an alternative teacher professional pay system;
 - h. Provide teachers of English learners, including English as a second language, and content teachers with differentiated instructional strategies critical for ensuring students long-term academic success, the means to effectively use assessment data on the academic literacy, oral academic language, and English language development of English learners, and skills to support native and English language development across the curriculum; and
 - i. Provide opportunities for staff to learn about current workforce trends, the connections between workforce trends and postsecondary education, and training options, including career and technical education options.

7. Staff development activities may include curriculum development and curriculum training programs and activities that provide teachers and other members of site-based teams training to enhance team performance.
8. The school district may implement other staff development activities required by law and activities associated with professional teacher compensation models.

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

- C. The Advisory Staff Development Committee will assist Site Professional Development Teams in developing a site plan consistent with the goals and outcomes of the Staff Development Plan.
- D. The Advisory Staff Development Committee will evaluate staff development efforts at the site level and will report to the school board on a quarterly basis* the extent to which staff at the site have met the outcomes of the Staff Development Plan.
- E. The Advisory Staff Development Committee shall assist the school district in preparing any reports required by the Department of Education relating to staff development including, but not limited to, the reports referenced in Section VII. below.

IV. DUTIES OF THE SITE PROFESSIONAL DEVELOPMENT TEAM

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

V. STAFF DEVELOPMENT FUNDING

- A. Unless the school district is in statutory operating debt or a majority of the school board and a majority of its licensed teachers annually vote to waive the requirement to reserve basic revenue for staff development, the school district will reserve an amount equal to at least two percent of its basic revenue for: in-service education for violence prevention programs to help students learn how to resolve conflicts within their families and communities in non-violent, effective ways; staff development plans; curriculum development and programs; other in-service education; teachers'

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

workshops; teacher conferences; the cost of substitute teachers for staff development purposes; preservice and in-service education for special education professionals and paraprofessionals; and other related costs for staff development efforts. The school district also may use the revenue reserved for staff development for grants to the school district's teachers to pay for coursework and training leading to certification as either a college in the schools teacher or a concurrent enrollment teacher. In order to receive a grant, the teacher must be enrolled in a program that includes coursework and training focused on teaching a core subject.

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

VI. PROCEDURE FOR USE OF STAFF DEVELOPMENT FUNDS

- A. On a yearly* basis, the Advisory Staff Development Committee, with the assistance of the Site Professional Development Teams, shall prepare a projected budget setting forth proposals for allocating staff development funds reserved for each school site. Such budgets shall include, but not be limited to, projections as to the cost of building site training programs, costs of individual staff seminars, and cost of substitutes.
- B. Upon approval of the budget by the school board, the Advisory Committee shall be responsible for monitoring the use of such funds in accordance with the Staff Development Plan and budget. The requested use of staff development funds must meet or make progress toward the goals and objectives of the Staff Development Plan. All costs/expenditures will be reviewed by the school board and/or superintendent for consistency with the Staff Development Plan on a quarterly basis.*
- C. Individual requests from staff for leave to attend staff development activities shall be submitted and reviewed according to school district policy, staff procedures, contractual agreement, and the effect on school district operations. Failure to timely submit such requests may be cause for denial of the request.

VII. REPORTING

- A. The school district and site staff development committee shall prepare a report of the previous fiscal year's staff development activities and expenditures as part of the school district's world's best workforce report.
 - 1. The report must include assessment and evaluation data indicating progress toward district and site staff development goals based on teaching and learning outcomes, including the percentage of teachers and other staff involved in instruction who participate in effective staff development activities.

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

2. The report will provide a breakdown of expenditures for:
 - a. Curriculum development and curriculum training programs;
 - b. Staff development training models, workshops, and conferences; and
 - c. The cost of releasing teachers or providing substitute teachers for staff development purposes.

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

- B. The report will be signed by the superintendent and staff development chair.

Legal References: Minn. Stat. § 120A.41 (Length of School Year; Days of Instruction)
 Minn. Stat. § 120A.415 (Extended School Calendar)
 Minn. Stat. § 120B.125 (Planning for Students’ Successful Transition to Postsecondary Education and Employment; Personal Learning Plans)
 Minn. Stat. § 120B.22, Subd. 2 (Violence Prevention Education)
 Minn. Stat. § 122A.18, Subd. 4 (Board to Issue Licenses; Expiration and Renewal)
 Minn. Stat. § 122A.40, Subds. 7 and 7a (Employment; Contracts; Termination - Additional Staff Development and Salary)
 Minn. Stat. § 122A.41, Subds. 4 and 4a (Teacher Tenure Act; Cities of the First Class; Definitions - Additional Staff Development and Salary)
 Minn. Stat. § 122A.60 (Staff Development Program)
 Minn. Stat. § 122A.61 (Reserved Revenue for Staff Development)
 Minn. Stat. § 126C.10, Subds. 2 and 2b (General Education Revenue)
 Minn. Stat. § 126C.13, Subd. 5 (General Education Levy and Aid)

Cross References:



ADDENDUM

REGULAR BOARD MEETING Monday, June 20, 2022 SPCC-Governor's Room 6:30PM

VII. ACTION ITEMS

5. AGENDA ITEM #5

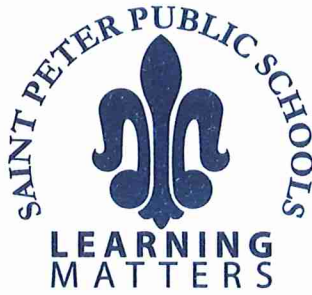
Subject: Consider Approval of the 2022-2023 Budget

Action: Requires a Motion

Background: School district fiscal years begin July 1 and end on June 30th of each year. The State of Minnesota Department of Education requires all school districts to have a budget for the following school year in place by June 30th of each year. The budget can be amended as needed throughout the school year. Mr. Regner will present the budget for the 2022-2023 school year (FY23).

Presentation: Tim Regner, Business Manager

Options/Recommendation: I recommend approving the FY23 budget.



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Date: 6/14/2022
To: Bill Gronseth
From: Tim Regner *TR*
RE: 2022-23 Preliminary Adopted Budget

Attached is the budget information to be reviewed by the Finance Committee at the 6/16/2022 meeting and to be presented to the Board of Education on 6/20/2022.

Page 1 is the Budget Cover Sheet providing information on all funds.

Pages 2, 3, 4, 5 are the FY22, FY23, FY 24 and FY25, - 4 yr. rollout detailing changes in both revenues and expenditures that will occur as compared to the Revised FY 22 yr.

Page 6 is the enrollment projections used in preparing the budget.

The new Hire/Replacement Report providing information of all staff changes is still in the process of being finalized as staff is hired and the rollout may need to be adjusted depending upon final numbers.

The rollout may need to be adjusted depending upon final numbers and when/if the state decides on any additional funding from the current state surplus.

