



SAINT PETER SCHOOL BOARD
Regular Board Meeting
Monday, December 16, 2024
SPCC-Governor's Room, 600 S. 5th St., Saint Peter, MN
56082
6:30 PM

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. Truth-In-Taxation Presentation	3
VI. Approval of Consent Agenda Items	34
VII. Student Spotlight / Student Council Report	
1. Saint Peter Middle School Student Spotlight - Brielle Friedrich	
2. Student Council Report	
VIII. Information Items	
1. Native American Parent Advisory Committee (NAPAC) Update	69
2. Review of Policy Manual Revisions - First Reading	70
IX. Action Items	
1. Consider a Resolution of Certification of School District Levy for Taxes Payable in 2025	73
2. Consider a Resolution Establishing Combined Polling Places	80
3. Consider Approval of Acceptance of 2023-2024 Audit	83
4. Consider Approval of Second/Final Reading of Revisions to the Policy Manual	107
5. Consider Policies with Legislative Requirements for Approval with One Reading	141
6. Consider Acceptance of Gifts, Donations and Grants	172
7. Consider Approval of Ad Hoc Legislative Committee of the School Board	180
8. Consider Awarding Bids for Alternate #2 - South Elevator Hoistway for Middle School Construction Project	182
9. Declaration of Obsolete or Outdated Equipment	188
X. Reports	
1.	
1. Building Principals	
2. Superintendent of Schools	
3. Board Members - Around the Table	
4. Board Committee Updates	
a. Education Committee	
b. Business Committee	

c. Policy Committee

d. HR Committee

XI. Upcoming Meetings of the School Board

School Board Organizational Meeting

Monday, January 6, 2025

6:00 PM

SPCC - Governor's Room

Business Committee Meeting

Wednesday, January 8, 2025

10:00 AM

DO

Policy Committee Meeting

Wednesday, January 8, 2025

4:00 PM

DO

Education Committee Meeting

Thursday, January 9, 2025

1:00 PM

DO

Regular School Board Meeting

Thursday, January 23, 2025

6:30 PM

SPCC - Governor's Room

XII. Adjournment



ADDENDUM

REGULAR BOARD MEETING Monday, December 16, 2024 SPCC-Governor's Room 6:30PM

V. Truth In Taxation Presentation

Business Manager, Megan Gracia, will present information on the proposed tax levy for 2025. Her presentation will include a levy history, a levy spreadsheet showing various levy categories, and a review of the levy page to be considered for adoption at a later point in the meeting.



SAINT PETER PUBLIC SCHOOLS

ISD #508

TRUTH IN TAXATION PRESENTATION

2024 PAYABLE 2025

PROPOSED PROPERTY TAXES

AND 2024-2025 BUDGET

Requirements of the Truth in Taxation Law

- Truth in Taxation Law – passed in 1989
- Property Tax Statements
- Public Hearing
 - The 2024 Pay 2025 Proposed Property Tax Levy
 - Current Year Budget (Fiscal Year 2025)
 - Public Comment and Questions

School District Levy and Revenue

- Proposed levy certified in September
- Final levy certified in December
- 24 Pay 25 mean:
 - Taxes are levied in the fall of 2024
 - Taxes are payable and collected in 2025
 - Taxes provide the District revenue for 2025-2026 (FY26) school year

Who determines your school property tax?



A) Legislature and Governor



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B) County Assessor



C) School Board



D) Voters

Complexity of MN School District Property Tax System

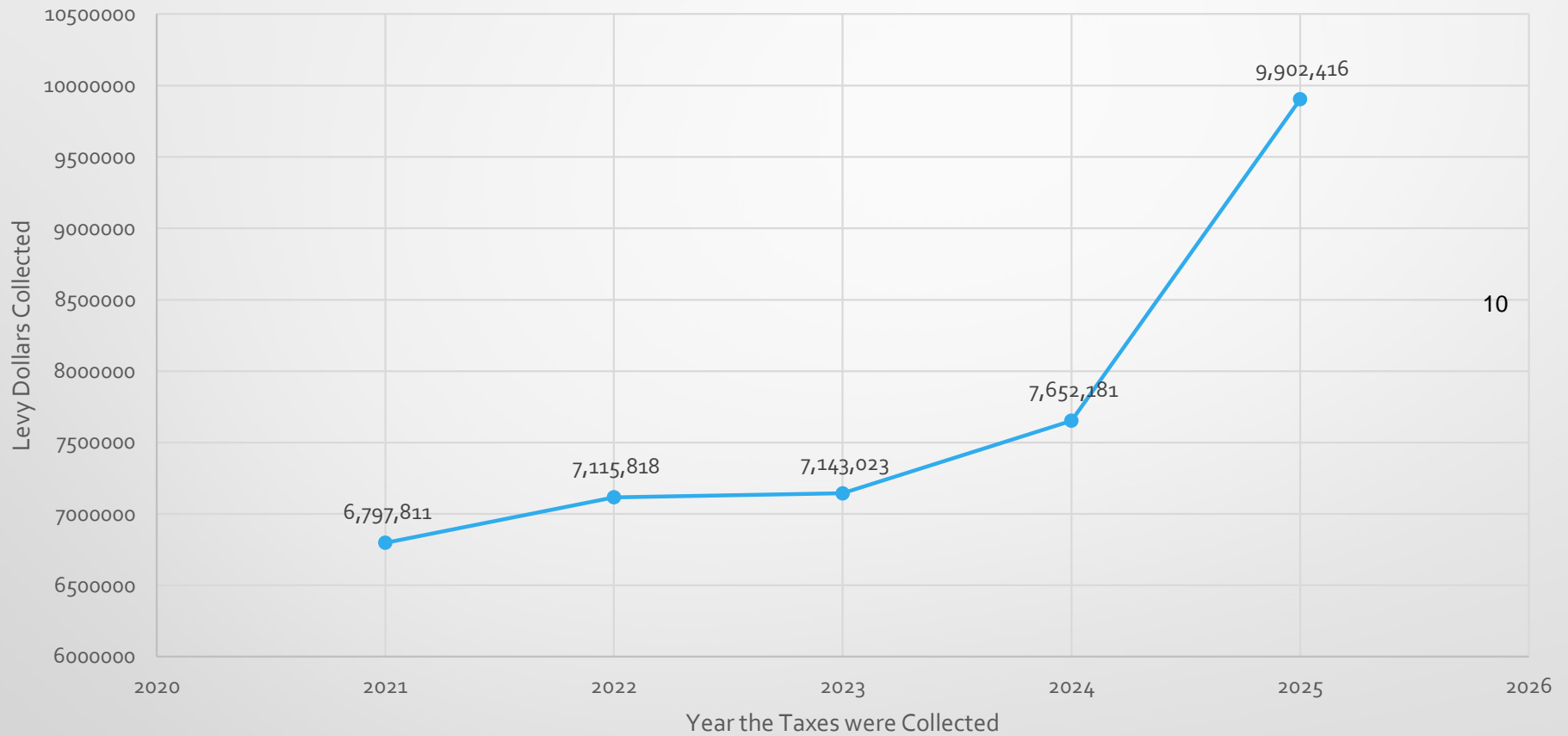
- 39 pages of levy calculations and data
- Over 50 different revenue (aid & levy) categories
- Calculations are based on two property tax bases
 - Referendum Market Value (RMV)
 - Net Tax Capacity (NTC)
- Separated into two categories on property tax statements
 - Voter Approved Levies
 - Other Local Levies

RMV vs. NTC

Referendum Market Value (RMV)	Net Tax Capacity (NTC)
Operating Referendum, LOR, Equity, Transition	Q Comp, Achievement & Integration, ⁹ LTFM, Reemployment, Safe Schools, OPEB
Not all properties pay (ag land & seasonal recreational)	Affects all parcels of property

The school district levy is increasing by \$2,250,235 or 29.41%.

Total District Levy Amounts



Multi-Year Levy Factors Comparison

Levy Factors	20 Pay 21 Final	21 Pay 22 Final	22 Pay 23 Final	23 Pay 24 Final	24 Pay 25 Preliminary	\$ Change Levy 25 to Levy 24	% Change Levy 25 to Levy 24
*1 Market Value	1,380,439,398	1,360,794,599	1,451,516,699	1,704,680,101	1,921,099,901	216,419,800	12.70%
*2 Referendum Market Value	1,013,564,250	1,038,825,750	1,096,432,750	1,263,332,175	1,380,537,350	117,205,175	9.28%
*3 Net Tax Capacity	13,616,925	13,463,118	14,348,427	16,896,722	18,705,002	1,808,280	10.70%
*4 Sales ratio	1	1	1	1	1	0	2.96%
*5 Adj. Net Tax Capacity	14,756,704	14,747,600	16,186,461	19,232,155	20,687,751	1,455,596	7.57%
6 Total levy	6,797,811	7,115,818	7,143,023	7,652,181	9,902,416	2,250,235	29.41%
\$ Increase over PY		318,007	27,205	509,158	2,250,235		
% Increase over PY		4.68%	0.38%	7.13%	29.41%		

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*1 "Market Value" represents the combined valuation of all taxable properties within the district boundaries as assigned by an assessor.

*2 "Referendum Market Value" represents the combined valuation of all taxable properties within the district boundaries excluding seasonal recreational properties (cabins) and agricultural land (over house, garage, and one acre of land).

*3 "Net Tax Capacity" is determined by multiplying market values by the classification rates (homestead, commercial, residential, rental, etc.).

*4 "Sales Ratio" is determined by the Department of Revenue. It measures the difference between the actual sale price and assessor's market value on properties to neutralize different assessment practices across the state.

*5 "Adjusted Net Tax Capacity" is computed by dividing the net tax capacity by the sales ratio and is used for calculating most school taxes.



General Fund Levy

45.43%

Provides funding for district regular and special educational instructional programs including, but not limited to, support services, transportation, instructional, athletic, and operational equipment, technology, building maintenance, etc.

Based on student enrollment



Community Education Levy

1.21%

Funding for basic community education programs, youth services, after school programs, Early Childhood Family Education, ¹² and School Readiness

Based on population of the District. ECFE is based on children <5



Debt Service

53.36%

Repayment of principal & interest of bonded debt plus 5%

Based on annual debt retirement schedules

ST. PETER PUBLIC SCHOOL DISTRICT GENERAL FUND GROSS LEVY COMPARISON

Total % Change = 10.202%

Decrease in aid,
increase in levy

Prior-Year
Adjustments
based on actual
expenses

LTFM Bonds
shift aid to Debt
Payments,
increases levy
portion

	Actual 2023 Pay 2024	Proposed 2024 Pay 2025	Dollar Difference
1 Referendum	907,596.19	931,061.19	\$23,465.00
2 Local Optional	1,371,866.97	1,475,038.23	103,171.26
3 Equity	323,070.93	358,866.15	35,795.22
3 Transition	55,023.36	60,899.72	5,876.36
4 Capital Projects Referendum	0.00	0.00	0.00
5 Achievement & Integration	70,733.15	75,497.53	4,764.38
6 Operating Capital	187,996.77	201,283.96	13,287.19
7 Alt Teacher Comp (Q Comp)	179,964.05	186,306.90	6,342.85
8 Remployment Insurance	(1,839.88)	(55,820.00)	(53,980.12)
9 Safe Schools	73,684.08	75,501.00	1,816.92
10 Career Technical	155,603.57	192,441.19	36,837.62
11 OPEB	302,264.95	348,881.93	46,616.98
12 LTFM Equalized	411,689.29	9,786.53	(401,902.76)
13 LTFM Unequalized	0.00	600,847.91	600,847.91
14 Building/Land Lease	42,512.21	44,893.82	2,381.61
15 Fac & Equip Bond Adjust.	0.00	0.00	0.00
16 Tax Abatement / Other Adj.	<u>1,698.01</u>	<u>(7,179.90)</u>	<u>(8,877.91)</u>
Total Gross Levy	4,081,863.65	4,498,306.16	\$416,442.51

ST. PETER PUBLIC SCHOOL DISTRICT COMMUNITY SERVICE GROSS LEVY COMPARISON

Total % Change = 1.317%

	Actual 2023 Pay 2024	Proposed 2024 Pay 2025	Dollar Difference ¹⁴
1 Basic Community Education	72,120.58	\$68,227.61	(\$3,892.97)
2 Early Child Family	36,564.37	41,285.84	4,721.47
3 Home Visiting	1,024.03	1,225.53	201.50
4 Adults w/ Disabilities	0.00	0.00	0.00
5 School Age Care	8,500.00	8,500.00	0.00
6 Other Adjustments	0.00	0.00	0.00
7 Tax Abatement	<u>81.23</u>	<u>608.83</u>	<u>527.60</u>
Total Gross Levy	\$118,290.21	\$119,847.81	\$1,557.60

ST. PETER PUBLIC SCHOOL DISTRICT DEBT SERVICE GROSS LEVY COMPARISON

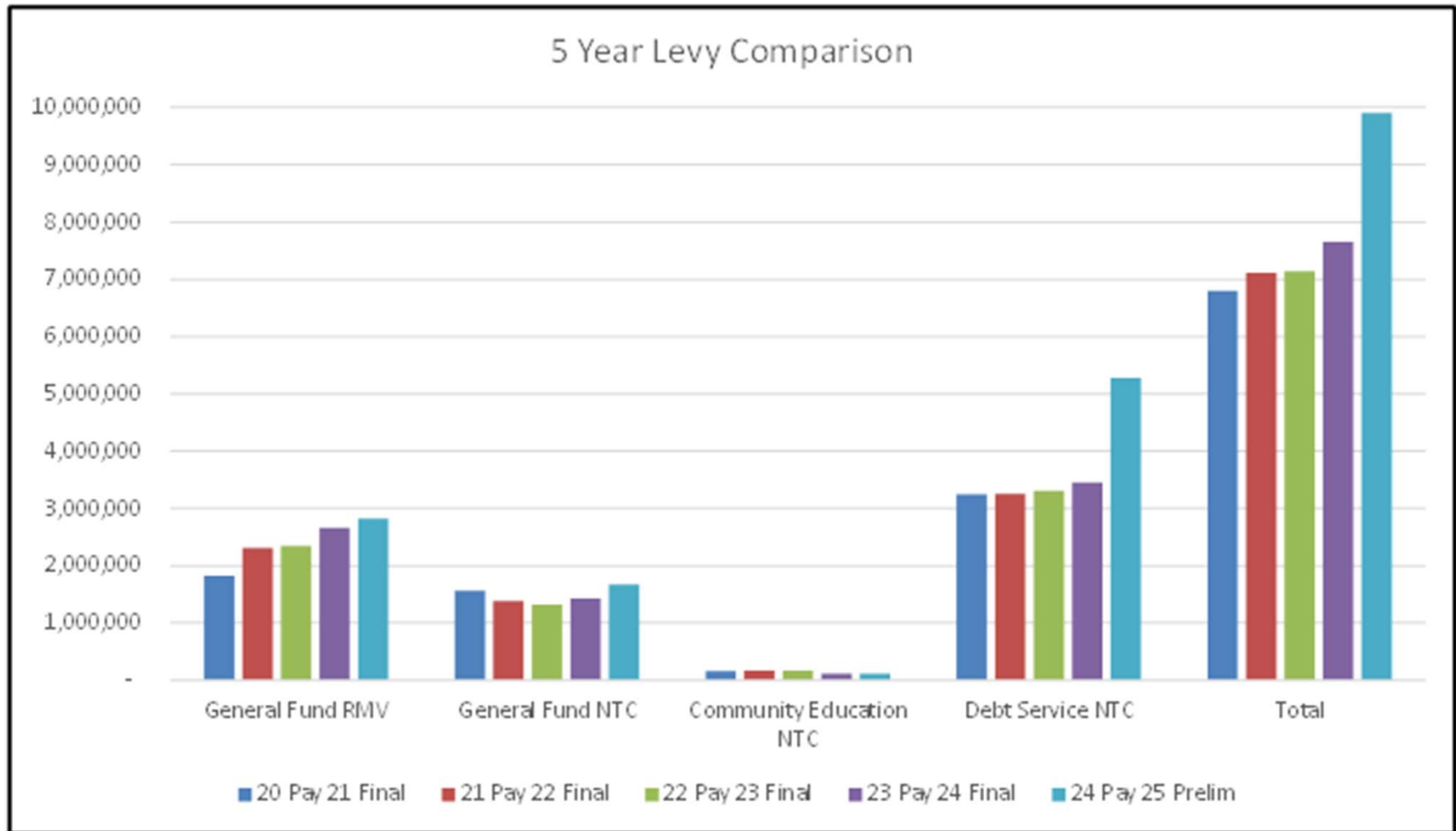
Total % Change = 53.077%

HVAC, DM, and Mend the Middle Bond Payments started this levy cycle.

	Actual 2023 Pay 2024	Proposed 2024 Pay 2025	Dollar Difference ¹⁵
1 V-A Debt Service Aid Eligible	\$3,616,305.00	\$3,727,092.00	\$110,787.00
2 V-A Debt Service Aid Ineligible	0.00	623,753.00	623,753.00
3 LTFM Bond Debt Service	0.00	986,379.19	986,379.19
4 Debt Excess	(165,963.52)	(68,370.94)	97,592.58
5 Tax Abatement	1,685.91	15,408.78	13,722.87
6 Other Adjustments	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Total Gross Levy	\$3,452,027.39	\$5,284,262.03	\$1,832,234.64

5 Year Levy Comparison

	20 Pay 21 Final	21 Pay 22 Final	22 Pay 23 Final	23 Pay 24 Final	24 Pay 25 Prelim
General Fund RMV	1,823,939	2,315,978	2,342,205	2,657,557	2,825,865
General Fund NTC	1,565,318	1,381,153	1,324,483	1,424,306	1,672,441
Community Education NTC	160,564	166,194	168,913	118,290	119,848
Debt Service NTC	3,247,990	3,252,493	3,307,422	3,452,027	5,284,262
Total	6,797,811	7,115,818	7,143,023	7,652,181	9,902,416



Whereas, Pursuant to Minnesota Statutes the School Board of Independent School District No. 508, St. Peter, Minnesota, is authorized to make the following proposed tax levies for general purposes:

General Fund	\$ 4,498,306.16
Community Services	\$ 119,847.81
Debt	<u>\$ 5,284,262.03</u>
Total Proposed Tax Levy	\$ 9,902,416.00

Now Therefore, Be it resolved by the School Board of Independent School District No. 508, St. Peter, Minnesota, that the levy to be levied in 2024 to be collected in 2025 is set at \$9,902,416. The clerk of the ISD 508 School Board is authorized to certify the proposed levy to the County Auditors of Nicollet and Le Sueur County, Minnesota

SCHOOL DISTRICT BUDGET 2024-2025



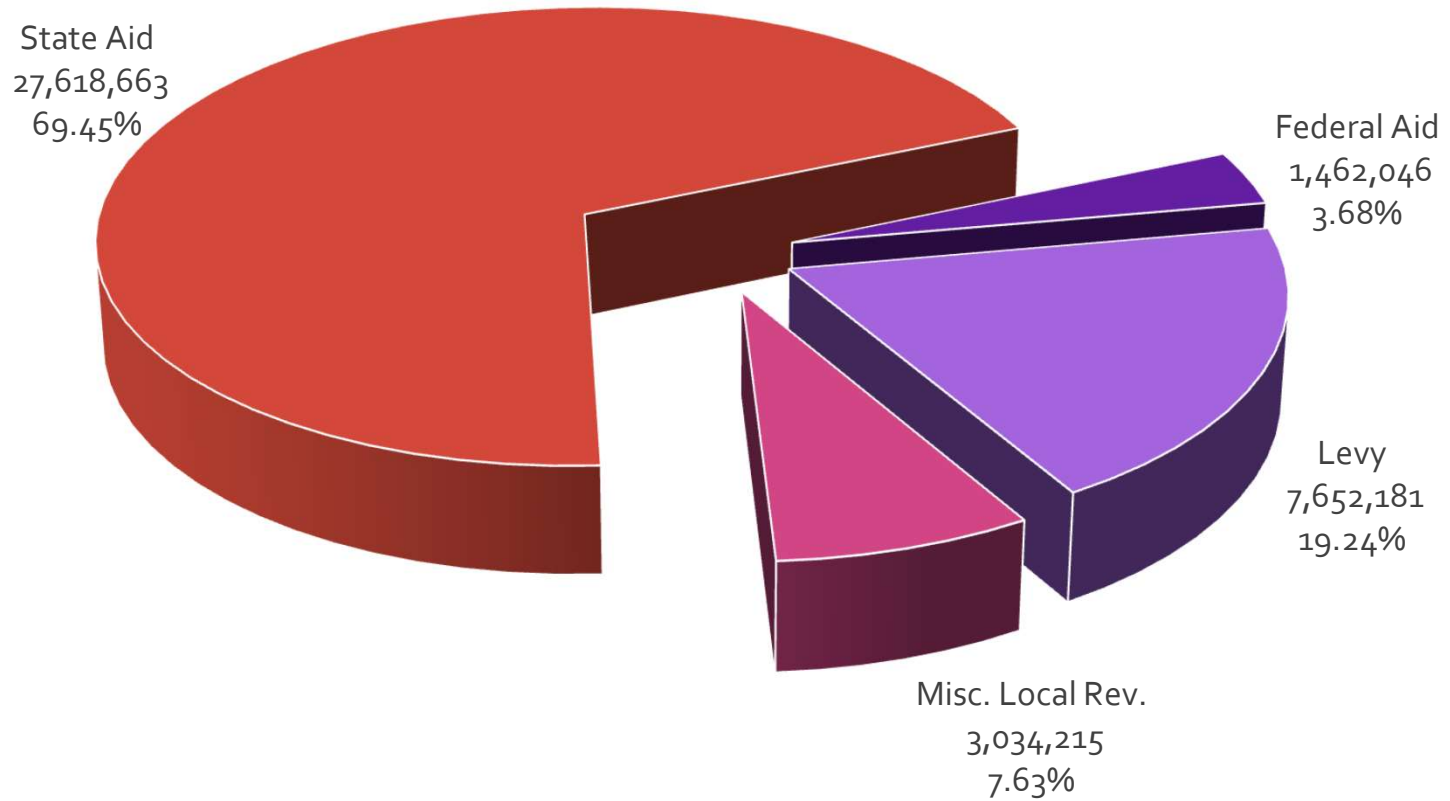
FY25 Budget (without Insurance Fund)

REVENUES						
	GENERAL FUND	FOOD SERVICE FUND	COMM. ED. FUND	DEBT FUND	GIFTS / BEQUESTS	TOTALS
	FUND 01	FUND 02	FUND 04	FUND 07	FUND 08	
Levy	4,081,864	0	118,290	3,452,027	0	\$7,652,181
Misc. Local Rev.	1,326,476	147,439	540,200	1,000,000	20,100	3,034,215
State Aid	26,584,423	833,408	200,832	0	0	27,618,663
Federal Aid	669,382	792,664	0	0	0	1,462,046
Totals	\$32,662,145	\$1,773,511	\$859,322	\$4,452,027	\$20,100	\$39,767,105

EXPENSES						
	GENERAL FUND	FOOD SERVICE FUND	COMM. ED. FUND	DEBT FUND	GIFTS / BEQUESTS	TOTALS
	FUND 01	FUND 02	FUND 04	FUND 07	FUND 08	
Salaries/Benefits	25,226,787	905,919	934,988	0	0	\$27,067,694
Utilities/Travel/Repairs/Consult	5,132,329	81,025	122,103	0	0	5,335,457
Supplies	1,321,501	1,047,660	53,353	0	0	2,422,514
Equipment / Bldg	1,207,655	30,500	2,550	0	0	1,240,705
Debt Service	0	0	0	4,736,286	0	4,736,286
Dues	91,031	3,920	4,133	0	0	99,084
Gifts/Bequests	79,750	0	0	0	22,000	101,750
Totals	\$33,059,053	\$2,069,024	\$1,117,127	\$4,736,286	\$22,000	\$41,003,490

BUDGET BALANCE	(\$396,908)	(\$295,513)	(\$257,805)	(\$284,259)	(\$1,900)	(\$1,236,385)
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FY25 Revenue by Source (all funds)



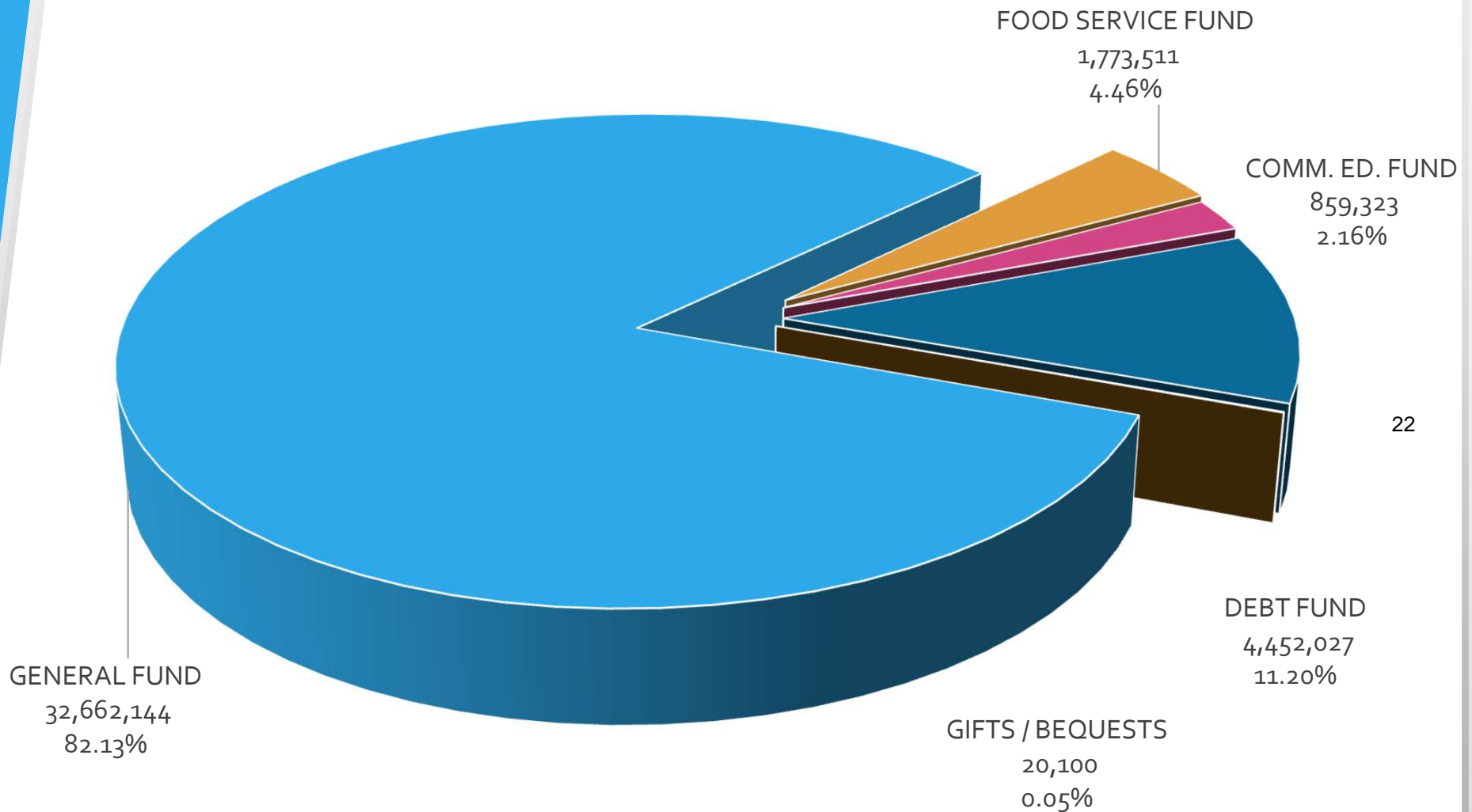
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■ Levy ■ Misc. Local Rev. ■ State Aid ■ Federal Aid

Comparison of Revenue Sources for General Fund

Sources of Revenue – General Fund	SPPS	Statewide Average
State Aid	69%	70%
Federal Sources	4%	9%
Property Taxes/Levy	19%	16%
Other Local Sources	8%	5%

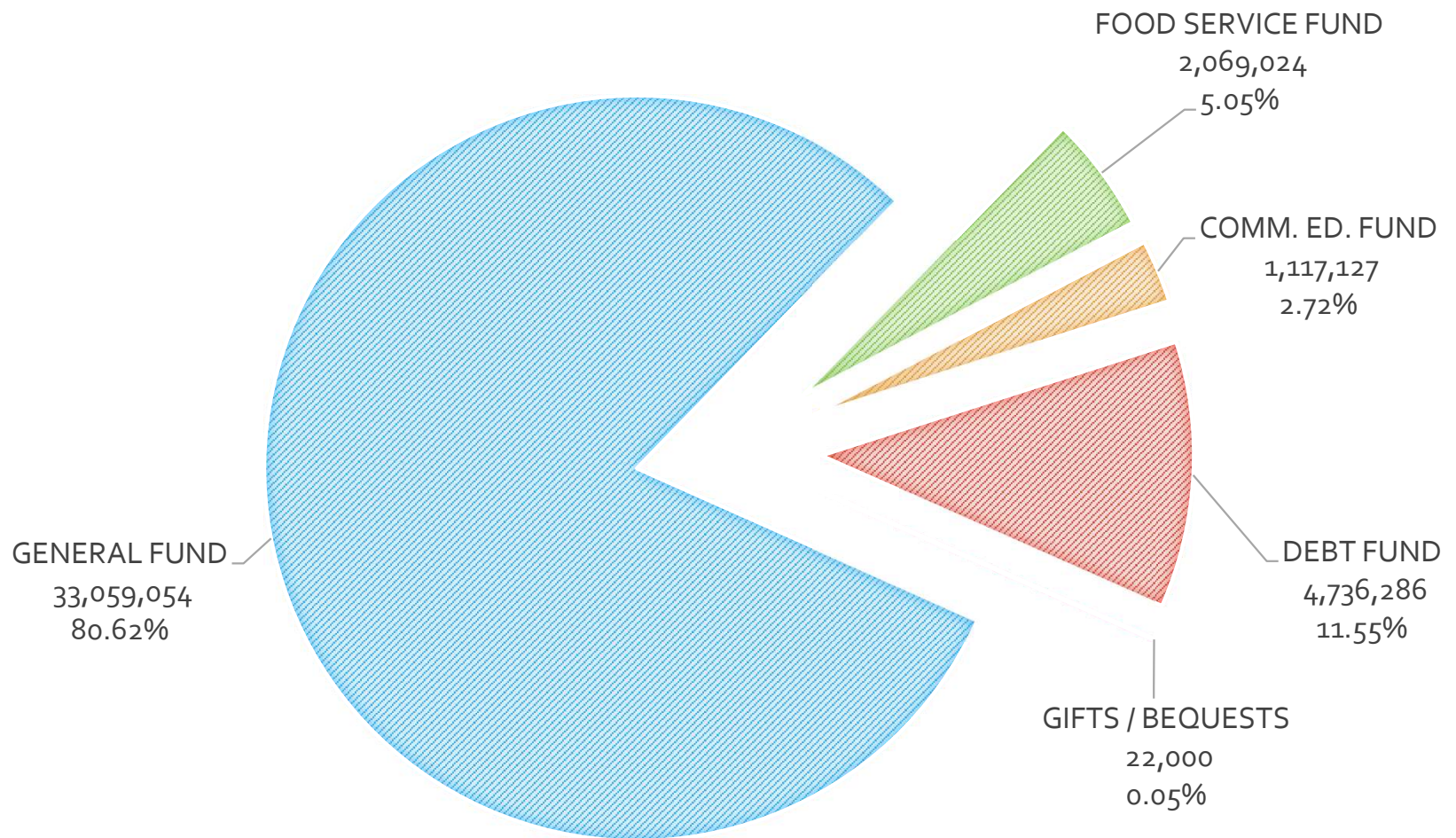
FY25 Revenue by Fund



■ GENERAL FUND ■ FOOD SERVICE FUND ■ COMM. ED. FUND ■ DEBT FUND ■ GIFTS / BEQUESTS

FY25 Expenditures by Fund

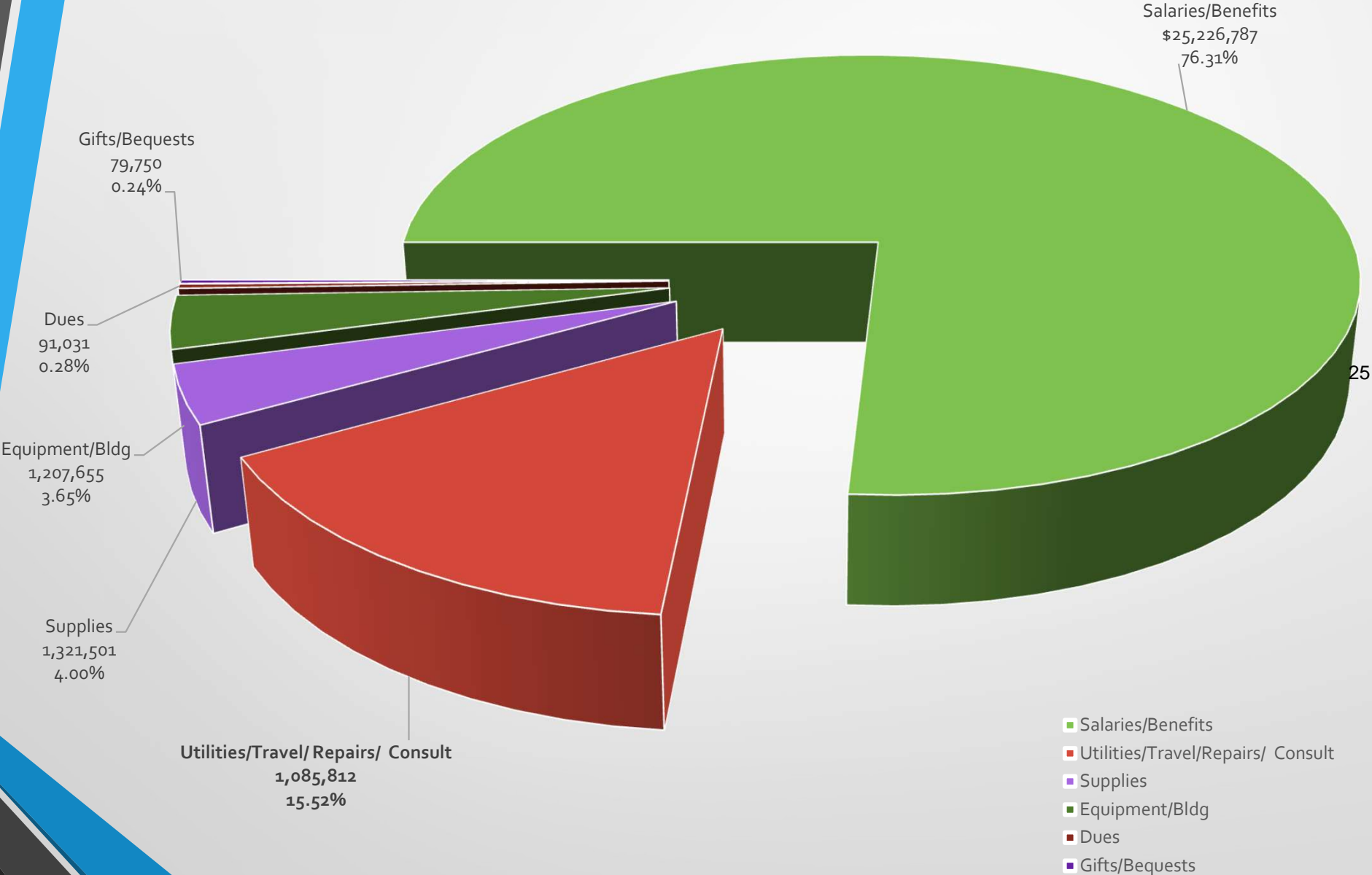
■ GENERAL FUND ■ FOOD SERVICE FUND ■ COMM. ED. FUND ■ DEBT FUND ■ GIFTS / BEQUESTS



