



**Board of Education
Big Lake School District #727
Special Meeting**

**Thursday, August 20, 2020
6:30 PM
Virtual
701 Minnesota Ave
Big Lake, MN 55309**

Mission Statement

Our mission is to challenge, educate, & inspire all students to reach their highest level of achievement in academics, athletics, & the arts.

- I. Call to Order
Chair, Tonya Reasoner
- II. Roll Call
Chair, Tonya Reasoner
- III. Approve Agenda
Chair, Tonya Reasoner
- IV. Return to School Plan
Director of CE and Communication Services, Allen Berg
- V. School Updates
Building Principals
- VI. Supports for Specialized Services
Director of Special Education, Heidi Nistler and Executive Director of Teaching & Learning, David Bernard
- VII. Enrollment Update
Director of Business Services, Angie Manuel
- VIII. Instructional Decision Making Authority Resolution
Superintendent, Tim Truebenbach
- IX. Approval of Policy 808 COVID-19 Face Covering and Policy 522 Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process
Superintendent, Tim Truebenbach
- X. Adjournment
Chair, Tonya Reasoner

Strategic Directions

- A. Implement practices that ensure all learners achieve at exceptional levels
- B. Ensure that staff, students, and families share in the accountability for the educational success of each student
- C. Establish a strong financial foundation that supports achievement of school district goals
- D. Seamlessly integrate technology as both a tool and a catalyst to maximize daily learning opportunities for students and staff
- E. Ensure that the facilities and infrastructure of Big Lake Schools are designed to optimize student learning in a safe, sustainable, and attractive environment
- F. Expand and strengthen public support for the school district

RETURN TO SCHOOL PLAN



**A guide to the challenges of COVID-19 and the
2020-21 school year**

MESSAGE FROM SUPERINTENDENT TRUEBENBACH

Greetings Big Lake!

Since my arrival in Big Lake, I have been working closely with a team of community partners, teachers, staff and administrators to plan for our return to school. Throughout this planning process, we have been focused on what's best for our school community. We have been in constant communication with the Minnesota Department of Health, Sherburne County Health, Minnesota Department of Education, neighboring school districts and other organizations to learn and implement best practices in our schools.

As we navigate our return to school, we will not lose sight of our District strategic plan and its priorities and goals. While making critical decisions that affect our students, staff, and families, we will consider how to:

- Ensure the health and safety of students, staff, and families by adhering to public health recommendations
- Focus on continuing to raise student achievement and meeting the individual needs of students
- Comply with local, state and federal laws and regulations
- Maintain a fiscally responsible budget

While working through our plans, our end goal has always been to resume building meaningful connections with our students and providing exceptional learning opportunities for them. While this is our end goal, we know that our delivery to achieve this goal is going to need to be flexible and fluid.

Thank you for your continued support of Big Lake Schools!

Tim Truebenbach
Superintendent



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PROCESS FOR DEVELOPING PLAN

On June 18, 2020, the Minnesota Department of Education in conjunction with the Minnesota Department of Health released Guidance for Minnesota Public Schools: 2020-21 School Year Planning. This guidance calls for school districts to build three scenarios for the 2020-21 school year.

- **Scenario 1:** In-person learning for all students. In this planning scenario, schools should create as much space between students and teachers as is feasible during the day, but will not be held strictly to enforcing 6 feet of social distancing during primary instructional time in the classroom. Activities and extracurricular programming should continue to follow the COVID-19 Sports Guidance for Youth and Adults. This scenario may be implemented assuming state COVID-19 metrics continue to stabilize and/or improve.
- **Scenario 2:** Hybrid learning with strict social distancing and capacity limits. In this planning scenario, schools must limit the overall number of people in school facilities and on transportation vehicles to 50% maximum occupancy. Sufficient social distancing with at least 6 feet between people must occur at all times. If distancing cannot be achieved in a space or on a transportation vehicle, the number of occupants must be reduced. Schools must also include plans for contactless pick up and/or delivery of meals and school materials for days that students and staff are not in the school building, as well as implementation of a school-age care program for critical workers. This scenario may be implemented if COVID-19 metrics worsen at the local, regional, or statewide level. Scenario 2 may also be implemented within a school if they experience clusters of cases within a classroom or the school.
- **Scenario 3:** Distance learning only. This scenario may be implemented if local, regional or statewide COVID-19 metrics worsen significantly enough to require the suspension of in-person learning. It is important to note that distance learning doesn't always mean e-learning or online learning. It is critical to provide this learning in a format that can be equitably accessed by all students.

REGULATORY AGENCIES

Our Return to School Plan is based on guidance from the Minnesota Department of Health, Minnesota Department of Education, Centers for Disease Control and Prevention, and Executive Orders issued by Minnesota Governor Tim Walz.

PARENT AND COMMUNITY FEEDBACK

As stakeholders in our school community, we value your constructive feedback! At any time, please feel free to submit through our [Parent Feedback Survey](#) any questions or concerns you may have that impact our school community.

If you have any specific questions or concerns that you would like addressed directly, please email feedback@biglakeschools.org. Any concerns shared will be responded to within 1 business day by the appropriate department/team.

COMMUNICATIONS

We will share regular communication with you in one or more of the following ways:

- Email
- Text
- Website Announcements
- Facebook

The district website (biglakeschools.org) is the primary source for accurate information and will include regular updates to inform staff, students, parents, and the public.

Infinite Campus is the District's mass notification system and will be used to update families regularly. To ensure that families receive regular information, everyone is encouraged to sign into their Parent Portal to assure contact information is accurate, including phone, email, and address.

We respectfully ask that should you have questions or concerns regarding your student's participation in school that you follow this chain of communication:

- 1st Contact: Your child's teacher/coach
- 2nd Contact: School Principal/Director
- 3rd Contact: Superintendent
- 4th Contact: School Board

If you are unsure who to address your questions or concerns, please email feedback@biglakeschools.org. We'll make every attempt to provide solutions and resolutions but realize the outcomes may not be satisfactory to all of the parties involved. It is also important to note that federal and state law on data privacy and confidentiality restricts us from providing anything but public information on our student population. A resolution to everyone's satisfaction may not be easy, but we'll do our best in every situation.

LEARNING DELIVERY OPTIONS

The 2020-21 school year's instructional format will remain flexible to ensure student and staff safety. Big Lake Schools may adjust process and learning environments throughout the school year. Depending on community health conditions, a temporary transition to online learning could take place at a classroom, school, or district level.

Families will choose between on-site learning and Big Lake Online learning. Families CAN choose to switch to online if they start at on-site learning. Families CANNOT switch from online to on-site until after the first trimester. This is to accommodate transportation, class schedules, and facility needs. If you are in need of switching to either onsite or online learning, please contact your child's school.



On-Site Learning

- This option is intended for students who plan to physically attend Big Lake Schools when in-person instruction is allowed by the Minnesota Department of Education and Minnesota Department of Health
- Hybrid learning occurs when we are required by MDE/MDH to transition from in-person or distance learning options
- Distance learning occurs when we are required by MDE/MDH to transition from in-person or hybrid delivery options



Big Lake Online

- This option is fully virtual with the support of Big Lake teachers
- Required by MDE and MDH for medically fragile students or those unable to return to on-site instruction
- Open to Big Lake residents who want their children to be enrolled in Big Lake Schools and prefer their children participate in learning at home
- Students may enroll in and/or shift to/from online learning at the start of each trimester

BIG LAKE ONLINE

Big Lake Online Learning is designed to give learners an engaging online learning experience that includes clear expectations and outcomes for each week. These expectations will include online and offline learning activities.

All students enrolled in Big Lake Online will be supported by Big Lake teachers and will be afforded the same opportunities as if they attended in-person. Students will receive access to standards aligned curricular resources, opportunities to participate in activities and athletics, and social emotional learning support as if they attended in-person.

Students enrolled in Big Lake Online may receive a school issued device for instruction or use their own. Students will need access to reliable internet services each day to complete their coursework through the learning platform.

Each day Big Lake teachers will post assignments and coursework for students to complete. Teachers will hold regular office hours and provide instruction to students daily.

Students enrolled in Big Lake Online are expected to:

- Log in daily and make progress in their courses
- Be willing to put forth effort and complete the courses in the allotted time frame. Big Lake Schools follows a trimester schedule
- Attend regularly scheduled teacher office hours when requesting help
- Respond to communication daily through grading, phone, or messaging
- Reach out to their Big Lake teachers for help
- Use proper or formal language when communicating with fellow students and teachers
- Complete coursework and maintain academic integrity at all times
- Follow all Big Lake Schools policies and procedures

Students enrolled in Big Lake Online must commit for one trimester. Families must provide notice to their child's school if they will be switching to in-person learning.

When you're ready, families may fill out this [form](#) to start the enrollment process.