	A	B	C	D	E	F	G
1	Tregner/Dpeterson/budget 22-23 ADP/Budget Worksheet 22-23 FY 23 Adopted			St. Peter Public Schools			
2	22-23 to Board June 2023			2022-23			
3				Adopted Budget			
4				June 8, 2022			
5							
6	s		Projected Fund Balances				Projected
7			as of				Fund Balance
8	Funds		6/30/2022	Revenues	Expenditures	Transfers	6/30/2022
9							
10	General Fund unassigned Funds, 01,03, 22	*	4,840,021	29,013,420	30,346,458	600,275	4,107,258
11							
12	Assigned Gifted and Talented		13				
13	Assigned learning and development		312				
14	Nonspendable (Prepaids)	*	11,107				11,107
15	Medical assistance -restricted						0
16	Reserved Basic Skills		6,322				6,322
17	Reserved staff Dev		3,850				
18	Assigned for severence		364,171				364,171
19	Assigned for VEBA trust		494,000		90,000	95,000	499,000
20	Assigned Bond and CSP		0				0
21	Assigned for operatin new HS		835,000			-835,000	0
22	Assigned Para		10,000				10,000
23	Assigned water mitigation		374,737				374,737
24	Assigned AAA		59,186				59,186
25	Assigned Fund the Depreciation		192,955				192,955
26	Assigned Dental reserve		78,609				78,609
27	Transfer to Food Service		0				0
28	Reserved for A & I		12,278				12,278
29	Activity Funds						
30	High School Activity Fund 30		87,009	90,000	90,000		87,009
31	North Elementary- Fund 11		26,193	50,000	50,000		26,193
32	South Elementary - Fund 12		5,754	27,500	27,500		5,754
33	M/S activity - Fund 13		11,704	20,000	20,000		11,704
34							
35	Concession - Fund 23		-3,389	55,000	55,000		-3,389
36							
37	misc scholarships		137,251				137,251
38							
39							
40	General Fund Sub Total		7,547,083	29,255,920	30,678,958	-139,725	5,984,320
41							
42							
43							
44	Capital Expenditure 01 /05						
45	Restricted for deferred maintenance/LTFM		-312,121	888,832	1,071,691		-494,980
46	Operating Cap (eq&fac)		358,388	826,088	874,668	139,725	449,533
47	Capital Fund Sub Total		46,267	1,714,920	1,946,359	139,725	-45,447
48							
49							
50	Total General Fund Total		7,593,350	30,970,840	32,625,317	0	5,938,873
51							
52							
53							
54	Food Service 02		1,044,718	2,100,479	2,091,820		1,053,377
55							
56							0
57	Community Service 04		-318,780	801,500	1,066,627		-583,907
58							
59							
60	Capital Projects Funds Regular		0	0	0		0
61	Bond Refendum		0	0	0		0
62	Total Capital Project Funds		0	0	0		0
63							
64	Debt Redemption 07		656,606	3,248,289	3,249,250		655,645
65							
66							
67							
68	Trust Fund 08		708,452	21,500	22,000		707,952
69							
70							
71	District Totals		9,684,346	37,142,608	39,055,014	0	7,771,940
72							
73							

	A	B	C	D	E	F	G	H
312								6/10/'22
313	FY 22 - this year- 5th Year of new School Building							
314								
315	Estimated fund Balance							5,420,331
316								
317								
318	Actual 20/21 Revenues							27,690,340
319	legislative increase EST 2% - FY21 Gen Ed revenue 6,566 x2.0 to 6697 or 132 x 2390 est WADM for FY21							315,480
320	estimated change in enrollment FY 21 2390 - 2290 = 100 X 6,566							-656,600
321	estimated compensatory decrease							-203,000
322	Additional est Sped Rev from inc costs and cross subsidy aid							100,000
323	EstAdditional Revenue Hoffmann Bills due to staff shift							40,000
324	CRF funds remove							-530,379
325	County/Township Funds							-149,600
326	ESSER/GEER 1							-268,590
327	Add back admission about 50,000 & est student feess 25,000							75,000
328	ESSER 2 Spending Entire amount - no ESSER 3 funds projected those in FY 23 may spend some FY 22							711,324
329	Covid Fin 169 lerning recovery							297,686
330	Covid Fin 170 Testing							118,797
331	Covid Fin 171 Enrollment loss Assumes we have correct expenses for all Covid programs							90,069
332	Covid Fin 159 Homeless							7,376
333	Covid Fin162 Summer learn							1,946
334	safety grant from previus years							31,509
335	Covid Esser 3 Fin 160 90% Formula							400,000
336	Covid ESSER 3 Fin 161 Learning Loss							100,000
337	extra CTE levy estimate							50,000
338	estimate increase in Sped due to higher costs							138,584
339	transfer money assigned during fy15-18 to meet fund balance goal or can lower goal and transfer less remove FY23							835,000
340	transfer money from SCP Bond restrooms							223,735
341	misc revenue to balance out to SMART							19,325
342	Estimate 21/22 Revenues					fy22 rev	29,438,002	29,438,002
343						fy22 exp	30,018,312	
344	Actual20/21 Expenditures					revenue under expenditures	-580,310	27,138,645
345	Expenditure increase							900,000
346	remove veba assignment trust							-80,000
347	Est. amount to be assigned in FY19 to the Assigned for VEBA Trust					remove fy23	125,150	
348	MVED negotiations and extra costs							50,000
349	CRF Funds							-530,379
350	ounty/Township Funds							-80,383
351	ESSER/Township Funds							-268,590
352	remove middle school nd other projectsfrom FY 21 not done n FY22							-194,249
353	remoe 019 and C19 Covid exp from FY21 not reim by other Covid Fin Codes							-14,313
354	Estimated expenses prev paid in A & I but Gen Fund exp FY 22							67,536
355	staff replacments not A & I related							10,995
356	new staff - S. Worker, Instruc Coach- paras?, Hoffmann ,MVED counselor adjustment est							207,781
357	Balance of outreach hire							50,000
358	Extra costs MVED - Fed funds used for CEIS							86,000
359	estimated referendum expenses							15,000
360	additional grounds upkeep							10,000
361	CSP annual enhancements to bring bud to 25,000							16,594
362	Covid Funds Revenue expense supplants some other expenses and new hires							1,227,198
363	ECSE Sped as did not set up new accounts when moved org							8,600
364	estimate higher utility and fuel costs							175,000
365	Estimate increase in trnsportation more routes, more activities, higher fuel etc							150,000
366	Tech. initiative 1 to 1 ipads exta cost of lease					no increase last year was fy18	139,425	
367	extra cost Hoffmann Center change program estimate							230,000
368	costs CSP and Bond etc offset transfer in							223,735
369	estimate increase in trnsportation more routes, more activities, higher fuel etc							200,000
370	misc expenses to balance out to SMART additional activity at schools this year							154,567
371	Estimated 21/22 Expenditures							30,018,312
372								
373	Estimated fund balance 6/30/2022 - FY22					goal 60 days	4,840,021	
374						4,839,124	about 60	
375							days	
376								
377							% of Revenue	
378							16%	



ADDENDUM

BOARD MEETING
Monday, June 20, 2022
Governor's Room
6:30 PM

VII. ACTION ITEMS

6. AGENDA ITEM #6

- Subject:** Consider the Continuation of a Joint Agreement with MVED to Provide Food Service
- Action:** Requires a Motion
- Background:** Saint Peter Schools has had an agreement in place with MVED to provide meal services. They would like to continue this joint agreement.
- Presentation:** Superintendent Gronseth, Ytve Prafke
- Options/Recommendation:** I recommend approving the joint agreement to continue providing food service to MVED.

School Nutrition Programs
Renewal of Joint Agreement
School Year 2023

A School Food Authority (SFA) and Site may mutually agree to renew a joint agreement for up to four (4) one-year periods after the end of the original one-year joint agreement.

St. Peter Public Schools ISD 508 (SFA)

1000003951 Cyber-Linked Interactive Child Nutrition System (CLiCS) Sponsor Identification (ID) Number

and

MVED ISD 6027 (Site)

1000003.105 CLiCS Site ID Number

agree to renew the original School Nutrition Program joint agreement, which ended June 30, 2025, which ended for the period of July 1, 2022 through June 30, 2023 (not to exceed one year).

The total number of times that the original joint agreement has been renewed, including this renewal, is second (may not exceed four).