FY25 General Fund Expenditures

Expenditures	General Fund Amount	%
Salaries/Benefits	\$25,226,787	76%
Utilities/Travel/Repairs	\$5,132,329	16%
Supplies	\$1,321,501	4%
Equip./Buildings	\$1,207,655	4%
Dues	\$91,031	<1%
Gifts/Bequests	\$79,750	<1%
Total Expenditures	\$33,059,054	

FY25 General Fund Expenditures



FY25 Preliminary, Adopted Budget

	FB 7/1/24	Revenue	Expenses	Man. Adj.	FB 6/30/25	Diff \$	Diff %
General Fund							
General Fund Unassigned							
General Fund, Transportation, OLC	3,504,664.79	27,114,141.84	27,131,084.14	(176,923.26)	3,310,799.23	(193,865.56)	-6%
Concessions	(75,977.70)	15,000.00	14,270.00		(75,247.70)	730.00	-1%
General Fund Unassigned Total	3,428,687.09	27,129,141.84	27,145,354.14	(176,923.26)	3,235,551.53	(193,135.56)	-6%
Prepays/Nonspendable	29,246.88				29,246.88	-	0%
General Fund Restricted							
Achievement & Integration	-	246,469.47	246,469.47		-	-	NA
Area Learning Center (ALC)	-	220,075.00	231,358.00	11,283.00	-	-	NA
Basic Skills/Compensatory	-	1,732,382.64	1,732,382.64		-	-	NA
English Learner	-	201,365.71	491,743.00	290,377.29	-	-	NA
Gifted and Talented	-	28,876.95	28,876.95		-	-	NA
Learning and Development	-	424,604.42	424,604.42		-	-	NA
Literacy Incentive Aid	-	81,737.06	81,737.06		-	-	NA
Medical Assistance	38,597.97	35,000.00	33,780.00		39,817.97	1,220.00	3%
Safe Schools	-	73,684.08	73,684.08		-	-	NA
Scholarships	152,999.43	19,200.00	19,750.00		152,449.43	(550.00)	0%
School Library Aid	-	39,832.61	39,832.61		-	-	NA
Staff Development	-	323,335.23	323,335.23		-	-	NA
Student Activities (S, N, MS, HS)	170,136.95	183,675.00	185,675.00		168,136.95	(2,000.00)	-1%
General Fund Restricted Total	361,734.35	3,610,238.17	3,913,228.46	301,660.29	360,404.35	(1,330.00)	0.02
General Fund Assigned							
AAA	52,528.38	4,100.00	-		56,628.38	4,100.00	8%
Fund the Depreciation	192,955.57	-	-		192,955.57	-	0%
Q Comp	96,950.00	533,174.05	514,702.40		115,421.65	18,471.65	19%
Severance	364,171.00	-	-		364,171.00	-	0%
VEBA Trust	412,000.00	-	-		412,000.00	-	0%
Water Mitigation	124,737.03	-	-	(124,737.03)	-	(124,737.03)	-100%
General Fund Assigned Total	1,243,341.98	537,274.05	514,702.40	(124,737.03)	1,141,176.60	(102,165.38)	(0.73)
Operating Capital Unassigned							
Operating Capital	(64,180.12)	-	-		(64,180.12)	-	0%
Operating Capital Restricted							
Deferred Maintenance/LTFM	49,608.41	853,103.77	893,907.00		8,805.18	(40,803.23)	-82%
Operating Capital	309,140.24	532,386.57	591,862.00		249,664.81	(59,475.43)	-19%
Operating Capital Total	294,568.53	1,385,490.34	1,485,769.00	-	194,289.87	(100,278.66)	(1.01)
General Fund Total	5,357,578.83	32,662,144.40	33,059,054.00	-	4,960,669.23	(396,909.60)	(1.79)
Unassigned General Fund Expenditures	27,145,354.1						
Unassigned General Fund Expenses/Day	74,370.8						
Unassigned General Fund Balance	3,235,551.5						
60 Day Expenditure Target	4,462,249.8						
Estimated Days of Operation	43.5						

FY25 Preliminary, Adopted Budget

Food Service	FB 7/1/24	Revenue	Expenses	Man. Adj.	FB 6/30/25	Diff \$	Diff %
Food Service (Restricted)	886,741.41	1,773,511.00	2,069,024.00		591,228.41	(295,513.00)	-33%
Food Service Total	886,741.41	1,773,511.00	2,069,024.00	-	591,228.41	(295,513.00)	-33%
Community Service							
Community Service Unassigned							
Community Service	(12,735.58)	-	-		(12,735.58)	-	0%
Community Service Restricted							
Community Education	336,978.24	342,903.65	433,572.00		246,309.89	(90,668.35)	-27%
Early Childhood Family Education	(24,132.36)	131,344.51	144,895.00		(37,682.85)	(13,550.49)	56%
School Readiness	(1,091,255.04)	346,675.25	489,149.00		(1,233,728.79)	(142,473.75)	13%
Non-Public	(8,765.98)	38,399.24	49,511.00		(19,877.74)	(11,111.76)	127%
Community Service Total	(799,910.72)	859,322.65	1,117,127.00	-	(1,057,715.07)	(257,804.35)	32%
Debt Redemption							
Debt Redemption	688,379.92	3,452,027.39	3,444,100.00		696,307.31	7,927.39	1%
Bond Refunding	-	-	-		-	-	NA
Debt Redemption Total	688,379.92	3,452,027.39	3,444,100.00	-	696,307.31	7,927.39	1%
Trust Fund/Scholarships							
Scholarships	733,376.72	20,100.00	22,000.00		731,476.72	(1,900.00)	0%
Trust Fund/Scholarships Total	733,376.72	20,100.00	22,000.00	-	731,476.72	(1,900.00)	0%
Insurance Fund							
Dental Reserve	51,417.37	252,025.00	369,600.00		(66,157.63)	(117,575.00)	-229%
Health Reserve	1,219,605.17	4,274,208.00	3,766,931.11		1,726,882.06	507,276.89	42%
Insurance Fund Total	1,271,022.54	4,526,233.00	4,136,531.11		1,660,724.43	389,701.89	31%
District Totals	8,137,188.72	43,293,338.44	43,847,836.11	-	7,582,691.05	(554,497.67)	-7%
Bond Refunding	47,694,982.22	1,000,000.00	1,292,186.00		47,402,796.22		
w/ Bond Refunding	55,832,170.94	44,293,338.44	45,140,022.11		54,985,487.27	(846,683.67)	

FY25 Preliminary, Adopted Budget - Summary

General Fund

	FY25 Preliminary, Adopted Budget					Increase/(Decrease)		
	Fund Bal. 7/1/24	Revenue	Expenses	Man. Adj.	Fund Bal. 6/30/25	Inc/(Dec)	% Change	
General Fund								
General Fund Unassigned	3,428,687.09	27,129,141.84	27,145,354.14	(176,923.26)	3,235,551.53	(193,135.56)	-5.6%	
Prepays/Nonspendable	29,246.88	-	-	-	29,246.88	-	0.0%	
General Fund Restricted	361,734.35	3,610,238.17	3,913,228.46	301,660.29	360,404.35	(1,330.00)	-0.4%	
General Fund Assigned	1,243,341.98	537,274.05	514,702.40	(124,737.03)	1,141,176.60	(102,165.38)	-8.2%	
Operating Capital/LTFM	294,568.53	1,385,490.34	1,485,769.00	-	194,289.87	(100,278.66)	-34.0%	
General Fund Total	5,357,578.83	32,662,144.40	33,059,054.00	-	4,960,669.23	0.00	(396,909.60)	-7.4%

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Food Service, Comm. Ed., Debt Service, Scholarships, Insurance

	FY25 Preliminary, Adopted Budget					Increase/(Decrease)		
	Fund Bal. 7/1/24	Revenue	Expenses	Man. Adj.	Fund Bal. 6/30/25	Inc/(Dec)	% Change	
Food Service	886,741.41	1,773,511.00	2,069,024.00	-	591,228.41	(295,513.00)	-33.3%	
Community Service	(799,910.72)	859,322.65	1,117,127.00	-	(1,057,715.07)	(257,804.35)	32.2%	
Debt Redemption	688,379.92	3,452,027.39	3,444,100.00	-	696,307.31	7,927.39	1.2%	
Trust Fund/Scholarships	733,376.72	20,100.00	22,000.00	-	731,476.72	(1,900.00)	-0.3%	
Insurance Fund	1,271,022.54	4,526,233.00	4,136,531.11	-	1,660,724.43	389,701.89	30.7%	
District Totals	8,137,188.72	43,293,338.44	43,847,836.11	-	7,582,691.05	(0.00)	(554,497.67)	-6.8%
Bond Refunding	47,694,982.22	1,000,000.00	1,292,186.00	-	47,402,796.22	-	(292,186.00)	-0.6%
Total w/ Bond Refunding	55,832,170.94	44,293,338.44	45,140,022.11	-	54,985,487.27	(846,683.67)	(846,683.67)	-1.5%

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Quarterly Fund Balance Tracker – Unassigned General Fund

FY25 Quarterly Fund Balance Tracker

Adjustments Identified in Quarter 2 - October-December

FY25 Beginning Unassigned General Fund Balance	5,092,272
FY25 Budgeted Unassigned General Fund Revenue	27,129,142
FY25 Budgeted Unassigned General Fund Expenses	27,145,354
FY25 Budgeted Unassigned General Fund Transfers	(176,923)
FY25 Budgeted Ending Unassigned General Fund Balance	<u>4,899,137</u>

Unassigned General Fund Changes - Quarter 1

FY25 Budget Adjustment Proposals - Spring 2024 - Actuals Realized	(97,662)
Adjustments due to Supt. Resignation/Interim Supt.	8,631
Shift in Employee Time - Code to Construction Fund	35,257
Changes due to Natural Attrition	162,121
Total Quarter 1 Adjustments	<u>108,347</u>

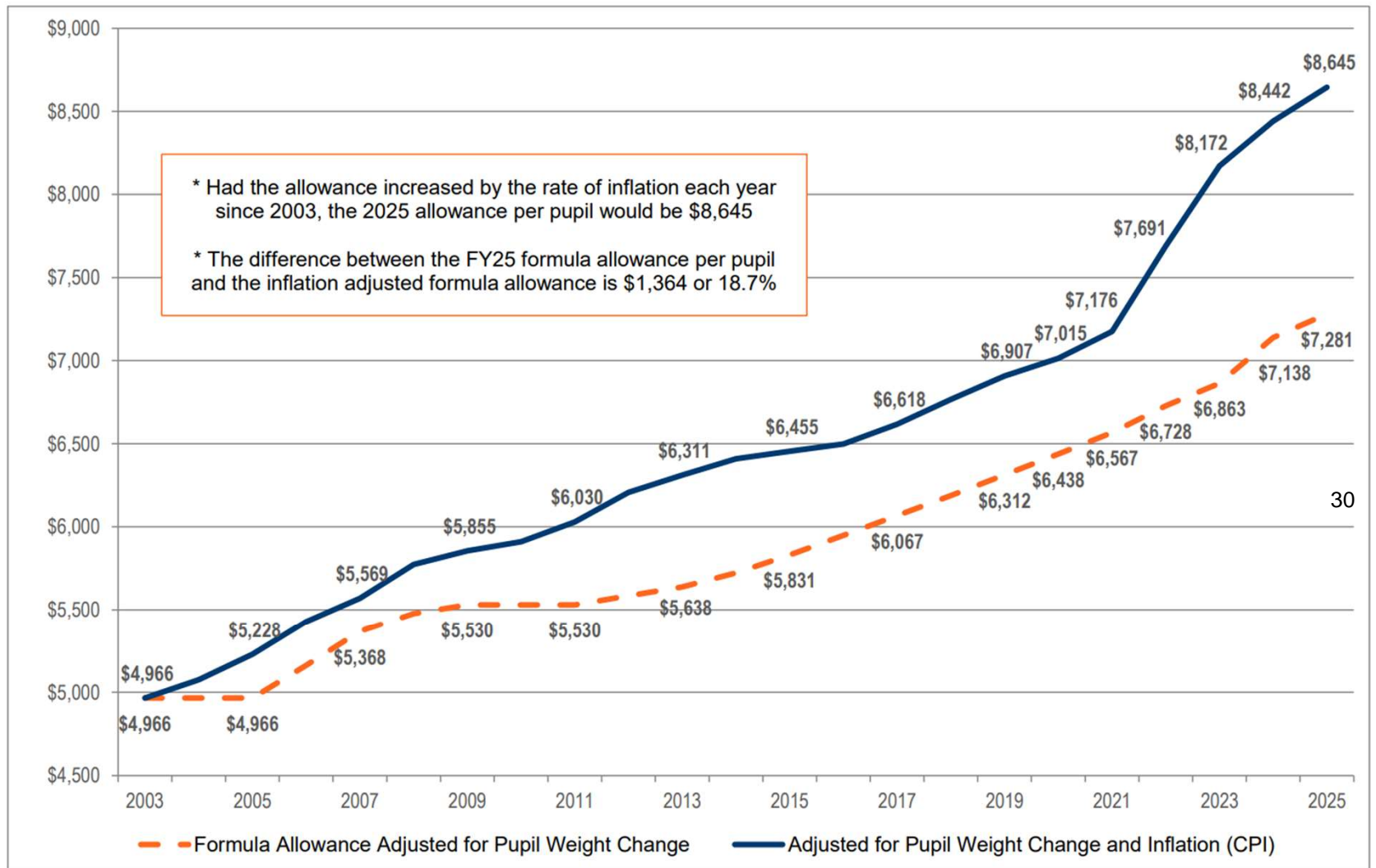
Unassigned General Fund Changes - Quarter 2

Transportation Costs - New Contract	41,742
10/21/24 Enrollment Adjustments - Increase of 67 Students	670,000
Q Comp Shift - Professional Development	7,950
Q Comp Shift - Interventionists	74,703
Nurses' Assistant - North - 2 Days/Week	(8,751)
PT Nurse - North - Increased Hours?	(13,021)
New Leaves Identified	43,553
Temporary District Office Assistant	(1,610)
ELA Curriculum Writing (School Year Catch-Up)	(7,640)
New Curriculum Study Plan	(1,000)
Total Quarter 2 Adjustments	<u>805,925</u>

Adjusted FY25 Anticipated Ending Unassigned General Fund Balance 5,813,408

General Education Formula Allowance, 2003-2025

Adjusted for Pupil Weight Change and Inflation (CPI)



Source: MDE June 2024 Inflation Estimates and Minnesota Laws 2023



Funding will trail inflation by \$1,364 per pupil in FY25.

Based on current enrollment (2,296 WADM), that would equate to \$3,131,744 in additional revenue in FY25 alone.

Local Financial Reminders:

“Mend the Middle” Project Comprised of 3 Financing Components:

\$10,965,000 Voter-Approved School Building Bonds

\$20,840,000 School Board Approved Facilities Maintenance Bonds (Indoor Air Quality “IAQ” Portion)

\$2,485,000 School Board Approved Facilities Maintenance Bonds (Regular Deferred Maintenance Portion)

Successful April 9, 2024 Election

Funded Acquisition and betterment of school sites and facilities

Funded Indoor Air Quality Improvements at Saint Peter Middle School

Funded Costs of Deferred Maintenance Projects District Wide as included in the 10-Year Plan

Yes Votes: 911 or 58.14%
No Votes: 656 or 41.86%

Final Maturity: 2/1/2045

Final Maturity: 2/1/2045

Final Maturity: 2/1/2041

Local Financial Reminders

G.O. School Building Refunding Bonds, Series 2022A

- The bonds were issued in March of 2022 and advance refunded the Series 2015A G.O. School Building Bonds
- Refunding provided **\$8,027,887.19** in gross savings for the district
- Refunding also shortened the final maturity two years (2/1/2039 vs. 2/1/2041)

November 2, 2021 Operating Levy Referendum

- Voters approved the Question by a margin of 1,604 votes in favor (56.127%) and 1,254 votes opposed (43.88%)
- Increased general education revenue by \$410 per APU, commencing in taxes payable 2022 for 10 years
- Last year of collections is taxes payable 2031 / Fiscal Year 2032
- This authority generated \$910,528 in revenue for taxes payable 2025

32

March 10, 2015 Bond Referendum

- Voters approved the Question by a margin of 2,226 votes in favor (56.73%) and 1,698 votes opposed (43.27%)
- District sold \$55,325,000 G.O. School Building Bonds, Series 2015A in July of 2015
- Total Project Proceeds: \$57,073,352.27
- Final Maturity: 2/1/2041



Questions or comments?

33

Contact Information:
Megan Gracia
District Office
100 Lincoln Drive #229
St. Peter, MN 56082
507-934-5703



ADDENDUM

REGULAR BOARD MEETING Monday, December 16, 2024 SPCC-Governor's Room 6:30PM

V. CONSENT AGENDA

1. Approval of the Regular Board Meeting minutes of November 18, 2024.
2. Approval of the Special Board Meeting minutes of December 2, 2024.
3. Approval of Bills and Wire Transfers (\$3,468,524.57) for November 2024.
4. Personnel
 - a. The acceptance of the resignation of Mary Smith, a High School Food Service staff member, effective August 26, 2024.
 - b. The acceptance of the resignation of Alicia Hernandez, a Saints Overtime Assistant with Saint Peter Community & Family Education, effective November 19, 2024.
 - c. The acceptance of the resignation of Natalie Hansson, a Saints Overtime Assistant with Saint Peter Community & Family Education, effective December 9, 2024.
 - d. The acceptance of the resignation of Hannah Johnson, a Special Education Paraprofessional at South Elementary, effective December 18, 2024.
 - e. The acceptance of the resignation of Olivia Nguyen, a Housekeeper at MVED, effective December 22, 2024.
 - f. The approval of the hiring of Ellen Fischenich, as a Special Education Paraprofessional at South Elementary, effective upon the completion of her onboarding paperwork.
 - g. The approval of the hiring of Lauren Warmka, as the Assistant Middle School Play Director, effective for the 2024-2025 school year.
 - h. The approval of the hiring of Kendra Skorr, as a Saints Overtime Assistant with Saint Peter Community & Family Education, effective for the 2024-2025 school year.

- i. The approval of the hiring of Vivian Hendrickson, as a High School Lifeguard, effective for the 2024-2025 school year.
- j. The approval of the hiring of a Long-Term Substitute Teacher, Korrina Haack, for Christi Maloney at South Elementary. This position will begin on November 25, 2024, and will end on December 20, 2024.
- k. The approval of the hiring of a .17 Temporary ELL Teacher at Oshawa/Hoffmann, Rachel Ryan, effective December 10, 2024, through January 10, 2025.
- l. The approval of the adjustment to the FMLA request for Heather Kusler, North Elementary Principal's Secretary, due to the early delivery of her baby. The effective dates of her leave will be November 20, 2024, through February 21, 2025. The initial dates of her leave request were December 6, 2024, through March 10, 2025.
- m. The approval of the unpaid leave of absence request for South Elementary Paraprofessional, Korrina Haack. The leave will take place from November 25, 2024, through December 2024. Korrina will return to her part-time paraprofessional position after winter break.
- n. The approval of the unpaid leave of absence request for South Elementary Paraprofessional, Mallory Hartfiel. Mallory will be participating in an educational internship experience from January 6, 2025, through February 28, 2025.
- o. The approval of the FMLA maternity leave request for Kaylen Haack, Principal's Secretary at Saint Peter Middle School, effective February 4, 2025, through April 30, 2025.
- p. The approval of the FMLA leave request for Megan Gracia, District Office Business Manager, from February 18, 2025, through February 28, 2025, with an anticipated return date of March 3, 2025.
- q. The approval of the return of Tom Leonhardt, High School Paraprofessional, from his student teaching leave of absence. Tom's return is effective December 13, 2024.
- r. The approval of overload pay for Christi Maloney due to her assistance in covering the family leave of a DAPE service provider at South Elementary. Christi will be compensated at the rate of \$44 per hour for

the additional 4.25 hours documented during quarter one (August 28, 2024-October 31, 2024).

- s. The approval of overload pay for Khamprasong Chantharak, a Special Education Teacher at Saint Peter High School, who began an overload assignment on November 18, 2024. This overload assignment will remain in effect until further notice.
- t. The approval of overload pay for Jen Koehler, a Special Education Teacher at Saint Peter High School, who began an overload assignment on November 18, 2024. This overload assignment will remain in effect until further notice.
- u. The approval of Intermittent Overload Pay for Jose Carreno, an ELL Long-Term Substitute, who provided ELL services for a student at Oshawa. Jose missed his prep period on several occasions to provide services and should be compensated for the ten hours of missed preparatory time between October 30, 2024, and November 27, 2024.
- v. The approval of a change in pay rate (shift differential) for Joseph Delecruz, a Middle School Custodian, due to his hours of work shifting to 3:00 pm to 11:30 pm. This change is effective December 9, 2024.

Minutes of Regular Board Meeting

The School Board Saint Peter Public Schools

Members Present: Rita Rassbach, Ken Rossow, Tracy Stuewe, Charlie Potts, Bill Kautt and Kate Martens

Members Absent: Drew Dixon

Principals: Jana Sykora, Darin Doherty, Jon Graff and Annette Engeldinger

Administrative Team Members: Superintendent Jeff Olson, Set Putz and Tami Skinner

Others Present: Administrative Assistant Kimberley Deming and members of the public.

A Regular Board Meeting of the School Board of Saint Peter Public Schools was held Monday, November 18, 2024, beginning at 6:30 PM in the SPCC-Governor's Room.

- I. **Call Meeting to Order** – 6:32 PM (Potts)
- II. **Pledge of Allegiance**
- III. **Consideration and Adoption of the Agenda** - (Kautt/Rassbach, unanimous)
- IV. **Consider Requests to Speak on the Agenda** – None
- V. **Approval of Consent Agenda Items** - (Rossow/Martens, unanimous)

1. Approval of the Regular Board Meeting Minutes of October 21, 2024.
2. Approval of Bills and Wire Transfers (\$3,611,397.85) for October 2024.
3. Personnel –
 - a. The acceptance of the resignation of Miranda Provo.
 - b. The acceptance of the self-termination of Molly Moller.
 - c. The acceptance of the resignation of Will Bennett.
 - d. The approval of the hiring of Keona Sisler.
 - e. The approval of the hiring of Marcia Wenner.
 - f. The approval of the hiring of Sidney Arroyo.
 - g. The approval of the hiring of Deanna Dunphy.
 - h. The approval of the hiring of Alexis Loomer.
 - i. The approval of the hiring of Katherine Rieck.
 - j. The approval of the hiring of Abby Alderman.
 - k. The approval of the hiring of Paige Gerards.
 - l. The approval of the hiring of Gina Wegner.
 - m. The approval of the Family Medical Leave request for Kelly Jensen.
 - n. The approval of the Family Medical Leave request for Erin Domras.
 - o. The approval of the Family Medical Leave extension for Lisa Enz.
 - p. The approval of the Family Medical Leave request for Paul Johnson.

- q. The approval of the Family Medical Leave request for Debra Schultz.
- r. The approval of the Family Medical Leave request for Christi Maloney.
- s. The approval of overload pay for the following North Elementary staff: Kent Bass, Mandy Kennedy, Alex Noble, Breanna Landsteiner, Scott (John) Robinson, Kari Malz, Niki Zitur and Jennie Friedrich.

VI. Student Spotlight

Helen Rutledge, a first grader at South Elementary, was chosen as a Student Spotlight because she's an outstanding student who takes responsibility for her learning, is great at working independently, has a strong work ethic and always delivers her best! She's patient and very focused on doing her best work on every task!

Daleyza Juantos, a first grader at South Elementary, was chosen as a Student Spotlight because she is a hard worker who does her best on everything, is a kind student who helps people when in need and she is a great learner!

Student Council Report - No Student Council report was presented

VII. Action Items

1. *Consider Acceptance of Gifts, Donations and Grants - (Kautt/Stuewe, unanimous)*

A \$200 donation towards the Emily Kracht Scholarship Fund was made by Paul and Avis McDaniel & Paul and Diane Huso. A \$750 donation was given to Saint Peter Community & Family Education by the Govenaires Performing Arts Association. A \$7,725.11 donation from the St. Peter Booster Club was received. The donations made by the SPSHS classes of 2021 and 2023 were pulled from the agenda and further attempts will be made to contact the class officers.

2. *Declaration of Obsolete or Outdated Equipment - (Martens/Stuewe, unanimous)*

Approval was given for the school district to dispose of the equipment as presented during the meeting as it is no longer in use by district buildings.

3. *Consider Approval of the World's Best Workforce (WBWF) and Comprehensive Achievement and Civic Readiness (CACR) Reports - (Stuewe/Rossow, unanimous)*

High School Principal, Annette Engeldinger, provided the School Board with a summary of the five educational areas outlined in the WBWF 2023-2024 Plan. These areas include School Readiness, 3rd Grade Literacy, Closing the Achievement Gap, Career and College Readiness for All and High School Graduation. Ms. Engeldinger indicated that Preparing Students to be Life-Long Learners will replace 3rd Grade Literacy for the 2024-2025 school year. Principal Engeldinger stated that the Minnesota Legislature has renamed the WBWF to Comprehensive Achievement and Civic Readiness (CACR).

4. *Consider Approval of a Second/Final Reading of Revisions to the Policy Manual - (Martens/Kautt, unanimous)*

School Board Chair, Charlie Potts, stated that Policy 522 - Title IX Sex Discrimination Policy, Grievance Procedure and Process has been reviewed by the Policy Committee and is being presented for acceptance after a second/final reading.

5. *Consider Policies with Legislative Requirements for Approval with One Reading - (Martens/Kautt, unanimous)*

School Board Chair, Charlie Potts, stated that Policy 507 - Corporal Punishment and Prone Restraint has been reviewed by the Policy Committee and due to statutory changes, is being presented for acceptance after a single reading.

VIII. **Information Items**

1. *Community and Family Education Report and Update*

Community Education Director, Tami Skinner, provided an annual update on the Community and Family Education Program. She stated that Community Education is designed to meet the needs of the community and that the programs and services are driven by community needs and interests.

2. *Quarterly Fund Balance Tracker*

Superintendent Jeff Olson discussed the details of the Quarterly Fund Balance Tracker for the timeframe of October-December. He stated that this document is shared with the School Board every three months, is covered on a monthly basis with the Business Committee and discussed daily within the Business Office.

3. *Review of Policy Manual Revisions*

Superintendent Jeff Olson shared that Policy 416 - Drug, Alcohol and Cannabis Testing and Policy 418 - Drug-Free Workplace / Drug-Free School, were being presented for a first reading. Due to the need for significant changes to both of these policies, it is being recommended that the district adopts new policies that reflect MSBA Model Policy language.

4. *Review of the development of a Saint Peter School Board Legislative Platform*

School Board Members discussed their desire to develop a Legislative Platform. This platform would provide an opportunity for Board Members to clearly communicate the district's needs to locally elected State Representatives and the State Senator. Due to the interest by School Board Members, this will be placed as an Action Item on the December 16, 2024 School Board Meeting Agenda.

5. Update on 2025-2026 School District Calendar

Superintendent Olson informed the School Board that the 2025-2026 District Calendar has been updated to include the first day of school for K-8 and Rock Bend; and K-12, Rock Bend and Oshawa Parent/Teacher Conferences. Dr. Olson stated that the updated calendar will be placed on the website and shared with other educational entities in the district.

IX. Reports

1. Building Principals

South Elementary

- Conferences took place in November and there was great participation from families.
- South Elementary is focusing on gratitude with their SEL curriculum.
- Community Education Appreciation Day was November 14th.
- National School Psychology week was November 11th-15th.
- National Substitute Appreciation Day is November 22nd .
- South staff and students celebrated World Kindness Day.
- Lots of family projects are being completed (i.e. pumpkin and turkey projects) and it's fun to see families and students working together to complete them.
- Art & Stem are collaborating with a project called Balloons Over Broadway which is about the first puppeteer for the Macy's Thanksgiving Day Parade. Students are designing and engineering balloons and will be doing a parade at South.

North Elementary

- North students will be presenting their first ever fall play, The Reluctant Dragon.
- Continental Math is an enrichment math program for 2nd, 3rd and 4th graders that takes place after school. Approximately 50-60 students are involved.
- The Annual North's Clothes Closet event is taking place on November 22nd.
- North Elementary is focusing on gratitude. Students, staff and parents are writing thank you notes to each other and they are being displayed around the building.
- Turkey BINGO will take place on November 27th.

Saint Peter Middle School

- Six graders took part in BIZTown interviews on Wednesday, November 13th.
- The Student Council hosted a Fall Dance on Friday, November 15th.
- Representatives from the High School Musical, The Addams Family, will give a preview to students and staff during an assembly on November 19th.
- The November Early Release is on Friday, November 22nd. Teachers will spend time talking about writing opportunities and writing strategies.
- The SPMS Choir Concert is December 3rd.
- The SPMS Band Concert is December 16th.

High School

- The High School hosted a Veterans Day Program on November 11th. The students responded well to the guest speaker and Ms. Engeldinger always enjoys putting on this great event for our Vets.
- The High School Musical, The Addams Family, will be presented on November 21st, 22nd, 23rd and 24th!

1. *Superintendent of Schools -*

- a. Superintendent Olson stated that the Bid Opening Date for the Mend the Middle Project has changed from Thursday, November 21st to Tuesday, November 26th at 3:30 pm as requested by ICS.
- b. The Bi-Monthly Update includes an updated Strategic Plan for 2024-2025.
- c. Dr. Olson mentioned that the district has received some great media coverage regarding the building trades program, ag program and choral and performing arts programs at the high school and he is proud of the things that are going on in all of our buildings within the district!

2. *Board Members - Around the Table*

Rita Rassbach – is excited to see the productions of The Addams Family and the Reluctant Dragon. Ms. Rassbach thanked Mr. Doherty and North Elementary staff for supporting Quinn’s “idea” of the North’s Clothes Closet.