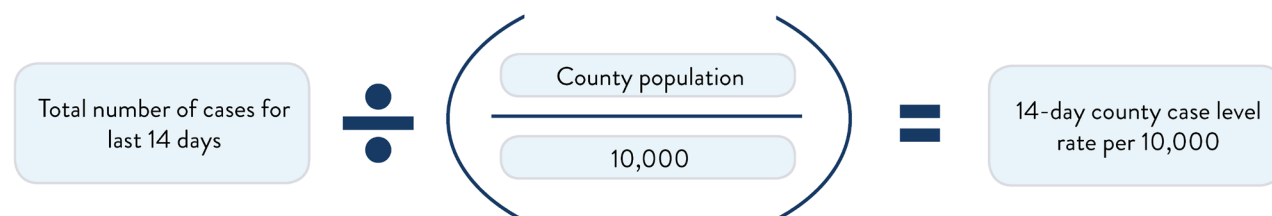


ON-SITE LEARNING

There have been many headlines in the media that imply local control and district choice for returning to school. However, Executive Order 20-82 states, “school districts MUST adhere to the parameters set forth in Minnesota’s Safe Learning Plan for the 2020-21 School Year in implementing the three instructional models for on-site learning.”

1. In-person learning for all students
2. Hybrid model with social distancing and capacity limits
3. Distance learning

In order to make the learning model determinations, districts must use the Minnesota Department of Health data. MDH is utilizing a bi-weekly case rate for each county per 10,000 people.



Each Friday superintendent’s in Sherburne County will participate in a conference call with the Department of Health. During this call, they will receive an update on data and guidance on how to proceed. Dependent on this data point, our plan is to respond with this:

Data Point	Big Lake’s Response
0 to Less Than 10	In-Person for all students
10 to Less Than 20	In-Person for grades K-5, **Hybrid for grades 6-12
20 to Less Than 30	*In-Person for grades K-5, **Hybrid for grades 6-12
30 to Less Than 50	*In-Person for grades K-5, Distance learning for 6-12
50 or More	Distance learning for all students

*Grades K-5 will continue to report in-person with additional health and safety measures implemented which will meet the guidelines for hybrid learning.

**Secondary students in hybrid learning will follow: Group A reports on Monday/Tuesday, Wednesday distance learning for all grades 6-12, Group B reports on Thursday/Friday. Groups will be determined by transportation routes, student households, and student needs.

FACE COVERINGS

In accordance with Executive Order 20-81 which took effect on July 25, 2020, all students in grades kindergarten through grade 12 must comply with face covering guidelines.

Staff and students are required to wear a face covering while attending school and on district transportation vehicles. While participating in elective classes, like physical education where students may engage in high exertion exercises, students will follow their teacher's guidelines on when and when not to wear a face covering.

Types of allowable face coverings include:

- Paper or disposable mask
- Cloth mask
- Scarf
- Bandana
- Religious face covering

Exemptions include staff and students who have given the district a medical waiver stating that they have a health condition that exempts them from wearing a face covering. If a staff person or student cannot wear a mask, they will be required to wear a clear face shield.

Please contact your building's health office if your student is medically exempt from wearing a face covering.

The Minnesota Department of Health provides additional resources about requirements on face coverings: <https://www.health.state.mn.us/diseases/coronavirus/facecover.html>

STAY SAFE MN



DAILY SYMPTOM CHECKLIST

To help curb the spread of COVID-19 and keep our school community healthy, we ask that all staff and students complete a daily symptom check before coming to school. We ask that parents assist students with this screening.



Is your child experiencing?

- Chills or fever of 100.4 degrees or higher?
- A new or worsening cough?
- Shortness of breath or difficulty breathing?
- Fatigue?
- Unexplained muscle aches or soreness?
- A new loss of taste or smell?
- A sore throat?
- Nausea or vomiting?
- Diarrhea?
- In the past 14 days have you or your child come in contact with someone who has a positive case of COVID-19?

If YES to any of the questions above, do not come to school and seek guidance from your medical provider.

Contact your child's school to inform them of you/your child's symptoms.

More information regarding COVID-19 can be found on the Minnesota Department of Health's website:
<https://www.health.state.mn.us/diseases/coronavirus/>

SANITATION PROCEDURES

The safety of our employees and students is our top priority. Upon reopening, our schools have been cleaned and disinfected. In addition to the deep cleaning of facilities, the district is committed to protecting students and staff in order to reduce the risk of the spread of COVID-19.

SCHOOL HOURS

- All staff will receive instruction regarding the proper use and techniques of disinfecting surfaces.
- Teachers and Educational Support Staff will assist with the implementation of disinfecting high touch classroom surfaces between classes and during breaks during the school day.
- Custodial staff will provide each classroom with EPA registered disinfectant that is effective in killing emerging viruses such as COVID-19.
- Classrooms will receive 1 quart spray bottles that are properly labeled along with towels and PPE as needed for staff to safely assist with disinfection of their assigned educational space and/or equipment.
- Maintenance staff will perform scheduled disinfection of restroom facilities throughout the school day.
- Maintenance staff will perform periodic surface sanitation of high touch surfaces throughout the school day.

AFTER SCHOOL HOURS

Maintenance staff will perform nightly deep cleaning of classrooms that include the following tasks:

- Disinfection of door handles, countertops, desktops or work surfaces and common touch areas on doors and walls.
- Disinfection of handwashing stations and restrooms.
- Stocking of sanitation supplies - soap, towels, hand sanitizer and refilling of classroom disinfectant spray bottles and towels.
- Vacuuming/sweeping/mopping of floor surfaces
- Trash removal and disposal.
- Instructional classroom areas will be closed to public use.



SCHOOL START/END TIMES

School	Start/End Time
Liberty Elementary	7:35 am - 2:25 pm
Independence Elementary STEM	8:50 am - 3:40 pm
Middle School	8:45 am - 3:45 pm
High School	7:15 am - 2:15 pm

SCHOOL ATTENDANCE LINES

Liberty Elementary 763-262-8100	Middle School 763-262-2567
Independence Elementary STEM 763-262-2537	High School 763-262-2547

BUILDING LEVEL PROTOCOLS

	In-Person Learning	Hybrid Learning
Status	All students able to return to school	Confirmed community spread
	School open with increased level of precautions	School open with significantly increased level of precautions

	In-Person Learning	Hybrid Learning
Temperature Checks	<p>STUDENT: Taken by parent at home and by staff at school.</p> <p>STAFF: Completed at home and at school.</p>	<p>STUDENT: Taken by parent at home and by staff at school.</p> <p>STAFF: Taken at home and school.</p>
Arrival at School	<p>Elementary: Limit the number of students entering the building at once.</p> <p>Breakfast: Students will eat breakfast in their classrooms.</p> <p>Middle School: Students enter, stop at their locker, go to first hour</p> <p>Breakfast: Students go directly to cafeteria for eating breakfast-then 1st hour.</p> <p>High School: Students report to first hour class upon arrival.</p> <p>Breakfast: Students will eat in the cafeteria. 14</p>	<p>Elementary: Limit the number of students entering the building at once.</p> <p>Breakfast: Students will eat breakfast in their classrooms.</p> <p>Middle School: Students enter, stop at their locker, go to first hour.</p> <p>Breakfast: Students go directly to cafeteria for eating breakfast - then 1st hour.</p> <p>High School: Students report to first hour class upon arrival.</p> <p>Breakfast: Students will eat in the cafeteria.</p>

	In-Person Learning	Hybrid Learning
Classroom Configuration/ Increased Distancing	All buildings will maximize space to allow for increased distancing.	All buildings will maximize space to allow for increased distancing.
Mask Use/Facial Coverings	STUDENT: Required per Executive Order 20-81 STAFF: Required per Executive Order 20-81	Students: Required per Executive Order 20-81 Staff: Required per Executive Order 20-81
Classroom Supplies	Elementary: Students will use individual school supplies (pencils, crayons, etc.). Supplies provided for student use for learning will be individualized and sanitized regularly. Middle School & High School: Sanitize between use.	Elementary: Students will use individual school supplies (pencils, crayons, etc.). Supplies provided for student use for learning will be individualized and sanitized regularly. Middle School & High School: Sanitize between use.
Movement To & From Classrooms	Elementary: Stay to the right in hallways with additional spacing in lines. Middle School: Teachers directing hallway movement. Stay to the right in hallways. High School: Staggered release times. Keep 6 feet of distance at all times.	Elementary: Stay to the right in hallways with additional spacing in lines. Middle School: Teachers directing hallway movement. Stay to the right in hallways. High School: Staggered release times whenever possible. Keep 6 feet of distance at all times.
Bathroom Breaks	Elementary: Use bathrooms in designated area; release a limited number of students at one time. Middle School & High School: Passes will be limited and monitored closely.	Elementary: Use bathrooms in designated area; release a limited number of students at one time. Middle School & High School: Passes will be limited and monitored closely.
Media Center	Limited number of students in Media Center at once. Additional safety protocols implemented for book check in/check out.	Limited number of students in Media Center at once. Additional safety protocols implemented for book check in/check out.

	In-Person Learning	Hybrid Learning
Lunch	Elementary: Lunch in classrooms Middle & High School: Increased distancing in cafeteria and/or commons with alternate seating options.	Elementary: Lunch in classrooms Middle School & High School: Increased social distancing in cafeteria and/or commons with alternative seating options.
Recess	Elementary: By grade level/cohort; no equipment brought from home, wash hands/sanitize before and after recess.	Elementary: By grade level/cohort; no equipment brought from home, wash hands/sanitize before and after recess.
Dismissal	Elementary, Middle School, High School: staggered release times. Students picked up by parents & walkers will use assigned door placements.	Elementary, Middle School, High School: staggered release times. Students picked up by parents & walkers will use assigned door placements.