The terms of the original joint agreement remain in effect during this renewal, except for any adjustment to the original contract terms as described here:

SFA and Site have caused this agreement to be executed by their duly authorized representatives:

SFA St Peter Public Schools ISD 508

_____ Food Service Director

Authorized Representative

Title of Authorized Representative

Telephone _____

Signature _____ Date _____

Site MVED ISD 6027

Sara McMonagle MVED Director

Authorized Representative

Title of Authorized Representative

Telephone 507-934-5420

Signature _____ Date _____



ADDENDUM

REGULAR BOARD MEETING Monday, June 20, 2022 SPCC-Governor's Room 6:30PM

VII. ACTION ITEMS

7. AGENDA ITEM #7

Subject: Consider Approval of Non-Renewal of Probationary Teachers Contracts

Action: Requires a Resolution

Background: The first three consecutive years of a teacher's first teaching experience in Minnesota is deemed to be a probationary period of employment. During the probationary period, any annual contract may be non-renewed based on a decision by the School Board. The following teacher is being recommended for non-renewal:

-Bailey Britton

Presentation: Superintendent Gronseth

Options/Recommendation: I recommend passing the resolution.



MEMO TO: Bill Gronseth, Superintendent
School Board

FROM: Jon Graff

DATE: May 27, 2022

SUBJECT: Non-renewal for Bailey Britton

Please consider my recommendation for non-renewal of Bailey Britton's 1.0 FTE teaching contract with Saint Peter Public Schools. Ms. Britton, a probationary teacher, served as art teacher at Saint Peter Middle School.

We appreciate Ms. Britton's service to our students.

If you have questions or concerns, please let me know.

Board Chair Leonard introduced the following resolution and Board Member _____ moved its adoption:

**RESOLUTION RELATING TO THE NONRENEWAL OF THE TEACHING CONTRACT OF
BAILEY BRITTON, A TIER 1 TEACHER**

WHEREAS, Bailey Britton is a Tier 1 teacher in Independent School District No. 508.

BE IT RESOLVED, by the School Board of Independent School District No. 508 that pursuant to Minnesota Statutes 122A.40, Subdivision 5, that the teaching contract of Bailey Britton, a Tier 1 teacher in Independent School District No. 508, is hereby terminated at the close of the current 2021-2022 school year.

BE IT FURTHER RESOLVED that written notice be sent to said teacher regarding non-renewal of her contract as provided by law, and that said notice shall be in substantially the following form:

NOTICE OF NON-RENEWAL

Ms. Bailey Britton
416 Holly Lane #16
Mankato, MN 56001

Dear Ms. Britton:

You are hereby notified that at the regular meeting of the School Board of Independent School District No. 508 held on June 20, 2022, a resolution was adopted by a majority roll call vote to not renew your contract effective immediately. Said action of the board is taken pursuant to Minnesota Statutes 122A.40, Subdivision 5.

You may officially request that the school board give its reasons for the non-renewal of your teaching contract.

Sincerely,

Saint Peter School Board Clerk

The motion for the adoption of the foregoing resolution was duly seconded by Member _____ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

Dated: June 20, 2022

Charlie Potts, Clerk



ADDENDUM

BOARD MEETING
Monday, June 20, 2022
Governor's Room
6:30 PM

VII. ACTION ITEMS

8. AGENDA ITEM #8

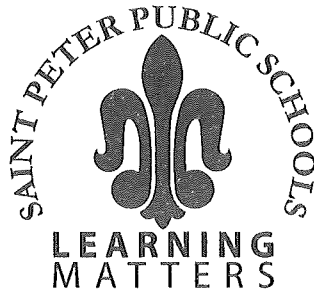
Subject: Consider Approval of Yearly Governmental Lease

Action: Requires a Resolution

Background: Governmental lease-purchase arrangements are utilized to purchase technology equipment across the school district. This year's lease is designed to support the 1:1 initiative, and other hardware for all sites in the district. The low bid for the lease is Pioneer Bank. Lease details are enclosed in your packet.

Presentation: Business Manager

Options/Recommendation: I recommend that you pass a resolution for the yearly governmental lease through Pioneer Bank.



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Date: 6/6/22
 TO: Bill Gronseth
 From: Tim Regner *TR*
 RE: Tax Exempt Governmental lease RFP Results

St Peter Public Schools requested RFP's from local banks for our yearly Tax Exempt Government Lease.
 The amount of the leases this year is \$ 267,184.04

Results are as follows	4 Yr Rate	5 Yr Rate
First National Bank	3.85%	4.00%
Hometown Bank	3.65%	3.75%
Pioneer Bank	3.40%	3.50%

The lease is composed of two separate Projects:

Project # 1 is the Saints Digital Initiative - 9 th Grade I Pads	\$ 168,562.00
Project #2 is the yearly technology lease for Lab and staff	\$ 98,622.04
Total	\$ 267,184.04

The Board of Education at the June 20, 2022 Board Meeting will be asked to vote on a resolution authorizing the leases with Pioneer Bank.

Charlie Potts, Clerk



ADDENDUM

BOARD MEETING
Monday, June 20, 2022
SPCC-Governor's Room
6:30 PM

VII. ACTION ITEMS

9. AGENDA ITEM #9

Subject: Approval of Memorandum of Understanding between the City of Saint Peter Recreation and Leisure and Saint Peter Community and Family Education

Action: Requires a Motion

Background: Enclosed in your packet is the annual agreement between the school district and the City of Saint Peter to cooperatively provide youth development programs, after-school programs, and summer programs for Saint Peter youth. It includes a payment of \$10,200 to the City of Saint Peter Department of Recreation and Leisure in exchange for services.

Presentation: Superintendent Gronseth

Options/Recommendation: I recommend your approval of the agreement.



MEMORANDUM OF UNDERSTANDING

July 1, 2022 – June 30, 2023

Saint Peter Public Schools - Community and Family Education and City of Saint Peter - Department of Recreation and Leisure Services Department

This memorandum identifies key components to maximize opportunities to the community.

- I. **BEST PRACTICES AND GUIDING PRINCIPLES** – School District #508, through the Community and Family Education Department (C&FE) and the City of Saint Peter through the Department of Recreation and Leisure Services (R&LS) recognize a shared commitment to best practices that maximize opportunities for the community.
- A. Prioritize community needs and allocation of funding
 - B. Delineate responsibilities to minimize program duplication
 - C. When appropriate, combine resources including staff and facilities to strengthen and/or develop signature community wide events
 - D. Routinely examine and address community program and service needs
 - E. Collaborate with other area organizations to strengthen the involvement and support of underserved families
 - F. Co-publish seasonal brochures
 - G. Offer common registration dates

II. YOUTH DEVELOPMENT/SERVICE FUNDING ASSURANCES

STATEMENT OF ASSURANCES:

Community and Family Education will provide funding to Recreation and Leisure Services to enhance Youth Development opportunities, meeting the intent of State Statutes, which govern Youth Development expenditures. (\$7,500)

Minnesota Statute (2003) 124D.19, Subd. 9. and 10.)

(Age priority: 8 through 14 years)

All programs assigned to these funds will not be subject to non-resident fees (City of Saint Peter); non-resident fees may be charged for non-residents of the Saint Peter School District.