Ken Rossow – is very grateful for all that’s going on in our district!

Tracy Stuewe – none

Charlie Potts - reminded the School Board of the December 2nd Special School Board Meeting that will be held at 6pm in the Middle School Media Center.

Bill Kautt – in the spirit of gratitude he thanked Ms. Engeldinger for hosting the Veterans Day Program. Mr. Kautt was impressed with how students engaged with the guest speaker. Bill mentioned that he, Kate and Rita will be taking part in the Delegate Assembly in December.

Kate Martens – stated that she has such gratitude for our community, school system and what Community Education provides!

3. *Board Committee Updates*

- a. Education Committee - discussed Flexible Learning Day Plans.
- b. Business Committee - focused on the budget and Quarterly Tracker.
- c. Policy Committee - suggested that if people have comments about policies being reviewed, please reach out to the Policy Committee.
- d. HR Committee - no news

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

Special School Board Meeting
Monday, December 2, 2024
6:00 PM
Middle School Media Center

Business Committee Meeting
Wednesday, December 11, 2024
10:00 AM
DO

Policy Committee Meeting
Wednesday, December 11, 2024
4:00 PM
DO

Education Committee Meeting
Thursday, December 12, 2024
1:00 PM
DO

Regular Board Meeting
Monday, December 16, 2024
6:30 PM
SPCC-Governor's Room

XI. **Adjournment** – 8:00 PM (Stuewe/Kautt, unanimous)

Dated: December 16, 2024

Kate Martens, Board Clerk

Minutes of Special Board Meeting

The School Board Saint Peter Public Schools

Members Present: Rita Rassbach, Ken Rossow, Tracy Stuewe, Charlie Potts, Bill Kautt, Drew Dixon and Kate Martens

Members Absent: None

Principals: Jon Graff

Administrative Team Members: Superintendent Jeff Olson and Seth Putz

Others Present: Administrative Assistant Kimberley Deming

A Special Board Meeting of the School Board of Saint Peter Public Schools was held Monday, December 2, 2024, beginning at 6:00 PM in the SPMS-Media Center.

- I. **Call Meeting to Order** - 6:03 PM (Potts)
- II. **Pledge of Allegiance**
- III. **Consideration and Adoption of the Agenda** - (Dixon/Kautt, unanimous)
- IV. **Consider Requests to Speak on the Agenda** - None

V. **Action Items -**

1. *Consider Awarding Bids for Middle School Construction Project*

Superintendent Jeff Olson recommended that the School Board Members review and award the Mend the Middle General Construction Base Bids for Work Scope 1 (General Construction), Work Scope 2 (Fire Suppression), Work Scope 3 (Mechanical) and Work Scope 4 (Electrical). The School Board also discussed Alternate Bid 1 (demo of existing chimney) and Alternate Bid 2 (construction of new south elevator hoistway).

School Board Member Bill Kautt made a motion, seconded by Board Member Kate Martens, to approve the Base Bids for all four Work Scopes. The motion was carried unanimously.

The pros and cons of Alternate 1, demo of the existing chimney, were discussed. The School Board determined they would consider a decision regarding Alternate 2, construction of the new south elevator hoistway, at the regular School Board Meeting on December 16, 2024.

VI. Information Items –

1. *Presentation of Superintendent Search Services*

Presentations of Superintendent Search Services were provided by South Central Service Cooperative and the Minnesota School Boards Association.

VII. Reports

1. *Superintendent Search Process*

After further discussion, School Board Member Ken Rossow made a motion, seconded by Board Member Rita Rassbach, to select the Minnesota School Boards Association to assist Saint Peter Public Schools with the Superintendent Search Process. The motion was carried unanimously, with the exception of Board Member Bill Kautt abstaining from the vote due to being a former MSBA employee.

2. *MSBA Delegate Assembly*

Three School Board Members, Bill Kautt, Rita Rassbach and Kate Martens will be attending the MSBA Delegate Assembly on Friday, December 6th and Saturday, December 7th. Board Member Kautt, was looking for input from the School Board in relation to a discussion he would like to have while at the Delegate Assembly regarding the District's School Readiness Programs having been unable to receive grant assistance from the State.

VIII. Upcoming Meetings of the School Board

Business Committee Meeting
Wednesday, December 11, 2024
10:00 AM
DO

Policy Committee Meeting
Wednesday, December 11, 2024
4:00 PM
DO

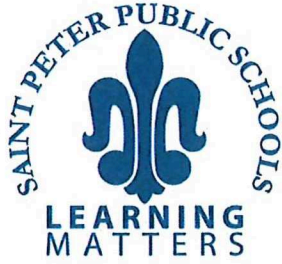
Education Committee Meeting
Thursday, December 12, 2024
1:00 PM
DO

Regular Board Meeting
Monday, December 16, 2024
6:30 PM
SPCC-Governor's Room

IX. **Adjournment** – 8:20 PM (Kautt/Stuewe, unanimous)

Dated: December 16, 2024

Kate Martens, Board Clerk



DISTRICT OFFICE
100 Lincoln Drive, Suite 229
Saint Peter, MN 56082-1351
507-934-5703 (Office)
507-934-2805 (Fax)
www.stpeterschools.org

Date: 12/6/2024

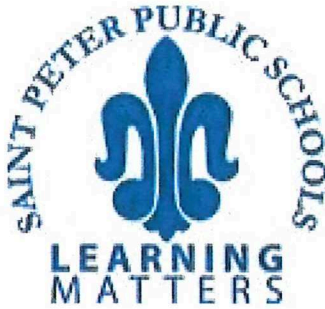
To: Dr. Jeff Olson - Superintendent

From: Bee Ong - Finance Accountant

Re: **Monthly Board Bills, Payroll &
Student Activity Amounts:**

Nov 2024 - Business Office checks	\$1,114,762.96
Nov 2024 - Business Office wire payments	\$1,225,657.98
Nov 2024 - Payroll	\$1,087,204.47
Nov 2024 - Student Activity	\$40,899.16
	<hr/> <hr/>
	\$3,468,524.57

St. Peter Public Schools	Nov-24	
Outgoing Wire Payments		
MSDLAF to USBank (Feb/Aug bond pymt)		
BCBS - medicare health	11/21/2024	1,239.00
BCBS - medicare health	11/21/2024	13,168.00
Medicare Blue RX	11/1/2024	9,612.00
Life	11/1/2024	2,982.37
LTD	11/8/2024	4,152.33
FNB BO to VISA	Nov	19,248.27
Wire of federal payroll taxes	11/1/2024	180,979.77
Wire of federal payroll taxes	11/15/2024	174,233.85
Wire of federal payroll taxes	11/29/2024	174,738.95
Wire of state payroll taxes	11/1/2024	30,746.74
Wire of state payroll taxes	11/18/2024	29,601.03
PERA payments	11/7/2024	26,761.66
PERA payments	11/22/2024	26,066.67
TRA payments	11/7/2024	97,348.91
TRA payments	11/22/2024	94,755.31
Horace Mann	11/8/2024	1,735.00
Horace Mann	11/25/2024	1,735.00
Ameriprise/NBSGroup Bill	11/8/2024	2,275.00
Ameriprise/NBSGroup Bill	11/25/2024	2,275.00
Colonial Life	11/13/2024	13,537.52
HomeTown - Dental direct debits	11/4/2024	4,599.50
HomeTown - Dental direct debits	11/12/2024	5,489.34
HomeTown - Dental direct debits	11/18/2024	2,978.84
HomeTown - Dental direct debits	11/21/2024	1,808.40
HomeTown - Dental direct debits	11/25/2024	3,274.09
HomeTown - Dental direct debits		
HomeTown - BCBS debits	11/7/2024	154,712.02
HomeTown - BCBS debits	11/14/2024	31,784.86
HomeTown - BCBS debits	11/21/2024	30,755.63
HomeTown - BCBS debits	11/29/2024	48,492.94
HomeTown - BCBS debits		
FNB HSA/VEBA-Medsurety/Matrix Trust	Nov	34,569.98
	Total Outgoing Wire Payments	1,225,657.98



MEMO TO: Members of the School Board
Dr. Olson

FROM: Emily Craig

DATE: 11/20/2024

SUBJECT: Food Service resignation

Mary Smith is resigning from her High school food service position. Her resignation will take effect August 26, 2024

We wish her all the best, this should not affect her future employment.

CC: Mary Smith



MEMO TO: Dr. Olson
School Board

FROM: Tami Skinner
Community & Family Education
Director

DATE: November 27, 2024

SUBJECT: End of Employment Saints
Overtime Assistant

I am writing to recommend that you accept Alicia Hernandez's resignation from her position as a Saints Overtime Assistant. Her last day of employment was November 19, 2024. Alicia will continue to work in the food service department. We thank Alicia for her work with the children in the Saints Overtime program and wish her well.

Thank you, and please let me know if you have any questions.

CC: Alicia Hernandez



MEMO TO: Dr. Olson
School Board

FROM: Tami Skinner
Community & Family Education
Director

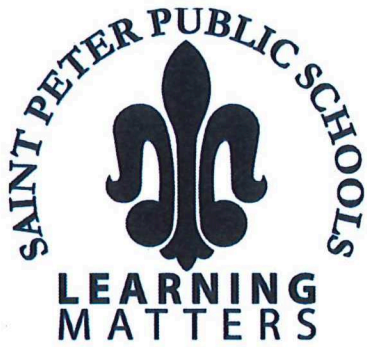
DATE: November 22, 2024

SUBJECT: End of Employment Saints
Overtime Assistant

I am writing to recommend that you accept Natalie Hansson's resignation from her position as a Saints Overtime Assistant. Her last day of employment will be December 9, 2024. We thank Natalie for her work and wish her well on her next employment adventure.

Thank you, and please let me know if you have any questions.

CC: Natalie Hansson



MEMO TO: Dr. Jeff Olson, Superintendent
School Board

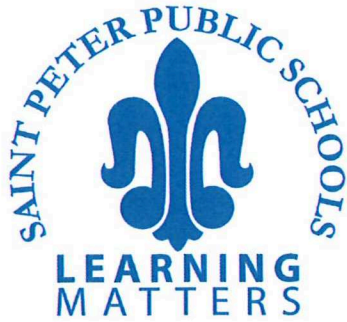
FROM: Jana Sykora, South Elementary Principal

DATE: December 4, 2024

SUBJECT: Resignation

Please accept the resignation of South Elementary special education paraprofessional Hannah Johnson. Hannah has done an excellent job in our special education department, and we wish her the very best as she pursues her next professional opportunity! Her last day will be December 18, 2024.

Cc: Hannah Johnson
Grp_hire_para



December 09, 2024

To: Jeff Olson

From: Seth Putz
Operations and Maintenance Supervisor

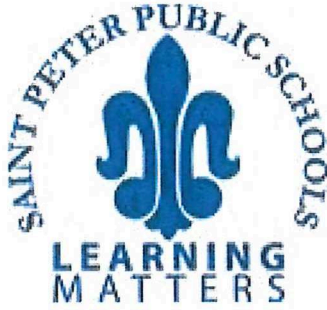
RE: Resignation

Olivia Nguyen has submitted her letter of resignation as Housekeeper at the MVED Building. Olivia's last day of work will be December 22nd, 2024.

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: Allison Alhmann

Sara Kral



MEMO TO: Dr. Olson, Superintendent
School Board

FROM: Jana Sykora

DATE: December 2, 2024

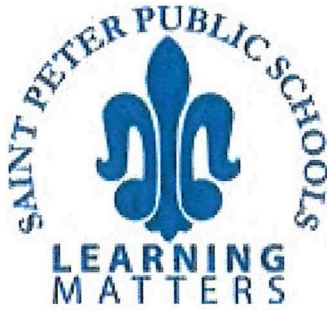
SUBJECT: Special Education Para Hire

Applications were received and interviews were conducted for a South Elementary Special Education paraprofessional position. This is a replacement position due to two paraprofessionals reducing hours. I am pleased to recommend Ellen (Ellie) Fischenich for the position.

EMPLOYEE SUMMARY

- **Ellen Fischenich**
 - Start Date: TBD - as soon as paperwork is complete
 - STEP 1B: \$16.95
 - 6.75 hours daily 7:40 am - 2:55 pm

CC: Ellen Fischenich
grp_hire_para



MEMO TO: Members of the School Board
Superintendent Olson

FROM: Shea Roehrkasse, Activities
Director

DATE: Monday, December 2nd, 2024

SUBJECT: Asst. MS Play Director

I am pleased to recommend Lauren Warmka for the position of Assistant Middle School Play Director for the 2024-2025 school year.

NEW EMPLOYEE SUMMARY

- **Lauren Warmka**
 - \$735
 - Replacement Position

Thank you for your consideration.

CC: Lauren Warmka
grp_hire_certified



**TO: Dr. Jeff Olson, Interim
Superintendent,
School Board Members**

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

SUBJECT: Saints Overtime Staff

DATE: December 3, 2024

I am pleased to recommend hiring Kendra Skorr, a South Elementary Para, as a Saints Overtime Assistant. She will receive her hourly para rate and will submit hours electronically.

NEW EMPLOYEE SUMMARY

- **Kendra Skorr**
- Rate of pay - current para rate
- Part-time hours are to be submitted electronically
- 2024-25 School Year and Summer 2025
- This is a replacement position.

Thank you for your consideration.

CC: Kendra Skorr



TO: Dr. Jeff Olson, Interim
Superintendent

FROM: Tami Skinner, Community &
Family Education Director

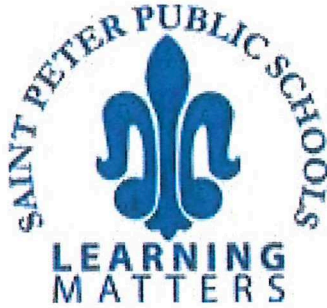
SUBJECT: High School Aquatics Staff

DATE: Nov. 25, 2024

Applications were received, and interviews took place for a High School Lifeguard. I am pleased to recommend hiring Vivian Hendrickson.

NEW EMPLOYEE SUMMARY

- **Vivian Hendrickson**
- \$14.25 per hour - Lifeguard
- Schedule based on weekly program needs
- Hours submitted on a timesheet
- 2024-25 School Year



MEMO TO: Dr. Jeff Olson, Superintendent
School Board

FROM: Jana Sykora

DATE: November 21, 2004

SUBJECT: South Elementary Long-Term
Substitute Teacher

I recommend the board approve the hiring of Korrina Haack as a substitute teacher for Christi Maloney's family/medical leave. Korrina has a short-call substitute teacher license as well as a tier-three teaching license in K-6 elementary education.

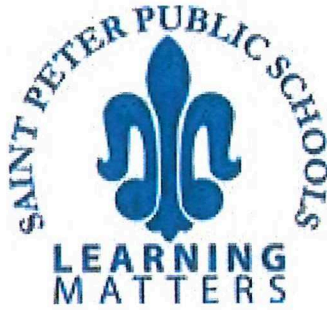
Korrina has served as a short-call substitute teacher in Mrs. Maloney's class a handful of times throughout the school year and does an excellent job. We are so happy to have her filling in.

Korrina will resume her position as a part-time paraprofessional at South Elementary after Mrs. Maloney's return, Jan. 6, 2025.

EMPLOYEE SUMMARY

- **Korrina Haack**
 - Long-Term Substitute, South Elementary
 - Daily substitute rate \$180/day (assignment is 17 days)
 - *Korrina has committed to another sub position on Nov. 27, and we have found alternate coverage this day.*
 - Start Date: November 25, 2024
 - Last Day: December 20, 2024

CC: Korrina Haack
grp_hire_Certified



MEMO TO: Members of the School Board
Dr. Jeff Olson

FROM: Jana Sykora

DATE: December 5, 2024

SUBJECT: Oshawa ELL

Applications were received and interviews took place for a .17 Temporary ELL position at Oshawa/Hoffmann. I am pleased to recommend Rachel Ryan for the position. This is a replacement based on the recent departure of long-term sub Jose Carreno. Her end date, Jan. 10 2025, coincides with the student's tentative discharge date.

Start Date: Tuesday, Dec. 10, 2024 - January 10, 2025

- Unable to work Dec. 19 and 20
- Working 12 days

NEW EMPLOYEE SUMMARY

- **Rachel Ryan**
 - .17 FTE
 - Compensation based on teacher contract
 - BA Step 4
 - Start Date: December 10, 2025

Please provide Rachel with a district laptop and access to the HLC printer. We were able to give Rachel a key from our office sub keys.

CC: Rachel Ryan
grp_hire_certified



MEMO TO: Dr. Jeff Olson
District 508 School Board

FROM: Darin Doherty, Principal
North Elementary School

DATE: August 30, 2024, 2024

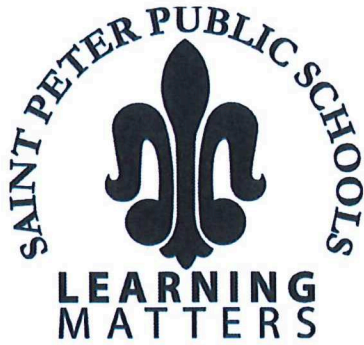
SUBJECT: FMLA

I am writing to formally recommend that Heather Kusler's request for Family and Medical Leave Act (FMLA) leave from November 20, 2024, through February 21, 2025, due to the birth of her first child, be approved. (These dates have been adjusted to reflect the earlier delivery date of Heather's baby. The initial dates of her leave were December 6, 2024, through March 10, 2025)

During her absence, I plan to post for a long-term substitute office support to ensure a smooth and continuous experience for North students, families, and staff.

If you have questions, please contact me.

CC: Heather Kusler <hkusler@stpeterschools.org>
grp_hire_office@stpeterschools.org



MEMO TO: Dr. Jeff Olson, Superintendent
School Board

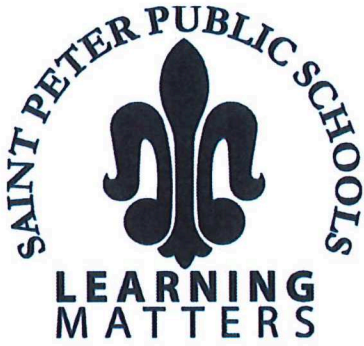
FROM: Jana Sykora, South Elementary Principal

DATE: November 21, 2024

SUBJECT: Request for Leave

I recommend you approve the unpaid leave of absence request for paraprofessional Korrina Haack. Korrina would like to take a leave from November 25-December, 2024. Korrina would return to her part-time paraprofessional position at South Elementary after winter break on January 6, 2024

Cc: Korrina Haack
Grp_hire_para



MEMO TO: Dr. Jeff Olson, Superintendent
School Board

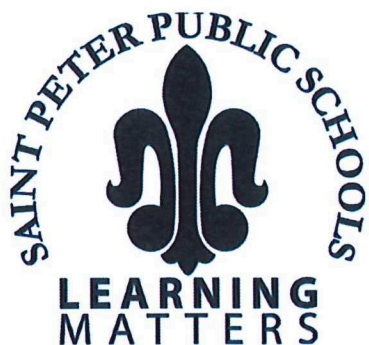
FROM: Jana Sykora, South Elementary Principal

DATE: December 4, 2024

SUBJECT: Request for Leave

I recommend you approve the unpaid leave of absence request for South Elementary special education paraprofessional Mallory Hartfiel. Mallory is requesting a leave of absence due to an educational internship experience. Mallory's tentative leave dates are Jan. 6-Feb. 28, 2025.

Cc: Mallory Hartfiel
Grp_hire_para



MEMO TO: Dr. Olson, Superintendent &
School Board

FROM: Jon Graff, Principal

DATE: December 5, 2024

SUBJECT: Maternity Leave Request

I recommend that you accept the maternity leave request of Mrs. Kaylen Haack, Principal's Secretary at SPMS. This leave is planned to begin on February 4, 2025 and run through April 30, 2025.

Cc: Kaylen Haack
grp_hire_office



MEMO TO: Superintendent Olson
Saint Peter School Board

FROM: Ytive Prafke

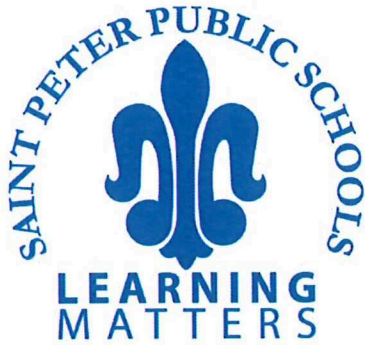
DATE: December 13, 2024

SUBJECT: Family Medical Leave Request

This memo is to recommend the approval of a Family Medical Leave request for Megan Gracia. She will be on leave from February 18, 2025 through February 28, 2025, with an anticipated return date of March 3, 2025.

Thank you for your consideration and please contact me with any questions.

Cc: Megan Gracia



MEMO TO: Dr. Jeff Olson
School Board

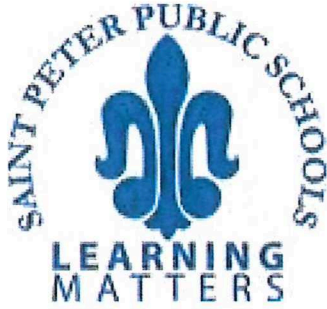
FROM: Annette Engeldinger

DATE: December 13, 2024

SUBJECT: Paraprofessional Return From Leave
of Absence

I am writing to confirm that Tom Leonhardt is returning to his position as a paraprofessional at Saint Peter High School. Tom has been on an unpaid leave of absence to complete his student teaching requirements, and we are happy to welcome him back as of today, December 13, 2024.

Thank you, and please let me know if you have any questions.



MEMO TO: Dr. Jeff Olson
Megan Gracia
Lisa Pierson

FROM: Jana Sykora

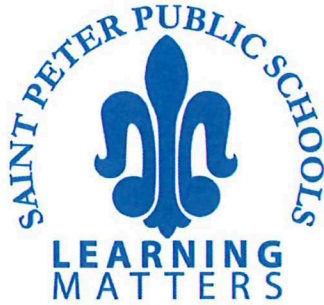
DATE: November 6, 2024

SUBJECT: Intermittent Overload Pay

Please be advised that Christi Maloney is eligible for intermittent overload pay due to her assistance in covering the family leave of a DAPE service provider at South Elementary School.

Mrs. Maloney documented the time she provided DAPE services during her scheduled prep time. Since her overload assignment was not for her entire 50-minute allotted prep time each day, she will be compensated at the rate of \$44 per hour for the additional 4.25 hours documented during quarter one (August 28, 2024-October 31, 2024).

CC: Christi Maloney
grp_hire_certified



TO: Megan Gracia
Lisa Pierson

FROM: Annette Engeldinger

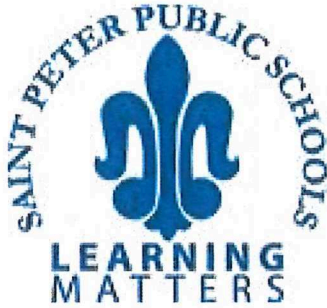
DATE: December 2, 2024

RE: Overload assignments

The following additional overload assignments have been assigned for the 2024-2025 school year. The overload assignments began on November 18th, 2024. They will remain in effect until further notice.

- Khamprasong Chantharak Special Education
- Jen Koehler Special Education

Please let me know if you have any questions.



MEMO TO: Dr. Jeff Olson
Megan Gracia
Lisa Pierson

FROM: Jana Sykora

DATE: December 5, 2024

SUBJECT: Intermittent Overload Pay

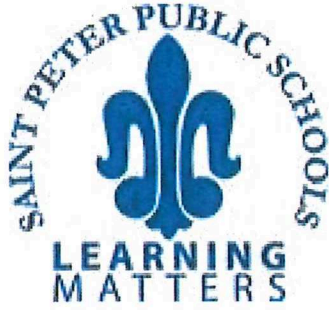
Mr. Jose Carreno graciously provided ELL services for a student at the Oshawa Learning Academy while employed to cover the maternity leave for Helena Satterness. He missed his prep period on several occasions to provide services and should be compensated for the ten hours of missed preparatory time between October 30 and November 27, 2024.

Rate of pay should be \$44/hour as outlined in Article 28, section 9 of the teacher contract.

Any teacher who exceeds the normal teaching load as stated in Article 28 will be compensated as follows:

a. A middle and high school teacher will be paid \$44 per hour

Date	Time	Total Mileage	Notes
Wednesday, October 30th	1:30PM-2:30PM	3.8	Meet and Greet
Monday, November 4th	1:30PM-2:30PM	3.8	
Wednesday, November 6th	1:30PM-2:30PM	3.8	
Monday, November 11th	1:30PM-2:30PM	3.8	
Wednesday, November 13th	1:30PM-2:30PM	3.8	
Friday, November 15th	1:30PM-2:30PM	3.8	
Monday, November 18th	1:30PM-2:30PM	3.8	
Wednesday, November 20th	1:30PM-2:30PM	3.8	
Friday, November 22nd	NO SERVICING	NA	No service - Early Release
Monday, November 25th	1:30PM-2:30PM	3.8	
Wednesday, November 27th	1:30PM-2:30PM	3.8	
TOTAL	10 hours	38	(mileage submitted separately)



MEMO TO: Jeff Olson,
School Board
Lisa Pierson, HR/Payroll

FROM: Seth Putz

DATE: December 9, 2024

SUBJECT: Pay rate change

The Operations and Maintenance Department is changing Joseph Delecruz's hours of work. The new hours will be 3:00pm to 11:30pm. His old hours were from 11:00am to 7:30pm. The change is being made December 9th, 2024. He will receive a shift differential of \$1.14.

The Hours of work are being changed to meet the cleaning needs of the Middle School. They currently are not being met to my expectations.

Cc: Jon Graff
Mike Keller
Ytive Prafke
Joseph Delecruz



ADDENDUM

REGULAR BOARD MEETING Monday, December 16, 2024 SPCC-Governor's Room 6:30PM

VIII. INFORMATION ITEMS

1. AGENDA ITEM A

Subject: Native American Parent Advisory Committee (NAPAC) Update

Background: The Native American Parent Advisory Committee was established in 2017 in response to a requirement by the State of Minnesota that all schools and districts with 10 or more Native American students have a Native American Parent Advisory Committee (NAPAC). The committee serves in an advisory role to help ensure that Native American students are receiving culturally relevant and equitable opportunities. Our NAPAC group has played an active role in our schools and our community. NAPAC representatives will be present to share information regarding their recent activities and plans for the future.

Presentation: Native American Liaison, Charmayne Klah
NAPAC Vice Chair , Skyanne Walker



ADDENDUM

REGULAR BOARD MEETING Monday, December 16, 2024 SPCC-Governor's Room 6:30PM

VIII. INFORMATION ITEMS

2. AGENDA ITEM B

Subject: Review of Policy Manual Revisions - First Reading

Background: Policy 714 - Fund Balances requires that the School Board Conduct an "annual review of the sufficiency of the minimum unassigned general fund balance level." This policy has been reviewed by both the Business Committee and Policy Review Committee on December 11th. Both Committees recommend a minimum unassigned general fund balance of 8% to 10% of the annual budget. [30-36 days of operating expenses.] Approval of this change requires a change to the Minimum Fund Balance section of Policy 714. This is a first reading of the policy.

Presentation: Superintendent of Schools, Jeff Olson

714 FUND BALANCES

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%8% to 10% percent~~ of the annual budget. [~~60-30-36~~ days of operating expenses.]

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.

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: business manager. 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. REVIEW

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

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

Cross References: MSBA Service Manual, Chapter 7, Education Funding



ADDENDUM

REGULAR BOARD MEETING Monday, December 16, 2024 SPCC-Governor's Room 6:30PM

IX. ACTION ITEMS

1. AGENDA ITEM #1

Subject: Consider a Resolution of Certification of School District Levy for Taxes Payable in 2025.

Action: Requires a Resolution

Background: In September, the School Board approved a preliminary levy for the taxes payable in 2025. The levy was reviewed at a Business Committee meeting on December 13th. At that meeting, the Business Committee recommended the passage of a levy of \$9,902,416.00. An opportunity for citizen input was held through the Truth In Taxation Presentation completed earlier tonight.

Presentation: Business Manager, Megan Gracia
Business Committee

Options/Recommendation: I recommend approval of the certification of the school district levy in the amount of \$9,902,416.00.

Board Member _____ introduced the following Resolution and Member _____ moved its adoption:

Resolution Certifying School District Levy for Taxes Payable in 2025

Whereas, Pursuant to Minnesota Statutes the School Board of Independent School District No. 508, St. Peter, Minnesota, is authorized to make the following proposed tax levies for general purposes:

General Fund	\$ 4,498,306.16
Community Services	\$ 119,847.81
Debt	<u>\$ 5,284,262.03</u>
Total Proposed Tax Levy	<u>\$ 9,902,416.00</u>

Now Therefore, Be it resolved by the School Board of Independent School District No. 508, St. Peter, Minnesota, that the levy to be levied in 2024 to be collected in 2025 is set at \$9,902,416.00. The clerk of the ISD 508 School Board is authorized to certify the proposed levy to the County Auditors of Nicollet and Le Sueur County, Minnesota.

The motion for the adoption of the foregoing Resolution was duly seconded by the Board 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

Dated: December 16, 2024

Kate Martens, Board Clerk



TO: Superintendent Olson
 ISD #0508 School Board Members

FROM: Megan Gracia

DATE: December 9th, 2024

RE: 24 Pay 25 Levy – December Certification

After reviewing the final levy limitation numbers run by MDE, below is an overview of our final levy data as of November 22nd, 2024:

Levy 24, Pay 25 Final, Proposed Levy	\$9,902,416.00
Levy 23, Pay 24 Final, Certified Levy	\$7,652,181.25
\$ Difference	\$2,250,234.75
% Difference	29.41%

Attached are three documents related to the levy:

- 1) An overview of the historical and current market values within the district that are used to calculate various levy components.
- 2) A summary of levy totals by category including General Fund RMV, General Fund NTC, Community Service, and Debt Service for the past five years.
- 3) A more detailed listing of levy amounts and adjustments for the various levy categories listed in number (2) above.

As noted, we are seeing a final increase to our levy of 29.41% over the 23 Pay 24 levy cycle. As shared at the September board meeting, this is a result of several things:

- 1) Most notably, our IAQ, DM, and VA bond payments are all calculated into these numbers, making up roughly 81% of this year's levy increase.
- 2) Market values (and correspondingly the RMV and ANTC used within the levy calculations) continues to increase significantly. Additionally, our estimated student counts are relatively flat.
 - a. As a result of these factors, we continue to see our revenue in almost every levy category come as 100% levy and little to no aid. Some categories, such as LOR, still have an aid component but due to equalization, we saw a \$55,000 shift towards levy instead of aid.
- 3) Lastly, each levy cycle has adjustments for the prior three years as student data and expenses are finalized. Some of our larger adjustments include:
 - a. An increase in current year LTFM levy revenue of \$189,000.
 - b. A negative prior-year adjustment in Re-employment of \$60,000.
 - c. A positive prior-year OPEB adjustment of \$39,000.

With this, I recommend that we certify the 24 Pay 25 levy for the full amount of \$9,902,416.00.

Multi-Year Levy Factor Comparison

Levy Factors	20 Pay 21 Final	21 Pay 22 Final	22 Pay 23 Final	23 Pay 24 Final	24 Pay 25 Preliminary	\$ Change Levy 25 to Levy 24	% Change Levy 25 to Levy 24
*1 Market Value	1,380,439,398	1,360,794,599	1,451,516,699	1,704,680,101	1,921,099,901	216,419,800	12.70%
*2 Referendum Market Value	1,013,564,250	1,038,825,750	1,096,432,750	1,263,332,175	1,380,537,350	117,205,175	9.28%
*3 Net Tax Capacity	13,616,925	13,463,118	14,348,427	16,896,722	18,705,002	1,808,280	10.70%
*4 Sales ratio	1	1	1	1	1	0	2.96%
*5 Adj. Net Tax Capacity	14,756,704	14,747,600	16,186,461	19,232,155	20,687,751	1,455,596	7.57%
6 Total levy	6,797,811	7,115,818	7,143,023	7,652,181	9,902,416	2,250,235	29.41%
\$ Increase over PY		318,007	27,205	509,158	2,250,235		
% Increase over PY		4.68%	0.38%	7.13%	29.41%		

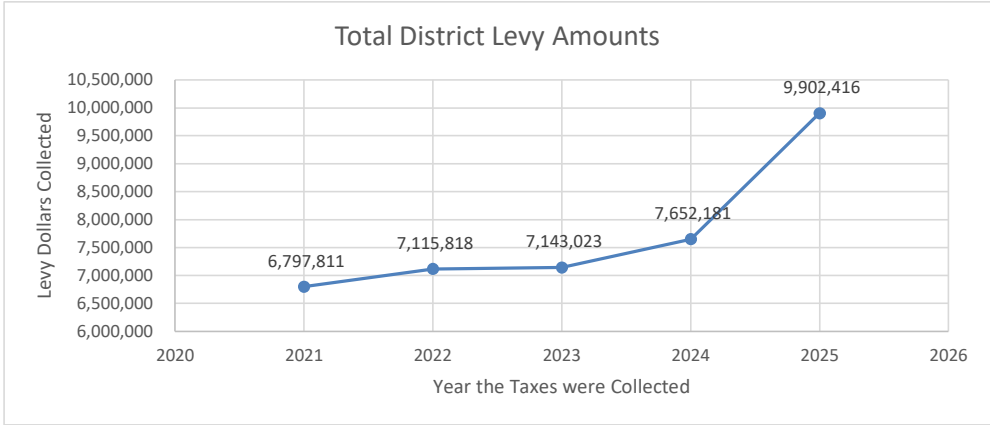
*1 "Market Value" represents the combined valuation of all taxable properties within the district boundaries as assigned by an assessor.

*2 "Referendum Market Value" represents the combined valuation of all taxable properties within the district boundaries excluding seasonal recreational properties (cabins) and agricultural land (over house, garage, and one acre of land).

*3 "Net Tax Capacity" is determined by multiplying market values by the classification rates (homestead, commercial, residential, rental, etc.).

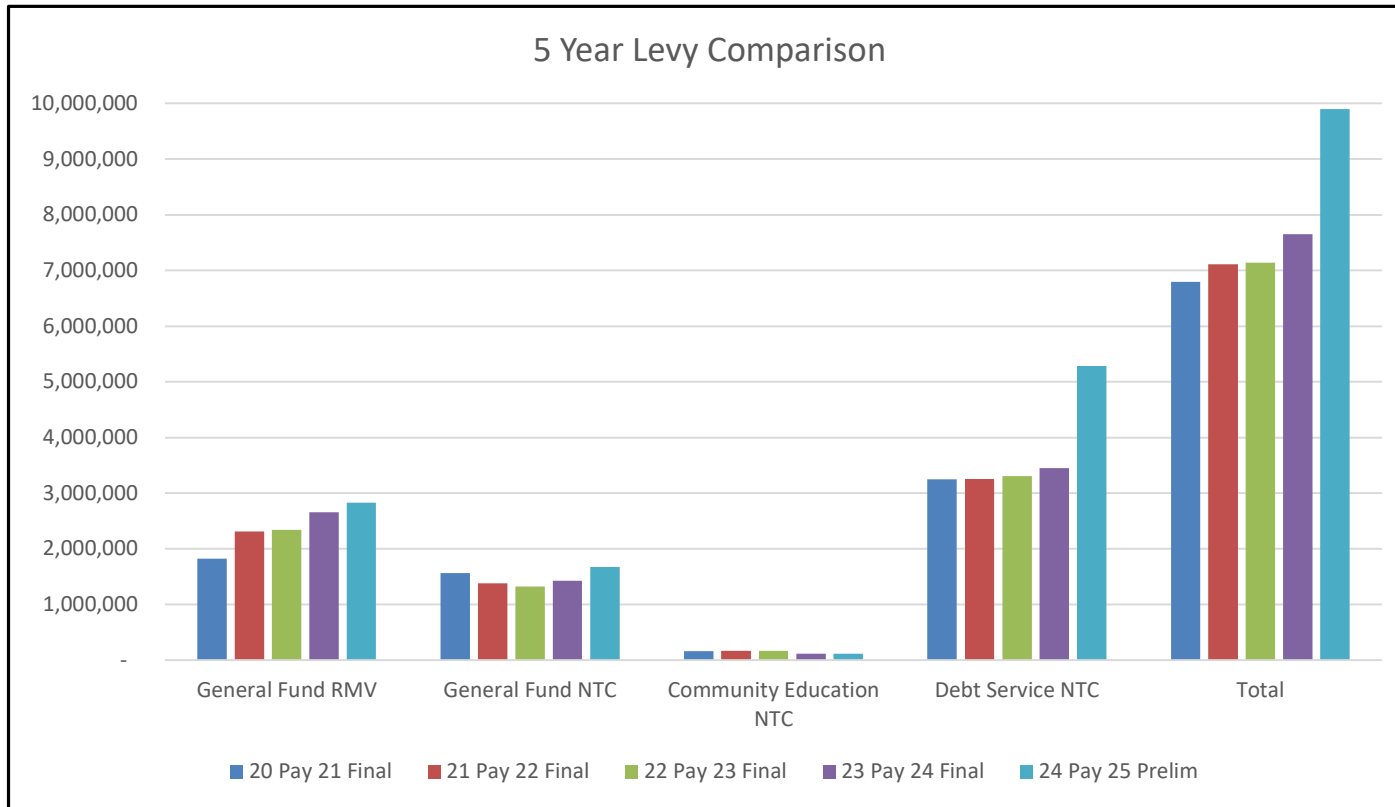
*4 "Sales Ratio" is determined by the Department of Revenue. It measures the difference between the actual sale price and assessor's market value on properties to neutralize different assessment practices across the state.

*5 "Adjusted Net Tax Capacity" is computed by dividing the net tax capacity by the sales ratio and is used for calculating most school taxes.



5 Year Levy Comparison

	20 Pay 21 Final	21 Pay 22 Final	22 Pay 23 Final	23 Pay 24 Final	24 Pay 25 Prelim
General Fund RMV	1,823,939	2,315,978	2,342,205	2,657,557	2,825,865
General Fund NTC	1,565,318	1,381,153	1,324,483	1,424,306	1,672,441
Community Education NTC	160,564	166,194	168,913	118,290	119,848
Debt Service NTC	3,247,990	3,252,493	3,307,422	3,452,027	5,284,262
Total	6,797,811	7,115,818	7,143,023	7,652,181	9,902,416



Saint Peter Public Schools			FY22 Final	FY23 Final	FY24 Final	FY25 Final	FY26 Prelim	Difference	
Levy 24, Pay 25, Fiscal Year 2026			Levy 20	Levy 21	Levy 22	Levy 23	Levy 24	from Prior	
December 2024 Levy Limitation and Certification - run 11.22.24			Pay 21	Pay 22	Pay 23	Pay 24	Pay 25	Year Levy	
General Fund									
Initial Levy Entries									
Operating Referendum (Voter Approved)	rmv		323,833.73	768,039.45	786,343.76	896,178.00	910,528.00	14,350.00	levy/aid
Prior-Year Adjustments									
Operating Referendum (Voter Approved)			(8,041.84)	6,724.09	(27,069.84)	11,418.19	20,533.19	9,115.00	
Subtotal of Voter-Approved Referendum Levies			315,791.89	774,763.54	759,273.92	907,596.19	931,061.19	23,465.00	
Initial Levy Entries									
Local Optional Revenue - Tier 1	rmv		343,742.94	362,093.98	370,723.60	447,000.69	512,098.13	65,097.44	levy/aid
Local Optional Revenue - Tier 2	rmv		838,283.43	820,542.81	904,080.97	926,779.20	941,619.20	14,840.00	levy/aid
Equity Levy	rmv		308,647.46	279,037.77	310,537.95	321,066.70	329,455.67	8,388.97	levy/aid
Transition Levy	rmv		49,842.27	48,787.46	53,754.43	55,104.01	55,986.36	882.35	levy/aid
Prior-Year Adjustments									
Board-Approved Referendum			(5,333.14)	2,774.51	-	-	-	-	
Local Optional Revenue			(8,295.65)	13,936.64	(46,956.45)	(1,912.92)	21,320.90	23,233.82	
Equity Levy			(4,961.36)	6,285.58	(7,375.37)	2,004.23	29,410.48	27,406.25	
Location Equity			(13,005.88)	6,766.17	-	-	-	-	
Transition Levy			(773.30)	989.97	(1,833.76)	(80.65)	4,913.36	4,994.01	
Subtotal of Other Referendum Levies			1,508,146.77	1,541,214.89	1,582,931.37	1,749,961.26	1,894,804.10	144,842.84	
Initial Levy Entries									
Operating Capital	ntc		136,696.58	143,600.04	157,368.43	187,117.32	202,074.74	14,957.42	78 levy/aid
Q Comp	ntc		216,020.52	204,609.44	196,092.92	185,885.70	188,621.16	2,735.46	levy/aid
Achievement and Integration	ntc		81,938.23	86,954.87	78,616.67	74,092.34	75,595.17	1,502.83	levy/aid
Re-Employment	ntc		25,000.00	25,000.00	75,000.00	10,000.00	16,000.00	6,000.00	all levy
Safe Schools	ntc		87,091.20	86,587.20	81,115.20	78,688.80	79,948.80	1,260.00	all levy
Career & Technical Education	ntc		87,637.17	110,633.30	115,779.56	153,506.97	186,199.60	32,692.63	levy/aid
Other Post-Employment Benefits (OPEB)	ntc		350,000.00	350,000.00	310,000.00	310,000.00	310,000.00	-	all levy
LTFM	ntc		441,659.86	415,482.56	402,136.63	411,689.29	600,847.91	189,158.62	levy/aid
Building Lease	ntc		166,006.55	40,167.82	42,512.25	42,512.21	43,787.68	1,275.47	all levy
Prior-Year Adjustments									
Operating Capital			(8,668.65)	6,700.95	292.66	879.45	(790.78)	(1,670.23)	
Q Comp			1,879.36	(15,255.74)	(1,272.54)	(5,921.65)	(2,314.26)	3,607.39	
Achievement and Integration			1,146.84	(17,635.28)	(9,326.11)	(3,359.19)	(97.64)	3,261.55	
Re-Employment			(3,726.95)	(7,437.28)	(25,000.00)	(11,839.88)	(71,820.00)	(59,980.12)	
Safe Schools			2,783.52	903.96	(3,472.56)	(5,004.72)	(4,447.80)	556.92	
Career & Technical Education			29,006.82	(4,328.85)	(7,472.87)	2,096.60	6,241.59	4,144.99	
Other Post-Employment Benefits (OPEB)			(40,000.00)	(40,000.00)	(40,000.00)	-	38,881.93	38,881.93	
LTFM			(6,190.80)	(13,971.19)	(45,327.96)	(7,735.05)	9,786.53	17,521.58	
Building Lease			(4,909.43)	757.08	772.12	-	1,106.14	1,106.14	
Other Adjustments (TIF, General, etc.)			-	-	-	-	(16,645.41)	(16,645.41)	
Abatement Adjustments			1,947.46	8,383.74	(3,331.61)	1,698.01	9,465.51	7,767.50	
Subtotal of General Fund NTC			1,565,318.28	1,381,152.62	1,324,482.79	1,424,306.20	1,672,440.87	248,134.67	
Total of General Fund Categories			3,389,256.94	3,697,131.05	3,666,688.08	4,081,863.65	4,498,306.16	416,442.51	

Saint Peter Public Schools		FY22 Final	FY23 Final	FY24 Final	FY25 Final	FY26 Prelim	Difference	
Levy 24, Pay 25, Fiscal Year 2026		Levy 20	Levy 21	Levy 22	Levy 23	Levy 24	from Prior	
December 2024 Levy Limitation and Certification - run 11.22.24		Pay 21	Pay 22	Pay 23	Pay 24	Pay 25	Year Levy	
Community Education Levy								
Initial Levy Entries								
Basic Community Education	ntc	113,415.40	119,772.20	119,772.20	72,120.58	68,227.61	(3,892.97)	levy/aid
ECFE	ntc	38,157.89	36,557.83	39,979.43	38,516.62	41,355.90	2,839.28	levy/aid
Home Visits	ntc	759.56	638.75	784.59	1,109.40	1,158.35	48.95	levy/aid
School Age Care	ntc	8,500.00	8,500.00	8,500.00	8,500.00	8,500.00	-	all levy
Prior-Year Adjustments								
ECFE		(384.36)	243.40	(7.73)	(1,952.25)	(70.06)	1,882.19	
Home Visits		4.51	28.70	(27.89)	(85.37)	67.18	152.55	
Abatement Adjustments		111.05	452.71	(87.38)	81.23	608.83	527.60	
Total of Community Education Categories		160,564.05	166,193.59	168,913.22	118,290.21	119,847.81	1,557.60	
Debt Service Levy								
Voter Approved Bond	ntc	3,409,455.00	3,412,080.00	3,459,068.00	3,616,305.00	4,350,845.00	734,540.00	
LTFM Debt Service	ntc	-	-	-	-	986,379.19	986,379.19	
Reduction for Debt Excess	ntc	(164,072.38)	(168,820.92)	(151,719.81)	(165,963.52)	(51,420.33)	114,543.19	
Abatement Adjustments	ntc	2,607.43	9,234.40	73.89	1,685.91	(1,541.83)	(3,227.74)	
GDS Voter Net Offset Adjustment	ntc	(0.02)	-	-	-	-	-	
Total of Debt Service Categories		3,247,990.03	3,252,493.48	3,307,422.08	3,452,027.39	5,284,262.03	1,832,234.64	
Levy Totals		6,797,811.02	7,115,818.12	7,143,023.38	7,652,181.25	9,902,416.00	2,250,234.75	29.41%
							0.00	



ADDENDUM

REGULAR BOARD MEETING Monday, December 16, 2024 SPCC-Governor's Room 6:30PM

IX. ACTION ITEMS

2. AGENDA ITEM #2

Subject: Consider a Resolution Establishing Combined Polling Places

Action: Requires a Resolution

Background: In 2017, the Minnesota Legislature passed a law requiring school districts to pass a resolution on an annual basis designating their combined polling places for the following year regardless if there is an election scheduled for that year. As you are aware, there will be a school board election in November 2025.

Once the resolution is passed, the resolution will be forwarded to both Nicollet County Auditor and the Le Sueur County Auditor

Presentation: Superintendent of Schools, Jeff Olson

Options/Recommendation: I recommend your approval of the resolution establishing combined polling places for 2025.

Saint Peter Public Schools

Board Member _____ introduced the following Resolution and Member _____ moved its adoption:

RESOLUTION CONFIRMING COMBINED POLLING PLACES FOR 2025 SCHOOL DISTRICT ELECTIONS

WHEREAS, the Board is proposing this resolution in order to confirm and clarify the polling places for the 2025 School District election.

NOW, THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 508-01, State of Minnesota, as follows:

1. Pursuant to Minnesota Statutes, Section 205A.11, the precincts and polling places for school district elections are those precincts or parts of precincts located within the boundaries of the School District which have been established by the cities or towns located in whole or in part within the School District. The Board hereby confirms those precincts and polling places so established by those municipalities.
2. Pursuant to Minnesota Statutes, § 205A.11, the board may establish combined polling places for several precincts for school district elections not held on the day of another election in the precincts. Each combined polling place must be a polling place that has been designated by a county or municipality. The designation of a polling place remains effective until a different polling place is designated.
3. Therefore, pursuant to Minn. Stat. § 205A.11, subdivision 1, voters in St. Peter precincts must vote in the School Board election at the polling place designated for their precinct by the City of St. Peter. These polling places, as established by the City of St. Peter for elections in calendar year 2024 are as follows:
 - **Ward 1—Precinct 1:** National Guard Armory, 1120 North Swift Street, St. Peter, Minnesota 56082.
 - **Ward 2—Precinct 1:** Community Center, Door "B", 600 South Fifth Street, St. Peter, Minnesota 56082.
4. School District residents outside of the City of St. Peter will vote at the Combined Polling Places previously designated by the School District, as follows:
 - **Outside St. Peter City Limits in Nicollet County:** Johnson Hall, 400 Union Street, St. Peter, Minnesota 56082.

- **Outside St. Peter City Limits in Le Sueur County:** Kasota Community Center, 200 North Webster Street, Kasota, Minnesota 56050.

5. The clerk is directed to file a certified copy of this resolution with the county auditors of each of the counties in which the school district is located, in whole or in part, within thirty (30) days after its adoption.

The motion for the adoption of the foregoing Resolution was duly seconded by Board 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 _____

Dated: December 16, 2024

Kate Martens, Board Clerk



ADDENDUM

REGULAR BOARD MEETING Monday, December 16, 2024 SPCC-Governor's Room 6:30PM

IX. ACTION ITEMS

<i>3. AGENDA ITEM #3</i>

Subject: Consider Approval of Acceptance of the 2023-2024 Audit

Action: Requires a Motion

Background: A representative from Abdo will present a report updating the School Board on the school district's fund balances as of June 30, 2024. Megan Gracia and Abdo will also provide you with an analysis of various parts of the audit and answer any questions you may have.

Members of the Business Committee reviewed a detailed report on the audit on December 12, 2024. At that meeting, the Committee recommended that the 2023-2024 audit be approved by the full School Board.

Presentation: Representative, Abdo
Business Manager, Megan Gracia
Business Committee

Options/Recommendation: I recommend that you approve and accept the audit report for Fiscal Year 24.



Lighting the path forward

Independent School District No. 508 – St. Peter

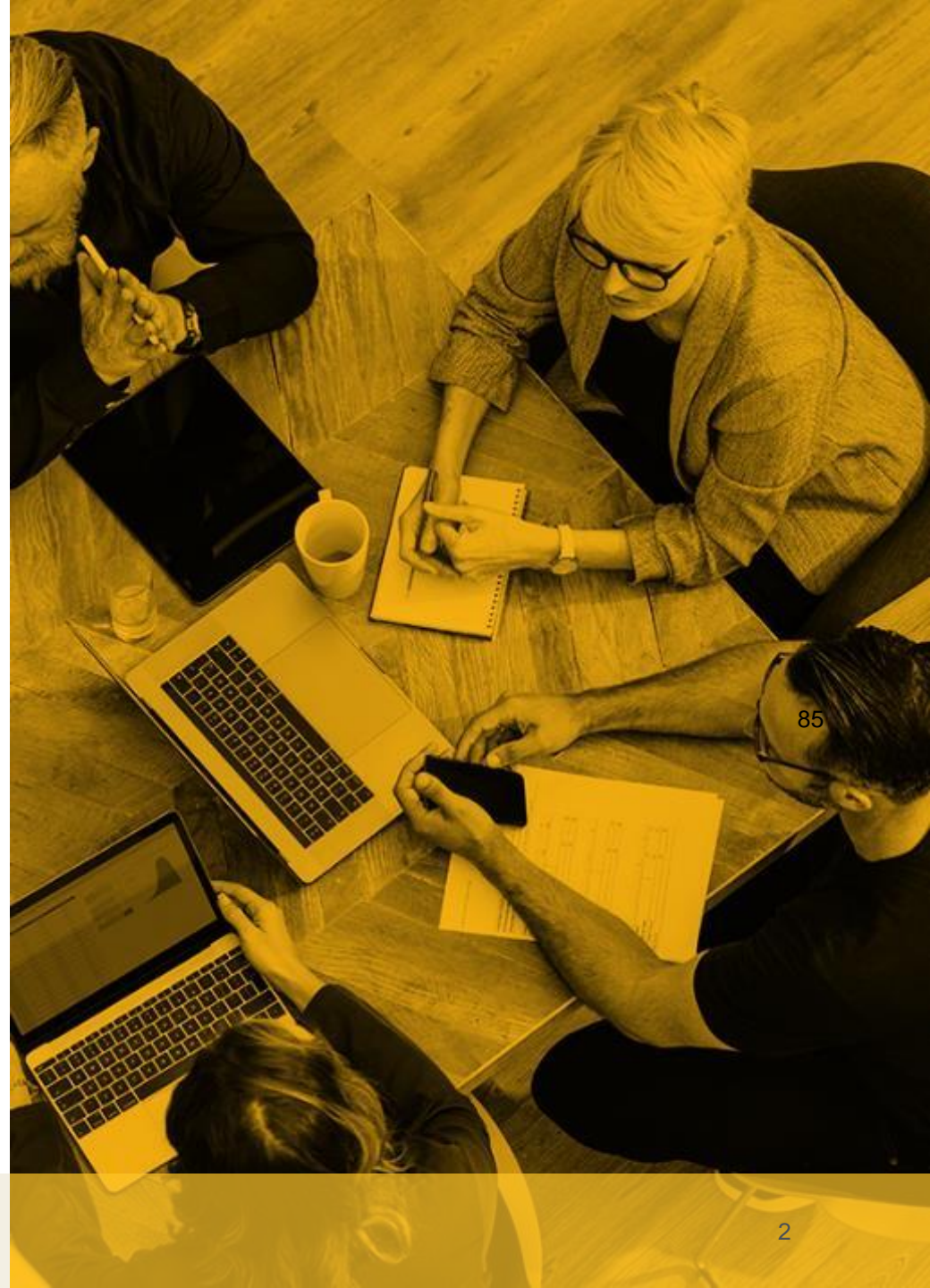
2023 - 2024

Financial Statement Audit

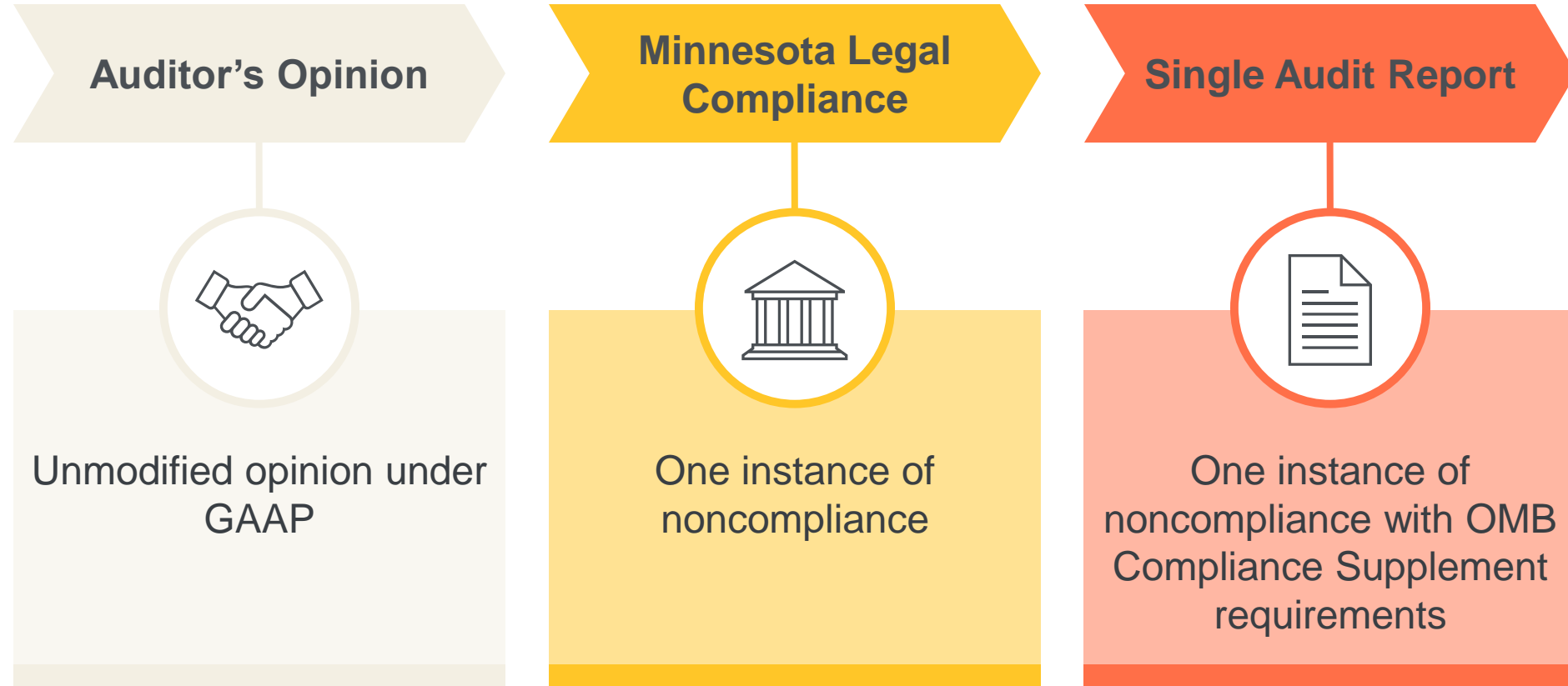


Introduction

- Audit Opinion and Responsibility
- General Fund Results
- Other Governmental Funds
- Key Performance Indicators



Audit Results



Audit Results

Fiscal Year 2024 Findings

- Preparation of Financial Statements
 - Internal Control Finding
- Limited Segregation of Duties - Food Service
 - Internal Control Finding
- Segregation of Duties – Journal Entries
 - Internal Control Finding
- Year-end Audit Adjustments
 - Internal Control Finding
- Student Activities
 - Compliance Finding
- Supporting Documentation
 - Single Audit Finding



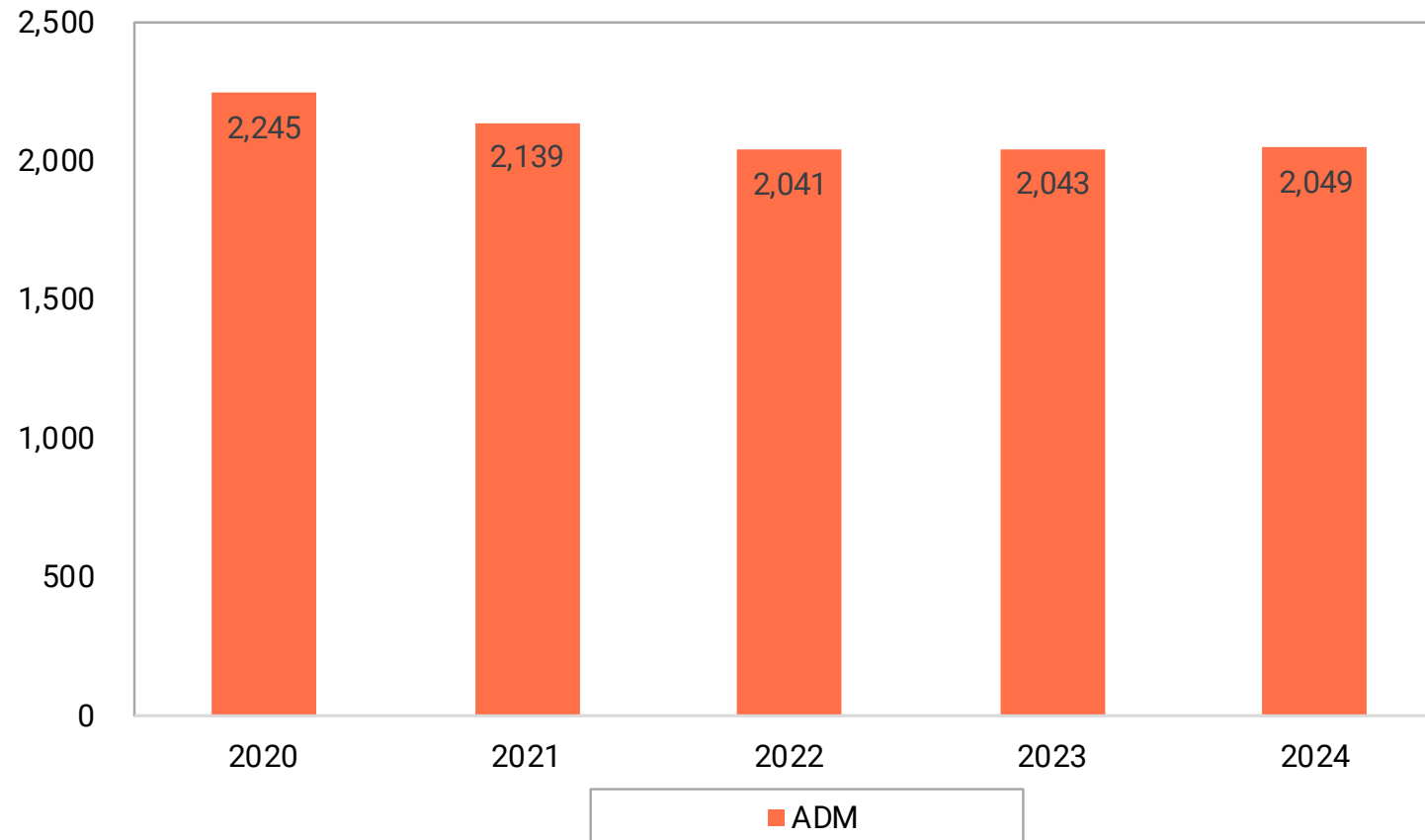
Audit Results

Fiscal Year 2023 Findings

- Preparation of Financial Statements
 - Internal Control Finding
 - Updated or removed
- Limited Segregation of Duties - Food Service
 - Internal Control Finding
- Year-end Audit Adjustments
 - Internal Control Finding
- Student Activities
 - Compliance Finding
- Internal Control Over Financial System
 - Internal Control Finding



Average Daily Membership



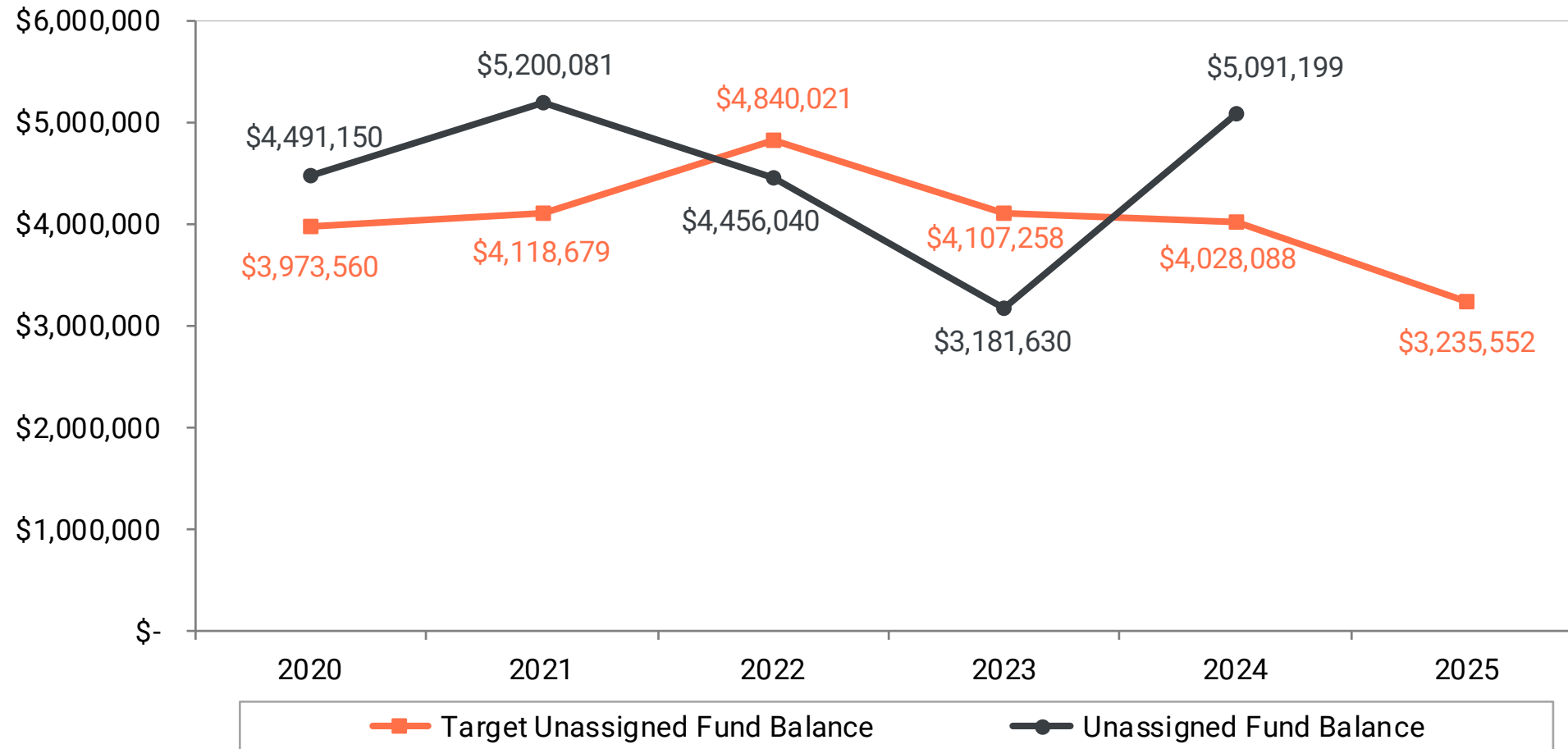
89

General Fund Budget to Actual

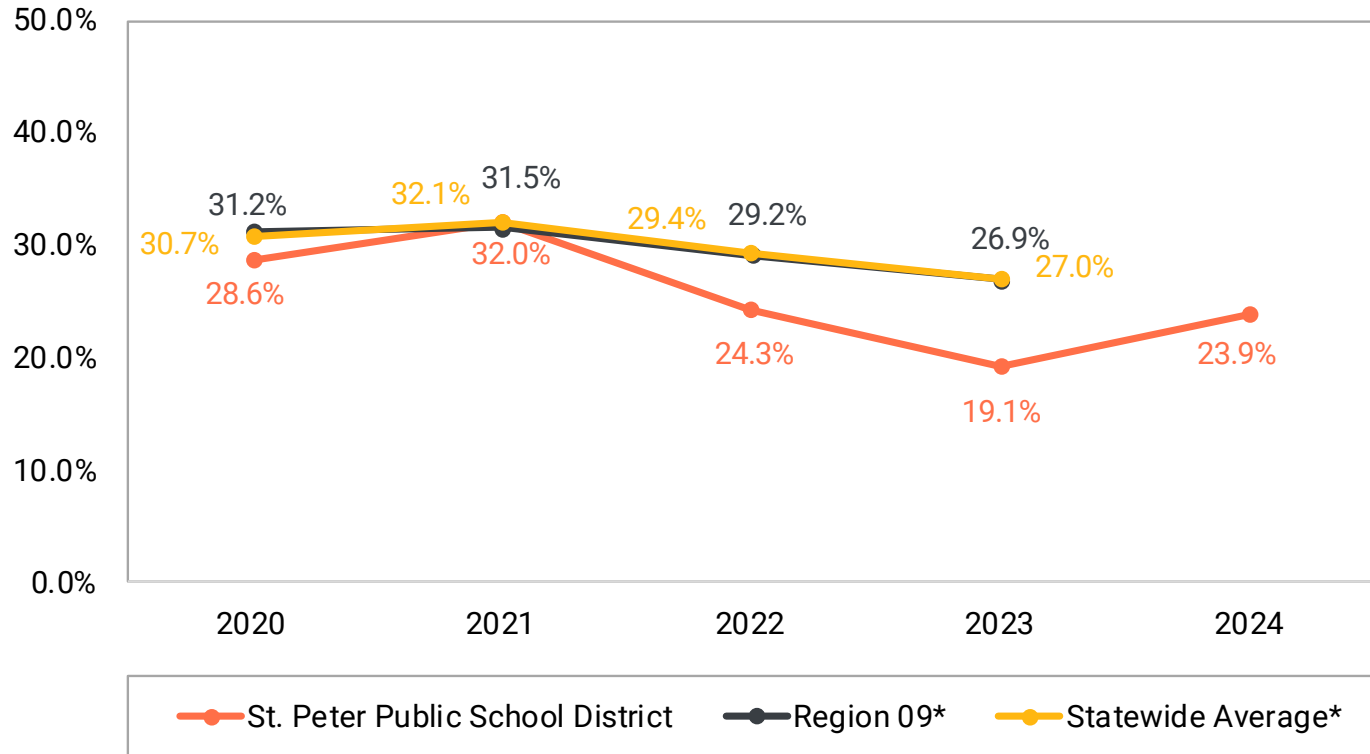
	Final Budget	Actual Amounts	Variance with Final Budget
Revenues	\$ 31,993,849	\$ 32,986,430	\$ 992,581
Expenditures	33,542,079	32,091,704	1,450,375
Excess (Deficiency) of Revenues Over (Under) Expenditures	(1,548,230)	894,726	2,442,956
Other Financing Sources (Uses)			
Leases issued	335,300	275,159	(60,141)
Insurance recovery	-	11,819	11,819
Sale of capital assets	194,260	231,327	37,067
Total Other Financing Sources (Uses)	529,560	518,305	(11,255)
Net Change in Fund Balances	(1,018,670)	1,413,031	2,431,701
Fund Balances, July 1	6,269,252	6,269,252	-
Fund Balances, June 30	\$ 5,250,582	\$ 7,682,283	\$ 2,431,701