ELEMENTARY LITERACY INSTRUCTION & SUPPORT

Liberty and Independence Elementary will continue to support all of our students in the area of literacy instruction. Teachers and literacy interventionists have created instructional lessons that are developmentally appropriate and foundational in growing reading and writing skills. Lessons are based on essential learning outcomes, highlighting the Five Pillars of Literacy Instruction: phonemic awareness, phonics, fluency, vocabulary, and comprehension. In addition to classroom support, while able to meet online, literacy intervention teams will continue to support students who have demonstrated a need for supplemental literacy instruction using research-based intervention.

WRIGHT TECHNICAL CENTER

Student and parent expectations for the Wright Technical Center can be found at www.wtc.k12.mn.us. We encourage families of Wright Tech Center to contact them directly via email wtc.information@wrighttech.org with any questions or concerns.

ENGLISH LANGUAGE LEARNER RESOURCES

Students who receive English Language services will follow the same procedures as those outlined for all students and through consultation with our district's licensed English Language teachers. Teachers will serve as a liaison between families and schools, will also support students and families in accessing core content instruction based on student need. Teachers will be available to communicate with families via telephone calls, email, or other means. Interpreters and translation tools will be utilized to help reach out to parents of students in programming as needed.

SOCIAL AND EMOTIONAL RESOURCES

Social and emotional learning is a process where children and adults learn to manage emotions, set positive goals, maintain relationships and help make responsible choices. We recognize that students and families may need additional support during the school year. Our school staff are here to support students and help them practice social and emotional learning skills. Each day students and families will have access to social and emotional learning resources.

There are many community organizations that partner directly with Big Lake Schools to help support our students and families. If you feel your student needs assistance, please reach out to your student's teacher for a referral to a school counselor or social worker.

ATTENDANCE EXPECTATIONS

Big Lake Schools will continue to report and track attendance daily as required by the Minnesota Department of Education. We will continue to support students and families for whom daily attendance or chronic absenteeism is a concern. In cases where absences are extended as a result of COVID-19 or COVID-19 related symptoms or exposure, the school may partner with the student and family to support continued learning and attendance from home.

SPECIAL EDUCATION SERVICES

Special education services will continue to be provided as Big Lake Schools implements any scenario. Each student's IEP team will develop an Contingency Learning Plan (CLP), which will include information about special education services that will be provided throughout each scenario; accommodations, modifications, and supports needed; and other important information to ensure that students are making progress towards their goals and objectives. Each student's IEP will be based on his/her individual needs, and the goal is to maintain as many of the IEP services as possible while knowing that all current parts of an IEP may not be relevant or possible during hybrid or distance learning. Parents' first connection for questions related to special education and/or their student's IEP will be their student's case manager.

CONTACTING YOUR STUDENT'S TEACHER

Teachers, principals, and other support staff will be available by email or phone. There are two ways you can contact your student's teachers:

1. Send the teacher an email to their school email address. Teacher contact information can be found in the [Big Lake Schools Staff Directory](#).
2. Call your student's teacher and leave a voicemail. All voicemails are forwarded to staff members' email. If you request a call back from your student's teacher, please leave your name, your student's name, and your phone number.

Teachers will be able to call students and families from their classroom phone via an app. Teachers will respond to all communication requests in a timely manner during scheduled work hours.



TRANSPORTATION

Current guidance from the Minnesota Department of Health requires transportation services to plan for:

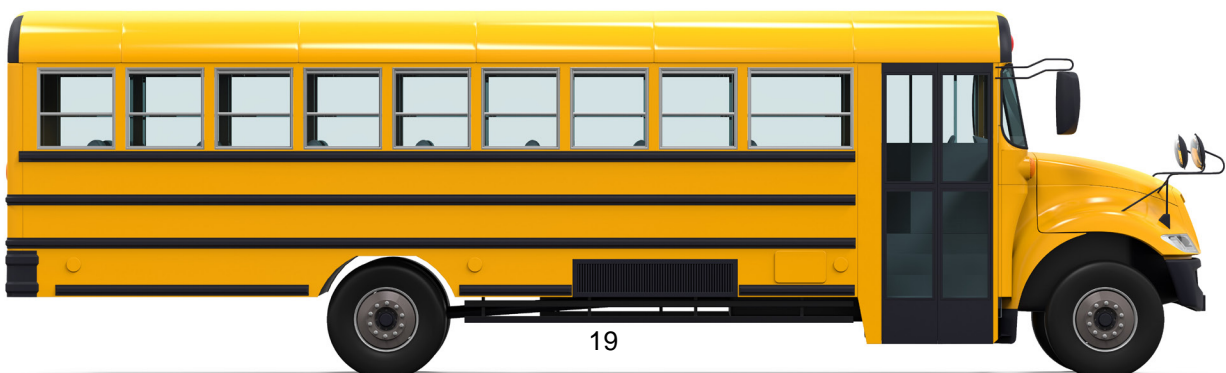
- Cleaning and disinfecting transportation vehicles regularly, focusing on frequent cleaning of touched surfaces in the vehicle (i.e. surfaces near seats, hard seats, door handles, seat belt buckles, light and air controls, doors and windows, grab handles) between routes.
- Keeping doors and windows open when cleaning the vehicle and between trips to thoroughly let the vehicles air out.
- Reviewing and evaluating school transportation capacity with the goal of creating as much space between riders as possible, recognizing that it is not always feasible to have 6 feet of social distancing. All buses will be at significantly reduced capacity.

Our transportation provider, VISION Transportation, will utilize an electrostatic sprayer and vital oxide cleaner for all vehicles. Vehicles will be cleaned daily. Additionally, hand sanitizer will be mounted in buses and cleaning wipes will be used between routes.

We understand that there have been concerns about students riding the school buses with older students. To help alleviate these concerns, students in each building will be assigned buses (i.e. Liberty students will not ride buses with High School students).

ACTIVITIES & ATHLETICS

Big Lake Schools follows guidance from the Minnesota State High School League and Minnesota Department of Health for activities & athletics. For questions or concerns please contact Activities Director, Logan Midthun, l.midthun@biglakeschools.org.



FOOD SERVICE

We recognize that many families' economic status has changed during the spread of COVID-19. We would like to encourage families to apply for free and reduced meal benefits if your economic status has changed. A family can reapply as many times as they want for free and reduced benefits. To download a paper application or learn more about this benefit, visit our [website](#). You may also complete the application online through your Parent Portal by clicking on applications and forms. Regular meal rates will apply when school resumes this fall.

Meals will be available to distance learning and Big Lake Online students.

TECHNOLOGY

At the beginning of the 2020-21 school year, Big Lake Schools will roll out 1:1 devices for all students in grades K-12. Students are responsible for the general care of the device they have been issued by the school. By picking up a device, you understand that you are responsible for the replacement or repair costs associated with device(s) in the event of loss, damage, and/or theft. Devices that are broken or fail to work properly must be returned to the school for an evaluation of the equipment. Below is information regarding expectations for use of school-issued devices.

General Precautions and Care

- The device is school property and all users will follow the acceptable use policy for technology within Big Lake Schools.
- Only use a clean, soft cloth to clean the device, no cleansers of any type (i.e. no Clorox wipes).
- Cords and cables must be inserted carefully into the device to prevent damage.
- Devices and accessories must remain free of any writing, drawing, stickers, labels, paint, nail polish, etc. or any physical alterations that are not the property of or applied by Big Lake Schools.
- Devices must never be left in an unlocked car or any unsupervised area.
- Devices must never be left in a location susceptible to extreme cold or hot weather.

Student Responsibilities are to:

- Use devices in a responsible and ethical manner.
- Obey general school expectations concerning behavior and communication that applies to device use.
- Bring your device and power cord to and from school each day.
- Use all technology resources in an appropriate manner so as to not damage school equipment. This damage includes, but is not limited to, the loss of data resulting from delays, non-deliveries, misdelivery or service interruptions caused by student's own negligence, errors or omissions.
- Help Big Lake Schools protect our computer system/device by contacting an administrator about any security problems they may encounter.
- If a student should receive email or come across content containing inappropriate or abusive language, he/she will make their teacher or parent/guardian aware immediately.

Filtering Access:

Filtering access is built into school-issued devices and the student's district-issued Google account. This filtering offers additional protection features such as transmission or accessing materials that are obscene, offensive, threatening, or otherwise intended to harass or demean recipients. If students log into their district-issued Google account on any device, personal or district, their device will be filtered. Big Lake Schools utilizes GoGuardian for filtering content.

Student Activities Strictly Prohibited:

- Students are not allowed to give out personal information, for any reason, over the Internet.
- Illegal installation or transmission of copyrighted materials.
- Any action that violates existing Board policy or public law.
- Sending, accessing, uploading, downloading, or distributing offensive, profane, threatening, pornographic, obscene, or sexually explicit materials.
- Inappropriate usage of group or individual messaging.
- Spamming (sending mass or inappropriate emails).
- Gaining access to other students' accounts, files, and/or data.
- Exchanging devices and/or switching device identification labels to conceal fault or damage.
- Use of anonymous and/or false communications through Message/Messenger apps or other anonymous messaging services or apps.
- Transmission or accessing materials that are obscene, offensive, threatening or otherwise intended to harass or demean recipients.

TECHNOLOGY SUPPORT

Your first point of contact for support with login information will be your student's teacher. For any other school-related technology needs, please email: Takeout@biglakeschools.org

If internet access is an issue for your household, there are options available to families. Many internet/cell providers are offering free services and/or have opened wifi hotspots to the public. We recommend contacting your service provider for specific details and offering.

STUDENT PORTAL

Students and families will be able to access instructional and learning resources on our [Student Portal](#). It is highly recommended that you bookmark this page. Teachers will share resources and intervention materials on the Student Portal, Infinite Campus, Otus, Edgenuity, and SeeSaw.

DEVICE INSURANCE PROGRAM

We recognize that with the implementation of technology in the classroom there is a need to protect the technology investments by both the District and our families. This year, we will be offering a Device Protection Plan that is available for all students. The protection plan is elective; it is not required. However, without the protection plan, students will be accountable for all damages.

The participation cost for those opting to enroll in the protection plan is \$30 per student for the regular school year. The plan will have a family maximum cap of \$60.

The protection plan provides coverage for non-warranty repair, accidental damage (drops/spills), cracked screens, power surges, theft (with filed police report), vandalism by others, fire, flood, and other natural disasters. The protection plan does not cover lost Chromebooks or iPads, intentional damage - or - stolen, lost or damaged charging cables, or power adapters.

More information on the enrollment process will be shared with families the week of August 24.

WEATHER RELATED LEARNING PLAN

In the event that Big Lake Schools were to close due to inclement weather, students will engage in distance learning. Students and staff are expected to bring their school issued devices and chargers home daily. Teachers will post assignments within 90 minutes of the start of the scheduled school day and will be available to students for most of the day with the exception of lunch and their professional learning community meetings.



COMMUNITY EDUCATION

Community Education will continue to monitor the latest guidance from the Minnesota Departments of Education, Health, and Human Services to provide out-of-school time programming that addresses both students' emotional needs and academic learning.

Kids Club and Hive Time will continue to be offered as fee based programs to provide before, after and non-school day childcare.

Youth and adult enrichment and recreation programming will be offered following protocols from the State of Minnesota to provide safe, meaningful learning opportunities.

For facility use, see Site and Facility Use.

For Early Learning Programs such as Little Learner's Preschool, Early Childhood Family Education, and Screening see Early Learning/Screening.

For questions, email ce@biglakeschools.org.

To review current class opportunities and register for childcare visit www.biglakece.com.

EMERGENCY CHILDCARE

In accordance with regulations from the State of Minnesota, Big Lake Schools will provide childcare for Tier 1 emergency workers in the event of distance learning. Families who qualify may contact the Community Education Office by emailing ce@biglakeschools.org or calling 763-262-2523. To qualify, a member of your family must work in:

- Health care and public health
- Law enforcement, public safety, and first responders
- Food and agriculture
- Judicial Branch (essential services)
- National Guard
- Education and school staff

To review childcare options for the upcoming school year, please visit the Community Education [website](#).

EARLY LEARNING/SCREENING

Big Lake Early Childhood Education will continue to monitor the latest guidance from the Minnesota Departments of Education and Health and Human Services to provide School Readiness Preschool, Early Childhood and Family Education classes that addresses overall family support along with students' emotional needs and academic learning.

Early Childhood Screening will be available, by appointment, to all families with children ages 3-5.

For questions please email earlychildhood@biglakeschools.org

FACILITY USE

In order to maintain the health and safety of staff and children during the coronavirus pandemic, specific facility use policies have been put in place. These practices work in conjunction with the policies and procedures of Big Lake Schools Facility Use Agreements. These practices were created under the guidance of the Centers for Disease Control and Minnesota Department of Health.

All facility rental permit holders and instructors are required to submit plans to the Big Lake Community Education Office at least 7 days prior to their activity on how to proceed safely with their rental/program/class. All participants are expected to follow renter/instructor guidelines as well as those of Big Lake Schools. Program plans must include:

- Specific ways you will ensure all guidelines are followed for your specific program.
- Program dates, times, and locations including specific group times.

Full facility rental policies and procedures can be found on the Big Lake Community Education website.



Hybrid Learning Updates: BLMS & BLHS

Mark Ernst, BLMS Principal

Bob Dockendorf, BLHS Principal

David Bernard, Director of Teaching and Learning

6-12 Hybrid Model

- Following guidance from the MN Departments of Education and Health and health data from Sherburne County, BLMS and BLHS will implement a hybrid model where 50 percent of the students report to in-person learning two days a week.
- When not in-person, students will participate in distance learning.

Developing Self-Advocacy and Agency



“Engagement is more about what you (teachers) can do for your students. Empowerment is about helping students to figure out what they can do for themselves.”

□ G. Couros

Skill Development

- To ensure students can self-manage, then students need the skills to become more effective, independent learners.
- Skill development will be part of what teacher will plan for and what students will be expected to demonstrate.

Expectations for Students

- Students will be required to follow their daily schedule **EVERY DAY.**
- Procedures and protocols for online engagement, completion of daily work, and attendance will be reviewed with students in grades 6-12 and shared with families the week of September 8.

At-Home Learning Expectations

Students learning at-home are expected to:

- Be “at” school every day whether you are in-person or at-home (follow your schedule)
- Access expectations posted on Otus
- Submit assigned tasks
- Be present and engaged in learning
- Develop self-advocacy and agency

Where Learning Happens

The following table reflects **WHERE** students will be learning each day. Whether in-person or at-home, students need to follow their schedule per daily expectations.

Group A	In-Person	In-Person	At-Home	At-Home	At-Home
Group B	At-Home	At-Home	At-Home	In-Person	In-Person

Hybrid Instructional Design Options

Flipped Learning:

- Students are introduced to the learning material before they come to class through a variety of pathways

Blended Learning:

- Includes a combination of online and in-person learning activities which provide some element of student control over the time, place, path, and/or pace of their learning

How Teaching and Learning Happen

On typical Mondays, Tuesdays, Thursdays, and Fridays, there are a variety of options teachers may employ to “host” learning for all students. Here are a few options:

- Option A: Learning Partners
- Option B: 50/50 Rotation
- Option C: 70/30 Rotation
- Option D: Whole Group/Small Group (Hy-Flex)

Wednesdays

- Teachers design lessons via Zoom to engage students.
- Students participate in learning activities from their homes.
- Teachers can group students based on student needs, allowing for:
 - Intervention.
 - Enrichment.
 - Individual coaching and feedback.

Data Privacy and Safety Protocols

- Students learning at-home, when part of whole class and small group work, will have their cameras off.
- Mounting and documented concern about student data privacy and safety will result in increased, restrictive protocols regarding cameras for whole class and/or small group work.

Internet and Equitable Access

At-home learning may be compromised for some students and families.

- Not all internet providers have the same quality of internet.
- Not all families live where internet service is reliable.
- Not all families have the resources to increase internet bandwidth/speed.

Setting Up a Learning Environment

To ensure your child/children are successful, students and families need to partner to create a designated learning environment.

- Have your child get ready for school every morning.
- Find a consistent learning location.
- Talk to your child about where they will be most successful.
- Set up a “classroom” for them where they can access supplies and learning resources easily.
- Separate a learning space from a place where students play and/or relax.

Create a Schedule, Address Barriers

- Work with your child/children to follow their daily schedule for when they will be engaged in at-home learning.
- Collaboratively define what great study and learning habits and skills look like.
- Have a conversation about your child's successes and barriers.
 - What conditions will make learning more successful?
 - What barriers may get in the way of learning?
 - What supports will your child/children need to confront barriers and reframe their thinking?

Information and Updates

- Aside from the District's **Return to School Plan**, BLMS and BLHS will send grade level and building specific information to students and families via Infinite Campus (IC) messaging, social media, and/or the District website.
- Additional information and updates about the start of the school year will be shared with students and families the week of August 24.

Reminder for Week of September 8

- Students will follow the A/B/A/B schedule* for the first week of school to ensure:
 - Relationships are developed
 - Shared expectations for engaging in flipped/blended learning are understood
 - Technology tools and resources are accessible.

*For the remainder of the year, in a hybrid model we will follow an AA/Distance/BB model

In Summary...

Students learning at-home are expected to:

- Be “at” school every day (follow your schedule)
- Access expectations posted on Otus
- Submit assigned tasks
- Be present and engaged in learning
- Develop self-advocacy and agency

2020-2021 Updates: Liberty & Independence

Ms. Caryl Gordy, Liberty Elementary Principal
Ms. Jona Deavel, Independence Elementary STEM Principal

Ready for All 3 Models

Starting the Year with Extra Safety Precautions:

- Temperature screening every morning for students and staff
- Added classroom & student sanitizing times
- Increased deep cleaning outside of school hours
- Lunch, recess and specialist times with classroom group only
- Restrict visitors to office only
- No shared food within classrooms
- Limit transitions
- Increased push-in services vs. pull-out services

Ensuring Strong Connections

- Longer Getting to Know You Conferences/Assessment Days to build partnerships between the teacher and the student and their family
- Interest Survey
- Setting up and training family with Seesaw Classroom

Our Hybrid Model

- Developmentally Appropriate to Limit Changes
- All students are still able to attend every day, but we will be following the reduced capacity guidelines

Burning Questions from our Community

For both In-person and Hybrid...

Mask Breaks

- Lunch & Snack Times within Classroom
- Recess
- Outdoor classrooms

Hugs

- We pride ourselves with being developmentally appropriate
- Will coach staff and students on alternative fun ways to greet & connect with each other

Small Group Learning & Hands On Materials

- Small Group Instruction less than 15 minutes
- Continue using safety precautions like face mask/shields & sanitizing highly used areas
- Scheduled sanitizing of all materials between uses as well as deep cleaning
- Creation of additional manipulatives for individual use
- All supports continued differentiated instruction

Socializing & Social-Emotional Support

- Support strong peer relationships within each Classroom Family
- SEL learning opportunities provided regularly with support from our Social Workers and Counselors
- Create an Opt-in Classroom Family Book with contact information & general interests to support peer relationships (Liberty Specific)

Our Distance Learning Model

We learned a lot from our recent distance learning experience!

- Seesaw Classroom
- 1:1 Chromebooks
- Zoom 1:1 & Small Group Connections
- Intentional prep for digital learning platforms (ie: IXL)
- Specialist & Intervention/Enrichment Day 1x per week

In Summary...

- We will flex between our 3 models: In-Person/Hybrid learning & Distance Learning depending on data
- Prioritizing safety of staff & students
- Focusing on connections & growth
- All of this is based on our strong partnership with our families
- Looking forward to a great year!

Coordinated Support Services

Dr. David Bernard, Executive Director of Teaching and Learning
Ms. Heidi Nistler, Director of Special Education, Sherburne and Northern
Wright Special Education Cooperative

Coordinated Support Services

- Title I
- ADSIS
- Enrichment and Extension
- English Learners
- Students and Families Experiencing Homelessness
- Mental Health
- Social Emotional Learning
- Academic Success Coaching
- Special Education

Title I

- Liberty, our Title I school, is now able to operate as a school-wide program.
- Following an application and approval process, Liberty will now be able to assign staff to provide school-wide support for students who require additional literacy support.
- Students enrolled at Liberty and on Big Lake Online (elementary) are eligible to receive Title I services.

ADSIS



- The Alternative Delivery of Specialized Individual Services or ADSIS funds intervention supports at Liberty, Independence, and BLMS.
- Behavior and literacy supports are provided at Liberty.
- Literacy supports are provided at Independence and BLMS.
- ADSIS funded staff will provide intervention for students who needed targeted supports.
- ADSIS funded staff will support students enrolled in Big Lake Online, as well as students at Liberty, Independence, and BLMS.

Enrichment and Extension

- Identified students (based on testing) at Independence are eligible for Gifted and Talented Education programming.
- Elementary students enrolled in Big Lake Online will also have access to Gifted and Talented services.
- Secondary students will be provided enrichment and extension learning opportunities to meet their individual learning needs.

English Learners

- To support our English learners, our EL teachers will be providing instruction and instructional support for students learning in-person, at-home, or online.
- One EL teacher will be assigned to support students at Liberty and Independence.
- Our other EL teacher will be assigned to support students at BLMS, BLHS, and Big Lake Online.

Students Experiencing Homelessness

- For students and families experiencing homelessness, school counselors and/or social workers will coordinate supports for students and families.
- BLS will coordinate communications and supports by having one counselor or social worker serve as a liaison.
- Access to food, transportation, learning supplies, technology, community resources, and other essential resources will be made available as possible.

Mental Health

- Students will have access to school-linked mental health services offered in partnership with Central Minnesota Mental Health Center (CMMHC).
- BLS and CMMHC will provide information about accessing mental health services with families the week of August 31.

Social Emotional Learning (SEL)

- As part of a planning grant BLS received, staff, students, and families will be engaged in ongoing learning about SEL practices.
- Students and families will be provided resources related to relationship development, self-awareness, social-awareness, self-management, and responsible decision making.

Academic Success Coaching

- Aside from direct instructional support, teachers assigned to Big Lake Online will be providing students with coaching and feedback to ensure academic engagement and success.
- Big Lake Online will have a K-5 and 6-12 coordinator (who also teach) to lead the implementation of academic coaching and feedback to support students enrolled in BL Online.

Special Education: BL Online

- Students who receive special education service for Big Lake Online will have the support of general education and special education teachers.
- For students receiving special education services per their individualized education plan (IEP), case managers from each school will be assigned to provide instructional support to students on IEPs.

Special Education

- MDE is asking IEP teams to amend each student's IEP with contingency plans for each learning scenario for 2020-2021 school year.
- Contingency Learning Plans (CLP) have been added as an addendum to each IEP.
- In a continuing effort to be efficient and consistent in our approach to planning for the three scenarios, Sherburne Northern Wright Cooperative and its member districts will be using the SpEd Forms CLP to develop plans for each student for the 2020-2021 school year.

Curricular Resources

- Aside from core instruction resources, BLS offers students evidence-based learning resources.
- Teachers and/or case managers will help families and students access curricular resources available to support students who benefit from targeted instructional supports.

Adoption of Base Learning Model for the 2020-2021 School Year and Other COVID-19 Related Matters

WHEREAS, Minnesota Statutes Section 123B.09 vests the care, management, and control of independent districts in the school board; and

WHEREAS, the Superintendent of Independent School District 727 [hereinafter the “Superintendent”] is responsible for the management of the schools, the administration of all School District policies, and is directly accountable to the School Board; and

WHEREAS, when responsibilities are not specifically prescribed nor School District policy applicable, the Superintendent shall use personal and professional judgment, subject to review by the School Board, pursuant to School District Policy 302, *Superintendent*;

WHEREAS, on March 13, 2020, Minnesota Governor Tim Walz issued Emergency Executive Order 20-01, which declared a peacetime emergency in Minnesota in response to the COVID-19 pandemic; and

WHEREAS, on July 30, 2020, Minnesota Governor Tim Walz issued Emergency Executive Order 20-82 and the Safe Learning Plan for 2020-2021 (the “Safe Learning Plan”), which set forth five Learning Models (in-person learning for all, in-person learning for elementary students and hybrid learning for secondary students, hybrid learning for all students, hybrid learning for elementary students and distance learning for secondary students, and distance learning) and authorized all school districts in the State of Minnesota to select and implement an appropriate base Learning Model in accordance with, and subject to, the Safe Learning Plan; and

WHEREAS, the Minnesota Department of Education (“MDE”) has issued and may continue to issue written guidance for Minnesota schools on educational issues related to COVID-19; and

WHEREAS, the Minnesota Department of Health (“MDH”) has issued and may continue to issue written guidance for Minnesota schools on public health issues related to COVID-19; and

WHEREAS, the Superintendent and the administration of the School District have conferred with the School Board regarding the available Learning Models, the current MDE and MDH requirements for each, and other relevant information; and

WHEREAS, based upon the collective consideration of these factors, the Superintendent has recommended to the School Board that, *Grades K-5 will report in-person with additional health and safety measures implemented which will meet the guidelines for in person learning. Secondary students in hybrid learning will follow: Group A reports on Monday/Tuesday, Wednesday distance learning for all grades 6-12, Group B reports on Thursday/Friday. Groups will be determined by transportation routes, student households, and student needs, will be the base Learning Model to be implemented at the commencement of the 2020-2021 school year.*

NOW, THEREFORE, BE IT RESOLVED, by the School Board of Independent School District No. 727 as follows:

Section 1: The Superintendent is hereby directed to implement the following base Learning Model to open the 2020-2021 school year: *Grades K-5 will report in-person with additional health and safety measures implemented which will meet the guidelines for in person learning. Secondary students in hybrid learning will follow: Group A reports on Monday/Tuesday, Wednesday distance*

learning for all grades 6-12, Group B reports on Thursday/Friday. Groups will be determined by transportation routes, student households, and student needs.

Section 2: The Superintendent is hereby authorized, after consultation with the School Board Chair and notification to the School Board, to select and implement a different Learning Model for the School District or any specific school buildings without School Board action if the Superintendent reasonably believes that prompt implementation of a different Learning Model is necessary, and that constraints of time and public health considerations render it impractical to hold a School Board meeting to approve the implementation. The Learning Model selected and implemented by the Superintendent shall continue in effect unless and until the School Board, in consultation with the Superintendent and appropriate school district staff and public health officials, deems it in the best interest of the School District and its students to implement a different Learning Model.

Section 3: The Superintendent will provide regular updates to the School Board regarding the School District's efforts to implement COVID-19 related educational and public health guidance issued by the MDE and the MDH, respectively.

Adopted this 20 day of August, 2020.

Roll Call Vote

School Board Chair

School Board Clerk



TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

I. GENERAL STATEMENT OF POLICY

- A. Big Lake Schools does not discriminate on the basis of sex in its education programs or activities, and it is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The school district is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.
- B. Big Lake Schools prohibits sexual harassment that occurs within its education programs and activities. When the school district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.
- C. This policy applies to sexual harassment that occurs within the school district's education programs and activities and that is committed by a school district employee, student, or other members of the school community. This policy does not apply to sexual harassment that occurs off school grounds, in a private setting, and outside the scope of the school district's education programs and activities. This policy does not apply to sexual harassment that occurs outside the geographic boundaries of the United States, even if the sexual harassment occurs in the school district's education programs or activities.
- D. Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy and grievance process should discuss them with the Title IX Coordinator. The school district's Title IX Coordinator is:

Sue Schmidt, Human Resources Manager, 763-262-5194, 501 Minnesota Ave, Big Lake MN 55309, s.schmidt@biglakeschools.org

Questions relating solely to Title IX and its regulations may be referred to the Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

- E. The effective date of this policy is August 14, 2020 and applies to alleged violations of this policy occurring on or after August 14, 2020.

II. DEFINITIONS

- A. "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to the school district's Title IX Coordinator or to any employee of the school district. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the school district with actual knowledge is the respondent.
- B. "Complainant" means a person who is alleged to be the victim of conduct that could constitute sexual harassment under Title IX. A Title IX Coordinator who signs a formal complaint is not a complainant unless the Title IX Coordinator is alleged to be the victim of the conduct described in the formal complaint.

- C. “Day” or “days” means, unless expressly stated otherwise, business days (i.e. day(s) that the school district office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).
- D. “Deliberately indifferent” means clearly unreasonable in light of the known circumstances. The school district is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.
- E. “Education program or activity” means locations, events, or circumstances for which the school district exercises substantial control over both the respondent and the context in which the sexual harassment occurs and includes school district education programs or activities that occur on or off of school district property.
- F. “Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school district investigate the allegation of sexual harassment.
 - 1. A formal complaint filed by a complainant must be a physical document or an electronic submission. The formal complaint must contain the complainant’s physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint, and must be submitted to the Title IX Coordinator in person, by mail, or by email.
 - 2. A formal complaint shall state that, at the time of filing the formal complaint, the complainant was participating in, or attempting to participate in, an education program or activity of the school district with which the formal complaint is filed.
- G. “Informal resolution” means options for resolving a formal complaint that do not involve a full investigation and adjudication. Informal resolution may encompass a broad range of conflict resolution strategies, including mediation or restorative justice.
- H. “Relevant questions” and “relevant evidence” are questions, documents, statements, or information that are related to the allegations raised in a formal complaint. Relevant evidence includes evidence that is both inculpatory and exculpatory. Questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.
- I. “Remedies” means actions designed to restore or preserve the complainant’s equal access to education after a respondent is found responsible. Remedies may include the same individualized services that constitute supportive measures, but need not be non-punitive or non-disciplinary, nor must they avoid burdening the respondent.
- J. “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment under Title IX.
- K. “Sexual harassment” means any of three types of misconduct on the basis of sex that occurs in a school district education program or activity and is committed against a person in the United States:
 - 1. *Quid pro quo* harassment by a school district employee (conditioning the provision of an aid, benefit, or service of the school district on an individual's participation in unwelcome sexual conduct);
 - 2. Unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; or
 - 3. Any instance of sexual assault (as defined in the Clery Act, 20 U.S.C. §1092(f)(6)A(v)), dating violence, domestic violence, or stalking (as defined in the Violence Against Women Act, 34 U.S.C. §12291).

- L. “Supportive measures” means individualized services provided to the complainant or respondent without fee or charge that are reasonably available, non-punitive, non-disciplinary, not unreasonably burdensome to the other party, and designed to ensure equal educational access, protect safety, and deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, alternative educational services as defined under Minn. Stat. § 121A.41, as amended, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the school district buildings or property, and other similar measures.
- M. “Title IX Personnel” means any person who addresses, works on, or assists with the school district’s response to a report of sexual harassment or formal complaint, and includes persons who facilitate informal resolutions. The following are considered Title IX Personnel:
1. “Title IX Coordinator” means an employee of the school district that coordinates the school district’s efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator is responsible for acting as the primary contact for the parties and ensuring that the parties are provided with all notices, evidence, reports, and written determinations to which they are entitled under this policy and grievance process. The Title IX Coordinator is also responsible for effective implementation of any supportive measures or remedies. The Title IX Coordinator must be free from conflicts of interest and bias when administrating the grievance process.
 2. “Investigator” means a person who investigates a formal complaint. The investigator of a formal complaint may not be the same person as the Decision-maker or the Appellate Decision-maker. The Investigator may be a school district employee, school district official, or a third party designated by the school district.
 3. “Decision-maker” means a person who makes a determination regarding responsibility after the investigation has concluded. The Decision-maker cannot be the same person as the Title IX Coordinator, the Investigator, or the Appellate Decision-maker.
 4. “Appellate Decision-maker” means a person who considers and decides appeals of determinations regarding responsibility and dismissals of formal complaints. The Appellate Decision-maker cannot be the same person as the Title IX Coordinator, Investigator, or Decision-maker. The Appellate Decision-maker may be a school district employee, or a third party designated by the school district.
 5. The superintendent of the school district may delegate functions assigned to a specific school district employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes, to any suitably qualified individual and such delegation may be rescinded by the superintendent at any time. The school district may also, in its discretion, appoint suitably qualified persons who are not school district employees to fulfill any function under this policy, including, but not limited to, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes.

III. BASIC REQUIREMENTS FOR GRIEVANCE PROCESS

A. Equitable Treatment

1. Big Lake Schools shall treat complainants and respondents equitably. However, equality or parity with respect to supportive measures provided to complainants and respondents is not required.
2. Big Lake Schools will not impose any disciplinary sanctions or take any other actions against a respondent that do not constitute supportive measures until it has completed

this grievance process and the respondent has been found responsible.

3. Big Lake Schools will provide appropriate remedies to the complainant any time a respondent is found responsible.

B. Objective and Unbiased Evaluation of Complaints

1. Title IX Personnel, including the Title IX Coordinator, Investigator, Decision-maker, and Appellate Decision-maker, shall be free from conflicts of interest or bias for or against complainants or respondents generally or a specific complainant or respondent.
2. Throughout the grievance process, Title IX Personnel will objectively evaluate all relevant evidence, inculpatory and exculpatory, and shall avoid credibility determinations based solely on a person's status as a complainant, respondent, or witness.

- C. Title IX Personnel will presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

D. Confidentiality

Big Lake Schools will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, or FERPA's regulations, and State law under Minn. Stat. § 13.32 34 C.F.R. Part 99, or as required by law, or to carry out the purposes of 34 C.F.R. Part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the school district's obligation to maintain confidentiality shall not impair or otherwise affect the complainants and respondents receipt of the information to which they are entitled with respect to the investigative record and determination of responsibility).

E. Right to an Advisor; Right to a Support Person

Complainants and respondents have the right, at their own expense, to be assisted by an advisor of their choice during all stages of any grievance proceeding, including all meetings and investigative interviews. The advisor may be, but is not required to be, an attorney. In general, an advisor is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.

A complainant or respondent with a disability may be assisted by a support person throughout the grievance process, including all meetings and investigative interviews, if such accommodation is necessary. A support person may be a friend, family member, or any individual who is not otherwise a potential witness. The support person is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.

F. Notice

Big Lake Schools will send written notice of any investigative interviews or meetings to any party whose participation is invited or expected. The written notice will include the date, time, location, participants, and purpose of the meeting or interview, and will be provided to allow sufficient time for the party to prepare to participate.

G. Consolidation

Big Lake Schools may, in its discretion, consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

H. Evidence

1. During the grievance process, Big Lake Schools will not require, allow, rely upon, or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
2. Big Lake Schools shall not access, consider, disclose, or otherwise use a party's medical, psychological, and similar treatment records unless the school district obtains the party's voluntary, written consent.

I. Burden of Proof

1. The burden of gathering evidence and the burden of proof shall remain upon the school district and not upon the parties.
2. The grievance process shall use a preponderance of the evidence standard (i.e. whether it is more likely than not that the respondent engaged in sexual harassment) for all formal complaints of sexual harassment, including when school district employees are respondents.

J. Timelines

1. Any informal resolution process must be completed within thirty (30) calendar days following the parties' agreement to participate in such informal process.
2. An appeal of a determination of responsibility or of a decision dismissing a formal complaint must be received by the school district within five (5) days of the date the determination of responsibility or dismissal was provided to the parties.
3. Any appeal of a determination of responsibility or of a dismissal will be decided within thirty (30) calendar days of the day the appeal was received by the School District.
4. Big Lake Schools will seek to conclude the grievance process, including any appeal, within 120 calendar days of the date the formal complaint was received by the school district.
5. Although Big Lake Schools strives to adhere to the timelines described above, in each case, the school district may extend the time frames for good cause. Good cause may include, without limitation: the complexity of the allegations; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other evidence (e.g., forensic evidence) involved; the availability of the parties, advisors, witnesses, and evidence (e.g., forensic evidence); concurrent law enforcement activity; intervening school district holidays, breaks, or other closures; the need for language assistance or accommodation of disabilities; and/or other unforeseen circumstances.

K. Potential Remedies and Disciplinary Sanctions

1. The following is the range of possible remedies that the school district may provide a complainant and disciplinary sanctions that the school district might impose upon a respondent, following determination of responsibility: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual or unilateral restrictions on contact between the parties, changes in work locations, leaves of absence, monitoring of certain areas of the school district buildings or property, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge.
2. If the Decision-maker determines a student-respondent is responsible for violating this policy, the Decision-maker will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the superintendent of the recommended remedies, such that an authorized administrator can consider the recommendation(s) and implement appropriate remedies in compliance with MSBA Model Policy 506 – Student Discipline. The discipline of a student-respondent must comply with the applicable provisions of Minnesota Pupil Fair Dismissal Act, the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of

the Rehabilitation Act of 1972, and their respective implementing regulations.

IV. REPORTING PROHIBITED CONDUCT

- A. Any student who believes they have been the victim of unlawful sex discrimination or sexual harassment, or any person (including the parent of a student) with actual knowledge of conduct which may constitute unlawful sex discrimination or sexual harassment toward a student should report the alleged acts as soon as possible to the Title IX Coordinator.
- B. Any employee of the school district who has experienced, has actual knowledge of, or has witnessed unlawful sex discrimination, including sexual harassment, or who otherwise becomes aware of unlawful sex discrimination, including sexual harassment, must promptly report the allegations to the Title IX Coordinator without screening or investigating the report or allegations.
- C. A report of unlawful sex discrimination or sexual harassment may be made at any time, including during non-business hours, and may be made in person, by mail, by telephone, or by e-mail using the Title IX Coordinator's contact information. A report may also be made by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.
- D. Sexual harassment may constitute both a violation of this policy and criminal law. To the extent the alleged conduct may constitute a crime, the School District may report the alleged conduct to law enforcement authorities. The school district encourages complainants to report criminal behavior to the police immediately.

V. INITIAL RESPONSE AND ASSESSMENT BY THE TITLE IX COORDINATOR

- A. When the Title IX Coordinator receives a report, the Title IX Coordinator shall promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint .
- B. Big Lake Schools will offer supportive measures to the complainant whether or not the complainant decides to make a formal complaint. The school district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the school district's ability to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.
- C. If the complainant does not wish to file a formal complaint, the allegations will not be investigated by the school district unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the complainant's wishes is not clearly unreasonable in light of the known circumstances.
- D. Upon receipt of a formal complaint, the school district must provide written notice of the formal complaint to the known parties with sufficient time to prepare a response before any initial interview. This written notice must contain:
 - 1. The allegations of sexual harassment, including sufficient details known at the time, the identities of the parties involved in the incident (if known), the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known;
 - 2. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;

3. A statement explaining that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
4. A statement that the parties may inspect and review evidence gathered pursuant to this policy;
5. A statement informing the parties of any code of conduct provision that prohibits knowingly making false statements or knowingly submitting false information; and
6. A copy of this policy.

VI. STATUS OF RESPONDENT DURING PENDENCY OF FORMAL COMPLAINT

A. Emergency Removal of a Student

The school district may remove a student-respondent from an education program or activity of the school district on an emergency basis before a determination regarding responsibility is made if:

1. The school district undertakes an individualized safety and risk analysis;
2. The school district determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal of the student-respondent; and
3. The school district determines the student-respondent poses such a threat, it will so notify the student-respondent and the student-respondent will have an opportunity to challenge the decision immediately following the removal. In determining whether to impose emergency removal measures, the Title IX Coordinator shall consult related school district policies, including MSBA Model Policy 506 – Student Discipline. The school district must take into consideration applicable requirements of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973, prior to removing a special education student or Section 504 student on an emergency basis.

B. Employee Administrative Leave

The school district may place a non-student employee on administrative leave during the pendency of the grievance process of a formal complaint. Such leave will typically be paid leave unless circumstances justify unpaid leave in compliance with legal requirements. The school district must take into consideration applicable requirements of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prior to removing an individual with a qualifying disability.

VII. INFORMAL RESOLUTION OF A FORMAL COMPLAINT

- A. At any time prior to reaching a determination of responsibility, informal resolution may be offered and facilitated by the school district at the school district's discretion, but only after a formal complaint has been received by the school district.
- B. The school district may not require as a condition of enrollment or continued enrollment, or of employment or continued employment, or enjoyment of any other right, waiver of the right to a formal investigation and adjudication of formal complaints of sexual harassment.
- C. The informal resolution process may not be used to resolve allegations that a school district employee sexually harassed a student.
- D. The school district will not facilitate an information resolution process without both parties' agreement, and will obtain their voluntary, written consent. The school district will provide to the parties a written notice disclosing the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, the parties' right to withdraw from the informal resolution process, and any consequences resulting from participating in the informal resolution process, including the records that will be

maintained or could be shared.

- E. At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

VIII. DISMISSAL OF A FORMAL COMPLAINT

- A. Under federal law, the school district must dismiss a Title IX complaint, or a portion thereof, if the conduct alleged in a formal complaint or a portion thereof:
 - 1. Would not meet the definition of sexual harassment, even if proven;
 - 2. Did not occur in the school district's education program or activity; or
 - 3. Did not occur against a person in the United States.
- B. The school district may, in its discretion, dismiss a formal complaint or allegations therein if:
 - 1. The complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations therein;
 - 2. The respondent is no longer enrolled or employed by the school district; or
 - 3. Specific circumstances prevent the school district from gathering sufficient evidence to reach a determination.
- C. The school district shall provide written notice to both parties of a dismissal. The notice must include the reasons for the dismissal.
- D. Dismissal of a formal complaint or a portion thereof does not preclude the school district from addressing the underlying conduct in any manner that the school district deems appropriate.

IX. INVESTIGATION OF A FORMAL COMPLAINT

- A. If a formal complaint is received by Big Lake Schools, the school district will assign or designate an Investigator to investigate the allegations set forth in the formal complaint.
- B. If during the course of the investigation the school district decides to investigate any allegations about the complainant or respondent that were not included in the written notice of a formal complaint provided to the parties, the school district must provide notice of the additional allegations to the known parties.
- C. When a party's participation is invited or expected in an investigative interview, the Investigator will coordinate with the Title IX Coordinator to provide written notice to the party of the date, time, location, participants, and purposes of the investigative interview with sufficient time for the party to prepare.
- D. During the investigation, the Investigator must provide the parties with an equal opportunity to present witnesses for interviews, including fact witnesses and expert witnesses, and other inculpatory and exculpatory evidence.
- E. Prior to the completion of the investigative report, the Investigator, through the Title IX Coordinator, will provide the parties and their advisors (if any) with an equal opportunity to inspect and review any evidence directly related to the allegations. The evidence shall be provided in electronic format or hard copy and shall include all relevant evidence, evidence upon which the school district does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or another source. The parties will have ten (10) days to submit a written response, which the Investigator will consider prior to completion of the investigative report.
- F. The Investigator will prepare a written investigative report that fairly summarizes the relevant evidence. The investigative report may include credibility determinations that are not based on a person's status as a complainant, respondent or witness. The school district

will send the parties and their advisors (if any) a copy of the report in electronic format or hard copy, for their review and written response at least ten (10) days prior to a determination of responsibility.

X. DETERMINATION REGARDING RESPONSIBILITY

- A. After the school district has sent the investigative report to both parties and before the school district has reached a determination regarding responsibility, the Decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness.
- B. The Decision-maker must provide the relevant questions submitted by the parties to the other parties or witnesses to whom the questions are offered, and then provide each party with the answers, and allow for additional, limited follow-up questions from each party.
- C. The Decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant.
- D. When the exchange of questions and answers has concluded, the Decision-maker must issue a written determination regarding responsibility that applies the preponderance of the evidence standard to the facts and circumstances of the formal complaint. The written determination of responsibility must include the following:
 - 1. Identification of the allegations potentially constituting sexual harassment;
 - 2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
 - 3. Findings of fact supporting the determination;
 - 4. Conclusions regarding the application of the school district's code of conduct to the facts;
 - 5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the school district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the school district to the complainant; and
 - 6. The school district's procedures and permissible bases for the complainant and respondent to appeal and the date by which an appeal must be made.
- E. In determining appropriate disciplinary sanctions, the Decision-maker should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incident occurred.
- F. The written determination of responsibility must be provided to the parties simultaneously.
- G. The Title IX Coordinator is responsible for the effective implementation of any remedies.
- H. The determination regarding responsibility becomes final either on the date that the school district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

XI. APPEALS

- A. Big Lake Schools shall offer the parties an opportunity to appeal a determination regarding responsibility or the school district's dismissal of a formal complaint or any allegations therein, on the following bases:
 - 1. A procedural irregularity that affected the outcome of the matter (e.g., a material deviation from established procedures);
 - 2. New evidence that was not reasonably available at the time the determination

regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

3. The Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- B. If notice of an appeal is timely received by the school district, the school district will notify the parties in writing of the receipt of the appeal, assign or designate the Appellate Decision-maker, and give the parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.
 - C. After reviewing the parties' written statements, the Appellate Decision-maker must issue a written decision describing the result of the appeal and the rationale for the result.
 - D. The written decision describing the result of the appeal must be provided simultaneously to the parties.
 - E. The decision of the Appellate Decision-maker is final. No further review beyond the appeal is permitted.

XII. RETALIATION PROHIBITED

- A. Neither Big Lake Schools nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitutes retaliation. Retaliation against a person for making a report of sexual harassment, filing a formal complaint, or participating in an investigation, constitutes a violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.
- B. Any person may submit a report or formal complaint alleging retaliation in the manner described in this policy and it will be addressed in the same manner as other complaints of sexual harassment or sex discrimination.
- C. Charging an individual with violation of school district policies for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

XIII. TRAINING

- A. Big Lake Schools shall ensure that Title IX Personnel receive appropriate training. The training shall include instruction on:
 1. The Title IX definition of sexual harassment;
 2. The scope of the school district's education program or activity;
 3. How to conduct an investigation and grievance process, appeals, and informal resolution processes, as applicable;
 4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;

5. For Decision-makers, training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's prior sexual behavior are not relevant; and
 6. For Investigators, training on issues of relevance, including the creation of an investigative report that fairly summarizes relevant evidence.
- B. The training materials will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints.
- C. Materials used to train Title IX Personnel must be posted on the school district's website. If the school district does not have a website, it must make the training materials available for public inspection upon request.

XIV. DISSEMINATION OF POLICY

- A. This policy shall be made available to all students, parents/guardians of students, school district employee, and employee unions.
- B. Big Lake Schools shall conspicuously post the name of the Title IX Coordinator, including office address, telephone number, and work e-mail address on its website and in each handbook that it makes available to parents, employees, students, unions, or applicants.
- C. Big Lake Schools must provide applicants for admission and employment, students, parents or legal guardians of secondary school students, employees, and all unions holding collective bargaining agreements with the school district, with the following:
1. The name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator;
 2. Notice that the school district does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX not to discriminate in such a manner;
 3. A statement that the requirement not to discriminate in the education program or activity extends to admission and employment, and that inquiries about the application of Title IX may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the United States Department of Education, or both; and
 4. Notice of the school district's grievance procedures and grievance process contained in this policy, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the school district will respond.

XV. RECORDKEEPING

- A. Big Lake Schools must create, and maintain for a period of seven calendar years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the school district must document:
1. The basis for the school district's conclusion that its response to the report or formal complaint was not deliberately indifferent;
 2. The measures the school district has taken that are designed to restore or preserve equal access to the school district's education program or activity; and
 3. If the school district does not provide a complainant with supportive measures, then it must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. Such a record must be maintained for a period of seven years.
 4. The documentation of certain bases or measures does not limit the recipient in the future from providing additional explanations or detailing additional measures taken.
- B. The school district must also maintain for a period of seven calendar years records of:

1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the recipient's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom; and
4. All materials used to train Title IX Personnel.

Legal References: Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)
Minn. Stat. § 121A.40 – 121A.575 (Minnesota Pupil Fair Dismissal Act)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
34 C.F.R. Part 106 (Implementing Regulations of Title IX)
20 U.S.C § 1400, *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)
42 U.S.C. § 12101, *et seq.* (Americans with Disabilities Act of 1990, as amended)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act of 1974)
20 U.S.C. § 1092 *et seq.* (Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (“Clery Act”))

Cross References: MSBA/MASA Model Policy 102 (Equal Educational Opportunity)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)



COVID-19 FACE COVERING POLICY

I. GENERAL OF STATEMENT OF POLICY

- A. The policy of the school district is to comply with Executive Order 20-81, Executive Order 20-82, and applicable face covering requirements from the Minnesota Department of Health and the Minnesota Department of Education.
- B. Face coverings are meant to protect other people in case the wearer does not know they are infected.
- C. Unless an exception described in Part IV below applies, all students, staff, and other people present indoors in school buildings and district offices or riding on school transportation vehicles are required to wear a face covering.
- D. A violation of this policy occurs when any student, staff, or other person present in a school building, in the school district office, or on a school transportation vehicle fails to wear a face covering, unless an enumerated exception applies.

II. DEFINITION OF FACE COVERING

- A. A face covering must be worn to cover the nose and mouth completely, should not be overly tight or restrictive, and should feel comfortable to wear. The following are included in the definition of face covering:
 - 1. Paper or disposable mask;
 - 2. Cloth face mask;
 - 3. Scarf;
 - 4. Neck gaiter;
 - 5. Bandana;
 - 6. Religious face covering; and
 - 7. Medical-grade masks and respirators
- B. A face shield is a clear plastic barrier that covers the face and allows visibility of facial expressions and lip movements for speech perception. A face shield should extend below the chin anteriorly, to the ears laterally, and there should be no exposed gap between the forehead and the shield's headpiece.
- C. Masks that incorporate a valve designed to facilitate easy exhaling, mesh masks, or masks with openings, holes, visible gaps in the design or material, or vents are not sufficient face coverings because they allow exhaled droplets to be released into the air.

III. EXCEPTIONS AND ALTERNATIVES; TEMPORARY REMOVAL OF FACE COVERING

- A. Face coverings should not be placed on anyone under age 2, anyone who has trouble breathing or is unconscious, anyone who is incapacitated or otherwise unable to remove the face covering without assistance, or anyone who cannot tolerate a face covering due to a developmental, medical, or behavioral health condition.

- B. A face shield may be used as an alternative to a face covering in the following situations:
 - 1. A student in grades kindergarten through eighth grade may wear a face shield when wearing a face covering is problematic.
 - 2. A teacher of any grade level may wear a face shield when wearing a face covering may impede the educational process.
 - 3. Staff, students, or visitors who cannot tolerate a face covering due to a developmental, medical, or behavioral health condition may wear a face shield instead of a face covering.
 - 4. Staff providing direct support student services may wear a face shield instead of a face covering when a face covering would impede the service being provided.

- C. Staff, students, and other people present in school buildings or in district offices may temporarily remove their face covering or face shield in the following situations:
 - 1. When engaging in classes or activities conducted outdoors, though people participating in these activities should maintain six feet of distance to the extent possible;
 - 2. When engaging in indoor physical activity where the level of exertion makes wearing a face covering difficult, though people participating in these activities should maintain six feet of distance to the extent possible;
 - 3. During activities, such as swimming or showering, where the face covering will get wet;
 - 4. While receiving a service, including nursing, medical, or personal care services, that cannot be performed or is difficult to perform when the individual receiving the service is wearing a face covering;
 - 5. Pre-kindergarten students age 5 years and younger participating in programming in a school building or district office;
 - 6. When the wearer needs to remove their face covering to eat or drink, though care should be taken to maintain as much space as possible between people while doing so;
 - 7. During indoor practices or performances involving singing, acting, public speaking, or playing musical instruments where a face covering cannot be used while playing the instrument, though people participating in these activities should maintain six feet of distance to the extent possible;
 - 8. When required by school staff for the purposes of identification;
 - 9. Staff working alone in their offices, classrooms, vehicles, or job locations that have no person-to-person interaction;
 - 10. Staff working in communal spaces that have barriers such as Plexiglas or cubicle walls between employees that are above face level; or
 - 11. When communicating with a person who is deaf or hard of hearing or has a disability, medical condition, or mental health condition that makes communication with a face covering difficult, provided that social distancing is maintained to the extent possible.

IV. IMPLEMENTATION

- A. This policy will be conspicuously posted in each school building and administrative office and communicated to students, staff, families, and potential visitors to the school building.
- B. The school district will provide face coverings and/or face shields to employees and students. Employees and students may choose to wear their own face covering as long as it covers the nose and mouth. To the extent practicable, the school district will maintain an extra supply of face coverings for people who forget to bring their face covering.
- C. The school district will teach and reinforce the use of face coverings and/or face shields for students and staff throughout the school day, including on transportation vehicles, inside school buildings, and generally when on school grounds.
- D. Individuals who cannot tolerate a face covering due to a medical condition or disability related condition may be permitted to utilize alternative options such as a face shield or other reasonable accommodation. The Superintendent or designee shall have discretion to determine whether an employee, parent, or community member qualifies for a reasonable accommodation and the accommodation to be provided. For a student with a medical condition or disability, the student's education team (i.e. IEP team, Section 504 team, health plan team) will determine whether the student qualifies for a reasonable accommodation and the accommodation to be provided. As a condition to granting a reasonable accommodation, the school district may require an individual to provide a physician's note and/or other relevant information or with respect to the condition or circumstance. Requests for reasonable accommodations from the face covering requirement shall be assessed on a case-by-case basis in accordance with applicable federal and state law.
- E. All face coverings shall meet the requirements of applicable dress code policies and/or codes of conduct. To the extent the face covering requirements of this policy conflict with MSBA Model Policy 504 – Student Dress and Appearance, this Policy shall control.
- F. The school district will make available distance learning to its enrolled students who may be medically vulnerable or otherwise unwilling to return to in-person or hybrid learning.

V. ENFORCEMENT; CONSEQUENCES FOR NON-COMPLIANCE

- A. In order to promote the health and safety of employees, students and members of the community, and make available a safe environment that is conducive to learning, compliance with this policy is necessary.
- B. Employees who fail or refuse to comply with this policy may be subject to discipline, as appropriate, up to and including the termination of employment.

- C. Students who fail or refuse to comply with this policy may be subject to discipline or removal from school property. Students unwilling to participate in in-person or hybrid learning in compliance with this policy will be offered distance learning.
- D. The school district may, in its discretion, report violators of this policy to law enforcement. Any individual who willfully violates Emergency Executive Order 20-81 or 20-82 is guilty of a petty misdemeanor and upon conviction must be punished by a fine not to exceed \$100. (NOTE: This does not apply to: (1) children younger than 14 years old; or (2) students 14 years old and older who are enrolled in a school identified in Paragraph 12 of Emergency Executive Order 20-81, and who are on the premises of the school for educational purposes).

Rationale: Establish requirements for employees, students, and other persons (including visitors, guests, contractors, etc.) present on school property to wear face coverings in classrooms, preschool, child care settings and other indoor areas, as well as outdoor areas where a physical distance of 6 feet cannot be maintained between persons, in order to minimize exposure to COVID-19.

Legal References: Emergency Executive Order 20-81
Emergency Executive Order 20-82
Minn. Stat. § 12.45 (Governor's Orders and Rules, Effect)
Minn. Stat. § 12.45 (Violations; Penalties)

Cross References: MSBA/MASA Model Policy 807 (Health and Safety Policy)
MSBA/MASA Model Policy 504 (Student Dress and Appearance)