With additional youth development/service funds, Recreation and Leisure Services Department will offer youth programs that provide youth with:

- *An understanding and appreciation of service in their community through hands-on experiences*
- *Knowledge needed to make safe and healthy lifestyle choices*
- *An understanding of and appreciation and respect for diversity in race, culture, gender, age, social status, ability, etc.*
- *an opportunity to have a voice in decisions that affect them*

- *positive recreational, social and learning activities*
- *opportunities to develop a safe, equitable, accepting, cooperative, friendly and inclusive school and community environment*

III. AFTER-SCHOOL FUNDING ASSURANCES

STATEMENT OF ASSURANCES: Community and Family Education (C&FE) will provide funding to Recreation and Leisure Services (R&LS) to enhance after-school opportunities, meeting the intent of State statutes, which govern after-school expenditures. (\$2,700)

(Minnesota Statute (2003) 124D.19, Subd. 13.)

(Age priority: 8 through 14 years)

All programs assigned to these funds will not be subject to non-resident fees (City of Saint Peter); non-resident fees may be charged for non-residents of the Saint Peter School District.

With additional youth funds, Recreation and Leisure Services Department will offer after-school programs that:

- *collaborate with and leverage existing community resources that have demonstrated effectiveness*
- *reach out to youth, including underserved and at-risk youth in the community*
- *serve children participating in adult-supervised programs during non-school hours*
- *support academic achievement*
- *increase skills in sports and other activities*

IV. GUIDELINES FOR SPONSORING YOUTH PROGRAMS

SCHOOL YEAR 2022-23 YOUTH PROGRAMS

(August 29, 2022–June 1, 2023)

R&LS will offer the following:

- After school activities (e.g. Legos Program, eSports, Kids Club, Exploration Recreation, Fencing, Early Rec Out Days, and Open Gym)
- Leadership and/or certification programs for youth ages 14 and under (e.g. Babysitter Training, Be Prepared...NOT Scared, and Home Alone Class)

C&FE will offer the following:

- Theatre & Fine Arts experiences (e.g. Arts Center, Music Lessons)
- Educational enrichment experiences (e.g. foreign languages, nutrition, STEM, and STEAM)
- American Red Cross Swim Lessons at the high school pool
- Certification programs for young adults 15 yrs+ (e.g. First Aid, CPR, Lifeguard Training, Water Safety Instruction)

SUMMER YOUTH PROGRAMS

(July 1–August 31, 2022 and June 2-30, 2023)

R&LS will offer the following:

- E-12 Youth activities, teams, and camps (e.g. Exploration Recreation, eSports, Fencing, youth sports, and camps)
- American Red Cross Swim Lessons at the City outdoor pool

- Leadership and/or certification programs for youth ages 14 and under (e.g. Volunteer In the Park, Babysitter Training, Guard Start, Water Safety Instructor Aide)

C&FE will offer the following:

- Theatre and Fine Arts experiences (e.g. Prairie Fire Theatre, Music Lessons, and Arts Center Classes)
- Educational enrichment experiences (e.g. foreign languages, nutrition, and STEM, STEAM reading)
- Parent/Child classes/events
- Certification programs young adults 15 yrs+ (e.g. First Aid, CPR, lifeguard training, and water safety instruction)

V. FUNDING

School District #508 shall provide the following funding to the City of Saint Peter for provision of services:

Youth Development Funding	\$7,500
After School Funding	\$2,700

Distribution of funds shall be made twice a year and funds may be requested and distributed in two equal payments (e.g. July 1, 2022 and January 2, 2023).

This agreement by and between School District #508 and the City of Saint Peter is hereby approved.

CITY OF SAINT PETER

SCHOOL DISTRICT #508

 Todd Prafke
 City Administrator

 Bill Gronseth
 Superintendent

 Date

 Date

ADDENDUM



REGULAR BOARD MEETING Monday, June 20, 2022 SPCC-Governor's Room 6:30PM

VII. ACTION ITEMS

10. AGENDA ITEM #10

Subject: Consider Membership in the Minnesota State High School League (MSHSL) for 2022-2023

Action: Requires a Resolution

Background: This item is concerning our membership in the Minnesota State High School League. The MSHSL provides guidance and structure for all of our athletic, fine arts, speech, and drama activities. In addition, membership extends catastrophic insurance coverage to our students participating in interscholastic activities.

The application requires that the School Board views the Why We Play training video which defines the purpose and value of education-based athletic and activity programs. The training must be completed before approving the MSHSL's membership resolution. This training video and the code of conduct has been shared with the School Board prior to this meeting. A resolution is required for the MSHSL 2022-2023 application due by August 31, 2022.

Presentation: Superintendent of Schools
Activities Director

Options/Recommendation: I recommend that you pass this resolution.



**2022-2023 RESOLUTION FOR MEMBERSHIP
IN THE MINNESOTA STATE HIGH SCHOOL LEAGUE**

RESOLVED, that the Governing Board of Saint Peter High School, County of Nicollet, State of Minnesota delegates the control, supervision and regulation of interscholastic athletic and fine arts events (referred to in MN Statutes, Section 128C.01) to the Minnesota State High School League, and so hereby certifies to the State Commissioner of Education as provided for by Minnesota Statutes.

FURTHER RESOLVED, that the high schools listed below (name all high schools under your governing board):

Saint Peter High School

(If more than four high schools, attach an additional list)

is/are authorized by this, the Governing Board of said school district or school to:

1. _____ Make new application for membership in the Minnesota State High School League;
School Enrollment (grades 9-12): _____

OR;

- Renew its membership in the Minnesota State High School League; and,

2. Participate in the approved interschool activities sponsored by said League and its various subdivisions.

FURTHER RESOLVED, that this Governing Board hereby adopts the Constitution, Bylaws, Rules and Regulations of said League and all amendments thereto as the same as are published in the latest edition of the League's *Official Handbook*, on file at the office of the school district or school, or as appears on the League's website, as the minimum standards governing participation in said League-sponsored activities, and that the administration and responsibility for determining student eligibility and for the supervision of such activities are assigned to the official representatives identified by this Governing Board.

Signing the Resolution for Membership affirms that this Governing Board has viewed the WHY WE PLAY training video which defines the purpose and value of education-based athletic and activity programs and assists school communities in communicating a shared common language.

Member schools must develop and publicize administrative procedures to address eligibility suspensions related to Code of Student Conduct violations for students participating in activity programs by member schools.

The above Resolution was adopted by the Governing Board of this school district and is recorded in the official minutes of said Board and hereby is certified to the State Commissioner of Education as provided for by law.

Signed: _____
(Clerk/Secretary - Local Governing Board)

Signed: _____
(Superintendent or Head of School)

Date: _____

Date: _____

District/School Office Address: 100 Lincoln Dr, St. Peter MN 56082

Head of School/Superintendent's Phone: 507-934-5703

Head of School/Superintendent's Email: bgranseth@stpeterschools.org

This form must be completed and submitted to MSHSL NOT LATER THAN JULY 31, 2022. Retain one copy for the school files.

2022-2023 RESOLUTION FOR MEMBERSHIP

This information on page must be entered electronically on the MSHSL Resolution for Membership 2022-2023 Form on the League website once for each high school under your governing board.

The following is taken from the MSHSL Constitution:

208.00 LOCAL CONTROL

208.01 Designated School Representatives

At the beginning of the League's fiscal year, the governing board of each member school shall designate two (2) representatives who are authorized to vote for the member school at all district, region and section meetings and on mail ballots where member schools are called upon to vote, such as district meetings, region meetings, and mail ballots.

One of the designated representatives shall be a member of the school's governing board and the other shall be an administrator or full-time faculty member of the member school.

In school districts with multiple schools, the designated representative from the school district's governing body may represent more than one school and is entitled to one vote for each school they represent.

208.02 Designated Activity Representatives

At the beginning of the League's fiscal year, the governing board of each member school shall select individuals to represent its school in the following areas: (a) boys sports; (b) girls sports; (c) speech; and (d) music.