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General Fund Fund Balances



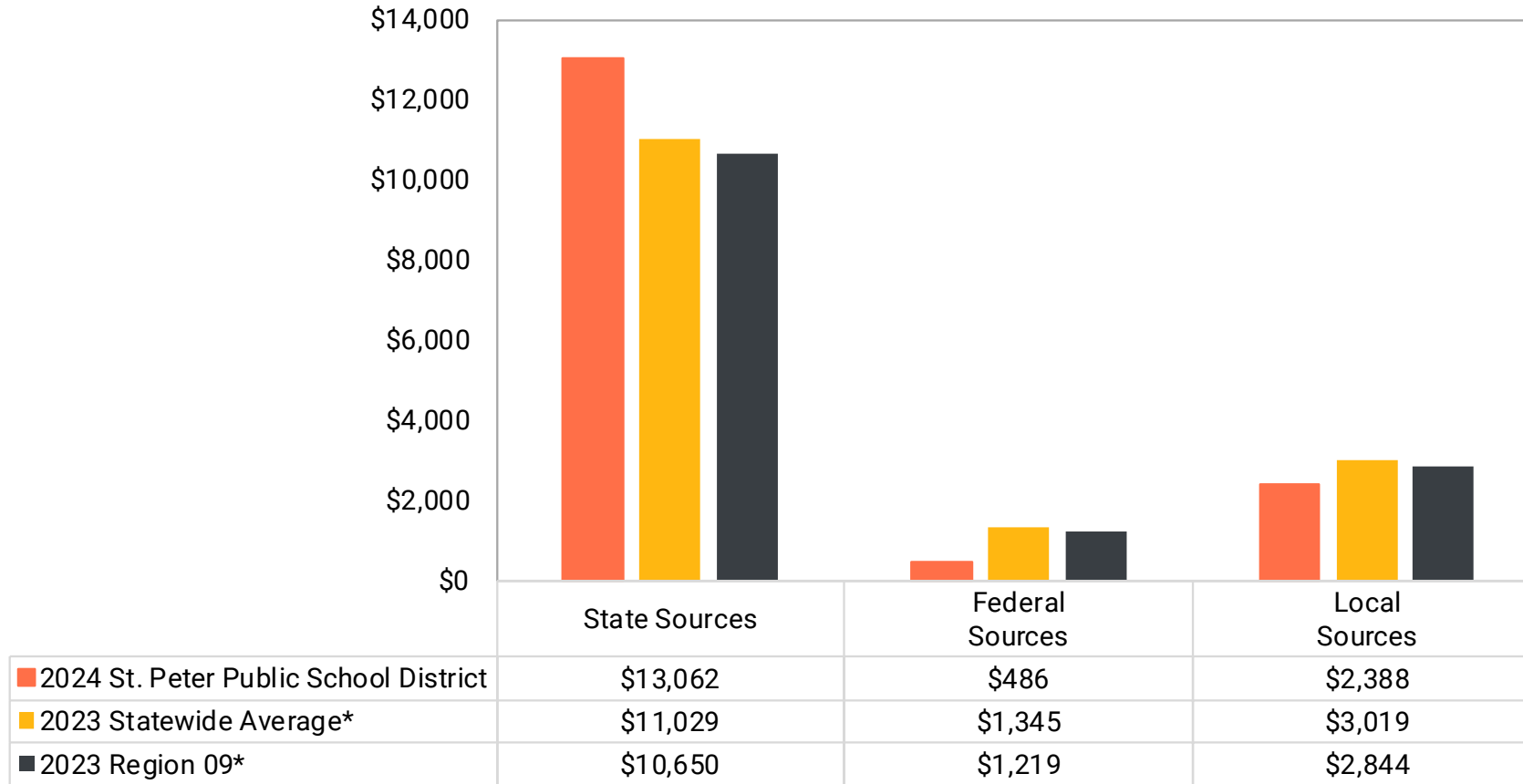
General Fund Balances as a Percentage of Expenditures



* Information obtained from School District Profile reports published by the MDE

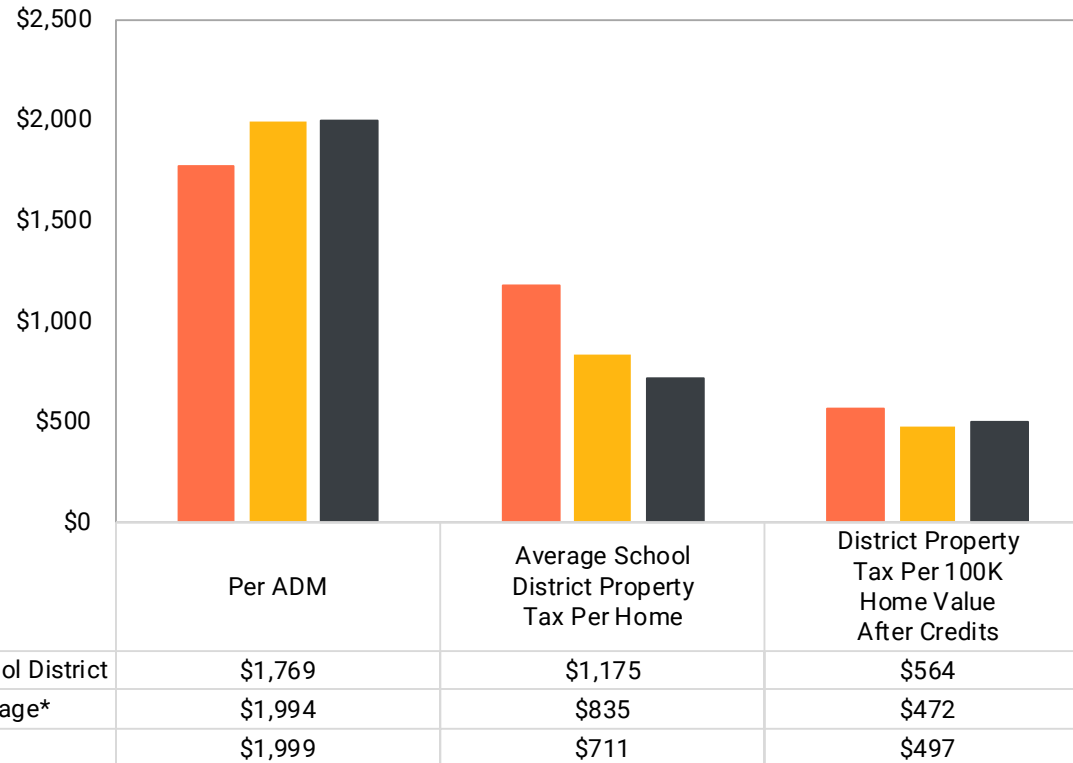
Key Performance Indicators

General Fund Revenues per ADM



* Information obtained from School District Profile reports published by the MDE

Property Taxes



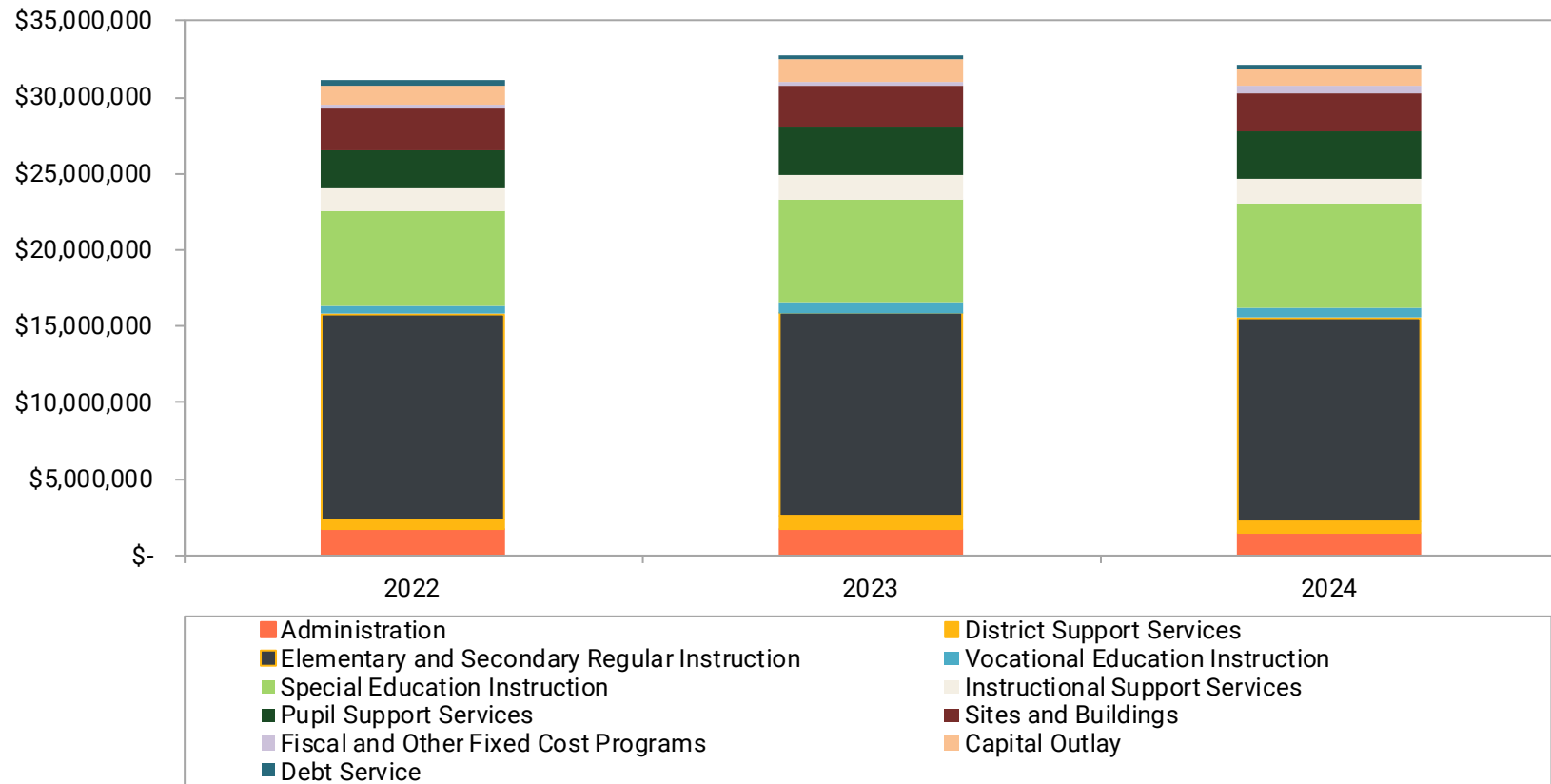
■ St. Peter Public School District	\$1,769	\$1,175	\$564
■ 2023 Statewide Average*	\$1,994	\$835	\$472
■ 2023 Region 09*	\$1,999	\$711	\$497

* Information obtained from School District Profile reports published by the MDE

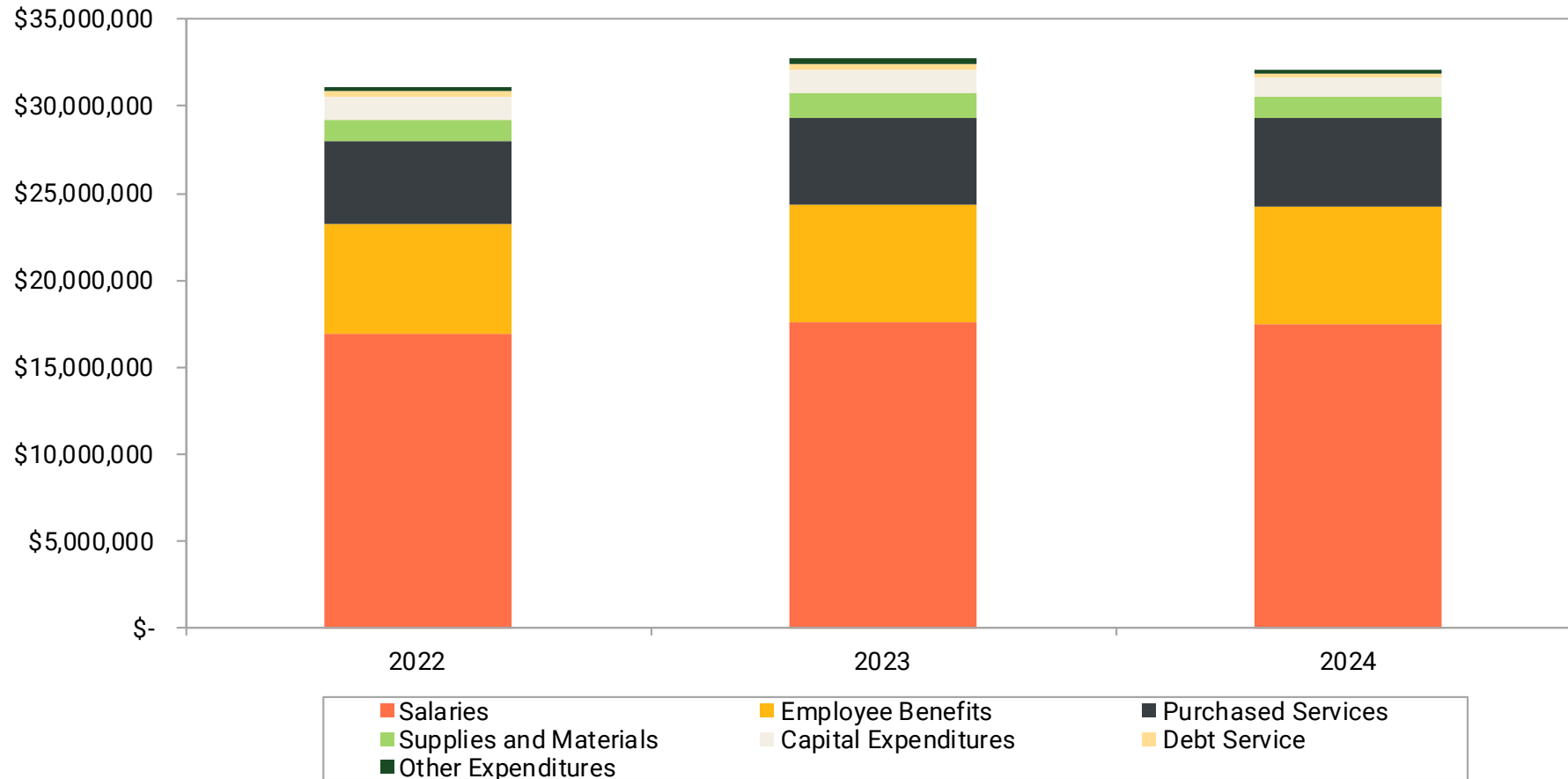
Key Performance Indicators

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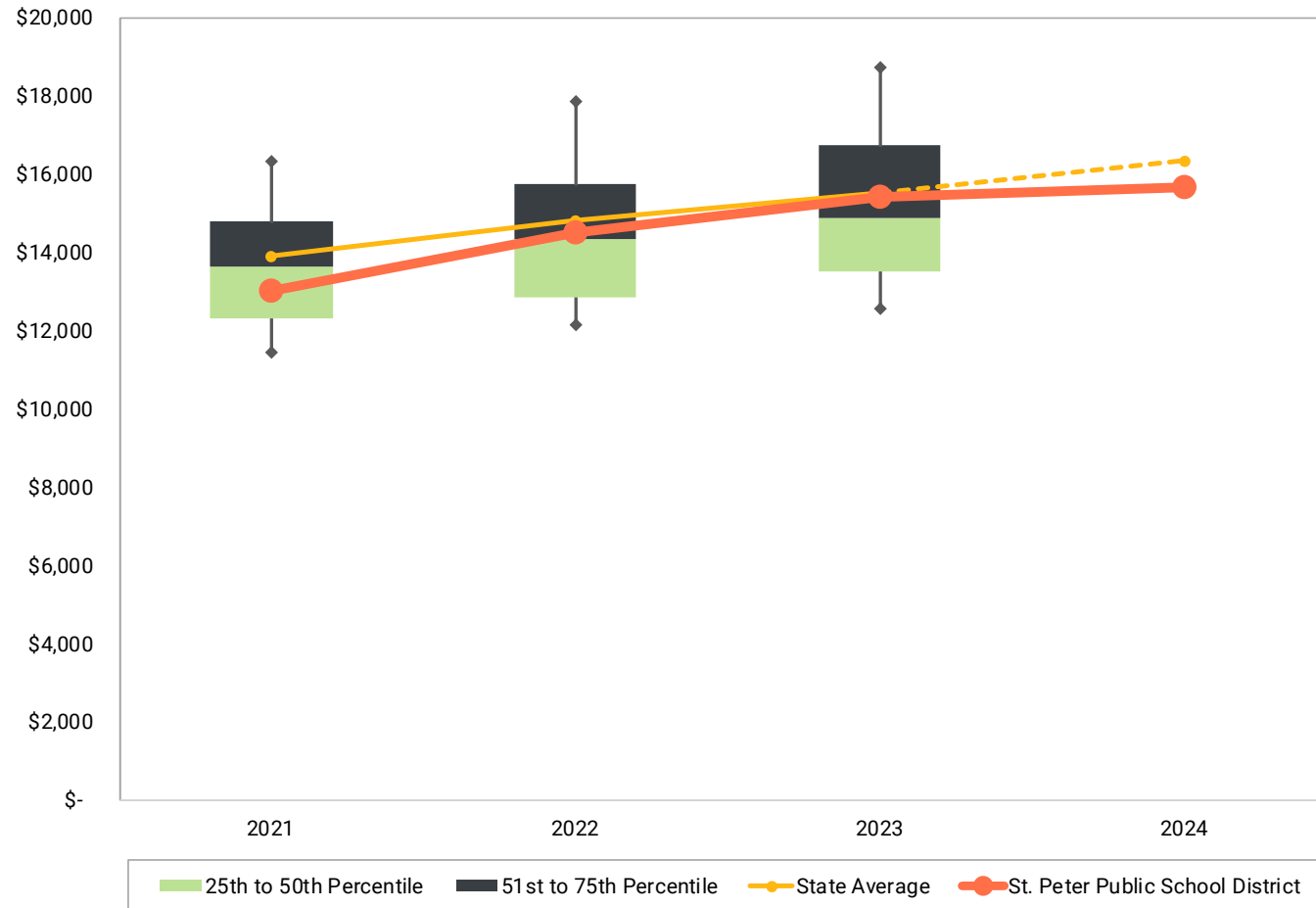
General Fund Expenditures by Program



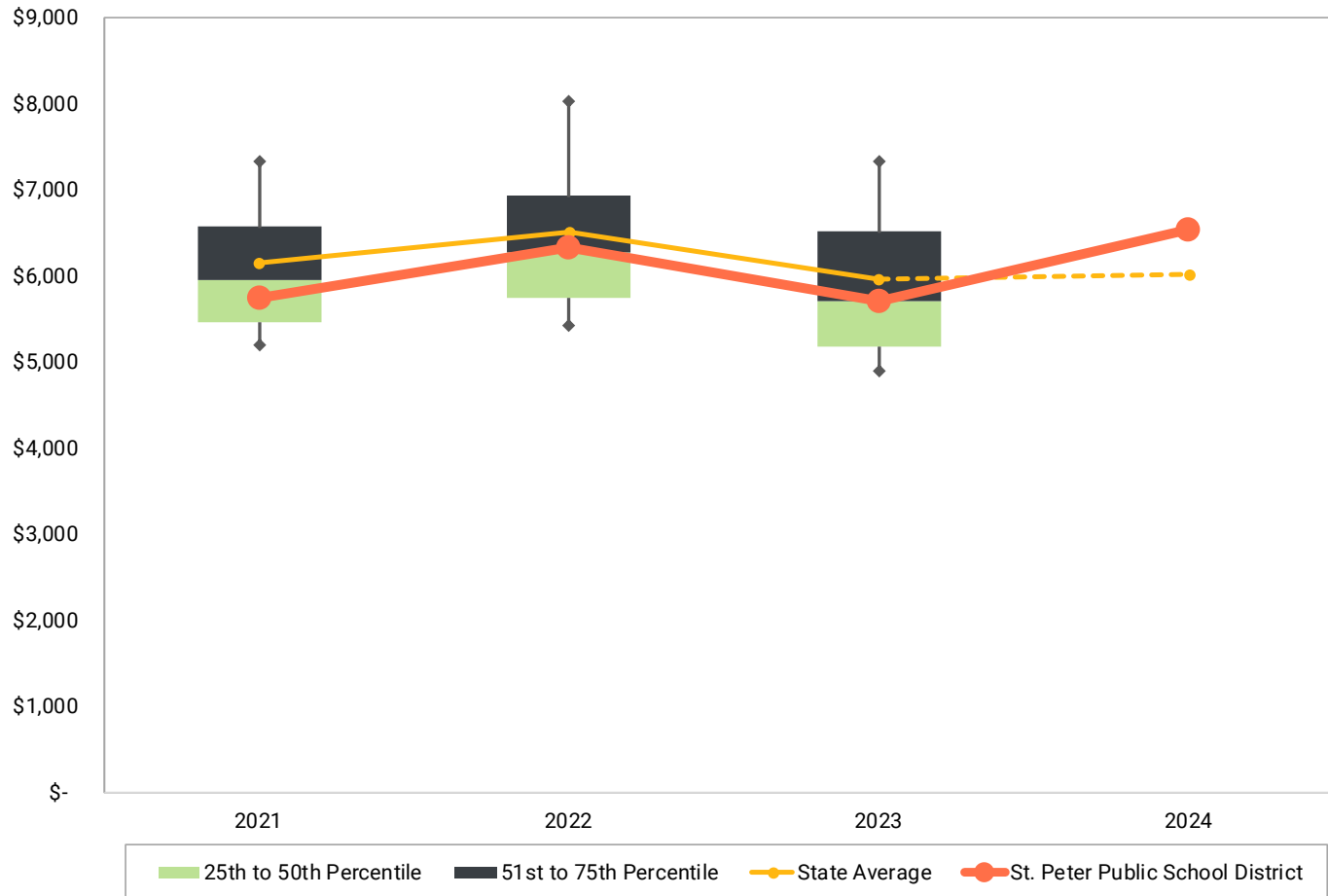
General Fund Expenditures by Object Code



General Fund Expenditures per ADM



* Percentile data and state average obtained from School District Profile reports published by the MDE

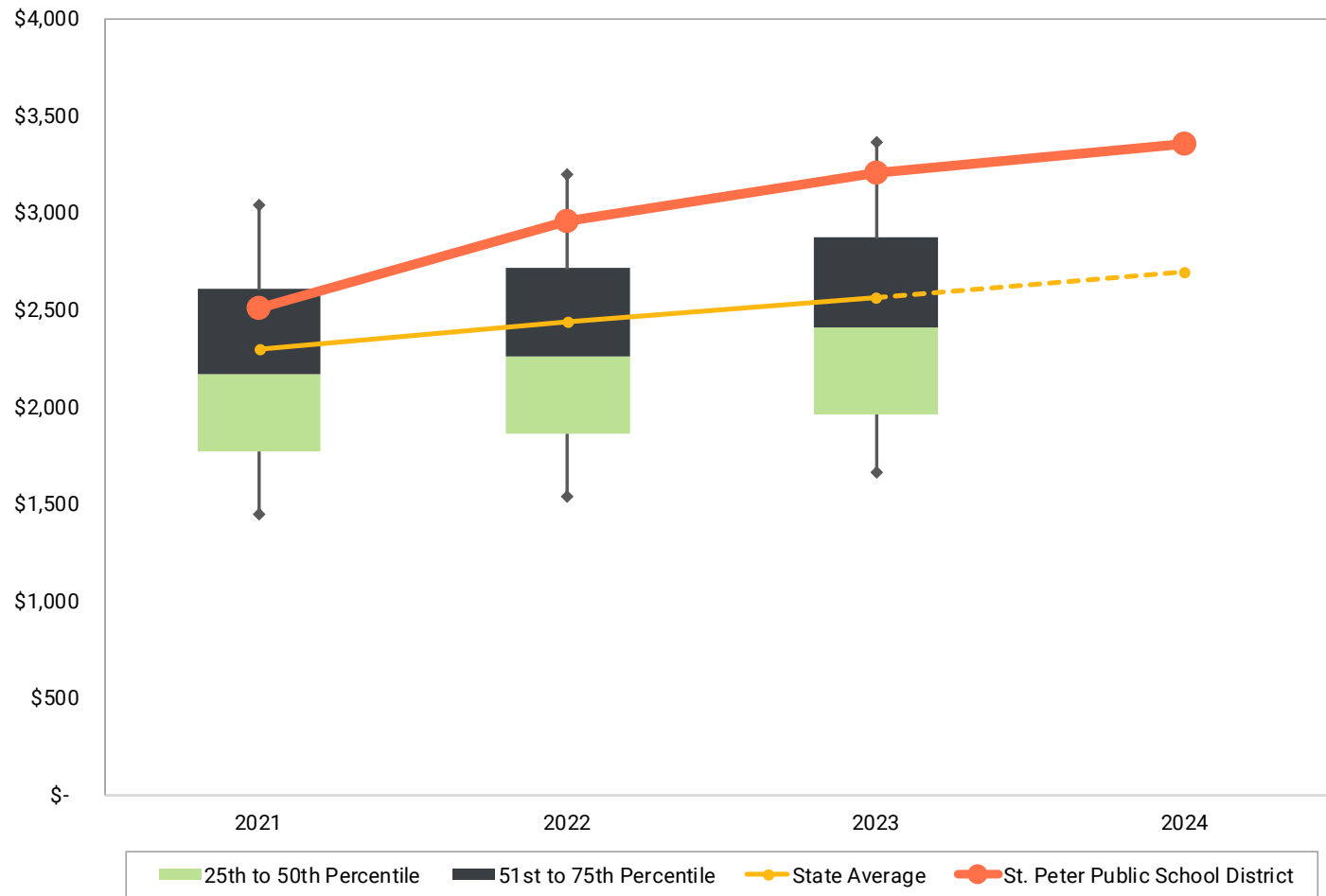


Elementary and Second Regular Instruction per ADM

98

Key Performance Indicators

* Percentile data and state average obtained from School District Profile reports published by the MDE



* Percentile data and state average obtained from School District Profile reports published by the MDE

Special Education Expenditures per ADM

99

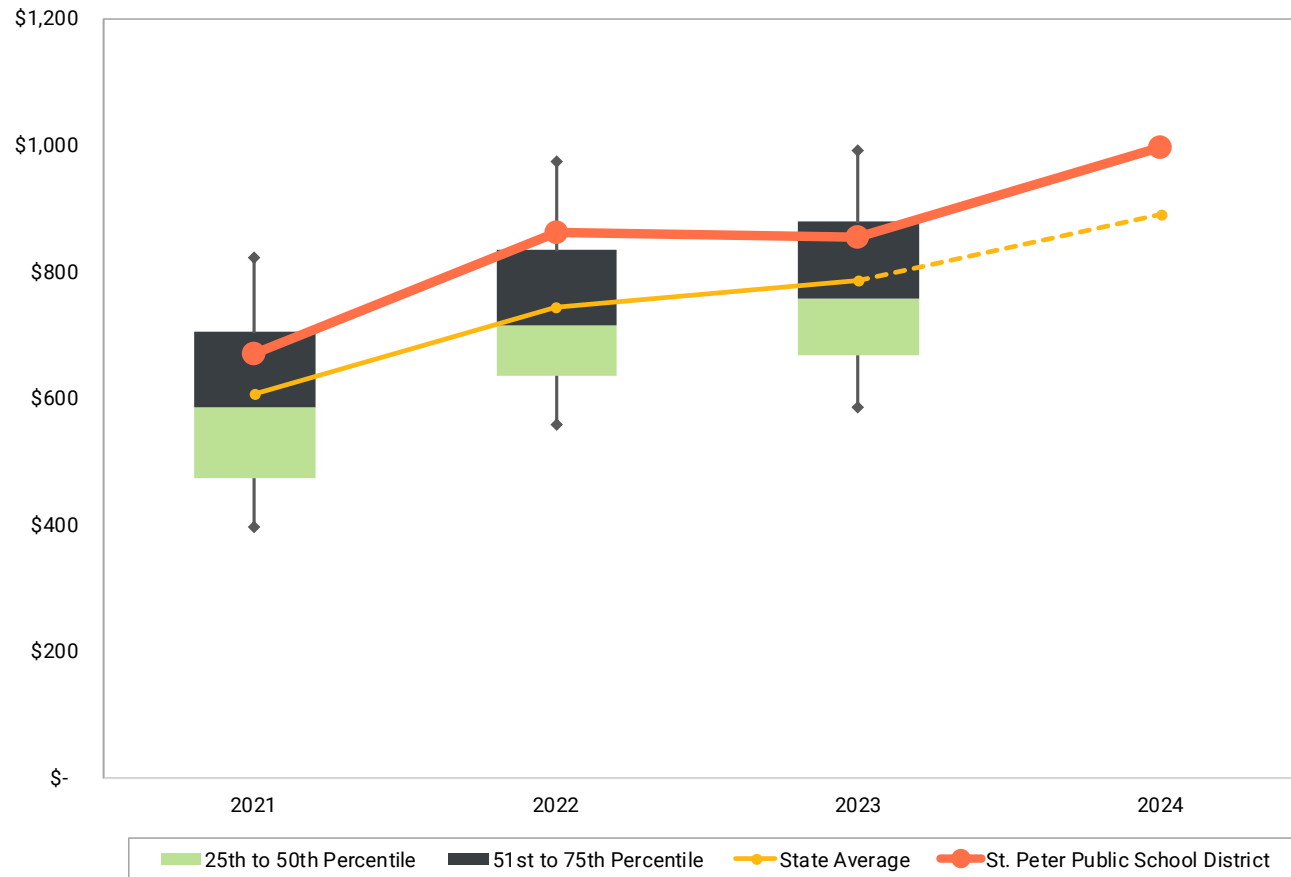
Key Performance Indicators

Food Service Fund Budget to Actual

	Final Budget	Actual Amounts	Variance with Final Budget
Revenues	\$ 1,858,983	\$ 2,023,383	\$ 164,400
Expenditures	<u>2,041,354</u>	<u>2,041,347</u>	<u>7</u>
Net Change in Fund Balances	(182,371)	(17,964)	164,407
Fund Balances, July 1	<u>1,069,113</u>	<u>1,069,113</u>	<u>-</u>
Fund Balances, June 30	<u><u>\$ 886,742</u></u>	<u><u>\$ 1,051,149</u></u>	<u><u>\$ 164,407</u></u>

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Food Service Fund Expenditures per ADM Comparison



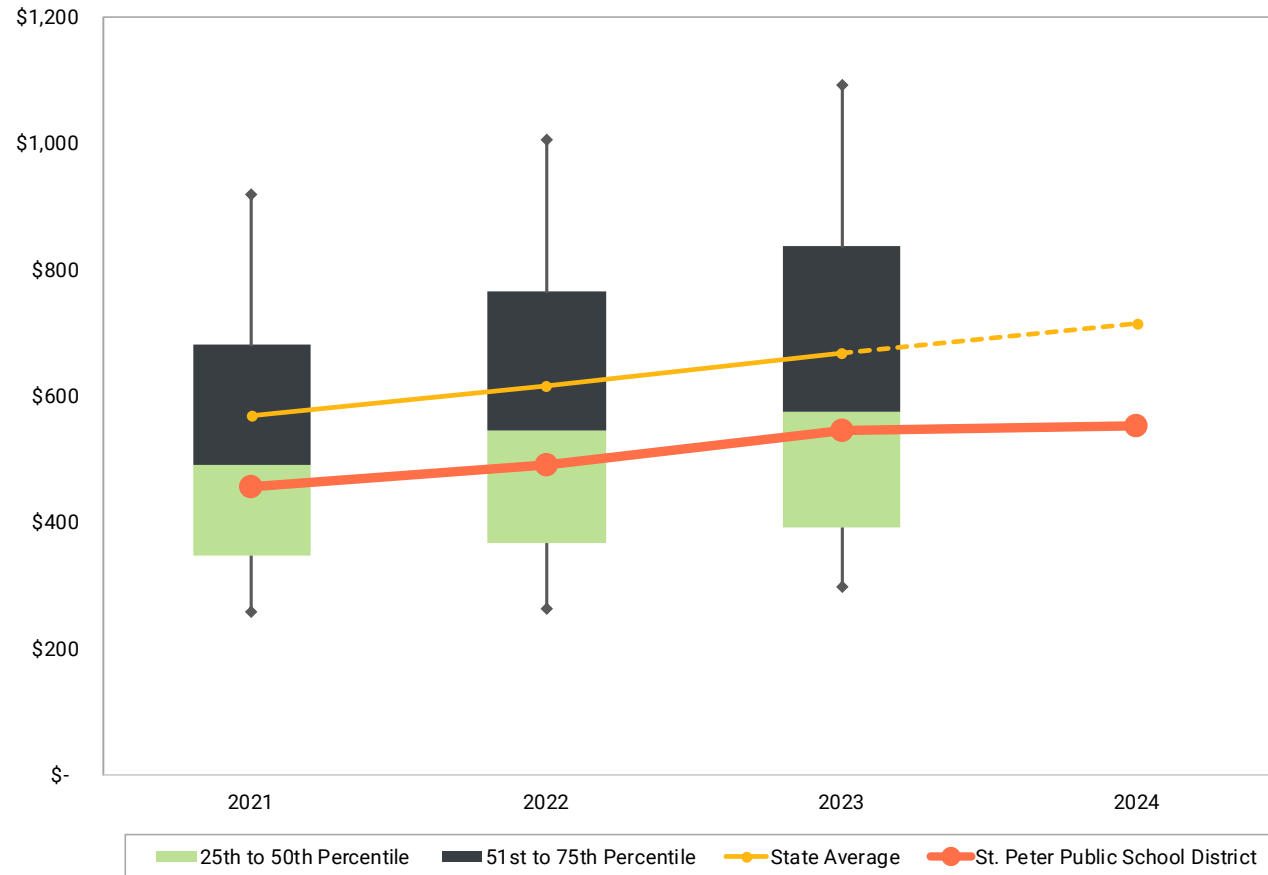
* Percentile data and state average obtained from School District Profile reports published by the MDE

Community Service Fund Budget to Actual

	Final Budget	Actual Amounts	Variance with Final Budget
Revenues	\$ 904,433	\$ 920,024	\$ 15,591
Expenditures	1,180,026	1,132,132	47,894
Net Change in Fund Balances	(275,593)	(212,108)	63,485
Fund Balances, July 1	(524,317)	(524,317)	-
Fund Balances, June 30	<u>\$ (799,910)</u>	<u>\$ (736,425)</u>	<u>\$ 63,485</u>

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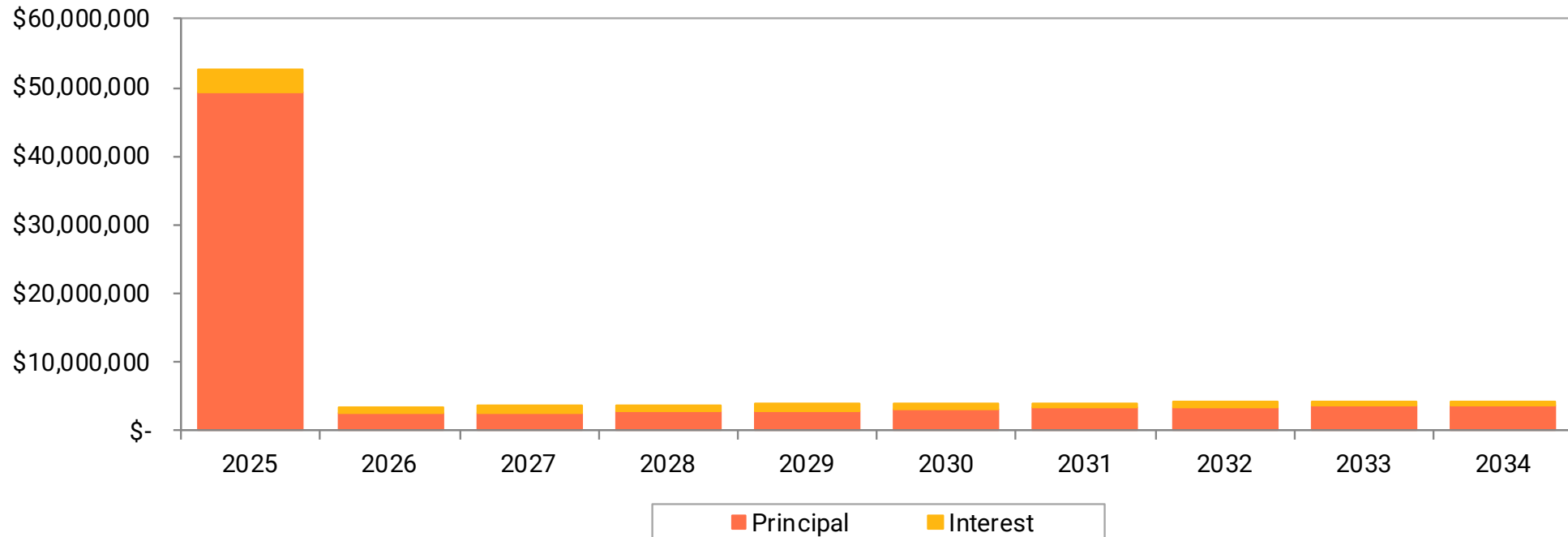
Community Service Fund Expenditures per ADM Comparison



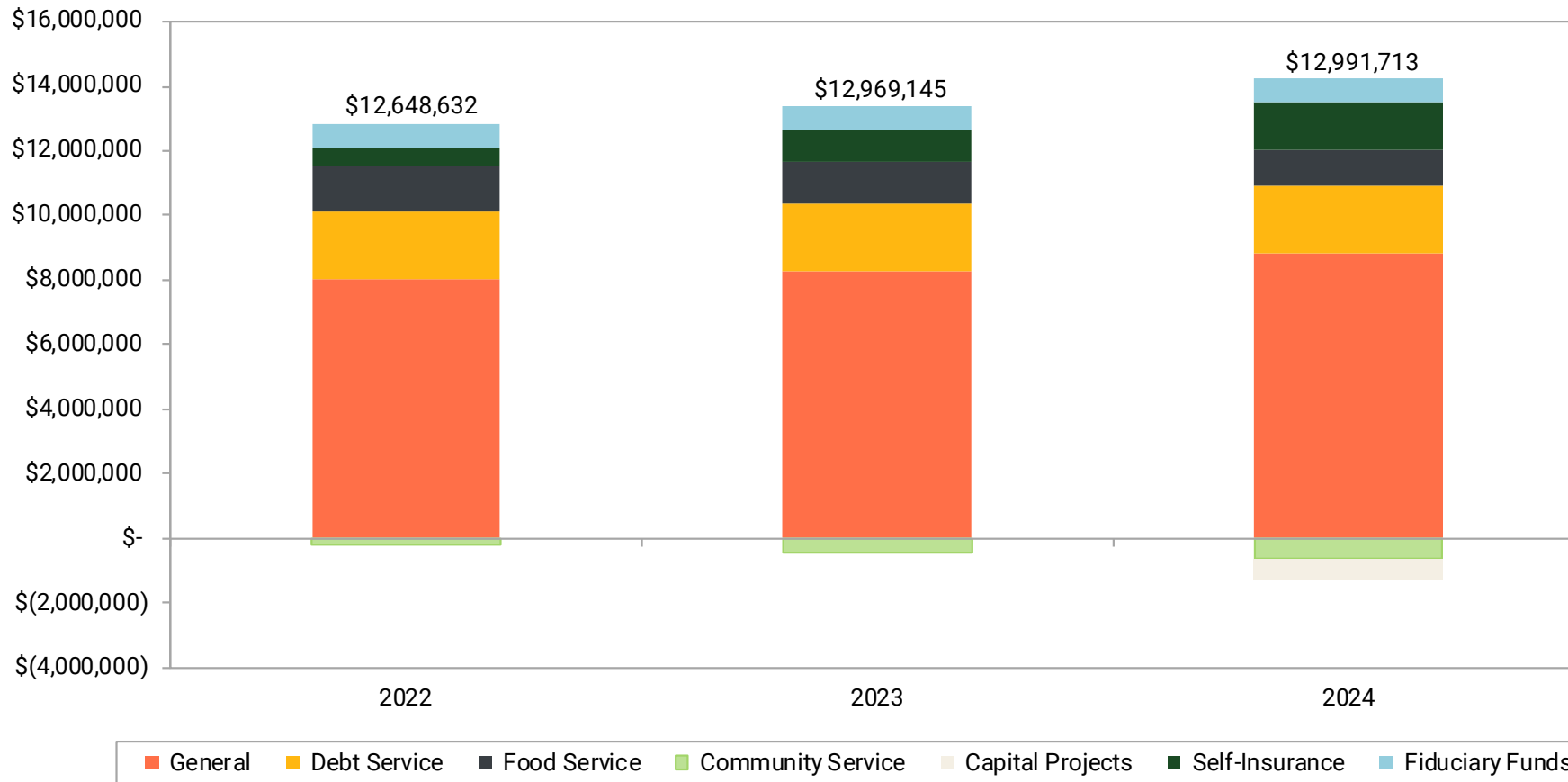
* Percentile data and state average obtained from School District Profile reports published by the MDE

Debt Service Fund

Description	Authorized and Issued	Interest Rate	Maturity Date	Balance at Year End	Due Within One Year
G.O. School Building Refunding Bonds of 2015A	\$ 55,325,000	4.00 - 5.00 %	02/01/25	\$ 49,345,000	\$ 49,345,000
G.O School Building Refunding Bonds of 2022A	48,620,000	2.48 - 2.78	06/30/39	48,620,000	-
Total General Obligation Bonds				\$ 97,965,000	\$ 49,345,000



Cash and Investments Balances by Fund



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Your Abdo Team



Tom Olinger, CPA
Partner



Kelsey Larson, CPA
Manager



Michelle Thissen
Senior Associate



Ellie Singleton
Associate



Hope Winters
Associate



Christian Meouchy
Intern



ADDENDUM

REGULAR BOARD MEETING Monday, December 16, 2024 SPCC-Governor's Room 6:30PM

IX. ACTION ITEMS

4. AGENDA ITEM #4

Subject: Consider Approval of a Second/Final Reading of Revisions to the Policy Manual

Action: Requires a Motion

Background: The Policy Committee has reviewed the following policies and is recommending them for approval. These policies had a first reading at the November 18, 2024 School Board Meeting.

- Policy 416 - Drug, Alcohol and Cannabis Testing

One Change has been made:

II. GENERAL STATEMENT OF POLICY

- G. In the case where the school district contracts for transportation services, it shall be the responsibility of the superintendent to ensure that the transportation provider follows the provisions of this policy.

- Policy 418 - Drug-Free Workplace / Drug-Free School

Due to the need for significant changes to these policies, both policies reflect updated MSBA Model Policy language. Both policies, in their entirety, have been uploaded to BoardBook for review.

Presentation: Superintendent of Schools, Jeff Olson
Policy Committee

Options/Recommendation: I recommend your approval of revisions to Policy 416 and Policy 418.

416 DRUG, ~~AND~~ ALCOHOL ~~AND~~ CANNABIS TESTING

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

I. PURPOSE

- A. The school board recognizes the significant problems created by drug, ~~and~~ alcohol, and cannabis use in society in general, and the public schools in particular. The school board further recognizes the important contribution that the public schools have in shaping the youth of today into the adults of tomorrow.
- B. The school board believes that a work environment free of drug, ~~and~~ alcohol, and cannabis 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.
- F. The school district may discipline, discharge, or take other adverse personnel action against an employee for cannabis flower, cannabis product, lower-potency hemp edible, or hemp-derived consumer product use, possession, impairment, sale, or transfer while an employee is working, on school district premises, or operating a school district vehicle, machinery, or equipment as follows:
 - 1. if, as the result of consuming cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product, the employee does not possess that clearness of intellect and control of self that the employee otherwise would have;
 - 2. if cannabis testing verifies the presence of cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product following a confirmatory test;
 - 3. as provided in the school district's written work rules for cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products and cannabis testing, provided that the rules are in writing and in a written policy that contains the minimum information required by Minnesota Statutes, section 181.952; or
 - 4. as otherwise authorized or required under state or federal law or regulations, or if a failure to do so would cause the school district to lose a monetary or licensing-related benefit under federal law or regulations.
- G. In the case where the school district contracts for transportation services, it shall be the responsibility of the superintendent to ensure that the transportation provider follows the provisions of this policy.

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

A. General Statement of Policy

All persons subject to commercial driver's license requirements shall be tested for alcohol, ~~cannabis~~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. "Direct Observation" means observation of alcohol or controlled substances use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing.
8. "Driver" is any person who operates a CMV, including full-time, regularly employed drivers, casual, intermittent or occasional drivers, leased drivers, and independent owner-operator contractors.
89. "Evidential Breath Testing Device" (EBT) means a device approved by the National Highway Traffic Safety Administration for the evidentiary testing of breath for alcohol concentration and placed on its Conforming Products List for such devices.
10. "Licensed Medical Practitioner" means a person who is licensed, certified, and/or registered, in accordance with applicable Federal, State, local, or foreign laws and regulations, to prescribe controlled substances and other drugs.
911. "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.
102. "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.

- 113. "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.
- 124. "Screening Test Technician" (STT) means anyone who instructs and assists individuals in the alcohol testing process and operates an ASD.
- 135. "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.
- 146. "Substance Abuse Professional" (SAP) means a qualified person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

C. Policy and Educational Materials

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

- 1. The school district shall provide a copy of this policy and procedures to each driver prior to the start of its alcohol and drug testing program and to each driver subsequently hired or transferred into a position requiring driving of a CMV.
- 2. The school district shall provide to each driver information required under Title 49 of the Code of Federal Regulations, including information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or controlled substance drug-problem (the driver's or a coworker's); and available methods of intervening when an alcohol or controlled substance 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 received a copy of these materials. 49 Code of Federal Regulations, section 382.601(d). The original signed certificate must be maintained by the school district and a copy may be provided to the driver.]

D. Alcohol and Controlled Substances Testing Program Manager

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

1. The program manager will coordinate the implementation, direction, and administration of the alcohol and controlled substances testing policy for bus drivers. The program manager is the principal contact for the collection site, the testing laboratory, the MRO, the BAT, the SAP, and the person submitting to the test. Employee questions concerning this policy shall be directed to the program manager.
2. The school district shall designate a program manager and provide written notice of the designation to each driver along with this policy.

E. Specific Prohibitions for Drivers

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

1. Alcohol Concentration. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. Drivers who test greater than 0.04 will be taken out of service and will be subject to evaluation by a professional and retesting at the driver's expense.
2. Alcohol Possession. No driver shall be on duty or operate a CMV while the driver possesses alcohol.
3. On-Duty Use. No driver shall use alcohol while performing safety-sensitive functions.
4. Pre-Duty Use. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.
5. Use Following an Accident. No driver required to take a post-accident test shall use alcohol for eight (8) hours following the accident, or until 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 medical practitioner who is familiar with the driver's medical history physician who and

has advised the driver that the substance does not adversely affect the driver's ability to safely operate a CMV. Controlled substance includes medical cannabis, regardless of whether the driver is enrolled in the state registry program.

8. Positive, Adulterated, or Substituted Test for Controlled Substance. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive for controlled substances, including medical cannabis, or has adulterated or substituted a test specimen for controlled substances.
9. General Prohibition. Drivers are also subject to the general policies and procedures of the school district 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 Code of Federal Regulations, section 382.505.]

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

G. Prescription Drugs/Cannabinoid Products

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. Use of nonintoxicating cannabinoids or edible cannabinoid products is not a legitimate medical explanation for a confirmed positive test result for cannabis. MROs will verify a drug test confirmed as positive, even if a driver claims to have only used nonintoxicating cannabinoids or edible cannabinoid product.

H. Testing Requirements

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

1. Pre-Employment Testing

[NOTE: 49 Code of Federal Regulations, section 382.301 details the requirements for pre-employment testing.]

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

[NOTE: A school district is permitted, but not required, to conduct pre-

employment testing for the use of alcohol. If a school district elects to require pre-employment testing for alcohol, it should include the bracketed text in Subparagraph a., above, and test all applicants uniformly.]

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

- d. The applicant also must be asked whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee, during the last two (2) years, applied for, but did not obtain, safety-sensitive transportation work covered by DOT testing rules.
- e. Before employing a driver subject to controlled substances and alcohol testing, the school district must conduct a full pre-employment query of the federal Commercial Driver's License (CDL) Drug and Alcohol Clearinghouse ("Clearinghouse") to obtain information about whether the driver (1) has a verified positive, adulterated, or substituted controlled substances test result; (2) has an alcohol confirmation test with a concentration of 0.04 or higher; (3) has refused to submit to a test in violation of federal law; or (4) that an employer has reported actual knowledge that the driver used alcohol on duty, before duty, or following an accident in violation of federal law or used a controlled substance in violation of federal law. The applicant must give specific written or electronic consent for the school district to conduct the Clearinghouse full query (see Attachment C to this policy). The school district shall retain the consent for three (3) years from the date of the query.

2. Post-Accident Testing

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

- a. As soon as practicable following an accident involving a CMV, the school district shall test the driver for alcohol and controlled substances, including medical cannabis, if the accident involved the

loss of human life or if the driver receives a citation for a moving traffic violation arising from an accident which results in bodily injury or disabling damage to a motor vehicle.

- b. Drivers should be tested for alcohol use within two (2) hours and no later than eight (8) hours after the accident.
- c. Drivers should be tested for controlled substances, including medical cannabis, no later than thirty-two (32) hours after the accident.
- d. A driver subject to post-accident testing must remain available for testing, or shall be considered to have refused to submit to the test.
- e. If a post-accident alcohol test is not administered within two (2) hours following the accident, the school district shall prepare and maintain on file a record stating the reasons the test was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours.
- f. If a post-accident alcohol test is not administered within eight (8) hours following the accident or a post-accident controlled substances test is not administered within thirty-two (32) hours following the accident, the school district shall cease attempts to administer the test, and prepare and maintain on file a record stating the reasons for not administering the test.
- g. The school district shall report drug and alcohol program violations to the Clearinghouse as required under federal law.

3. Random Testing

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

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

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

- b. The school district shall test for alcohol at a minimum annual percentage rate of 10% of the average number of driver positions, and for controlled substances, including medical cannabis, at a minimum annual percentage of 50%.
- c. The school district shall adopt a scientifically valid method for selecting drivers for testing, such as random number table or a computer-based random number generator that is matched with identifying numbers of the drivers. Each driver shall have an equal chance of being tested each time selections are made.
- d. Random tests shall be unannounced. Dates for administering random tests shall be spread reasonably throughout the calendar year.

- e. Drivers shall proceed immediately to the collection site upon notification of selection; provided, however, that if the driver is performing a safety-sensitive function, other than driving, at the time of notification, the driver shall cease to perform the function and proceed to the collection site as soon as possible.

4. Reasonable Suspicion Testing

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

- a. The school district shall require a driver to submit to an alcohol test and/or controlled substances, including medical cannabis, test when a supervisor or school district official, who has been trained in accordance with the regulations, has reasonable suspicion to believe that the driver has used alcohol and/or controlled substances, including medical cannabis, on duty or within four (4) hours before coming on duty. The test shall be done as soon as practicable following the observation of the behavior indicative of the use of controlled substances or alcohol.
- b. The reasonable suspicion determination must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech, or body odors. The required observations for reasonable suspicion of a controlled substances violation may include indications of the chronic and withdrawal effects of controlled substances.
- c. Alcohol testing shall be administered within two (2) hours following a determination of reasonable suspicion. If it is not done within two (2) hours, the school district shall prepare and maintain a record explaining why it was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours. If an alcohol test is not administered within eight (8) hours following the determination of reasonable suspicion, the school district shall cease attempts to administer the test and state in the record the reasons for not administering the test.
- d. The supervisor or school district official who makes observations leading to a controlled substances reasonable suspicion test shall make and sign a written record of the observations within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

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

5. Return-To-Duty Testing. A driver found to have violated this policy shall not return to work until an SAP has determined the employee has successfully complied with prescribed education and/or treatment and until undergoing return-to-duty tests indicating an alcohol concentration of less than 0.02 and a confirmed negative result for the use of controlled substances. The school district is not required to return a driver to safety-sensitive duties because the driver has met these conditions; this is a personnel decision subject to collective bargaining agreements or other legal requirements.

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

6. Follow-Up Testing. When an SAP has determined that a driver is in need of

assistance in resolving problems with alcohol and/or controlled substances, the driver shall be subject to unannounced follow-up testing as directed by the SAP for up to sixty (60) months after completing a treatment program.

7. Refusal to Submit and Attendant Consequences

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

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

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

1. Drug Testing

- a. Drug testing is conducted by analyzing a donor's urine specimen. Split urine samples will be collected in accordance with federal regulations. The donor will provide a urine sample at a designated collection site. The collection site personnel will then pour the sample into two sample bottles, labeled "primary" and "split," seal the specimen bottles, complete the chain of custody form, and prepare the specimen bottles for shipment to the testing laboratory for analysis. The specimen preparation shall be conducted in sight of the donor.
- b. If the donor is unable to provide the appropriate quantity of urine, the collection site person shall instruct the individual to drink up to forty (40) ounces of fluid distributed reasonably through a period of up to three (3) hours to attempt to provide a sample. If the individual is still unable to provide a complete sample, the test shall be discontinued and the school district notified. The DER shall refer the donor for a

medical evaluation to determine if the donor's inability to provide a specimen is genuine or constitutes a refusal to test. For pre-employment testing, the school district may elect to not have a referral made, and revoke the employment offer.

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

2. Alcohol Testing

[NOTE: The DOT Alcohol Testing Form (ATF) must be used for every DOT

alcohol test. 49 Code of Federal Regulations, section 40.225.]

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

J. Driver/Driver Applicant Rights

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

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

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

K. Testing Laboratory

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

L. Confidentiality of Test Results

All alcohol and controlled substances test results and required records of the drug and alcohol testing program are considered confidential information under federal law and private data on individuals as that phrase is defined in 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 Code of Federal Regulations, sections 382.401 et seq. and 40.331. The DOT publishes a guide to the recordkeeping requirements of mandatory drug and alcohol testing for persons with a commercial driver's license as part of its Alcohol & Drugs: DOT Compliance Manual.]

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

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

Information obtained from previous employers	3 years
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Alcohol and controlled substance collection procedures

Collection records	2 years
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Negative and cancelled <u>controlled substance</u> -drug tests	1 year
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tests with less than 0.02 concentration	1 year
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Education and training records	indefinite
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"Education and training records" must be maintained while the individuals perform the functions which require training and for the two (2) years after ceasing to perform those functions.

3. Personal Information

Personal information about all individuals who undergo any required testing under this policy will be shared with the U.S. DOT Drug & Alcohol Clearinghouse ("Clearinghouse) as required under federal law, including:

a. The name of the person tested;

b. Any verified positive, adulterated, or substituted drug test result;

c. Any alcohol confirmation test with a BAC concentration of 0.04 or

higher;

d. Any refusal to submit to any test required hereunder;

e. Any report by a supervisor of actual knowledge of use as follows

i. Any on-duty alcohol use;

ii. Any pre-duty alcohol use;

iii. Any alcohol use following an accident; and

iv. Any controlled substance use.

f. Any report from a substance abuse professional certifying successful completion of the return-to-work process;

g. Any negative return-to-duty test; and

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

N. Training

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

O. Consequences of Prohibited Conduct and Enforcement

1. Removal. The school district shall remove a driver who has engaged in prohibited conduct from safety-sensitive functions. A driver shall not be

permitted to return to safety-sensitive functions until and unless the return-to-duty requirements of federal DOT regulations have been completed.

2. Referral, Evaluation, and Treatment

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

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

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

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

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

- c. Drivers are responsible for payment for SAP evaluations and services unless a collective bargaining agreement or employee benefit plan provides otherwise.
- d. Drivers who engage in prohibited conduct also are required to comply with follow-up testing requirements.

3. Disciplinary Action

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

P. Other Testing

The school district may request or require that drivers submit to drug and alcohol testing other than that required by federal law. For example, drivers may be requested or required to undergo drug and alcohol testing on an annual basis as part of a routine physical examination. Such additional testing of drivers will be conducted only in accordance with the provisions of this policy and as provided in 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 Minnesota Statutes, sections 181.950-181.957. See Minnesota Statutes, section 221.031, subdivision 10. When testing beyond the federally mandated requirements, however, school districts still must comply with state law.]

Q. Report to Clearinghouse

The school district shall promptly submit to the Clearinghouse any record generated of an individual who refuses to take an alcohol or controlled substance test required under Title 49, Code of Federal Regulations, tests positive for alcohol or a controlled substance in violation of federal regulations, or violates subpart B of Part 382 of Title 49, Code of Federal Regulations (or any subsequent corresponding regulations).

R. Annual Clearinghouse Query

- 1. The school district must conduct a query of the Clearinghouse record at least

once per year for information for all employees subject to controlled substance and alcohol testing related to CMV operation to determine whether information exists in the Clearinghouse about those employees. In lieu of a full query, the school district may obtain the individual driver's consent to conduct a limited query to satisfy the annual query requirement. The limited query will tell the employer whether there is information about the driver in the Clearinghouse but will not release that information to the employer. If the limited query shows that information exists in the Clearinghouse about the driver, the school district must conduct a full query within twenty-four (24) hours or must not allow the driver to continue to perform any safety-sensitive function until the employee conducts the full query and the results confirm the driver's Clearinghouse record contains no prohibitions showing the driver has a verified positive, adulterated or substitute controlled substance test, no alcohol confirmation test with a concentration of 0.04 or higher, refuses to submit to a test, or was reported to have used alcohol on duty, before duty, following an accident or otherwise used a controlled substance in violation of the regulations except where the driver completed the SAP evaluation, referral and education/treatment process as required by the regulations. The school district shall comply with the query requirements set forth in 49 Code of Federal Regulations 382.701.

2. The school district may not access an individual's Clearinghouse record unless the school district (1) obtains the individual's prior written or electronic consent for access to the record; and (2) submits proof of the individual's consent to the Clearinghouse. The school district must retain the consent for three (3) years from the date of the last query. The school district shall retain for three (3) years a record of each request for records from the Clearinghouse and the information received pursuant to the request.
3. The school district shall protect the individual's privacy and confidentiality of each Clearinghouse record it receives. The school district shall ensure that information contained in a Clearinghouse record is not divulged to a person or entity not directly involved in assessing and evaluating whether a prohibition applies with respect to the individual to operate a CMV for the school district.
4. The school district may use an individual's Clearinghouse record only to assess and evaluate whether a prohibition applies with respect to the individual to operate a CMV for the school district.

IV. CANNABIS TESTING OR DRUG AND ALCOHOL TESTING FOR OTHER EMPLOYEES

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

A. Definitions

1. "Cannabis testing" means the analysis of a body component sample according to the standards established under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1, for the purpose of measuring the presence or absence of cannabis flower, as defined in Minnesota Statutes, section 342.01, subdivision 16, cannabis products, as defined in section 342.01, subdivision 20, lower-potency hemp edibles as defined in section 342.01, subdivision 50, hemp-derived consumer products as defined in section 342.01,

subdivision 37, or cannabis metabolites in the sample tested. The definitions in this section apply to cannabis testing unless stated otherwise.

2. "Confirmatory test" and "confirmatory retest" mean a drug or alcohol test that uses a method of analysis allowed under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.
3. "Drug" means a controlled substance as defined in Minnesota Statutes, section 152.01, subdivision 4, but does not include marijuana, tetrahydrocannabinols, cannabis flower as defined in section 342.01, subdivision 16, cannabis products as defined in section 342.01, subdivision 20, lower-potency hemp edibles as defined in section 342.01, subdivision 50, and hemp-derived consumer products as defined in section 342.01, subdivision 37.
4. "Drug and Alcohol Testing," "Drug or Alcohol Testing," and "Drug or Alcohol Test" mean analysis of a body component sample by a testing laboratory that meets one of the criteria listed in Minnesota Statutes, section 181.953, subdivision 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested. "Drug and alcohol testing," "drug or alcohol testing," and "drug or alcohol test" do not include cannabis or cannabis testing, unless stated otherwise.
5. "Employee" means a person, independent contractor, or person working for an independent contractor who performs services for compensation, in whatever form, for an employer.
6. "Initial screening test" means a drug or alcohol test or cannabis test which uses a method of analysis under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.
7. "Job Applicant" means a person, independent contractor, or person working for an independent contractor who applies to become an employee of the school district in a position that does not require a commercial driver's license, and includes a person who has received a job offer made contingent on the person's passing drug or alcohol testing. Job applicants for positions requiring a commercial driver's license are governed by the provisions of the school district's drug and alcohol testing policy relating to school bus drivers (Section III).
8. "Oral fluid test" means analysis of a saliva sample for the purpose of measuring the presence of the same substances as drug and alcohol testing and cannabis testing that:
 - a. can detect drugs, alcohol, cannabis, or their metabolites in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1; and
 - b. does not require the services of a testing laboratory under section 181.953, subdivision 1.

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

9. "Other Employees" means any persons, independent contractors, or persons working for an independent contractor who perform services for the school district for compensation, either full time or part time, in whatever form, except for persons whose positions require a commercial driver's license, and includes both professional and nonprofessional personnel. Persons whose positions require a commercial driver's license are primarily governed by the provisions of the district's drug and alcohol testing policy relating to school bus drivers

(Section III.). To the extent that the drug and alcohol testing of persons whose positions require a commercial driver's license is not mandated by federal law and regulations, such testing shall be governed by Section IV. of this policy and the drivers shall fall within this definition of "other employees."

10. "Positive Test Result" means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.
11. "Random Selection Basis" means a mechanism for selection of employees that:
 - a. results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected; and
 - b. does not give the school district discretion to waive the selection of any employee selected under the mechanism.
12. "Reasonable Suspicion" means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.
13. "Safety-Sensitive Position" means a job, including any supervisory or management position, in which an impairment caused by drug, alcohol, or cannabis usage would threaten the health or safety of any person.

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. 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.~~

4. ~~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.~~

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

1. General Limitations

a. The school district may will not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug or alcohol testing or cannabis testing, unless the testing is done pursuant to this policy; and either (1) is conducted by a testing laboratory that meets one of the criteria listed in Minnesota Statutes, section 181.953, subdivision 1; or (2) complies with the oral fluid test procedures under section 181.953, subdivision 5a.

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

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

2. Cannabis Testing Exceptions

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

- a. a safety-sensitive position, as defined in Minnesota Statutes, section 181.950, subdivision 13;
- b. a position requiring face-to-face care, training, education, supervision, counseling, consultation, or medical assistance to children;
- c. a position requiring a commercial driver's license or requiring an employee to operate a motor vehicle for which state or federal law requires drug or alcohol testing of a job applicant or an employee;
- d. a position of employment funded by a federal grant; or
- e. any other position for which state or federal law requires testing of a job applicant or an employee for cannabis.

3. Job Applicant Testing

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

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

4. Oral fluid testing

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

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

- c. If the laboratory test under paragraph (b) above indicates a positive result, any subsequent confirmatory retest, if requested by the employee or job applicant, must be conducted following the retest procedures provided in Minnesota Statutes, section 181.953, subdivision 6, paragraph (c), and subdivision 9 at the employee's or job applicant's own expense.
- d. Nothing in this subdivision is intended to modify the existing requirements for drug and alcohol testing or cannabis testing in the workplace under Minnesota Statutes, sections 181.950 to 18.957, unless stated otherwise.

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

5. Random Testing

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

6. Reasonable Suspicion Testing

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

- a. is under the influence of cannabis, drugs, or alcohol;
- b. has violated the school district's written work rules prohibiting the use, possession, sale, or transfer of drugs or alcohol, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products while the employee is working or while the employee is on the school district's premises or operating the school district's vehicles, machinery, or equipment;
- c. has sustained a personal injury, as that term is defined in Minnesota Statutes, section 176.011, subdivision 16, or has caused another employee to sustain a personal injury; or
- d. has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.

7. Treatment Program Testing

The school district may request or require any employee to undergo cannabis testing and drug and alcohol testing if the employee has been referred by the school district for chemical dependency treatment or evaluation or is participating in a chemical dependency treatment program under an employee benefit plan, in which case the employee may be requested or required to undergo cannabis testing and drug and alcohol testing without prior notice

during the evaluation or treatment period and for a period of up to two (2) years following completion of any prescribed chemical dependency treatment program.

8. Routine Physical Examination Testing

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

CB. 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. ~~"Reasonable suspicion" means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.~~

~~7. "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 the individual with notice of the test results and, at the same time, written notice of the right to explain the results and to submit additional information (see Attachment G to this policy).

b. The school district may request that the employee or job applicant indicate any over-the-counter or prescription medication that the individual is currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result.

c. The employee may present verification of enrollment in the medical cannabis patient registry or of enrollment in a Tribal medical cannabis program as part of the employee's explanation.

d. Use of nonintoxicating cannabinoids or edible cannabinoid products is not a legitimate medical explanation for a confirmed positive test result for cannabis. MROs will verify a drug test confirmed as positive, even if an employee claims to have only used nonintoxicating cannabinoids or edible cannabinoid product.

e. Within three (3) working days after notice of a positive test result on a confirmatory test, an employee or job applicant may submit information (in addition to any information already submitted) to the school district to explain that result.

~~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 the individual ~~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 Minnesota Statutes, section 181.953, subdivision 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that appropriate chain-of-custody procedures are followed during transfer of the sample to the other laboratory. The confirmatory retest must use the same drug, alcohol, or cannabis threshold detection levels as used in the original confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against the employee or job applicant.

~~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, the individual of other rights provided under Sections F. or G., below, whichever is applicable.

Attachments EF and FG 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. § 151.72 \(Sale of Certain Cannabinoid Products\)](#)
[Minn. Stat. § 152.01 \(Definitions\)](#)
Minn. Stat. § 152.22 (Definitions; Medical Cannabis)
Minn. Stat. § 152.23 (Limitations; Medical Cannabis)
Minn. Stat. § 152.32 (Protections for Registry Program Participation)
[Minn. Stat. § 176.011, subd. 16 \(Definitions; Personal Injury\)](#)
Minn. Stat. §§ 181.950-181.957 (Drug and Alcohol Testing in the Workplace)
Minn. Stat. § 221.031 (Motor Carrier Rules)
49 U.S.C. § 31306 (Omnibus Transportation Employee Testing Act of 1991)
[49 U.S.C. 31306a \(National Clearinghouse for Controlled Substance and Alcohol Test Results of Commercial Motor Vehicle Operators\)](#)
49 U.S.C. § 521(b) (Civil and Criminal Penalties for Violations)
49 C.F.R. Parts 40 ~~and 382~~ (Department of Transportation Rules Implementing Omnibus Transportation Employee Testing Act of 1991)
[49 C.F.R. Part 382 \(Controlled Substances and Alcohol Use and Testing\)](#)

Cross-References:

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

418 DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. "Alcohol" includes any alcoholic beverage containing more than one-half of one percent alcohol by volume. "Alcohol" includes any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor.
- B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code, section 812, including analogues and look-alike drugs.
- C. "Edible cannabinoid product" means any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in combination with food ingredients, and is not a drug.
- D. "Nonintoxicating cannabinoid" means substances extracted from certified hemp plants that do not produce intoxicating effects when consumed by injection, inhalation, ingestion, or by any other immediate means.
- E. "Medical cannabis" means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of: (1) liquid, including, but not limited to, oil; (2) pill; (3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; or (4) combustion with use of dried raw cannabis; or (5) any other method

~~approved by the Commissioner of the Minnesota Department of Health ("Commissioner")., excluding smoking, approved by the commissioner.~~

- F. "Possess" means to have on one's person, in one's effects, or in an area subject to one's control.
- G. "School location" includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.
- H. "Sell" means to sell, give away, barter, deliver, exchange, distribute or dispose of to another, or to manufacture; or to offer or agree to perform such an act, or to possess with intent to perform such an act.
- I. "Toxic substances" includes: (1) glue, cement, aerosol paint, containing toluene, benzene, xylene, amyl nitrate, butyl nitrate, nitrous oxide, or containing other aromatic hydrocarbon solvents, but does not include glue, cement, or paint contained in a packaged kit for the construction of a model automobile, airplane, or similar item; (2) butane or a butane lighter; or (3) any similar substance declared to be toxic to the central nervous system and to have a potential for abuse, by a rule adopted by the Commissioner.~~"Toxic substances" includes glue, cement, aerosol paint, or other substances used or possessed with the intent of inducing intoxication or excitement of the central nervous system.~~
- J. "Use" means to sell, buy, manufacture, distribute, dispense, be under the influence of, or consume in any manner, including, but not limited to, consumption by injection, inhalation, ingestion, or by any other immediate means. "Use" includes to sell, buy, manufacture, distribute, dispense, possess, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.

IV. EXCEPTIONS

- A. A violation of this policy does not occur when a person brings onto a school location, for such person's own use, a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.
- B. A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minnesota Statutes, section 624.701, subdivision 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).
~~A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minn. Stat. § 624.701, Subd. 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).~~
- C. A violation of this policy does not occur when a person uses or possesses a toxic substance unless they do so with the intent of inducing or intentionally aiding another in inducing intoxication, excitement, or stupefaction of the central nervous system, except under the direction and supervision of a medical doctor.

D. The school district may not refuse to enroll or otherwise penalize a patient or person enrolled in the Minnesota Patient Registry Program as a pupil solely because the patient or person is enrolled in the registry program, unless failing to do so would violate federal law or regulations or cause the school to lose a monetary or licensing-related benefit under federal law or regulations.

[NOTE: The 2024 Minnesota legislature amended this law to add this protection.]

V. PROCEDURES

- A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, must comply with the school district's student medication policy.
- B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.
- C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.
- D. Employees are subject to the school district's drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances, intoxicating cannabinoids, or edible cannabinoid products in a school location except with the express permission of the superintendent.
- F. No person is permitted to possess or use medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any child care facility.
- G. Possession of alcohol on school grounds pursuant to the exceptions of Minnesota Statutes Section 624.701, subdivision 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

VI. SCHOOL PROGRAMS

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

but not limited to the use of fentanyl or mixtures containing fentanyl, and treatment for a substance use disorder.

B. School district efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with Minnesota Statutes, sections 120B.10 and 120B.11.

C. Notwithstanding any law to the contrary, the school district shall have a procedure for a parent, a guardian, or an adult student 18 years of age or older to review the content of the instructional materials to be provided to a minor child or to an adult student pursuant to this article. The district must allow a parent or adult student to opt out of instruction under this article with no academic or other penalty for the student and must inform parents and adult students of this right to opt out.

VII. ENFORCEMENT

A. Students

1. Students may be required to participate in programs and activities that provide education against the use of alcohol, tobacco, marijuana, smokeless tobacco products, electronic cigarettes, and nonintoxicating cannabinoids, and edible cannabinoid products.

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

2. Students may be referred to drug or alcohol assistance or rehabilitation programs; school based mental health services, mentoring and counseling, including early identification of mental health symptoms, drug use and violence and appropriate referral to direct individual or group counseling service, which may be provided by school based mental health services providers; and/or referral to law enforcement officials when appropriate.

~~The student may be referred to a drug or alcohol assistance or rehabilitation program and/or to law enforcement officials when appropriate.~~

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

B. Employees

1. As a condition of employment in any federal grant, each employee who is engaged either directly or indirectly in performance of a federal grant shall abide by the terms of this policy and shall notify his or her supervisor in writing of his or her conviction of any criminal drug statute for a violation occurring in any of the places listed above on which work on a school district federal grant is performed, no later than five (5) calendar days after such conviction. Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

2. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, termination, or discharge as deemed appropriate by the school board.

3. In addition, any employee who violates the terms of this policy may be required to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the school district. Any employee who

fails to satisfactorily participate in and complete such a program is subject to nonrenewal, suspension, or termination as deemed appropriate by the school board.

4. Sanctions against employees, including nonrenewal, suspension, termination, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.

C. The Public

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

Legal References: [Minn. Stat. § 120B.215 \(Education on Cannabis Use and Substance Use\)](#)
[Minn. Stat. § 121A.22 \(Administration of Drugs and Medicine\)](#)
[Minn. Stat. § 121A.40-§ 121A.56 \(Pupil Fair Dismissal Act\)](#)
[Minn. Stat. § 151.72 \(Sale of Certain Cannabinoid Products\)](#)
[Minn. Stat. § 152.01, Subd. 15a \(Definitions\)](#)
[Minn. Stat. § 152.0264 \(Cannabis Sale Crimes\)](#)
[Minn. Stat. § 152.22, Subd. 6 \(Definitions; Medical Cannabis\)](#)
[Minn. Stat. § 152.23 \(Limitations; Medical Cannabis\)](#)
[Minn. Stat. § 169A.31 \(Alcohol-Related School Bus or Head Start Bus Driving\)](#)
[Minn. Stat. § 340A.101 \(Definitions; Alcoholic Beverage\)](#)
[Minn. Stat. § 340A.403 \(3.2 Percent Malt Liquor Licenses\)](#)
[Minn. Stat. § 340A.404 \(Intoxicating Liquor; On-Sale Licenses\)](#)
[Minn. Stat. § 342.09 \(Personal Adult Use of Cannabis\)](#)
[Minn. Stat. § 342.56 \(Limitations\)](#)
[Minn. Stat. § 609.684 \(Sale of Toxic Substances to Children; Abuse of Toxic Substances\)](#)
[Minn. Stat. § 624.701 \(Alcohol in Certain Buildings or Grounds\)](#)
[20 U.S.C. § 7101-71265 \(Student Support and Academic Enrichment Grants Safe and Drug-Free Schools and Communities Act\)](#)
[21 U.S.C. § 812 \(Schedules of Controlled Substances\)](#)
[41 U.S.C. §§ 8101-8106 \(Drug-Free Workplace Act\)](#)
[21 C.F.R. §§ 1308.11-1308.15 \(Controlled Substances\)](#)
[34 C.F.R. Part 84 \(Government-wide Requirements for Drug-Free Workplace\)](#)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
[MSBA/MASA Model Policy 419 \(Tobacco-Free Environment; Possession and use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction\)](#)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 516 (Student Medication)



ADDENDUM

REGULAR BOARD MEETING Monday, December 16, 2024 SPCC-Governor's Room 6:30PM

IX. ACTION ITEMS

5. AGENDA ITEM #5

Subject: Consider Policies with Legislative Requirements for Approval with One Reading

Action: Requires a Motion

Background: The following policies were reviewed by the Policy Committee and brought forward for a single reading. Policies being adopted due to statutory changes can be adopted in one reading.

- Policy 503 - Student Attendance
 - Updates excused absences, adds note on unexcused absences
- Policy 509 - Enrollment of Nonresident Students
 - Removes School Readiness Plus / Adds School of Parents' Choice law
- Policy 512 - School-Sponsored Student Publications and Activities
 - Adds student journalist law
- Policy 513 - Student Promotion, Retention and Program Design
 - Removes Worlds' Best Workforce
- Policy 524 - Internet, Technology, and Cell Phone Acceptable Use and Safety Policy
 - New title, adds cell phone provision

Presentation: Superintendent of Schools, Jeff Olson
Policy Committee

Options/Recommendation: I recommend your approval of revisions to Policies 503, 509, 512, 513 and 524.

503 STUDENT ATTENDANCE

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

A. Responsibilities

1. Student's Responsibility

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

2. Parent or Guardian's Responsibility

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

3. Teacher's Responsibility

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

4. Administrator's Responsibility

- a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or

guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.

- b. In accordance with the Minnesota Compulsory Instruction Law, Minnesota Statutes, section 120A.22, the students of the school district are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

B. Attendance Procedures

Attendance procedures shall be presented to the school board for review and approval.

1. Excused Absences

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

[NOTE: This paragraph quotes Minnesota Statutes, section 120A.22.]

~~To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.~~

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

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

~~Although excusing absenteeism and tardiness is at the discretion of the principal, the following reasons are valid and should be used by parents and students as guidelines:~~

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

d. Legitimate Exceptions

The following reasons shall be sufficient to constitute excused absences:

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

- (a) Child illness, medical, dental, or orthodontic treatment, or a counseling appointments; including appointments conducted through telehealth.;

- (b) Family emergencies;

- (c) The death or serious illness or funeral of an immediate family member;
- (d) Active duty in any military branch of the United States;
- (e) The child has a condition that requires ongoing treatment for a mental health diagnosis; or
- (f) Court appearances occasioned by family or personal action.
- (g) Physical emergency conditions such as fire, flood, storm, etc.
- (h) Official school field trip or other school-sponsored outing.
- (i) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.

Other exemptions included in this attendance policy:

- (i) Family vacations with prior Principal approval
- (ii) Personal trips to schools or colleges with prior Principal approval
- (iii) The Building Principal can make exceptions for unexcused circumstances.

(2). that the child has already completed state and district standards required for graduation from high school; or

(3). that it is the wish of the parent, guardian, or other person having control of the child, that the child attend for a period or periods not exceeding in the aggregate three hours in any week, instruction conducted by a Tribal spiritual or cultural advisor, or a school for religious instruction conducted and maintained by a church, or association of churches, or any Sunday school association incorporated under the laws of this state, or any auxiliary thereof. This instruction must be conducted and maintained in a place other than a public school building, and it must not, in whole or in part, be conducted and maintained at public expense. A child may be absent from school on days that the child attends upon instruction according to this clause.

[NOTE: Subparagraph 3 above incorporates the 2024 amendment to Minnesota Statutes, section 120A.22, subdivision 12.]

- ~~(1) — Illness.~~
- ~~(2) — Serious illness in the student’s immediate family.~~
- ~~(3) — A death or funeral in the student’s immediate family or of a close friend or relative.~~
- ~~(4) — Medical, dental, or orthodontic treatment, or a counseling~~

appointment.

- (5) — Court appearances occasioned by family or personal action.
- (6) — Religious instruction not to exceed three hours in any week.
- (7) — Observance of religious events
- (8) — Physical emergency conditions such as fire, flood, storm, etc.
- (9) — Official school field trip or other school-sponsored outing.
- (10) — Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
- (11) — Family emergencies.
- (12) — Active duty in any military branch of the United States.
- (13) — A student's condition that requires ongoing treatment for a mental health diagnosis.
- (14) — The building principal can/may make exceptions for unusual situations.
- (15) — Family vacations with prior Principal approval; Personal trips to schools or colleges.

[Note: State law provides that a school board may include other exemptions in the school district's attendance policy. See Minn. Stat. § 120A.22, Subd. 12. When considering whether to add other exemptions, school boards should consider the intent of the compulsory attendance law, which recognizes the educational value of regular attendance and class participation, and whether the proposed exemption is consistent with the intent of the law.]

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

c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.
- (2) Work missed because of absence must be made up as indicated in each School's handbook. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

2. Unexcused Absences

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

- (1) Truancy. An absence by a student which was not approved by the parent and/or the school district.
- (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
- (3) Work at home.
- (4) Work at a business, except under a school-sponsored work release program.

~~(5) Vacations with family.~~

~~(6) Personal trips to schools or colleges.~~

~~(7) Any other absence not included under the attendance procedures set out in this policy.~~

~~(6) The building Principal can make exceptions for unusual situations.~~

b. Consequences of Unexcused Absences

- (1) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.
- (2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.
- (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.

~~(4) Students with unexcused absences shall be subject to discipline in the following manner:~~

~~(a) In cases of unexcused absences, the student may be allowed to make up work missed due to such absence.~~

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

~~(c) After such notification, the student or his or her parent or guardian may, within a reasonable time, request a conference with school officials regarding the student's absences and the prescribed discipline. The notification will state that the school strongly urges the student's parent or guardian to request such a conference.~~

~~(d) — After _____ cumulative unexcused absences in a [quarter or semester] the teacher will reduce the student's letter grade by one increment for each unexcused absence thereafter (i.e. A to A-). However, prior to reducing the student's grade, an administrative conference must be held among the principal, student, and parent.~~

~~(e) — After _____ cumulated unexcused absences in a [quarter or semester], the administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative conference must be held among the principal, student, and parent.~~

~~(f) — If the result of a grade reduction or loss of credit has the effect of an expulsion, the school district will follow the procedures set forth in the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.~~

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

C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness.
2. Procedures for Reporting Tardiness
 - a. Students tardy at the start of school must report to the school office for an admission slip.
 - b. Tardiness between periods will be handled by the teacher.
3. Excused Tardiness

Valid excuses for tardiness are:

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

designated time class period commences without a valid excuse.

- b. Parents/guardians of students with excessive tardiness will be notified and an individual behavior plan will be developed with the student support team. Failure to meet these plans may result in disciplinary action

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

1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.
2. In order to participate in co-curricular activities, students must be in attendance at school ~~the full day of day during the afternoon on the day of~~ the event/practice unless excused by a doctor's note. Individuals with unexcused absences on the day of the event/practice may not participate.
3. School-initiated absences will be accepted and participation permitted.
4. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
5. If a student is suspended from any class, he or she may not participate in any activity or program that day.
6. If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program.

III. RELIGIOUS OBSERVANCE ACCOMMODATION

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

III.V. DISSEMINATION OF POLICY

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

IV. REQUIRED REPORTING

A. Continuing Truant

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

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

B. Reporting Responsibility

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

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

[Note: Where services and procedures under Minn. Stat. Ch. 260A are available within the school district, the following provisions should also be included in the policy.]

C. Habitual Truant

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

Legal References: Minn. Stat. § 120A.05 (Definitions)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 120A.24 (Reporting)
Minn. Stat. § 120A.26 (Enforcement and Prosecution)
Minn. Stat. § 120A.34 (Violations; Penalties)

Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 260A.02 (Definitions)
Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is a Continuing Truant)
Minn. Stat. § 260C.007, Subd. 19 (Habitual Truant Defined)
Minn. Stat. § 260C.201 (Dispositions; Children in Need of Protection or Services or Neglected and in Foster Care)
Goss v. Lopez, 419 U.S. 565, 95 S.Ct. 729 (1975)
Slocum v. Holton Board of Education, 429 N.W.2d 607 (Mich. App. Ct. 1988)
Campbell v. Board of Education of New Milford, 475 A.2d 289 (Conn. 1984)
Hamer v. Board of Education of Township High School District No. 113, 66 Ill. App.3d 7, 383 N.E.2d 231 (1978)
Gutierrez v. School District R-1, 585 P.2d 935 (Co. Ct. App. 1978)
Knight v. Board of Education, 38 Ill. App. 3d 603, 348 N.E.2d 299 (1976)
Dorsey v. Bale, 521 S.W.2d 76 (Ky. 1975)

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

509 ENROLLMENT OF NONRESIDENT STUDENTS

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. OPEN ENROLLMENT PROCESS

A. Open Enrollment applications will be approved provided that acceptance of the application will not exceed the capacity of a program, excluding special education services; class; grade level; or school building as established by school board resolution and provided that:

1. space is available for the applicant under enrollment cap standards established by school board policy or other directive; and
2. in considering the capacity of a grade level, the school district may only limit the enrollment of nonresident students to a number not less than the lesser of: (a) one percent of the total enrollment at each grade level in the school district; or (b) the number of school district resident students at that grade level enrolled in a nonresident school district in accordance with Minnesota Statutes, section 124D.03.
3. the applicant is not otherwise excluded by action ~~of the~~ the school district because of previous conduct in another school district.

B. If the school district limits enrollment of nonresident students pursuant to this section, the district shall report to the Commissioner of the Minnesota Department of Education (MDE) by July 15 on the number of nonresident pupils denied admission due to the limitations on the enrollment of nonresident pupils.

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

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

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

~~D. A nonresident preschool aged child with a disability open enrolled in the district may be required to open enroll for kindergarten.~~

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

IV. BASIS FOR DECISIONS

A. Standards that may be used for rejection of application

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

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

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

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

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

CD. Application

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

The school district may require a nonresident student enrolled in a program under Minnesota Statutes, section 125A.13, or in a preschool program, except for a program under Minnesota Statutes, section 124D.151 ~~or Laws 2017, First Special Session chapter 5, article 8, section 9,~~ to follow the application procedures under this subdivision to enroll in kindergarten. A district must allow a nonresident student enrolled in a program under

Minnesota Statutes, section 124D.151 or ~~Laws 2017, First Special Session chapter 5, article 8, section 9~~, to remain enrolled in the district when the student enters kindergarten without submitting annual or periodic applications, unless the district terminates the student's enrollment under subdivision 12.

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

DE. Lotteries

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

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

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

EF. Exclusion

1. Administrator's initial determination. If a school district administrator knows or has reason to believe that an applicant has engaged in conduct that has subjected or could subject the applicant to expulsion or exclusion under law or school district policy, the administrator will transmit the application to the superintendent with a recommendation of whether exclusion proceedings should be initiated.
2. Superintendent's review. The superintendent may make further inquiries. If the superintendent determines that the applicant should be admitted, he or she will notify the applicant and the school board chair. If the superintendent determines that the applicant should be excluded, the superintendent will notify the applicant and determine whether the applicant wishes to continue the application process. Although an application may not be rejected based on previous disciplinary proceedings, the school district reserves the right to initiate exclusion procedures pursuant to the Minnesota Pupil Fair Dismissal Act as warranted on a case-by-case basis.

FG. Termination of Enrollment

The school district may terminate the enrollment of a nonresident student enrolled under an enrollment options program pursuant to Minnesota Statutes, section 124D.03 or 124D.08 at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy under Minnesota

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

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

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

Legal References: Minn. Stat. § 120A.22, Subd. 3(e) and Subd. 8 (Compulsory Instruction)
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.08 (School Board Approval to Enroll in Nonresident District; Exceptions)
[Minn. Stat. § 124D.151 \(Voluntary Prekindergarten Program\)](#)
Minn. Stat. § 124D.68 (Graduation Incentives Program)
[Minn. Stat. § 125A.13 \(School of Parents' Choice\)](#)
Minn. Stat. Ch. 260A (Truancy)
Minn. Stat. § 260C.007, Subd. 19 (Definitions)
Minn. Op. Atty. Gen. 169-f (Aug. 13, 1986)
Indep. Sch. Dist. No. 623 v. Minn. Dept. of Educ., Co. No. A05-361, 2005 WL 3111963 (Minn. Ct. App. 2005) (unpublished)
18 U.S.C. 930, para. (g)(2) (Definition of weapon)

Cross References: Policy 506 (Student Discipline)
Policy 517 (Student Recruiting)

512 SCHOOL-SPONSORED STUDENT PUBLICATIONS AND ACTIVITIES

I. PURPOSE

The purpose of this policy is to protect students’ rights to free speech in production of ~~official school-sponsored publications media~~ and activities while at the same time balancing the school district’s role in supervising student publications and the operation of public schools.

II. GENERAL STATEMENT OF POLICY

[Note: A school district generally will wish to reserve a forum it sponsors for its intended purpose in light of the special characteristics of the school environment. By doing so, the school district will have more authority/editorial control over student expression in such a forum. Sponsorship alone may not be enough, however. If the exercise of control is challenged, courts will examine factors such as whether the school district’s purpose in creating the forum was educational, whether school officials supervised the publication or activity and exercised editorial control over the contents, whether the materials were produced as part of the curriculum, and whether students received grades and academic credit for the publication or activity. If a forum is reserved, regulation of student expression as in Section IV.B. of this policy will be permissible. If a forum is not reserved, but rather is opened for public communication by tradition or designation, then only the limited regulation of speech as described in Section IV.A. of this policy will be permissible.]

- A. The school district may exercise editorial control over the style and content of student expression in school-sponsored publications and activities.
- B. Expressions and representations made by students in school-sponsored publications and activities are not expressions of official school district policy. Faculty advisors shall supervise student writers to ensure compliance with the law and school district policies.
- C. Students who believe their right to free expression has been unreasonably restricted in ~~an official student publication school-sponsored media~~ or activity may seek review of the decision by the building principal. The principal shall issue a decision no later than three (3) school days after review is requested.
 - 1. Students producing ~~official-school-sponsored media-publications~~ and activities shall be under the supervision of a faculty advisor and the school principal. ~~School-sponsored media Official-publications~~ and activities shall be subject to the guidelines set forth below.
 - 2. ~~Official-school-publications School-sponsored media~~ -may be distributed at reasonable times and locations.

III. DEFINITIONS

- A. “Distribution” means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying material, or placing materials in internal staff or student mailboxes.
- B. “Material and substantial disruption” of a normal school activity means:

1. Where the normal school activity is an educational program of the school district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
2. Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

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

C. "Minor" means any person under the age of eighteen (18).

B. "Official school publications" means school newspapers, yearbooks, or material produced in communications, journalism, or other writing classes as a part of the curriculum.

CD. "Obscene to minors" means:

1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and
3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.

D. "Minor" means any person under the age of eighteen (18).

E. "Material and substantial disruption" of a normal school activity means:

1. Where the normal school activity is an educational program of the school district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
2. Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

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

FE. "School activities" means any activity of students sponsored by the school including,

but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.

~~G. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower that individual in the esteem of the community.~~

~~F. "School-sponsored media" means material that is:~~

- ~~1. prepared, wholly or substantially written, published, broadcast, or otherwise disseminated by a student journalist enrolled in the school district;~~
- ~~2. distributed or generally made available to students in the school; and~~
- ~~3. prepared by a student journalist under the supervision of a student media adviser.~~

~~School-sponsored media does not include material prepared solely for distribution or transmission in the classroom in which the material is produced, or a yearbook.~~

~~G. "Student journalist" means a school district student in grades 6 through 12 who gathers, compiles, writes, edits, photographs, records, or otherwise prepares information for dissemination in school-sponsored media.~~

~~H. "Student media adviser" means a qualified teacher, as defined in Minnesota Statutes, section 122A.16, that the school district employs, appoints, or designates to supervise student journalists or provide instruction relating to school-sponsored media.~~

~~[NOTE: The 2024 Minnesota legislature enacted the new definitions above and the new language in Article IV. below.]~~

IV. GUIDELINES

~~A. Except as provided in paragraph B below, a student journalist has the right to exercise freedom of speech and freedom of the press in school-sponsored media regardless of whether the school-sponsored media receives financial support from the school or district, uses school equipment or facilities in its production, or is produced as part of a class or course in which the student journalist is enrolled. Freedom of speech includes freedom to express political viewpoints. Consistent with paragraph B below, a student journalist has the right to determine the news, opinion, feature, and advertising content of school-sponsored media. The school district must not discipline a student journalist for exercising rights or freedoms under this paragraph or the First Amendment of the United States Constitution.~~

~~AB. Student Expression in an official school publication-school-sponsored media, a yearbook or school-sponsored activity is prohibited when the material:~~

- ~~1. is obscene to minors;~~
- ~~2. is libelous or slanderous;~~
- ~~2. is defamatory;~~
- ~~3. is profane, harassing, threatening, or intimidating;~~
- ~~4. constitutes an unwarranted invasion of privacy;~~
- ~~5. violates federal or state law;~~
- ~~6. causes a material and substantial disruption of school activities;~~

~~7.~~ is directed to inciting or producing imminent lawless action on school premises or the violation of lawful school policies or rules, including a policy adopted in accordance with Minnesota Statutes, section 121A.03 or 121A.031;

~~38.~~ advertises or promotes any product or service not permitted for minors by law;

~~4.~~ encourages students to commit illegal acts or violate school regulations or substantially disrupts the orderly operation of school or school activities;

~~59.~~ expresses or advocates sexual, racial, or religious harassment or violence or prejudice; or

~~610.~~ is distributed or displayed in violation of time, place, and manner regulations.

~~C.~~ The school district must not retaliate or take adverse employment action against a student media adviser for supporting a student journalist exercising rights or freedoms under paragraph A above or the First Amendment of the United States Constitution.

~~D.~~ Notwithstanding the rights or freedoms of this Article or the First Amendment of the United States Constitution, nothing in this Article inhibits a student media adviser from teaching professional standards of English and journalism to student journalists.

~~BC.~~ Expression in an official school publication or school-sponsored activity is subject to editorial control by the school district over the style and content so long as the school district's actions are reasonably related to legitimate pedagogical concerns. These may include, but are not limited to, the following:

1. assuring that participants learn whatever lessons the activity is designed to teach;
2. assuring that readers or listeners are not exposed to material that may be inappropriate for their level of maturity;
3. assuring that the views of the individual speaker are not erroneously attributed to the school;
4. assuring that the school is not associated with any position other than neutrality on matters of political controversy;
5. assuring that the sponsored student speech cannot reasonably be perceived to advocate conduct otherwise inconsistent with the shared values of a civilized social order;
6. assuring that the school is not associated with expression that is, for example, ungrammatical, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences.

~~CE.~~ Time, Place, and Manner of Distribution

Students shall be permitted to distribute written materials at school as follows:

1. Time

Distribution shall be limited to the hours before the school day begins, during lunch hour and after school is dismissed.

2. Place

Written materials may be distributed in locations so as not to interfere with the normal flow of traffic within the school hallways, walkways, entry ways, and parking lots. Distribution shall not impede entrance to or exit from school premises in any way.

3. Manner

No one shall induce or coerce a student or staff member to accept a student publication.

4. Electronic Communication—electronic communication is governed by the school district’s acceptable use policy.

V. POSTING

The school district must adopt a student journalist policy consistent with Minnesota Statutes, section 121A.80 and post it on the district website.

[NOTE: This model policy is crafted to fulfill the obligation stated above.]

Legal References:

U. S. Const., amend. I
Morse v. Frederick, 551 U.S. 393 (2007)
Hazelwood School District v. Kuhlmeier, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)
Bystrom v. Fridley High School, I.S.D. No. 14, 822 F. 2d 747 (8th Cir. 1987)
Minn. Stat. § 121A.03 (Model Policy)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.80 (Student Journalism; Student Expression)
Morse v. Frederick, 551 U.S. 393, 127 S.Ct. 2618, 168 L.Ed.2d 290 (2007)

Cross References:

Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
Policy 506 (Student Discipline)
Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)

513 STUDENT PROMOTION, RETENTION, AND PROGRAM DESIGN

I. PURPOSE

The purpose of this policy is to provide guidance to professional staff, parents, and students regarding student promotion, retention, and program design.

II. GENERAL STATEMENT OF POLICY

The school board expects all students to achieve at an acceptable level of proficiency. Parental assistance, tutorial and remedial programs, counseling, and other appropriate services shall be coordinated and utilized to the greatest extent possible to help students succeed in school.

A. Promotion

Students who achieve at levels deemed acceptable by local and state standards shall be promoted to the next grade level at the completion of each school year.

B. Retention

Retention of a student may be considered when professional staff and parents feel that it is in the best interest of the student. Physical development, maturity, and emotional factors shall be considered, as well as scholastic achievement. The superintendent's decision shall be final.

C. Program Design

1. The superintendent, with participation of the professional staff and parents, shall develop and implement programs to challenge students that are consistent with the needs of students at every level. A process to assess and evaluate students for program assignment shall be developed in coordination with such programs. Opportunities for special programs and placement outside of the school district shall also be developed as additional options. All programs will be aligned with creating the comprehensive achievement and civic readiness. ~~World's Best Workforce.~~
2. The school district may identify students, locally develop programs and services addressing instructional and affective needs, provide staff development, and evaluate programs to provide gifted and talented students with challenging and appropriate educational programs and services.
3. The school district must adopt guidelines for assessing and identifying students for participation in gifted and talented programs and services consistent with Minnesota Statutes, section 120B.11. The guidelines should include the use of:
 - a. multiple objective criteria; and
 - b. assessments and procedures that are valid and reliable, fair, and based on current theory and research. Assessments and procedures should be sensitive to under-represented groups, including, but not limited to, low-income, minority, twice-exceptional, and English learners.
4. The school district must adopt procedures for the academic acceleration of gifted and talented students. These procedures will include how the school district

will:

- a. assess a student's readiness and motivation for acceleration; and
 - b. match the level, complexity, and pace of the curriculum to a student to achieve the best type of academic acceleration for that student.
5. The school district must adopt procedures consistent with Minnesota Statutes, section 124D.02 for early admission to kindergarten or first grade of gifted or talented learners consistent with Minnesota Statutes, section 120B.11, subdivision 2, clause (2). The procedures must be sensitive to underrepresented groups.

Legal References: Minn. Stat. § 120B.15 (Gifted and Talented Students Program)
Minn. Stat. § 123B.143, Subd. 1 (Superintendent)

Cross References: Policy 613 (Graduation Requirements)
Policy 614 (School District Testing Plan and Procedure)
Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
Policy 617 (School District Ensurance of Preparatory and High School Standards)
Policy 618 (Assessment of Student Achievement)
Policy 620 (Credit for Learning)

524 INTERNET, TECHNOLOGY, AND CELL PHONE ACCEPTABLE USE AND SAFETY POLICY

I. PURPOSE

The purpose of this policy is to set forth policies and guidelines for access to the school district computer system and acceptable and safe use of the Internet, including electronic communications.

II. GENERAL STATEMENT OF POLICY

In making decisions regarding student and employee access to the school district computer system and the Internet, including electronic communications, the school district considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the school district computer system and to the Internet enables students and employees to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The school district expects that faculty will blend thoughtful use of the school district computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

III. LIMITED EDUCATIONAL PURPOSE

The school district is providing students and employees with access to the school district computer system, which includes Internet access. The purpose of the system is more specific than providing students and employees with general access to the Internet. The school district system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the school district and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network.

IV. USE OF SYSTEM IS A PRIVILEGE

The use of the school district system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the school district system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment; or civil or criminal liability under other applicable laws.

V. UNACCEPTABLE USES

- A. While not an exhaustive list, the following uses of the school district system and Internet resources or accounts are considered unacceptable:
 - 1. Users will not use the school district system to access, review, upload, download, store, print, post, receive, transmit, or distribute:
 - a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory,

- threatening, disrespectful, or sexually explicit language;
- c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
 - d. information or materials that could cause damage or danger of disruption to the educational process;
 - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
2. Users will not use the school district system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
 3. Users will not use the school district system to engage in any illegal act or violate any local, state, or federal statute or law.
 4. Users will not use the school district system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
 5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.
 6. Users will not use the school district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.
 - a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
 - b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
 - (1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or
 - (2) such information is not classified by the school district as directory information but written consent for release of the

information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

In addition, prior to posting any personal contact or personally identifiable information on a school-related webpage, employees shall obtain written approval of the content of the postings from the building administrator.

- c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited to, social networks such as "Facebook," "Twitter," "Instagram," "Snapchat," "TikTok," "Reddit," and similar websites or applications.
 7. Users must keep all account information and passwords on file with the designated school district official. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person's account, or use computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities.
 8. Users will not use the school district system to violate copyright laws or usage licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.
 9. Users will not use the school district system for conducting business, for unauthorized commercial purposes, or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district official.
 10. Users will not use the school district system to engage in bullying or cyberbullying in violation of the school district's Bullying Prohibition Policy. This prohibition includes using any technology or other electronic communication off school premises to the extent that student learning or the school environment is substantially and materially disrupted.
- B. The school district has a special interest in regulating off-campus speech that materially disrupts classwork or involves substantial disorder or invasion of the rights of others. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations may include, but are not limited to, serious or severe bullying or harassment targeting particular individuals, threats aimed at teachers or other students, failure to follow rules concerning lessons, the writing of papers, the use of computers, or participation in other online school activities, and breaches of school security devices. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.
- C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school

district official. In the case of a school district employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.

VI. FILTER

- A. With respect to any of its computers with Internet access, the school district will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:
 - 1. Obscene;
 - 2. Child pornography; or
 - 3. Harmful to minors.
- B. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:
 - 1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
 - 2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 - 3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.
- D. An administrator, supervisor, or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.
- E. The school district will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

VII. CONSISTENCY WITH OTHER SCHOOL POLICIES

Use of the school district computer system and use of the Internet shall be consistent with school district policies and the mission of the school district.

VIII. LIMITED EXPECTATION OF PRIVACY

- A. By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school district system.
- B. Routine maintenance and monitoring of the school district system may lead to a

discovery that a user has violated this policy, another school district policy, or the law.

- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.
- D. Parents may have the right at any time to investigate or review the contents of their child's files and email files in accordance with the school district's Protection and Privacy of Pupil Records Policy. Parents have the right to request the termination of their child's individual account at any time.
- E. School district employees should be aware that the school district retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, school district employees should be aware that data and other materials in files maintained on the school district system may be subject to review, disclosure, or discovery under Minnesota Statutes chapter 13 (Minnesota Government Data Practices Act).
- F. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

IX. INTERNET USE AGREEMENT

- A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents, and employees of the school district.
- B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.
- C. The Internet Use Agreement form for students must be read and signed by the user, the parent or guardian, and the supervising teacher. The Internet Use Agreement form for employees must be signed by the employee. The form must then be filed at the school office. As supervising teachers change, the agreement signed by the new teacher shall be attached to the original agreement.

X. LIMITATION ON SCHOOL DISTRICT LIABILITY

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

XI. USER NOTIFICATION

- A. All users shall be notified of the school district policies relating to Internet use.
- B. This notification shall include the following:
 - 1. Notification that Internet use is subject to compliance with school district policies.

2. Disclaimers limiting the school district's liability relative to:
 - a. Information stored on school district diskettes, hard drives, or servers.
 - b. Information retrieved through school district computers, networks, or online resources.
 - c. Personal property used to access school district computers, networks, or online resources.
 - d. Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.
3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.
4. Notification that, even though the school district may use technical means to limit student Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student and/or the student's parents.
6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the Internet, including electronic communications, is governed by Public and Private Personnel Data Policy, and Protection and Privacy of Pupil Records Policy.
7. Notification that, should the user violate the school district's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.
8. Notification that all provisions of the acceptable use policy are subordinate to local, state, and federal laws.

XII. PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE

- A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies, and other possibly offensive media. Parents are responsible for monitoring their student's use of the school district system and of the Internet if the student is accessing the school district system from home or a remote location.
- B. Parents will be notified that their students will be using school district resources/accounts to access the Internet and that the school district will provide parents the option to request alternative activities not requiring Internet access. This notification should include:
 1. A copy of the user notification form provided to the student user.
 2. A description of parent/guardian responsibilities.
 3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.
 4. A statement that the Internet Use Agreement must be signed by the user, the parent or guardian, and the supervising teacher prior to use by the student.

5. A statement that the school district's acceptable use policy is available for parental review.

XIII. NOTIFICATION REGARDING TECHNOLOGY PROVIDERS

- A. "Technology provider" means a person who:
 1. contracts with the school district, as part of a one-to-one program or otherwise, to provide a school-issued device for student use; and
 2. creates, receives, or maintains educational data pursuant or incidental to a contract with the school district.
- B. "Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.
- C. Within 30 days of the start of each school year, the school district must give parents and students direct and timely notice, by United States mail, e-mail, or other direct form of communication, of any curriculum, testing, or assessment technology provider contract affecting a student's educational data. The notice must:
 1. identify each curriculum, testing, or assessment technology provider with access to educational data;
 2. identify the educational data affected by the curriculum, testing, or assessment technology provider contract; and
 3. include information about the contract inspection and provide contact information for a school department to which a parent or student may direct questions or concerns regarding any program or activity that allows a curriculum, testing, or assessment technology provider to access a student's educational data.
- D. The school district must provide parents and students an opportunity to inspect a complete copy of any contract with a technology provider.
- E. A contract between a technology provider and the school district must include requirements to ensure appropriate security safeguards for educational data. The contract must require that:
 1. the technology provider's employees or contractors have access to educational data only if authorized; and
 2. the technology provider's employees or contractors may be authorized to access educational data only if access is necessary to fulfill the official duties of the employee or contractor.
- F. All educational data created, received, maintained, or disseminated by a technology provider pursuant or incidental to a contract with a public educational agency or institution are not the technology provider's property.

XIV. SCHOOL-ISSUED DEVICES

- A. "School-issued device" means hardware or software that the school district, acting independently or with a technology provider, provides to an individual student for that student's dedicated personal use. A school-issued device includes a device issued through a one-to-one program.
- B. Except as provided in paragraph C, the school district or a technology provider must not electronically access or monitor:

1. any location-tracking feature of a school-issued device;
 2. any audio or visual receiving, transmitting, or recording feature of a school-issued device; or
 3. student interactions with a school-issued device, including but not limited to keystrokes and web-browsing activity.
- C. The school district or a technology provider may only engage in activities prohibited by paragraph B if:
1. the activity is limited to a noncommercial educational purpose for instruction, technical support, or exam-proctoring by school district employees, student teachers, staff contracted by the school district, a vendor, or the Minnesota Department of Education, and notice is provided in advance;
 2. the activity is permitted under a judicial warrant;
 3. the school district is notified or becomes aware that the device is missing or stolen;
 4. the activity is necessary to respond to an imminent threat to life or safety and the access is limited to that purpose;
 5. the activity is necessary to comply with federal or state law, including but not limited to Minnesota Statutes section 121A.031; or
 6. the activity is necessary to participate in federal or state funding programs, including but not limited to the E-Rate program.
- D. If the school district or a technology provider interacts with a school-issued device as provided in paragraph C, clause 4, it must, within 72 hours of the access, notify the student to whom the school-issued device was issued or that student's parent and provide a written description of the interaction, including which features of the device were accessed and a description of the threat. This notice is not required at any time when the notice itself would pose an imminent threat to life or safety, but must instead be given within 72 hours after that imminent threat has ceased.

XV. CELL PHONE USE

The school board directs the superintendent and school district administration to establish rules and procedures regarding student possession and use of cell phones in schools. These rules and procedures should seek to minimize the impact of cell phones on student behavior, mental health, and academic attainment. These rules and procedures may be designed for specific school buildings, grade levels, or similar criteria and will be incorporated into the student handbook for each building in the district.

XVI. LIMIT ON SCREEN TIME FOR CHILDREN IN PRESCHOOL AND KINDERGARTEN

A child in a publicly funded preschool or kindergarten program may not use an individual-use screen, such as a tablet, smartphone, or other digital media, without engagement from a teacher or other students. This section does not apply to a child for whom the school has an individualized family service plan, an individualized education program, or a 504 plan in effect.

XVII. IMPLEMENTATION; POLICY REVIEW

- A. The school district administration may develop appropriate user notification forms, guidelines, and procedures necessary to implement this policy for submission to the

school board for approval. Upon approval by the school board, such guidelines, forms, and procedures shall be an addendum to this policy.

- B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.
- C. The school district Internet policies and procedures are available for review by all parents, guardians, staff, and members of the community.
- D. Because of the rapid changes in the development of the Internet, the school board shall conduct an annual review of this policy.

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
[Minn. Stat. § 121A.73 \(School Cell Phone Policy\)](#)
Minn. Stat. § 124D.166 (Limit on Screen Time for Children in Preschool and Kindergarten)
Minn. Stat. § 125B.15 (Internet Access for Students)
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
15 U.S.C. § 6501 *et seq.* (Children’s Online Privacy Protection Act)
17 U.S.C. § 101 *et seq.* (Copyrights)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
47 U.S.C. § 254 (Children’s Internet Protection Act of 2000 (CIPA))
47 C.F.R. § 54.520 (FCC rules implementing CIPA)
Mahanoy Area Sch. Dist. v. B.L., 594 U.S. 180 , 141 S. Ct. 2038 (2021)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969)
United States v. Amer. Library Assoc., 539 U.S. 194(2003)
Sagehorn v. Indep. Sch. Dist. No. 728, 122 F.Supp.2d 842 (D. Minn. 2015)
R.S. v. Minnewaska Area Sch. Dist. No. 2149, 894 F.Supp.2d 1128 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), *aff’d* on other grounds 816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee’s Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)
Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)

Cross References:

Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
Policy 406 (Public and Private Personnel Data)
Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
Policy 506 (Student Discipline)
Policy 514 (Bullying Prohibition Policy)
Policy 515 (Protection and Privacy of Pupil Records)
Policy 519 (Interviews of Students by Outside Agencies)
Policy 521 (Student Disability Nondiscrimination)
Policy 522 (Title IX Sex Nondiscrimination Grievance Procedures and Process)
Policy 603 (Curriculum Development)
Policy 604 (Instructional Curriculum)
Policy 606 (Textbooks and Instructional Materials)
Policy 806 (Crisis Management Policy)
Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)



ADDENDUM

REGULAR BOARD MEETING Monday, December 16, 2024 SPCC-Governor's Room 6:30PM

IX. ACTION ITEMS

6. AGENDA ITEM #6

Subject: Consider Acceptance of Gifts, Donations and Grants

Action: Requires a Motion

Background: The following gifts, donations and grants have been generously offered to Saint Peter Public Schools:

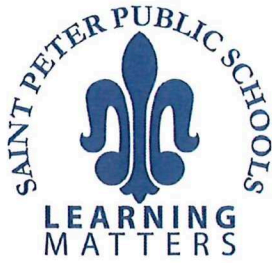
1. A \$500 grant was received from MASMS for Seth Putz, Operations and Maintenance Supervisor, to use towards the building and grounds department.
2. A \$2,000 donation was received from the Kiwanis Club. This is a significant contribution that will greatly support Community and Family Education youth programs.
3. A \$627.50 donation was received from the Ecology Club. The club has not had an advisor or been active for the second year. The money in their student activity account will be donated to the General Student Activities account.
4. A donation of \$5,000 was made to the Thalia Lopez and Larry Taylor Educational Scholarship Trust. This donation is to go towards the annual Lopez/Taylor Scholarship and is to be used for the benefit of students who would be a first-generation member of their family to attain a post-secondary degree and/or students who come from a socioeconomically disadvantaged community.
5. A donation in the amount of \$1,931.01 was received from the SPSHS class of 2021. An attempt was made to reach the class officers to initiate creating an account for the class. A deadline of June 1, 2024 was given for them

to respond by and a response was never received. Due to no response or correspondence on a plan for the account, we are closing the class of 2023 account and the money will be going back to the activities department.

6. A donation in the amount of \$1,576.55 was received from the SPHS class of 2023. An attempt was made to reach the class officers to initiate creating an account for the class. A deadline of June 1, 2024 was given for them to respond by and a response was never received. Due to no response or correspondence on a plan for the account, we are closing the class of 2023 account and the money will be going back to the activities department.

Presentation: Superintendent of Schools, Jeff Olson

Options/Recommendation: I recommend accepting these gifts, donations and grants.



TO: Superintendent Jeff Olson
School Board Members

FROM: Megan Gracia, Business Manager

DATE: November 18th, 2024

RE: Grant – MASMS Conference

While in attendance at the annual MASMS Conference, Seth Putz received a grant of \$500. As noted on the award, the intended use is for a building and grounds project/use of Seth's choosing. He has yet to determine how the award will be utilized within the District.

We request that you accept this donation.

CC: Seth Putz



**TO: Jeff Olson, Interim Superintendent
School Board**

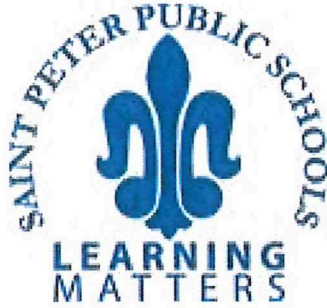
**FROM: Tami Skinner, Community & Family
Education Director**

SUBJECT: Donation

DATE: Nov. 26, 2024

The Kiwanis Club has made a generous donation of \$2,000, a significant contribution that will greatly support Community and Family Education youth programs. This donation, a result of the club's dissolution, is a testament to their dedication to the well-being of children and youth, a commitment they have upheld even during this transition.

We sincerely appreciate their generosity. I recommend that this generous donation be accepted, as it will greatly benefit our youth programs.



MEMO TO: Superintendent, Jeff Olson
Members of the School Board

FROM: Shea Roehrkasse

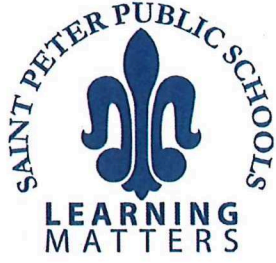
DATE: 12/2/2024

SUBJECT: Ecology Club Donation

Please accept this donation from the Ecology Club for \$627.50. The club has not had an advisor or been active for the second year. The money in their student activity account will be donated to the General Student Activities account.

Thank you,

Shea Roehrkasse
Activities Director



TO: Superintendent Jeff Olson
School Board Members

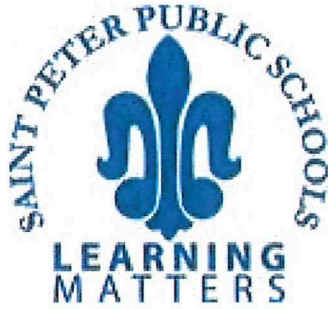
FROM: Megan Gracia, Business Manager

DATE: December 4th, 2024

RE: Donation – Thalia Lopez & Larry Taylor
Scholarship

A donation of \$5,000 was made to the School District by the Thalia Lopez & Larry Taylor Educational Scholarship Trust. This donation is to go towards the annual Lopez/Taylor scholarship. This scholarship is to be used for the benefit of students who would be a first-generation member of their family to attain a post-secondary degree and/or students who come from a socioeconomically disadvantaged community. We are grateful for the continued support and assistance given to our SPPS students looking to further their education.

We request that you accept this donation.



MEMO TO: Superintendent, Jeff Olson
Members of the School Board

FROM: Shea Roehrkasse

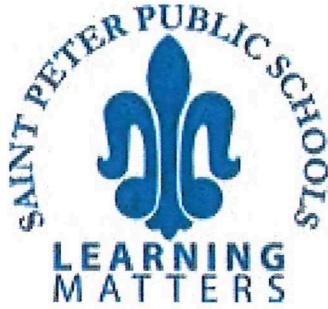
DATE: 11/11/2024

SUBJECT: Class of 2021 Donation

Please accept this donation from the SPHS class of 2021 for \$1,931.01. We attempted to reach their class officers multiple times to create an account for them to use their funds but we never received a response. There was a deadline of June 1, 2024 from our last correspondence. Due to no response or correspondence on a plan for the account we are closing the class of 2021 account and the money will be going back to the activities department.

Thank you,

Shea Roehrkasse
Activities Director



MEMO TO: Superintendent, Jeff Olson
Members of the School Board

FROM: Shea Roehrkasse

DATE: 11/11/2024

SUBJECT: Class of 2023 Donation

Please accept this donation from the SPHS class of 2023 for \$1,576.55. We attempted to reach their class officers multiple times to create an account for them to use their funds but we never received a response. There was a deadline of June 1, 2024 from our last correspondence. Due to no response or correspondence on a plan for the account we are closing the class of 2023 account and the money will be going back to the activities department.

Thank you,

Shea Roehrkasse
Activities Director



ADDENDUM

REGULAR BOARD MEETING Monday, December 16, 2024 SPCC-Governor's Room 6:30PM

IX. ACTION ITEMS

7. AGENDA ITEM #7

Subject: Consider Approval of an Ad Hoc Legislative Committee of the School Board

Action: Requires a Motion

Background: At the November 18, 2024 Regular School Board meeting, you indicated an interest in establishing an Ad Hoc Legislative Committee of the School Board. The duties and purposes of an Ad Hoc Legislative Committee would be as follows:

1. Work with the Superintendent of Schools in developing the Legislative Platform for the Saint Peter Public Schools.
2. Provide recommendations to the School Board regarding the adoption of a Legislative Platform for the Saint Peter Public Schools.
3. Share the Legislative Platform for the Saint Peter Public Schools with our local Representative and State Senator.

The goal would be to have the 2025 Legislative Platform brought forward for adoption at the January 23, 2025 School Board Meeting.

If you approve the creation of an Ad Hoc Legislative Committee, the Board Chair would then appoint 2-3 School Board Members to serve on the Committee.

Presentation: Superintendent of Schools, Jeff Olson

Options/Recommendation: I recommend your approval of an Ad Hoc Legislative Committee of the School Board.



ADDENDUM

REGULAR BOARD MEETING Monday, December 16, 2024 SPCC-Governor's Room 6:30PM

IX. ACTION ITEMS

8. AGENDA ITEM #8

Subject: Consider Awarding Bids for Alternate #2 - South Elevator Hoistway for Middle School Construction Project

Action: Requires a Motion

Background: Competitive bids were collected for the Middle School Indoor Air Quality and Remodeling Project. ICS facilitated the bid opening on Tuesday, November 26, 2024. The project received 6 bids for General Construction of a new South elevator hoistway (Alternate 2), 1 bid for the mechanical work for a new South elevator hoistway and 1 bid for the electrical work for a new South elevator hoistway. Upon analyzing the lowest responsible bids to ensure adherence to all project specifications, ICS has recommended the school district award the following:

- General Construction (Alternate 2) - APX Construction Group \$357,200
- Mechanical (Alternate 2) - Peterson Sheet Metal \$21,000
- Electrical (Alternate 2) - BLK Electric \$25,370

Included in your Board Packet is the award letter from ICS.

Presentation: Superintendent of Schools, Jeff Olson
Operations and Maintenance Supervisor, Seth Putz

Options/Recommendation: I recommend awarding the bids for Alternate 2 - South Elevator Hoistway as presented by ICS.

December 10, 2024



Board of Education
St. Peter Public Schools
Independent School District No. 0775508
101 Lincoln Drive
Saint Peter, MN 56082

1331 Tyler Street NE #101
Minneapolis, Minnesota 55413
ics-builds.com
(763) 354-2670

Re: St. Peter Middle School IAQ / Referendum Project - St. Peter, MN

Dear Board Members:

ICS has reviewed the bids that were received on Tuesday, November 26, 2024 for the above-referenced project. Our recommendation for award is as follows:

Work Scope 1: General Construction – APX Construction Group, Mankato, MN

BASE BID:	\$5,909,000.00
Alternate No. 2 – Construction of new South elevator hoistway	\$357,200.00
Unit Price No. 1 – Soil Corrections	\$32.00 cubic/yd.
Unit Price No. 2 – Paint Walls	\$1.50 sq. ft.
Unit Price No. 3 – Plaster Patching	\$36.00 sq. ft.
TOTAL	\$6,266,200.00

Work Scope 2: Fire Suppression – The Fire Group, Inc., Eagan, MN

BASE BID:	\$588,000.00
Alternate No. 2 – Construction of new South elevator hoistway	No change
TOTAL	\$588,000.00

Work Scope 3: Mechanical – Peterson Sheet Metal, Bemidji, MN

BASE BID:	\$16,769,000.00
Alternate No. 2 – Construction of new South elevator hoistway	\$21,000.00
TOTAL	\$16,790,000.00

Work Scope 4: Electrical – BLK Electric, Inc. North Mankato, MN

BASE BID:	\$2,929,935.00
Alternate No. 2 – Construction of new South elevator hoistway	\$25,370.00
TOTAL	\$2,955,305.00

Based on the recommendations above, we recommend that the district enter into a contract with the above-mentioned contractors for the total bid amount of **Twenty-Six Million Five Hundred Ninety-Ninety Thousand Five Hundred Five Dollars and No/100 Cents (\$26,599,505.00)**.

Upon Board action and execution of the contracts, we will create a change order reflecting this amount to each of the respective Contractors.

Regards,

Bryce Kinniry
Project Manager



ST. PETER MS IAQ / REFERENDUM PROJECT

OWNER: St. Peter Public Schools, ISD #508
 CONSTRUCTION MANAGER: ICS Consulting, LLC
 ARCHITECT: Clow Berg Inc.



BID TABULATIONS

Tuesday, November 26, 2024 @ 3:30 p.m.

WORK SCOPE 1 - General Construction

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	APX Construction Group 1961 Premier Drive Mankato, MN 56001 507-387-6836	Ebert, Inc. dba Ebert Companies 23350 County Road 10 Corcoran, MN 55357 763-498-7844	Brennan Construction of MN, Inc. 3255 Garfield Ave., Suite 200 Minneapolis, MN 55408 507-625-5417	Robert W. Carlstrom Co., Inc. 1901 Excel Drive Mankato, MN 56001 507-420-8749	BCI Construction, Inc. 7135 5th Ave. NE Sauk Rapids, MN 56379 320-393-3185	Met-Con Construction, Inc. 15760 Acorn Trail Faribault, MN 55021 507-332-2266	
BID SECURITY	Yes	Yes	Yes	Yes	Yes	Yes	Yes
ADDENDA REC'D.	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4
BASE BID:	\$5,909,000.00	\$5,947,000.00	\$6,130,000.00	\$6,475,000.00	\$6,900,000.00	\$7,600,000.00	
Acknowledged MN Responsible Contractor:	X	X	X	X	X	X	X
UNIT PRICES:							
UP 1: Soil Corrections - cost per cubic yard	\$46.00	\$42.00	\$35.00	\$50.00	\$100.00	\$51.00	
UP 2: Paint Walls - cost per square foot	\$1.50	\$2.51	\$8.00	\$3.50	\$3.00	\$4.00	
UP 3: Plaster Patching - cost per square foot	\$36.00	\$33.00	\$33.00	\$45.00	\$65.00	\$40.00	
ALTERNATES:							
Alt. 1: Demo of existing chimney	\$130,000.00	\$112,200.00	\$169,000.00	\$50,000.00	\$150,000.00	\$252,000.00	
Alt. 2: Construction of new South elevator hoistway	\$357,200.00	\$386,600.00	\$365,000.00	\$330,000.00	\$350,000.00	\$464,000.00	
Alt. 3: CPT-01 Alternate Carpet	(\$126,400.00)	(\$65,500.00)	(\$65,500.00)	(\$103,900.00)	(\$65,500.00)	(\$91,000.00)	
Signer on Bid Form	Nate Host, VP of Construction	Markus Ebert, VP/Secretary	Joe Brennan, President	Scott Umhoefer, President	Brian Bankers, COO	Randy McDonough, President	

ST. PETER MS IAQ / REFERENDUM PROJECT

OWNER: St. Peter Public Schools, ISD #508
 CONSTRUCTION MANAGER: ICS Consulting, LLC
 ARCHITECT: Clow Berg Inc.



BID TABULATIONS

Tuesday, November 26, 2024 @ 3:30 p.m.

WORK SCOPE 1 - General Construction

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	The Joseph Company Inc. 2003 14th St. NE, #106 Austin, MN 55912 507-437-3284	WEB Construction Co., Inc. 320 St. Andrews Dr., Suite 100 Mankato, MN 56001 507-387-1667				
BID SECURITY	Yes	Yes				
ADDENDA REC'D.	1,2,3,4	1,2,3,4				
BASE BID:	\$7,790,000.00	\$9,248,526.00				
Acknowledged MN Responsible Contractor:	X	X				
UNIT PRICES:						
UP 1: Soil Corrections - cost per cubic yard	\$100.00	\$43.75				
UP 2: Paint Walls - cost per square foot	\$6.00	\$2.61				
UP 3: Plaster Patching - cost per square foot	\$40.00	\$41.25				
ALTERNATES:						
Alt. 1: Demo of existing chimney	\$414,000.00	\$246,036.00				
Alt. 2: Construction of new South elevator hoistway	\$503,000.00	\$393,354.00				
Alt. 3: CPT-01 Alternate Carpet	(\$117,000.00)	(\$103,900.00)				
Signer on Bid Form	Dolan Wagner, CFO	Jerry Williams, PM/Est.				

ST. PETER MS IAQ / REFERENDUM PROJECT

OWNER: St. Peter Public Schools, ISD #508
 CONSTRUCTION MANAGER: ICS Consulting, LLC
 ARCHITECT: Clow Berg Inc.



BID TABULATIONS
 Tuesday, November 26, 2024 @ 3:30 p.m.

WORK SCOPE 3 - Mechanical

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	Peterson Sheet Metal 3728 Bemidji Ave. N., Suite 300 Bemidji, MN 56601 218-751-4502	Harty Mechanical Inc. 1600 1st Ave. NE Austin, MN 55912 507-437-8201	Systems 21225 Hamburg Ave., Suite #3 Lakeville, MN 55044 612-327-8366			
BID SECURITY	Yes	Yes	Yes			
ADDENDA REC'D.	1,2,3,4	1,2,3,4	1,2,3,4			
BASE BID:	\$16,769,000.00	\$16,838,052.00	\$18,740,000.00			
Acknowledged MN Responsible Contractor:	X	X	X			
UNIT PRICES:						
UP1: Soil Corrections - cost per cubic yard	N/A	N/A	No bid			
UP 2: Paint Walls - cost per square foot	N/A	N/A	No bid			
UP 3: Plaster Patching - cost per square foot	N/A	N/A	No bid			
ALTERNATES:						
Alt. 1: Demo of existing chimney	N/A	N/A	No bid			
Alt. 2: Construction of new South elevator holstway	\$21,000.00	N/A	No bid			
Alt. 3: CPT-01 Alternate Carpet	N/A	N/A	No bid			
Signer on Bid Form	Jaime Quello, President	Patrick Harty, President/Owner	Greg Batcher, VP of Construction			

ST. PETER MS IAQ / REFERENDUM PROJECT

OWNER: St. Peter Public Schools, ISD #508
 CONSTRUCTION MANAGER: ICS Consulting, LLC
 ARCHITECT: Clow Berg Inc.



BID TABULATIONS

Tuesday, November 26, 2024 @ 3:30 p.m.

WORK SCOPE 4 - Electrical

	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
	BLK Electric, Inc. 1990 Lookout Dr North Mankato, MN 56003 507-388-1173					
BID SECURITY	Yes					
ADDENDA REC'D.	1,2,3,4					
BASE BID:	\$2,929,935.00					
Acknowledged MN Responsible Contractor:	X					
UNIT PRICES:						
UP 1: Soil Corrections - cost per cubic yard						
UP 2: Paint Walls - cost per square foot						
UP 3: Plaster Patching - cost per square foot						
ALTERNATES:						
Alt. 1: Demo of existing chimney	\$2,978.00					
Alt. 2: Construction of new South elevator hoistway	\$25,370.00					
Alt. 3: CPT-01 Alternate Carpet						
Signer on Bid Form	Dan Serbus, Sr. PM					



ADDENDUM

REGULAR BOARD MEETING Monday, December 16, 2024 SPCC-Governor's Room 6:30PM

IX. ACTION ITEMS

9. AGENDA ITEM #9

Subject: Declaration of Obsolete or Outdated Equipment

Action: Requires a Motion

Background: Board Policy 802 - Disposition of Obsolete Equipment and Material provides direction to the school district on the disposition of obsolete and outdated equipment. This process is used on an as needed basis as equipment is removed from the operations of the district. Included in your materials for the meeting is a list of materials that are being recommended to be deemed obsolete. If approved, this allows the school district to dispose of equipment at auction that is no longer in use.

Presentation: Superintendent of Schools, Jeff Olson

Options/Recommendation: I recommend your approval of declaring the list of equipment as presented as obsolete and outdated.



Date: 12/4/2024

To: Members of the School Board & Superintendent Olson

From: Shea Roehrkasse & Doug Boyer

Re: Obsolete Weight Room Equipment

The following items have reached the end of their usefulness to the district. I propose they be deemed obsolete and properly remove them from possession of Independent School District #508.

<u>Equipment (amount)</u>	<u>Model #</u>	<u>Serial #</u>
Rogers Athletic 4 Way Neck Machine	410679	
Pit Shark Squat Machine		

Per our Strength Coach Doug Boyer and with my approval here is why these items can be removed and deemed obsolete.

Rogers Athletic Neck Machine: We have two of these machines and they are not used as much as the neck harnesses we purchased for \$17 each. The machines take up room that could be useful in other ways.

Pit Shark Squat Machine: The machine is designed for belt squats to be used by athletes with upper body injuries. The machine has been used by 2 athletes for that reason during the seven years Mr. Boyer has been the strength coach. The money and space gained by removing this machine and selling it could be used to purchase a quad/hamstring machine to replace our older machine that is used every day.

Return this form to your Principal or Supervisor to be presented to the School Board.

This equipment can be removed from your work space when the Board has approved its disposal at its regularly scheduled monthly meeting.