

**NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138
 NORTH BRANCH AREA EDUCATION CENTER, BOARD ROOM, ROOM C120
 38705 GRAND AVENUE
 NORTH BRANCH, MN 55056
 REGULAR SCHOOL BOARD MEETING
 JULY 14, 2022
 5:30 PM**

AGENDA

- I. Call to Order
- II. Roll Call
 Board Member Naegele will be attending the school board meeting remotely at the following location: 9876 State Highway 176, Walnut Shade, MO 65771
- III. Pledge of Allegiance
- IV. Approval of Agenda
- V. School Board Recognition
 - A. MSHSL Why We Play Video 5
 - B. Spring Sport Recipients 6
 View the coaches videos at the following link: <https://bit.ly/3i4r1f2>
- VI. Superintendent’s Report 10
- VII. Removal of Consent Items for Discussion
- VIII. Approval of Consent Items
 - A. Minutes of June 9, 2022 Policy Committee Meeting 25
 - B. Minutes of June 9, 2022 Public Hearing on Student Fees 27
 - C. Minutes of June 9, 2022 Regular School Board Meeting 28
 - D. Minutes of June 20, 2022 OPEB Committee Meeting 37
 - E. Minutes of June 22, 2022 School Board Retreat 38
 - F. Authorization of Payments, Transfers, and Investment Activity 39
 - G. Personnel
 - 1. Tammy Lewis, retirement effective August 16, 2022, as Early Childhood Assistant at North Branch Area Education Center
 - 2. Nona Schoenecker, retirement effective August 31, 2022, as Lead Secretary at Sunrise River Elementary School
 - 3. Abby Moon, resignation effective at the end of the 2021-22 school year, as Math Teacher at North Branch Area Middle School
 - 4. Riley Stremick, resignation effective at the end of the 2021-22 school year, as Speech Language Pathologist at Sunrise River Elementary School
 - 5. Kristie Arnold, leave request effective at the beginning of the 2022-23 school year through October 2, 2022, as SPED Assistant at North Branch Area High School. She will return on October 3, 2022.
 - 6. Chelsea Halseth, leave request effective October 24, 2022 through January 1, 2023, as SPED Teacher at North Branch Area Education Center
 - 7. Emily Giffrow, BA, Step 2, beginning with the 2022-23 school year, as Elementary Teacher at Sunrise River Elementary School

8. Kyle Groh, BS, Step 2, beginning with the 2022-23 school year, as Elementary Phy Ed/DAPE Teacher at North Branch Area Public Schools
9. Sarah Jamieson, MA, Step 16, beginning with the 2022-23 school year, as Science Teacher at North Branch Area High School
10. Timothy Reisdorf, BA+45, Step 11, beginning with the 2022-23 school year, as Math Teacher at North Branch Area Middle School
11. Brenda Hughes, employment effective May 23, 2022, as Schoolkeeper for North Branch Area Public Schools
12. Ian McVicker, employment effective July 5, 2022, as Schoolkeeper at North Branch Area Public Schools
13. Debra Beyatt, position change beginning with the 2022-23 school year, from Education Assistant to Building Behavior Technician at Norse ALC
- H. Contract Between Independent School District No. 138, North Branch and Therapeutic Services Agency, Inc. (TSA) beginning July 1, 2022 to June 30, 2024 for the Employment of Jennifer Hesli, School Support Specialist
- I. Agreement to Provide School Resource Officer (SRO) Services Between the City of North Branch and Independent School District No. 138 (North Branch) for 2022-23
- J. Designation of Identified Official with Authority for the MDE External User 40

Access Recertification System

The Minnesota Department of Education (MDE), Professional Educator Licensing Standards Board (PELSB), and Office of Higher Education (OHE) require annual designation of an Identified Official with Authority (IOwA) for each local educational agency that uses the Education Identity and Access Management (EDIAM) system. The IOwA is responsible for authorizing, reviewing, and recertifying user access for their local educational agency in accordance with the State of Minnesota Enterprise Identity and Access Management Standard, which states that all user access rights to Minnesota state systems must be reviewed and recertified at least annually. The IOwA will authorize user access to State of Minnesota Education secure systems in accordance with the user's assigned job duties, and will revoke that user's access when it is no longer needed to perform their job duties.

Your school board or equivalent governing board must designate an IOwA to authorize user access to State of Minnesota Education secure websites for your organization. This EDIAM board resolution must be completed and submitted to the Minnesota Department of Education annually, as well as any time there is a change in the assignment of the Identified Official with Authority.

The Board recommends authorizing Sara Paul to act as the Identified Official with Authority (IOwA) and Arle Chambers to act as the IOwA Proxy to add and remove names only for LEA for North Branch Area Public Schools.

- K. Acceptance of Donations 41
Minnesota Statute 123B.02² permits school boards to "...receive, for

the benefit of the district, bequests, donations, or gifts for any proper purpose and apply the same to the purpose designated. In that behalf, the board may act as trustee of any trust created for the benefit of the district, and for the benefit of pupils thereof."

Therefore, the Superintendent recommends the following resolution:

BE IT RESOLVED by the School Board of Independent School District No. 138 that the School Board accept with appreciation the following contributions and permit their use as designated by the donors.

- IX. **Open Mic:** Open mic is a time for public comment. However, it is not a means to have issues added to this evening's agenda. It is also not a means to discuss specific individuals negatively in public, either by name or position. If you would like district follow up to comments, please leave appropriate contact information on the open mic sign-in sheet. Please limit your comments to three minutes.
- X. Old Business
 - A. Consider Acceptance of Summary of Bids for Garbage Pickup 42
 - B. Consider Acceptance of Summary of Bids for Diesel Fuel and Gasoline 43
 - C. Consider Second Reading of the Following Policies
 - 1. Policy 515 - Protection and Privacy of Pupil Records (MSBA changes) 44
 - 2. Policy 601-NB - School District Curriculum and Instruction Goals (MSBA changes) 78
 - 3. Policy 603 - Curriculum Development (MSBA changes) 91
- XI. New Business
 - A. Consider 2022-2023 Resolution for Membership in the Minnesota State High School League 94
 - B. Consider Approval of 2022-23 Student and Parent Handbook 96
 - C. Consider Renewal of Membership in Minnesota School Boards Association (MSBA) \$10,480.00 128
 - D. Consider Single Reading of the Following Policies

The Minnesota Legislature reorganized the *Maltreatment of Minors Act* by moving it from a criminal law chapter (Ch. 626) to a public health chapter (Ch. 260E). The following MSBA model policies should be updated in a **single** meeting to reflect this change.

- 1. Policy 206-NB - Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations (MSBA changes) 132
- 2. Policy 211 - Criminal or Civil Action Against School District, School Board Member, Employee, or Student (MSBA changes) 137
- 3. Policy 414 - Mandated Reporting of Child Neglect or Physical or Sexual Abuse (MSBA changes) 141
- 4. Policy 423 - Employee-Student Relationships (MSBA changes) 150
- 5. Policy 519 - Interviews of Students by Outside Agencies (MSBA changes) 153

6.	Policy 532 - Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds (MSBA changes)	155
XII.	Addendum	
XIII.	Information	
A.	Board & Administrator July 2022 Issue	161
XIV.	Board Requests	
XV.	Committee Reports	
A.	Negotiations	
1.	NBSSA	
XVI.	Dates to Remember	
A.	Thursday, August 11, 2022, Regular School Board Meeting, 5:30 pm, North Branch Area Education Center, Boardroom, Room C120	
B.	Thursday, August 25, 2022, Special School Board Meeting, 5:30 pm, North Branch Area Education Center, Boardroom, Room C120	
XVII.	Adjournment	

Link to the MSHSL WHY WE PLAY video

[Why We Play Video](#)

First Name	Last Name	Sport	All Conference	AC Honorable Mention	Academic AC	All State
Coach - Kathy Crudo						
Hannah	Bernier	Softball	AC		AAC	
Madison	Helin	Softball	AC		AAC	
Lydia	Kuhlman	Softball		ACHM		
Erin	Pederson	Softball	AC			
Brooke	Rothe	Softball			AAC	
Makenna	Runk	Softball	AC			
Samantha	Schmitt	Softball			AAC	
Ava	Sittlow	Softball			AAC	
Peyton	Verdon	Softball	AC			
Coach - Steve Christensen						
Lucas	Goggin	Baseball			AAC	
Reed	Jacobsen	Baseball			AAC	
Cole	Olson	Baseball		ACHM		
Andrew	Orf	Baseball	AC, Offensive MVP			
Isaiah	Scarborough	Baseball	AC			
Nathan	Skiba	Baseball		ACHM		
Everett	Thomsen	Baseball			AAC	
Noah	Thorsen	Baseball	AC			
Coach - Ryan Minke						
Tyler	Minke	Boys Golf	AC		AAC	
Andrew	Thauwald	Boys Golf			AAC	
Coach - Chad Bistodeau						
Johanna	Bartkey	Girls Golf			AAC	
Ashley	Bistodeau	Girls Golf		ACHM	AAC	
Hailey	Bistodeau	Girls Golf	AC			
Olivia	Weyenberg	Girls Golf	AC		AAC	Academic
Rachel	Wurdemann	Girls Golf		ACHM	AAC	
Coach - Joel Santjer						
Drake	Mellen	Boys Tennis			AAC	
Travis	Mihajlovich	Boys Tennis		ACHM		
Brock	Peterson	Boys Tennis		ACHM	AAC	Academic
Gabriel	Wurdemann	Boys Tennis		ACHM		
Coach - Brent Lundgren						
Austin	Anderson	Boys Track				State Participant
Zack	Anderson	Boys Track		ACHM - 4x200 M Relay	AAC	
Dooley	Beaver	Boys Track		ACHM - 4x200 M Relay		
Nickolas	Bovitz	Boys Track	AC - Triple Jump		AAC	
Eric	Elizarraga-Flor	Boys Track				State Participant
Zachary	Johnson	Boys Track		ACHM - 4x400 M Relay	AAC	State Participant
Carson	Klein	Boys Track		ACHM - 4x400 M Relay, High Jump	AAC	State Participant

First Name	Last Name	Sport	All Conference	AC Honorable Mention	Academic AC	All State
Garrett	Korkowski	Boys Track			AAC	
Jackson	Marcussen	Boys Track	AC - Shot Put	ACHM - Discus		
Logan	Murphy	Boys Track	AC - High Jump	ACHM - 4x200 M Relay, 200 M Dash, 4x400 M Relay		State Participant
Justin	Ramos	Boys Track			AAC	State Participant
Jacob	Robillard	Boys Track		ACHM - 4x400 M Relay	AAC	
Brody	Rothe	Boys Track				State Participant
Jordan	Stumm	Boys Track			AAC	
Jacob	Tiegen	Boys Track			AAC	
Carson	Weber	Boys Track	AC - Triple Jump		AAC	
Josiah	Zderad	Boys Track			AAC	
Coach - Norm Nagel						
Shaeyna	Andreotti	Girls Track	AC - 100 M Hurdles, 300 M Hurdles			
Sophia	Benedict	Girls Track	AC - 4x100 M Relay, 4x200 M Relay	ACHM - 200 M Dash		State Participant
Derrian	Dick	Girls Track	AC - 4x400 M Relay, 400 M Dash		AAC	State Participant
Ella	Dick	Girls Track	AC - Pole Vault, 4 x 100 M Relay	ACHM - 4x200 M Relay		State Participant
Dakota	Esgert	Girls Track	AC - 4X200 M Relay, 4x400 M Relay, Pole Vault	ACHM - 100 M Dash	AAC	State Participant
Ava	Gerten	Girls Track			AAC	
Brooke	Giese	Girls Track		ACHM - Pole Vault		
Elayna	Goeltl	Girls Track			AAC	
Lauren	Hicks	Girls Track	AC - Shot Put			
Cora	Hudella	Girls Track			AAC	
Claire	Husnik	Girls Track			AAC	
Ella	Kuhlman	Girls Track	AC - 300 M Hurdles, 4x400 M Relay	ACHM - 100 M Dash	AAC	State Participant
Elle	Nielsen	Girls Track			AAC	
Liberty	Nielsen	Girls Track			AAC	
Asaysha	Olson	Girls Track	AC - 4x100 M Relay, Long Jump, Triple Jump, High Jump		AAC	State Participant
Kailey	Olson	Girls Track			AAC	
Brianna	Polipnik	Girls Track			AAC	
Avery	Smith	Girls Track	AC - 4x100 M Relay, 4x200 M Relay	ACHM - 400 M Dash		State Participant

First Name	Last Name	Sport	All Conference	AC Honorable Mention	Academic AC	All State
Sophia	Thorsen	Girls Track	AC - 4x200 M Relay, 4x400 M Relay, 100 M Dash			State Participant
Madison	Whitman	Girls Track			AAC	
Coach - Christine Lund						
Aidan "Eli"	Black	Adapted Bowling				State Participant
Benjamin	Elliott	Adapted Bowling				State Participant
Matthew	Fox	Adapted Bowling				8th Place ASD Boys Singles
Victoria	Kent	Adapted Bowling				State Participant
Shelby	Pantelis	Adapted Bowling				6th Place ASD Girls Singles
Molly	Sullivan	Adapted Bowling				State Participant
FINE ARTS						
Advisor - Chas Bettendorf						
Justine	Joyal	Knowledge Bowl				State Participant
Norah	Judson	Knowledge Bowl				State Participant
Tiegan	Koeppen	Knowledge Bowl				State Participant
Garrett	Korkowski	Knowledge Bowl				State Participant
Chloe	Petersen	Knowledge Bowl				State Participant
Kobe	Yang	Knowledge Bowl				State Participant
Josiah	Zderad	Knowledge Bowl				State Participant
Advisor - Jessica Petrik						
Madeline	Brooks	Speech	AC Prose		AAC	
Soleil	DeLorge	Speech		ACHM Poetry		
Aubrey-Anna	Denesen	Speech		ACHM Poetry		
Elayna	Goeltl	Speech			AAC	
Brianna	Hendren	Speech	AC Informative			
Dru	Hurd	Speech		ACHM Extemp Reading	AAC	
Norah	Judson	Speech		ACHM Original Oratory	AAC	
Giana	McGovern	Speech	AC Prose			
Layla	Verdick	Speech		ACHM Humorous		
Miaya	Volkman	Speech	AC Discussion		AAC	
Advisor - Laura Michels						
Aubrey-Anna	Denesen	One Act Play		ACHM		
Kendra	Geary	One Act Play	AC			
Dayna	Nelson	One Act Play		ACHM	AAC	
Abigail	Neu	One Act Play			AAC	
Caleb	Newman	One Act Play		ACHM		
Juliana	Orellano	One Act Play	AC - Tech			
Chloe	Petersen	One Act Play	AC		AAC	
Abigail	Randall	One Act Play			AAC	

First Name	Last Name	Sport	All Conference	AC Honorable Mention	Academic AC	All State	
Kelly	Steele	One Act Play	AC				
Benjamin	Yang	One Act Play		ACHM - Tech			
Makenna	Runk	AAA					
Nathan	Skiba	AAA					
Rylee	Ramberg	Excel					
Paul	Boelk	Excel					
Madison	Helin	Athena					

Superintendent Update

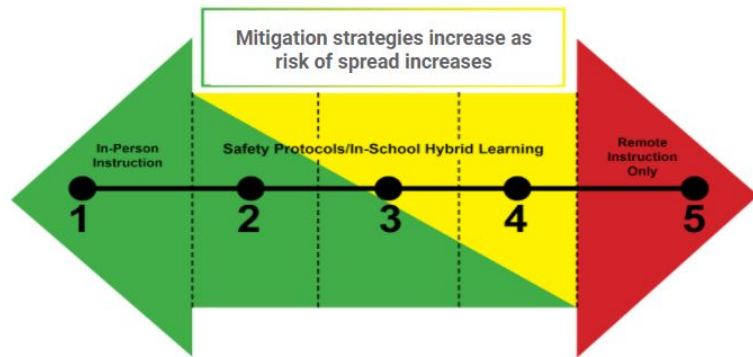
July 14, 2022





Safe Learning Update

- Continue operating at [Level One](#).
- Website updated
 - Safe Learning in Action page simplified
 - Continuum and Level 1 details broken out and given unique pages
 - Photos and dates updated
 - Safe Learning Plan in consultative process to consider changes for 2022-23 school year and will come to School Board for review in August.



Summer programming in full swing



By the numbers:

- 88 elementary students
- 30 middle school students
- 120 high school students

Stories of impact:

- Joy of learning is evident!
- Oliver recovered his credits and earned his diploma!
- Summer programming is at half way point and 34 credits have been earned and the number continues to climb!





Childcare available through Youth Connections

- The community's investment in our facilities has provided the school district with state-of-the-art spaces to accommodate families in need of childcare services
- Child care is available throughout the summer
 - Currently serving approximately 150 children
- During the school year, child care is available before and after school, as well as during the school day, for children ages 3 and up.



Homeschool Listening Session



- Listening sessions offered throughout the pandemic
- Pilot program for elementary students offered in 2021-22
- Discussion of district opportunities available to homeschool students



Supporting School Transitions

- Ongoing building tours to help familiarize new students and families to all NBAPS has to offer
- Finalizing schedules
- Maximizing Welcome Days experience

Safety and Security



- School Resource Officer will be full time in 2022-23
- Conducting building walk-throughs led by Director of Buildings and Grounds with members of each building leadership team
- Enhancing protocols for 6-12 student expectations

Win-Win Partnership Engagement

Youth Skills Training “YST approved” manufacturing companies allow for 16 and 17 year olds to work on approved equipment. Approval includes a virtual meeting with the manufacturing company, state officials and OSHA.

- Rosenbauer- completely approved
- Regal Machine- completely approved
- Andersen Windows- completely approved
- Kendall Howard- almost approved
- WCS Industries- almost approved
- Wyoming Machine - shown interest in approval but has not started the process yet.





Parent/Student Handbook Updates

- Clarity of expectations and protocols sets everyone up for success
- Leadership team shared in responsibility for comprehensive review and update
- Will be accessible on NBAPS website



Measuring our Success

- Considering Engagement Surveys
 - All Staff
 - All Families
 - 5-12 Students
 - Community Partners

Honoring Viking Alumni



Honored to attend the North Branch High School Alumni Association annual event!

- Lifetime Achievement Award presented to Dr. Michael Wilcox.

Alumni Spotlight continues to highlight Viking pride

- Spotlight features graduates of NBAPS making an impact in school, at work, and in life.
- Russell Malterud to be featured
 - Competing at the clay target National Championship in 2022
 - Now at William Penn University
 - Pursuing Masters in Business Leadership
 - Graduate Assistant/Athlete for the clay target team



Viking Hall of Fame



**HALL
OF
FAME**

The Activities Department is accepting nominations for the 2022 Vikings Hall of Fame until August 31.

- Forms available at district and activities websites
- Recognition of the 2022 Inductees will be during halftime at the Homecoming Football Game on Friday, September 23, 2022.



Concerts in the Park

Coming up!

- Whitesidewalls - Tuesday, July 19

Next Door Down rescheduled for Aug. 23

NORTH BRANCH SUMMER MUSIC SERIES
 TUESDAYS IN CENTRAL PARK
 6 PM FOOD - BOUNCE HOUSE - YARD GAMES - WATER FEATURES
 6:45 STORY TIME - 7PM CONCERTS
 EVENT MAY BE RELOCATED TO NB HIGH SCHOOL AUDITORIUM DUE TO WEATHER

JUN 21		The Dweebs	Top 40 hits from the 60's through today	
JUN 28		Bloomington Symphony Orchestra	Symphony Orchestra with Local Guest Performers Jenni Tringa, Blair Bartels Sperry and NBHS School Band Members	
JUL 12		Next Door Down	Classic and Country Rock	
JUL 19		The Whitesidewalls	The Upper Midwest's premier doo-wop, rockabilly and rock and roll band!	
JUL 26		Cindy Jo	Acoustic Country	
AUG 2		Night 2 Unite		
AUG 9		Simple Gifts with Billy McLaughlin	Acoustic Hits and Deep Tracks. Tribute Band to Neil Young, America, Eagles and more.	
AUG 16		Sweethearts Dinner Band	Alternative Rock from Then and Now	

This activity is made possible by the voters of Minnesota through a grant from the East Central Regional Arts Council, thanks to a legislative appropriation from the arts and cultural heritage fund.

Anderson & Koch Ford, Inc. -- Olson Power & Equipment, Inc.
 Adam Cabrera -- Neighborhood National Bank -- Claudia & Jerry Nelson
 FOR MORE INFO: WWW.CI.NORTH-BRANCH.MN.US



Honoring Kody

- The Shine Kody Shine 5K is Saturday, Sept. 17, at North Branch Area High School.
- Registration starts at 8:30 am, with the event to follow at 9 am.
- Pre-register by Sept. 9 and get a free t-shirt!:

<https://shinekodyshine.redpodium.com/shinekodyshine-5k>

shine
Kody
shine

NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138
NORTH BRANCH AREA EDUCATION CENTER, ROOM B122
POLICY COMMITTEE MEETING
June 9, 2022

The Policy Committee met on Thursday, June 9, 2022 at 4:30 p.m. in Room B122 at the North Branch Area Education Center.

Members in Attendance: Tim MacMillan, Sarah Grovender, Kevin Bollman, Superintendent Paul, David Treichel, Todd Tetzlaff, and Arle Chambers

Policies Discussed

The Minnesota Legislature reorganized the *Maltreatment of Minors Act* by moving it from a criminal law chapter (Ch. 626) to a public health chapter (Ch. 260E). The following MSBA model policies should be updated in a **single** meeting to reflect this change.

Policy 206-NB - Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations

Policy 206-NB was discussed and will be presented at the July 14 regular board meeting for a single reading.

Policy 211 - Criminal or Civil Action Against School District, School Board Member, Employee, or Student (MSBA changes)

Policy 211 was discussed and will be presented at the July 14 regular board meeting for a single reading.

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

Policy 414 was discussed and will be presented at the July 14 regular board meeting for a single reading.

Policy 423 - Employee-Student Relationships (MSBA changes)

Policy 423 was discussed and will be presented at the July 14 regular board meeting for a single reading.

Policy 519 - Interviews of Students by Outside Agencies (MSBA changes)

Policy 519 was discussed and will be presented at the July 14 regular board meeting for a single reading.

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

Policy 532 was discussed and will be presented at the July 14 regular board meeting for a single reading.

The meeting concluded at 4:51 p.m.

Kevin Bollman, Clerk
(Unapproved)

NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138
JUNE 9, 2022
Public Meeting on Student Fees

The School Board of Independent School District 138 held a public meeting on student fees on Thursday, June 9, 2022, at 5:30 p.m. in the Boardroom at the North Branch Area Education Center.

Board Members Present: Tim MacMillan, Sarah Grovender, Kevin Bollman, Heather Naegele, Jesse LaValla, Adam Trampe, and Superintendent Paul

Others in Attendance:

Bill Stickels III, John Wagner, Don Kivimaki, Ken Koegler, David Treichel, Todd Tetzlaff, Pat Tepoorten, and Arle Chambers

Approval of Student Fees

Todd Tetzlaff, Director of Finance and Human Resources, gave a presentation on the recommendations of student fees beginning with the 2022-23 school year. There are some proposed fee increases for 2022-23.

After the presentation, the public was invited to ask questions and comments on the recommendation of student fees. The public is also invited to contact Todd Tetzlaff if you have questions at 651-674-1009 or ttetzlaf@isd138.org.

Kevin Bollman, Clerk
(Unapproved)

**NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138
REGULAR SCHOOL BOARD MEETING
NORTH BRANCH AREA EDUCATION CENTER, BOARDROOM
JUNE 9, 2022**

The School Board of Independent School District 138 met in regular session on Thursday, June 9, 2022, at 5:40 p.m. in the Boardroom at the North Branch Area Education Center.

Board Chair MacMillan called the meeting to order.

Roll Call: Tim MacMillan, Sarah Grovender, Kevin Bollman, Heather Naegele, Jesse LaValla, Adam Trampe, and Superintendent Paul

Others in Attendance:

Bill Stickels III, John Wagner, Don Kivimaki, Ken Koegler, David Treichel, Todd Tetzlaff, Pat Tepoorten, and Arle Chambers

The Pledge of Allegiance was said by all.

Approval of Agenda:

Moved by Grovender, seconded by LaValla and carried unanimously to approve the agenda.

SUPERINTENDENT'S REPORT

Superintendent Paul gave a safe learning update stating we are continuing to operate at Level One. She reported Andrea Thiner has been hired to be the new high school assistant principal. She also talked about the Fun Run event which was held this week at the Education Center and Sunrise River Elementary School. She reported the Teddy Bear Band was held on Wednesday, June 8 at the Education Center, and that 18 student athletes will be participating in spring state tournaments. She also reported that Fish Lake Lutheran Church donated personal care items for students who are in need of these items and mentioned that the graduation ceremony will be held on Sunday, June 12 at 2:00 pm.

CONSENT ITEMS

Moved by Bollman, seconded by Grovender and carried unanimously to approve the following consent items.

- A. Minutes of May 12, 2022 Policy Committee Meeting
- B. Minutes of May 12, 2022 Regular School Board Meeting
- C. Minutes of May 26, 2022 Work Session
- D. Authorization of Payments, Transfers, and Investment Activity

- Accounts Payable, Bank 07 – \$830,721.14
- Auxiliary, Bank 12 - \$1,542.78
- Payroll, Bank 13 - \$1,891,308.14
- Scholarship, Bank 18 - \$1,250.00
- High School Student Activities, Bank 31 - \$17,936.71
- Middle School Student Activities, Bank 32 - \$0.00

E. Personnel

1. Lauren Kramer, resignation effective May 16, 2022, as SPED Assistant at North Branch Area Education Center
2. Renee Williams, resignation effective May 25, 2022, as Schoolkeeper at North Branch Area Public Schools
3. Brian Robelia, resignation effective at the end of the 2021-22 school year, as Math Teacher at North Branch Area Middle School
4. Stacy Fairbanks, leave request effective April 13, 2022 through the end of the 2021-22 school year, as SPED Assistant at Life Work Center
5. Ashley Robinette, leave request effective May 23, 2022 through the end of the 2021-22 school year, as SPED Assistant at North Branch Area High School
6. Daniel Seiler, leave request effective June 15, 2022 through July 11, 2022, as Schoolkeeper at North Branch Area Public Schools
7. Alan Grund, MA, Step 5, for the 2022-23 school year only, as SPED Teacher at Sunrise River Elementary School
8. Sara Gustafson, BS, Step 1, beginning with the 2022-23 school year, as English/Language Arts Teacher at North Branch Area High School
9. Victoria Martin, MA+30, Step 6, beginning with the 2022-23 school year, as Elementary Dean of Students at Sunrise River Elementary School
10. Whitney Murphy, BS, Step 2, one-year contract for 2022-23 for a Tier 1 License for SPED Teacher at North Branch Area High School
11. Jacob Wavra, MA, Step 6, beginning with the 2022-23 school year, as Elementary Teacher at Sunrise River Elementary School
12. Jessica Konrad, BS, Step 3, as LTS for Andrew Spofford for the 2022-23 school year, as Social Studies Teacher at North Branch Area High School

13. Cynthia Dworshak, position change effective June 13, 2022, from SPED Assistant to Office Clerk at North Branch Area Middle School
14. Kara Walker, non-renew for the 2022-23 school year, as Social Worker at North Branch Area High School
15. Andrea Thiner, employment effective August 1, 2022, as High School Assistant Principal at North Branch Area High School
16. Tenure of the Following Teacher
 - a. Annette Fairbanks - Community Education Early Childhood Teacher - North Branch Area Education Center

F. Acceptance of Donations

Date	Donation From	Donation To	Amount	Use
5/10/22	Neighborhood National Bank – NB, MN	NBHS Scholarship A/C	\$500.00	Scholarship Donation
5/10/22	Prism Design & Embroidery – NB, MN	NBHS Scholarship A/C	\$500.00	Scholarship Donation
5/10/22	Jeanne Walz & Tina Thompson – NB, MN	NBHS Scholarship A/C	\$2,000.00	Scholarship Donation
5/10/22	Vikings Quarterback Club – NB, MN	NBHS Scholarship A/C	\$1,000.00	Scholarship Donation
5/11/22	Empire Insurance Group – NB, MN	Sunrise River Elem	\$500.00	Boosterthon Fun Run
5/11/22	Greater Green Bay Community Foundation – Green Bay, WI	Sunrise River Elem	\$250.00	Boosterthon Fun Run
5/17/22	Greater Green Bay Community Foundation – Green Bay, WI	NBHS Athletics	\$250.00	Gymnastics Team
5/24/22	Paul & Rachelle Johnson – NB, MN	NBHS Athletics	\$2,000.00	JROTC Program
		Total	\$7,000.00	
May 2022	DonorsChoose – New York, NY	Sunrise River Elem		Toys & activities were donated to SPED classroom

OPEN MIC

No one signed up for open mic.

OLD BUSINESS

A. Approval of Food Service Contract Contingent Upon MDE Approval

Moved by Grovender, seconded by Bollman to approve the food service contract with Taher, Inc. contingent upon MDE approval.

Voting for: MacMillan, Grovender, Bollman, LaValla, Trampe

Voting against:

Abstain: Naegele

B. Approval of Second Reading of the Following Policy

Moved by Trampe, seconded by Grovender and carried unanimously to approve the second reading of the following policy:

1. Policy 516 – Student Medication

NEW BUSINESS

- A. Approval of Revisions to the 2021-22 Budget and Adoption of 2022-23 Budget
Todd Tetzlaff, Director of Finance and Human Resources, presented a brief summary on the proposed revised FY 2021-22 budget and the adoption of the 2022-23 budget.

Moved by Bollman, seconded by Naegele and carried unanimously to approve the revisions to the 2021-2022 budget and adoption of the 2022-23 budget.

- B. Approval of the Long-Term Facilities Maintenance Plan
Moved by Naegele, seconded by LaValla and carried unanimously to approve the long-term facilities maintenance plan.

- C. Approval of Student Fees for 2022-23
Moved by Bollman, seconded by Trampe and carried unanimously to approve student fees for 2022-23.

- D. Q Comp Update
David Treichel, Director of Teaching and Learning, gave an update on Q-comp. Career advancement options, job-embedded professional development, teacher evaluation, and performance pay and alternative salary schedule were some of the things that were worked on this year.

- E. Approval of Trail Easement Agreement
Moved by Grovender, seconded by Trampe and carried unanimously to approve the trail easement agreement with North Branch Area Public Schools and the City of North Branch.

- F. Approval of Resolution Approving Long-term Facility Maintenance Program Budget and Authorizing the Inclusion of a Proportionate Share of those Projects in the District's Application for Fiscal Year 2024 Long-term Facility Maintenance Revenue
Member Bollman introduced the following resolution and moved its adoption:

Resolution approving long-term facility maintenance program budget and authorizing the inclusion of a proportionate share of those projects in the district's application for fiscal year 2024 long-term facility maintenance revenue

Be it resolved by the School Board of District No. 138, State of Minnesota, as follows:

1. The Governing Board of St. Croix River Education District has approved a long-term facility maintenance program budget for its facilities for the 2023-2024 school year (FY 2024) in the amount of \$104,902 of which District Number 138's proportionate share is \$26,844.42 consisting of \$26,844.42 for pay as you

go projects. The various components of this program budget are attached as Exhibit A hereto and are incorporated herein by reference. Said budget is hereby approved. (Exhibit A)

2. Minnesota Statutes, section 123B.53, subdivision 1, as amended, provides that if a special education district's long-term facility maintenance budget is approved by the school boards of each of the education district's member school districts, each member district may include its proportionate share of the costs of the education school district's program in its long-term facility maintenance revenue application.
3. The proportionate share of the costs of the education district's long-term facility maintenance program for each member school district to be included in its application shall be determined by multiplying the total cost of the education district's long-term facility maintenance program times the most current finalized year end ADM percentage of participation in the education district. For school year 2023-24 (fiscal year 24), the long-term facility maintenance costs shall be funded through annual levy. The inclusion of this proportionate share in the district's long-term facility maintenance revenue application for FY 24 is hereby approved, subject to approval by the Commissioner of Education. Upon receipt of the proportionate share of long-term facility maintenance revenue attributable to the education district's program, the district shall promptly pay to the education district the applicable aid or levy proceeds.

The motion for the adoption of the foregoing resolution was duly seconded by Member Naegele

and, upon vote being taken thereon, the following voted in favor thereof: MacMillan, Grovender, Naegele, Bollman, LaValla, Trampe

and the following voted against: None

G. Approval of Resolution Establishing Dates for Filing Affidavits of Candidacy
Member Grovender introduced the following resolution and moved its adoption:

**RESOLUTION ESTABLISHING DATES
FOR FILING AFFIDAVITS OF CANDIDACY**

BE IT RESOLVED by the School Board of Independent School District No. 138, State of Minnesota, as follows:

1. The period for filing Affidavits of Candidacy for the office of school board member of Independent School District No. 138 shall begin on August 2, 2022, and shall close on August 16, 2022. An Affidavit of Candidacy must be filed in the office of the School District Clerk and the \$2 filing fee paid prior to 5:00 o'clock p.m. on August 16, 2022.
2. The Clerk is hereby authorized and directed to cause notice of said filing dates to be published in the official newspaper of the School District, at least two (2) weeks prior to the first day to file Affidavits of Candidacy. Publication of said notice prior to the date of adoption of this resolution is hereby ratified and approved in all respects.
3. The Clerk is hereby authorized and directed to cause notice of said filing dates to be posted at the administrative offices of the School District at least ten (10) days prior to the first day to file Affidavits of Candidacy.
4. The notice of said filing dates shall be in substantially the following form:

**NOTICE OF FILING DATES FOR ELECTION TO THE SCHOOL BOARD
INDEPENDENT SCHOOL DISTRICT NO. 138
(NORTH BRANCH AREA PUBLIC SCHOOLS)
STATE OF MINNESOTA**

NOTICE IS HEREBY GIVEN that the period for filing Affidavits of Candidacy for the office of School Board member of Independent School District No. 138 shall begin on August 2, 2022, and shall close at 5:00 o'clock p.m. on August 16, 2022.

The general and special election shall be held on Tuesday, November 8, 2022. At the general election, three (3) members will be elected to the School Board for terms of four (4) years each. A special election will also be held in conjunction with the general election. At that special election, one individual will be elected to fill a vacancy in term expiring January 6, 2025.

Affidavits of Candidacy are available from the School District Clerk, Independent School District No. 138, 38705 Grand Avenue, North Branch, MN 55056. The filing fee for this office is \$2. A candidate for this office must be an eligible voter, must be 21 years of age or more on assuming office, must have been a resident of the School District from which the candidate seeks election for thirty (30) days before the general and special election, and must have no other affidavit on file for any other office at the same primary or general election.

The Affidavits of Candidacy must be filed in the office of the School District Clerk and the filing fee paid prior to 5:00 o'clock p.m. on August 16, 2022.

Dated: June 9, 2022

BY ORDER OF THE SCHOOL BOARD

/s/

School District Clerk
Independent School District No. 138
(North Branch Area Public Schools)
State of Minnesota

The motion for the adoption of the foregoing resolution was duly seconded by LaValla. On a roll call vote, the following voted in favor: MacMillan, Grovender, Naegele, Bollman, LaValla, Trampe and the following voted against: None whereupon said resolution was declared duly passed and adopted.

H. Request to Bid for Garbage Services

Moved by Grovender, seconded by Trampe and carried unanimously to request bids for garbage services.

I. Request to Bid for Fuel and Gasoline

Moved by Bollman, seconded by Naegele and carried unanimously to request bids for fuel and gasoline.

J. Approval of First Reading of the Following Policies

Moved by Bollman, seconded by Naegele and carried unanimously to approve the first reading of the following policies:

1. Policy 515 - Protection and Privacy of Pupil Records (MSBA changes)
2. Policy 601-NB - School District Curriculum and Instruction Goals (MSBA changes)
3. Policy 603 - Curriculum Development (MSBA changes)

INFORMATION

The board reviewed the June 2022 issue of the Board and Administrator.

BOARD REQUESTS

None

COMMITTEE REPORTS

- A. SEE (Schools for Equity in Education) – Board Member MacMillan reported the next SEE Regional meeting is June 10.
- B. Negotiations – Board Member Naegele reported the school board negotiations committee had an initial meeting with the North Branch Support Staff Association to receive their initial proposal on May 31. The next meeting is scheduled to take place on June 20th.
- C. MSBA Report – None
- D. MSHSL – None
- E. SCRED Report – Board Member Grovender reported the next SCRED meeting is July 12.
- F. Staff Development Report – None
- G. Community Education – None
- H. Policy Committee Report – Board Member MacMillan reported a number of policies will go forward to the July regular board meeting.

DATES TO REMEMBER

- A. June 10, 2022, Last Day of School for Students
- B. June 12, 2022, Graduation of the Class of 2022, 2:00 pm, North Branch Area High School. Board members should be there at 1:00 pm.
- C. June 13, 2022, End of Year Staff Breakfast, North Branch Area High School, Commons Area, Coffee at 7:15 am; Recognition Program at 7:30 am
- D. June 20, 2022, OPEB Committee Meeting, 10:00 am, Virtual
- E. June 20, 2022 Negotiations Committee Meeting, 4:00 pm; North Branch Area Education Center
- F. June 20, 2022 NBSSA Negotiations Session, 4:30 pm, North Branch Area Education Center
- G. June 22, 2022, School Board Retreat, 4:30 pm, North Branch Area High School, Glass Classroom

H. July 14, 2022, Regular School Board Meeting, 5:30 pm, North Branch
Area Education Center, Boardroom, Room C120

Adjournment

Moved by Grovender, seconded by Naegele and carried unanimously to adjourn the
regular meeting at 6:55 pm.

Kevin Bollman, Clerk
(Unapproved)

NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138
VIRTUAL MEETING
OPEB COMMITTEE MEETING
June 20, 2022

The OPEB Committee met in a virtual meeting on Monday, June 20, 2022 at 10:00 a.m.

In attendance: Superintendent Paul, Todd Tetzlaff, Tim MacMillan, Kevin Bollman, and Merle Waters from Wells Fargo

Tim MacMillan, Kevin Bollman, Sara Paul and Todd Tetzlaff met virtually with Merle Waters from Wells Fargo to review the performance of the OPEB (Other Post Employment Benefits) Trust. The trust performance, rebalancing that has taken place during the past 12 months, and distributions were discussed at this investment review meeting.

The trust fund was initiated in October of 2009 and is managed by Wells Fargo. The OPEB trust is considered an irrevocable trust with Wells Fargo and, as a result, Wells Fargo has the highest level of fiduciary responsibility for the management of these funds. As of June 16, 2022, the trust includes funds in four categories: 47.66% Fixed Income, 40.99% Equity, 8.18% Real Assets, and 3.18% Cash.

Overall, the school district remains well-positioned to meet its future obligations for post-employment benefit costs contained in current contracts. When the OPEB Trust was established, the school district was required to sunset post-employment benefits and that has taken place in all of our contracts.

Kevin Bollman, Clerk
(Unapproved)

NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138
SCHOOL BOARD RETREAT
June 22, 2022

The School Board of Independent School District 138 held a school board retreat on Wednesday, June 22, 2022, at 4:30 p.m. at the North Branch Area High School Glass Classroom.

Members Present: Tim MacMillan, Sarah Grovender, Kevin Bollman, Heather Naegele, Adam Trampe, and Superintendent Paul

Absent: Jesse LaValla

The topics discussed at the retreat included discussing the why of governance and reflecting and building on 2021-22 strategic directions and implementation goals.

The board adjourned the retreat at 7:00 p.m.

Kevin Bollman, Clerk
(Unapproved)

ELECTRONIC FUND TRANSFERS
June 2022

Direct Dep Cks			\$1,715,371.46
ACHS			<u>\$22,120.85</u>
			\$1,737,492.31
Other Electronic Fund Transfers:			
Federal/FICA Taxes		6/6/2022	\$74,794.03
(Also reflected in P/R info)		6/6/2022	\$96,121.44
		6/21/2022	\$63,362.01
		6/21/2022	<u>\$326,151.40</u>
			\$560,428.88
Minnesota Withholding Taxes		6/7/2022	\$12,804.28
(Also reflected in P/R info)		6/7/2022	\$16,364.64
		6/22/2022	\$9,976.55
		6/22/2022	<u>\$53,549.33</u>
			\$92,694.80
Economic Service (EBC)		6/6/2022	\$9,405.90
(Also reflected in P/R info)		6/6/2022	\$27,032.09
		6/21/2022	\$9,403.34
		6/21/2022	<u>\$87,581.93</u>
			\$133,423.26
MII LIFE-F S A	PEIP	6/6/2022	\$26.02
	PEIP	6/13/2022	\$1,383.34
	PEIP	6/21/2022	\$54.90
	PEIP Admin Fee	6/22/2022	\$243.15
	PEIP	6/27/2022	<u>\$83.34</u>
			\$1,790.75
MII LIFE-M S A		6/7/2022	\$3,254.35
		6/8/2022	\$4,130.60
		6/22/2022	<u>\$7,524.15</u>
			\$14,909.10
Minnesota Teachers Retirement		6/3/2022	\$7,370.67
		6/3/2022	\$65,915.32
		6/17/2022	\$6,578.66
		6/17/2022	\$222,723.57
		6/30/2022	<u>\$5,745.64</u>
			\$308,333.86
PERA		6/3/2022	\$18,026.04
		6/7/2022	\$15,876.76
		6/17/2022	\$33,200.99
		6/30/2022	<u>\$5,264.34</u>
			\$72,368.13
Delta Dental Plan		6/22/2022	\$16,349.66
MN Sales Tax		6/22/2022	\$11.00



Education Identity and Access Management Board Resolution

The Minnesota Department of Education (MDE), Professional Educator Licensing Standards Board (PELSB), and Office of Higher Education (OHE) require annual designation of an Identified Official with Authority (IOwA) for each local educational agency that uses the Education Identity and Access Management (EDIAM) system. The IOwA is responsible for authorizing, reviewing, and recertifying user access for their local educational agency in accordance with the State of Minnesota Enterprise Identity and Access Management Standard, which states that all user access rights to Minnesota state systems must be reviewed and recertified at least annually. The IOwA will authorize user access to State of Minnesota Education secure systems in accordance with the user's assigned job duties, and will revoke that user's access when it is no longer needed to perform their job duties.

Your school board or equivalent governing board must designate an IOwA to authorize user access to State of Minnesota Education secure websites for your organization. This EDIAM board resolution must be completed and submitted to the Minnesota Department of Education annually, as well as any time there is a change in the assignment of the Identified Official with Authority.

It is strongly recommended that only one person at the local educational agency or organization (the superintendent or exec. director) is designated as the IOwA. The IOwA will grant the IOwA Proxy role(s).

Designation of the Identified Official with Authority for Education Identity and Access Management

Organization Name: North Branch Area Public Schools

6-Digit or 9-Digit Organization Number (e.g. 1234-01 or 1234-01-000): 0138-01

Superintendent or Exec. Director Name: Sara Paul

Will act as the IOwA? Yes No

If no, identify below the individual who will act as the IOwA for your organization.

The Superintendent or Exec. Director recommends the Board authorize the below named individual(s) to act as the Identified Official with Authority (IOwA) for this organization:

Print Name: Sara Paul

Title: Superintendent

Board Member Signature: _____

Name: Kevin Bollman

Date: _____

Once the EDIAM Board Resolution is completed, scan and email it to: useraccess.mde@state.mn.us

Sara Paul, Superintendent ♦ North Branch Area Public Schools
38705 Grand Ave., PO Box 370 ♦ North Branch, Minnesota 55056-0370
651-674-1000 / phone ♦ 651-674-1010 / fax ♦ www.isd138.org

JUNE 2022

DATE	DONATION FROM	DONATION TO	AMOUNT	USE
6/3/22	Paul & Rachele Johnson, 38234 Golf Ave, North Branch, MN 55056	NBHS Athletics	\$2,003.00	JROTC Program Donation
6/6/22	Viking Coca-Cola, 4610 Rusan St, St. Cloud, MN 56303	Sunrise River Elem.	\$250.00	Boosterthon Fun Run Donation
6/8/22	B.P.S. Incorporated, 314 State Road 35, Osceola, WI 54020-4109	NBHS Athletics	\$1,500.00	Clay Target Program Donation
6/8/22	Shaan Hilber, 37687 Elk Ave, North Branch, MN 55056	NBHS	\$300.00	Music 50/50 split (Band & Choir) Department Donation
6/28/22	Josh Kopp, P.O. Box 862, North Branch, MN 55056	NBHS Athletics	\$3,800.00	Girls Soccer Program Donation
6/28/22	Sara Paul, 38272 Branch Ave, North Branch, MN 55056	NBHS Athletics	\$236.21	Prom Program Photo Paper Donation
6/29/22	Anonymous Donations-Casey's Loyalty Program	NBMS	\$1,483.60	MS Educational Media Donation
6/30/22	North Branch Area Chamber of Commerce, 6063 Main St, Ste. B, North Branch, MN 55056	NBHS Scholarship A/C	\$500.00	Scholarship Donation
			\$10,072.81	
JUNE	Quilters of Fish Lake Lutheran Church, 43353 Cedarcrest Trail, Harris, MN 55032	NBHS		*Approx. 60 Quilters donated six bags of personal care items for high school students in need

BID SUMMATION

Board Meeting of July 14, 2022

GARBAGE HAULING

	Price/Month
SRC, Inc.	\$ 3,680.40
Terry's Disposal	\$ 3,510.00

RECOMMENDED AWARD

GARBAGE HAULING

	Price/Month
Terry's Disposal	\$ 3,510.00

BID SUMMATION

Board Meeting of July 14, 2022

GASOLINE AND DIESEL FUEL

Prices Per Gallon

Bidder	July 1, 2022 Base Price	Delivered Price	Difference
Petroleum Traders Corp.			
Gasoline	\$3.4391	\$3.4284	\$-0.0107
Diesel	\$4.2827	\$4.2720	\$-0.0107
Beudry Oil & Propane			
Gasoline	\$3.4184	\$3.3984	\$-0.0200
Diesel	\$4.2580	\$4.2380	\$-0.0200

RECOMMENDED AWARD

GASOLINE/DIESEL FUEL

Bidder	July 1, 2022 Base Price	Delivered Price	Difference
Beudry Oil & Propane			
Gasoline	\$3.4184	\$3.3984	\$-0.0200
Diesel	\$4.2580	\$4.2380	\$-0.0200

Adopted: _____

MSBA/MASA Model Policy 515

Orig. 1995

Revised: _____

Rev. 20132021

515 PROTECTION AND PRIVACY OF PUPIL RECORDS

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

I. PURPOSE

The school district recognizes its responsibility in regard to the collection, maintenance, and dissemination of pupil records and the protection of the privacy rights of students as provided in federal law and state statutes.

II. GENERAL STATEMENT OF POLICY

The following procedures and policies regarding the protection and privacy of parents and students are adopted by the school district, pursuant to the requirements of 20 U.S.C. § 1232g, *et seq.*, (Family Educational Rights and Privacy Act (FERPA)) 34 C.F.R. Part 99 and consistent with the requirements of the Minnesota Government Data Practices Act, Minnesota- Statutes- Chapter. 13, and Minnesota. Rules Parts 1205.0100-1205.2000.

III. DEFINITIONS

A. Authorized Representative

“Authorized representative” means any entity or individual designated by the school district, state, or an agency headed by an official of the Comptroller of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or state and local educational authorities to conduct, with respect to federal or state supported education programs, any audit or evaluation or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

B. Biometric Record

“Biometric record,” as referred to in “Personally Identifiable,” means a record of one or more measurable biological or behavioral characteristics that can be used for authorized-automated recognition of an individual (e.g., fingerprints, retina and iris patterns, voice-prints, DNA sequence, facial characteristics, and handwriting).

C. Dates of Attendance

“Dates of attendance,” as referred to in “Directory Information,” means the period of time during which a student attends or attended a school or schools in the school district, including attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic communication-information

and telecommunications technologies for students who are not in the classroom, and including the period during which a student is working under a work-study program. The term does not include specific daily records of a student's attendance at a school or schools in the school district.

D. Directory Information

“Directory information” means information contained in an education record of a student ~~which that~~ would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to: the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; dates of attendance; grade level; enrollment status (i.e., full-time or part-time); participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended. It also includes the name, address, and telephone number of the student's parent(s). Directory information does not include:

1. a student's social security number;
2. a student's identification number (ID), user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems if the identifier may be used to access education records without use of one or more factors that authenticate the student's identity such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user;
3. a student ID or other unique personal identifier that is displayed on a student ID badge if the identifier can be used to gain access to educational records when used in conjunction with one or more factors that authenticate the student's identity, such as a PIN, password, or other factor known or possessed only by the student;
4. personally identifiable data which references religion, race, color, social position, or nationality; or
5. data collected from nonpublic school students, other than those who receive shared time educational services, unless written consent is given by the student's parent or guardian.

[Note: This definition includes all of the types of information specifically referenced by state and federal law as directory information. A school district may choose not to designate some or all of the enumerated information as directory information. A school district also may add to the list of directory information, as long as the added data is not information that generally would be deemed as an invasion of privacy or information that references the student's religion, race, color, social position, or nationality. Federal law now allows a school district to specify that the disclosure of directory information will be

limited to specific parties, for specific purposes, or both. The identity of those parties and/or purposes should be identified. To the extent a school district adds these restrictions, it must then limit its directory information disclosures to those individuals and/or purposes specified in this public notice. Procedures to address how these restrictions will be enforced by the school district are advised. Designation of directory information is an important policy decision for the local school board ~~which~~who must balance not only the privacy interests of the student against public disclosure but also the additional administrative requirements such restrictions on disclosures will place on the school district.]

E. Education Records

1. What constitutes “education records.” Education records means those records ~~which that are~~: (1) ~~are~~ directly related to a student; and (2) ~~are~~ maintained by the school district or by a party acting for the school district.
2. What does not constitute ~~an~~ education records. The term, “education records,” does not include:
 - a. Records of instructional personnel ~~which that are~~:
 - (1) ~~kept~~ in the sole possession of the maker of the record;
 - (2) ~~used only as a personal memory aid~~;
 - (3) ~~not~~ accessible or revealed to any other individual ~~except a~~ temporary substitute teacher; and
 - (4) ~~destroyed~~ at the end of the school year.
 - b. Records of a law enforcement unit of the school district, provided education records maintained by the school district are not disclosed to the unit, and the law enforcement records are:
 - (1) maintained separately from education records;
 - (2) maintained solely for law enforcement purposes; and
 - (3) disclosed only to law enforcement officials of the same jurisdiction.
 - c. Records relating to an individual, including a student, who is employed by the school district which:
 - (1) are made and maintained in the normal course of business;
 - (2) relate exclusively to the individual in that individual’s capacity as an employee; and

(3) are not available for use for any other purpose.

However, ~~these provisions shall not apply to~~ records relating to an individual in attendance at the school district who is employed as a result of his or her status as a student are education records.

d. Records relating to an eligible student, or a student attending an institution of post-secondary education, ~~which~~that are:

(1) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity or assisting in that capacity;

(2) made, maintained, or used only in connection with the provision of treatment to the student; and

(3) disclosed only to individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are a part of the program of instruction within the school district.

e. Records created or received by the school district that only contain information about an individual after an individual he or she is no longer a student at the school district and that are not directly related to the individual's attendance as a student.

f. Grades on peer-related papers before the papers are collected and recorded by a teacher.

F. Eligible Student

"Eligible student" means a student who has attained eighteen (18) years of age or is attending an institution of post-secondary education.

G. Juvenile Justice System

"Juvenile justice system" includes criminal justice agencies and the judiciary when involved in juvenile justice activities.

H. Legitimate Educational Interest

"Legitimate educational interest" includes an interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, student health and welfare, and the ability to respond to a request for education

data. It includes a person's need to know in order to:

1. Perform an administrative task required in the school or employee's contract or position description approved by the school board;
2. Perform a supervisory or instructional task directly related to the student's education; ~~or~~
3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid; ~~or~~
4. Perform a task directly related to responding to a request for data.

I. Parent

"Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent of the student in the absence of a parent or guardian. The school district may presume the parent has the authority to exercise the rights provided herein, unless it has been provided with evidence that there is a state law or court order governing such matters as marriage dissolution, separation or child custody, or a legally binding instrument which provides to the contrary.

J. Personally Identifiable

"Personally identifiable" means that the data or information includes, but is not limited to: (a) a student's name; (b) the name of the student's parent or other family member; (c) the address of the student or student's family; (d) a personal identifier such as the student's social security number or student number or biometric record; (e) other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; (f) other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or (g) information requested by a person who the school district reasonably believes knows the identity of the student to whom the education record relates.

K. Record

"Record" means any information or data recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.

L. Responsible Authority

"Responsible authority" means *[designate title and actual name of individual]*.

M. Student

“Student” includes any individual who is or has been in attendance, enrolled, or registered at the school district and regarding whom the school district maintains education records. Student also includes applicants for enrollment or registration at the school district and individuals who receive shared time educational services from the school district.

N. School Official

“School official” includes: (a) a person duly elected to the school board; (b) a person employed by the school board in an administrative, supervisory, instructional, or other professional position; (c) a person employed by the school board as a temporary substitute in a professional position for the period of his or her performance as a substitute; and (d) a person employed by, or under contract to, the school board to perform a special task such as a secretary, a clerk, a public information officer or data practices compliance official, an attorney, or an auditor for the period of his or her performance as an employee or contractor.

[Note: School districts may wish to reference police liaison officers in the definition of a “school official.” Depending on the circumstances of the relationship, this may be added in subpart (d) of the definition or in a new subpart (e). Caution should be used to ensure that police liaison officers are considered “school officials” only when performing duties as a police liaison officer and that they are trained as to their obligations pursuant to this policy. Consultation with the school district’s legal counsel is recommended.]

O. Summary Data

“Summary data” means statistical records and reports derived from data on individuals but in which individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify the individual is ascertainable.

P. Other Terms and Phrases

All other terms and phrases shall be defined in accordance with applicable state and federal law or ordinary customary usage.

IV. GENERAL CLASSIFICATION

State law provides that all data collected, created, received, or maintained by a school district are public unless classified by state or federal law as not public or private or confidential. State law classifies all data on individuals maintained by a school district which relates to a student as private data on individuals. This data may not be disclosed to parties other than the parent or eligible student without consent, except pursuant to a valid court order, certain state statutes authorizing access, and the provisions of FERPA and the regulations promulgated thereunder.

V. STATEMENT OF RIGHTS

A. Rights of Parents and Eligible Students

Parents and eligible students have the following rights under this policy:

1. The right to inspect and review the student's education records;
2. The right to request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that such consent is not required for disclosure pursuant to this policy, state or federal law, or the regulations promulgated thereunder;
4. The right to refuse release of names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions;
5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school district to comply with the federal law and the regulations promulgated thereunder;
6. The right to be informed about rights under the federal law; and
7. The right to obtain a copy of this policy at the location set forth in Section XXI. of this policy.

B. Eligible Students

All rights and protections given to parents under this policy transfer to the student when he or she reaches eighteen (18) years of age or enrolls in an institution of post-secondary education. The student then becomes an "eligible student." However, the parents of an eligible student who is also a "dependent student" are entitled to gain access to the education records of such student without first obtaining the consent of the student. In addition, parents of an eligible student may be given access to education records in connection with a health or safety emergency if the disclosure meets the conditions of any provision set forth in 34 C.F.R. § 99.31(a).

C. ~~Disabled~~ Students with a Disability

The school district shall follow 34 C.F.R. §§ 300.610-300.617 with regard to the confidentiality, privacy, notice, access, record keeping and accuracy of information related to students with a disability.

VI. DISCLOSURE OF EDUCATION RECORDS

A. Consent Required for Disclosure

1. The school district shall obtain a signed and dated written informed consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the student, except as provided herein.
2. The written consent required by this subdivision must be signed and dated by the parent of the student or the eligible student giving the consent and shall include:
 - a. a specification of the records to be disclosed;
 - b. the purpose or purposes of the disclosure;
 - c. the party or class of parties to whom the disclosure may be made;
 - d. the consequences of giving informed consent; and
 - e. if appropriate, a termination date for the consent.
3. When a disclosure is made under this subdivision:
 - a. if the parent or eligible student so requests, the school district shall provide him or her with a copy of the records disclosed; and
 - b. if the parent of a student who is not an eligible student so requests, the school district shall provide the student with a copy of the records disclosed.
4. A signed and dated written consent may include a record and signature in electronic form that:
 - a. identifies and authenticates a particular person as the source of the electronic consent; and
 - b. indicates such person's approval of the information contained in the electronic consent.
5. If the responsible authority seeks an individual's informed consent to the release of private data to an insurer or the authorized representative of an insurer, informed consent shall not be deemed to have been given unless the statement is:
 - a. in plain language;
 - b. dated;

- c. specific in designating the particular persons or agencies the data subject is authorizing to disclose information about the data subject;
- d. specific as to the nature of the information the subject is authorizing to be disclosed;
- e. specific as to the persons or agencies to whom the subject is authorizing information to be disclosed;
- f. specific as to the purpose or purposes for which the information may be used by any of the parties named in Clause e. above, both at the time of the disclosure and at any time in the future; and
- g. specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for: (i) life insurance or noncancellable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or (ii) medical assistance under Minnesota Statutes Chapter 256B or Minnesota Care under Minnesota Statutes Chapter 256L, which shall be ongoing during all terms of eligibility, for individualized education program health-related services provided by a school district that are subject to third party reimbursement.

6. Eligible Student Consent

Whenever a student has attained eighteen (18) years of age or is attending an institution of post-secondary education, the rights accorded to and the consent required of the parent of the student shall thereafter only be accorded to and required of the eligible student, except as provided in Section V. of this policy.

B. Prior Consent for Disclosure Not Required

The school district may disclose personally identifiable information from the education records of a student without the written consent of the parent of the student or the eligible student unless otherwise provided herein, if the disclosure is:

- 1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records;
- 2. To a contractor, consultant, volunteer, or other party to whom the school district has outsourced institutional services or functions provided that the outside party:
 - a. performs an institutional service or function for which the school

district would otherwise use employees;

- b. is under the direct control of the school district with respect to the use and maintenance of education records; and
- c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made;

- 3. To officials of other schools, school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (see Section XIX.), suspension and expulsion information pursuant to section 7917 of the federal Every Student Succeeds Act, 20 U.S.C. § 7917, *[insert the following if the school district has a policy regarding Staff Notification of Violent Behavior by Students]* and, if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minnesota Statutes- §section 260B.171, unless the data are required to be destroyed under Minnesota Statutes- §section 120A.22, Ssubdivision 7(c) or §section 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records whiehthat have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with Section XV. of this policy;
- 4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, -or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;
- 5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:
 - a. determine eligibility for the aid;
 - b. determine the amount of the aid;
 - c. determine conditions for the aid; or
 - d. enforce the terms and conditions of the aid.

“Financial aid” for purposes of this provision means a payment of funds provided to an individual or a payment in kind of tangible or intangible property to the individual that is conditioned on the individual's attendance

at an educational agency or institution;

6. To state and local officials or authorities to whom such information is specifically allowed to be reported or disclosed pursuant to state statute adopted:
 - a. before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system's ability to effectively serve the student whose records are released; or
 - b. after November 19, 1974, if the reporting or disclosure allowed by state statute concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released, provided the officials and authorities to whom the records are disclosed certify in writing to the school district that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the parent of the student. At a minimum, the school district shall disclose the following information to the juvenile justice system under this paragraph: a student's full name, home address, telephone number, and date of birth; a student's school schedule, attendance record, and photographs, if any; and parents' names, home addresses, and telephone numbers.
7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction; provided that the studies are conducted in a manner which does not permit the personal identification of parents or students by individuals other than representatives of the organization who have a legitimate interest in the information, the information is destroyed when no longer needed for the purposes for which the study was conducted, and the school district enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy all personally identifiable information when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed. For purposes of this provision, the term, "organizations," includes, but is not limited to, federal, state, and local agencies and independent organizations. In the event the Department of Education determines that a third party outside of the school district to whom information is disclosed violates this provision, the school district may not allow that third party access to

personally identifiable information from education records for at least five (5) years;

8. To accrediting organizations in order to carry out their accrediting functions;
9. To parents of a student eighteen (18) years of age or older if the student is a dependent of the parents for income tax purposes;
10. To comply with a judicial order or lawfully issued subpoena, provided, however, that the school district makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a federal grand jury subpoena, or any other subpoena issued for law enforcement purposes, and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or the disclosure is in compliance with an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. § 2332b(g)(5)(B), an act of domestic or international terrorism as defined in 18 U.S.C. § 2331, or a parent is a party to a court proceeding involving child abuse and neglect or dependency matters, and the order is issued in the context of the proceeding. If the school district initiates legal action against a parent or student, it may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as a plaintiff. Also, if a parent or eligible student initiates a legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself;
11. To appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health, including the mental health, or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there is an articulable and significant threat to the health or safety of a student or other individuals. In making a determination whether to disclose information under this section, the school district may take into account the totality of the circumstances pertaining to a threat and may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other students. A record of this disclosure must be maintained pursuant to Section XIII.E. of this policy. In addition, an educational agency or institution may include in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the

school community. This information may be disclosed to teachers and school officials within the school district and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;

12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;
13. Information the school district has designated as “directory information” pursuant to Section VII. of this policy;
14. To military recruiting officers and post-secondary educational institutions pursuant to Section XI. of this policy;
15. To the parent of a student who is not an eligible student or to the student himself or herself;
16. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;
17. To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students;
18. To the juvenile justice system, on written request that certifies that the information will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student:
 - a. the following information about a student must be disclosed: a student’s full name, home address, telephone number, date of birth; a student’s school schedule, daily attendance record, and photographs, if any; and any parents’ names, home addresses, and telephone numbers;
 - b. the existence of the following information about a student, not the actual data or other information contained in the student’s education record, may be disclosed provided that a request for access must be submitted on the statutory form and it must contain an explanation of why access to the information is necessary to serve the student: (1) use of a controlled substance, alcohol, or tobacco; (2) assaultive or threatening conduct that could result in dismissal from school under the Pupil Fair Dismissal Act; (3) possession or use of weapons or look-alike weapons; (4) theft; or (5) vandalism or other damage

to property. Prior to releasing this information, the principal or chief administrative officer of a school who receives such a request must, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information. If the student's parent or guardian notifies the school official of an objection to the disclosure within ten (10) days of receiving certified notice, the school official must not disclose the information and instead must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the school official must respond to the request for information.

The written requests of the juvenile justice system member(s), as well as a record of any release, must be maintained in the student's file;

19. To the principal where the student attends and to any counselor directly supervising or reporting on the behavior or progress of the student if it is information from a disposition order received by a superintendent under ~~Minnesota Statutes~~ §section 260B.171, ~~Ssubdivision~~ 3. The principal must notify the counselor immediately and must place the disposition order in the student's permanent education record. The principal also must notify immediately any teacher or administrator who directly supervises or reports on the behavior or progress of the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other school district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individual need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student, outline the offense, and describe any conditions of probation about which the school must provide information if this information is provided in the disposition order. Disposition order information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information may not be further disseminated by the counselor, teacher, administrator, staff member, substitute, or volunteer except as necessary to serve the student, to protect students and staff, or as otherwise required by law, and only to the student or the student's parent or guardian;
20. To the principal where the student attends if it is information from a peace officer's record of children received by a superintendent under ~~Minnesota Statutes~~ §section 260B.171, ~~Ssubdivision~~ 5. The principal must place the information in the student's education record. The principal also must notify immediately any teacher, counselor, or administrator directly supervising the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly

vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student and describe the alleged offense if this information is provided in the peace officer's notice. Peace officer's record information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information must not be further disseminated by the counselor, teacher administrator, staff member, substitute, or volunteer except to communicate with the student or the student's parent or guardian as necessary to serve the student, to protect students and staff, or as otherwise required by law.

The principal must delete the peace officer's record from the student's education record, destroy the data, and make reasonable efforts to notify any teacher, counselor, staff member, administrator, substitute, or volunteer who received information from the peace officer's record if the county attorney determines not to proceed with a petition or directs the student into a diversion or mediation program or if a juvenile court makes a decision on a petition and the county attorney or juvenile court notifies the superintendent of such action; ~~or~~

21. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more programs authorized under the National School Lunch Act or the Child Nutrition Act of 1966 for which the results will be reported in an aggregate form that does not identify any individual, on the conditions that: (a) any data collected shall be protected in a manner that will not permit the personal identification of students and their parents by other than the authorized representatives of the Secretary; and (b) any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measurements; or
22. To an agency caseworker or other representative of a State or local child welfare agency, or tribal organization (as defined in 25 U.S.C. § 5304), who has the right to access a student's case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and

authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the State or tribal laws applicable to protecting the confidentiality of a student's education records.

C. Nonpublic School Students

The school district may disclose personally identifiable information from the education records of a nonpublic school student, other than a student who receives shared time educational services, without the written consent of the parent of the student or the eligible student unless otherwise provided herein, if the disclosure is:

1. Pursuant to a valid court order;
2. Pursuant to a statute specifically authorizing access to the private data; or
3. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiological investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted.

VII. RELEASE OF DIRECTORY INFORMATION

A. Classification

Directory information is public except as provided herein.

B. Former Students

Unless a former student validly opted out of the release of directory information while the student was in attendance and has not rescinded the opt out request at any time, the school district may disclose directory information from the education records generated by it regarding the former student without meeting the requirements of Paragraph C. of this section. In addition, under an explicit exclusion from the definition of an "education record," the school district may release records that only contain information about an individual obtained after he or she is no longer a student at the school district and that are not directly related to the individual's attendance as a student (e.g., a student's activities as an alumnus of the school district).

C. Present Students and Parents

The school district may disclose directory information from the education records of a student and information regarding parents without prior written consent of the parent of the student or eligible student, except as provided herein. Prior to such disclosure the school district shall:

1. Annually give public notice by any means that are reasonably likely to

inform the parents and eligible students of:

- a. the types of personally identifiable information regarding students and/or parents that the school district has designated as directory information;
- b. the parent's or eligible student's right to refuse to let the school district designate any or all of those types of information about the student and/or the parent as directory information; and
- c. the period of time in which a parent or eligible student has to notify the school district in writing that he or she does not want any or all of those types of information about the student and/or the parent designated as directory information.

[Note: Federal law ~~now~~ allows a school district to specify that the disclosure of directory information will be limited to specific parties, for specific purposes, or both. If the school district chooses to impose these limitations, it is advisable to add a new paragraph VII.C.1.d. ~~which~~that specifies that disclosures of directory information will be limited to specific parties and/or for specific purposes and identify those parties and/or purposes. To the extent a school district adds these restrictions, it must then limit its directory information disclosures to those individuals and/or purposes specified in this public notice. Procedures to address how these restrictions will be enforced by the school district are advised. This is an important policy decision for the local school board which must balance not only the privacy interests of the student against public disclosure, but also the additional administrative requirements such restrictions will place on the school district.]

2. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the school district in writing that any or all of the information so designated should not be disclosed without the parent's or eligible student's prior written consent, except as provided in Section VI. of this policy.
3. A parent or eligible student may not opt out of the directory information disclosures to:
 - a. prevent the school district from disclosing or requiring the student to disclose the student's name, ID, or school district e-mail address in a class in which the student is enrolled; or
 - b. prevent the school district from requiring a student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information that may be designated as directory information and that has been properly designated by the school district as directory information.

4. The school district shall not disclose or confirm directory information without meeting the written consent requirements contained in Section VI.A. of this policy if a student's social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student's records.

D. Procedure for Obtaining Nondisclosure of Directory Information

The parent's or eligible student's written notice shall be directed to the responsible authority and shall include the following:

1. Name of the student and/or parent, as appropriate;
2. Home address;
3. School presently attended by student;
4. Parent's legal relationship to student, if applicable; and
5. Specific categories of directory information to be made not public without the parent's or eligible student's prior written consent, which shall only be applicable for that school year.

E. Duration

The designation of any information as directory information about a student or parents will remain in effect for the remainder of the school year unless the parent or eligible student provides the written notifications provided herein.

VIII. DISCLOSURE OF PRIVATE RECORDS

A. Private Records

For the purposes herein, education records are records which are classified as private data on individuals by state law and which are accessible only to the student who is the subject of the data and the student's parent if the student is not an eligible student. The school district may not disclose private records or their contents except as summary data, or except as provided in Section VI. of this policy, without the prior written consent of the parent or the eligible student. The school district will use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other party to whom personally identifiable information from education records is disclosed.

B. Private Records Not Accessible to Parent

In certain cases, state law intends, and clearly provides, that certain information contained in the education records of the school district pertaining to a student be accessible to the student alone, and to the parent only under special circumstances,

if at all.

1. The responsible authority may deny access to private data by a parent when a minor student who is the subject of that data requests that the responsible authority deny such access. The minor student's request must be submitted in writing setting forth the reasons for denying access to the parent and must be signed by the minor. Upon receipt of such request the responsible authority shall determine if honoring the request to deny the parent access would be in the best interest of the minor data subject. In making this determination the responsible authority shall consider the following factors:
 - a. whether the minor is of sufficient age and maturity to be able to explain the reasons for and understand the consequences of the request to deny access;
 - b. whether the personal situation of the minor is such that denying parental access may protect the minor data subject from physical or emotional harm;
 - c. whether there are grounds for believing that the minor data subject's reasons for precluding parental access are reasonably accurate;
 - d. whether the data in question is of such a nature that disclosure of it to the parent may lead to physical or emotional harm to the minor data subject; and
 - e. whether the data concerns medical, dental or other health services provided pursuant to ~~Minnesota Statutes, §§sections~~ 144.341-144.347, in which case the data may be released only if the failure to inform the parent would seriously jeopardize the health of the minor.

C. Private Records Not Accessible to Student

Students shall not be entitled to access to private data concerning financial records and statements of the student's parent or any information contained therein.

D. Military-Connected Youth Identifier

When a school district updates its enrollment forms in the ordinary course of business, the school district must include a box on the enrollment form to allow students to self-identify as a military-connected youth. For purposes of this section, a "military-connected youth" means having an immediate family member, including a parent or sibling, who is currently in the armed forces either as a reservist or on active duty or has recently retired from the armed forces. Data collected under Minnesota Statutes § 127A.852 this provision is private data on individuals, but summary data may be published by the Department of Education, as defined in section 13.02, Subd. 12.

IX. DISCLOSURE OF CONFIDENTIAL RECORDS

A. Confidential Records

Confidential records are those records and data contained therein which are made not public by state or federal law, and which are inaccessible to the student and the student's parents or to an eligible student.

B. Reports Under the Maltreatment of Minors Reporting Act

Pursuant to ~~Minnesota Statutes Chapter 260E § 626.556~~, written copies of reports pertaining to a neglected and/or physically and/or sexually abused child shall be accessible only to the appropriate welfare and law enforcement agencies. In respect to other parties, such data shall be confidential and will not be made available to the parent or the subject individual by the school district. The subject individual, however, may obtain a copy of the report from either the local welfare agency, county sheriff, or the local police department subject to the provisions of ~~Minnesota Statutes Chapter 260E § 626.556, Subd. 11~~.

Regardless of whether a written report is made under ~~Minnesota Statutes § 626.556 Chapter 260E, Subd. 7~~, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.

C. Investigative Data

Data collected by the school district as part of an active investigation undertaken for the purpose of the commencement or defense of pending civil legal action, or ~~which~~ are retained in anticipation of a pending civil legal action are classified as protected nonpublic data in the case of data not on individuals, and confidential data in the case of data on individuals.

1. The school district may make any data classified as protected non-public or confidential pursuant to this subdivision accessible to any person, agency, or the public if the school district determines that such access will aid the law enforcement process, promote public health or safety, or dispel widespread rumor or unrest.
2. A complainant has access to a statement he or she provided to the school district.
3. Parents or eligible students may have access to investigative data of which the student is the subject, but only to the extent the data is not inextricably intertwined with data about other school district students, school district

employees, and/or attorney data as defined in Minnesota Statutes, §section 13.393.

4. Once a civil investigation becomes inactive, civil investigative data becomes public unless the release of the data would jeopardize another pending civil legal action, except for those portions of such data that are classified as not public data under state or federal law. Any civil investigative data presented as evidence in court or made part of a court record shall be public. For purposes of this provision, a civil investigation becomes inactive upon the occurrence of any of the following events:
 - a. a decision by the school district, or by the chief attorney for the school district, not to pursue the civil legal action. However, such investigation may subsequently become active if the school district or its attorney decides to renew the civil legal action;
 - b. the expiration of the time to file a complaint under the statute of limitations or agreement applicable to the civil legal action; or
 - c. the exhaustion or expiration of rights of appeal by either party to the civil legal action.
5. A “pending civil legal action” for purposes of this subdivision is defined as including, but not limited to, judicial, administrative, or arbitration proceedings.

D. Chemical Abuse Records

To the extent the school district maintains records of the identity, diagnosis, prognosis, or treatment of any student which are maintained in connection with the performance of any drug abuse prevention function conducted, regulated, or directly or indirectly assisted by any department or agency of the United States, such records are classified as confidential and shall be disclosed only for the purposes and under the circumstances expressly authorized by law.

X. DISCLOSURE OF SCHOOL RECORDS PRIOR TO EXCLUSION OR EXPULSION HEARING

At a reasonable time prior to any exclusion or expulsion hearing, the student and the student’s parent or guardian or representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the action proposed by the school district may be based, pursuant to the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, §section 121A.40, *et seq.*

XI. DISCLOSURE OF DATA TO MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS

- A. The school district will release the names, addresses, electronic mail address (which

shall be the electronic mail addresses provided by the school district, if available, that may be released to military recruiting officers only), and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request unless a parent or eligible student has refused in writing to release this data pursuant to Paragraph C. below.

- B. Data released to military recruiting officers under this provision:
1. may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military; ~~and~~
 2. cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces; and
 3. copying fees shall not be imposed.
- C. A parent or eligible student has the right to refuse the release of the name, address, electronic mail addresses (which shall be the electronic mail addresses provided by the school, if available, that may be released to military recruiting officers only) or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the responsible authority [*designate title of individual, i.e., building principal*] in writing by [*date*] each year. The written request must include the following information:
1. Name of student and parent, as appropriate;
 2. Home address;
 3. Student's grade level;
 4. School presently attended by student;
 5. Parent's legal relationship to student, if applicable;
 6. Specific category or categories of information which are not to be released to military recruiting officers and post-secondary educational institutions; and
 7. Specific category or categories of information which are not to be released to the public, including military recruiting officers and post-secondary educational institutions.
- D. Annually, the school district will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse

to release the names, addresses, and home phone numbers of students in grades 11 and 12 without prior consent.

- E. A parent or eligible student's refusal to release the above information to military recruiting officers and post-secondary educational institutions does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII. of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, home phone number, and grade level of students as directory information, absent a request from a parent or eligible student not to release such data, this information will be public data and accessible to members of the public, including military recruiting officers and post-secondary educational institutions.

XII. LIMITS ON REDISCLOSURE

A. Redislosure

Consistent with the requirements herein, the school district may only disclose personally identifiable information from the education records of a student on the condition that the party to whom the information is to be disclosed will not disclose the information to any other party without the prior written consent of the parent of the student or the eligible student, except that the officers, employees, and agents of any party receiving personally identifiable information under this section may use the information, but only for the purposes for which the disclosure was made.

B. Redislosure Not Prohibited

1. Subdivision A. of this section does not prevent the school district from disclosing personally identifiable information under Section VI. of this policy with the understanding that the party receiving the information may make further disclosures of the information on behalf of the school district provided:
 - a. The disclosures meet the requirements of Section VI. of this policy; and
 - b. The school district has complied with the record-keeping requirements of Section XIII. of this policy.
2. Subdivision A. of this section does not apply to disclosures made pursuant to court orders or lawfully issued subpoenas or litigation, to disclosures of directory information, to disclosures to a parent or student or to parents of dependent students, or to disclosures concerning sex offenders and other individuals required to register under 42 U.S.C. § 14071. However, the school district must provide the notification required in Section XII.D. of this policy if a redislosure is made based upon a court order or lawfully

issued subpoena.

[Note: 42 U.S.C. § 14071 was repealed. School districts should retain this statutory reference, however, as it remains a reference in FERPA and the Minnesota Government Data Practices Act and still may apply to individuals required to register prior to the repeal of this law.]

C. Classification of Disclosed Data

The information disclosed shall retain the same classification in the hands of the party receiving it as it had in the hands of the school district.

D. Notification

The school district shall inform the party to whom a disclosure is made of the requirements set forth in this section, except for disclosures made pursuant to court orders or lawfully issued subpoenas, disclosure of directory information under Section VII. of this policy, disclosures to a parent or student, or disclosures to parents of a dependent student. In the event that the Family Policy Compliance Office determines that a state or local educational authority, a federal agency headed by an official listed in 34 C.F.R. § 99.31(a)(3), or an authorized representative of a state or local educational authority or a federal agency headed by an official listed in § 99.31(a)(3), or a third party outside of the school district improperly rediscloses personally identifiable information from education records or fails to provide notification required under this section of this policy, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.

XIII. RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING

A. Responsible Authority

The responsible authority shall be responsible for the maintenance and security of student records.

B. Record Security

The principal of each school subject to the supervision and control of the responsible authority shall be the records manager of the school, and shall have the duty of maintaining and securing the privacy and/or confidentiality of student records.

C. Plan for Securing Student Records

The building principal shall submit to the responsible authority a written plan for securing students records by September 1 of each school year. The written plan shall contain the following information:

1. A description of records maintained;
2. Titles and addresses of person(s) responsible for the security of student records;
3. Location of student records, by category, in the buildings;
4. Means of securing student records; and
5. Procedures for access and disclosure.

D. Review of Written Plan for Securing Student Records

The responsible authority shall review the plans submitted pursuant to Paragraph C. of this section for compliance with the law, this policy and the various administrative policies of the school district. The responsible authority shall then promulgate a chart incorporating the provisions of Paragraph C. which shall be attached to and become a part of this policy.

E. Record Keeping

1. The principal shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record, with the education records of the student, ~~which~~that indicates:
 - a. the parties who have requested or received personally identifiable information from the education records of the student;
 - b. the legitimate interests these parties had in requesting or obtaining the information; and
 - c. the names of the state and local educational authorities and federal officials and agencies listed in Section VI.B.4. of this policy that may make further disclosures of personally identifiable information from the student's education records without consent.
2. In the event the school district discloses personally identifiable information from an education record of a student pursuant to Section XII.B. of this policy, the record of disclosure required under this section shall also include:
 - a. the names of the additional parties to which the receiving party may disclose the information on behalf of the school district;
 - b. the legitimate interests under Section VI. of this policy which each of the additional parties has in requesting or obtaining the information; and

- c. a copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 C.F.R. § 99.32 and to whom the school district disclosed information from an education record. The school district shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to whom education records were disclosed upon a request from a parent or eligible student to review the record of requests for disclosure.
3. Section XIII.E.1. does not apply to requests by or disclosure to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other school officials under Section VI.B.1. of this policy, to requests for disclosures of directory information under Section VII. of this policy, or to a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or agency has ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18. U.S.C. § 2332b(g)(5)(B) or an act of domestic or international terrorism.

[Note: While Section XIII.E.1. does not apply to requests for or disclosures of directory information under Section VII. of this policy, to the extent the school district chooses to limit the disclosure of directory information to specific parties, for specific purposes, or both, it is advisable that records be kept to identify the party to whom the disclosure was made and/or purpose for the disclosure.]

4. The record of requests of disclosures may be inspected by:
- a. the parent of the student or the eligible student;
 - b. the school official or his or her assistants who are responsible for the custody of the records; and
 - c. the parties authorized by law to audit the record-keeping procedures of the school district.
5. The school district shall record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:
- a. the articulable and significant threat to the health or safety of a student or other individual that formed the basis for the disclosure; and

- b. the parties to whom the school district disclosed the information.
- 6. The record of requests and disclosures shall be maintained with the education records of the student as long as the school district maintains the student's education records.

XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

A. Parent of a Student, an Eligible Student or the Parent of an Eligible Student Who is Also a Dependent Student

The school district shall permit the parent of a student, an eligible student, or the parent of an eligible student who is also a dependent student who is or has been in attendance in the school district to inspect or review the education records of the student, except those records which are made confidential by state or federal law or as otherwise provided in Section VIII. of this policy.

B. Response to Request for Access

The school district shall respond to any request pursuant to Subdivision A. of this section immediately, if possible, or within ten (10) days of the date of the request, excluding Saturdays, Sundays, and legal holidays.

C. Right to Inspect and Review

The right to inspect and review education records under Subdivision A. of this section includes:

- 1. The right to a response from the school district to reasonable requests for explanations and interpretations of records; and
- 2. If circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the education records, the school district shall provide the parent or eligible student with a copy of the records requested or make other arrangements for the parent or eligible student to inspect and review the requested records.
- 3. Nothing in this policy shall be construed as limiting the frequency of inspection of the education records of a student with a disability by the student's parent or guardian or by the student upon the student reaching the age of majority.

D. Form of Request

Parents or eligible students shall submit to the school district a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect.

E. Collection of Student Records

If a student's education records are maintained in more than one location, the responsible authority may collect copies of the records or the records themselves from the various locations so they may be inspected at one site. However, if the parent or eligible student wishes to inspect these records where they are maintained, the school district shall attempt to accommodate those wishes. The parent or eligible student shall be notified of the time and place where the records may be inspected.

F. Records Containing Information on More Than One Student

If the education records of a student contain information on more than one student, the parent or eligible student may inspect and review or be informed of only the specific information which pertains to that student.

G. Authority to Inspect or Review

The school district may presume that either parent of the student has authority to inspect or review the education records of a student unless the school district has been provided with evidence that there is a legally binding instrument or a state law or court order governing such matters as marriage dissolution, separation, or custody which provides to the contrary.

H. Fees for Copies of Records

1. The school district shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the reasonable fee, the school district shall consider the following:
 - a. the cost of materials, including paper, used to provide the copies;
 - b. the cost of the labor required to prepare the copies;
 - c. any schedule of standard copying charges established by the school district in its normal course of operations;
 - d. any special costs necessary to produce such copies from machine based record-keeping systems, including but not limited to computers and microfilm systems; and
 - e. mailing costs.
2. If 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and, instead, the charge shall

be no more than 25 cents for each page copied.

3. The cost of providing copies shall be borne by the parent or eligible student.
4. The responsible authority, however, may not impose a fee for a copy of an education record made for a parent or eligible student if doing so would effectively prevent or, in the case of a student with a disability, impair the parent or eligible student from exercising their right to inspect or review the student's education records.

XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA

A. Request to Amend Education Records

The parent of a student or an eligible student who believes that information contained in the education records of the student is inaccurate, misleading, or violates the privacy rights of the student may request that the school district amend those records.

1. The request shall be in writing, shall identify the item the requestor believes to be inaccurate, misleading, or in violation of the privacy or other rights of the student, shall state the reason for this belief, and shall specify the correction the requestor wishes the school district to make. The request shall be signed and dated by the requestor.
2. The school district shall decide whether to amend the education records of the student in accordance with the request within thirty (30) days after receiving the request.
3. If the school district decides to refuse to amend the education records of the student in accordance with the request, it shall inform the parent of the student or the eligible student of the refusal and advise the parent or eligible student of the right to a hearing under Subdivision B. of this section.

B. Right to a Hearing

If the school district refuses to amend the education records of a student, the school district, on request, shall provide an opportunity for a hearing in order to challenge the content of the student's education records to ensure that information in the education records of the student is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. A hearing shall be conducted in accordance with Subdivision C. of this section.

1. If, as a result of the hearing, the school district decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall amend the education records of the student accordingly and so inform the parent of the student or the eligible student in writing.

2. If, as a result of the hearing, the school district decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the school district, or both.
3. Any statement placed in the education records of the student under Subdivision B. of this section shall:
 - a. be maintained by the school district as part of the education records of the student so long as the record or contested portion thereof is maintained by the school district; and
 - b. if the education records of the student or the contested portion thereof is disclosed by the school district to any party, the explanation shall also be disclosed to that party.

C. Conduct of Hearing

1. The hearing shall be held within a reasonable period of time after the school district has received the request, and the parent of the student or the eligible student shall be given notice of the date, place, and time reasonably in advance of the hearing.
2. The hearing may be conducted by any individual, including an official of the school district who does not have a direct interest in the outcome of the hearing. The school board attorney shall be in attendance to present the school board's position and advise the designated hearing officer on legal and evidentiary matters.
3. The parent of the student or eligible student shall be afforded a full and fair opportunity for hearing to present evidence relative to the issues raised under Subdivisions A. and B. of this section and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney.
4. The school district shall make a decision in writing within a reasonable period of time after the conclusion of the hearing. The decision shall be based solely on evidence presented at the hearing and shall include a summary of evidence and reasons for the decision.

D. Appeal

The final decision of the designated hearing officer may be appealed in accordance with the applicable provisions of ~~Minnesota Statutes Chapter~~ 14 relating to contested cases.

XVI. PROBLEMS ACCESSING DATA

- A. The data practices compliance official is the designated employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.
- B. Data practices compliance official means *[designate title and actual name of individual]*.
- C. Any request by an individual with a disability for reasonable modifications of the school district's policies or procedures for purposes of accessing records shall be made to the data practices compliance official.

XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA

A. Where to File Complaints

Complaints regarding alleged violations of rights accorded parents and eligible students by FERPA, and the rules promulgated thereunder, shall be submitted in writing to the ~~Family Policy Compliance Office~~, U.S. Department of Education, Student Privacy Policy Office, 400 Maryland Avenue S.W., Washington, D.C. 20202-8520.

B. Content of Complaint

A complaint filed pursuant to this section must contain specific allegations of fact giving reasonable cause to believe that a violation of FERPA and the rules promulgated thereunder has occurred.

XVIII. WAIVER

A parent or eligible student may waive any of his or her rights provided herein pursuant to FERPA. A waiver shall not be valid unless in writing and signed by the parent or eligible student. The school district may not require such a waiver.

XIX. ANNUAL NOTIFICATION OF RIGHTS

A. Contents of Notice

The school district shall give parents of students currently in attendance and eligible students currently in attendance annual notice by such means as are reasonably likely to inform the parents and eligible students of the following:

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;

2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records;
3. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosure without consent;
4. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of FERPA and the rules promulgated thereunder;
5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing education records to other school officials whom the school district has determined to have legitimate educational interests; and
6. That the school district forwards education records on request to a school in which a student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment or transfer and that such records may include suspension and expulsion records pursuant to the federal Every Student Succeeds Act and, if applicable, a student's history of violent behavior.

B. Notification to Parents of Students Having a Primary Home Language Other Than English

The school district shall provide for the need to effectively notify parents of students identified as having a primary or home language other than English.

C. Notification to Parents or Eligible Students Who are Disabled

The school district shall provide for the need to effectively notify parents or eligible students identified as disabled.

XX. DESTRUCTION AND RETENTION OF RECORDS

Destruction and retention of records by the school district shall be controlled by state and federal law.

XXI. COPIES OF POLICY

Copies of this policy may be obtained by parents and eligible students at the

superintendent's office ~~of the superintendent.~~

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 13.393 (Attorneys)
Minn. Stat. Ch. 14 (Administrative Procedures Act)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)
Minn. Stat. § 121A.75 (~~Sharing Disposition Order and Peace Officer~~
~~Records Receipt of Records; Sharing~~)
Minn. Stat. § 127A.852 (Military-Connected Youth Identifier)
Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)
Minn. Stat. Ch. 256B (Medical Assistance for Needy Persons)
Minn. Stat. Ch. 256L (MinnesotaCare)
Minn. Stat. § 260B.171, ~~S~~subds. 3 and 5 (Disposition Order and Peace
Officer Records of Children)
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
Minn. Stat. § 363A.42 (Public Records; Accessibility)
~~Minn. Stat. § Ch. 260E-626.556 (Reporting of Maltreatment of Minors)~~
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)
10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns;
Compilation of Directory Information)
18 U.S.C. § 2331 (Definitions)
18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
20 U.S.C. § 6301 *et seq.* (Every Student Succeeds Act)
20 U.S.C. § 7908 (Armed Forces Recruiting Information)
20 U.S.C. § 7917 (Transfer of School Disciplinary Records)
25 U.S.C. § 5304 (Definitions – Tribal Organization)
26 U.S.C. §§ 151 and 152 (Internal Revenue Code)
42 U.S.C. § 1711 *et seq.* (Child Nutrition Act)
42 U.S.C. § 1751 *et seq.* (Richard B. Russell National School Lunch Act)
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)
34 C.F.R. § 300.610-300.627 (Confidentiality of Information)
42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records)
~~Gonzaga University v. Doe, 536 U.S. 273, 122 S.Ct. 2268, 153 L.Ed. 2d~~
309 (2002)

Cross References: MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or
Physical or Sexual Abuse)
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside
Agencies)
MSBA/MASA Model Policy 520 (Student Surveys)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 722 (Public Data Requests)
MSBA/MASA Model Policy 906 (Community Notification of Predatory

Offenders)

MSBA ~~Service Manual, Chapter 13,~~ School Law Bulletin “T” (School Records – Privacy – Access to Data)

Adopted: _____

MSBA/MASA Model Policy 601

Orig. 1995

Revised: _____

Rev. ~~2019~~ 2020

601 SCHOOL DISTRICT CURRICULUM AND INSTRUCTION GOALS

[Note: Minn. Stat. § 120B.11 requires school districts to adopt a comprehensive long-term strategic plan that addresses the review of curriculum, instruction, student achievement, and assessment. MSBA/MASA Model Policies 601, 603, and 616 address these statutory requirements. In addition, MSBA/MASA Model Policies 613-615 and 617-620 provide procedures to further implement the requirements of Minn. Stat. § 120B.11.]

I. PURPOSE

The purpose of this policy is to establish broad curriculum parameters for the school district that encompass the Minnesota Academic Standards and federal law and are aligned with creating the world’s best workforce.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is to establish the “world’s best workforce” in which all learning in the school district should be directed and for which all school district learners should be held accountable.

III. DEFINITIONS

- A. “Academic standard” means a summary description of student learning in a required content area or elective content area.
- B. “Benchmark” means specific knowledge or skill that a student must master to complete part of an academic standard by the end of the grade level or grade band.
- C. “Curriculum” means district or school adopted programs and written plans for providing students with learning experiences that lead to expected knowledge, skills, and career and college readiness.
- D. “Instruction” means methods of providing learning experiences that enable students to meet state and district academic standards and graduation requirements.
- E. “Performance measures” are measures to determine school district and school site progress in striving to create the world’s best workforce and must include at least the following:

1. the size of the academic achievement gap and rigorous course taking, including college-level advanced placement, international baccalaureate, postsecondary enrollment options, including concurrent enrollment, other rigorous courses of study or industry certification courses or programs, and enrichment experiences by student subgroup;
 2. student performance on the Minnesota Comprehensive Assessments;
 3. high school graduation rates; and
 4. career and college readiness under Minn. Stat. § 120B.30, Subd. 1.
- F. “World’s best workforce” means striving to: meet school readiness goals; have all third-grade students achieve grade-level literacy; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.
- G. “Experiential learning” means learning for students that includes career exploration through a specific class or course or through work-based experiences such as job shadowing, mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative work experience, youth apprenticeship, or employment.

IV. LONG-TERM STRATEGIC PLAN

- A. The school board, at a public meeting, shall adopt a comprehensive, long-term strategic plan to support and improve teaching and learning that is aligned with creating the world’s best workforce and includes the following:
1. clearly defined school district and school site goals and benchmarks for instruction and student achievement for all student categories identified in state and federal law;
- [Note: MSBA/MASA Model Policy 601, Section IV.B. and MSBA/MASA Model Policy 616 address this requirement.]*
2. a process to assess and evaluate each student’s progress toward meeting state and local academic standards, assess and identify students for participation in gifted and talented programs and accelerate their instruction, adopt procedures for early admission to kindergarten or first grade of gifted and talented learners which are sensitive to under-represented groups, and identify the strengths and weaknesses of instruction in pursuit of student and school success and curriculum affecting students’ progress and growth toward career and college readiness and leading to the world’s best workforce;

[Note: MSBA/MASA Model Policy 618 addresses this requirement.]

3. a system to periodically review and evaluate the effectiveness of all instruction and curriculum, taking into account strategies and best practices, student outcomes, principal evaluations under Minn. Stat. § 123B.147, Subd. 3, students' access to effective teachers who are members of populations under-represented among the licensed teachers in the district or school and who reflect the diversity of enrolled students under Minn. Stat. § 120B.35, Subd. 3(b)(2), and teacher evaluations under Minn. Stat. § 122A.40, Subd. 8, or 122A.41, Subd. 5;

[Note: MSBA/MASA Model Policy 616 addresses this requirement.]

4. strategies for improving instruction, curriculum, and student achievement, including the English and, where practicable, the native language development and the academic achievement of English learners;

[Note: MSBA/MASA Model Policy 616 addresses this requirement.]

5. a process to examine the equitable distribution of teachers and strategies to ensure low-income and minority children are not taught at higher rates than other children by inexperienced, ineffective, or out-of-field teachers;
6. education effectiveness practices that integrate high-quality instruction, rigorous curriculum, technology, and a collaborative professional culture that develops and supports teacher quality, performance, and effectiveness; and
7. an annual budget for continuing to implement the school district plan.

B. School district site and school site goals shall include the following:

1. All students will be required to demonstrate essential skills to effectively participate in lifelong learning.* These skills include the following:

[*Note: The criteria for acceptable performance in basic skills areas may need to be modified for students with unique learning needs. These modifications will be reflected in the Individualized Education Program (IEP) or Rehabilitation Act Section 504 Accommodation plan.]

- a. reading, writing, speaking, listening, and viewing in the English language;
- b. mathematical and scientific concepts;
- c. locating, organizing, communicating, and evaluating information and developing methods of inquiry (i.e., problem solving);

- d. creative and critical thinking, decision making, and study skills;
 - e. work readiness skills;
 - f. global and cultural understanding.
2. Each student will have the opportunity and will be expected to develop and apply essential knowledge that enables that student to:
- a. live as a responsible, productive citizen and consumer within local, state, national, and global political, social, and economic systems;
 - b. bring many perspectives, including historical, to contemporary issues;
 - c. develop an appreciation and respect for democratic institutions;
 - d. communicate and relate effectively in languages and with cultures other than the student's own;
 - e. practice stewardship of the land, natural resources, and environment;
 - f. use a variety of tools and technology to gather and use information, enhance learning, solve problems, and increase human productivity.
3. Students will have the opportunity to develop creativity and self-expression through visual and verbal images, music, literature, world languages, movement, and the performing arts.
4. School practices and instruction will be directed toward developing within each student a positive self-image and a sense of personal responsibility for:
- a. establishing and achieving personal and career goals;
 - b. adapting to change;
 - c. leading a healthy and fulfilling life, both physically and mentally;
 - d. living a life that will contribute to the well-being of society;
 - e. becoming a self-directed learner;
 - f. exercising ethical behavior.
5. Students will be given the opportunity to acquire human relations skills

necessary to:

- a. appreciate, understand, and accept human diversity and interdependence;
- b. address human problems through team effort;
- c. resolve conflicts with and among others;
- d. function constructively within a family unit;
- e. promote a multicultural, gender-fair, disability-sensitive society.

[Note: School district and site goals example courtesy of the Winona School District.]

- C. Every child is reading at or above grade level no later than the end of grade 3, including English learners, and teachers provide comprehensive, scientifically based reading instruction, including a program or collection of instructional practices that is based on valid, replicable evidence showing that, when the programs or practices are used, students can be expected to achieve, at a minimum, satisfactory reading progress. The program or collection of practices must include, at a minimum, effective, balanced instruction in all five areas of reading (phonemic awareness, phonics, fluency, vocabulary development, and reading comprehension), as well as instructional strategies for continuously assessing, evaluating, and communicating the student's reading progress and needs.
1. The school district must identify, before the end of kindergarten, grade 1, and grade 2, all students who are not reading at grade level. Students identified as not reading at grade level by the end of kindergarten, grade 1, and grade 2 must be screened for characteristics of dyslexia, unless a different reason for the reading difficulty has been identified.
 2. Students in grade 3 or higher who demonstrate a reading difficulty to a classroom teacher must be screened for characteristics of dyslexia, unless a different reason for the reading difficulty has been identified.

[Note: According to Minnesota statutes, dyslexia screening is to be conducted in a locally determined manner.]

3. Reading assessments in English and in the predominant languages of district students, where practicable, must identify and evaluate students' areas of academic need related to literacy. The school district also must monitor the progress and provide reading instruction appropriate to the specific needs of English learners. The school district must use locally adopted, developmentally appropriate, and culturally responsive

assessment and annually report summary assessment results to the Commissioner of Education by July 1.

4. The school district must annually report to the Commissioner of Education by July 1 a summary of the district's efforts to screen and identify students with: who demonstrate characteristics of dyslexia using screening tools such as those recommended by the Minnesota Department of Education's dyslexia specialist. With respect to students screened or identified under paragraph (1), the report must include:

(a) a summary of the district's efforts to screen for dyslexia;

(b) the number of students screened for that reporting year; and

(c) the number of students demonstrating characteristics of dyslexia for that year.

~~b. —convergence insufficiency disorder.~~

5. A student identified as having a reading difficulty must be provided with alternate instruction under Minn. Stat. § 125A.56, Subd. 1.
6. At least annually, the school district must give the parent of each student who is not reading at or above grade level timely information about:
 - a. the student's reading proficiency as measured by a locally adopted assessment;
 - b. reading-related services currently being provided to the student and the student's progress; and
 - c. strategies for parents to use at home in helping their students succeed in becoming grade-level proficient in reading English and their native languages.

This provision may not be used to deny a student's right to a special education evaluation.

7. For each student who is not reading at or above grade level, the school district shall provide reading intervention to accelerate student growth and reach the goal of reading at or above grade level by the end of the current grade and school year. If a student does not read at or above grade level by the end of grade 3, the school district must continue to provide reading intervention until the student reads at grade level. Intervention methods shall encourage family engagement and, where possible, collaboration with appropriate school and community programs. Intervention methods may include, but are not limited to, requiring attendance in summer

school, intensified reading instruction that may require that the student be removed from the regular classroom for part of the school day, extended day programs, or programs that strengthen students' cultural connections.

[Note: School districts are strongly encouraged, but not required, to provide personal learning plans, as provided in Paragraph 8.]

8. The school district will provide a personal learning plan for a student who is unable to demonstrate grade-level proficiency, as measured by the statewide reading assessment in grade 3. The school district will determine the format of the personal learning plan in collaboration with the student's educators and other appropriate professionals. The school district will develop the personal learning plan in consultation with the student's parent or guardian. The personal learning plan will address knowledge gaps and skill deficiencies through strategies such as specific exercises and practices during and outside of the school day, periodic assessments, and reasonable timelines. The personal learning plan may include grade retention if it is in the student's best interest. The student's school will maintain and regularly update and modify the personal learning plan until the student reads at grade level. This paragraph does not apply to a student under an Individualized Education Program.

Legal References: Minn. Stat. § 120B.018 (Definitions)
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)
Minn. Stat. § 120B.11 (School District Process)
Minn. Stat. § 120B.12 (Reading Proficiently no Later than the End of Grade 3)
Minn. Stat. § 120B.30, Subd. 1 (Statewide Testing and Reporting System)
Minn. Stat. § 120B.35, Subd. 3 (Student Academic Achievement and Growth)
Minn. Stat. § 122A.40, Subd. 8 (Employment; Contracts; Termination)
Minn. Stat. § 122A.41, Subd. 5 (Teacher Tenure Act; Cities of the First Class; Definitions)
Minn. Stat. § 123B.147, Subd. 3 (Principals)
Minn. Stat. § 125A.56, Subd. 1 (Alternate Instruction Required)
20 U.S.C. § 5801, *et seq.* (National Education Goals 2000)
20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

Cross References: MSBA/MASA Model Policy 104 (School District Mission Statement)
MSBA/MASA Model Policy 613 (Graduation Requirements)
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)
MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
MSBA/MASA Model Policy 616 (School District System Accountability)
MSBA/MASA Model Policy 618 (Assessment of Student Achievement)

EDUCATION PROGRAMS

School District Curriculum and Instruction Goals

601-NB

I. PURPOSE

The purpose of this policy is to establish broad curriculum parameters for the school district that encompass the Minnesota Graduation Standards and federal law and are aligned with creating the world's best workforce.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is to establish the "world's best workforce" in which all learning in the school district should be directed and for which all school district learners should be held accountable.

III. DEFINITIONS

- A. "Academic standard" means a summary description of student learning in a required content area or elective content area.
- B. "Benchmark" means specific knowledge or skill that a student must master to complete part of an academic standard by the end of the grade level or grade band.
- C. "Curriculum" means district or school adopted programs and written plans for providing students with learning experiences that lead to expected knowledge, skills, and career and college readiness.
- D. "Instruction" means methods of providing learning experiences that enable students to meet state and district academic standards and graduation requirements.
- E. "Performance measures" are measures to determine school district and school site progress in striving to create the world's best workforce and must include at least the following:
 - 1. the size of the academic achievement gap and rigorous course taking, including college-level advanced placement, international baccalaureate, postsecondary enrollment options, including concurrent enrollment, other rigorous courses of study or industry certification courses or programs, and enrichment experiences by student subgroup;
 - 2. student performance on the Minnesota Comprehensive Assessments;
 - 3. high school graduation rates; and
 - 4. career and college readiness under Minn. Stat. § 120B.30, Subd. 1.
- F. "World's best workforce" means striving to: meet school readiness goals; have all third-grade students achieve grade-level literacy; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in

North Branch Independent School District No. 138: District Policy #601-NB

Adopted: December 13, 2012

Replaced:

Revised: June 16, 2016, February 8, 2018, February 14, 2019

Effective: December 13, 2012, June 16, 2016, February 8, 2018, February 14, 2019

601-NB School District Curriculum and Instruction Goals, page 1 of 6

EDUCATION PROGRAMS

School District Curriculum and Instruction Goals

601-NB

poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.

- G. “Experiential learning” means learning for students that includes career exploration through a specific class or course or through work-based experiences such as job shadowing, mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative work experience, youth apprenticeship, or employment.

IV. LONG-TERM STRATEGIC PLAN

- A. The school board, at a public meeting, shall adopt a comprehensive, long-term strategic plan to support and improve teaching and learning that is aligned with creating the world’s best workforce and includes the following:
1. clearly defined school district and school site goals and benchmarks for instruction and student achievement for all student categories identified in state and federal law;
 2. a process to assess and evaluate each student’s progress toward meeting state and local academic standards, assess and identify students for participation in gifted and talented programs and accelerate their instruction, adopt procedures for early admission to kindergarten or first grade of gifted and talented learners which are sensitive to under-represented groups, and identify the strengths and weaknesses of instruction in pursuit of student and school success and curriculum affecting students’ progress and growth toward career and college readiness and leading to the world’s best workforce;
 3. a system to periodically review and evaluate the effectiveness of all instruction and curriculum, taking into account strategies and best practices, student outcomes, principal evaluations under Minn. Stat. § 123B.147, Subd. 3, students’ access to effective teachers who are members of populations under-represented among the licensed teachers in the district or school and who reflect the diversity of enrolled students under Minn. Stat. § 120B.35, Subd. 3(b)(2), and teacher evaluations under Minn. Stat. § 122A.40, Subd. 8, or 122A.41, Subd. 5;
 4. strategies for improving instruction, curriculum, and student achievement, including the English and, where practicable, the native language development and the academic achievement of English learners;
 5. a process to examine the equitable distribution of teachers and strategies to ensure low-income and minority children are not taught at higher rates than other children by inexperienced, ineffective, or out-of-field teachers;

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Adopted: December 13, 2012

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EDUCATION PROGRAMS

School District Curriculum and Instruction Goals

601-NB

6. education effectiveness practices that integrate high-quality instruction, rigorous curriculum, technology, and a collaborative professional culture that develops and supports teacher quality, performance, and effectiveness; and
 7. an annual budget for continuing to implement the school district plan.
- B. School district site and school site goals shall include the following:
1. All students will be required to demonstrate essential skills to effectively participate in lifelong learning.* These skills include the following:
 - a. reading, writing, speaking, listening, and viewing in the English language;
 - b. mathematical and scientific concepts;
 - c. locating, organizing, communicating, and evaluating information and developing methods of inquiry (i.e., problem solving);
 - d. creative and critical thinking, decision making, and study skills;
 - e. work readiness skills;
 - f. global and cultural understanding.
 2. Each student will have the opportunity and will be expected to develop and apply essential knowledge that enables that student to:
 - a. live as a responsible, productive citizen and consumer within local, state, national, and global political, social, and economic systems;
 - b. bring many perspectives, including historical, to contemporary issues;
 - c. develop an appreciation and respect for democratic institutions;
 - d. communicate and relate effectively in languages and with cultures other than the student's own;
 - e. practice stewardship of the land, natural resources, and environment;
 - f. use a variety of tools and technology to gather and use information, enhance learning, solve problems, and increase human productivity.
 3. Students will have the opportunity to develop creativity and self-expression through

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601-NB School District Curriculum and Instruction Goals, page 3 of 6

EDUCATION PROGRAMS

School District Curriculum and Instruction Goals

601-NB

- visual and verbal images, music, literature, world languages, movement, and the performing arts.
4. School practices and instruction will be directed toward developing within each student a positive self-image and a sense of personal responsibility for:
 - a. establishing and achieving personal and career goals;
 - b. adapting to change;
 - c. leading a healthy and fulfilling life, both physically and mentally;
 - d. living a life that will contribute to the well-being of society;
 - e. becoming a self-directed learner;
 - f. exercising ethical behavior.
 5. Students will be given the opportunity to acquire human relations skills necessary to:
 - a. appreciate, understand, and accept human diversity and interdependence;
 - b. address human problems through team effort;
 - c. resolve conflicts with and among others;
 - d. function constructively within a family unit;
 - e. promote a multicultural, gender-fair, disability-sensitive society.
- C. Every child is reading at or above grade level no later than the end of grade 3, including English learners, and teachers provide comprehensive, scientifically based reading instruction, including a program or collection of instructional practices that is based on valid, replicable evidence showing that, when the programs or practices are used, students can be expected to achieve, at a minimum, satisfactory reading progress. The program or collection of practices must include, at a minimum, effective, balanced instruction in all five areas of reading (phonemic awareness, phonics, fluency, vocabulary development, and reading comprehension), as well as instructional strategies for continuously assessing, evaluating, and communicating the student's reading progress and needs.
1. The school district shall identify, before the end of kindergarten, grade 1, and grade 2, students who are not reading at grade level before the end of the current school year and shall identify students in grade 3 or higher who demonstrate a reading difficulty to

North Branch Independent School District No. 138: District Policy #601-NB

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EDUCATION PROGRAMS

School District Curriculum and Instruction Goals

601-NB

a classroom teacher. Reading assessments in English and in the predominant languages of district students, where practicable, must identify and evaluate students' areas of academic need related to literacy. The school district also must monitor the progress and provide reading instruction appropriate to the specific needs of English learners. The school district must use locally adopted, developmentally appropriate, and culturally responsive assessment.

2. At least annually, the school district must give the parent of each student who is not reading at or above grade level timely information about:
 - a. the student's reading proficiency as measured by a locally adopted assessment;
 - b. reading-related services currently being provided to the student and the student's progress; and
 - c. strategies for parents to use at home in helping their students succeed in becoming grade-level proficient in reading English and their native languages.

This provision may not be used to deny a student's right to a special education evaluation.

3. For each student who is not reading at or above grade level, the school district shall provide reading intervention to accelerate student growth and reach the goal of reading at or above grade level by the end of the current grade and school year. ~~If a student does not read at or above grade level by the end of grade 3, the school district must continue to provide reading intervention until the student reads at grade level.~~ (NB change; sentence eliminated in February 2019. We are recommending adding this sentence back in. It will no longer be a NB policy.) Intervention methods shall encourage family engagement and, where possible, collaboration with appropriate school and community programs. Intervention methods may include, but are not limited to, requiring attendance in summer school, intensified reading instruction that may require that the student be removed from the regular classroom for part of the school day, extended day programs, or programs that strengthen students' cultural connections.

4. ~~The school district will provide a personal learning plan for a student who is unable to demonstrate grade-level proficiency, as measured by the statewide reading assessment in grade 3. The school district will determine the format of the personal learning plan in collaboration with the student's educators and other appropriate professionals. The school district will develop the personal learning plan in consultation with the student's parent or guardian. The personal learning plan will address knowledge gaps and skill deficiencies through strategies such as specific exercises and practices during and outside of the school day, periodic assessments, and reasonable timelines. The~~

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personal learning plan may include grade retention if it is in the student's best interest. The student's school will maintain and regularly update and modify the personal learning plan until the student reads at grade level. This paragraph does not apply to a student under an Individualized Education Program. (NB change; paragraph eliminated in February 2019. We are recommending adding this paragraph back in. It will no longer be a NB policy.)

Legal References:

Minn. Stat. § 120B.018 (Definitions)
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)
Minn. Stat. § 120B.11 (School District Process)
Minn. Stat. § 120B.12 (Reading Proficiently no Later than the End of Grade 3)
Minn. Stat. § 120B.30, Subd. 1 (Statewide Testing and Reporting System)
Minn. Stat. § 120B.35, Subd. 3 (Student Academic Achievement and Growth)
Minn. Stat. § 122A.40, Subd. 8 (Employment; Contracts; Termination)
Minn. Stat. § 122A.41, Subd. 5 (Teacher Tenure Act; Cities of the First Class; Definitions)
Minn. Stat. § 123B.147, Subd. 3 (Principals)
20 U.S.C. § 5801, *et seq.* (National Education Goals 2000)
20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

Cross References:

NB Policy 104 (School District Mission Statement)
NB Policy 613 (Graduation Requirements)
NB Policy 614 (School District Testing Plan and Procedure)
NB Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
NB Policy 616 (School District System Accountability)
NB Policy 618 (Assessment of Student Achievement)

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Effective: December 13, 2012, June 16, 2016, February 8, 2018, February 14, 2019

601-NB School District Curriculum and Instruction Goals, page 6 of 6

Adopted: _____

MSBA/MASA Model Policy 603

Orig. 1995

Revised: _____

Rev. 2019

603 CURRICULUM DEVELOPMENT

[Note: Minn. Stat. § 120B.11 requires school districts to adopt a comprehensive long-term strategic plan that addresses the review of curriculum, instruction, student achievement, and assessment. MSBA/MASA Model Policies 601, 603, and 616 address these statutory requirements. In addition, MSBA/MASA Model Policies 613-615 and 617-620 provide procedures to further implement the requirements of Minn. Stat. § 120B.11.]

I. PURPOSE

The purpose of this policy is to provide direction for continuous review and improvement of the school curriculum.

II. GENERAL STATEMENT OF POLICY

Curriculum development shall be directed toward the fulfillment of the goals and objectives of the education program of the school district.

III. RESPONSIBILITY

- A. The superintendent shall be responsible for curriculum development and for determining the most effective way of conducting research on the school district's curriculum needs and establishing a long range curriculum development program. Timelines shall be determined by the superintendent that will provide for periodic reviews of each curriculum area.
- B. A district advisory committee shall provide assistance at the request of the superintendent. The advisory committee membership shall be a reflection of the community and, to the extent possible, shall reflect the diversity of the district and its school sites, and shall include parent, teacher, support staff, student, community residents, and administration representation, and shall provide translation to the extent appropriate and practicable. Whenever possible, parents and other community residents shall comprise at least two-thirds of advisory committee members.
- C. Within the ongoing process of curriculum development, the following needs shall be addressed:
 - 1. Provide for articulation of courses of study from kindergarten through grade twelve.
 - 2. Identify minimum objectives for each course and at each elementary grade

level.

3. Provide for continuing evaluation of programs for the purpose of attaining school district objectives.
4. Provide a program for ongoing monitoring of student progress.
5. Provide for specific, particular, and special needs of all members of the student community.
6. Develop a local literacy plan to have every child reading at or above grade level no later than the end of grade 3, including English learners, and teachers providing comprehensive, scientifically based reading instruction consistent with law.
7. Integrate required and elective course standards in the scope and sequence of the district curriculum.
8. Meet all applicable requirements of the Minnesota Department of Education and federal law.

D. Students identified as not reading at grade level by the end of kindergarten, grade 1, and grade 2 must be screened for characteristics of dyslexia. Students in grade 3 or higher who demonstrate a reading difficulty to a classroom teacher must be screened for characteristics of dyslexia, unless a different reason for the reading difficulty has been identified. See Minn. Stat. § 120B.12, Subd. 2.

E. Students who do not meet or exceed Minnesota academic standards, as measured by the Minnesota Comprehensive Assessments that are administered during high school, shall be informed that admission to a public school is free and available to any resident under 21 years of age or who meets the requirements of Minn. Stat. § 120A.20, Subd. 1(c). A student's plan under this section shall continue while the student is enrolled.

F. The superintendent shall be responsible for keeping the school board informed of all state-mandated curriculum changes, as well as recommended discretionary changes, and for periodically presenting recommended modifications for school board review and approval.

G. The superintendent shall have discretionary authority to develop guidelines and directives to implement school board policy relating to curriculum development.

Legal References: Minn. Stat. § 120B.10 (Findings; Improving Instruction and Curriculum)
Minn. Stat. § 120B.11 (School District Process)
Minn. Stat. § 120B.12 (Reading Proficiently no Later than the End of Grade 3)

Minn. Stat. § 120B.125(f) (Planning for Students' Successful Transition to Postsecondary Education and Employment)
Minn. Rules Part 3500.0550 (Inclusive Educational Program)
Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)
Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)
Minn. Rules Parts 3501.1000-3501.1190 (Graduation-Required Assessment for Diploma) (repealed Minn. L. 2013, Ch. 116, Art. 2, § 22)
Minn. Rules Parts 3501.1200-3501.1210 (Academic Standards for English Language Development)
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)
Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)
20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

Cross References:

MSBA/MASA Model Policy 604 (Instructional Curriculum)
MSBA/MASA Model Policy 605 (Alternative Programs)
MSBA/MASA Model Policy 613 (Graduation Requirements)
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)
MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
MSBA/MASA Model Policy 616 (School District System Accountability)
MSBA/MASA Model Policy 617 (School District Ensurance of Preparatory and High School Standards)
MSBA/MASA Model Policy 618 (Assessment of Student Achievement)
MSBA/MASA Model Policy 619 (Staff Development for Standards)
MSBA/MASA Model Policy 620 (Credit for Learning)
MSBA/MASA Model Policy 623 (Mandatory Summer School Instruction)



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

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

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

North Branch Area High School _____

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

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

1. _____ Make new application for membership in the Minnesota State High School League; School Enrollment (grades 9-12): _____
OR;
 Renew its membership in the Minnesota State High School League; and,
2. Participate in the approved interschool activities sponsored by said League and its various subdivisions.

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

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

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

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

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

Signed: _____
(Superintendent or Head of School)

Date: _____

Date: _____

District/School Office Address: 38705 Grand Avenue, North Branch, MN 55056

Head of School/Superintendent's Phone: 651-674-1000

Head of School/Superintendent's Email: spaul@isd138.org

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

2022-2023 RESOLUTION FOR MEMBERSHIP

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

The following is taken from the MSHSL Constitution:

208.00 LOCAL CONTROL

208.01 Designated School Representatives

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

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

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

208.02 Designated Activity Representatives

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

208.03 Local Advisory Committee

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

208.01 VOTE ON BEHALF OF THE HIGH SCHOOL

- Designated School Board Member
- Designated School Representative

208.02 ACTIVITY REPRESENTATIVES

- Boys Sports
- Girls Sports
- Speech
- Music

208.03 LOCAL ADVISORY COMMITTEE MEMBERS

- Board Member
- Student
- Parent
- Faculty Member

MAILING REPRESENTATIVE

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



2022-2023

Student-Parent

Handbook

Independent School District #138
38705 Grand Ave., North Branch, MN 55056
651-674-1000/phone | isd138.org

Adopted by the School Board – July 14, 2022



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Search North Branch Area Public Schools



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NBAPS August 2022 - July 2023 Approved 1-13-22

The School Board reserves the right to adjust the school calendar based upon legislation related to education when it is available. School district calendars will be finalized in December of each year for the following school year. Winter Break and Spring Break will remain at predictable times of the school year. Calendar days identified as Professional Development may be adjusted if needed. The classified staff professional development days will be determined on a yearly basis.

August '22						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September '22						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

October '22						
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November '22						
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December '22						
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February '23						
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May '23						
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June '23						
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July '23						
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30	31					

-  First Day of School K-8 / Last Day of School K-12
-  New Teacher Workshop
-  Welcome Back Conferences K-8
-  Professional Development Day (No School)
-  New and 2nd Year Teacher Workshop
-  9 - 12 Grades in session
-  School Closed/Holiday
-  Welcome Back Conferences K - 8
-  Graduation
-  CCSLWC in session
-  CCSLWC Orientation
-  CCSLWC Orientation

NORTH BRANCH AREA PUBLIC SCHOOLS GENERAL INFORMATION

<p>NORTH BRANCH AREA EDUCATION CENTER 38705 Grand Ave, PO Box 370 Grades – EC - Kindergarten Director of Early Learning – Brett Carlson bcarlson@isd138.org Phone Number – 651-674-1022 School Hours: 8:05 am – 2:40 pm (KG)</p> <p>SUNRISE RIVER ELEMENTARY SCHOOL 37775 Grand Ave, PO Box 370 Grades 1-5 Principal – Taylor Swanson tswanson@isd138.org Phone Number – 651-674-1100 School Hours: 7:50 am – 2:25 pm</p> <p>NORTH BRANCH AREA MIDDLE SCHOOL 38431 Lincoln Trail, PO Box 370 Grades 6-8 Principal – Kelly Detzler kdetzler@isd138.org Assistant Principal – Matt Lattimore mlattimo@isd138.org Phone Number – 651-674-1300 School Hours – 8:05 am – 2:40 pm</p> <p>NORTH BRANCH AREA HIGH SCHOOL 38175 Grand Ave, PO Box 370 Grades 9-12 Principal – Clint Link clink@isd138.org Assistant Principal – Andrea Thiner athiner@isd138.org Phone Number – 651-674-1500 Director of Activities – Kindra Helin khelin@isd138.org Phone Number – 651-674-1512 School Hours – 7:55 am – 2:25 pm</p> <p>NORSE AREA LEARNING CENTER 38423 Lincoln Trail, PO Box 370 Grades – 7-12 Principal – Coleman McDonough cmcdonough@isd138.org Phone Number – 651-674-1031 School Hours – 7:55 am – 2:25 pm</p> <p>DISTANCE LEARNING ACADEMY Grades – KG-12 Principal - Coleman McDonough cmcdonough@isd138.org Phone Number – 651-674-1406</p> <p>LIFE WORK CENTER 38431 Lincoln Trail, PO Box 370 Grades 12+ Principal – Kelly Detzler kdetzler@isd138.org Phone Number – 651-674-1300 School Hours – 8:00 am – 2:35 pm</p> <p>HEARING IMPAIRED – Call 711</p>	<p>OFFICE OF TEACHING AND LEARNING Curriculum, Instruction, Assessment, and Staff Development 38705 Grand Ave, PO Box 370 Director – David Treichel dtreichel@isd138.org Phone Number – 651-674-1050</p> <p>COMMUNITY EDUCATION 38705 Grand Ave, PO Box 370 Director of Community Education – Brett Carlson bcarlson@isd138.org Phone Number – 651-674-1025</p> <p>SCHOOL AGE CARE 38705 Grand Ave, PO Box 370 Director of Community Education – Brett Carlson bcarlson@isd138.org Phone Number – 651-674-1025 Hours of Operation – 5:45 am – 6:00 pm School Age Care – 651-674-1029</p> <p>DISTRICT OFFICE 38705 Grand Ave, PO Box 370 Superintendent – Sara Paul spaul@isd138.org Phone Number – 651-674-1012; 651-338-1302 Director of Finance and Human Resources – Todd Tetzlaff ttetzlaf@isd138.org 651-674-1009 Community Relations/Grants – Patrick Tepoorten ptepoorten@isd138.org 651-674-1018 COVID Coordinator – Sara Paul spaul@isd138.org Phone Number – 651-674-1012; 651-338-1302 Office Hours – 7:00 am – 3:30 pm</p> <p>TRANSPORTATION DEPARTMENT 38150 Grand Avenue, PO Box 370 Director – Lonnie Hansen lhansen@isd138.org Phone Number – 651-674-1030 Office Hours – 6:00 am – 4:30 pm</p> <p>BUILDINGS AND GROUNDS DEPARTMENT 38705 Grand Ave, PO Box 370 Director – Art Tobin atobin@isd138.org Phone Number – 651-674-1091 Office Hours – 6:00 am – 2:30 pm</p> <p>FOOD SERVICE – TAHER DINING 38175 Grand Ave, PO Box 370 Manager – Ken Koegler kkoegler@isd138.org Phone Number – 651-674-1520 Office Hours – 6:00 am – 3:00 pm</p> <p>SPECIAL EDUCATION 38705 Grand Ave, PO Box 370 Special Services Supervisor – Jennifer Danielson jdanielson@scred.k12.mn.us Phone Number – 651-674-1016</p>
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SCHOOL WEB SITE: www.isd138.org
Twitter: <http://twitter.com/nbaps>
Facebook – <https://www.facebook.com/nbapschools>
Sara Paul – Superintendent
38705 Grand Ave, PO Box 370, North Branch, MN 55056
(651) 674-1012 – office (651) 338-1302 – cell
spaul@isd138.org

NORTH BRANCH AREA PUBLIC SCHOOLS STUDENT AND PARENT HANDBOOK 2022-2023

ACCIDENT INSURANCE

The school district **does not** provide any type of health or accident insurance for injuries incurred by your child at school. We encourage parents to review their present policies to determine if coverage is adequate.

ACTIVITIES

North Branch Area Public Schools offers a far-ranging variety of co-curricular activities in both fine arts and sports. The goal of the Activities Department is to have every student in grades 7-12 involved in at least one co-curricular activity. Fees will be charged for all activities and must be paid before the first day of practice. Special consideration will be given to those students financially unable to pay. Students may participate in one sport per season. Prorated refunds will be issued when a student must resign from an activity due to program cuts, a medical condition, or transfer. There are no refunds for rules violations or arbitrary resignations.

To pay for activity fees online, see "Paying Fees Online" on page 15.

Fee Schedule:

High School Fee Schedule		Middle School Fee Schedule	
Boys and Girls Hockey	\$545	Boys and Girls Hockey	\$455
Grades 9-12	\$230	Grades 7-8	\$140
Grades 7-8: playing 7-12 sport	\$140		
Activities		Activities	
Speech	\$150	Grades 7-8: Speech	\$100
Fall Musical	\$150	Grades 7-8: Knowledge Bowl	\$100
Math League	\$150	Grades 7-8: Math League	\$100
Knowledge Bowl	\$150	Jazz Band	\$100
Jazz Band	\$150	Show Choir	\$100
Harmonaires	\$150	Robotics	\$100
DECA, ProStart	\$150		
Robotics	\$150		
Clay Target	\$150 plus shells & clays		
Weight Room Fees per season (Free during season with athletic registration)	\$50		
Family Cap: \$1000.00			

Eligibility standards have been set by the school district for participation in any co-curricular activity. These standards apply to athletics, competitive organizations, fine arts, and clubs. The Co-Curricular Registration Handout contains detailed explanations of eligibility standards, academic probation, etc.

ADDRESS CHANGES

Please notify your child's school building office with address changes.

ATTENDANCE

Students are to be in attendance each day in which school is in session. If a student is absent from school, a parent must call the school to inform us of the reason for the absence. Each school has its own attendance clerk and telephone number for parents to call. A note from parents is also acceptable on the day the student returns.

- Education Center (Early Childhood, Kindergarten): 651-674-1207
- Sunrise (First - Fifth Grade): 651-674-1107
- Middle School (Sixth - Eighth Grade): 651-674-1303
- High School (Ninth - Twelfth Grade): 651-674-1503
- Distance Learning Academy: 651-674-1058
- Norse Area Learning Center: 651-674-1062
- District COVID-19 Coordinator: 651-674-1012

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

Unexcused absences are considered truancy, whether for a whole day or any part of it. Repeated incidents of truancy will be reported to truancy intervention personnel (See policy 503).

AVAILABLE SERVICES

Chemical Health Services

Chemical health services promote healthy lifestyles through classroom presentation and support through the district's health curriculum. Prevention efforts and intervention services are addressed through support programs provided by school counselors and social workers.

Resources for Parents

- ◆ Chisago County Chemical Health Unit: 651-213-5600
- ◆ Fairview Behavioral Services: 651-982-7000
- ◆ Hazelden: 1-866-699-4694
- ◆ Lakes Area Human Services: 651-464-2194
- ◆ Lakes Center for Youth & Families: 651-464-3685
- ◆ MN Department of Health: www.health.state.mn.us

Counseling Services

Counselors, social workers, and mental health staff are available to work with students to support physical, emotional, and social development. Please contact the respective building leader to be put in contact with the staff member best equipped to meet your needs.

Media Centers

North Branch Area Public Schools provides a media center in each building for student use. The books and other media are borrowed property and deserve the respect of the borrower. Each media center has its own rules and behavior expectations and it is the student's responsibility to know and respect both.

Use Of School Buildings

North Branch Area Public Schools Community Education Office is responsible for scheduling all buildings and athletic facilities, etc. used by interested parties. Groups should contact Community Education at 651-674-1025.

COMMUNITY EDUCATION

Community Education is part of North Branch Area Public Schools #138. Community Education offers a wide variety of programs, including:

- Adult Basic Education and General Education Development
- Adult Enrichment and Recreation Classes and Leagues
- Arts Fest
- Craft Classes
- Computer Courses and Online Classes
- Early Childhood Family Education and Community Preschool
- Early Childhood Screening and Special Education Support Services
- Facility Use Scheduling for After School Hours
- Parenting Classes
- School Age Care Service
- School Readiness
- Summer Trips, Sports Camps, and Classes

Community Education and Early Childhood Family Education brochures are mailed to all residents of the school district three times a year. Youth and adults are invited to serve on the advisory councils to offer suggestions and support for the various programs sponsored by Community Education. For more information about Community Education, call 651-674-1025. For information about Early Childhood Family Education, call 651-674-1220. You may also visit the district's website under the [Community Education tab](#).

COMMUNITY EDUCATION SCHOOL-AGE CARE PROGRAM

Youth Connections is community education's child care program. We serve students ages 3 through 6th grade from 5:45 am - 6:00 pm at the North Branch Area Education Center. Grades are combined at one site for convenient pick-up; with special activities and spaces for ages 3-5 year olds, K-3rd graders, and 4th-6th graders. Youth Connections is open on all school days and most days when school is not in session and in the summer. For more information, registration information and fees, contact Community Education at 651-674-1025 for more information.

CONSENT TO RELEASE EDUCATIONAL INFORMATION

Data privacy laws do not allow the release of educational information except to parents and other educational institutions. If you would like educational information shared with other individuals (step-parents, grandparents, etc.), you need to sign a Consent to Release Educational Information form. These forms are available in the school offices.

DISTRIBUTION OF MATERIALS

It is the policy of North Branch Area Public Schools to assist organizations in the promotion of their youth activities. The district will permit non-school related materials to be distributed to school aged children when it meets certain criteria. See Policy 505 – Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees and Policy 904 – Distribution of Materials on School District Property by Nonschool Personnel.

ELIGIBILITY REQUIREMENTS FOR EXTRA CURRICULAR ACTIVITIES

A. ACADEMIC REQUIREMENTS

1. Minnesota State High School League (MSHSL) Bylaw 108
 - a. Students must be making satisfactory progress towards the school's requirement for graduation. The school where the student is fully enrolled and regularly attends shall determine satisfactory progress.
 - b. Students in special classes must be making satisfactory progress toward the student's Individual Education Plan (IEP)
2. North Branch Area Public Schools Procedures
 - a. To be scholastically eligible, a student must be making satisfactory progress towards graduation. A grade-point average of C (2.0) shall be used as a guideline for eligibility. Students falling below the guideline will be reviewed on an individual basis.
 - b. General Practice. A student must have a cumulative GPA of 2.0 or above to be fully eligible for participation. A student with a cumulative GPA of 1.50 – 1.99 will be placed on academic probation. A student with a cumulative GPA of 1.0 – 1.49 may attend practice, but will be ineligible for competition until the next grading period. A student below 1.0 will be ineligible for practice and competition. Each case will be handled on an individual basis.

- c. A student on academic probation must turn in weekly eligibility sheets to his or her coach in order to be eligible for competition. Failure to turn in probation sheets will make a student ineligible for competition for one week. If a student continually fails to turn in academic probation sheets, the student will be dismissed from the team.
- d. Students on IEP's or a 504 Plan are reviewed on a case by case basis.

B. ATTENDANCE REQUIREMENTS

- 1. Students are expected to attend all practices and contests.
- 2. Absences due to personal reasons will be handled by each coach according to pre-established team rules/guidelines.
- 3. Students suspended from school will be ineligible for contests, practices or any team functions during the time of the suspension. Days missed will be considered unexcused by the coach or advisor. Students suspended from school are also ineligible for the next scheduled competition.
- 4. A student who skips any part of a school day is ineligible for participation that day. If the absence is not discovered until a later date, the student will be ineligible for participation as soon as the information is received.
- 5. Students involved in PSEO are not excused from practices or games. Schedules should be arranged to accommodate practices and contests.
- 6. A student must be in attendance in school to practice or play in a contest. A student may miss one-half the school day for reasons acceptable to the principal's office and still participate. If a student is absent and does not present an approved reason, he/she will not be able to participate on that day. Due to an emergency situation at home, a student may be allowed to participate in a contest if it is approved by the Activities Director and the building principal.

C. CHEMICAL ELIGIBILITY AND THE USE OF MOOD ALTERING CHEMICALS.

All student athletes are subject to the Minnesota State High School League's chemical eligibility and use of mood altering chemicals bylaw (205.00). The use or possession of alcohol, tobacco and nicotine-related products, and mind-altering substances, at any time during the calendar year can have serious repercussions for athletes. Families are encouraged to become familiar with these rules. They can be reviewed in the MSHSL handbook at

https://www.mshsl.org/sites/default/files/2021-08/mshsl-handbook-2021-2022-200-series_1.pdf

EMERGENCY CARDS

Each year parents are asked to review student emergency contact information in ParentVUE. This access allows parents to review, add, or update any emergency contact information for their child at all school locations. North Branch Area Public Schools staff members cannot be designated an emergency contact. Staff members are not available in an emergency to leave work to take care of a friend's sick child and/or to take children to receive medical attention. Please list only those people who are available to come and pick up a child and/or take a child to the hospital if the need arises. If you do not have access to your ParentVUE account, please contact the office at which your child attends. You will not need to contact all buildings if you have a child in multiple school buildings.

Our procedure will be to contact the parent at home or at work. You will be asked to pick up the child and provide proper care. If we cannot reach you, we will call the friend, relative, or neighbor that you have listed on your emergency form and ask them to care for your child. In extreme emergency, an ambulance will be called and your child will be taken to the nearest hospital. The cost of this will be covered by the parent.

FINES FOR LOST OR DAMAGED BOOKS

Students who lose or destroy textbooks, workbooks, library books, etc. will be charged the replacement cost of the item. A letter will be sent to the parents either when the book is reported lost or destroyed or at the end of the semester or school year indicating the amount that is owed if the book is not returned.

FOOD TREATS

North Branch Area Public Schools requires that food, which is served in schools, be commercially prepared. Therefore, we do not allow the distribution of food items including "treats" which are prepared in individual homes. Food treats must be commercially prepared, packaged, or individually wrapped food items such as cookies or other packaged bakery items (e.g. Twinkies), candies, or individually portioned ice cream novelties.

Parents are encouraged to select healthy choices for classroom treats as recommended by the district's Wellness

Policy 533. See Policy Section for the policy.

FUND RAISING

The school board recognizes a desire and a need for fund-raising to support district programs or student activities. The school board also recognizes a need for some constraint to prevent fund-raising activities from becoming too numerous and overly demanding on employees, students, and the general public.

While the school board encourages students and staff to participate in their financial support as a social and community project, students, staff, parent groups and individuals or groups outside of the school district will not be permitted to conduct fund-raising drives or activities on behalf of non-school agencies or for non-school activities on school district property or during school hours unless expressly authorized by the principal or appropriate administrator. (See Policy 511 Fund Raising).

GRADUATION REQUIREMENTS

Mapping out courses that align with each student's passion and goals is extremely important. As each student learns and grows, passions and goals will shift and impact course selections. Monitoring and adjusting course selection is a great way to celebrate what each student is learning and how learning continues to impact future goals.

Next year brings a shift from trimesters to semesters. Making this shift opens new opportunities for students. Several new course offerings will help students be ready for post-high school as well as save them money by offering post-secondary classes on-site. There are about 20 courses for students to earn college credits right at NBAHS! State-of-the-art facilities are empowering students to maximize learning opportunities at the high school to accelerate into the future!

In the previous trimester schedule, a course was broken into thirds and students earned 1 credit for a trimester course. In the new semester schedule, a course is broken into halves and students will earn .5 credits for each semester course. The transition of graduation requirements will take four years to complete. At the end of the fourth year, all graduating classes will need 23.5 credits to earn a diploma from North Branch Area Public Schools. Until then, each graduating class will have a different amount of credits to complete graduation requirements to earn a diploma. Personalized meetings have been happening throughout the 2021-22 school year to familiarize each student with graduation requirements. Specific information pertaining to graduation requirements by graduation year can be found on page 17 of the SY22-23 Registration Guide, linked [HERE](#). Please contact the school counseling office with any questions.

Participation in Graduation Commencement Ceremony

It is the position of the North Branch Area Public Schools that the graduation ceremony is an exercise for those seniors who have met the state and local requirements for a diploma. It is also important that students and parents be as informed as soon as possible in the event that a student may not qualify to participate in this ceremony. It will be the practice of the district to use the following procedures when determining those seniors who will participate in the graduation ceremony.

- A final communication will be made to parents/guardians at mid-term of the second semester. At this point, parents/guardians of seniors who are in jeopardy of not graduating will be notified that their student's participation in the graduation ceremony may be withdrawn.
- The school board may grant exceptions to this practice in cases that are beyond the reasonable control of the student (example, prolonged illness or accidents). If the board cannot address emergency issues due to time restrictions, the superintendent may grant exceptions according to these guidelines.
- Students that fail to meet school behavior expectations up to and including the day of graduation may be suspended and/or removed from the graduation ceremony.
- Students with IEPs who have met district standards for graduation but will stay in the district's transition program after their senior year may participate in the graduation ceremony. The actual awarding of the diploma will be withheld until the student has met transition programming requirements as determined by the student's team.

HALL PASS VISITOR MANAGEMENT SYSTEM

NBAPS schools are protected by the Hall Pass visitor management system, which instantly compares school visitor identification data against an integrated, comprehensive database of sex offender registries for every state and the District of Columbia prior to entry into a NBAPS school. To gain admittance to a school district site during school hours, an ID is required. **Anyone planning to visit a NBAPS site when students are in attendance needs to bring identification in the form of a driver's license or state identification card.** NBAPS appreciates your cooperation in helping us make students and staff as safe as possible!

HOT LUNCH PROGRAM/PRICES/NOTICE

A nutritious breakfast and lunch are served each day that school is in session beginning on the first day of school. Subsidized meals are available to families based on income. Free and reduced-price meal applications are mailed to each home before school begins. All applications must be processed and approved before the students can receive the free or reduced meals. If your children were approved for free or reduced last year, they will continue to receive free or reduced meals for the first 30 operating days of school at which time the family account will be changed back to full pay if a new application has not been received. You must provide lunch money or a meal for your children until the application is approved. Parents need only fill out ONE APPLICATION PER FAMILY when [applying for free or reduced-priced meals](#).

Meal prices are:	<u>Grades K-5</u>	<u>Grades 6-12</u>
Lunch	\$3.00	\$3.20
Breakfast	\$2.00	\$2.00
Milk	\$0.70	\$0.70
Adult Lunches:	\$4.40	
Adult Breakfasts	\$2.60	

Dairy free milk is available upon request.

In addition, a variety of ala Carte choices are available to secondary students at the middle and high schools.

A computerized accounting system is used which provides for prepaid family accounts. Students are assigned a personal identification number (PIN #). Money must be deposited into your account in advance. Each day as your child eats school breakfast or lunch, the price of the meal will be deducted from your family account. Families may restrict the use of the account for ala Carte items by contacting the food service department. To pay for lunches online, see "Paying Fees Online" on page 16. Meal services are provided by Taher Dining. Call 651-674-1520 if you have questions on food service.

ILLNESS PROTOCOLS

The MN Department of Health provides guidance to school districts regarding protocols to follow when children are exhibiting symptoms that may require exclusion from school. Considerations include:

- Illness: Unable to participate in routine activities or needs more care than can be provided by staff.
- Fever: A general guideline is a fever of 100 degrees or higher.
- Signs: Some signs of illness include when a child is unusually tired, has uncontrolled coughing, difficulty breathing, wheezing or other unusual signs for the child.
- Diarrhea: Exclude for 24 hours after diarrhea stops.
- Vomiting: Exclude for 24 hours after the last episode of vomiting.
- Eye drainage: No exclusion.
- [Self Assessment for COVID-19](#)

A student who becomes ill while at school may go to the health room. If the student needs to go home, parents will be called. If parents cannot be reached, the person designated by parents on the emergency information card will be notified.

INDOOR AIR QUALITY

New state of the art ventilation systems were recently installed. If you have any Indoor Air Quality (IAQ) questions or would like to view the IAQ plan, you can contact the IAQ coordinator, Art Tobin, at 651-674-1091.

INTERNET ACCEPTABLE USE/TECHNOLOGY

Use of the district's electronic technologies is for educational purposes. Students (and employees) are expected to use electronic technologies to further the district's educational mission, goals and strategic direction. Students (and employees) are expected to use the district's electronic technologies to support classroom activities, educational research or professional enrichment. Use of the district's electronic technologies is a privilege, not a right. Use of the technologies in violation of any district policy and specifically the school discipline policy is expressly prohibited and may result in the loss of the privilege.

The district's network, an educational technology, is a limited forum; and the district may restrict speech for educational reasons.

Participation in "distance learning" and virtual learning is subject to all district policies and rules. The district's internet acceptable use and safety policy govern this participation and can be found at the following link: <https://www.isd138.org/domain/38>.

MEDICATIONS

All medications consumed by students while at school during normal school hours shall be administered by the nurse's office. Parents or guardians are expected to make appropriate arrangements to have necessary medication for the child delivered to the school health office. The medication must be authorized by the parent/guardian, have been prescribed by a physician, and be in a pharmacy-labeled container. Non-prescription medications must also have physician's approval to be administered. (See Policy 516 Student Medication.)

MILITARY PERSONNEL

The school district must release the names, addresses, and home telephone numbers of secondary students to military recruiting officers within 60 days after the date of the request. If a parent wishes not to provide the military with information on their child, they need to send a letter in writing to the building in which their child is a student expressing their desire to opt out. See Data Privacy Notification, Public Notice, Item 5.

MINNESOTA ACADEMIC STANDARDS AND ASSESSMENTS

North Branch Area Public Schools has in place Minnesota academic standards in grades K through 12 in the areas of language arts, math, science, and social studies.

The Minnesota Comprehensive Assessments (MCA) is administered to all students in reading and math grades 3 through 8, reading in grade 10 and math in grade 11. In addition, the science MCA is administered to students in grades 5, 8 and after completing High School Biology. MCAs are required for federal accountability calculations.

Minnesota Statutes section 120B.125 states that students who turn 21 while enrolled and did not meet or exceed the Minnesota Academic Standards as measured by the MCA administered in high school, are to have admission to a public school, which is free and available to any resident under 21 years of age. Students can continue to complete courses for graduation requirements and can graduate from the district. For more information, please contact David Treichel, Director of Teaching and Learning at 651-674-1055.

Minnesota Statutes, section 120B.31, subdivision 4a requires the commissioner to create and publish a form for parents and guardians to complete if they refuse to have their student participate in state-required standardized assessments. Please see information below regarding the Parent/Guardian Participation Guide and Refusal Information.

Based on the revisions to Minnesota Statute 120B.30 and 120B.125, students are not required to achieve a specified score on an assessment in order to graduate or meet graduation assessment requirements.

Statewide Assessments: Parent/Guardian Participation Guide and Refusal Information

Your student’s participation in statewide assessments is important as it allows your school and district to ensure all students have access to a high-quality education. In the past, students with disabilities and English learners were often excluded from statewide assessments. By requiring that all students take statewide assessments, schools and teachers have more information to see how all students are doing. This helps schools to continuously improve the education they provide and to identify groups, grades, or subjects that may need additional support.

Assessments Connect to Standards

Statewide assessments are based on the [Minnesota Academic Standards](#) or the [WIDA English Language Development Standards](#). These standards define the knowledge and skills students should be learning in K–12 public and charter schools. Minnesota prioritizes high-quality education, and statewide assessments gives educators and leaders an opportunity to evaluate student and school success.

Minnesota Comprehensive Assessments (MCA) and Minnesota Test of Academic Skills (MTAS)

MCA and MTAS are the annual assessments in reading, mathematics and science that measure a snapshot of student learning of the Minnesota K–12 Academic Standards.

ACCESS and Alternate ACCESS for English Learners

The ACCESS and Alternate ACCESS are the annual assessments for English learners that provide information about their progress in learning academic English based on the WIDA English Language Development Standards.

Statewide Assessments Help Families and Students

Participating in statewide assessments helps families see a snapshot of their student’s learning so they can advocate for their success in school. High school students can use MCA results:

- For course placement at a Minnesota State college or university. If students receive a college-ready score, they may not need to take a remedial, noncredit course for that subject.
- For Postsecondary Enrollment Options (PSEO) and College in the Schools programs.

English learners who take the ACCESS or Alternate ACCESS and meet certain requirements have the opportunity to exit from English learner programs.

Taking Statewide Assessments Helps Your Student’s School

Statewide assessments provide information to your school and district about how all students are engaging with the content they learn in school. This information helps:

- Educators evaluate their instructional materials.
- Schools and districts identify inequities between groups, explore root causes and implement supports.
- School and district leaders make decisions about how to use money and resources to support all students.

Student Participation in Statewide Assessments

Student participation in state and locally required assessments is a parent/guardian choice. If you choose to have your student not participate in a statewide assessment, please provide a reason for your decision on the form. Contact your student’s school to learn more about locally required assessments.

Consequences of Not Participating in Statewide Assessments

- The student will not receive an individual score. For ACCESS and Alternate ACCESS, the student would not have the opportunity to exit their English learner program.
- School and district assessment results will be incomplete, making it more difficult to have an accurate picture of student learning.
- Since all eligible students are included in some calculations even when they do not participate, school and district accountability results are impacted. This may affect the school's ability to be identified for support or recognized for success.



(education.mn.gov >
Students and Families >
Programs and Initiatives >
Statewide Testing)

Check with your local school or district to see if there are any other consequences for not participating.

Additional Information

- On average, students spend less than 1 percent of instructional time taking statewide assessments each year.
- Minnesota statutes limit the total amount of time students can spend taking other district- or school-wide assessments to 11 hours or less each school year, depending on the grade.
- School districts and charter schools are required to publish an assessment calendar on their website by the beginning of each school year. Refer to your district or charter school's website for more information on assessments.

(Note: This form is only applicable for the 20__ to 20__ school year.)



Statewide Assessment: Parent/Guardian Decision Not to Participate

By completing this form, you are acknowledging that your student will not participate in statewide assessments and will not receive individual assessment results. This form must be returned to your student's school before the applicable test administration.

Student Information

First Name: _____ Middle Initial: _____ Last Name: _____

Date of Birth: ____/____/____ Current Grade in School: _____

School: _____ District: _____

Parent/Guardian Name (print): _____

Parent/Guardian Signature: _____ Date: _____

Reason for Refusal:

Please indicate the statewide assessment(s) you are opting the student out of this school year:

MCA/MTAS Reading

MCA/MTAS Science

MCA/MTAS Mathematics

ACCESS/Alternate ACCESS

Contact your school or district for more information on how to opt out of local assessments.

MOBILE APP

The latest news and information from North Branch Area Public Schools (NBAPS) is now available on smartphones and mobile devices with a new mobile app! Parents and the public are encouraged to download this free mobile app to their smart-devices. The app can be accessed at Google play: <http://bit.do/e5Nah> and Apple: <https://apple.co/3nMymll>.

ONLINE ACCESS TO STUDENT INFORMATION

North Branch Area Public Schools utilizes Synergy ParentVUE, giving families anywhere, anytime access to school-related information. NBAPS has moved to paperless report cards (paper copies can be made available upon request) and access to ParentVUE will be necessary to view your student's grades.

Maintaining the security of your children's information is a top priority for NBAPS. While setting up your access involves several detailed steps that guarantee this security, once you have completed these, you will only need to enter your username and password to access information.

Each parent/guardian account will require a separate username and password. The username and password needed for Synergy ParentVUE login will be provided by your student's school. Parents/guardians will receive a letter with an activation key that explains how to activate their own login to ParentVUE. You may also get this information at your respective schools open house. For students who enroll in NBAPS after the beginning of the school year, an activation key letter will be issued during the registration process.

To Login to ParentVUE (use the url on your activation letter or go to the school's website)

- Click "I am a Parent"
- Click "I have an activation key and need to create my account."
- Read the privacy statement and click "I Accept."
- Enter your name and activation key exactly as they appear on the activation letter that you received from your school. Click "Continue to Step 3."
- Choose a username and password (at least 6 characters), provide an email address, and click "Complete Account Activation."

The ParentVUE login gives you access to information for all of your children enrolled in NBAPS schools. In rare cases, a parent may have multiple different keys and cannot see all of their students in the same account. Please contact the main office of the school for the student you are unable to see in ParentVUE to fix this issue.

PARENT LINK

ParentLink is an outgoing mass notification system. North Branch Area Public Schools uses this system to communicate important information to parents and staff, and in emergency situations. The ParentLink system is capable of sending recorded phone messages, text messages and e-mail messages. To date, the district has focused its efforts on the phone and email messaging portions of the system. The ParentLink system is also used to notify parents when their child is not in school.

PARENT/TEACHER CONFERENCES

Sunrise River School & Ed Center		Middle School		High School		Early Childhood	
Oct. 24	11:30-6:00 pm	Oct. 17	3:30-7:00 pm	Dec. 1	3:30-7:00 pm	Fall Conf.	Nov. 15-17
Oct. 27	3:00-6:30 pm	Oct. 18	3:30-7:00 pm	Dec. 2	11:30-3:00 pm	Spring Conf.	May 16-18
Feb. 14	3:00-6:30 pm	Oct. 24	11:30-3:00 pm	Dec. 8	3:30-7:00 pm		
Feb. 16	3:00-6:30 pm	Feb. 14	3:30-7:00 pm	April 10	11:30-3:00 pm		
Feb. 17	11:30-3:00 pm	Feb. 16	3:30-7:00 pm	April 10	3:30-7:00 pm		
		Feb. 17	11:30-3:00 pm	April 13	3:30-7:00 pm		

Distance Learning Academy Elementary		Distance Learning Academy Middle School		Distance Learning Academy High School		Norse Area Learning Center	
Oct. 24	11:30-6:00 pm	Oct. 17	3:30-7:00 pm	Dec. 1	3:30-7:00 pm	Dec. 1	3:30-7:00 pm
Oct. 27	3:00-6:30 pm	Oct. 18	3:30-7:00 pm	Dec. 2	11:30-3:00 pm	Dec. 2	11:30-3:00 pm
Feb. 14	3:00-6:30 pm	Oct. 24	11:30-3:00 pm	Dec. 8	3:30-7:00 pm	Dec. 8	3:30-7:00 pm
Feb. 16	3:00-6:30 pm	Feb. 14	3:30-7:00 pm	April 10	11:30-3:00 pm	April 10	11:30-3:00 pm
Feb. 17	11:30-3:00 pm	Feb. 16	3:30-7:00 pm	April 10	3:30-7:00 pm	April 10	3:30-7:00 pm
		Feb. 17	11:30-3:00 pm	April 13	3:30-7:00 pm	April 13	3:30-7:00 pm

Life Work Center
Scheduled during the fall and as needed throughout the school year

PAYING FEES ONLINE

NBAPS offers families the option of paying for lunches, athletics/activities, parking permits, and driver's education online. To pay fees online you will be using the Affinity Activities software located on the school website. Following the simple steps there, you can add to the account balance for each of your students using a credit card or electronic transfer from your checking or savings account.

When you make a payment, a confirmation email is automatically sent to you as a receipt. You can also print out a receipt from the Affinity screen. You also can choose to receive an email alert when balances fall below a specific level that you set.

On the Meal Purchase History page, you can see all the transactions made in each student's account. This is how you can monitor your child's meal purchases.

If you need assistance at any point, call the NBAPS Technology Department at (651) 674-1097 or contact your student's school.

PERSONAL PORTABLE DIGITAL DEVICES

NBAPS allows the use of personal technology devices such as laptops, tablets, e-readers, cell phones, and smart phones in school. Electronic devices provide a tremendous educational opportunity to use in learning essential skills like collaboration, innovation and decision making. With the use of electronic devices comes added responsibility and users are expected to be good digital citizens through the use of such devices. As with all personal items, individuals assume full responsibility for devices brought to school. The use of the school district system is at the individual's own risk. Access to these systems through individually owned devices will be allowed through the wireless network available within the buildings only. Specific software or program requirements are the responsibility of the individual and not the school district. While in school, students are expected to follow these guidelines:

- Use of personally owned digital devices in the classroom will be at the discretion of the classroom teacher or supervisor. Individuals are encouraged to ensure that device(s) are fully charged at the start of the school day.
- NBAPS will not be held responsible for any physical damage, loss or theft of a personally owned digital device.
- Students may be permitted personal use of devices during non-class periods, lunch and during passing times.
- Unless otherwise specified, device ringers and audio must be muted.

Electronic Devices Issued to Students or Staff

Use of the district's electronic technologies is for educational purposes. Students (and employees) are expected to use electronic technologies to further the district's educational mission, goals and strategic direction. Students (and employees) are expected to use the district's electronic technologies to support classroom activities, educational research or professional enrichment. Use of the district's electronic technologies is a privilege, not a right. Use of the technologies in violation of any district policy and specifically the school discipline policy is expressly prohibited and may result in the loss of the privilege. The district's network, an educational technology, is a limited forum; and the district may restrict speech for educational reasons. Participation in "distance learning" and virtual learning is subject to all district policies and rules. Below are guidelines and expectations:

1. Electronic devices loaned or leased to students or staff shall be used only for educational purposes that directly relate to a school project or assignment, unless otherwise explicitly authorized by building administration.
2. Users are responsible for the proper care of electronic devices at all times, whether on or off school property, including costs associated with repairing or replacing the device as described in the Chromebook procedures manual.
3. Users must report a lost or stolen device to the building media centers immediately. If a device is stolen, a report also should be made immediately with local police.
4. The policy and rules apply to the use of the electronic device at any time or place, on or off school property. Students are responsible for obeying any additional rules concerning care of devices issued by school staff.
5. Violation of policies or rules governing the use of electronic devices or any careless use of the device may result in a student's device being confiscated and/or a student only being allowed to use the device under the direct supervision of school staff. The student will also be subject to disciplinary action for any violations of the Appropriate Use Policy and/or Chromebook procedures manual.
6. Parents are responsible for supervising their student's use of the device when not in school.
7. The device configuration shall not be altered in any way by users. No software applications shall be installed, removed, or altered on the device unless permission is explicitly given by the teacher or building administrator.
8. The device is to be used only by the student or staff member to whom it is issued. The person to whom the device is issued will be responsible for any activity or action performed on the device.
9. The device must be returned in acceptable working order by the last day of each school year, upon withdrawal or exit date from the school district, and whenever requested by school staff.

Guardians: If you do not wish for your student to have a device to take home during the course of the school year or if your student will be bringing in their own device, please contact the school to indicate this request.

For more information about student issued devices, please go to the technology department page at isd138.org.

PESTICIDE NOTICE TO PARENTS AND GUARDIANS

A Minnesota state law went into effect that requires schools to inform parents and guardians if they apply certain pesticides on school property. Specifically, this law requires schools that apply these pesticides to maintain an estimated schedule of pesticide applications and to make the schedule available to parents and guardians for review or copying at each school office.

North Branch Area Public Schools have lawn treatments done up to 3 times a year. A notification flag with the date of application is put on all our lawns that have been treated notifying people and pets to stay off the lawn for up to 24 hours from noted dates. Specific application dates of any pesticides are dependent on weather and building usage.

State law also requires that you be told that the long-term health effects on children from the application of such pesticides or the class of chemicals to which they belong may not be fully understood. If you would like to be notified prior to pesticide applications made on days other than those specified in the estimated schedule (excluding emergency applications), please contact Art Tobin, Director of Buildings and Grounds, PO Box 370, North Branch MN 55056 for a form to complete requesting pesticide notification. The telephone number is 651-674-1091.

PLEDGE OF ALLEGIANCE

The school board recognizes the need to provide instruction in the proper etiquette, display, and respect of the United States flag. Students in the school district shall recite the pledge of allegiance to the flag of the United States of America one or more times each week. Anyone who does not wish to participate in reciting the pledge of allegiance for any personal reasons may elect not to do so. Students and school personnel must respect another person's right to make that choice.

SAFE LEARNING PLAN

NBAPS [continues to seek input](#) from students, parents, staff and the community as we monitor and adjust our Safe Learning Plan. The NBAPS Safe Learning Plan was drafted in June 2021, then updated in October 2021, and April 14, 2022. [NBAPS Safe Learning Plan](#) information is accessible on the district website.

SCHOOL BOARD INFORMATION

North Branch Area Public Schools is governed by a six-member school board. Regular school board meetings are held on the second Thursday of each month at 5:30 p.m. in Room C120 at the North Branch Area Education Center. Special sessions scheduled by the board will be announced on the web.

School Board Contact Information:

Tim MacMillan, Chair	952-457-5464	tmacmillan@isd138.org
Sarah Grovender, Vice Chair	320-282-8058	sgrovender@isd138.org
Kevin Bollman, Clerk	651-226-4637	kbollman@isd138.org
Heather Naegele, Treasurer	612-272-4573	hosagiede@isd138.org
Jesse LaValla, Director	651-328-9184	jlavalla@isd138.org
Adam Trampe, Director	651-336-0153	atrampe@isd138.org
Superintendent Sara Paul	651-338-1302	spaul@isd138.org

SCHOOL CLOSINGS OR EMERGENCIES

The school district's mass notification system, Parentlink, will be utilized as quickly as possible to notify those affected by weather emergencies. There will always be announcements on radio stations -- WCMP 1350 AM or 100.9 FM, and WCCO 830 AM -- and television stations -- KSTP (Channel 5), KARE (Channel 11), WCCO (Channel 4), KSTC (Channel 45) and KMSP Fox (Channel 9) -- when schools are closed due to severe weather. The North Branch Area Public School District website and information line (651-674-1411) will also have such information. It is imperative that arrangements be made with neighbors or friends to care for your children should you happen to be away from your home. Be sure your children are familiar with these arrangements and know where they are to go if they are dismissed early from school for an emergency. It is not possible for us to make telephone contact with every parent in the event of a school closing.

Children will rarely be sent home once school is in session. An exception to this is if emergency warnings are given, and the superintendent notifies all buildings to send children home at once. In this event, parents may pick their children up at any time.

SCHOOL INFORMATION TELEPHONE LINE (651-674-1411)

In addition to other forms of mass communication around school closings and delays, NBAPS also maintains a telephone information line that provides recorded messages when weather or other situations require a change to the school schedule. These messages are accessible with a touchtone phone.

SCHOOL DISTRICT WEBSITE: www.isd138.org

The school district maintains a website that provides a wide variety of information about the school district for those with access to the internet. The website is updated continually with information on district and school programs and activities as well as school board information.

STUDENT DATA PRIVACY

The North Branch Area Public Schools uses a variety of digital tools to support student learning. Technology vendors and software is utilized to support work as we help all students develop the skills necessary to succeed in an ever-changing world.

- NBAPS has an inventory of curriculum, testing, and assessment tools that can be accessed [here](#), which includes an outline of the student data elements within each tool. Technology vendor agreements are in place and follow all applicable State and Federal laws.

STUDENT SAFETY/DISCIPLINE

The school board is committed to promoting healthy human relationships and learning environments that are physically and psychologically safe for all members of the school community. The school board has established a number of policies that cover student safety and discipline. Parents/guardians and students are expected to review each of the following policies:

413 Harassment and Violence. The school district strives to maintain a learning and working environment that is free from religious, racial or sexual harassment and violence. The school district prohibits any form of religious, racial, or sexual harassment and violence.

418 Drug-Free Workplace/Drug-Free School. Students are prohibited from using alcohol, toxic and/or controlled substances.

419 Tobacco-Free Environment. Use of tobacco products is prohibited in school buildings, vehicles, and on school grounds.

501 School Weapons Policy. To assure a safe environment, the possession of any weapon on school property is prohibited.

502 Search of Student Lockers, Desks, Personal Possessions and Student's Person. Lockers are provided for student convenience. However, these lockers are the property of the school. Therefore, lockers may be searched based on reasonable suspicion.

504 Student Dress and Appearance. Students are encouraged to dress appropriately for school activities and in keeping with community standards.

506 Student Discipline. All students are expected to behave appropriately and to follow school rules.

514 Bullying Prohibition Policy. The purpose of this policy is to assist the school district in its goal of preventing and responding to acts of bullying, intimidation, violence, and other similar disruptive behavior.

525 Violence Prevention. Students are the district's first priority and they should be protected from physical or emotional harm during school activities, and on school grounds, buses, or field trips while under school district supervision.

526 Hazing Prohibition. Hazing activities of any type are prohibited at all times.

TEACHER QUALIFICATIONS NOTICE

All schools that receive Title I funds are required to send a notice to the parents each school year. The law requires that schools receiving Title funds inform parents that they can ask for and receive specific information about a teacher's qualifications. Under the law, this notice must be understandable and must contain certain elements. Section § 1111(h)(6), 34 CFR §200.61 lists the items that the notice must provide:

1. At the beginning of the school year, the LEA must notify parents of all students in a Title I school of their rights to access information on the professional qualifications of the educators providing instruction including, at a minimum:
 - a. whether the teacher is licensed for the grades and subjects assigned
 - b. whether the teacher is teaching with a waiver
 - c. the academic credentials or preparation of the teacher and
 - d. whether their child is provided services by an assistant and his/her qualifications.
2. The LEA provides timely notification to parents in a Title I school when their child has been taught for four or more consecutive weeks (20 consecutive days) by a teacher who is not highly qualified.
3. The LEA provides the notice(s) and information to parents in an understandable format and, when practical, in a language that parents can understand.

TRANSPORTATION

Transportation services are provided to students by North Branch Area Public Schools.

Riding is a Privilege, Not a Right

North Branch Area Public Schools is concerned with the safety of your child. One of the areas NBAPS is especially concerned with is safety while on the school bus. Bus drivers, schools, parents, and the students themselves each have responsibilities in ensuring that buses remain a safe method of transportation for your child.

- No Bus Passes -- buses are at capacity.
- Parents should call a minimum of 15 minutes before bell times at each school to have their children excused from riding the bus home that day.
- One pick-up location and one drop-off location ONLY for each student. They may be different locations. Parents may change locations up to two times per year.
- Students new to the district or those requesting a change in pick-up or drop-off location will be assigned a bus within 5 business days. Parents will have to transport students during that time. School-age childcare is available until 6 p.m. for a fee if parent transportation is not available.

Bus Stop Determination

NBAPS strives to keep students grades K-6 from walking more than three-tenths of a mile, and students grades 7-12 from walking more than five-tenths of a mile, on a public road to a designated bus stop. Transportation does not generally send buses into cul de sacs, dead end roads, or driveways due to a lack of safe access and limited ability to turn around; this may increase the distance from home to the bus stop location. Each year, bus stop changes will be adjusted for efficiency. NBAPS chooses the safest pickup location for all students within a pickup area.

Driver Responsibility and Authority

Drivers assigned to transport students are licensed and certified by the State of Minnesota as “school bus drivers.” In addition, drivers have undergone training in safety, first aid and emergency procedures.

Drivers are authorized to give directions and enforce rules and standards which will promote safety and security for all passengers.

School and Teacher Responsibility

The first week of school is designated as school bus safety week. To ensure the safety of your child, all students in kindergarten through twelfth grade will be provided with school bus safety training during the first week. All students who wish to remain bus riders **must pass** a school bus safety test. They must know and understand the following concepts:

- Transportation by school bus is a privilege, not a right.
- District policies for student conduct and school bus safety.
- Appropriate conduct while on the bus.
- The danger zones surrounding a school bus.
- Procedures for safely boarding and leaving a school bus.
- Procedures for safe vehicle lane crossing.
- School bus evacuation and other emergency procedures, emergency and vehicle lane crossing.

The school district may deny transportation to those students who fail to demonstrate their knowledge of school bus safety rules.

Student Responsibility

Students are responsible for maintaining bus safety by following both school bus and bus stop safety rules. Every student who rides the school bus should know and practice the rules of school bus safety.

Notice: Students will be given a copy of school bus and bus stop rules during school bus safety training. Rules are to be posted on each bus and both rules and consequences will be periodically reviewed with students by the driver.

Rules at the Bus Stop

1. Get to the bus stop 5 minutes before your scheduled pick up time. The school bus will not wait for late students.
2. Respect the property of others while waiting at your bus stop.
3. Keep your arms, legs and belongings to yourself.
4. Use appropriate language.
5. Stay away from the street, road, or highway when waiting for the bus.
6. Wait until the bus stops before approaching the bus.
7. After getting off the bus, move at least ten feet away from the bus.
8. If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
9. No fighting, harassment, intimidation, or horseplay.
10. No use of alcohol, tobacco, or drugs.

Rules on the Bus

1. Immediately follow the directions of the driver.
2. Sit in your seat facing forward.
3. Talk quietly and use appropriate language.
4. Keep all parts of your body inside the bus.
5. Keep your arms, legs, and belongings to yourself.
6. No fighting, harassment, intimidation, or horseplay.
7. Do not throw any object.
8. No eating, drinking, or use of alcohol, tobacco or drugs.

9. Do not bring any weapons or dangerous objects on the school bus.
10. Do not damage the school bus.

Parent Responsibility

For our bus safety policy to be most effective, it is important that every parent cooperate with our bus safety policy. Parents should:

1. Become familiar with school district rules, policies, regulations, and the principles of school bus safety, and thoroughly review them with your children.
2. Support safe riding and walking practices, and recognize that students are responsible for their actions.
3. Communicate safety concerns to the school administrators.
4. Monitor bus stops, if possible.
5. When appropriate, assist student in safely crossing local streets before boarding and after leaving the bus.
6. Have your child to the bus stop 5 minutes before the bus arrives.
7. Have your child properly dressed for the weather.
8. Have a plan in case the bus is late, if school closes early, or if school closes for the day.

Consequences

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

Elementary (K – 6th Grade) Offenses

Warning – Mailed to parent or guardian

1st Referral: student & parent contact

2nd Referral: 3-day suspension

3rd Referral: 5-day suspension

4th Referral: 10-day suspension. Parent meeting may be held at the discretion of the school district.

Further Referrals: Individually considered. Students may be suspended for longer periods of time, including the remainder of the school year. All referrals will have student and parent contact.

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

Secondary (7th – 12th Grade) Offenses

Warning – Mailed to parent or guardian

1st Referral: student & parent contact

2nd Referral: 5-day suspension

3rd Referral: 10-day suspension

4th Referral: 20-day suspension —Parent meeting may be held at the discretion of the school district.

Further offense – remainder of the year.

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

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

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

VIDEOTAPING ON SCHOOL BUSES

The North Branch Area Public Schools places videotapes on all its school buses. The district believes the transportation of students to and from school is an important function of the school district, and transportation by the school district is a privilege and not a right for an eligible student. The behavior of students on the bus is a significant factor in the safety and efficiency of school bus transportation. Student misbehavior increases the potential risks of injury. Therefore, the school district believes that video-taping student passengers on the school bus will encourage good behavior and, as a result, promote safety. (See Policy 711 Video Recording on School Buses.)

VIDEO SURVEILLANCE OTHER THAN ON BUSES

The North Branch Area Public Schools has video surveillance cameras in its buildings and grounds. Maintaining the health, welfare, and safety of students, staff, and visitors while on school district property and the protection of school district property are important functions of the school district. The behavior of individuals who come on to school property is a significant factor in maintaining order and discipline and protecting students, staff, visitors, and school district property. (See Policy 712 Video Surveillance Other Than on Buses.)

VISITOR POLICY

The school board encourages interest on the part of parents and community members in school programs and student activities. The school board welcomes visits to school buildings and school property by parents and community members provided the visits are consistent with the health, education and safety of students and employees and are conducted within the procedures and requirements established by the school district.

The school board reaffirms its position on the importance of maintaining a school environment that is safe for students and employees and free of activity that may be disruptive to the student learning process or employee working environment. Requests to observe classrooms during the school day are disruptive and will not be approved. Teachers are available to meet with parents to discuss classroom concerns outside of the student school day. Student visitors are not allowed as it adds to the class size and may be disruptive for the host student and the entire classroom.

WELLNESS

All school districts are required by the Child Nutrition and WIC Reauthorization Act of 2004 to have a Wellness Policy adopted by June 30, 2006. The school board adopted the Wellness Policy 533 June 2006. As stated in the policy, "The purpose of this policy is to set forth methods that promote student wellness, prevent and reduce childhood obesity, and assure that school meals and other food and beverages sold and otherwise made available on the school campus during the school day are consistent with applicable minimum local, state, and federal standards." You will find this policy in the policy section of this handbook.

NOTICES SECTION

NONDISCRIMINATION ON THE BASIS OF DISABILITY

Statement of Policy: No qualified disabled person shall, on the basis of disability, be excluded from access to or participation in, be denied the benefits of, or otherwise be subjected to discrimination under any school district program or activity. This policy extends to the education of students and to employment matters.

Designation of Responsible Employee. The Board of Independent School District No. 138, North Branch, Minnesota, has designated the Director of Teaching and Learning, as the employee responsible to coordinate the school district's efforts to comply with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, and its regulations, 34 CFR §104.36. The Director of Teaching and Learning's title is compliance officer.

Notice Regarding Students: Pursuant to 34 CFR §140.36, the school district has established and implemented a system of procedural safeguards regarding the identification, evaluation, or educational placement of students who, because of disability, need or are believed to need special instruction or related systems.

Parents or guardians of such students, upon request, will be afforded an opportunity to examine relevant records. When necessary to resolve issues of identification, evaluation, or educational placement of such students, parents or guardians may request an impartial hearing with opportunity for participation by the parents or guardians and representation by counsel.

Requests for review of records and for hearings shall be made to the compliance officer at Ind. School District 138, North Branch Area Education Center, PO Box 370, North Branch, MN 55056. The compliance officer will determine if the matter is properly handled as a Section 504 complaint or a complaint under IDEA. Hearings must be requested within 10 days of the alleged violation of this policy. Hearings will be conducted by the compliance officer. Upon written request, the school board will review the compliance officer's determination. Requests for review must be mailed, return receipt requested, to the Superintendent of Schools within 10 days of receipt of the compliance officer's determination.

Notice Regarding Employees (Grievance Procedures): The Board of Independent School District 138 has adopted the following grievance procedures for persons with complaints alleging violation of this policy, Section 504, or its regulations. This procedure is to be used for issues not falling within the grievance procedures of any applicable collective bargaining agreement.

Filing timelines. An employee alleging a violation of this policy, Section 504, or its regulations, may file a grievance in writing with the compliance officer at North Branch Area Education Center, PO Box 370, North Branch, MN 55056. If the grievance is regarding the compliance officer, the grievance shall be filed directly with the Superintendent at Ind. School District No. 138 District Office, 38705 Grand Avenue, North Branch, MN 55056. The grievance must be filed within 10 calendar days of the allegedly discriminatory conduct or it is waived.

Investigation, informal conference. The compliance officer, or when appropriate the Superintendent, shall make a prompt investigation of the complaint. The compliance officer shall inform the employee of his/her determination within 10 calendar days of the date the complaint was filed. If the compliance officer needs further time to investigate the allegations, he/she shall so inform the employee and estimate a date on which the investigation will be completed. When the compliance officer determines that a complaint is substantiated, he/she shall meet informally with the employee and others as appropriate to resolve the issue.

Review time limits. An employee may request that the school board review the compliance officer's determination. Review must be sought within 10 calendar days of the date the employee is informed of the compliance officer's determination. The request must be written, sent to the Board Chairperson, Tim MacMillan, 38705 Grand Ave., North Branch MN 55056 return receipt requested, and must state with particularity the basis upon which the employee disagrees with the determination. The board shall review the matter in a manner it deems appropriate. The decision of the board shall be final.

NONDISCRIMINATION ON THE BASIS OF GENDER

No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity. (See Policy 522 Student Sex Nondiscrimination.)

Designation of Responsible Employee: The Board of Independent School District No. 138, North Branch, Minnesota, has designated Dr. Todd Tetzlaff, Director of Finance and Human Resources, as the employee responsible to coordinate the district response to concerns in this area.

BULLYING POLICY NOTICE

A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships. Bullying, like other violent or disruptive behavior, is conduct that interferes with students' ability to learn and teachers' ability to educate students in a safe environment. The school district cannot monitor the activities of students at all times and eliminate all incidents of bullying between students, particularly when students are not under the direct supervision of school personnel. However, to the extent such conduct affects the educational environment of the school district and the rights and welfare of its students and is within the control of the school district in its normal operations, it is the school district's intent to prevent bullying and to take action to investigate, respond, remediate, and discipline those acts of bullying which have not been successfully prevented. The purpose of this policy is to assist the school district in its goal of preventing and responding to acts of bullying, intimidation, violence, and other similar disruptive behavior.

DATA PRIVACY NOTIFICATION

PUBLIC NOTICE

Independent School District No. 138 gives notice to parents of students currently in attendance in the District, and eligible students currently in attendance in the District, of their rights regarding pupil records.

1. Parents and eligible students are hereby informed that they have the following rights:
 - a. That a parent or eligible student has a right to inspect and review the student's education records within 45 days after the day the request for access is received by the school district. A parent or eligible student should submit to the school district a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect. The parent or eligible student will be notified of the time and place where the records may be inspected;
 - b. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy rights. A parent or eligible student may ask the school district to amend a record that they believe is inaccurate or misleading. The request shall be in writing, identify the item the parent or eligible student believes to be inaccurate, misleading, or in violation of the privacy rights of the student, shall state the reason for this belief, and shall specify the correction the parent or eligible student wishes the school district to make. The request shall be signed by the parent or eligible student. If the school district decides not to amend the record as requested by the parent or eligible student, the school district will notify the parent or eligible student of the decision and advise him or her of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing;
 - c. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosures without consent;
 - d. That the school district may disclose education records to other school officials within the school district if the school district has determined they have legitimate educational interests. For purposes of such disclosure, a "school official" is a person employed by the school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or other employee; a person serving on the school board; a person or company with whom the school district has consulted to perform a specific task (such as an attorney, auditor, medical consultant, therapist, public information officer, or data practices compliance official); or a parent or student serving on an official committee, such as a disciplinary or grievance committee; or any individual assisting a school official in the performance of his or her tasks. A school official has a "legitimate educational interest" if the individual needs to review an education record in order to fulfill his or her professional responsibility and includes, but is not limited to, an interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, and student health and welfare and the ability to respond to a request for educational data;
 - e. That the school district forwards education records on request to a school or post-secondary educational institution in which a student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment, including information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, suspension and expulsion information pursuant to 20 U.S.C. § 7917, part of the federal Every Student Succeeds Act and data regarding a student's history of violent behavior, and any disposition order which adjudicates the student as delinquent for committing an illegal act on school district property and certain other illegal acts;
 - f. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of 20 U.S.C. § 1232g and the rules promulgated

- (4) PARENT'S LEGAL RELATIONSHIP TO STUDENT, IF APPLICABLE;
 - (5) SPECIFIC CATEGORY OR CATEGORIES OF DIRECTORY INFORMATION WHICH IS NOT TO BE MADE PUBLIC WITHOUT THE PARENT'S OR ELIGIBLE STUDENT'S PRIOR WRITTEN CONSENT.
5. Pursuant to applicable law, Independent School District No. 138 hereby gives notice to parents of students and eligible students in grades 11 and 12 of their rights regarding release of information to military recruiting officers and post-secondary educational institutions. The school district must release the names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request. Data released to military recruiting officers under this provision may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military and cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces.

SHOULD THE PARENT OF A STUDENT OR THE ELIGIBLE STUDENT SO DESIRE, ANY OR ALL OF THE LISTED INFORMATION WILL NOT BE DISCLOSED TO MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS WITHOUT PRIOR CONSENT.

IN ORDER TO REFUSE THE RELEASE OF THIS INFORMATION WITHOUT PRIOR CONSENT, THE PARENT OR ELIGIBLE STUDENT MUST MAKE A WRITTEN REQUEST TO THE BUILDING PRINCIPAL, BY SEPTEMBER 15 EACH YEAR. THIS WRITTEN REQUEST MUST INCLUDE THE FOLLOWING INFORMATION:

- (1) NAME OF STUDENT AND PARENT, AS APPROPRIATE;
- (2) HOME ADDRESS;
- (3) STUDENT'S GRADE LEVEL;
- (4) SCHOOL PRESENTLY ATTENDED BY STUDENT;
- (5) PARENT'S LEGAL RELATIONSHIP TO STUDENT, IF APPLICABLE;
- (6) SPECIFIC CATEGORY OR CATEGORIES OF INFORMATION WHICH ARE NOT TO BE RELEASED TO MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS WITHOUT PRIOR CONSENT;
- (7) SPECIFIC CATEGORY OR CATEGORIES OF DIRECTORY INFORMATION WHICH ARE NOT TO BE RELEASED TO THE PUBLIC, INCLUDING MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS.

Notice: Refusal to release the above information to military recruiting officers alone does not affect the School District's release of directory information to the public, including military recruiting officers. In order to make any directory information about a student private, the procedures contained in the Directory Information section of this notice also must be followed. If you do not want your child's or eligible student's directory information released to military recruiting officers, you also must notify the school district that you do not want this directory information released to any member of the public, including military recruiting officers.

TEACHER QUALIFICATION NOTICE

NOTICE TO PARENTS

To: All Parents
 From: North Branch Independent School District 138
 Date: August 2022

As a parent of a student at North Branch Independent School District 138, you have the right to know the professional qualifications of the classroom teachers who instruct your child. Federal law allows you to ask for certain information about your child's classroom teacher, and requires us to give you this information in a timely manner if you ask for it. Specifically, you have the right to ask for the following information about each of your child's classroom teachers:

- Whether the Professional Educator Licensing and Standards Board (PELSB) has licensed or qualified the teacher for the grades and subjects he or she teaches.
- Whether the Professional Educator Licensing and Standards Board (PELSB) has decided that the

teacher can teach in a classroom without being licensed or qualified under state regulations because of special circumstances.

- The teacher's college major; whether the teacher has any advanced degrees and, if so, the subject of the degrees.
- Whether any teachers' assistants provide services to your child and, if they do, their qualifications.

If you would like to receive any information, please call Jody Spofford at 651-674-1008.

ASBESTOS – ANNUAL NOTIFICATION OF AVAILABILITY OF THE MANAGEMENT PLAN AND RELATED ACTIVITIES

PUBLIC NOTICE

To all parents, teachers, and employees of ISD #138:

ISD #138 has on file a complete and updated Management Plan for dealing with asbestos-containing building materials within the school district's buildings. The Management Plan is available for viewing by interested parties, Monday through Friday, 8 a.m. through 2:30 p.m. at the office of Art Tobin, Director of Buildings and Grounds, in the North Branch Area Education Center, North Branch, or at the respective school sites. Copies will be made available for reproduction at a nominal cost.

Buildings contain asbestos in the following areas:

- North Branch Area Education Center: all known and accessible asbestos material has been removed except for fire door cores and some pipe insulation inside of walls
- Sunrise River School: was designed and built without using asbestos
- Middle School: was designed and built without using asbestos
- Senior High School: fire door cores
- Brooker Building: was designed and built without using asbestos

As required by Federal Law, the condition of asbestos in our school is surveyed every six months as part of an ongoing operations and maintenance program. The most recent surveillance was completed prior to the January 2022 deadline and no damaged asbestos was observed. The asbestos is re-inspected every three years by certified staff. The most recent triennial inspection was completed prior to the July 2022 deadline. No further abatement is scheduled at this time. If you have any questions or concerns, please address them to Art Tobin at 651-674-1091.

STUDENT POLICIES

Parents/guardians and students are expected to review each of the following policy links:

[413 HARASSMENT AND VIOLENCE](#)

[418 DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL](#)

[419 TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES](#)

[501 SCHOOL WEAPONS POLICY](#)

[502 SEARCH OF STUDENT LOCKERS, DESKS, PERSONAL POSSESSIONS AND STUDENT'S PERSON](#)

[503 ATTENDANCE POLICY](#)

[504 STUDENT DRESS AND APPEARANCE](#)

[505 DISTRIBUTION OF NONSCHOOL-SPONSORED MATERIALS ON SCHOOL PREMISES BY STUDENTS AND EMPLOYEES](#)

[506 STUDENT DISCIPLINE](#)

[511 FUNDRAISING AND SOLICITATION](#)

[514 BULLYING PROHIBITION POLICY](#)

[516 STUDENT MEDICATION](#)

[520 STUDENT SURVEYS](#)

[522 TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS](#)

[524 INTERNET ACCEPTABLE USE AND SAFETY POLICY](#)

[525 VIOLENCE PREVENTION – \(APPLICABLE TO STUDENTS AND STAFF\)](#)

[526 HAZING PROHIBITION](#)

[527 STUDENT USE AND PARKING OF MOTOR VEHICLES; PATROLS, INSPECTIONS, AND SEARCHES](#)

[529 STAFF NOTIFICATION OF VIOLENT BEHAVIOR BY STUDENTS](#)

[530 IMMUNIZATION REQUIREMENTS](#)

[533 WELLNESS](#)

[534 UNPAID MEAL CHARGES](#)

[711 VIDEO RECORDING ON SCHOOL BUSES](#)

[712 VIDEO SURVEILLANCE OTHER THAN ON BUSES](#)

[903 VISITORS TO SCHOOL DISTRICT BUILDINGS AND SITES](#)

[904 DISTRIBUTION OF MATERIALS ON SCHOOL DISTRICT PROPERTY BY NONSCHOOL PERSONNEL](#)



@nbapschools



@nbapschools



@nbapschools



Search North Branch Area Public Schools





NORTH BRANCH
AREA PUBLIC SCHOOLS
Inspire Dreams, Build Integrity, Instill Hope

Phone Directory

QUICK REFERENCE

Districtwide Services:

School Information Line.....	651-674-1411
District Office.....	651-674-1000
Supt. Sara Paul.....	651-674-1012
Community Education.....	651-674-1025
Food Service – Taher Dining.....	651-674-1520
Transportation Department.....	651-674-1030

Schools & Programs:

Early Childhood.....	651-674-1220
Kindergarten.....	651-674-1022
Sunrise River School (Grades 1-5).....	651-674-1100
Middle School (Grades 6-8).....	651-674-1300
High School (Grades 9-12).....	651-674-1500
Distance Learning Academy.....	651-674-1406
Activities Department.....	651-674-1512
Office of Teaching and Learning.....	651-674-1050
Norse Area Learning Center.....	651-674-1031
Chisago County Schools’ Life Work Center.....	651-674-1300



Where Minnesota School Boards Learn to Lead

June 2022

Dear Superintendent:

Thank you for your membership in the Minnesota School Boards Association for the past year. MSBA's Board and staff have worked hard to become your go-to organization. MSBA will always go the extra mile for our members:

- Our dedicated staff prides itself on anticipating member needs through engagement, analyzing national and state directives, working with other educational organizations, and providing training to build high-performing boards.
- Your MSBA staff is solution-driven. We will find the answer promptly or get you to someone with the answer. In all our interactions, we strive to make your board a high-performing board that can meet the high expectations of your staff, students, and community.
- Legal and legislative advocacy are essential services of MSBA. As a statewide organization and a leading advocate for public education, we pride ourselves in finding a path forward that benefits all our school districts, regardless of shape and size.
- Like you, we care deeply about the success of all Minnesota's public school students. Through our collective, member-driven mission, our goal is to support, promote, and strengthen the work of our public school boards.

Our Association is stronger when our members are stronger. Now is the time to continue investing in your future. Your dues invoice is enclosed, along with a renewal notice for those districts in MSBA's Policy Services and/or Board Book Premier. Please note that an MSBA Bylaws change, approved by the Association membership in January 2021, moved the deadline for membership dues payment to August 15 of each fiscal year. We have been by your side over the last challenging two years, and we look forward to helping you get back to better. We wish you a successful 2022-2023 school year and hope to continue as your valued and trusted Association. If you have questions, please do not hesitate to call your Association office at 800-324-4459.

Sincerely,

Kirk Schneidawind, Executive Director
kschneidawind@mnmsba.org

Michael Domin, President
mdomin@ci.k12.mn.us

enc.

MINNESOTA SCHOOL BOARDS ASSOCIATION

1900 West Jefferson Avenue, St. Peter, MN 56082-3015 Phone: 507-934-2450 or 800-324-4459
www.mnmsba.org

MEMBERSHIP BENEFITS: IN ACTION



The **Minnesota School Boards Association**, whose mission is to support, promote, and strengthen your work, prides itself on being the go-to organization for Minnesota's public school board members. High-performing boards yield high-performing schools. Through training, leadership development, advocacy, and policy services, we have made it our priority to serve our membership with 24/7 customer service.

Below are some highlights of MSBA's work for you in 2021-2022.

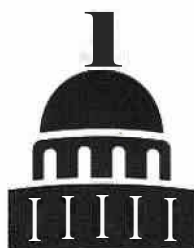
ADVOCACY & GOVERNMENT RELATIONS

Expanded efforts to keep members informed about legislative issues

15 Friday Chat Room virtual sessions

Hundreds of Twitter posts

Timely Action Alerts



20 Weekly Advocate updates

Federal Advocacy

Nine virtual Advocacy Tour meetings

Virtual Day at the Capitol

MSBA's Government Relations staff advocated on key issues for school board members at the State Capitol in 2022, including urging the Legislature to provide additional funding to address the special education cross-subsidy.

MEETINGS & EVENTS

Approximately 80 online events

Including the Coffee & Conversation series, the Friday Chat Room, the Third Thursday MSBA Webinar Series, the MSBA Learning to Lead Series (Phase I, Phase II, Phase III, and Phase IV), the MSBA Officers Workshop, the Summer Seminar, and more.



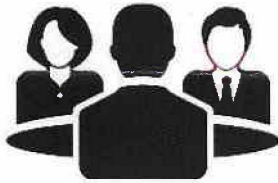
In-person Leadership Conference

Which brought back nearly 2,000 school board members, school district officials, and vendors to the Minneapolis Convention Center in January 2022.

ADDITIONAL MSBA SERVICE HIGHLIGHTS: 2021-2022

EXECUTIVE SEARCH SERVICES

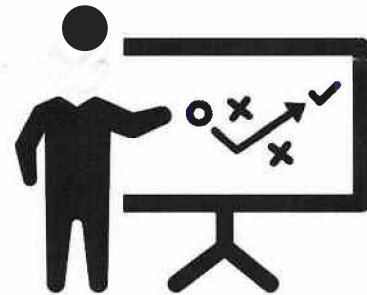
The MSBA Executive Search Team led 33 searches (225 board members were involved in those searches).



Also, 14 additional districts reached out to MSBA for support during their own district-led superintendent searches.

STRATEGIC PLANNING

MSBA Strategic Planning Services assisted 25 entities (school districts, charter schools, and education districts) in creating a vision and plan for their organizations.



POLICY SERVICES

MSBA's Policy Services served 392 school districts/charter schools.



POLICY

Updated and revised numerous policies.

INSURANCE TRUST

Currently 345 school districts, cooperatives, and charter schools are protected through the MSBA Insurance Trust (MSBAIT).



ONLINE PRESENCE

The MSBA website had more than 383,000 views.

<http://>

The MSBA Twitter account has more than 5,000 followers.

[rj](https://twitter.com/rj)

The MSBA Facebook account has more than 1,200 followers.

[0](https://www.facebook.com/msba)



Minnesota School Boards Association
 1900 West Jefferson Avenue
 St. Peter, MN 56082-3015
 507-934-2450 or 800-324-4459

Invoice	INV-01661-KOR0QB
Date	6/10/2022
Amount Due	\$10,480.00
Date Due	8/15/2022

North Branch Area
 PO Box 370
 North Branch, 55056-0370

Customer Name	Purchase Order No.		
North Branch Area			
Description	Quantity	Unit Price	Ext. Price
Policy Services Subscription - North Branch Area	1	\$750.00	\$750.00
ISD Membership - North Branch Area	1	\$7,630.00	\$7,630.00
BoardBook Subscription Tier 1 - North Branch Area	1	\$2,100.00	\$2,100.00

REC'D @ DISTRICT OFFICE

JUN 13 2022

ISO #138
 NORTH BRANCH. MN

Dues for your district are based on "Average Daily Membership of Students Served" for the fiscal year ended June 30, 2021, as provided by the Minnesota Department of Education.

Subtotal	\$10,480.00
Total	\$10,480.00

MSBA is not able to accept Credit, Debit, or Procurement Cards as a method of payment of your 2022-2023 Dues Invoice. Please remit payment of this invoice to MSBA by CHECK. Thank you for your cooperation.

In accordance with IRS Code Sec. 6113, contributions or gifts (including membership dues) to MSBA are not deductible as charitable contributions for Federal income tax purposes.

Adopted: _____

MSBA/MASA Model Policy 206

Orig. 1995

Revised: _____

Rev. 2012~~27~~

206 PUBLIC PARTICIPATION IN SCHOOL BOARD MEETINGS/COMPLAINTS ABOUT PERSONS AT SCHOOL BOARD MEETINGS AND DATA PRIVACY CONSIDERATIONS

I. PURPOSE

- A. The school board recognizes the value of participation by the public in deliberations and decisions on school district matters. At the same time, the school board recognizes the importance of conducting orderly and efficient proceedings, with opportunity for expression of all participants' respective views.
- B. The purpose of this policy is to provide procedures to assure open and orderly public discussion as well as to protect the due process and privacy rights of individuals under the law.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school board is to encourage discussion by persons of subjects related to the management of the school district at school board meetings. The school board may adopt reasonable time, place, and manner restrictions on public expression in order to facilitate free discussion by all interested parties.
- B. The school board shall, as a matter of policy, protect the legal rights to privacy and due process of employees and students.

III. DEFINITIONS

- A. "Personnel data" means government data on individuals maintained because the individual is or was an employee or applicant for employment. For purposes of this policy, "employee" includes a volunteer or an independent contractor.
- B. Personnel data on current and former employees that is "public" includes:

Name; employee identification number, which must not be the employee's social security number; actual gross salary; salary range; terms and conditions of employment relationship; contract fees; actual gross pension; the value and nature of employer paid fringe benefits; the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary; bargaining unit; job title; job description; education and training background; previous work experience; date of first and last employment; the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action; the final disposition of any disciplinary action as defined in Minn. Stat. § 13.43, Subd. 2(b), together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the public body; the complete terms of any agreement settling any dispute arising out of the employment relationship, including a buyout agreement as defined in Minn. Stat. § 123B.143, Subd. 2, except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money; work location; work telephone number; badge number; work-related continuing education; honors and

awards received; and payroll time sheets or other comparable data that are only used to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.

- C. Personnel data on current and former applicants for employment that is "public" includes:

Veteran status; relevant test scores; rank on eligible list; job history; education and training; and work availability. Names of applicants shall be private data except when certified as eligible for appointment to a vacancy or when applicants are considered by the appointing authority to be finalists for a position in public employment. For purposes of this subdivision, "finalist" means an individual who is selected to be interviewed by the appointing authority prior to selection.

- D. "Educational data" means data maintained by the school district which relates to a student.

- E. "Student" means an individual currently or formerly enrolled or registered in the school district, or applicants for enrollment, or individuals who receive shared time services.

- F. Data about applicants for appointments to a public body, including a school board, collected by the school district as a result of the applicant's application for appointment to the public body are private data on individuals, except that the following are public: name; city of residence, except where the appointment has a residency requirement that requires the entire address to be public; education and training; employment history; volunteer work; awards and honors; prior government service; any data required to be provided or that is voluntarily provided in an application to a multimember agency pursuant to Minn. Stat. § 15.0597; and veteran status. Once an individual has been appointed to a public body, the following additional items of data are public: residential address; either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee; the first and last dates of service on the public body; the existence and status of any complaints or charges against an appointee; and, upon completion of an investigation of a complaint or charge against an appointee, the final investigative report unless access to the data would jeopardize an active investigation. Any electronic mail address or telephone number provided by a public body for use by an appointee shall be public. An appointee may use an electronic mail address or telephone number provided by the public body as the designated electronic mail address or telephone number at which the appointee can be reached.

IV. RIGHTS TO PRIVACY

- A. School district employees have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following:
1. right to a private hearing for teachers, pursuant to Minn. Stat. § 122A.40, Subd. 14 (Teachers Discharge Hearing);
 2. right to privacy of personnel data as provided by Minn. Stat. § 13.43 (Personnel Data);
 3. right to consideration by the school board of certain data treated as not public as provided in Minn. Stat. § 13D.05 (Not Public Data);

4. right to a private hearing for licensed or nonlicensed head varsity coaches to discuss reasons for nonrenewal of a coaching contract pursuant to Minn. Stat. § 122A.33, Subd. 3.
- B. School district students have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following:
1. right to a private hearing, Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing);
 2. right to privacy of educational data, Minn. Stat. § 13.32 (Educational Data); 20 U.S.C. § 1232g (FERPA);
 3. right to privacy of complaints as provided by child abuse reporting and discrimination laws, Minn. Stat. [Ch. 260E §-626.556](#) (Reporting of Maltreatment of Minors) and Minn. Stat. Ch. 363A (Minnesota Human Rights Act).

V. THE PUBLIC'S OPPORTUNITY TO BE HEARD

The school board will strive to give all persons an opportunity to be heard and to have complaints considered and evaluated, within the limits of the law and this policy and subject to reasonable time, place, and manner restrictions. Among the rights available to the public is the right to access public data as provided by Minn. Stat. § 13.43, Subd. 2 (Public Data).

VI. PROCEDURES

A. Agenda Items

1. Persons who wish to have a subject discussed at a public school board meeting ~~are encouraged to~~ (NB elimination) ~~will~~ (NB change) notify the superintendent's office in advance of the school board meeting. The person ~~should~~ (NB elimination) ~~will~~ (NB change) provide his or her name, ~~address,~~ the name of group represented (if any), and the subject to be covered or the issue to be addressed. ~~The chair and superintendent shall determine whether to place the matter on the tentative agenda.~~ (NB change)
2. Persons who wish to address the school board on a particular subject should identify the subject and identify agenda item(s) to which their comments pertain ~~and may do so in open mic~~ (NB change).
3. The school board chair will recognize one speaker at a time and will rule out of order other speakers who are not recognized. Only those speakers recognized by the chair will be allowed to speak. Comments by others are out of order. Individuals who interfere with or interrupt speakers, the school board, or the proceedings may be directed to leave.
4. The school board retains the discretion to limit discussion of any agenda item to a reasonable period of time as determined by the school board. If a group or organization wishes to address the school board on a topic, the school board reserves the right to require designation of one or more representatives or spokespersons to speak on behalf of the group or organization.
5. Matters proposed for placement on the agenda which may involve data privacy concerns, which may involve preliminary allegations, or which may be

potentially libelous or slanderous in nature shall not be considered in public, but shall be processed as determined by the school board in accordance with governing law.

6. The school board chair shall promptly rule out of order any discussion by any person, including school board members, that would violate the provisions of state or federal law, this policy or the statutory rights of privacy of an individual.
7. Personal attacks by anyone addressing the school board are unacceptable. Persistence in such remarks by an individual shall terminate that person's privilege to address the school board.
8. Depending upon the number of persons in attendance seeking to be heard, the school board reserves the right to impose such other limitations and restrictions as necessary in order to provide an orderly, efficient, and fair opportunity for those present to be heard.

B. Complaints

1. Routine complaints about a teacher or other employee should first be directed to that teacher or employee or to the employee's immediate supervisor.
2. If the complaint is against an employee relating to child abuse, discrimination, racial, religious, or sexual harassment, or other activities involving an intimidating atmosphere, the complaint should be directed to the employee's supervisor or other official as designated in the school district policy governing that kind of complaint immediately or as soon as possible (NB change). In the absence of a designated person, the matter should be referred to the superintendent.
3. Unresolved complaints from Paragraph 1. of this section or problems concerning the school district should be directed to the superintendent's office.
4. Complaints which are unresolved at the superintendent's level may be brought before the school board by notifying the school board in writing.

C. Open Forum

The school board shall normally provide a specified period of time when persons may address the school board on any topic, subject to the limitations of this policy. The school board reserves the right to allocate a specific period of time for this purpose and limit time for speakers accordingly.

The school board may decide to hold certain types of public meetings where the public will not be invited to address the school board. Possible examples are work sessions and board retreats. The public will still be entitled to notice of these meetings and will be allowed to attend these meetings, but the public will not be allotted time during the meeting to address the board.

D. No Board Action at Same Meeting

Except as determined by the school board to be necessary or in an emergency, the school board will not take action at the same meeting on an item raised for the first time by the public.

VII. PENALTIES FOR VIOLATION OF DATA PRIVACY

- A. The school district is liable for damages, costs and attorneys' fees, and, in the event of a willful violation, punitive damages for violation of state data privacy laws. (Minn. Stat. § 13.08, Subd. 1)
- B. A person who willfully violates data privacy or whose conduct constitutes the knowing unauthorized acquisition of not public data is guilty of a misdemeanor. (Minn. Stat. § 13.09)
- C. In the case of an employee, willful violation of the Minnesota data practices law, Chapter 13, and any rules adopted thereunder, including any action subject to a criminal penalty, constitutes just cause for suspension without pay or dismissal. (Minn. Stat. § 13.09)

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 13.43 (Personnel Data)
Minn. Stat. § 13.601, Subd. 3 (Applicants for Appointment)
Minn. Stat. § 13D.05 ([Meetings Having Data Classified as Public](#)) ~~Open Meeting Law~~
Minn. Stat. § 121A.47, Subd. 5 ([Exclusion and Expulsion Procedures; Closed or Open Meeting](#)) ~~Student Dismissal Hearing~~
Minn. Stat. § 122A.33, Subd. 3 ([License and Degree Exemption for Head Coach; Notice of Nonrenewal; Opportunity to Respond](#)) ~~Coaches; Opportunity to Respond~~
Minn. Stat. § 122A.40, Subd. 14 ([Employment; Contracts; Termination; Hearing Procedures](#)) ~~Teacher Discharge Hearing~~
Minn. Stat. § 122A.44 (Contracting with Teachers; [Substitute Teachers](#))
Minn. Stat. § 123B.02, Subd. 14 ([General Powers of Independent School Districts](#); Employees; Contracts for Services)
Minn. Stat. § 123B.143, Subd. 2 ([Superintendents](#); Disclose Past Buyouts or Contract is Void)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
Minn. Stat. ~~Ch. 260E § 626.556~~ (Reporting of Maltreatment of Minors)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
Minn. Op. Atty. Gen. 852 (July 14, 2006)

Cross References: MSBA/MASA Model Policy 205 (Open Meetings and Closed Meetings)
MSBA/MASA Model Policy 207 (Public Hearings)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA ~~Service Manual, Chapter 13,~~ School Law Bulletin "C" (Minnesota's Open Meeting Law)
MSBA ~~Service Manual, Chapter 13,~~ School Law Bulletin "I" (School Records – Privacy – Access to Data)

Adopted: _____

MSBA/MASA Model Policy 211

Orig. 1995

Revised: _____

Rev. 2022~~06~~

211 CRIMINAL OR CIVIL ACTION AGAINST SCHOOL DISTRICT, SCHOOL BOARD MEMBER, EMPLOYEE, OR STUDENT

I. PURPOSE

The purpose of this policy is to provide guidance ~~aboutas to~~ the school district's position, rights, and responsibilities when a civil or criminal action is pending against the school district, or a school board member, school district employee, or student.

II. GENERAL STATEMENT OF POLICY

- A. The school district recognizes that, when civil or criminal actions are pending against a school board member, school district employee, or student, the school district may be requested or required to take action.
- B. In responding to such requests and/or requirements, the school district will take such measures as are appropriate to its primary mission of providing for the education of students in an environment that is safe for staff and students and is conducive to learning.
- C. The school district acknowledges its statutory obligations with respect to providing assistance to school board members and teachers who are sued in connection with performance of school district duties. Collective bargaining agreements and school district policies may also apply.

III. CIVIL ACTIONS

- A. Pursuant to ~~Minnesota- Statutes section-~~ §466.07, ~~s~~Subd. 1, the school district shall defend and indemnify any school board member or school district employee for damages in school-related litigation, including punitive damages, claimed or levied against the school board member or employee, provided that the school board member or employee ~~he or she~~ was acting in the performance of the duties of the position and was not guilty of malfeasance, willful neglect of duty, or bad faith.
- B. Pursuant to ~~Minnesota- Statutes-~~ Section §123B.25(b), with respect to teachers employed by the school district, upon written request of the teacher involved, the school district ~~shall~~must provide legal counsel for any school teacher against whom a claim is made or action is brought for recovery of damages in any tort action involving physical injury to any person or property or for wrongful death arising out of or in connection with the employment of the teacher with the school district. The school district will choose legal counsel after consultation with the teacher.

C. Data Practices

Educational data and personnel data maintained by the school district may be sought as evidence in a civil proceeding. The school district will release the data only pursuant to the Minnesota Government Data Practices Act, ~~Minnesota Statutes, chapter~~Ch. 13, and to the Family Educational Rights and Privacy Act, 20 ~~United States Code~~ § 1232g, and related regulations. When an employee is subpoenaed and is expected to testify regarding educational data or personnel data, ~~he or she is to~~ the employee will inform the building administrator or designated supervisor, who shall immediately inform the superintendent or designee. No school board member or employee may release data without consultation in advance with the school district official ~~who is~~ designated as the responsible authority ~~responsible~~ for the collection, use, and dissemination of data.

D. Service of Subpoenas

~~The policy of the school district is that its~~ School district officers and employees will normally not be involved in providing service of process for third parties in the school setting.

E. Leave to Testify

Leave for employees appearing in court, either when sued or under subpoena to testify, will be considered in accordance with school district personnel policies and applicable collective bargaining agreements.

IV. **CRIMINAL CHARGES OR CONDUCT**

A. Employees

1. The school district expects that its employees serve as positive role models for students. As role models for students, employees have a duty to conduct themselves in an exemplary manner.
2. If the school district receives information relating to activities of a criminal nature by an employee, the school district will investigate and take appropriate disciplinary action, which may include discharge, subject to school district policies, statutes, and provisions of applicable collective bargaining agreements.
3. Pursuant to ~~Minnesota Statutes, section~~§ 123B.02, Subd. 20, if reimbursement for a criminal defense is requested by a school district employee, the school board may, after consulting with its legal counsel, reimburse the employee for any costs and reasonable attorney fees incurred by the employee to defend criminal charges brought against the employee arising out of the performance of duties for the school district. The decision ~~as to~~ whether to reimburse shall be made in the school board's discretion ~~of the school board~~. A school board member who is a witness or an alleged

victim in the case may not vote on the reimbursement. If a quorum of the school board is disqualified from voting on the reimbursement, the reimbursement must be approved by a judge of the district court.

B. Students

The school district has an interest in maintaining a safe and healthful environment and in preventing disruption of the educational process. ~~In order to further~~To promote that interest, the school district will take appropriate action regarding students convicted of crimes that relate to the school environment.

C. Criminal Investigations

1. The policy of the school district is to cooperate with law enforcement officials. The school district will make all efforts, however, to encourage law enforcement officials to question students and employees outside of school hours and off school premises unless ~~there are~~ extenuating circumstances exist, ~~or~~ the matter being investigated is school-related, or as otherwise provided by law.
2. If ~~such~~ questioning at school is unavoidable, the school district will attempt to maintain confidentiality; to avoid embarrassment to students and employees and to avoid disruption of the educational program. The school district will attempt to notify parents of a student under age 18 that police will be questioning their child. Normally, the superintendent, principal, or other appropriate school official will be present during the interview, except as otherwise required by law (~~Minnesota Statutes section § 260E.22 626.556, Subd. 10~~), or as otherwise determined in consultation with the parent or guardian.

D. Data Practices

The school district will release to juvenile justice and law enforcement authorities educational and personnel data only in accordance with ~~Minnesota Statutes chapter Ch.~~ 13 (Minnesota Government Data Practices Act) and 20 ~~United States Code section §~~ 1232g (FERPA).

V. **STATEMENTS WHEN LITIGATION IS PENDING**

The school district recognizes that when a civil or criminal action is commenced or pending, parties to the lawsuit have particular duties in reference to persons involved or named in the lawsuit, as well as insurance carrier(s). Therefore, school board members or school district employees shall make or release statements in that situation only in consultation with legal counsel.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)

Minn. Stat. § 123B.02, Subd. 20 (Legal Counsel; Reimbursement)
Minn. Stat. § 123B.25(b) (Legal Actions Against Districts and Teachers)
Minn. Stat. § 260E.22 (Interviews)
Minn. Stat. § 466.07, Subd. 1 (Indemnification)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
42 U.S.C. § 1983 (Civil Action for Deprivation of ~~ng~~ Rights)
Minn. Op. Atty. Gen. 169 (Mar. 7, 1963)
Minn. Op. Atty. Gen. 169 (Nov. 3, 1943)
Dyppress v. School Committee of Boston, 446 N.E.2d 1099 (Mass. App. Ct. 1983)
Wood v. Strickland, 420 U.S. 308, ~~95 S.Ct. 992, 43 L.Ed.2d 214~~ (1975)

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 408 (Subpoena of a School District Employee)
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

Adopted: _____

MSBA/MASA Model Policy 414

Orig. 1995

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Rev. ~~2019~~2022

414 MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to fully comply with Minn. Stat. [Ch. 260E§ 626.556](#) requiring school personnel to report suspected child neglect or physical or sexual abuse.
- B. A violation of this policy occurs when any school personnel fails to immediately report instances of child neglect or physical or sexual abuse when the school personnel knows or has reason to believe a child is being neglected or physically or sexually abused or has been neglected or physically or sexually abused within the preceding three years.

III. DEFINITIONS

- A. “Accidental” means a sudden, not reasonably foreseeable, and unexpected occurrence or event ~~which~~[that](#):
 - 1. is not likely to occur and could not have been prevented by exercise of due care; and
 - 2. if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the facility are in compliance with the laws and rules relevant to the occurrence of event.
- B. “Child” means one under age 18 and, for purposes of Minn. Stat. Ch. 260C ([Juvenile Safety and Placement](#)) ~~Child Protection~~ and Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment), includes an individual under age 21 who is in foster care pursuant to Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18).
- C. “Immediately” means as soon as possible but in no event longer than 24 hours.

D. “Mandated reporter” means any school personnel who knows or has reason to believe a child is being ~~neglected or physically or sexually abused~~maltreated, or has been ~~neglected or physically or sexually abused~~maltreated within the preceding three years.

E. “Mental injury” means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child’s ability to function within a normal range of performance and behavior with due regard to the child’s culture.

EE. “Neglect” means the commission or omission of any of the acts specified below, other than by accidental means:

1. failure by a person responsible for a child’s care to supply a child with necessary food, clothing, shelter, health care, ~~medical care~~, or other care required for the child’s physical or mental health when reasonably able to do so; ~~including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;~~
2. failure to protect a child from conditions or actions that seriously endanger the child’s physical or mental health when reasonably able to do so, ~~including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;~~
3. failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors ~~such~~ as the child’s age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for ~~the child’s his or her~~ own basic needs or safety, or the basic needs or safety of another child in his or her care;
4. failure to ensure that a child is educated in accordance with state law, which does not include a parent’s refusal to provide his or her child with sympathomimetic medications;
5. prenatal exposure to a controlled substance as defined in state law used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child’s birth, ~~or~~ medical effects or developmental delays during the child’s first year of life that medically indicate prenatal exposure to a controlled substance, or the presence of a fetal alcohol spectrum disorder;
6. medical neglect as defined by Minn. Stat. § 260C.007, Subd. 6, Clause (5);
7. chronic and severe use of alcohol or a controlled substance by a ~~parent or~~ person responsible for the care of the child that adversely affects the child’s basic needs and safety; or

8. emotional harm from a pattern of behavior ~~which~~that contributes to impaired emotional functioning of the child, which may be demonstrated by a substantial and observable effect in the child's behavior, emotional response, or cognition that is not within the normal range for the child's age and stage of development, with due regard to the child's culture.

~~Neglect does not occur solely because the child's parent, guardian, or other person responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child in lieu of medical care. does not include spiritual means or prayer for treatment or care of disease where the person responsible for the child's care in good faith has selected and depended on those means for treatment or care of disease, except where the lack of medical care may cause serious danger to the child's health.~~

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

H. ~~"Person responsible for the child's care" means (1) an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, other school employee or agent, or other lawful custodian of a child having either full-time or short-term care responsibilities including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.~~

IG. "Physical abuse" means any physical injury, mental injury (under subdivision 13), or threatened injury (under subdivision 23), inflicted by a person responsible for the child's care on a child other than by accidental means; or any physical or mental injury that cannot reasonably be explained by the child's history of injuries, or any aversive or deprivation procedures, or regulated interventions, that have not been authorized by Minn. Stat. § 125A.0942 or § 245.825.

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

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

JH. "Report" means any communication received by the local welfare agency, police department, county sheriff, or agency responsible for child protection pursuant to this section that describes ~~neglect or physical or sexual abuse~~ maltreatment of a child and contains sufficient content to identify the child and any person believed to be responsible for the maltreatment, neglect or abuse, if known.

KI. "School personnel" means professional employee or professional's delegate of the school district who provides health, educational, social, psychological, law enforcement, or child care services.

LJ. "Sexual abuse" means the subjection of a child by a person responsible for the child's care, by a person who has a significant relationship to the child (as defined in Minn. Stat. § 609.341, Subd. 15), or by a person in a current or recent position of authority (as defined in Minn. Stat. § 609.341, Subd. 10) to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual penetration, sexual contact, solicitation of children to engage in sexual conduct, and communication of sexually explicit materials to children. Sexual abuse also includes any act involving a minor ~~which that~~ constitutes a violation of Minnesota statutes prohibiting prostitution or use of a minor in a sexual performance. Sexual abuse includes all reports of known or suspected child sex trafficking involving a child who is identified as a victim of sex trafficking. Sexual abuse includes threatened sexual abuse which includes the status of a parent or household member who has committed a violation ~~which that~~ requires registration under Minn. Stat. § 243.166, Subd. 1b(a) or (b) (Registration of Predatory Offenders).

M. "Threatened injury" means a statement, overt act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury.

Threatened injury includes, but is not limited to, exposing a child to a person responsible for the child's care who has (1) subjected the child to, or failed to protect a child from, an overt act or condition that constitutes egregious harm; (2) been found to be palpably unfit; (3) committed an act that resulted in an involuntary termination of parental rights; (4) , or committed an act that resulted in the involuntary transfer of permanent legal and physical custody of a child to a relative..

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

IV. REPORTING PROCEDURES

- A. A mandated reporter ~~as defined herein~~ shall immediately report the information neglect or physical or sexual abuse, which he or she knows or has reason to believe is happening or has happened within the preceding three years, to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, tribal social services agency, or tribal police department. The reporter will include his or her name and address in the report.
- B. ~~If the immediate report has been made orally~~An oral report shall be made immediately; by telephone or otherwise. ~~;~~The oral report shall be followed by a written report within 72 hours (exclusive of weekends and holidays) to the appropriate police department, the county sheriff, local welfare agency, or agency responsible for assessing assisting or investigating maltreatmentthe report. Any The written report shall be of sufficient content to identify the child, any person believed to be responsible for the abuse or neglectmaltreatment of the child if the person is known, the nature and extent of the abuse or neglectmaltreatment, and the name and address of the reporter.

- C. Regardless of whether a report is made, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident has occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.
- D. A mandated reporter who knows or has reason to know of the deprivation of [custodial or](#) parental rights or the kidnapping of a child shall report the information to the local police department or the county sheriff.
- E. With the exception of a health care professional or a social service professional who is providing the woman with prenatal care or other health care services, a mandated reporter shall immediately report to the local welfare agency if the person knows or has reason to believe that a woman is pregnant and has used a controlled substance for a nonmedical purpose during the pregnancy, including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive.
- F. A person mandated by Minnesota law and this policy to report who fails to report may be subject to criminal penalties and/or discipline, up to and including termination of employment.
- ~~G. [An employer of a mandated reporter shall not retaliate against the person for reporting in good faith maltreatment against a child with respect to whom a report is made, because of the report.](#)~~
- ~~G. [Submission of a good faith report under Minnesota law and this policy will not adversely affect the reporter's employment, or the child's access to school.](#)~~
- H. Any person who knowingly or recklessly makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, [plus costs and reasonable attorney fees.](#) ~~and the reckless~~ [Knowingly or recklessly](#) making ~~of~~ a false report [also](#) may result in discipline. ~~The court may also award attorney's fees.~~

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

V. INVESTIGATION

- A. The responsibility for [assessing or](#) investigating reports of suspected [maltreatment neglect or physical or sexual abuse](#) ~~rests~~ [rests](#) with the appropriate [state](#), county,

~~state,~~ or local agency or agencies. The agency responsible for assessing or investigating reports of ~~child~~-maltreatment has the authority to interview the child, the person or persons responsible for the child's care, the alleged ~~perpetrator/offender~~, and any other person with knowledge of the ~~abuse or neglect maltreatment~~ for the purpose of gathering ~~the~~ facts, assessing safety and risk to the child, and formulating a plan. The investigating agency may interview the child at school. The interview may take place outside the presence of ~~the alleged offender or parent, legal guardian, or a~~ school official. The investigating agency, not the school, is responsible for either notifying or withholding notification of the interview to the parent, guardian, or person responsible for the child's care. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded.

- B. When the investigating agency determines that an interview should take place on school property, written notification of intent to interview the child on school property ~~will~~must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school property.
- C. Except where the alleged ~~perpetrator-offender~~ is believed to be a school official or employee, the time and place, and manner of the interview on school premises shall be within the discretion of school officials, but the local welfare or law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place, and manner of the interview set by the school officials shall be reasonable, and the interview shall be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school officials and the local welfare or law enforcement agency. Every effort must be made to reduce the disruption of the educational program of the child, other students, or school employees when an interview is conducted on school premises.
- D. Where the alleged ~~perpetrator-offender~~ is believed to be a school official or employee, the school district shall conduct its own investigation independent of MDE and, if involved, the local welfare or law enforcement agency.
- E. Upon request by MDE, the school district shall provide all requested data that are relevant to a report of maltreatment and are in the possession of a school facility, pursuant to an assessment or investigation of a maltreatment report of a student in school. The school district shall provide the requested data in accordance with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE

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

VII. PHYSICAL OR SEXUAL ABUSE AS SEXUAL HARASSMENT OR VIOLENCE

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

VIII. DISSEMINATION OF POLICY AND TRAINING

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 121A.58 (Corporal Punishment)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)
Minn. Stat. § 243.166, Subd. 1b(a)(b) (Registration of Predatory Offenders)
Minn. Stat. § 245.825 (Use of Aversive or Deprivation Procedures)
Minn. Stat. § 260C.007, Subd. 6, Clause (5) (Child in Need of Protection)
Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18)
Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment)
[Minn. Stat. Ch. 260E \(Reporting of Maltreatment of Minors\)](#)
Minn. Stat. § 609.02, Subd. 6 (Definitions – Dangerous Weapon)
Minn. Stat. § 609.341, Subd. 10 (Definitions – Position of Authority)
Minn. Stat. § 609.341, Subd. 15 (Definitions – Significant Relationship)
Minn. Stat. § 609.379 (Reasonable Force)
[Minn. Stat. § 626.556 et seq. \(Reporting of Maltreatment of Minors\)](#)
[Minn. Stat. § 626.5561 \(Reporting of Prenatal Exposure to Controlled](#)

[Substances\)](#)

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

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

Adopted: _____

MSBA/MASA Model Policy 423

Orig. 1999

Revised: _____

Rev. 202209

423 EMPLOYEE-STUDENT RELATIONSHIPS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

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

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

III. REPORTING AND INVESTIGATION

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

IV. SCHOOL DISTRICT ACTION

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

V. SCOPE OF LIABILITY

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

Legal References: Minn. Stat. § 13.43, Subd. 16 (School District or Charter School Disclosure of Violence or Inappropriate Sexual Contact)
Minn. Stat. § 122A.20, Subd. 2 (Mandatory Reporting to Professional Educator Licensing and Standards Board or Board of School Administrators)
Minn. Stat. § 122A.40, Subds. 5(b) and 13(b) (Mandatory immediate discharge of teachers with license revocations due to child or sex abuse convictions)
Minn. Stat. §§ 609.341-609.352 (Defining “intimate parts” and “position of authority” as well as detailing various sex offenses)
Minn. Stat. ~~Ch. 260E § 626.556~~ (Reporting of Maltreatment of Minors)
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)
Minn. Rules Part 3512.5200 (Code of Ethics for School Administrators)
Minn. Rules Part 8710.2100 (Code of Ethics for Minnesota Teachers)

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

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

Adopted: _____

MSBA/MASA Model Policy 519

Orig. 1995

Revised: _____

Rev. 202202

519 INTERVIEWS OF STUDENTS BY OUTSIDE AGENCIES

I. PURPOSE

There are occasions in which persons other than school district officials and employees find it necessary to speak with a student during the school day. Student safety and disruption of the educational program is of concern to the school district. The purpose of this policy is to establish the procedures for access to students by authorized individuals during the school day.

II. GENERAL STATEMENT OF POLICY

- A. Generally, students may not be interviewed during the school day by persons other than a student's parents, school district officials, employees and/or agents, except as otherwise provided by law and/or this policy.
- B. Requests from law enforcement officers and those other than a student's parents, school district officials, employees and/or agents to interview students shall be made through the principal's office. Upon receiving a request, it shall be the responsibility of the principal to determine whether the request will be granted. Prior to granting a request, the principal shall attempt to contact the student's parents to inform them of the request, except where otherwise prohibited by law.

III. INTERVIEWS CONDUCTED UNDER THE MALTREATMENT OF MINORS ACT

- A. In the case of an investigation pursuant to the [Reporting of Maltreatment of Minors Act, Minnesota Statutes Chapter 260E, Minn. Stat. § 626.556, Subd. 10](#), a local welfare agency, the agency responsible for investigating the report, and a local law enforcement agency may interview, without parental consent, an alleged victim and any minors who currently reside with or who have resided with the alleged perpetrator. The interview may take place at school and during school hours. School district officials will work with the local welfare agency, the agency responsible for investigating the report, or law enforcement agency to select a place appropriate for the interview. The interview may take place outside the presence of the perpetrator or parent, legal custodian, guardian, or school district official.
- B. If the interview took place or is to take place on school district property, an order of the juvenile court pursuant to [Minn. Stat. § 626.556, Subd. 10 \(c\) Minnesota Statutes Chapter 260E](#) may specify that school district officials may not disclose to the parent, legal custodian, or guardian the contents of the notification of intent to interview the child on school district property and/or any other related information regarding the interview that may be a part of the child's record. The school district official must receive a copy of the order from the local welfare or law enforcement agency.
- C. When the local welfare agency, local law enforcement agency, or agency responsible for assessing or investigating a report of maltreatment determines that an interview should take place on school district property, school district officials must receive written notification of intent to interview the child on school district property prior to the interview. The notification shall include the name of the child to be interviewed,

the purpose of the interview, and a reference to the statutory authority to conduct an interview on school district property. Where the interviews are conducted by the local welfare agency, the notification must be signed by the chair of the local social services agency or the chair's designee. The notification is private educational data on the student. School district officials may not disclose to the parent, legal custodian or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded, unless a school employee or agent is alleged to have maltreated the child. Until school district officials receive said notification, all inquiries regarding the nature of the investigation or assessment should be directed to the local welfare or law enforcement agency or the agency responsible for assessing or investigating a report of maltreatment shall be solely responsible for any disclosure regarding the nature of the assessment or investigation.

- D. School district officials shall have discretion to reasonably schedule the time, place, and manner of an interview by a local welfare or local law enforcement agency on school district premises. However, where the alleged perpetrator is believed to be a school district official or employee, the local welfare or local law enforcement agency will have discretion to determine where the interview will be held. The interview must be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school district officials and the local welfare or law enforcement agency. However, school district officials must yield to the discretion of the local welfare or law enforcement agency concerning other persons in attendance at the interview. School district officials will make every effort to reduce the disruption to the educational program of the child, other students, or school staff when an interview is conducted on school district premises.
- E. Students shall not be taken from school district property without the consent of the principal and without proper warrant.

Legal References: Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. ~~Ch. 260E (Reporting of Maltreatment of Minors) § 626.556, Subd. 10(c) and (d) (Duties of Local Welfare Agency and Local Law Enforcement Agency Upon Receipt of a Report)~~

Cross References: MSBA/MASA Model Policy 103 (Complaints – Students, Employees, Parents, Other Persons)
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

Adopted: _____

MSBA/MASA Model Policy 532

Orig. 2003

Revised: _____

Rev. 202219

532 USE OF PEACE OFFICERS AND CRISIS TEAMS TO REMOVE STUDENTS WITH IEPs FROM SCHOOL GROUNDS

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

[Note: Minnesota Laws 2009, Chapter 96, made a number of changes to the laws and rules governing the use of “conditional procedures” with respect to special education students. Specifically, Chapter 96 repealed, EFFECTIVE AUGUST 1, 2011, ~~Minn. Stat. Minnesota Statutes sections §§ 121A.66, 121A.67, Subd. 1, as well as Minnesota- Rules 3525.0210, Subparts 5, 6, 9, 13, 17, 29, 30, 46, 47, and 3525.2900, Subp. 5. These laws and rules were replaced, effective August 1, 2011, with a restrictive procedures law which generally addresses the restraint of special education students. Also note that the restrictive procedures law contains a significant staff training component, found at ~~Minn. Stat. §Minnesota Statutes section~~ 125A.0942, Subds. 1, 2, and 5. Staff who intend to use restrictive procedures must be trained in the areas specified in Subd. 5 to use these procedures.]~~

I. PURPOSE

The purpose of this policy is to describe the appropriate use of peace officers and crisis teams to remove, if necessary, a student with an individualized education program (IEP) from school grounds.

II. GENERAL STATEMENT OF POLICY

The school district is committed to promoting learning environments that are safe for all members of the school community. It further believes that students are the first priority and that they should be reasonably protected from physical or emotional harm at all school locations and during all school activities.

In general, all students, including those with IEPs, are subject to the terms of the school district’s discipline policy. Building level administrators have the leadership responsibility to maintain a safe, secure, and orderly educational environment within which learning can occur. Corrective action to discipline a student and/or modify a student’s behavior will be taken by staff when a student’s behavior violates the school district’s discipline policy.

If a student with an IEP engages in conduct which, in the judgment of school personnel, endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, that student may be removed from school grounds in accordance with this policy.

III. DEFINITIONS

For purposes of this policy, the following terms have the meaning given them in this section:

- A. “Student with an IEP” or “the student” means a student who is eligible to receive special education and related services pursuant to the terms of an IEP or an individual interagency intervention plan (IIIP).
- B. “Peace officer” means an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the Board of Peace Officer Standards and Training, charged with the prevention and detection of crime and the enforcement of general criminal laws of the state and who has the full power of arrest. The term “peace officer” includes a person who serves as a sheriff, a deputy sheriff, a police officer, or a state patrol trooper.
- C. “Police liaison officer” is a peace officer who, pursuant to an agreement between the school district and a political subdivision or law enforcement agency, is assigned to a school building for all or a portion of the school day to provide law enforcement assistance and support to the building administration and to promote school safety, security, and positive relationships with students.
- D. “Crisis team” means a group of persons, which may include teachers and non-teaching school personnel, selected by the building administrator in each school building who have received crisis intervention training and are responsible for becoming actively involved with resolving crises. The building administrator or designee shall serve as the leader of the crisis team.
- E. The phrase “remove the student from school grounds” is the act of securing the person of a student with an IEP and escorting that student from the school building or school activity at which the student with an IEP is located.
- F. “Emergency” means a situation where immediate intervention is needed to protect a child or other individual from physical injury.
- G. All other terms and phrases used in this policy shall be defined in accordance with applicable state and federal law or ordinary and customary usage.

IV. REMOVAL OF STUDENTS WITH IEPs FROM SCHOOL GROUNDS

A. Removal By Crisis Team

If the behavior of a student with an IEP escalates to the point where the student’s behavior endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the school building’s crisis team may be summoned. The crisis team may attempt to de-escalate the student’s

behavior by means including, but not limited to, those described in the student's IEP and/or behavior intervention plan. When such measures fail, or when the crisis team determines that the student's behavior continues to endanger or may endanger the health, safety, or property of the student, other students, staff members, or school property, the crisis team may remove the student from school grounds.

If the student's behavior cannot be safely managed, school personnel may immediately request assistance from the police liaison officer or a peace officer.

B. Removal By Police Liaison Officer or Peace Officer

If a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the school building's crisis team, building administrator, or the building administrator's designee, may request that the police liaison officer or a peace officer remove the student from school grounds.

If a student with an IEP is restrained or removed from a classroom, school building, or school grounds by a peace officer at the request of a school administrator or school staff person during the school day twice in a 30-day period, the student's IEP team must meet to determine if the student's IEP is adequate or if additional evaluation is needed.

Whether or not a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, school district personnel may report a crime committed by a student with an IEP to appropriate authorities. If the school district reports a crime committed by a student with an IEP, school personnel shall transmit copies of the special education and disciplinary records of the student for consideration by appropriate authorities to whom it reports the crime, to the extent that the transmission is permitted by the Family Education Rights and Privacy Act (FERPA), the Minnesota Government Data Practices Act, and school district's policy, Protection and Privacy of Pupil Records.

[Note: If the school district uses a different reference name for its student records policy, insert that name in place of the reference to Protection and Privacy of Pupil Records, which is the title of MSBA/MASA Model Policy 515.]

The fact that a student with an IEP is covered by special education law does not prevent state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by a student with an IEP.

C. Reasonable Force Permitted

In removing a student with an IEP from school grounds, a building administrator, other crisis team members, or the police liaison officer or other agents of the school

district, whether or not members of a crisis team, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

In removing a student with an IEP from school grounds, police liaison officers and school district personnel are further prohibited from engaging in the following conduct:

1. Corporal punishment prohibited by Minnesota Statutes section Minn. Stat. § 121A.58;
2. Requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;
3. Totally or partially restricting a child's senses as punishment;
4. Denying or restricting a child's access to equipment and devices such as walkers, wheel-chairs, hearing aids, and communication boards that facilitate the child's functioning except when temporarily removing the equipment or device is needed to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible;
5. Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under Minnesota Statutes Chapter Minn. Stat. .260E; § 626.556;
6. Physical holding (as defined in Minnesota Statutes section Minn. Stat. § 125A.0941) that restricts or impairs a child's ability to breathe, restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso;
7. Withholding regularly scheduled meals or water; and/or
8. Denying a child access to toilet facilities.

D. Parental Notification

The building administrator or designee shall make reasonable efforts to notify the student's parent or guardian of the student's removal from school grounds as soon as possible following the removal.

E. Continued Removals; Review of IEP

Continued and repeated use of the removal process described herein must be reviewed in the development of the individual student's IEP or IIP.

F. Effect of Policy in an Emergency; Use of Restrictive Procedures

A student with an IEP may be removed in accordance with this policy regardless of whether the student's conduct would create an emergency.

If the school district seeks to remove a student with an IEP from school grounds under this policy due to behaviors that constitute an emergency and the student's IEP, IIP, or behavior intervention plan authorizes the use of one or more restrictive procedures, the crisis team may employ those restrictive procedures, in addition to any reasonable force that may be necessary, to facilitate the student's removal from school grounds, as long as the crisis team members who are implementing the restrictive procedures have received the training required by [Minn. Stat. § Minnesota Statutes section 125A.0942](#), Subd. 5, and otherwise comply with the requirements of § 125A.0942.

G. Reporting to the Minnesota Department of Education (MDE)

Annually, stakeholders may recommend, as necessary, to the Commissioner of MDE (Commissioner) specific and measurable implementation and outcome goals for reducing the use of restrictive procedures. The Commissioner must submit to the Legislature a report on districts' progress in reducing the use of restrictive procedures that recommends how to further reduce these procedures and eliminate the use of seclusion. By January 15, April 15, July 15, and October 15 of each year, districts must report, in a form and manner determined by the Commissioner, about individual students who have been secluded. By July 15 each year, districts must report summary data. The summary data must include information on the use of restrictive procedures for the prior school year, July 1 through June 30, including the use of reasonable force by school personnel that is consistent with the definition of physical holding or seclusion of a child with a disability.

- Legal References:**
- Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
 - Minn. Stat. §§ 121A.40-121A.56 (Minnesota Pupil Fair Dismissal Act)
 - Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
 - Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)
 - Minn. Stat. § 121A.67, Subd. 2 (Aversive and Deprivation Procedures)
 - Minn. Stat. §§ 125A.094-125A.0942 (Restrictive Procedures for Children with Disabilities)
 - Minn. Stat. § 609.06 (Authorized Use of Force)
 - Minn. Stat. § 609.379 (Permitted Actions)
 - 20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy (FERPA))
 - 20 U.S.C. § 1415(k)(6) (Individuals with Disabilities Education Improvement Act of 2004 (IDEA))

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34 C.F.R. § 300.535 (IDEA Regulation Regarding Involvement of Law Enforcement)

Cross References: MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 507 (Corporal Punishment)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 806 (Crisis Management Policy)

Board & Administrator

FOR SCHOOL BOARD MEMBERS

July 2022 Vol. 36, No. 3

Resist temptation to bring confidential discussions into public eye

Just because school board meetings are open to the public does not mean board members can share private discussions about their district's operations.

In many districts, such disclosures will violate the code of ethics for board members. Board members generally cannot disclose confidential information acquired in the course of their official duties or information discussed in closed sessions — at least not without the board's authorization. The purpose of these confidentiality provisions is to prevent the release of information that may harm the district, students, or employees.

Unauthorized disclosures don't just affect the district's operations and the board's relationship with the community; in some instances, they can result in litigation against the board member who shared the information. For example, a board member in Texas faced calls for her removal after she allegedly shared emails discussing the legality of her district's COVID-19 safety measures with parents who were suing the district over its face mask policy.

It's understandable for school board members to want their voices to be heard. Still, there's a difference between expressing an opinion at a public board meeting and sharing confidential or privileged information to force the district's hand

in litigation or policy matters. Here are some steps board members can take to prevent disclosures that might harm their districts.

❑ **Take time to cool down.** People are more likely to make questionable decisions when they are emotional about a situation. Board members who have just participated in a spirited debate should step back and give themselves time to process those discussions.

❑ **Review board's code of ethics.** Even the most rule-oriented individuals can use an occasional reminder of their ethical obligations. Board members who feel tempted to share conversations that occurred out of the public eye should take a minute to review the board's code of ethics. Seeing those confidentiality obligations spelled out in black and white may help a board member refrain from disclosing private discussions.

❑ **Reflect on your role.** Board members who are especially passionate about their beliefs may be upset by their inability to sway their colleagues on a particular issue. A board member who feels discouraged by a discussion or policy vote should remind herself that she is part of a team. If the board member thinks about how her actions will affect the district, she'll be less likely to reveal information that may cause harm. ■

Understand auditor roles

Generally, the same accepted accounting principles and auditing guidance that apply to a govern-

ment entity also apply to a school district. Both must be held accountable for the use of public funds.

School board members need to understand the different types of audits. Each type comes with an intended protection. Learn about the four different types of auditors and the qualifications and requirements for each role.

1) **External auditor.** The external auditor audits financial statements. The auditor is licensed, certified, and employed by an independent firm. She renders an opinion, either orally or in writing, on whether the statements adhere to Generally Accepted Accounting Principles.

2) **Internal auditor.** This individual performs risk assessments and helps the school board in developing internal controls to reduce financial risk. The auditor should be independent of the

activities he audits.

3) **Claims auditor.** A claims auditor ensures that all district expenditure vouchers are properly itemized and documented before payments are made by the treasurer. This auditor should be fully knowledgeable about state and local bidding laws and regulations as well as board policies.

4) **Audit committee.** Members of this committee help the school board with matters related to both internal and external audits. Members must have credentials appropriate to their oversight responsibilities. The committee gives input on the hiring of internal and external auditors. It also reviews reports and recommendations. ■

Use codes to clear up agenda confusion

If there are too many items on your board's agenda, members can become overwhelmed and confused. Too many agenda items create other issues as well, such as length of discussion and meeting time.

One way to clarify priorities for board members is to designate whether the matter is for "information only" or for board "action."

Making such a distinction is easy. For example, you can simply identify an agenda item with a coding system that uses "I" for information and "A" for action. The code indicates to all board members that they need to be prepared to discuss and act on the "A" items. The agenda items labeled with "I" indicate to members that they will be brought up to speed on those issues. ■

Brush up on state's record retention requirements

Board members who regularly delete official emails and text messages to and from their colleagues may want to rethink that practice.

Electronic communications discussing official district business may qualify as "public records" under state law. Although some states define "record" to include only those communications stored or retained by a governmental entity — in this case, the school board — other states have adopted a much broader definition. For example, Washington state defines "public record" to include any writing with information relating to government operations that is prepared, owned, used, or retained by an agency.

In other words, that 10:30 p.m. text to another board member criticizing the district's superintendent may very well qualify as a "public record" that members of the community have a right to review.

Some states impose criminal penalties for the destruction of public records. Even if a board member is not subject to criminal liability, the failure to maintain certain text and email communications can give the impression that the school board has something to hide — an impression that can damage the board's effectiveness and its relationship with the community.

Many districts will train school board members on the state's record retention requirements. Board members would be well advised to participate in such training sessions when available and to ask questions about when and how to preserve specific types of communications. These periodic refreshers on state law can help board members identify potential trouble spots and ensure they don't unknowingly delete official communications they're required to keep. ■