208.03 Local Advisory Committee

Each school is urged to form an advisory committee for League activities. Committee membership is not limited to but shall include a school board member, a student, a parent, and a faculty member, to advise the designated school representatives on all matters relating to the school's membership in the MSHSL.

208.01 VOTE ON BEHALF OF THE HIGH SCHOOL

- Designated School Board Member
- Ben Leonard
- Designated School Representative
- Shea Roehrkasse

208.02 ACTIVITY REPRESENTATIVES

- Boys Sports - Kurt Moelter
- Girls Sports - Heidi Niemeyer
- Speech - Erika Gustafson
- Music - Bre Bergstrom

208.03 LOCAL ADVISORY COMMITTEE MEMBERS

- Board Member -
- Student - Noah Spessard
- Parent - Charlie Potts
- Faculty Member - Amanda Blue

MAILING REPRESENTATIVE

- Shea Roehrkasse

By signature on the first page, I have verified that all required representatives above have been entered electronically on the MSHSL Resolution for Membership 2022-2023 Form.



ADDENDUM

REGULAR BOARD MEETING Monday, June 20, 2022 SPCC-Governor's Room 6:30PM

VII. ACTION ITEMS

11. AGENDA ITEM #11

Subject: Consider Approval of Individual Contracts

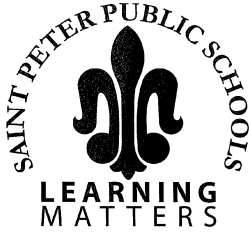
Action: Requires a Motion

Background: The following individual contracts are being presented for School Board approval. The Human Resources Committee has reviewed the contracts and recommended they be presented to the School Board for final approval. The Operations and Maintenance Supervisor and District Technology Director contracts are replacement contracts following a resignation and retirement. The Food Service Director contract is new. The MARSS Accountant contract includes a salary adjustment based on additional duties with software transitions at the State level and comparable positions. The Community Outreach position is being extended for an additional year.

- Operations and Maintenance Supervisor
- District Technology Director
- Food Service Director
- MARSS Accountant
- Community Outreach Coordinator

Presentation: Superintendent of Schools

Options/Recommendation: I recommend approving these contracts.



MEMO TO: Members of the School Board

FROM: Bill Gronseth

DATE: 06.15.22

SUBJECT: Tentative Contract Agreement

We have a tentative agreement on a 2022-2023 & 2023-2024 contract for the Operations and Maintenance Supervisor. Details are as follows:

Tentative Contract Agreement

Name of Employee: Sharon Petersen

Position: Operations and Maintenance Supervisor

	2022-2023	2023-2024
Salary	\$78,000.00	\$79,950
FICA/PERA	\$11,817	\$12,112
H&H (single)	\$13,698	\$13,698
Dental Insurance	\$1,224	\$1,224
Income Protection	\$172	\$176
Life Insurance	\$223	\$223
Total	\$105,134	\$107,383

I recommend your approval of this contract.

cc: Sharon Petersen



MEMO TO: Members of the School Board

FROM: Bill Gronseth

DATE: 06.15.22

SUBJECT: Tentative Contract Agreement

We have a tentative agreement on a 2022-2023 & 2023-2024 contract for the District Technology Director. Details are as follows:

Tentative Contract Agreement

Name of Employee: Gus Sorbo

Position: District Technology Director

	2022-2023	2023-2024
Salary	\$95,000.00	\$97,375
FICA/PERA	\$14,392	\$14,752
H&H (single)	\$13,698	\$13,698
Dental Insurance	\$1,224	\$1,224
Income Protection	\$209	\$215
Life Insurance	\$223	\$223
Total	\$124,746	\$127,487

I recommend your approval of this contract.

cc: Gus Sorbo



MEMO TO: Members of the School Board

FROM: Bill Gronseth

DATE: 06.15.22

SUBJECT: Tentative Contract Agreement

We have a tentative agreement on a 2022-2023 & 2023-2024 contract for the Food Service Director. Details are as follows:

Tentative Contract Agreement

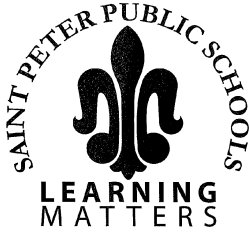
Name of Employee: Emily Craig

Position: Food Service Director

	2022-2023	2023-2024
Salary	\$68,000	\$69,700
FICA/PERA	\$10,302	\$10,559
H&H (single)	\$13,698	\$13,698
Dental Insurance	\$1,224	\$1,224
Income Protection	\$150	\$154
Life Insurance	\$223	\$223
Total	\$93,597	\$95,558

I recommend your approval of this contract.

cc: Emily Craig



MEMO TO: Members of the School Board

FROM: Bill Gronseth

DATE: 06.15.22

SUBJECT: Tentative Contract Agreement

We have a tentative agreement on a 2022-2023 & 2022-2023 contract for the MARSS Accountant. Details are as follows:

Tentative Contract Agreement

Name of Employee: Kris LeClerc

Position: MARSS Accountant

	2021-2022	2022-2023
Salary	\$49,280	\$50,512
FICA/PERA	\$7,465	\$7,652
H&H (single)	\$13,500	\$13,500
Income Protection	\$108	\$111
Life Insurance	\$55.80	\$55.80
Total	\$70,408.8	\$71,830.8

I recommend your approval of this contract.

cc: Kris LeClerc



MEMO TO: Members of the School Board

FROM: Bill Gronseth

DATE: 06.15.22

SUBJECT: Tentative Contract Agreement

We have a tentative agreement on a 2022-2023 contract for the Community Outreach Coordinator Details are as follows:

Tentative Contract Agreement

Name of Employee: Heather Deshayes

Position: Community Outreach Coordinator

	2022-2023
Salary	\$54,325
FICA/PERA	\$8,230
H&H (single)	\$13,698
Dental Insurance	\$1,224
Income Protection	\$120
Life Insurance	\$56
Total	\$77,653

I recommend your approval of this contract.

cc: Heather Deshayes



ADDENDUM

REGULAR BOARD MEETING Monday, June 20, 2022 SPCC-Governor's Room 6:30PM

VIII. INFORMATION ITEMS

1. AGENDA ITEM #1

Subject: First Reading of Revisions to Policy Manual

Background: The following policies were reviewed by the Policy Committee and brought forward for a first reading:

Policy 701 Establishment and Adoption of School District Budget
Policy 701.1 Modification of the School District Budget
Policy 703 Annual Audit
Policy 705 Investments
Policy 706 Acceptance of Gifts
Policy 714 Fund Balances
Policy 721 Uniform Grant Guidance Policy Regarding Federal Revenue Sources
Policy 807 Health and Safety Policy
Policy 901 Community Education
Policy 902 Use of District Facilities and Equipment
Policy 903 Visitors to School District Buildings and Sites
Policy 905 Advertising
Policy 907 Rewards

Presentation: Superintendent Gronseth
Policy Committee

Adopted: _____

~~MSBA/MASA Model~~ Policy 701.1

Orig. 1996

Revised: _____

Rev. 2000

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)
MSBA Service Manual, Chapter 7, Education Funding

Adopted: _____

MSBA/MASA Model Policy 701

Orig. 1995

Revised: _____

Rev. 2011

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. REQUIREMENT

- 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.
- B. The school district must maintain separate accounts to identify revenues and expenditures for each building. Expenditures shall be reported in compliance with Minn. Stat. § 123B.76.
- C. Prior to July 1 of each year, the school board shall approve and adopt its initial revenue and expenditure budgets for the next school year. The adopted expenditure budget document shall be considered the school board's expenditure authorization for that school year. No funds may 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 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 within one week of the acceptance of the final audit by the school board, or November 30, whichever is earlier. A statement shall 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 Minn. Stat. § 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 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 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)
MSBA Service Manual, Chapter 7, Education Funding

Adopted: _____

MSBA/MASA Model Policy 703

Orig. 1995

Revised: _____

Rev. 2019

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 Commissioner of Education (Commissioner) on forms prescribed by the Commissioner. The report shall also include those items required by Minn. Stat. § 123B.14, Subd. 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 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 Minn. Stat. Ch. 6.

Legal References: Minn. Stat. Ch. 6 (State Auditor)
Minn. Stat. § 123B.02 (School District Powers)
Minn. Stat. § 123B.09 (School Board Powers)
Minn. Stat. § 123B.14, Subd. 7 (Duties of School Board Clerk)
Minn.Stat. § 123B.77, Subds. 2 and 3 (Audited Financial Statements;
Statement for Comparison and Correction)

Cross References: ~~MSBA/MASA Model~~ Policy 702 (Accounting)
MSBA Service Manual, Chapter 7, Education Funding

Adopted: _____

MSBA/MASA Model Policy 705

Orig. 1995

Revised: _____

Rev. 2009

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 **Business Manager** 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 Minn. Stat. §§ 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 Minn. Stat. § 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 Minn. Stat. Ch. 118A or § 356A.06, Subd. 7. Investment of funds in an OPEB trust account under Minn. Stat. § 356A.06, Subd. 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 Minn. Stat. § 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 Minn. Stat. § 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. § 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 (Public Funds; Depositories and Investments)
Minn. Stat. § 118A.02 (Authorization for Deposit and Investment)
Minn. Stat. § 118A.03 (Depositories and Collateral)
Minn. Stat. § 118A.04 (Investments)
Minn. Stat. § 118A.05 (Contracts and Agreements)
Minn. Stat. § 118A.06 (Delivery and Safekeeping)
Minn. Stat. § 356A.06, Subd. 7 (Authorized Investment Securities)
Minn. Stat. § 471.38 (Claims)
Minn. Stat. § 471.6175 (Trust for Postemployment Benefits)

Cross References:

~~MSBA/MASA Model~~ Policy 703 (Annual Audit)
MSBA Service Manual, Chapter 7, Education Funding
Minnesota Legal Compliance Audit Guide Prepared by the Office of the State Auditor

Adopted: _____

MSBA/MASA Model Policy 706

Orig. 1995

Revised: _____

Rev. 2007

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 (Bequests, Donations, Gifts)

Minn. Stat. § 465.03 (Gifts)

Cross References:

Adopted: _____

*MSBA/MASA Model Policy 714
Orig. 2011*

Revised: _____

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 16% percent of the annual budget. [60 days of operating expenses.]

[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: _____. ***[Specify individual(s), such as the superintendent, business manager, etc., or an entity, such as the finance committee, authorized to make these assignments.]*** 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:

MSBA Service Manual, Chapter 7, Education Funding

Adopted: _____

MSBA/MASA Model Policy 721

Orig. 2016

Revised: _____

Rev. 2019

721 UNIFORM GRANT GUIDANCE POLICY REGARDING FEDERAL REVENUE SOURCES

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

I. PURPOSE

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

II. DEFINITIONS

A. Grants

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

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

- B. "Non-federal entity" means a state, local government, Indian tribe, institution of higher education, or nonprofit organization that carries out a federal award as a recipient or subrecipient.
- C. "Federal award" has the meaning, depending on the context, in either paragraph 1. or 2. of this definition:
 1. a. The federal financial assistance that a non-federal entity receives directly from a federal awarding agency or indirectly from a pass-through entity, as described in 2 C.F.R. § 200.101 (Applicability); or
 - b. The cost-reimbursement contract under the federal Acquisition Regulations that a non-federal entity receives directly from a federal awarding agency or indirectly from a pass-through entity, as described in 2 C.F.R. § 200.101 (Applicability).
 2. The instrument setting forth the terms and conditions. The instrument is the grant agreement, cooperative agreement, other agreement for assistance covered in paragraph (b) of 2 C.F.R. § 200.40 (Federal Financial Assistance), or the cost-reimbursement contract awarded under the federal Acquisition Regulations.
 3. "Federal award" does not include other contracts that a federal agency uses to buy goods or services from a contractor or a contract to operate federal-government-owned, contractor-operated facilities.

- D. "Contract" means a legal instrument by which a non-federal entity purchases property or services needed to carry out the project or program under a federal award. The term, as used in 2 C.F.R. Part 200, does not include a legal instrument, even if the non-federal entity considers it a contract, when the substance of the transaction meets the definition of a federal award or subaward.
- E. Procurement Methods
1. "Procurement by micro-purchase" is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (generally \$10,000, except as otherwise discussed in 48 C.F.R. Subpart 2.1 or as periodically adjusted for inflation).
 2. "Procurement by small purchase procedures" are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than \$250,000 (periodically adjusted for inflation).
 3. "Procurement by sealed bids (formal advertising)" is a publicly solicited and a firm, fixed-price contract (lump sum or unit price) awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price.
 4. "Procurement by competitive proposals" is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. Competitive proposals are generally used when conditions are not appropriate for the use of sealed bids.
 5. "Procurement by noncompetitive proposals" is procurement through solicitation of a proposal from only one source.
- F. "Equipment" means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or \$5,000.
- G. "Compensation for personal services" includes all remuneration, paid currently or accrued, for services of employees rendered during the period of performance under the federal award, including, but not necessarily limited to, wages and salaries. Compensation for personal services may also include fringe benefits which are addressed in 2 C.F.R. § 200.431 (Compensation - Fringe Benefits).
- H. "Post-retirement health plans" refer to costs of health insurance or health services not included in a pension plan covered by 2 C.F.R. § 200.431(g) for retirees and their spouses, dependents, and survivors.
- I. "Severance pay" is a payment in addition to regular salaries and wages by the non-federal entities to workers whose employment is being terminated.
- J. "Direct costs" are those costs that can be identified specifically with a particular final cost objective, such as a federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.
- K. "Relocation costs" are costs incident to the permanent change of duty assignment (for an indefinite period or for a stated period not less than 12 months) of an existing employee or upon recruitment of a new employee.

- L. "Travel costs" are the expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of the school district.

III. CONFLICT OF INTEREST

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

IV. ACCEPTABLE METHODS OF PROCUREMENT

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

relieve the school district of any contractual responsibilities under its contracts.

- G. The school district must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
- H. Methods of Procurement. The school district must use one of the following methods of procurement:
1. Procurement by micro-purchases. To the extent practicable, the school district must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the school district considers the price to be reasonable.
 2. Procurement by small purchase procedures. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.
 3. Procurement by sealed bids (formal advertising).
 4. Procurement by competitive proposals. If this method is used, the following requirements apply:
 - a. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
 - b. Proposals must be solicited from an adequate number of qualified sources;
 - c. The school district must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;
 - d. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
 - e. The school district may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method where price is not used as a selection factor can only be used in procurement of A/E professional services; it cannot be used to purchase other types of services, though A/E firms are a potential source to perform the proposed effort.
 5. Procurement by noncompetitive proposals. Procurement by noncompetitive proposals may be used only when one or more of the following circumstances apply:
 - a. The item is available only from a single source;
 - b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - c. The DOE or MDE expressly authorizes noncompetitive proposals in response to a written request from the school district; or

- d. After solicitation of a number of sources, competition is determined inadequate.

I. Competition. The school district must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When making a clear and accurate description of the technical requirements is impractical or uneconomical, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and
2. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

J. The school district must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the school district must not preclude potential bidders from qualifying during the solicitation period.

K. Non-federal entities are prohibited from contracting with or making subawards under "covered transactions" to parties that are suspended or debarred or whose principals are suspended or debarred. "Covered transactions" include procurement contracts for goods and services awarded under a grant or cooperative agreement that are expected to equal or exceed \$25,000.

L. All nonprocurement transactions entered into by a recipient (i.e., subawards to subrecipients), irrespective of award amount, are considered covered transactions, unless they are exempt as provided in 2 C.F.R. § 180.215.

V. MANAGING EQUIPMENT AND SAFEGUARDING ASSETS

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

The school district must adhere to the requirements concerning real property, equipment, supplies, and intangible property set forth in 2 C.F.R. §§ 200.311, 200.314, and 200.315.

B. Equipment

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

1. Property records must be maintained that include a description of the property; a serial number or other identification number; the source of the funding for the property (including the federal award identification number (FAIN)); who holds title; the acquisition date; the cost of the property; the percentage of the federal participation in the project costs for the federal

award under which the property was acquired; the location, use, and condition of the property; and any ultimate disposition data, including the date of disposition and sale price of the property.

2. A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.
3. A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated.
4. Adequate maintenance procedures must be developed to keep property in good condition.
5. If the school district is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

VI. FINANCIAL MANAGEMENT REQUIREMENTS

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

B. Payment. The school district must be paid in advance, provided it maintains or demonstrates the willingness to maintain both written procedures that minimize the time elapsing between the transfer of funds and disbursement between the school district and the financial management systems that meet the standards for fund control.

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

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

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

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

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

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

VII. ALLOWABLE USE OF FUNDS AND COST PRINCIPLES

- A. Allowable Use of Funds. The school district administration and board will enforce appropriate procedures and penalties for program, compliance, and accounting staff responsible for the allocation of federal grant costs based on their allowability and their conformity with federal cost principles to determine the allowability of costs.
- B. Definitions
1. "Allowable cost" means a cost that complies with all legal requirements that apply to a particular federal education program, including statutes, regulations, guidance, applications, and approved grant awards.
 2. "Education Department General Administrative Regulations (EDGAR)" means a compilation of regulations that apply to federal education programs. These regulations contain important rules governing the administration of federal education programs and include rules affecting the allowable use of federal funds (including rules regarding allowable costs, the period of availability of federal awards, documentation requirements, and grants management requirements). EDGAR can be accessed at: <http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.html>.
 3. "Omni Circular" or "2 C.F.R. Part 200s" or "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" means federal cost principles that provide standards for determining whether costs may be charged to federal grants.
 4. "Advance payment" means a payment that a federal awarding agency or passthrough entity makes by any appropriate payment mechanism, including a predetermined payment schedule, before the non-federal entity disburses the funds for program purposes.
- C. Allowable Costs. The following items are costs that may be allowable under the 2 C.F.R. Part 200s under specific conditions:
1. Advisory councils;
 2. Audit costs and related services;
 3. Bonding costs;
 4. Communication costs;
 5. Compensation for personal services;
 6. Depreciation and use allowances;
 7. Employee morale, health, and welfare costs;
 8. Equipment and other capital expenditures;
 9. Gains and losses on disposition of depreciable property and other capital assets and substantial relocation of federal programs;
 10. Insurance and indemnification;
 11. Maintenance, operations, and repairs;

12. Materials and supplies costs;
13. Meetings and conferences;
14. Memberships, subscriptions, and professional activity costs;
15. Security costs;
16. Professional service costs;
17. Proposal costs;
18. Publication and printing costs;
19. Rearrangement and alteration costs;
20. Rental costs of building and equipment;
21. Training costs; and
22. Travel costs.

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

1. Advertising and public relations costs (with limited exceptions), including promotional items and memorabilia, models, gifts, and souvenirs;
2. Alcoholic beverages;
3. Bad debts;
4. Contingency provisions (with limited exceptions);
5. Fundraising and investment management costs (with limited exceptions);
6. Donations;
7. Contributions;
8. Entertainment (amusement, diversion, and social activities and any associated costs);
9. Fines and penalties;
10. General government expenses (with limited exceptions pertaining to Indian tribal governments and Councils of Government (COGs));
11. Goods or services for personal use;
12. Interest, except interest specifically stated in 2 C.F.R. § 200.441 as allowable;
13. Religious use;
14. The acquisition of real property (unless specifically permitted by programmatic statute or regulations, which is very rare in federal education programs);

15. Construction (unless specifically permitted by programmatic statute or regulations, which is very rare in federal education programs); and
16. Tuition charged or fees collected from students applied toward meeting matching, cost sharing, or maintenance of effort requirements of a program.

E. Program Allowability

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

F. Federal Cost Principles

1. The Omni Circular defines the parameters for the permissible uses of federal funds. While many requirements are contained in the Omni Circular, it includes five core principles that serve as an important guide for effective grant management. These core principles require all costs to be:
 - a. Necessary for the proper and efficient performance or administration of the program.
 - b. Reasonable. An outside observer should clearly understand why a decision to spend money on a specific cost made sense in light of the cost, needs, and requirements of the program.
 - c. Allocable to the federal program that paid for the cost. A program must benefit in proportion to the amount charged to the federal program – for example, if a teacher is paid 50% with Title I funds, the teacher must work with the Title I program/students at least 50% of the time. Recipients also need to be able to track items or services purchased with federal funds so they can prove they were used for federal program purposes.
 - d. Authorized under state and local rules. All actions carried out with federal funds must be authorized and not prohibited by state and local laws and policies.
 - e. Adequately documented. A recipient must maintain proper documentation so as to provide evidence to monitors, auditors, or other oversight entities of how the funds were spent over the lifecycle of the grant.

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

1. All federal education programs have certain program specific fiscal rules that apply. Determining which rules apply depends on the program; however,

rules such as supplement, not supplant, maintenance of effort, comparability, caps on certain uses of funds, etc., have an important impact when analyzing whether a particular cost is permissible.

2. Many state-administered programs require local education agencies (LEAs) to use federal program funds to supplement the amount of state, local, and, in some cases, other federal funds they spend on education costs and not to supplant (or replace) those funds. Generally, the “supplement, not supplant” provision means that federal funds must be used to supplement the level of funds from non-federal sources by providing additional services, staff, programs, or materials. In other words, federal funds normally cannot be used to pay for things that would otherwise be paid for with state or local funds (and, in some cases, with other federal funds).
3. Auditors generally presume supplanting has occurred in three situations:
 - a. School district uses federal funds to provide services that the school district is required to make available under other federal, state, or local laws.
 - b. School district uses federal funds to provide services that the school district provided with state or local funds in the prior year.
 - c. School district uses Title I, Part A, or Migrant Education Program funds to provide the same services to Title I or Migrant students that the school district provides with state or local funds to nonparticipating students.
4. These presumptions apply differently in different federal programs and also in schoolwide program schools. Staff should be familiar with the supplement not supplant provisions applicable to their program.

H. Approved Plans, Budgets, and Special Conditions

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

I. Training

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

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

VIII. COMPENSATION – PERSONAL SERVICES EXPENSES AND REPORTING

A. Compensation – Personal Services

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

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

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

B. Compensation – Fringe Benefits

1. During leave.

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

- a. They are provided under established written leave policies;
 - b. The costs are equitably allocated to all related activities, including federal awards; and
 - c. The accounting basis (cash or accrual) selected for costing each type of leave is consistently followed by the school district.
2. The costs of fringe benefits in the form of employer contributions or expenses for social security; employee life, health, unemployment, and worker's compensation insurance (except as indicated in 2 C.F.R. § 200.447(d)); pension plan costs; and other similar benefits are allowable, provided such benefits are granted under established written policies. Such benefits must be allocated to federal awards and all other activities in a manner consistent with the pattern of benefits attributable to the individuals or group(s) of employees whose salaries and wages are chargeable to such federal awards and other activities and charged as direct or indirect costs in accordance with the school district's accounting practices.
 3. Actual claims paid to or on behalf of employees or former employees for workers' compensation, unemployment compensation, severance pay, and similar employee benefits (e.g., post-retirement health benefits) are allowable in the year of payment provided that the school district follows a consistent costing policy.
 4. Pension plan costs may be computed using a pay-as-you-go method or an acceptable actuarial cost method in accordance with the written policies of the school district.
 5. Post-retirement costs may be computed using a pay-as-you-go method or an acceptable actuarial cost method in accordance with established written policies of the school district.
 6. Costs of severance pay are allowable only to the extent that, in each case, severance pay is required by law; employer-employee agreement; established policy that constitutes, in effect, an implied agreement on the school district's part; or circumstances of the particular employment.

C. Insurance and Indemnification. Types and extent and cost of coverage are in

accordance with the school district's policy and sound business practice.

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

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

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

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

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

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

[Note: Noncompliance. If a school district fails to comply with federal statutes, regulations, or the terms and conditions of a federal award, the DOE or MDE may impose additional conditions, as described in 2 C.F.R. § 200.207 (Specific Conditions). If the DOE or MDE determines that noncompliance cannot be remedied by imposing additional conditions, the DOE or MDE may take one or more of the following actions, as appropriate under the circumstances: 1) Temporarily withhold cash payments pending correction of the deficiency by the school district or more severe enforcement action by the DOE or MDE; 2) Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance; 3) Wholly or partly suspend or terminate the federal award; 4) Initiate suspension or debarment proceedings as authorized under 2

C.F.R. Part 180 and DOE regulations (or, in the case of MDE, recommend such a proceeding be initiated by the DOE); 5) Withhold further federal awards for the project or program; and/or 6) Take other remedies that may be legally available.]

Legal References:

2 C.F.R. § 200.12 (Capital Assets)
2 C.F.R. § 200.112 (Conflict of Interest)
2 C.F.R. § 200.113 (Mandatory Disclosures)
2 C.F.R. § 200.205(d) (Federal Awarding Agency Review of Risk Posed by Applicants)
2 C.F.R. § 200.212 (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) (Payment)
2 C.F.R. § 200.310 (Insurance Coverage)
2 C.F.R. § 200.311 (Real Property)
2 C.F.R. § 200.313(d) (Equipment)
2 C.F.R. § 200.314 (Supplies)
2 C.F.R. § 200.315 (Intangible Property)
2 C.F.R. § 200.318 (General Procurement Standards)
2 C.F.R. § 200.319(c) (Competition)
2 C.F.R. § 200.320 (Methods of Procurement to be Followed)
2 C.F.R. § 200.321 (Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms)
2 C.F.R. § 200.328 (Monitoring and Reporting Program Performance)
2 C.F.R. § 200.338 (Remedies for Noncompliance)
2 C.F.R. § 200.403(c) (Factors Affecting Allowability of Costs)
2 C.F.R. § 200.430 (Compensation – Personal Services)
2 C.F.R. § 200.431 (Compensation – Fringe Benefits)
2 C.F.R. § 200.447 (Insurance and Indemnification)
2 C.F.R. § 200.463 (Recruiting Costs)
2 C.F.R. § 200.464 (Relocation Costs of Employees)
2 C.F.R. § 200.473 (Transportation Costs)
2 C.F.R. § 200.474 (Travel Costs)

Cross References:

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

Adopted: _____

MSBA/MASA Model Policy 807

Orig. 2012

Revised: _____

Rev. 2015

807 HEALTH AND SAFETY POLICY

~~***[Note: To receive health and safety revenue for any fiscal year, school districts must submit an application to the 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 Minn. Stat. § 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 Minn. Stat. § 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 Minn. Stat § 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 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 (Capital Expenditure; Health and Safety)

Minn. Stat. § 182.676 (Safety Committees)
Minn. Rules Part 5208.0010 (Applicability)
Minn. Rules Part 5208.0070 (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)

Adopted: _____

MSBA/MASA Model Policy 901

Orig. 1995

Revised: _____

Rev. 1999

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; Access for Noncurricular Purposes)
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)

Adopted: _____

MSBA/MASA Model Policy 902

Orig. 1995

Revised: _____

Rev. 2012

902 USE OF SCHOOL DISTRICT FACILITIES AND EQUIPMENT

I. PURPOSE

The purpose of this policy is to provide guidelines for community use of school facilities and equipment.

II. GENERAL STATEMENT OF POLICY

The school board encourages maximum use of school facilities and equipment for community purposes if, in its judgment, that use will not interfere with use for school purposes.

III. SCHEDULED COMMUNITY EDUCATION CLASSES AND ACTIVITIES

- A. The school district administration shall be charged with the process of scheduling rooms and special areas for community education classes and activities planned to be offered during each session.
- B. Procedures for providing publicity, registration, and collection of fees shall be the responsibility of the school district administration.
- C. Registration fees may be structured to include a pro-rata portion of costs for custodial services that may be needed.

IV. GENERAL COMMUNITY USE OF SCHOOL FACILITIES

- A. The school board may authorize the use of school facilities by community groups or individuals. It may impose reasonable regulations and conditions upon the use of school facilities as it deems appropriate.
- B. Requests for use of school facilities by community groups or individuals shall be made through the district administrative office. The administration will present recommended procedures for the processing and review of requests to the school board. Upon approval by the school board, such procedures shall be an addendum to this policy.
- C. 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.
- D. When emergencies or unusual circumstances arise that necessitate rescheduling the use of school facilities, every effort will be made to find acceptable alternative meeting space.

V. USE OF SCHOOL EQUIPMENT

The administration will present a procedure to the school board for review and approval regarding the type of equipment that is available for community use, the extent to which it may be utilized, and the manner by which it may be scheduled for use and any charges to be made relating thereto. Upon approval of the school board, such procedure shall be an addendum to this policy.

VI. RULES FOR USE OF FACILITIES AND EQUIPMENT

The school board expects members of the community who use facilities and equipment to do so with respect for school district property and an understanding of proper use. Individuals and groups shall be responsible for damage to facilities and equipment. A certificate of insurance may be required by the school district to ensure payment for these damages and any liability for injuries.

Legal References: Minn. Stat. § 123B.51 (Schoolhouses and Sites; Access for Noncurricular Purposes)

Cross References: ~~MSBA/MASA Model~~ Policy 801 (Equal Access to School Facilities)
~~MSBA/MASA Model~~ Policy 901 (Community Education)

Adopted: _____

MSBA/MASA Model Policy 903

Orig. 1995

Revised: _____

Rev. 2017

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 Program)
Minn. Stat. § 128C.08 (Assaulting a Sports Official Prohibited)
Minn. Stat. § 609.605, Subd. 4 (Trespasses on School Property)

Cross References:

Adopted: _____

MSBA/MASA Model Policy 905

Orig. 1996

Revised: _____

Rev. 2015

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)

Adopted: _____

*MSBA/MASA Model Policy 907
Orig. 2005*

Revised: _____

907 REWARDS

[Note: A school board must formally adopt a policy authorizing rewards for information leading to the conviction of the person committing or conspiring to commit the specified crimes before a reward may be offered.]

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 develop directives and procedures to address 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 (Reward)

Cross References: