



AGENDA  
REGULAR MEETING  
ROYALTON BOARD OF EDUCATION  
ECC RM PK 15  
120 SOUTH HAWTHORN STREET  
ROYALTON, MN 56373  
NOVEMBER 22, 2021  
6:00 PM

1. **Call to Order**
2. **Pledge to Flag**
3. **Roll Call**
4. **Board Chair Comments**
5. **Approval of Agenda**
6. **Appreciation, Recognition and Presentations** **3**
  
7. **Recognition of Citizens for Input Purposes**
8. **Reports/News**
  - a. Board Committee Report
  - b. Superintendent Report
  - c. Principal Report 4
  - d. Athletic Director Report
9. **Consent Agenda Approval**

**\*The Board is consenting to approve items listed below as presented, at one time. At any point a Director can pull an item off the consent agenda for further discussion.**

  - a. Approval of Regular Board Meeting Minutes for October 25, 2021 5
  
  - b. Approval of Special Meeting Minutes for November 8, 2021 10
  - c. Approval of Work Session Meeting Minutes for November 8, 2021 12
  - d. Approval of Special Meeting Minutes for November 18, 2021 14
  - e. Claims, Accounts and Financial  
Approve accounts payable and receivables, and employee reimbursements as attached and approve all other financial reports as presented.
  - f. Approval of Resignations 17
  - g. Approval of New Hires 18  
The Royalton School Board will approve the following hires based upon the findings of each individual's background check, licensure status, and discipline

report from the MN Department of Education.

**10. Discussion/Information/Action Items**

a. Approval of Donations by Resolution	19
b. Audit Presentation by KDV	20
c. HVAC Update	45
d. WBWF Plan Presentation	51
e. Technology Integrationist Specialist Contract	
f. REM Contract	
g. MSHSL Form A	134
h. Policy Reading	
1. First Policy Reading	135
515 - Protection and Privacy of Pupil Records	
524 - Internet Acceptable Use and Safety Policy	
2. Second Policy Reading	192
102 - Equal Educational Opportunity	
406 - Public and Private Personnel Data	
503 - Student Attendance	
507 - Corporal Punishment	
534 - School Meals Policy	
3. Approval of Second Policy Reading (final reading due to minor changes)	222
206 - Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations	
413 - Harassment and Violence	
501 - School Weapons Policy	
4. Approval of Third Policy Reading	247
902 - Use of School District Facilities and Equipment	
i. Safe Deposit Box Signer	

**11. Upcoming Meeting Schedule**

1. Monday, December 13, 6:00 PM Special Meeting Truth and Taxation
  2. Tuesday, December 14, 9:00 AM Policy Meeting
  3. Monday, December 20, 6:00 PM Regular Meeting followed by a Closed Meeting
  4. Tuesday, December 21, 12:00 PM Finance Meeting
- 12. Motion for a Closed meeting for negotiation strategies as permitted by MN Statute Section 13D.05, Sub division 3(a)**
- 13. Adjournment**

Recognition 11.22.21

State for Cross Country - Erin Borash

Student of the Month:

Autumn Schoenrock - September

Emma Kasella - October

Callie Vannurden - November

Royalton Elementary School News  
Dr. Phil Gurbada  
November 2021

1. We continue to work hard at implementing Benchmark Advance---our new reading program. Progress was made at our November 12 Inservice through the support of consultant-trainer, Laurie Ganser. We shared our success and challenges and addressed important concerns. This work will continue with our next Inservice on January 17.
2. At the end of every quarter, our PBIS Team plans a fun activity for the students to celebrate as a whole school the times they showed their “PAWS” through behavior and academic effort. A final decision has not been made for this quarter but it looks like “Game Day” (board games in the classrooms for 30 minutes at the end of the day) or “Hat” day will be the choice.
3. “RIF Day” is Tuesday, November 23. The students will choose free reading books to take home and enjoy a special digital presentation. RIF is celebrated three times per year.
4. Happy Thanksgiving to everyone!

## Regular Meeting

Monday, October 25, 2021 6:00 PM

ECC RM PK 15, 120 South Hawthorn Street, Royalton, MN 56373

Tyra Baumann: Present  
Russ Gerads: Present  
Randy Hackett: Present  
Rian Hofstad: Present  
Mary Lange: Present  
Angela Roering: Present

### 1. Call to Order

### 2. Pledge to Flag

### 3. Roll Call

### 4. Board Chairs Comment

### 5. Approval of Agenda

#### Action(s):

Approve Agenda as Amended 10k. Prom. This motion, made by Mary Lange and seconded by Tyra Baumann, Passed.

#### Voting Detail:

Tyra Baumann: Yea

Russ Gerads: Yea

Randy Hackett: Yea

Rian Hofstad: Yea

Mary Lange: Yea

Angela  
Roering: Yea

**Voting Summary:** Yea: 6, Nay: 0

### 6. Appreciation, Recognition and Presentations

### 7. Recognition of Citizens for Input Purposes

### 8. Reports/News

a. Board Committee Report

b. Superintendent Report

c. Principal Report

### 9. Consent Agenda Approval

**\*The Board is consenting to approve items listed below as presented, at one time. At any point a Director can pull an item off the consent agenda for further discussion.**

- a. Approval of Regular Board Meeting Minutes for September 27th, 2021

**Action(s):**

Approval of All Items on Consent Agenda. This motion, made by Rian Hofstad and seconded by Angela Roering, Passed.

**Voting Detail:**

Tyra Baumann: Yea

Russ Gerads: Yea

Randy Hackett: Yea

Rian Hofstad: Yea

Mary Lange: Yea

Angela  
Roering: Yea

**Voting Summary:** Yea: 6, Nay: 0

- b. Claims, Accounts and Financial  
Approve accounts payable and receivables, and employee reimbursements as attached and approve all other financial reports as presented.

- c. Approval of Resignations

- d. Approval of New Hires

- e. Approval of FMLA Leaves

10. **Discussion/Information/Action Items**

- a. Enrollment Presentation

- b. Budget Presentation

- c. HVAC Presentation

**Action(s):**

Motion to approve HVAC Presentation. This motion, made by Rian Hofstad and seconded by Tyra Baumann, Passed.

**Voting Detail:**

Tyra Baumann: Yea

Russ Gerads: Yea

Randy Hackett: Yea

Rian Hofstad: Yea

Mary Lange: Yea

Angela  
Roering: Yea

**Voting Summary:** Yea: 6, Nay: 0

- d. Approval of Donations by Resolution

- e. Wrestling overnight tournament in Fargo, Rumble on the Red, December 28, 29, 30

**Action(s) :**

Motion to approve the wrestling tournament in Fargo. This motion, made by Randy Hackett and seconded by Russ Gerads, Passed.

**Voting Detail:**

Tyra Baumann: Yea  
Russ Gerads: Yea  
Randy Hackett: Yea  
Rian Hofstad: Yea  
Mary Lange: Yea  
Angela Roering: Yea

**Voting Summary:** Yea: 6, Nay: 0

- f. Boys Basketball fundraiser: Gold Card Sales, Adrenaline Fundraising

**Action(s) :**

Motion to approve the Boys Basketball fundraiser. This motion, made by Tyra Baumann and seconded by Rian Hofstad, Passed.

**Voting Detail:**

Tyra Baumann: Yea  
Russ Gerads: Yea  
Randy Hackett: Yea  
Rian Hofstad: Yea  
Mary Lange: Yea  
Angela Roering: Yea

**Voting Summary:** Yea: 6, Nay: 0

- g. Board Policy Review/Revision Procedures

- h. Policy Reading

- 1. First Reading (Minor Changes)

- 2. First Reading

- 3. Second Reading

- 4. Request to Rescind

- i. Meeting Protocol Pathway Discussion

- j. Superintendent Evaluation Discussion

- k. As Amended \*Prom location at Coyote Moon Grille and the use of Trobec's Bus Service

**Action(s) :**

Motion to approve Prom destination and busing. This motion, made by Russ Gerads and seconded by

Randy Hackett, Passed.

**Voting Detail:**

Tyra Baumann: Yea

Russ Gerads: Yea

Randy Hackett: Yea

Rian Hofstad: Yea

Mary Lange: Yea

Angela  
Roering: Yea

**Voting Summary:** Yea: 6, Nay: 0

**11. Upcoming Meeting Schedule**

**Discussion:**

1. Tuesday, October 26th, 11:00 AM Finance Meeting
2. Tuesday, October 26th, 6:00 PM American Indian Meeting
3. Wednesday, October 27th, 6:00 PM Worlds Best Workforce Meeting
4. Monday, November 8th, 6:00 PM Work Session followed by a Closed Session
5. Tuesday, November 10th, 9:00 AM Policy Meeting
6. Tuesday, November 16th, 12:00 PM Finance Meeting
7. Thursday, November 18th, 6:00 PM Special Meeting
8. Monday, November 22, 2021, 6:00 PM Regular Board Meeting followed by a Closed Session

**12. Motion for a Closed meeting for negotiation strategies as permitted by MN Statute Section 13D.05, Sub division 3(a)**

**Action(s):**

Motion to close the regular meeting at 7:14pm.  
This motion, made by Rian Hofstad and seconded by Tyra Baumann, Passed.

**Voting Detail:**

Tyra Baumann: Yea

Russ Gerads: Yea

Randy Hackett: Yea

Rian Hofstad: Yea

Mary Lange: Yea

Angela  
Roering: Yea

**Voting Summary:** Yea: 6, Nay: 0

Motion to open the regular meeting at 8:12pm.  
This motion, made by Russ Gerads and seconded by Tyra Baumann, Passed.

**Voting Detail:**

Tyra Baumann: Yea

Russ Gerads: Yea

Randy Hackett: Yea

Rian Hofstad: Yea

Mary Lange: Yea

Angela  
Roering: Yea

**Voting Summary:** Yea: 6, Nay: 0

13. **Adjournment**

**Action(s):**

The meeting was adjourned at 8:12pm. This motion, made by Mary Lange and seconded by Randy Hackett, Passed.

**Voting Detail:**

Tyra Baumann: Yea

Russ Gerads: Yea

Randy Hackett: Yea

Rian Hofstad: Yea

Mary Lange: Yea

Angela  
Roering: Yea

**Voting Summary:** Yea: 6, Nay: 0

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Board Secretary

## Special Meeting

Monday, November 8, 2021 6:00 PM

ECC RM PK 15, 120 South Hawthorn Street, Royalton, MN 56373

Tyra Baumann: Present  
Russ Gerads: Present  
Randy Hackett: Present  
Rian Hofstad: Present  
Mary Lange: Absent  
Angela Roering: Present

### 1. Call to Order

### 2. Consent Agenda Approval

**Action(s):**

Approval of All Items on Consent Agenda. This motion, made by Rian Hofstad and seconded by Russ Gerads, Passed.

**Voting Detail:**

Tyra Baumann: Yea

Russ Gerads: Yea

Randy Hackett: Yea

Rian Hofstad: Yea

Mary Lange: Absent

Angela  
Roering: Yea

**Voting Summary:** Yea: 5, Nay: 0, Absent: 1

#### a. Approval of New Hires

**Action(s):**

Motion to Approve the AD/AP and HR/Payroll position. This motion, made by Randy Hackett and seconded by Russ Gerads, Passed.

**Voting Detail:**

Tyra Baumann: Yea

Russ Gerads: Yea

Randy Hackett: Yea

Rian Hofstad: Yea

Mary Lange: Absent

Angela  
Roering: Yea

**Voting Summary:** Yea: 5, Nay: 0, Absent: 1

### 3. Adjournment

**Action(s):**

Motion adjourned at 6:02pm. This motion, made by Tyra Baumann and seconded by Rian Hofstad, Passed.

**Voting Detail:**

Tyra Baumann: Yea  
Russ Gerads: Yea  
Randy Hackett: Yea  
Rian Hofstad: Yea  
Mary Lange: Absent  
Angela  
Roering: Yea  
**Voting Summary:** Yea: 5, Nay: 0, Absent: 1

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Board Secretary

## Work Session Meeting

Monday, November 8, 2021 6:05 PM

ECC RM PK 15, 120 South Hawthorn Street, Royalton, MN 56373

Tyra Baumann: Present  
Russ Gerads: Present  
Randy Hackett: Present  
Rian Hofstad: Present  
Mary Lange: Absent  
Angela Roering: Present

1. **Call to Order**

2. **WBWF Presentation**

3. **Strategic Planning Discussion**

4. **School Management Services Contract Discussion**

5. **Policy 206 Review**

6. **Work Session meeting ended at 7:01pm  
(Never had a closed meeting)**

**Action(s):**

Motion to close work session. This motion, made by Rian Hofstad and seconded by Tyra Baumann, Passed.

**Voting Detail:**

Tyra Baumann: Yea

Russ Gerads: Yea

Randy Hackett: Yea

Rian Hofstad: Yea

Mary Lange: Absent

Angela  
Roering: Yea

**Voting Summary:** Yea: 5, Nay: 0, Absent: 1

7. **Motion for a Closed meeting for negotiation strategies as permitted by MN Statute Section 13D.05, Sub division 3(a)**

8. **Motion to close and adjourn the Closed Meeting**

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Board Secretary

## Special Meeting

Thursday, November 18, 2021 6:00 PM

ECC RM PK 15, 120 South Hawthorn Street, Royalton, MN 56373

Tyra Baumann: Present  
Russ Gerads: Present  
Randy Hackett: Present  
Rian Hofstad: Present  
Mary Lange: Present  
Angela Roering: Present

### 1. Call to Order

### 2. Contract Signing

#### a. School Management Services Contract

**Action(s):**

Motion to Approve School Management Services Contract. This motion, made by Mary Lange and seconded by Tyra Baumann, Passed.

**Voting Detail:**

Tyra Baumann: Yea

Russ Gerads: Yea

Randy Hackett: Yea

Rian Hofstad: Yea

Mary Lange: Yea

Angela  
Roering: Yea

**Voting Summary:** Yea: 6, Nay: 0

#### b. Forecast 5 Product

**Action(s):**

Motion to Approve Forecast 5 Product. This motion, made by Randy Hackett and seconded by Rian Hofstad, Passed.

**Voting Detail:**

Tyra Baumann: Yea

Russ Gerads: Yea

Randy Hackett: Yea

Rian Hofstad: Yea

Mary Lange: Yea

Angela  
Roering: Yea

**Voting Summary:** Yea: 6, Nay: 0

### 3. Removal of signer, Dawn Duevel

**Action(s):**

Motion to approve all items in section 3. This motion, made by Rian Hofstad and seconded by Mary

Lange, Passed.

**Voting Detail:**

Tyra Baumann: Yea

Russ Gerads: Yea

Randy Hackett: Yea

Rian Hofstad: Yea

Mary Lange: Yea

Angela  
Roering: Yea

**Voting Summary:** Yea: 6, Nay: 0

a. Official Depositories for District Funds

b. Investment of Funds

c. Annual Delegation of Authority to Make  
Electronic Fund Transfers.

**4. Add signer Scott Marine of School Management Services**

**Action(s):**

Motion to approve all items in section 4. This motion, made by Mary Lange and seconded by Russ Gerads, Passed.

**Voting Detail:**

Tyra Baumann: Yea

Russ Gerads: Yea

Randy Hackett: Yea

Rian Hofstad: Yea

Mary Lange: Yea

Angela  
Roering: Yea

**Voting Summary:** Yea: 6, Nay: 0

a. Official Depositories for District Funds

b. Investment of Funds

c. Annual Delegation of Authority to Make  
Electronic Fund Transfers

**5. Post-hiring Workshop**

**6. Adjournment**

**Action(s):**

Motion to Adjourn the meeting at 8:08pm. This motion, made by Russ Gerads and seconded by Mary Lange, Passed.

**Voting Detail:**

Tyra Baumann: Yea

Russ Gerads: Yea

Randy Hackett: Yea

Rian Hofstad: Yea

Mary Lange: Yea

Angela  
Roering: Yea

**Voting Summary:** Yea: 6, Nay: 0

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Board Secretary

Resignations 11.22.21

Kristi Hasslen - Door Monitor/Clerical Support at the Elementary School

New Hires 11.22.21

Nicole Koll - Technology Integrationist Specialist

Scott Gorecki - Wrestling Assistant

Kara Kloss - Long-term substitute for Brittney Meehl

Libby Herold - Long-term substitute for Kara Kloss

## Resolution for Acceptance of Gifts to the Royalton School District

Member \_\_\_\_\_ introduced the following resolution and moved its adoption:

WHEREAS all information is included in your packet;

The Royals Wrestling Club has generously offered to donate \$4500.00 to the Royalton High School Wrestling Activities fund to go toward new singlets and transportation upgrades.

WHEREAS the conditions on this gift are included in the packet.

THEREFORE, BE IT RESOLVED by the Royalton School Board to gratefully accept the gift.

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

\_\_\_\_\_ and upon a roll call vote being taken thereon, the

following voted

in favor thereof:

following voted against:

and the following abstained:

The foregoing resolution was approved this 22 day of November, 2021.

\_\_\_\_\_ Board Chair, Randy Hackett

\_\_\_\_\_ Board Clerk, Rian Hofstad



**DO  
MORE.**

Independent School District No. 485  
Royalton, Minnesota

Audit Presentation  
June 30, 2021

# Independent Auditor's Report

- Unmodified opinion on the District's Basic Financial Statements, which comprise the District's governmental activities, each major fund, the aggregate remaining fund information, and the budget to actual statement for the General Fund.
- Financial statements present fairly, in all material respects, the financial position and change in financial position of the governmental activities, each major fund and the aggregate remaining funds.

# Other Communications

- Report related to *Government Auditing Standards*
  - One internal control finding
  - No compliance findings
- Report on Compliance and Internal Control over Compliance for Each Major Federal Program
  - No findings
- Report on the results of testing on *Minnesota Legal Compliance*
  - No findings
- Financial Analysis

# General Education Aid

## Formula Allowance

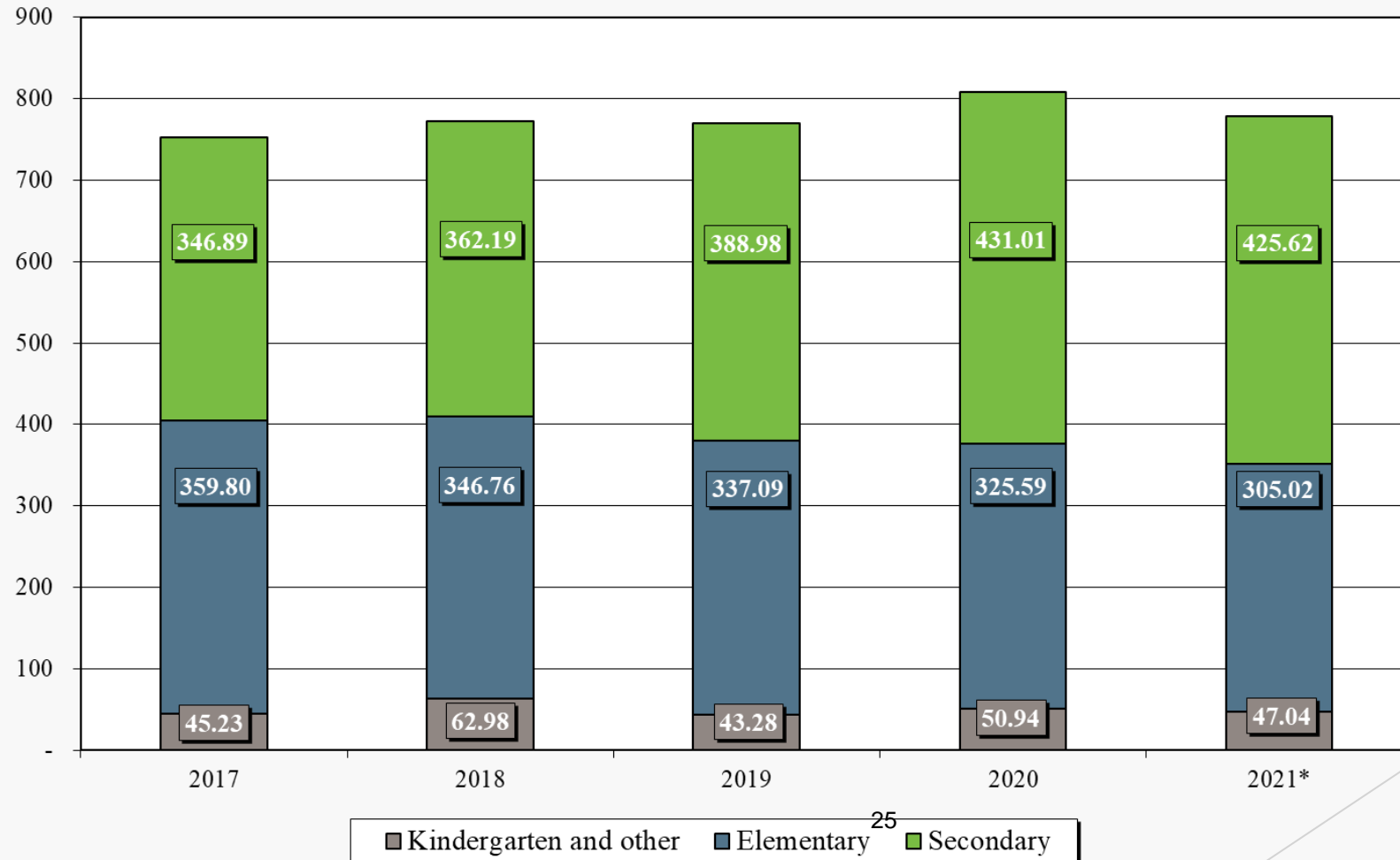
Year	General Education Aid Formula Allowance	
	Amount	Percent Increase
2012	\$ 5,174	1.0%
2013	5,224	1.0%
2014	5,302	1.5%
2015*	5,831	1.9%*
2016	5,948	2.0%
2017	6,067	2.0%
2018	6,188	2.0%
2019	6,312	2.0%
2020	6,438	2.0%
2021	6,567	2.0%
2022	6,728	2.5%

\* Of the \$529 increase over 2014, \$105 is for inflation at 1.9% the remaining \$424 is a shifting (rather than an increase) of revenue to adjust for pupil weight changes, pension adjustments changes and other restructuring.

# Average Daily Membership and Pupil Units – Resident ADM

ADM	2017	2018	2019	2020	2021*
Kindergarten and other	45.23	62.98	43.28	50.94	47.04
Elementary	359.80	346.76	337.09	325.59	305.02
Secondary	346.89	362.19	388.98	431.01	425.62
<b>Total resident ADM</b>	<b>751.92</b>	<b>771.93</b>	<b>769.35</b>	<b>807.54</b>	<b>777.68</b>

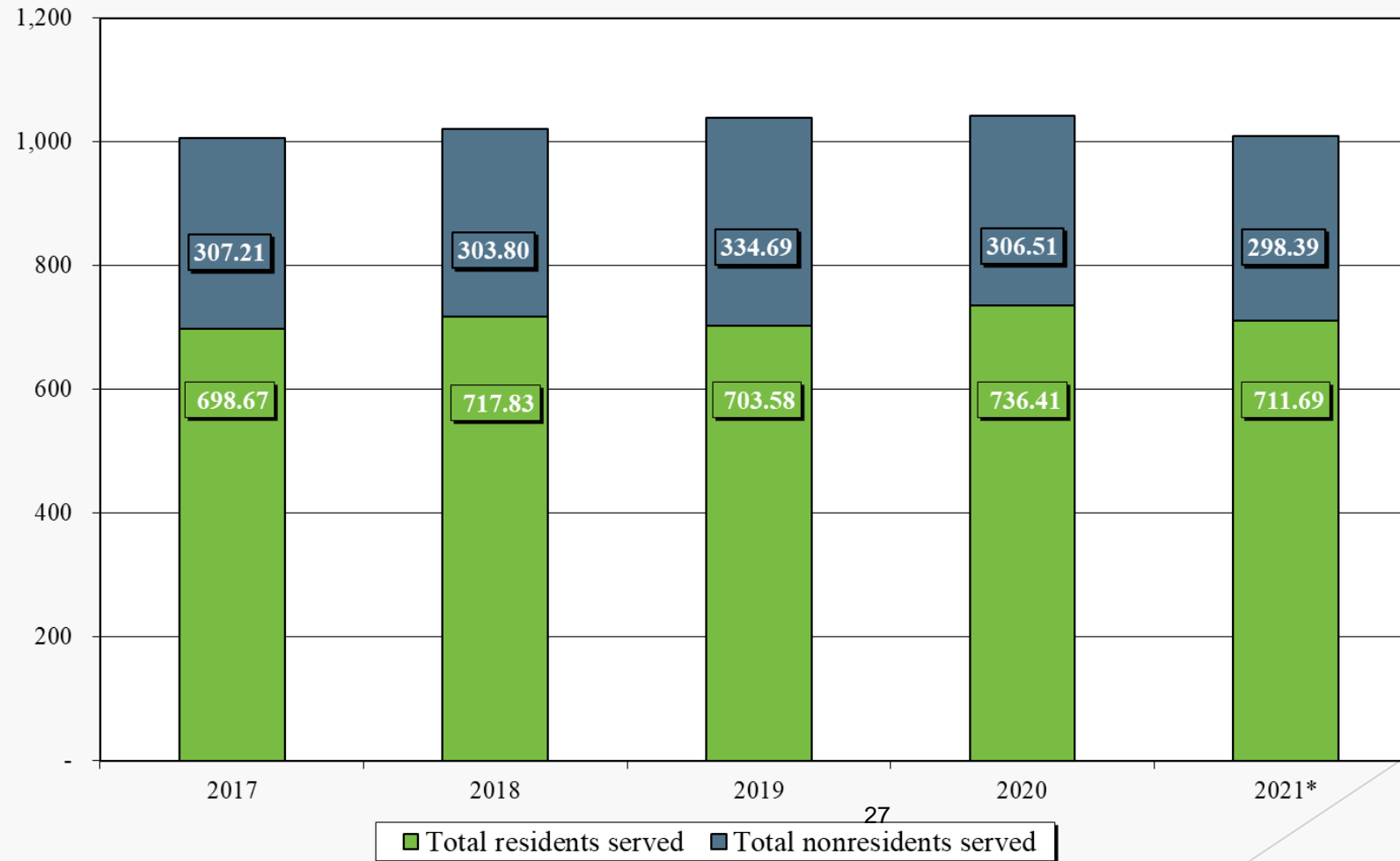
# Average Daily Membership and Pupil Units – Students (ADM)



# Average Daily Membership and Pupil Units – Adjusted PUN

<b>PUN</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021*</b>
Residents	821.30	844.36	847.14	893.75	862.80
Resident PUN going elsewhere	(122.63)	(126.53)	(143.56)	(157.34)	(151.11)
Total residents served	698.67	717.83	703.58	736.41	711.69
Total nonresidents served	307.21	303.80	334.69	306.51	298.39
<b>Total Adjusted PUN</b>	<b>1,005.88</b>	<b>1,021.63</b>	<b>1,038.27</b>	<b>1,042.92</b>	<b>1,010.08</b>

# Average Daily Membership and Pupil Units – Students Served (PUN)

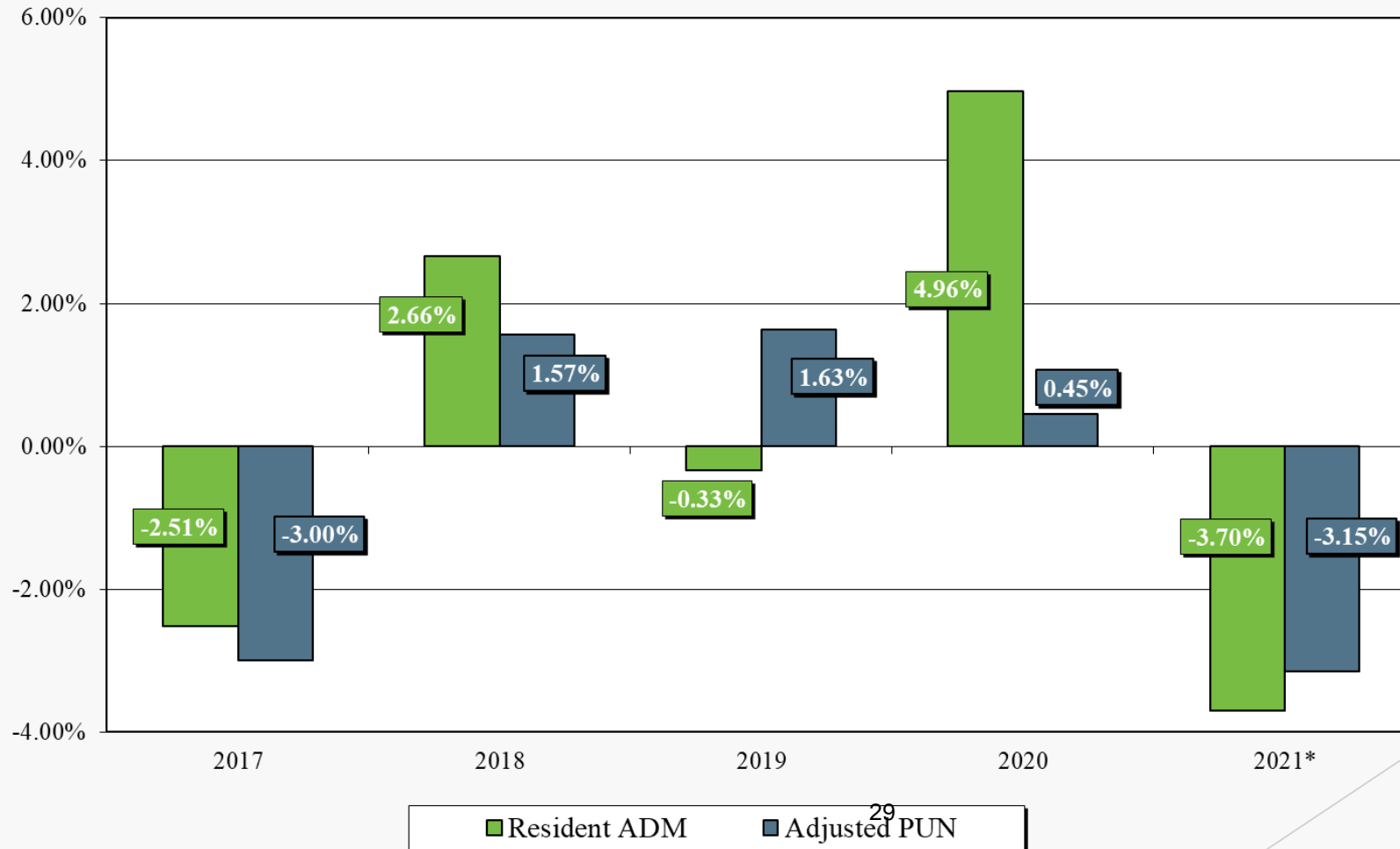


# Average Daily Membership and Pupil Units – Weighting

	<b>Prekindergarten</b>	<b>Handicapped Kindergarten</b>	<b>Kindergarten</b>	<b>Elementary Grades 1-3</b>	<b>Elementary Grades 4-6</b>	<b>Secondary</b>
2017-2021	1.000	1.000	1.000	1.000	1.000	1.200

# Average Daily Membership

## Change in ADM and Adjusted PUN



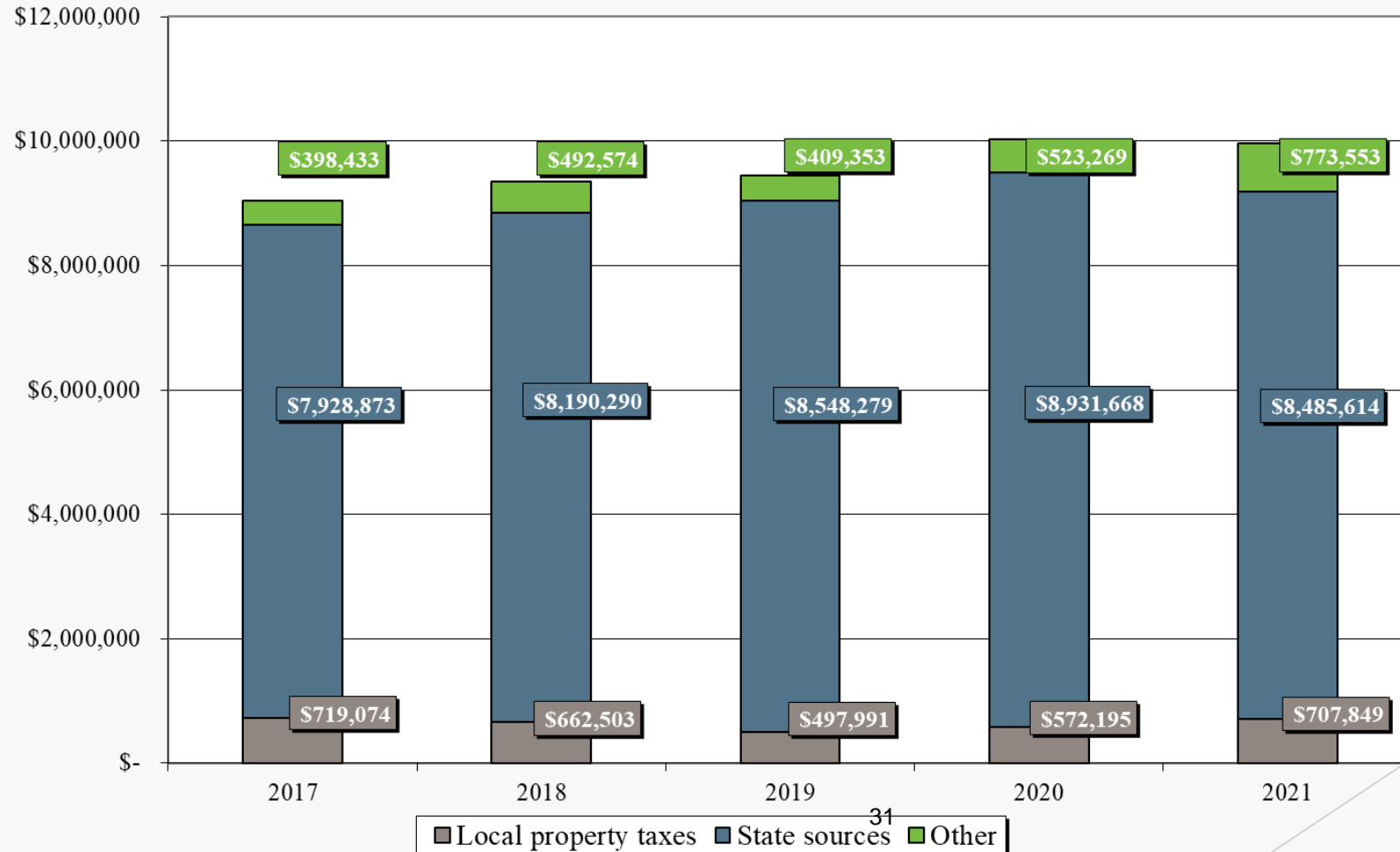
# General Fund

## Sources of Revenue

	2017	2018	2019	2020	2021
Local property taxes	\$ 719,074	\$ 662,503	\$ 497,991	\$ 572,195	\$ 707,849
State sources	7,928,873	8,190,290	8,548,279	8,931,668	8,485,614
Other	398,433	492,574	409,353	523,269	773,553
<b>Total</b>	<b>\$ 9,046,380</b>	<b>\$ 9,345,367</b>	<b>\$ 9,455,623</b>	<b>\$ 10,027,132</b>	<b>\$ 9,967,016</b>

# General Fund

## Sources of Revenue



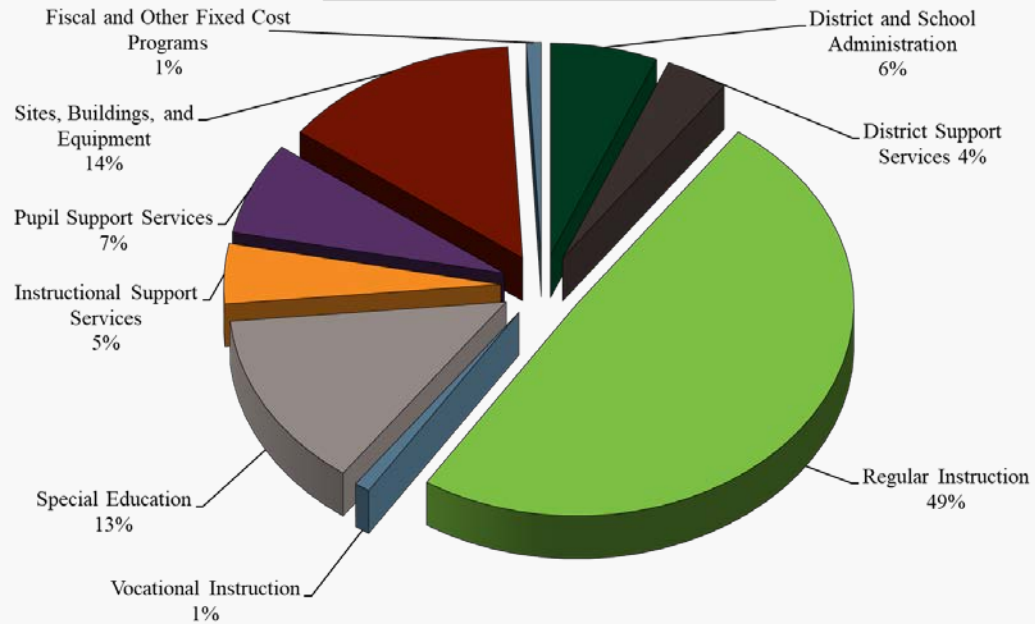
# General Fund

## Budget and Actual Results

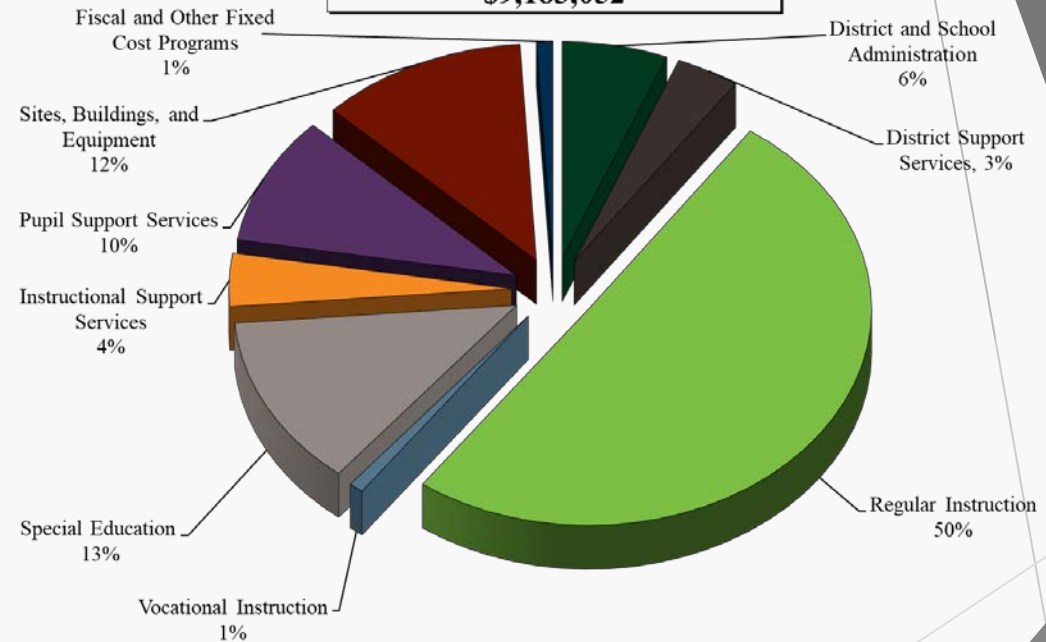
	Budgeted Amounts		Actual Amounts	Variance With Final Budget - Over (under)
	Original	Final		
<b>Revenues</b>				
Local property taxes	\$ 710,443	\$ 707,587	\$ 707,849	\$ 262
Other local revenues	180,493	165,538	193,806	28,268
Revenue from state sources	8,579,802	8,437,457	8,485,614	48,157
Revenue from federal sources	136,900	553,695	562,862	9,167
Sales and other conversions of assets	20,677	-	16,885	16,885
<b>Total revenues</b>	<b>9,628,315</b>	<b>9,864,277</b>	<b>9,967,016</b>	<b>102,739</b>
<b>Expenditures</b>				
Administration	568,873	593,987	594,321	334
District support services	399,736	332,827	347,363	14,536
Regular instruction	4,829,542	4,820,742	4,675,372	(145,370)
Vocational instruction	73,204	85,974	86,044	70
Special education instruction	1,324,352	1,364,349	1,284,892	(79,457)
Instructional support services	438,748	479,966	434,198	(45,768)
Pupil support services	769,619	642,959	669,018	26,059
Sites and buildings	1,174,371	1,347,858	1,330,339	(17,519)
Fiscal and other fixed cost programs	201,000	209,009	81,389	(127,620)
<b>Total expenditures</b>	<b>9,779,445</b>	<b>9,877,671</b>	<b>9,502,936</b>	<b>(374,735)</b>
Excess of revenues (under) expenditures	\$ (151,130)	\$ (13,394)	\$ 464,080	\$ 477,474

# General Fund Expenditures

**2021 General Fund Expenditures**  
\$9,502,936



**2020 General Fund Expenditures**  
\$9,183,052



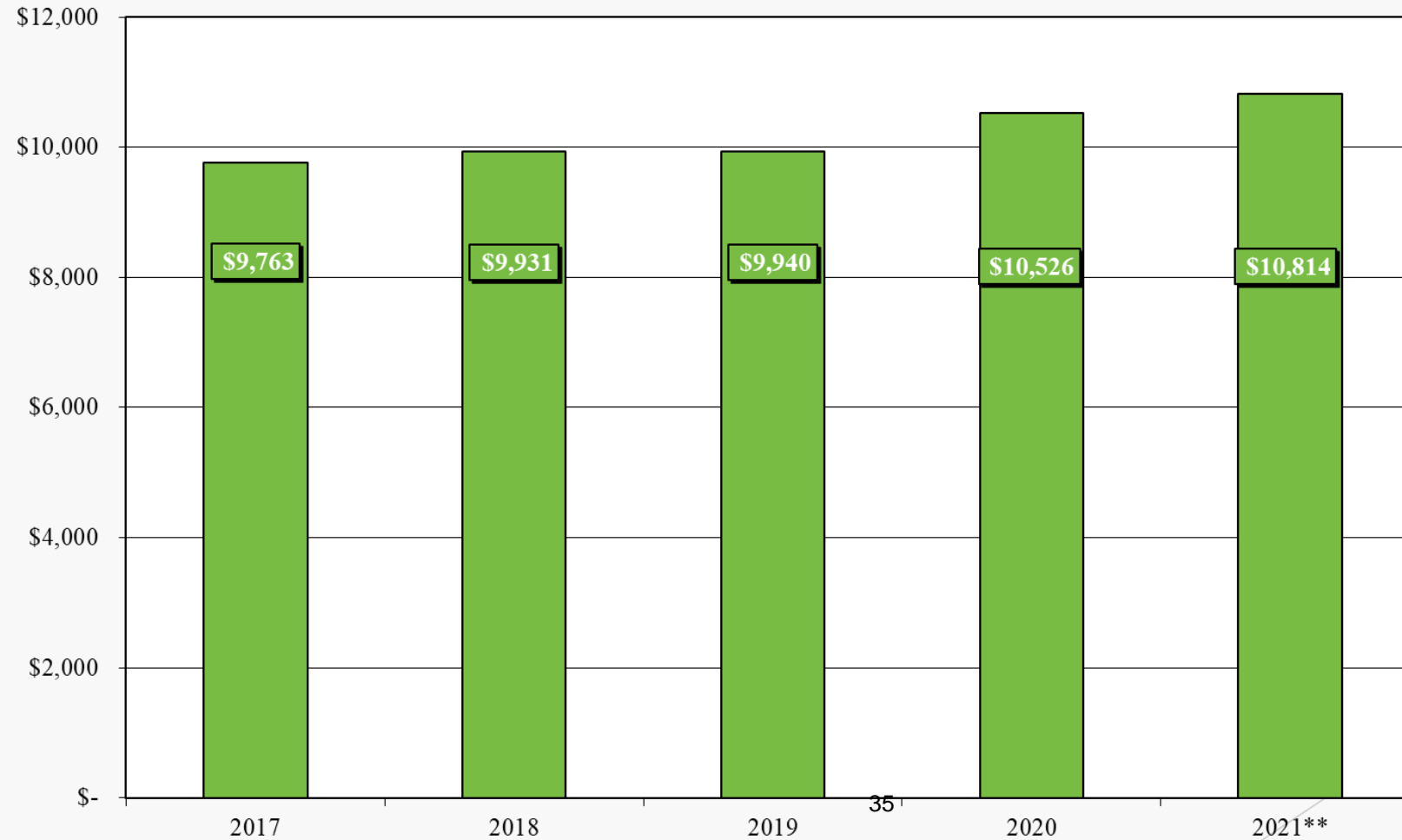
# General Fund

## Revenues Per Student

	2017	2018	2019	2020	2021**
General fund	\$ 9,763	\$ 9,931	\$ 9,940	\$ 10,526	\$ 10,814
State-wide averages	12,364	12,691	13,148	13,628	N/A

# General Fund

## Revenues Per ADM Served

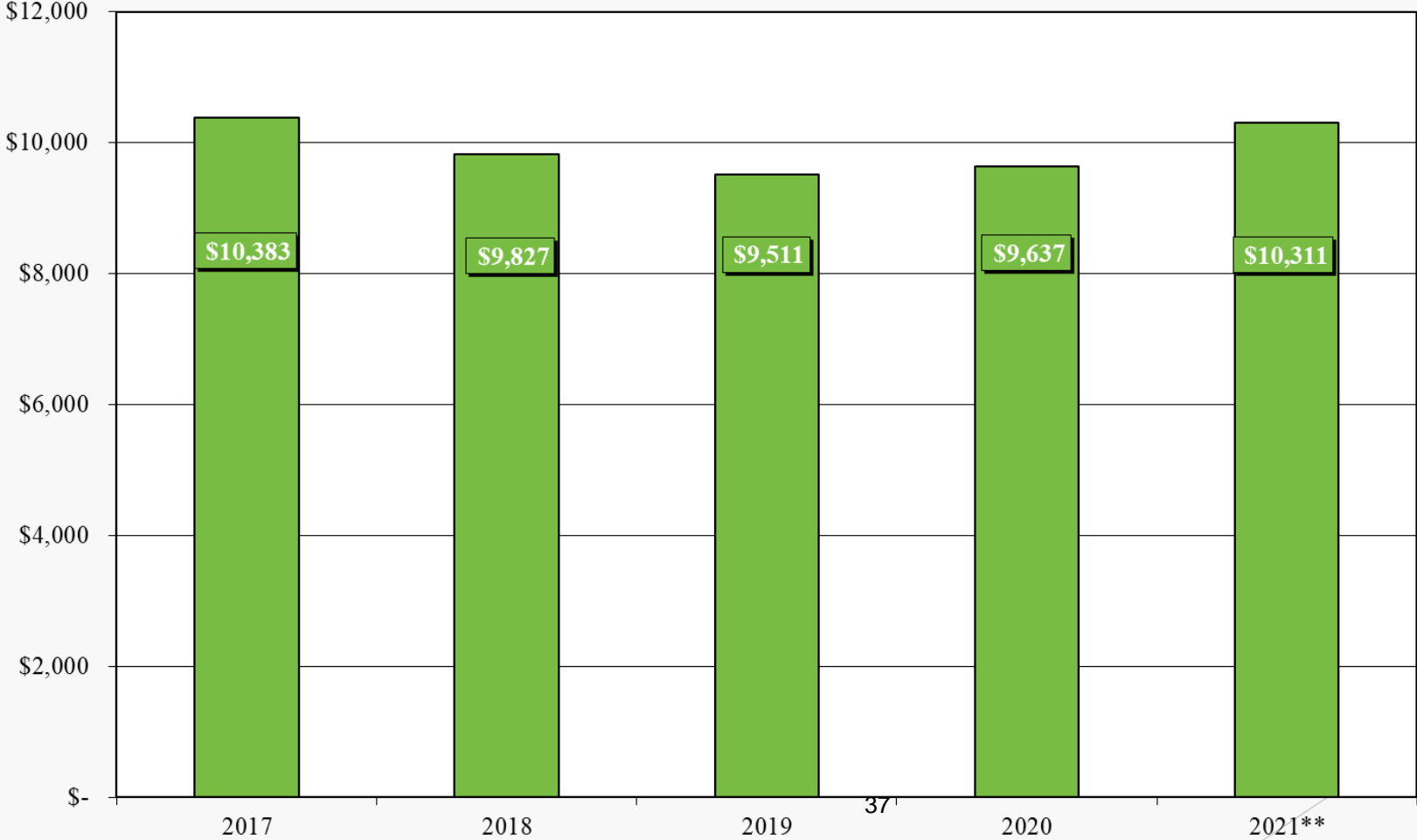


# General Fund Expenditures Per Student

	2017	2018	2019	2020	2021**
General fund	\$ 10,383	\$ 9,827	\$ 9,511	\$ 9,637	\$ 10,311
State-wide averages	12,249	12,596	13,025	13,313	N/A

# General Fund

## Expenditures Per ADM Served



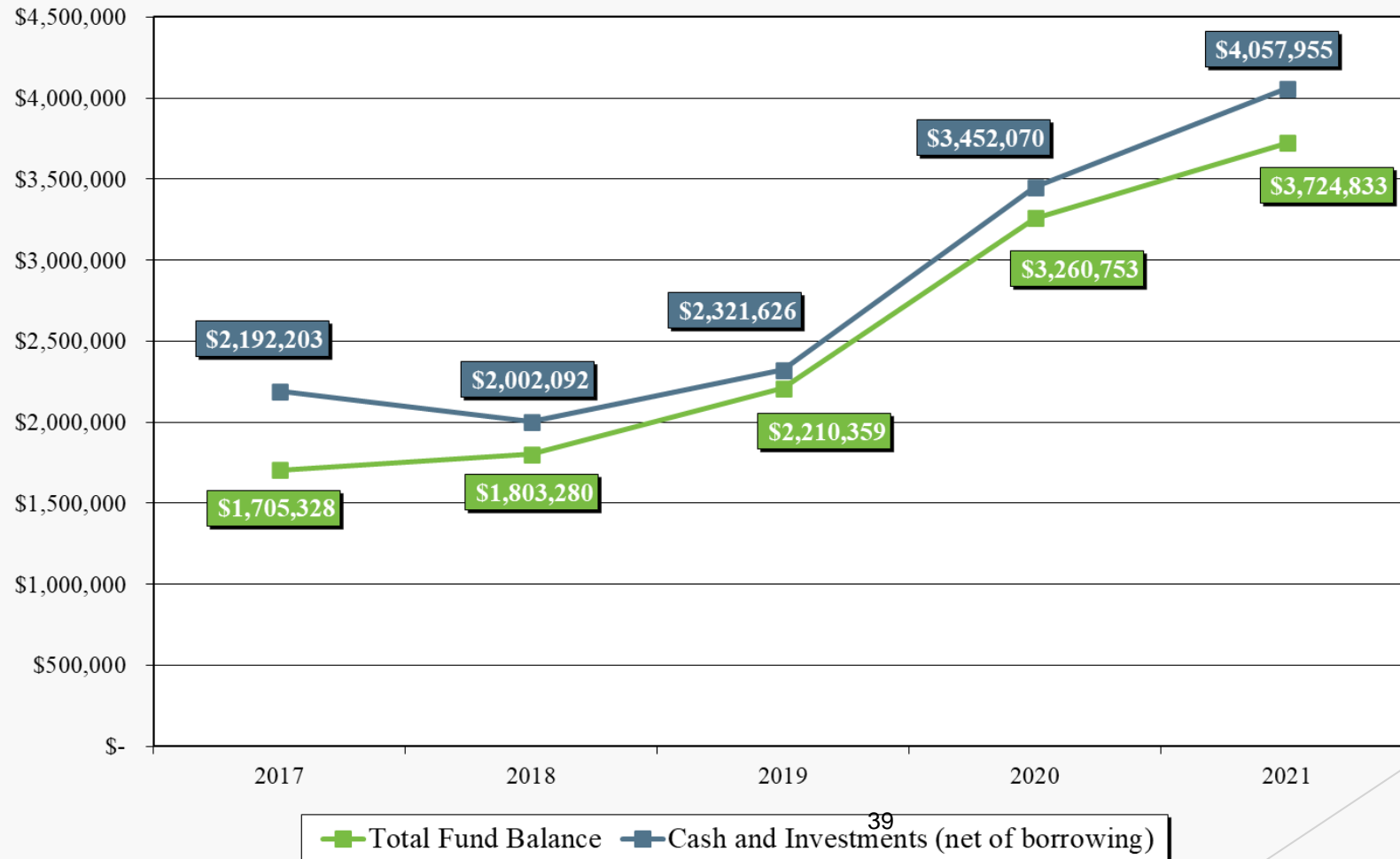
# General Fund Operations

For the Year Ended June 30,	2017	2018	2019	2020	2021
Revenues	\$ 9,046,380	\$ 9,345,367	\$ 9,455,623	\$ 10,027,132	\$ 9,967,016
Expenditures	9,619,763	9,247,415	9,048,544	9,183,052	9,502,936
Excess of revenues over (under) expenditures	(573,383)	97,952	407,079	844,080	464,080
Fund balance, July 1	2,278,711	1,705,328	1,803,280	2,210,359	3,260,753
Change in accounting principle	-	-	-	206,314	-
<b>Fund Balance, June 30</b>	<b>\$ 1,705,328</b>	<b>\$ 1,803,280</b>	<b>\$ 2,210,359</b>	<b>\$ 3,260,753</b>	<b>\$ 3,724,833</b>

## Components of Fund Balance

Nonspendable	\$ 37,755	\$ 5,860	\$ 22,493	\$ 37,619	\$ 5,986
Restricted					
Student activities	-	-	-	184,454	177,256
Scholarships				31,532	28,303
Operating capital	3,194	71,108	289,024	354,260	474,358
Staff development	132,863	80,012	92,497	178,850	266,271
Gifted and talented	-	-	6,931	13,186	22,074
Safe schools levy	6,500	18,920	54,133	79,212	80,817
Long-term facilities maintenance	18,486	77,977	119,458	115,122	160,961
Medical assistance	1,928	46,317	61,073	72,404	97,525
Basic skills - extended time	-	2,858	9,206	16,134	16,134
Assigned	-	-	-	470,000	470,000
Unassigned					
General purposes	1,516,907	1,500,228	1,555,544	1,707,980	1,925,148
Negative health and safety	(12,305)	-	-	-	-
<b>Total</b>	<b>\$ 1,705,328</b>	<b>\$ 1,803,280</b>	<b>\$ 2,210,359</b>	<b>\$ 3,260,753</b>	<b>\$ 3,724,833</b>

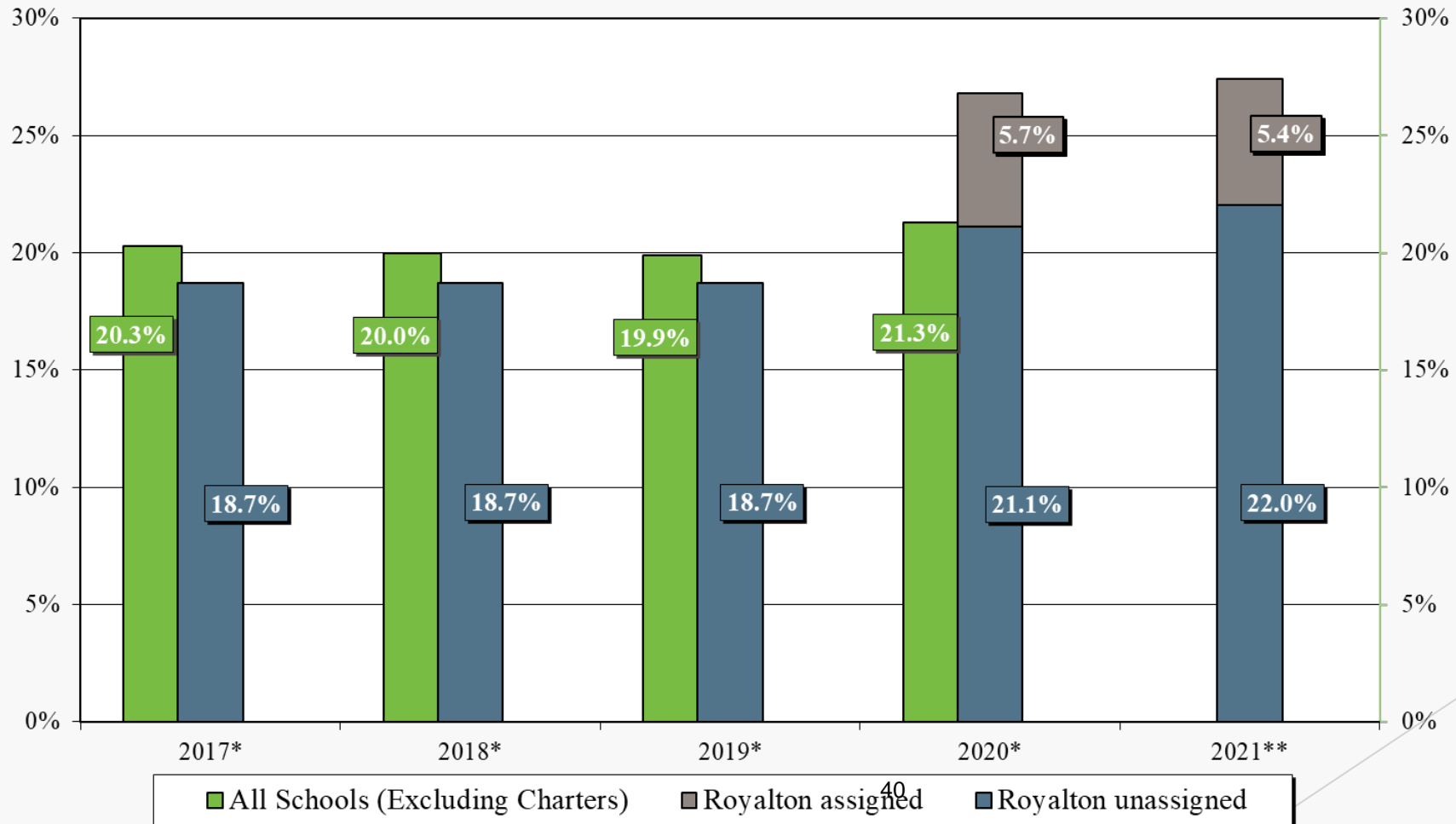
# General Fund Financial Position



39

# District Financial Health

## Percentage of Unrestricted Expenditures



# Food Service Fund

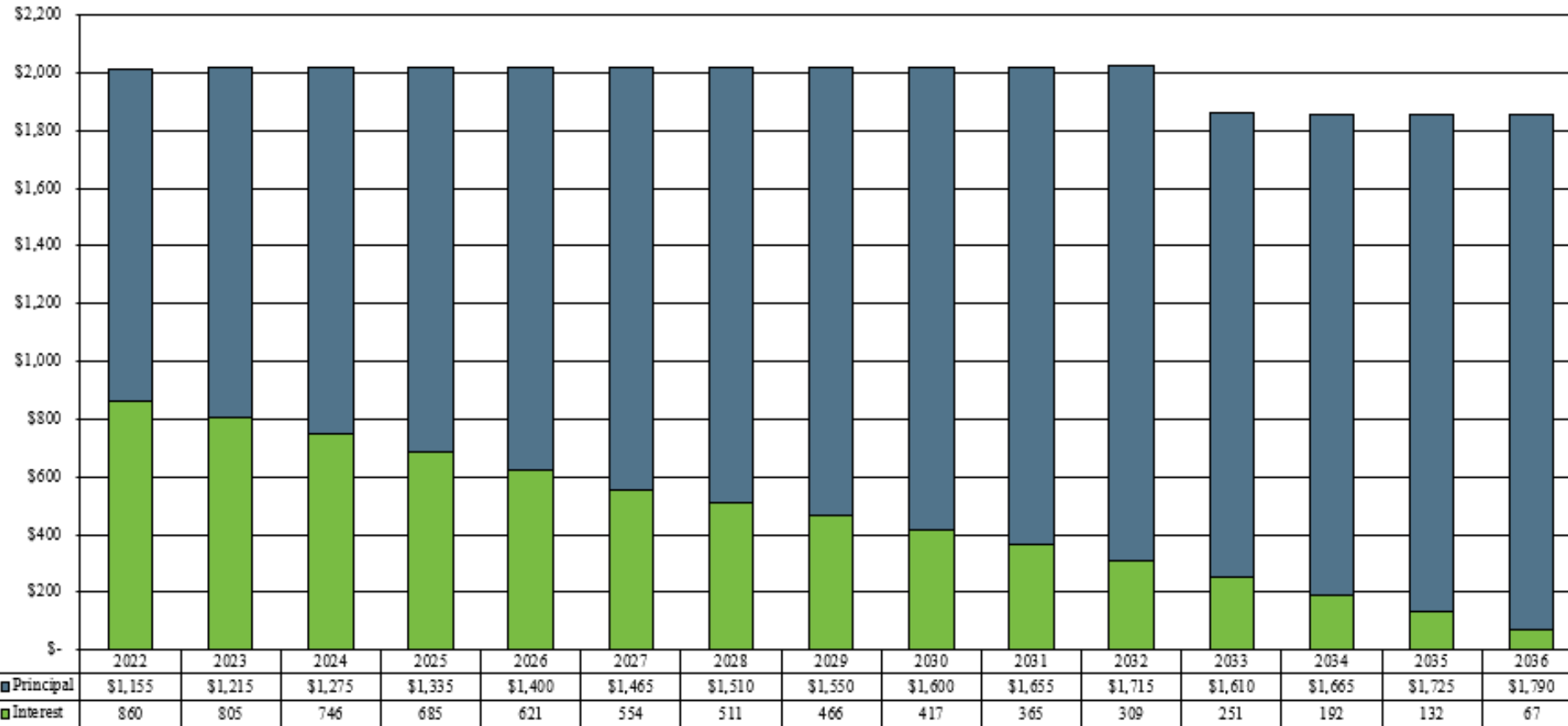
<b>For the Year Ended June 30,</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Revenues	\$ 554,329	\$ 559,447	\$ 528,791	\$ 498,300	\$ 428,282
Expenditures	623,645	589,852	512,245	517,296	416,623
Excess of revenues over (under) expenditures	(69,316)	(30,405)	16,546	(18,996)	11,659
Fund balance, July 1	153,553	84,237	53,832	70,378	51,382
<b>Fund Balance, June 30</b>	<b>\$ 84,237</b>	<b>\$ 53,832</b>	<b>\$ 70,378</b>	<b>\$ 51,382</b>	<b>\$ 63,041</b>

# Community Service Fund

<b>For the Year Ended June 30,</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Revenues	\$ 255,972	\$ 276,356	\$ 378,192	\$ 320,351	\$ 273,184
Expenditures	247,986	306,061	327,703	258,332	229,673
Excess of revenues over (under) expenditures	7,986	(29,705)	50,489	62,019	43,511
Fund balance, July 1	134,760	142,746	113,041	163,530	225,549
<b>Fund Balance, June 30</b>	<b>\$ 142,746</b>	<b>\$ 113,041</b>	<b>\$ 163,530</b>	<b>\$ 225,549</b>	<b>\$ 269,060</b>

# Debt Service

**Bonds Debt Service Requirements**



43

# QUESTIONS?

Jackie Knowles

320-650-0231

Jackie.Knowles@bergankdv.com





# HVAC Update

November 22, 2021



# HVAC Estimates for the High School and Elementary School Gym (Assigned Fund Balance)

## Original Estimate:

- The elementary HVAC gym project totals approximately \$72,400.00.
  - The elementary gym will receive AC units to dehumidify the gym.
- The high school HVAC project totals approximately \$199,400.00.
  - The high school will have a rooftop air handling unit replaced.
- Total cost for both projects is \$271,800.00.

## New Estimate:

- The elementary HVAC gym project totals approximately \$64,900.00.
    - The elementary gym will receive AC units to dehumidify the gym.
  - The high school HVAC project totals approximately \$194,400.00.
    - The high school will have a rooftop air handling unit replaced.
  - Total cost for both projects is \$259,300.00. **A decrease of \$12,500 from the original estimate.**
- 
- The Assigned Fund Balance is currently at \$370,500.00.
    - The revised assigned fund balance will be **\$111,200.00**.

# Recommendation for use of ESSER III funds

Expenditure Item ESSER III \$		Expenditure Item Learning Loss \$	
<b>ESSER III Revenue</b>	<b>\$508,759.48</b>	<b>ESSER III Revenue Learning Loss</b>	<b>\$127,189.87</b>
<b>ESSER III Total</b>	<b>\$507,930.00</b>	<b>ESSER III Learning Loss</b>	<b>\$127,189.00</b>
<i>Contingency</i>	\$100,000.00	<i>Contingency</i>	\$25,000.00
<b>ES</b>		Reading Specialist Salary (2 Years)	\$72,999.00
HVAC Upgrade Elem	\$210,000.00	\$97,470 (2 years) (\$48,735 .6 FTE 1 year)	
<b>Tech</b>			
SMART Boards (All Classrooms)	\$50,000.00 (10-12 boards)	4-core Summer Academy	\$6,000.00
HS Teacher Computers 2022 (36)	\$47,160.00	Interventionist Salary	\$12,690.00
Google Enterprise (District)	\$2,520.00		\$62,000 per year
Kami (3-12)	\$3,000.00		
Edpuzzle (6-12)	\$1,450.00	ZAP	\$10,500.00
<b>Transportation</b>			
77 Passenger Bus	\$68,800.00		
	\$93,000.00 (\$68,800 from ESSER and \$24,160 from Capital)		
<b>Mental Health</b>			
Behavior support	\$25,000.00		

**Any purchase over \$5,000 must have pre-approval from MDE**

# Estimate for Elementary HVAC

Original Estimate: \$210,000.00

New Proposed Estimates from Companies

- Climate Air: \$177,834.00
- UHL: \$37,517.00
- Oak Electric Service: \$89,750.00

New Estimate: \$305,101

- Increase of \$95,101

# Available Funds for Increased Cost of the Upgrades to HVAC System in the Elementary

## Options:

- ESSER III Contingency Funds
- Assigned Fund Balance
- Use a portion of Operating Capital and a portion from ESSER III
- **Do not purchase bus with ESSER funds use the \$68,000 designated for the bus for HVAC, with the remaining \$27,000 coming from the contingency set aside**



# Discussion

# MCA Scores

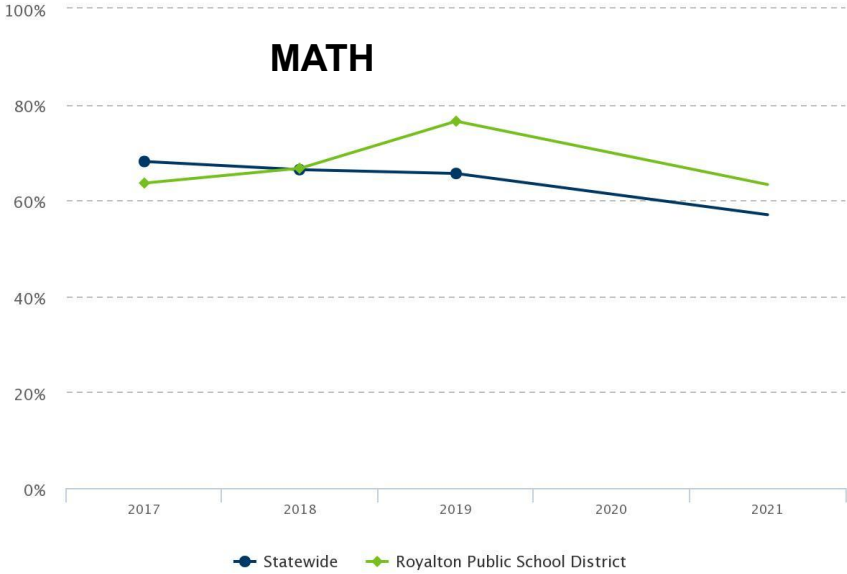
Royalton School District  
2017-2021



<sup>51</sup>  
Presented by: Amy Krueger, Technology Integration  
Specialist/District Assessment Coordinator

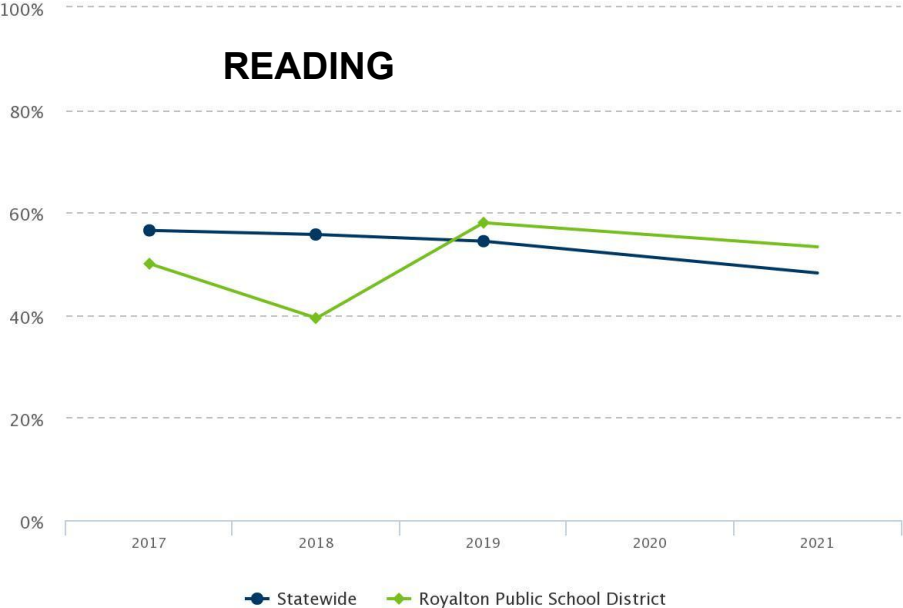
# GRADE 3-OVERALL

## MATH



	2017	2018	2019	2020	2021
Statewide % Proficiency	68.1	66.5	65.6		57.1
Royaton Proficiency	64.2	65.7	76.5		63.3

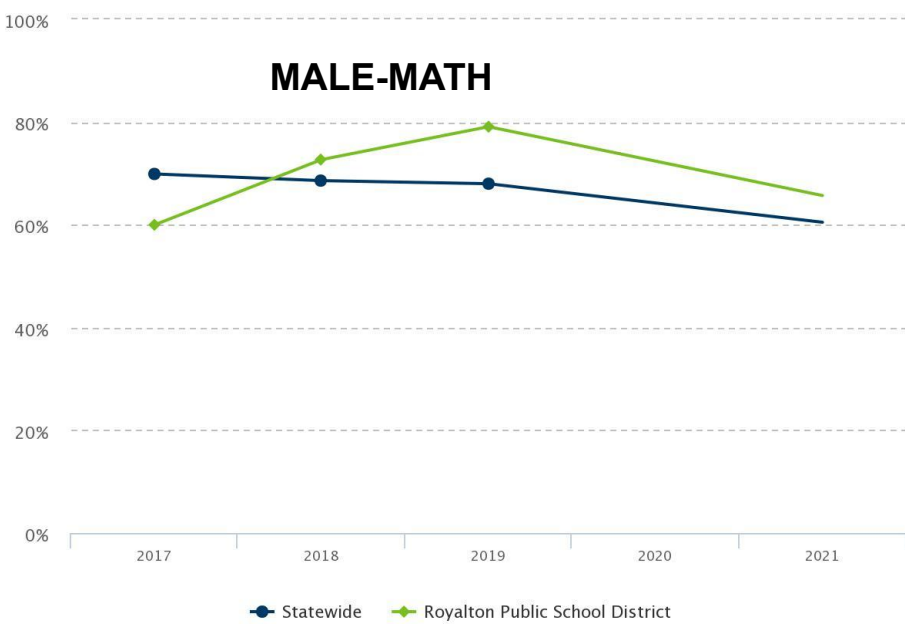
## READING



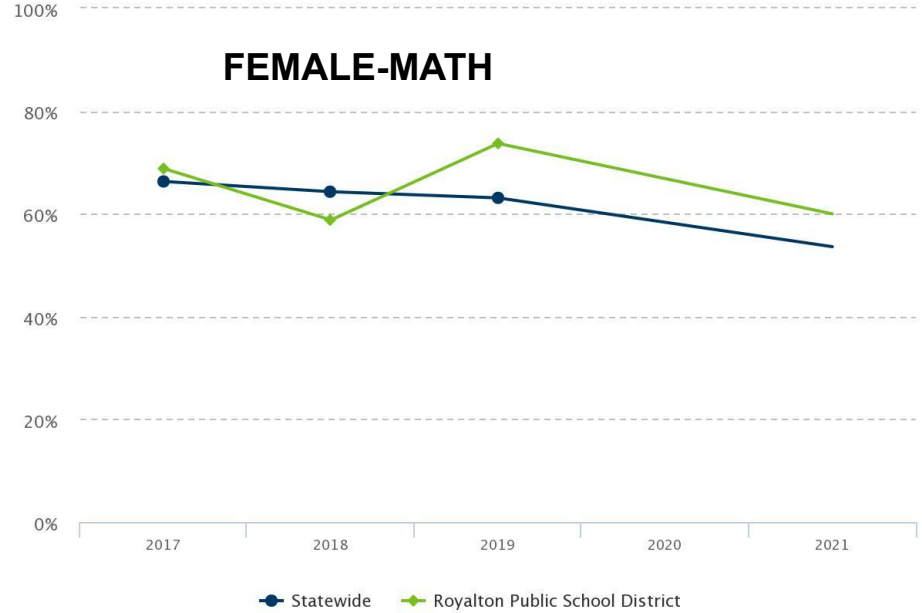
	2017	2018	2019	2020	2021
Statewide % Proficiency	56.8	55.9	54.6		48.5
Royaton Proficiency	50.7	38.8	58.0		53.3

52

# GRADE 3-GENDER



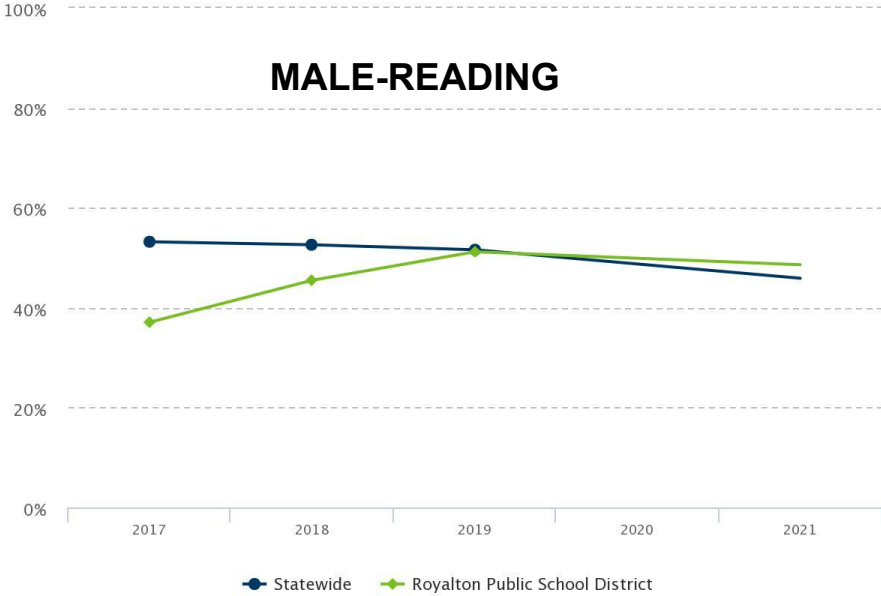
	2017	2018	2019	2020	2021
Statewide % Proficiency	69.9	68.6	68.0		60.5
Royalton Proficiency	60.0	72.7	79.1		65.7



	2017	2018	2019	2020	2021
Statewide % Proficiency	66.3	64.3	63.1		53.6
Royalton Proficiency	68.8	58.8	73.7		60.0 <sup>3</sup>

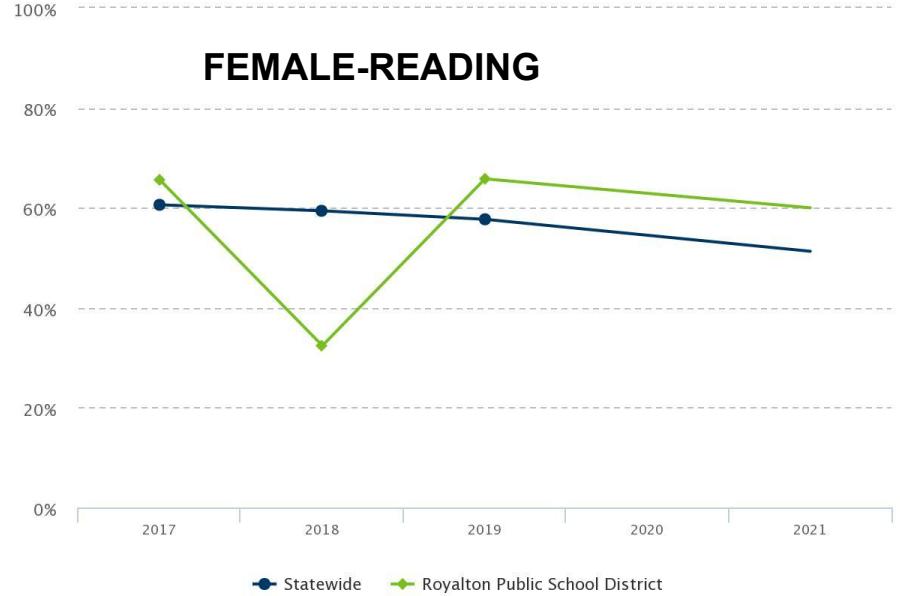
# GRADE 3-GENDER

## MALE-READING



	2017	2018	2019	2020	2021
Statewide % Proficiency	53.2	52.6	51.6		45.9
Royaton Proficiency	37.1	45.5	51.2		48.6

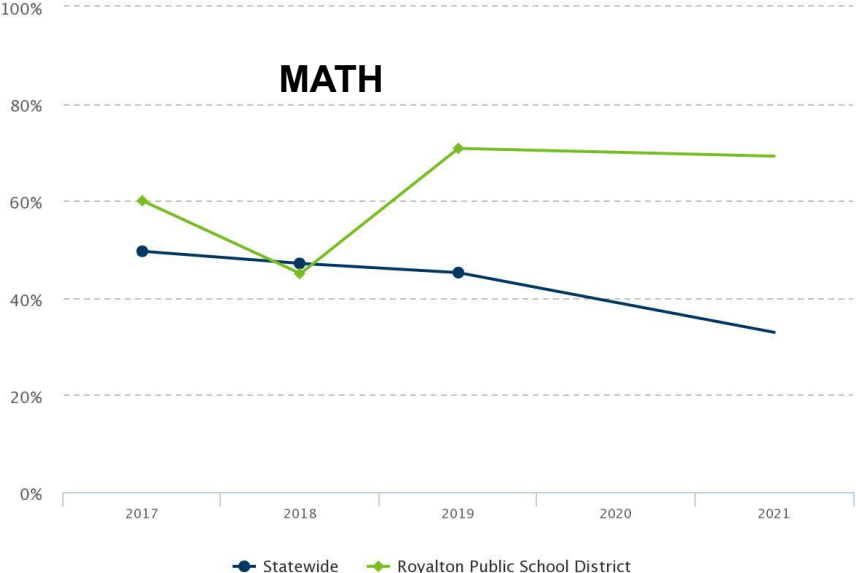
## FEMALE-READING



	2017	2018	2019	2020	2021
Statewide % Proficiency	60.6	59.4	57.7		51.3
Royaton Proficiency	65.6	32.4	65.8		60.0 <sup>4</sup>

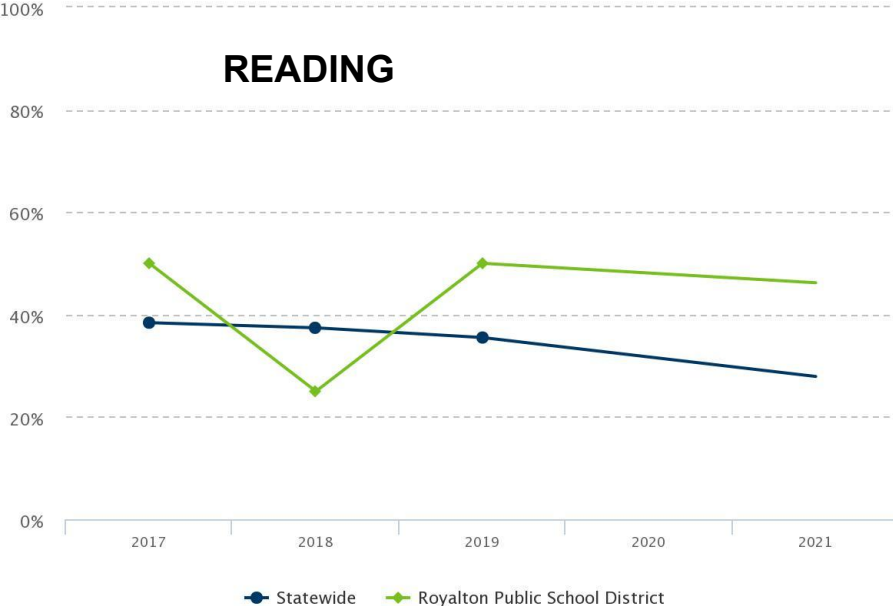
# GRADE 3-FRP

## MATH



	2017	2018	2019	2020	2021
Statewide % Proficiency	49.6	47.1	45.2		32.9
Royaton Proficiency	60.0	45.0	70.8		69.2

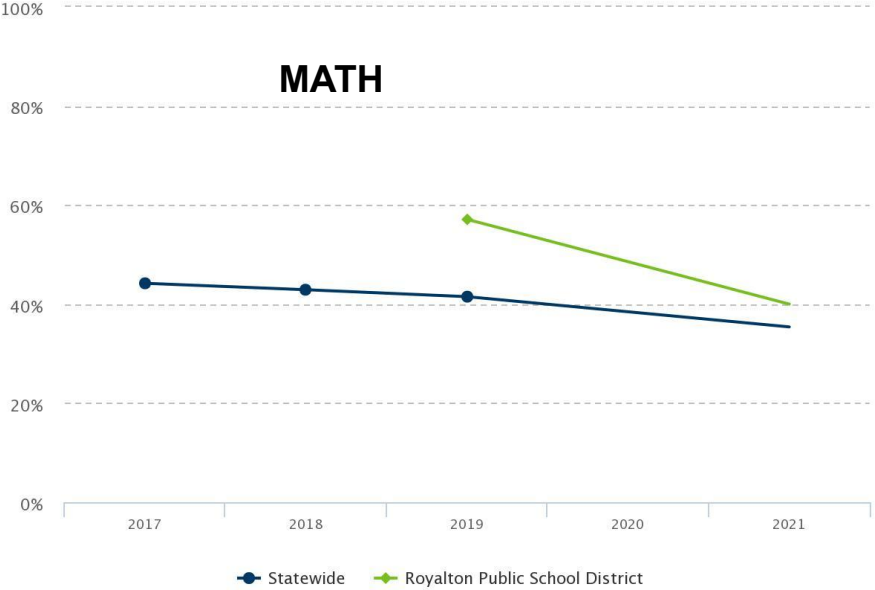
## READING



	2017	2018	2019	2020	2021
Statewide % Proficiency	38.4	37.4	35.5		27.9
Royaton Proficiency	50.0	25.0	50.0		46.2

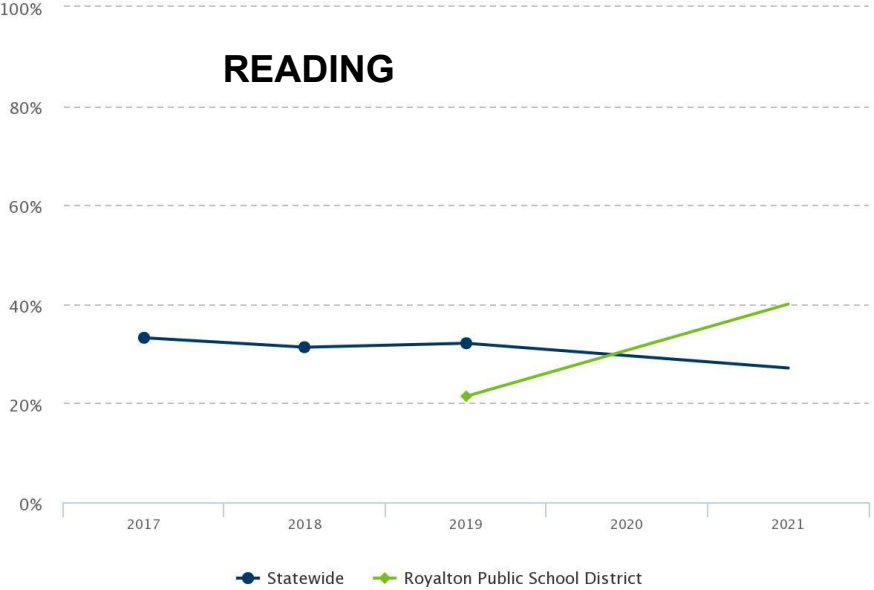
# GRADE 3-SPED

## MATH



	2017	2018	2019	2020	2021
Statewide % Proficiency	44.2	42.9	41.5		35.4
Royaton Proficiency			57.1		40.0

## READING



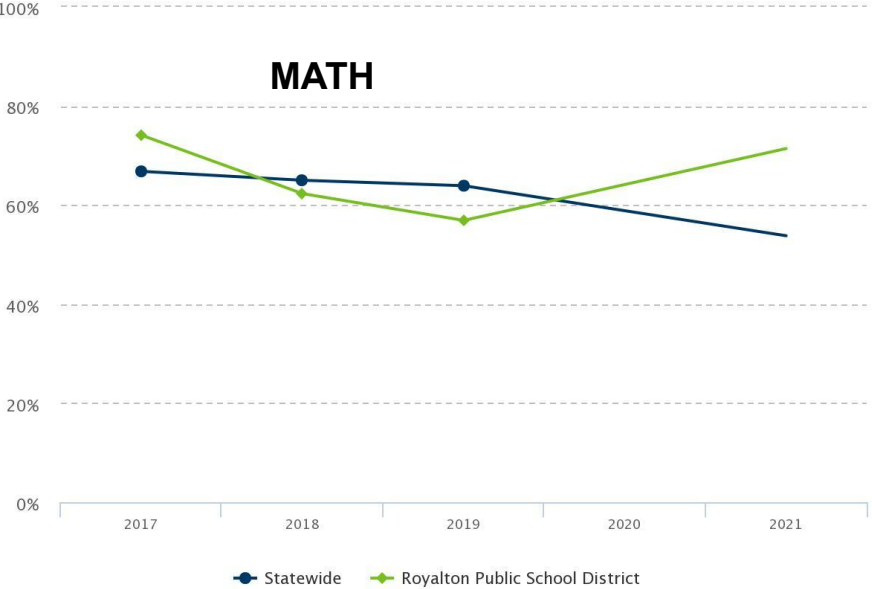
	2017	2018	2019	2020	2021
Statewide % Proficiency	33.2	31.3	32.1		27.1
Royaton Proficiency			21.4		40.0

# 3rd Grade Analysis

- Above state percent proficient in Math and Reading two out of four years, with the last two years being above
- FRP above state percent proficient in Math and Reading three of four years, with the last two years being above
- SPED above state percent proficient in Math the last two years
- SPED above state percent proficient in Reading the last year

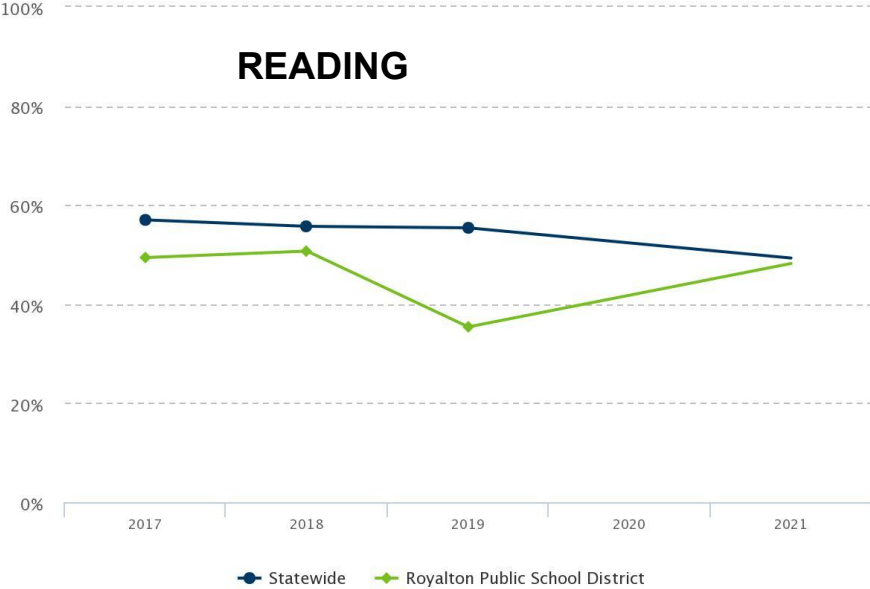
# GRADE 4-OVERALL

## MATH



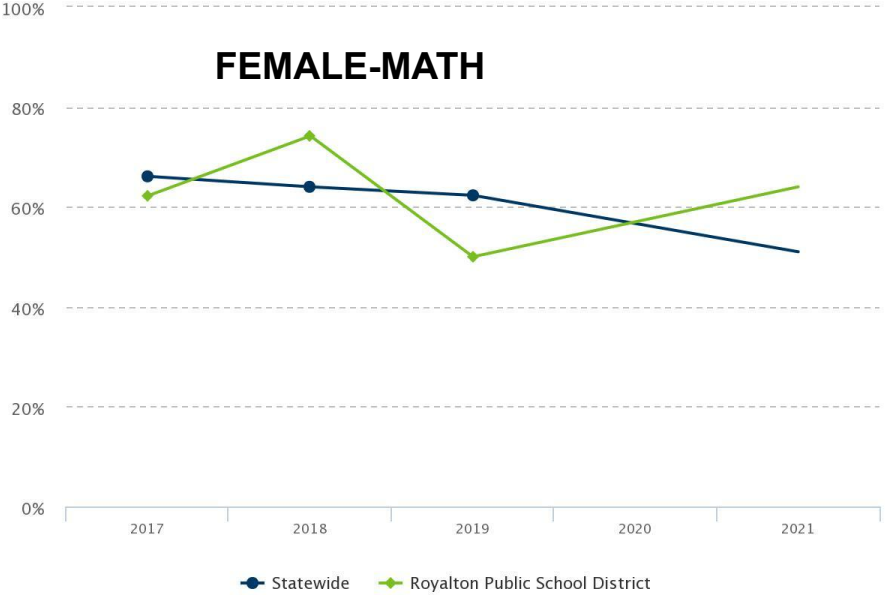
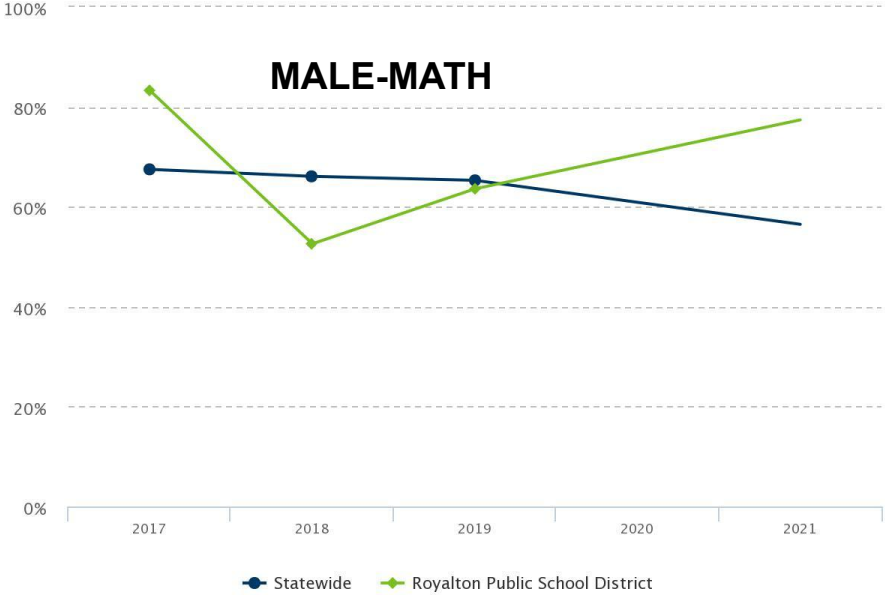
	2017	2018	2019	2020	2021
Statewide % Proficiency	66.8	65.0	63.9		53.8
Royaton Proficiency	74.1	62.3	56.9		71.4

## READING



	2017	2018	2019	2020	2021
Statewide % Proficiency	57.0	55.7	55.4		49.3
Royaton Proficiency	49.4	50.7	35.4		48.2

# GRADE 4-GENDER



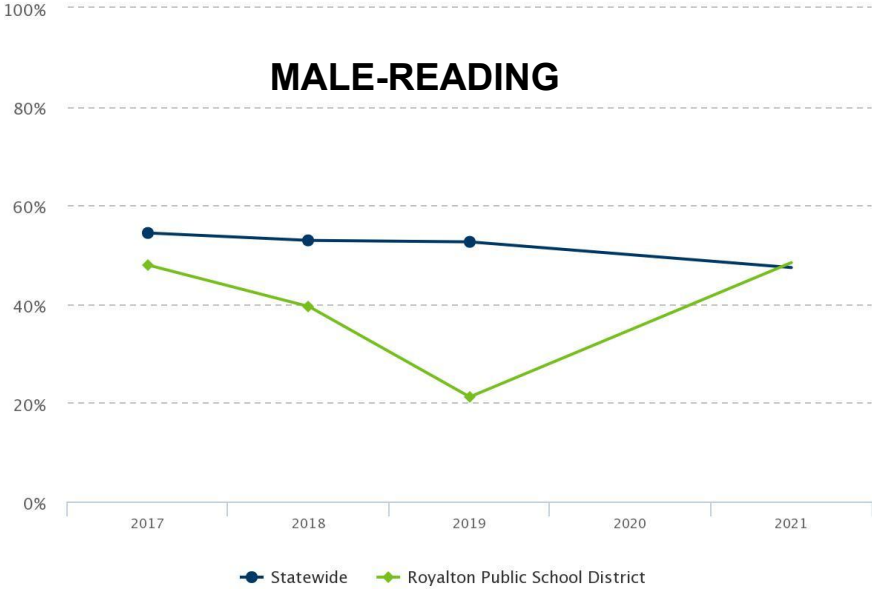
	2017	2018	2019	2020	2021
Statewide % Proficiency	67.5	66.1	65.3		56.5
Royalton Proficiency	83.3	52.6	63.6		77.4

	2017	2018	2019	2020	2021
Statewide % Proficiency	66.1	64.0	62.3		51.0
Royalton Proficiency	62.2	74.2	50.0		64.0

59

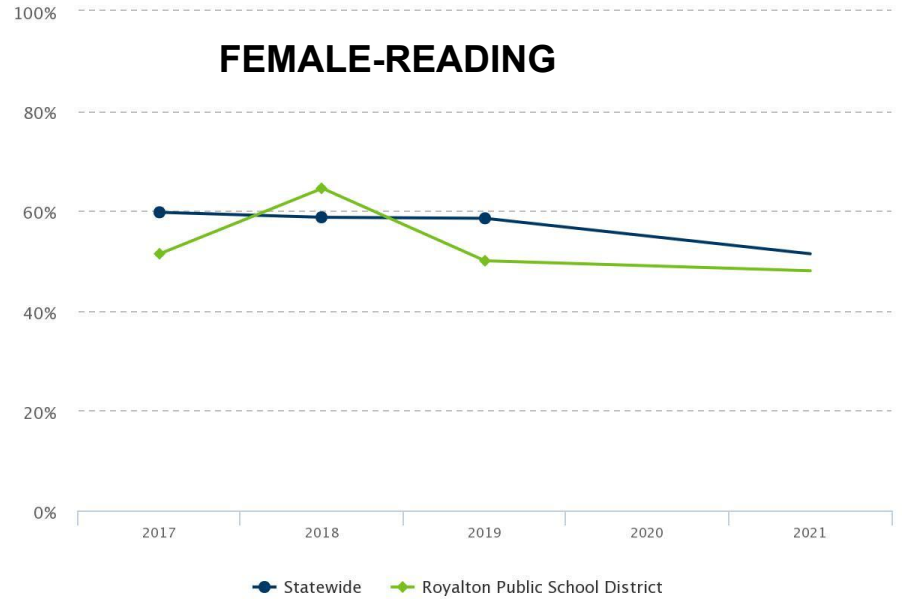
# GRADE 4-GENDER

## MALE-READING



	2017	2018	2019	2020	2021
Statewide % Proficiency	54.4	52.9	52.6		47.4
Royalton Proficiency	47.9	39.5	21.2		48.4

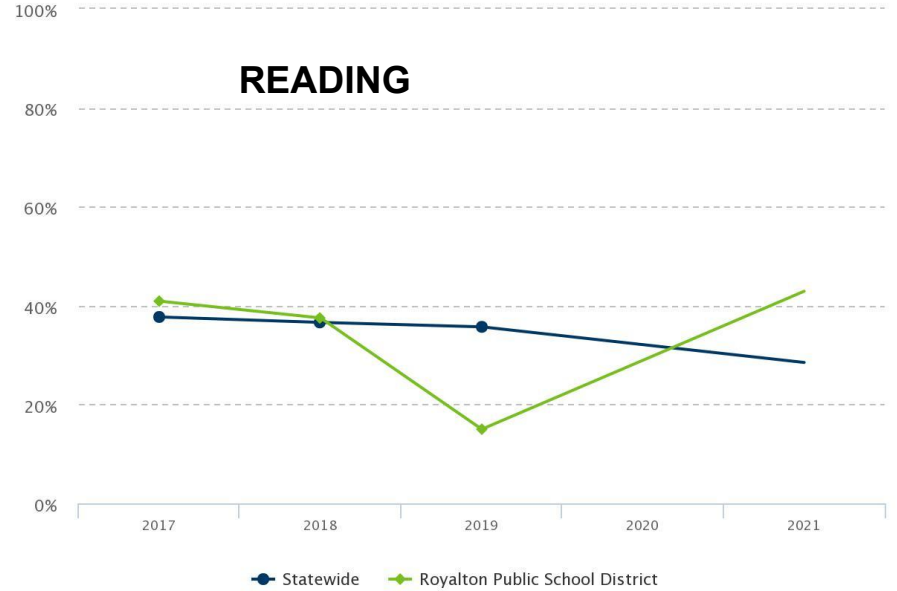
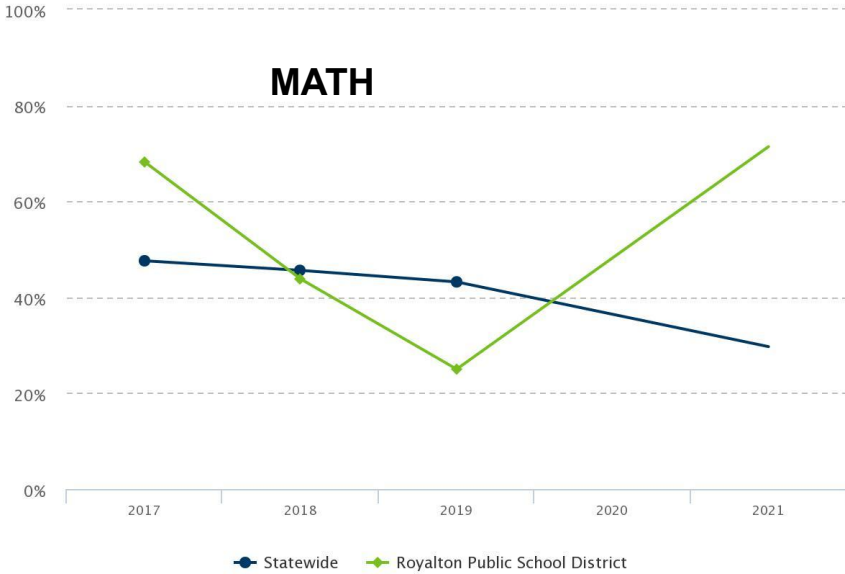
## FEMALE-READING



	2017	2018	2019	2020	2021
Statewide % Proficiency	59.7	58.7	58.5		51.4
Royalton Proficiency	51.4	64.5	50.0		48.0 <sup>10</sup>

60

# GRADE 4-FRP

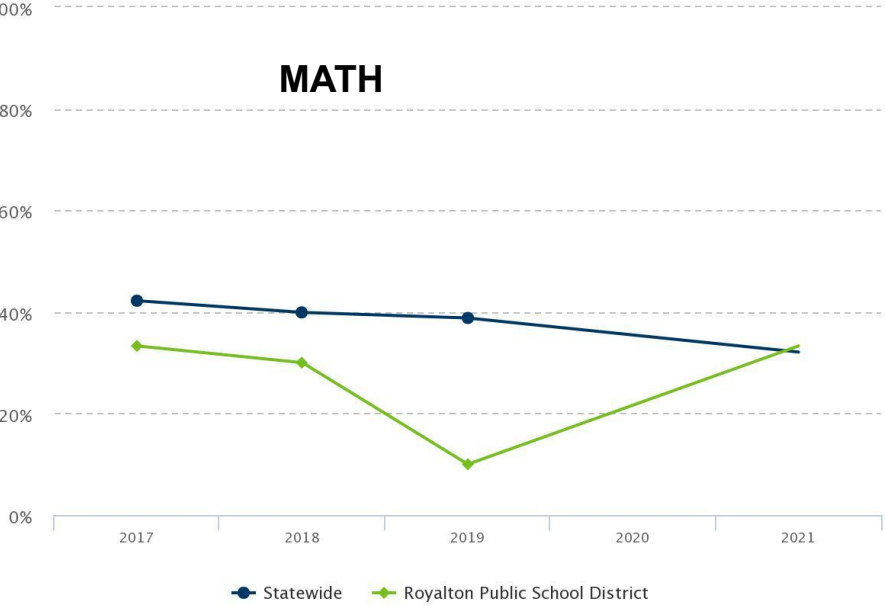


	2017	2018	2019	2020	2021
Statewide % Proficiency	47.6	45.6	43.2		29.7
Royalton Proficiency	68.2	43.8	25.0		71.4

	2017	2018	2019	2020	2021
61 Statewide % Proficiency	37.7	36.6	35.7		28.5
Royalton Proficiency	40.9	37.5	15.0		42.9

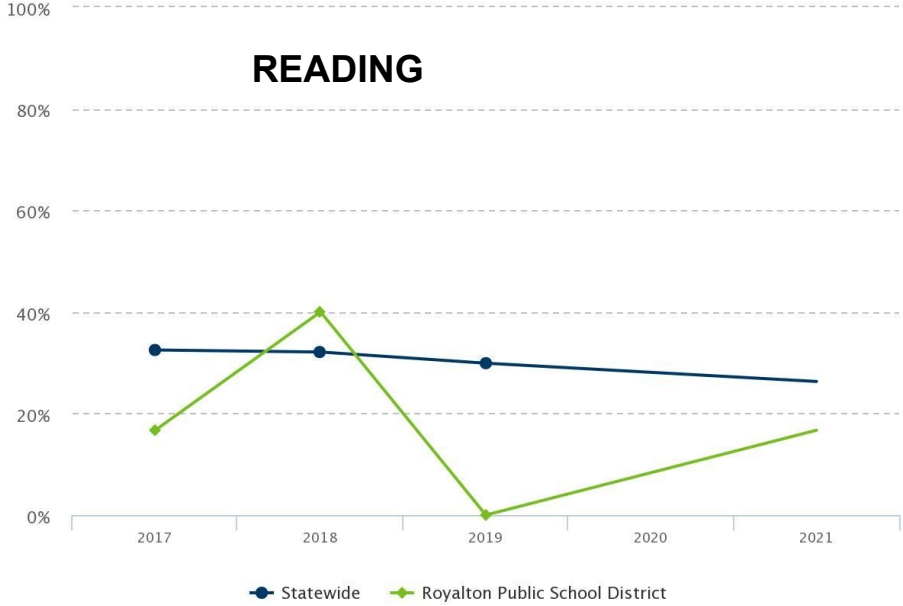
# GRADE 4-SPED

## MATH



	2017	2018	2019	2020	2021
Statewide % Proficiency	42.2	39.9	38.8		32.1
Royalton Proficiency	33.3	30.0	10.0		33.3

## READING

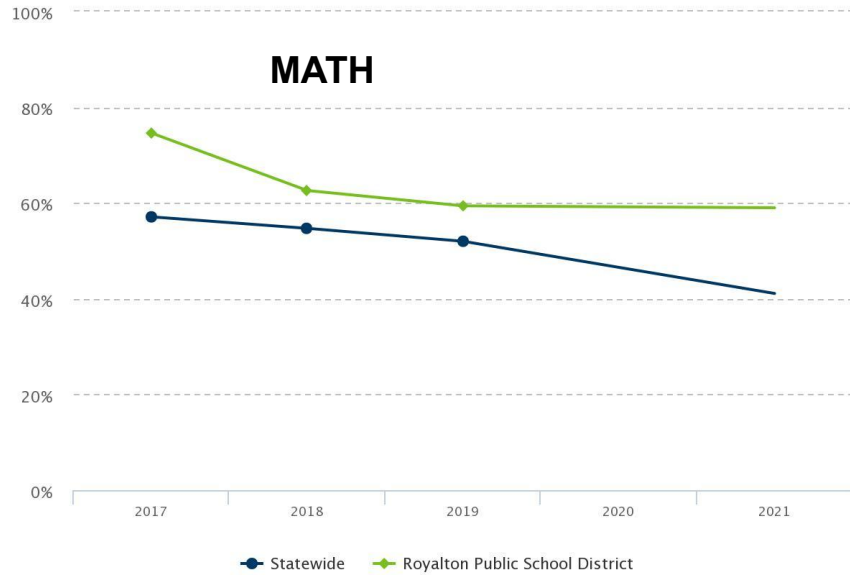


	2017	2018	2019	2020	2021
Statewide % Proficiency	32.5	32.1	29.9		26.3
Royalton Proficiency	16.7	40.0	0.0		16.7

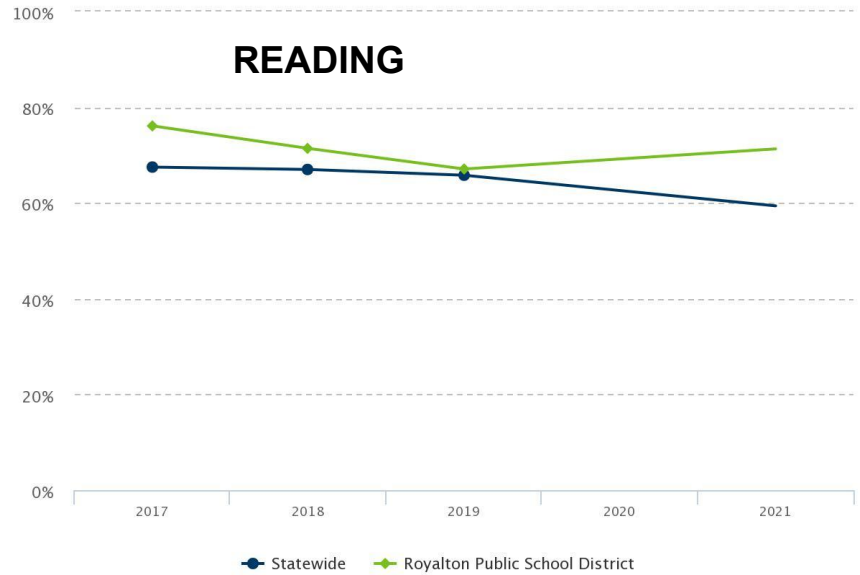
# 4th Grade Analysis

- Above state percent proficient in Math two out of four years, with the last year being above
- Below state percent proficient in Reading all four years
- FRP above state percent proficient in Math two out of four years, with the last year being above
- FRP above state percent proficient in Reading three out of four years, with the last year being above
- SPED above state percent proficient in Math one out of four years, with the last year being above
- SPED above state percent proficient in Reading one out of four years

# GRADE 5-OVERALL

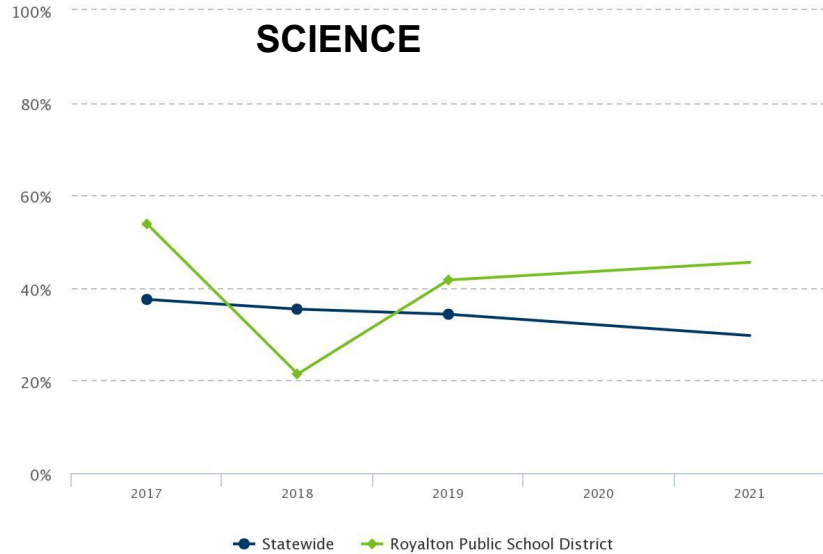


	2017	2018	2019	2020	2021
Statewide % Proficiency	57.1	54.7	52.0		41.1
Royaton Proficiency	74.6	62.6	59.4		59.0



	2017	2018	2019	2020	2021
64 Statewide % Proficiency	67.5	67.0	65.8		59.4
Royaton Proficiency	76.1	71.4	67.1		71.3

# GRADE 5-OVERALL

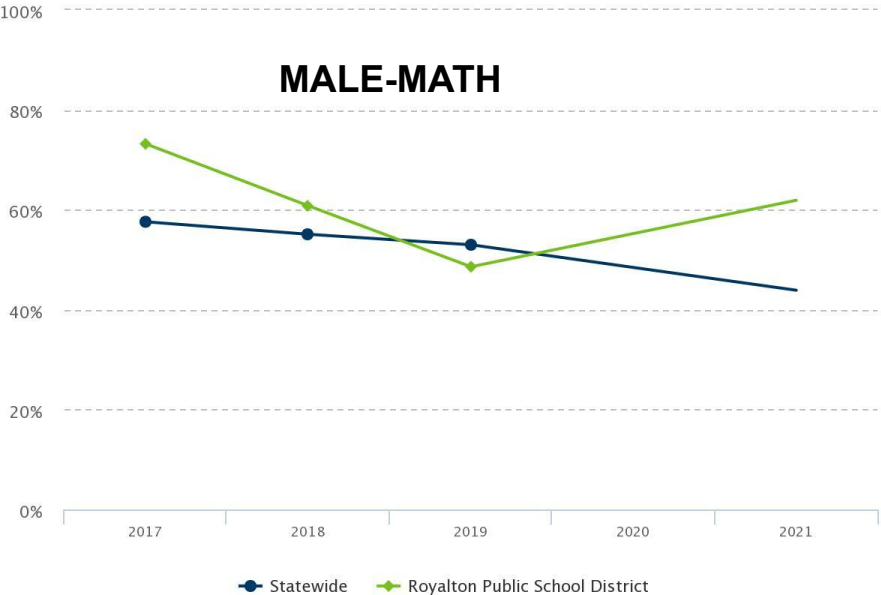


	2017	2018	2019	2020	2021
Statewide % Proficiency	37.5	35.4	34.3		29.7
Royaton Proficiency	53.8	21.4	41.7		45.5

65

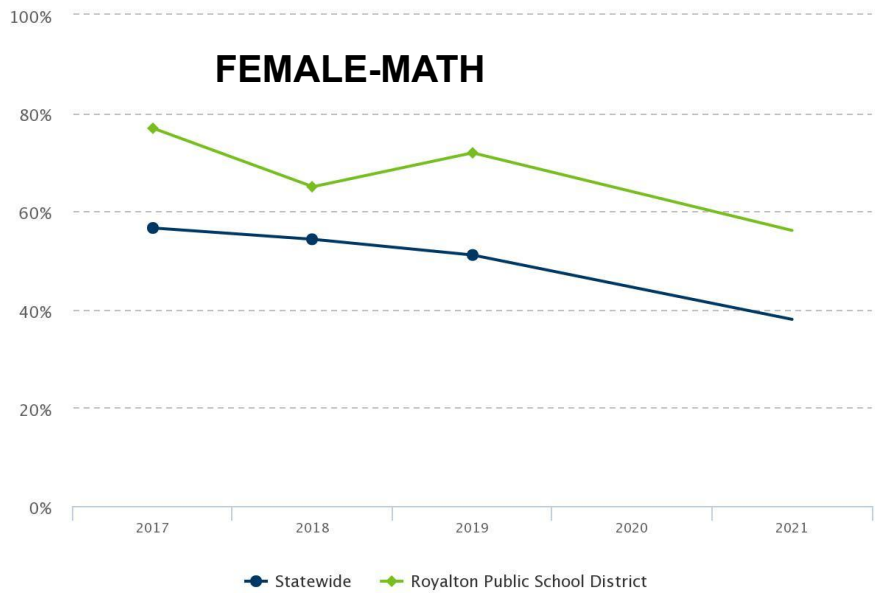
# GRADE 5-GENDER

## MALE-MATH



	2017	2018	2019	2020	2021
Statewide % Proficiency	57.6	55.1	53.0		43.9
Royalton Proficiency	73.2	60.8	48.6		61.9

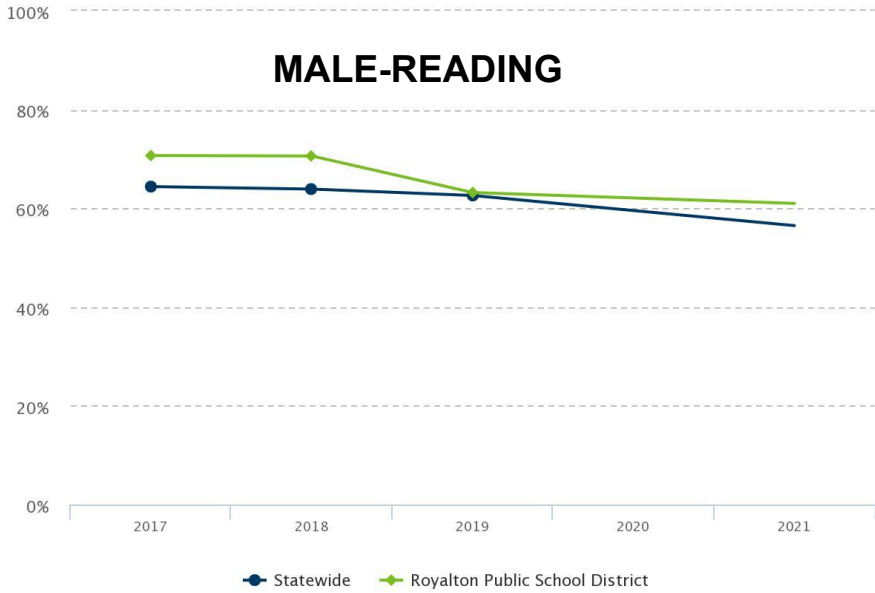
## FEMALE-MATH



	2017	2018	2019	2020	2021
Statewide % Proficiency	56.6	54.3	51.1		38.0
Royalton Proficiency	76.9	65.0	71.9		56.1

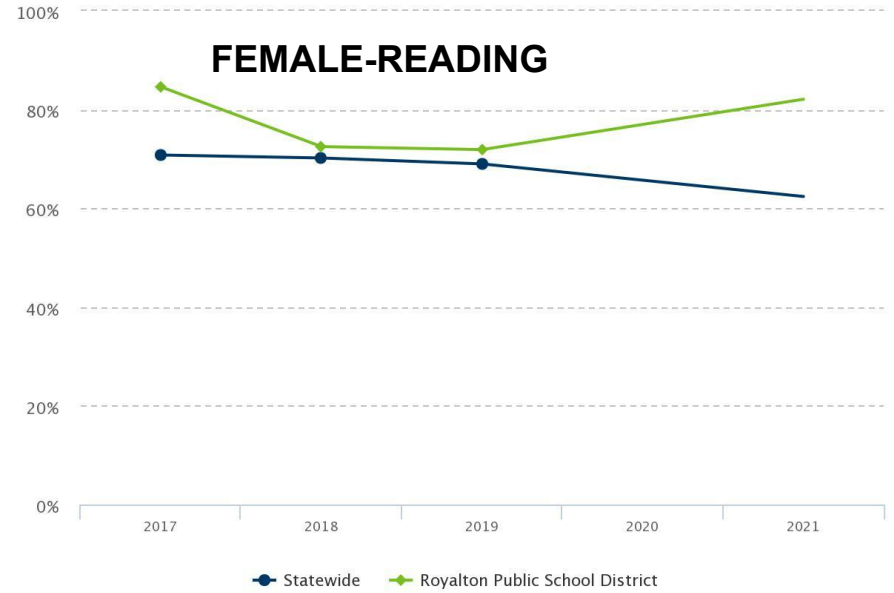
# GRADE 5-GENDER

## MALE-READING



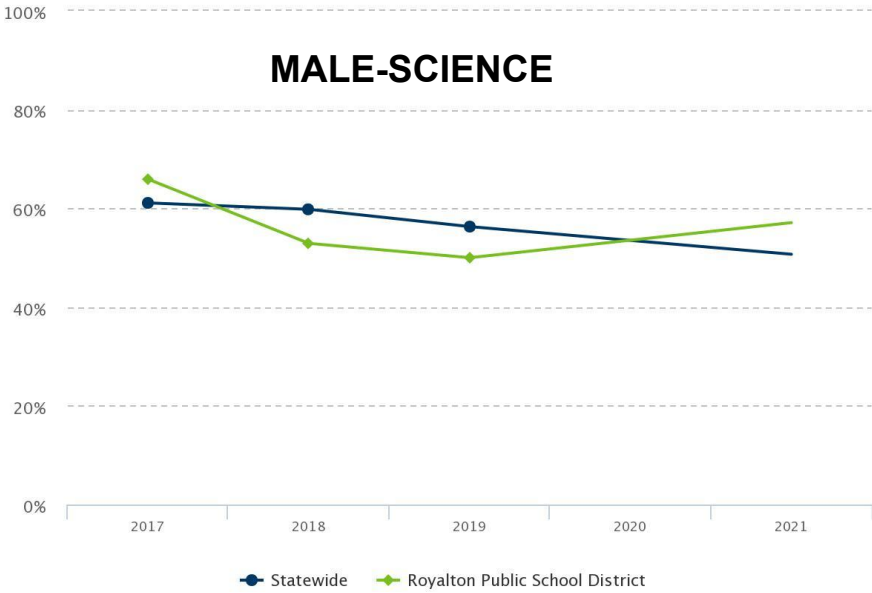
	2017	2018	2019	2020	2021
Statewide % Proficiency	64.4	63.9	62.6		56.5
Royaton Proficiency	70.7	70.6	63.2		61.0

## FEMALE-READING

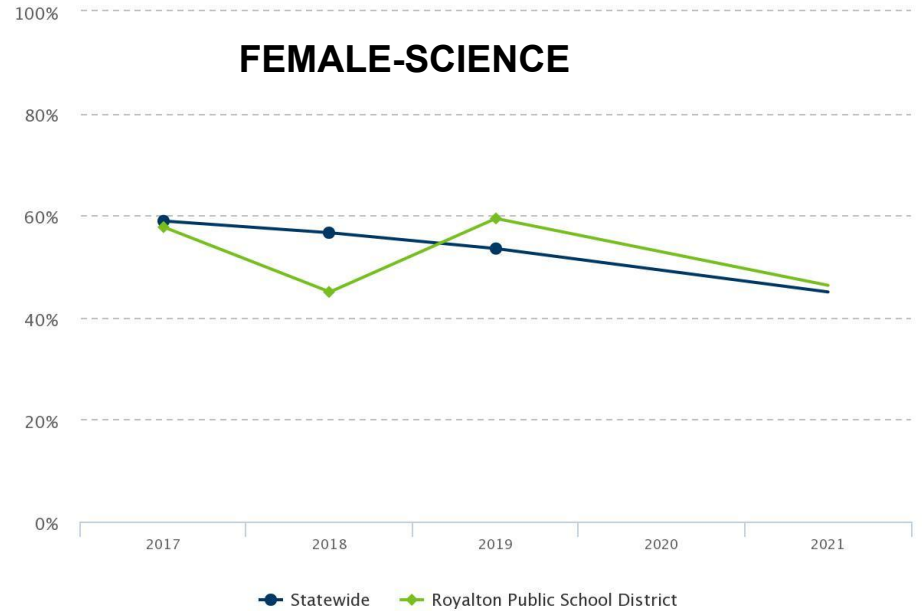


	2017	2018	2019	2020	2021
Statewide % Proficiency	70.8	70.2	69.0		62.4
Royaton Proficiency	84.6	72.5	71.9		82.1 <sup>17</sup>

# GRADE 5-GENDER



	2017	2018	2019	2020	2021
Statewide % Proficiency	61.1	59.8	56.3		50.7
Royalton Proficiency	65.9	52.9	50.0		57.1

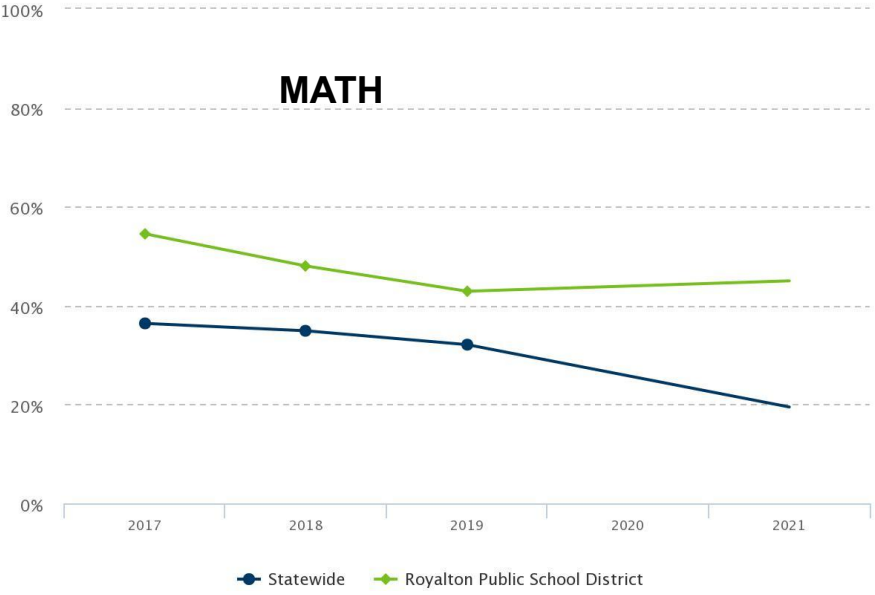


	2017	2018	2019	2020	2021
Statewide % Proficiency	58.9	56.6	53.5		45.0
Royalton Proficiency	57.7	45.0	59.4		46.3 <sup>18</sup>

68

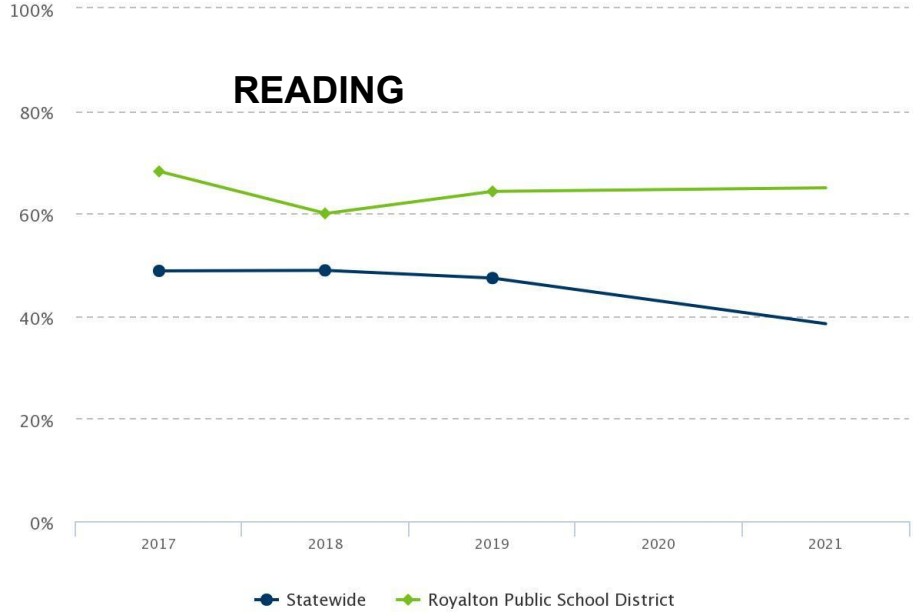
# GRADE 5-FRP

## MATH



	2017	2018	2019	2020	2021
Statewide % Proficiency	36.4	34.9	32.1		19.5
Royaton Proficiency	54.5	48.0	42.9		45.0

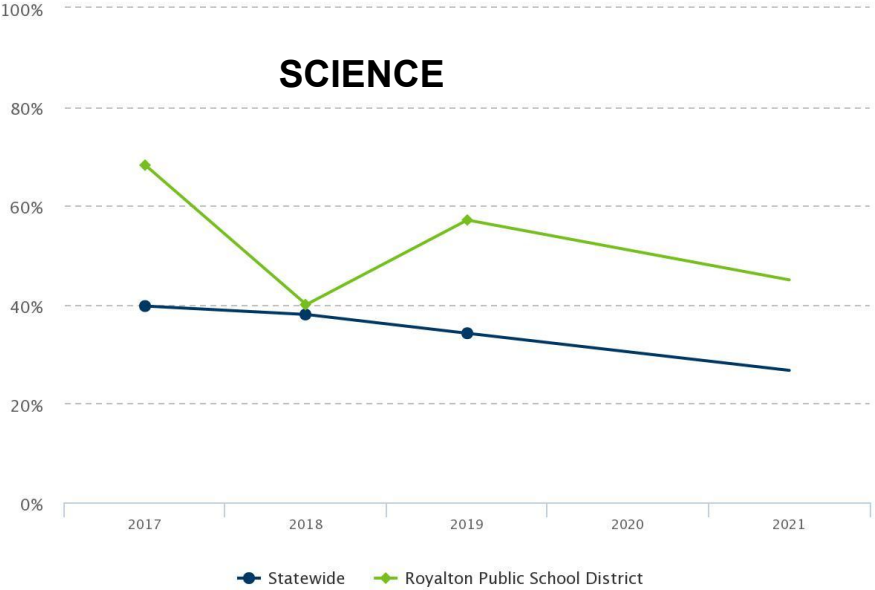
## READING



	2017	2018	2019	2020	2021
Statewide % Proficiency	48.8	48.9	47.4		38.5
Royaton Proficiency	68.2	60.0	64.3		65.0

# GRADE 5-FRP

## SCIENCE

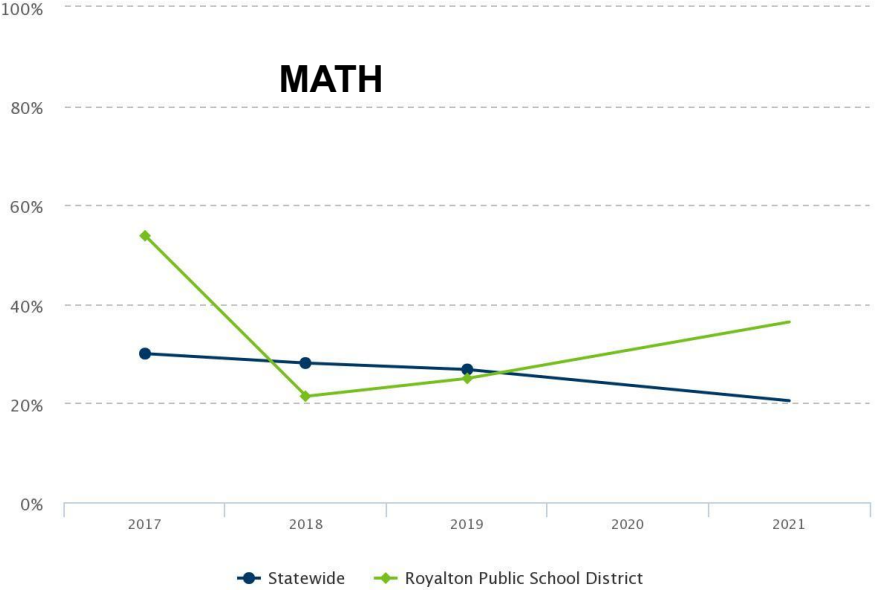


	2017	2018	2019	2020	2021
Statewide % Proficiency	39.7	38.0	34.2		26.7
Royaton Proficiency	68.2	40.0	57.1		45.0

70

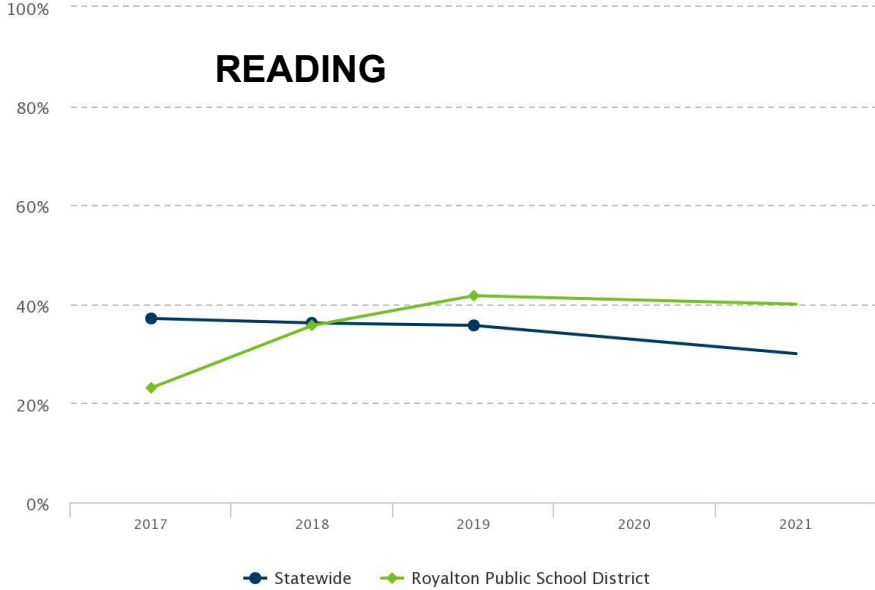
# GRADE 5-SPED

## MATH



	2017	2018	2019	2020	2021
Statewide % Proficiency	30.0	28.1	26.8		20.5
Royalton Proficiency	53.8	21.4	25.0		36.4

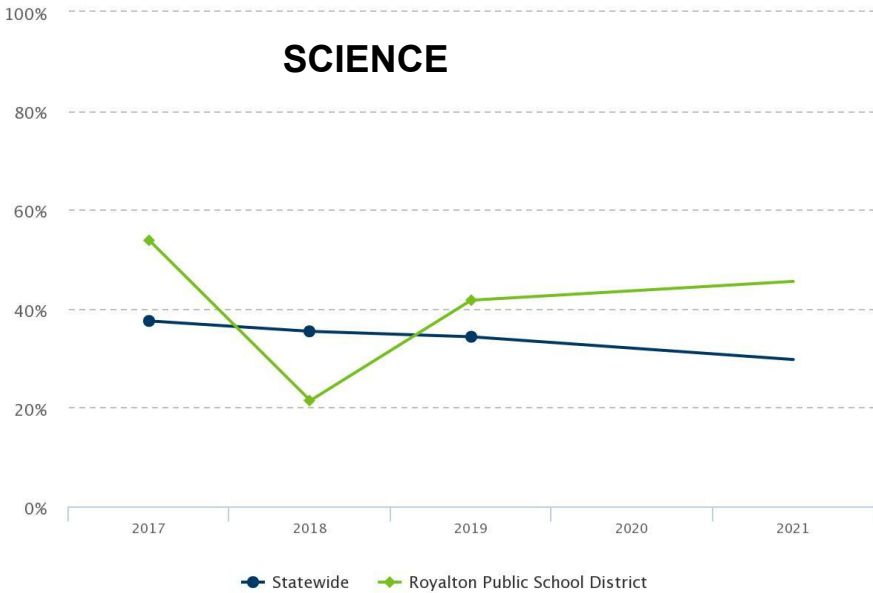
## READING



	2017	2018	2019	2020	2021
71 Statewide % Proficiency	37.1	36.2	35.7		30.0
Royalton Proficiency	23.1	35.7	41.7		40.0

# GRADE 5-SPED

## SCIENCE



	2017	2018	2019	2020	2021
Statewide % Proficiency	37.5	35.4	34.3		29.7
Roylton Proficiency	53.8	21.4	41.7		45.5

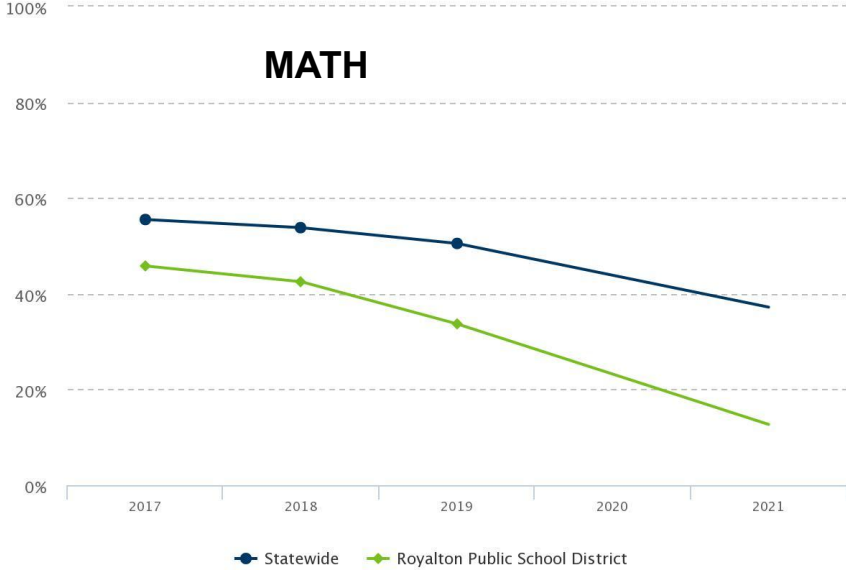
72

# 5th Grade Analysis

- Above state percent proficient in Math and Reading four out of four years
- Above state percent proficient in Science three out of four years, with the last two year being above
- FRP above state percent proficient in Math, Reading, and Science four out of four years
- SPED above state percent proficient in Math two out of four years, with the last year being above
- SPED above state percent proficient in Reading two out of four years, with the last two being above
- SPED above state percent proficient in Science three out of four years, with the last two being above

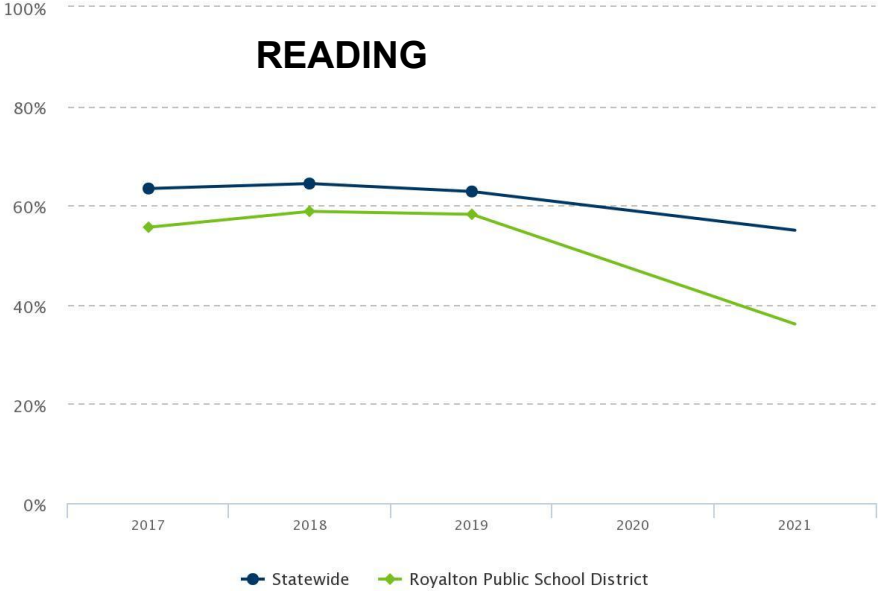
# GRADE 6-OVERALL

## MATH



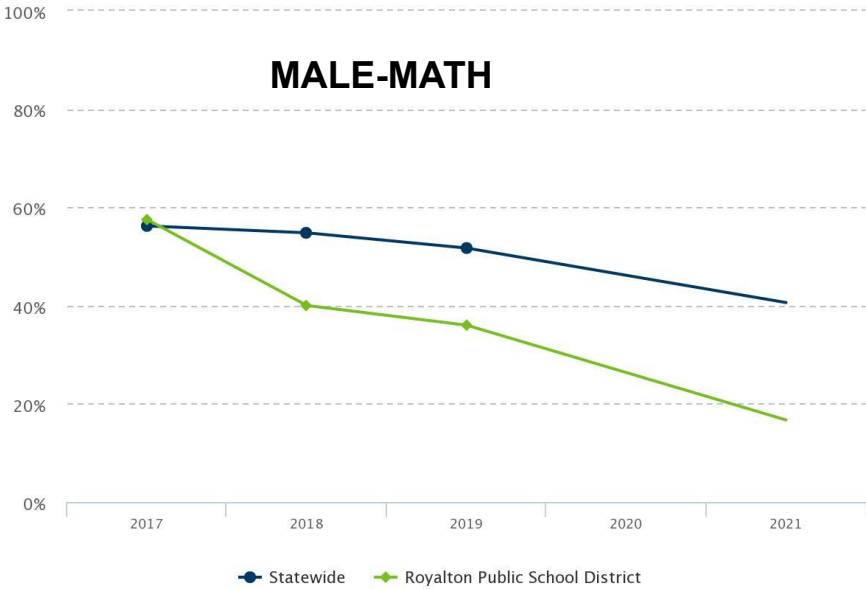
	2017	2018	2019	2020	2021
Statewide % Proficiency	55.5	53.8	50.5		37.2
Royaton Proficiency	45.8	42.5	33.7		12.7

## READING

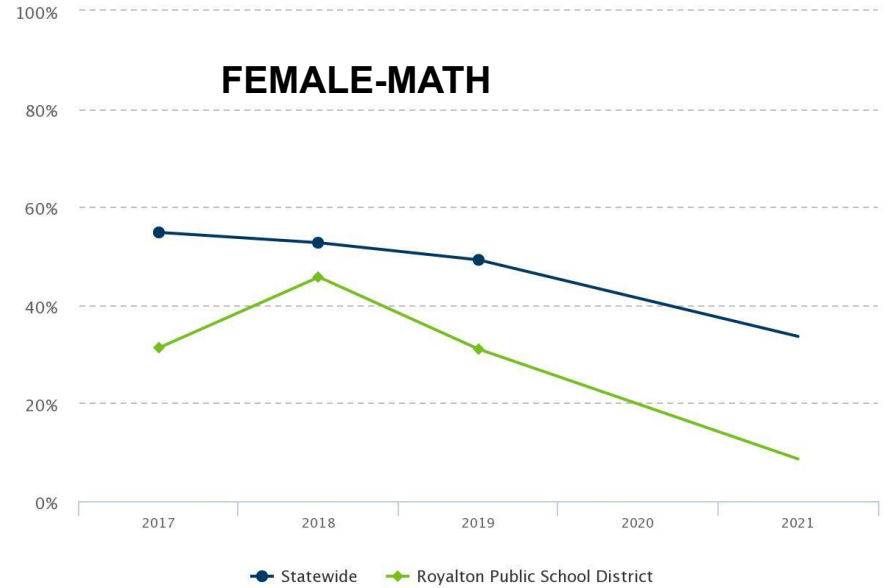


	2017	2018	2019	2020	2021
74 Statewide % Proficiency	63.4	64.4	62.8		55.0
Royaton Proficiency	55.6	58.8	58.2		36.1

# GRADE 6-GENDER

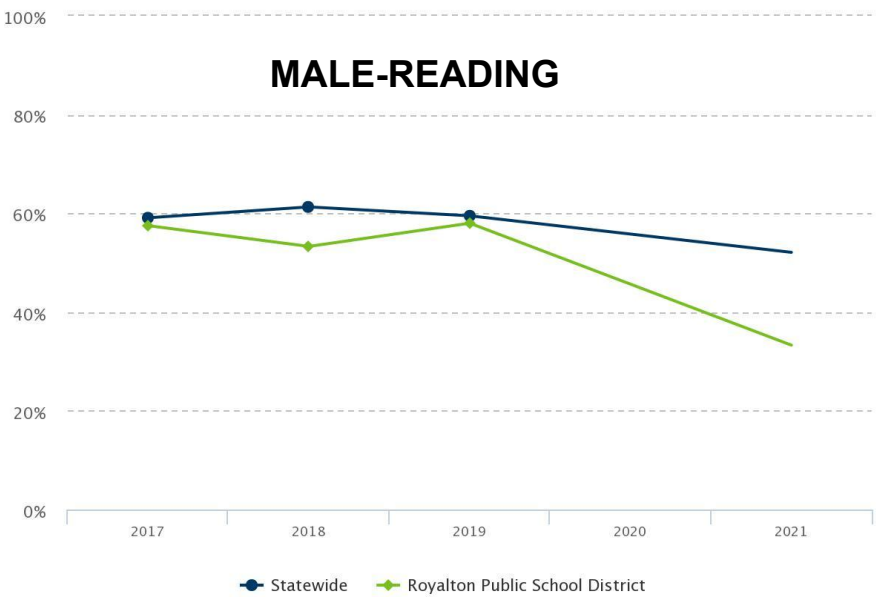


	2017	2018	2019	2020	2021
Statewide % Proficiency	56.2	54.8	51.7		40.6
Royalton Proficiency	57.5	40.0	36.0		16.7

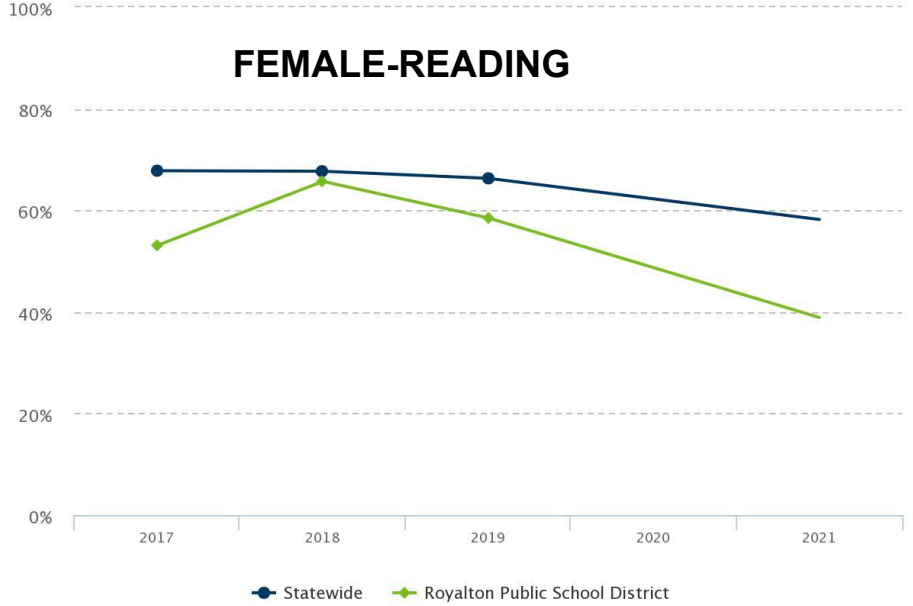


	2017	2018	2019	2020	2021
Statewide % Proficiency	54.8	52.7	49.2		33.6
Royalton Proficiency	31.2	45.7	31.0		8.6

# GRADE 6-GENDER



	2017	2018	2019	2020	2021
Statewide % Proficiency	59.1	61.3	59.5		52.1
Royalton Proficiency	57.5	53.3	58.0		33.3



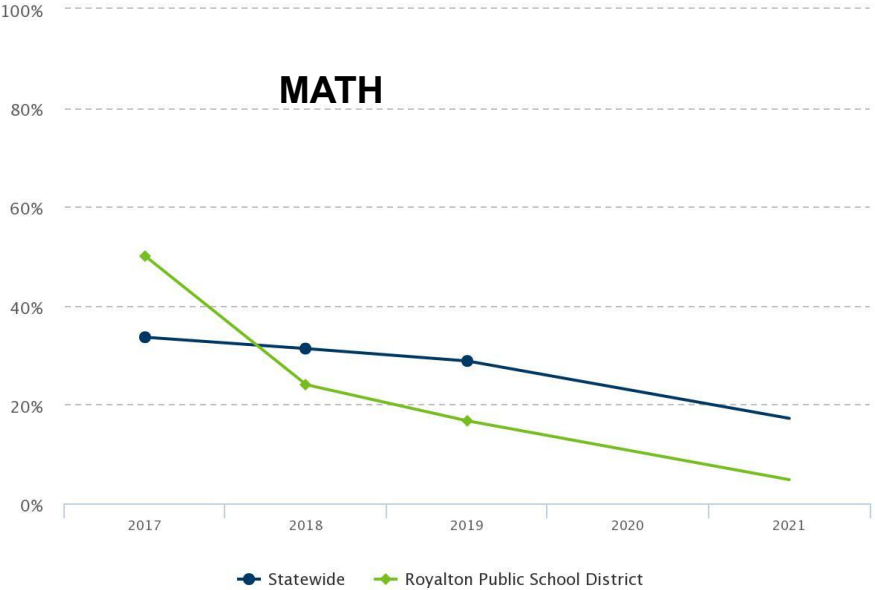
	2017	2018	2019	2020	2021
Statewide % Proficiency	67.8	67.7	66.3		58.2
Royalton Proficiency	53.1	65.7	58.5		38.9

76

26

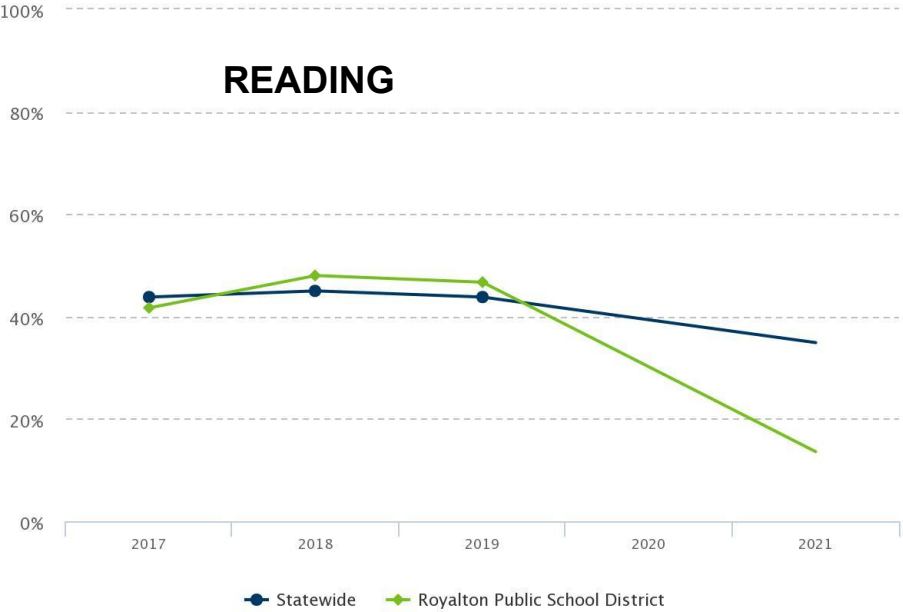
# GRADE 6-FRP

## MATH



	2017	2018	2019	2020	2021
Statewide % Proficiency	33.6	31.3	28.8		17.2
Royaton Proficiency	50.0	24.0	16.7		4.8

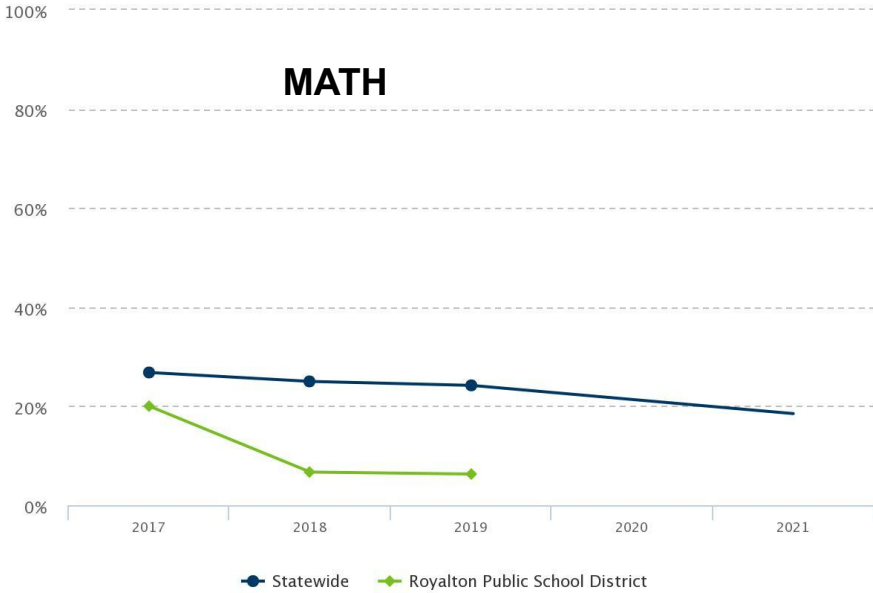
## READING



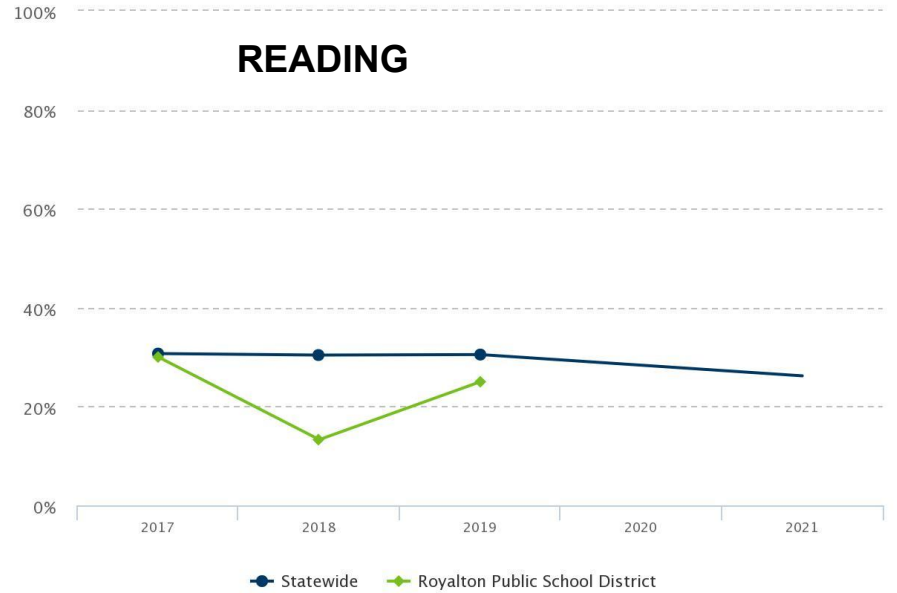
	2017	2018	2019	2020	2021
77 Statewide % Proficiency	43.8	45.0	43.8		34.9
Royaton Proficiency	41.7	48.0	46.7		13.6

# GRADE 6-SPED

## MATH



## READING



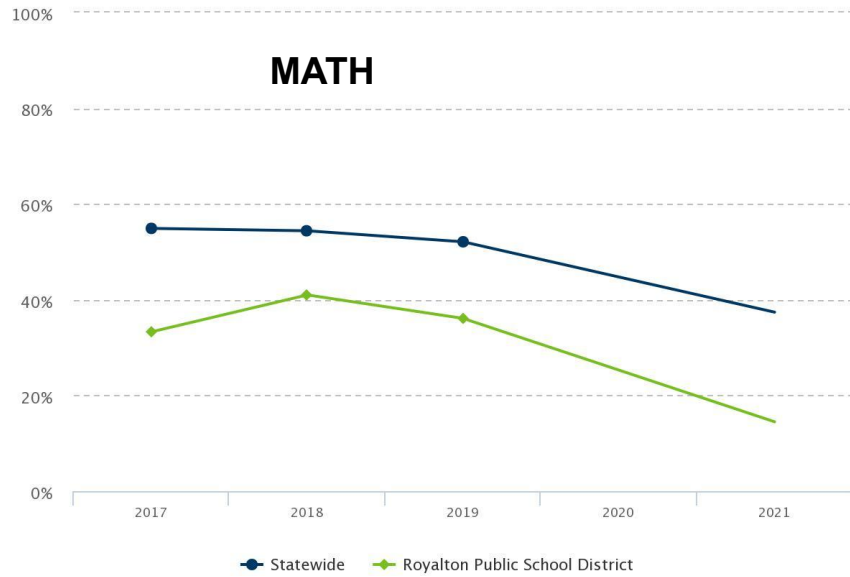
	2017	2018	2019	2020	2021
Statewide % Proficiency	26.8	25.0	24.2		18.5
Royalton Proficiency	20.0	6.7	6.3		NA

	2017	2018	2019	2020	2021
78 Statewide % Proficiency	30.7	30.4	30.5		26.2
Royalton Proficiency	30.0	13.3	25.0		NA

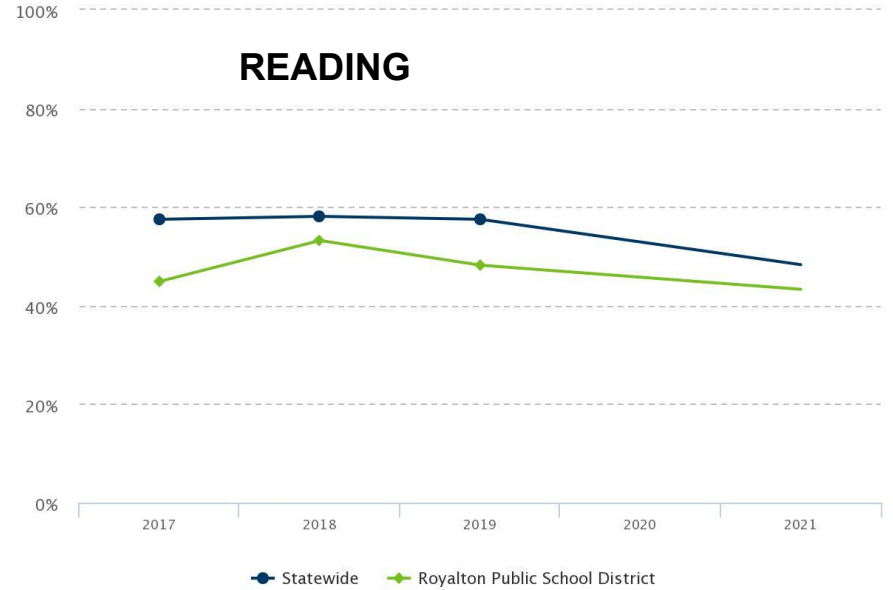
# 6th Grade Analysis

- Below state percent proficient in Math and Reading four out of four years
- FRP above state percent proficient in Math one out of four years
- FRP above state percent proficient in Reading two out of four years
- SPED above state percent proficient in Math two out of four years, with the last year being above
- SPED below state percent proficient in Reading three out of three years, with the last year not having a large enough sample size to generate data

# GRADE 7-OVERALL



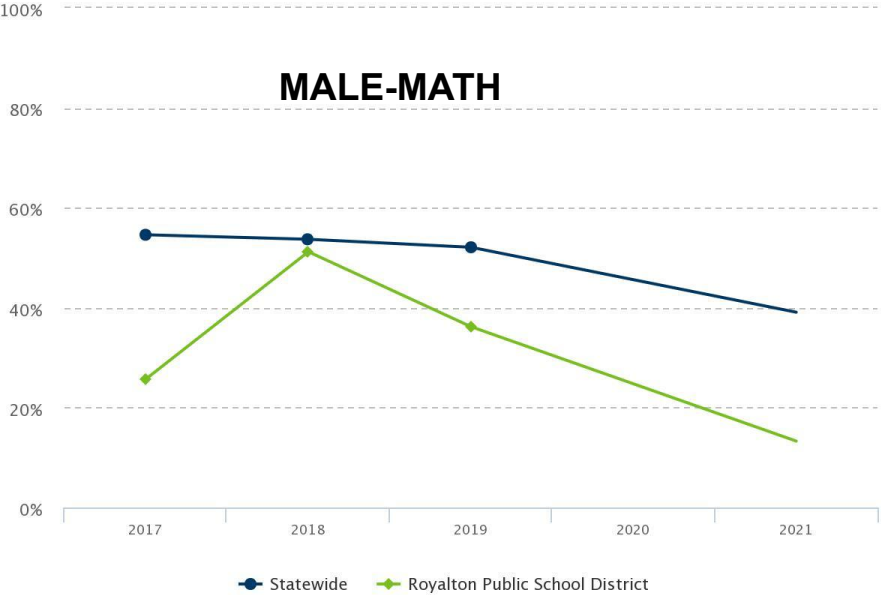
	2017	2018	2019	2020	2021
Statewide % Proficiency	54.9	54.4	52.1		37.4
Royaton Proficiency	33.3	41.0	36.1		14.5



	2017	2018	2019	2020	2021
Statewide % Proficiency	57.5	58.1	57.5		48.3
Royaton Proficiency	44.9	53.2	48.2		43.3

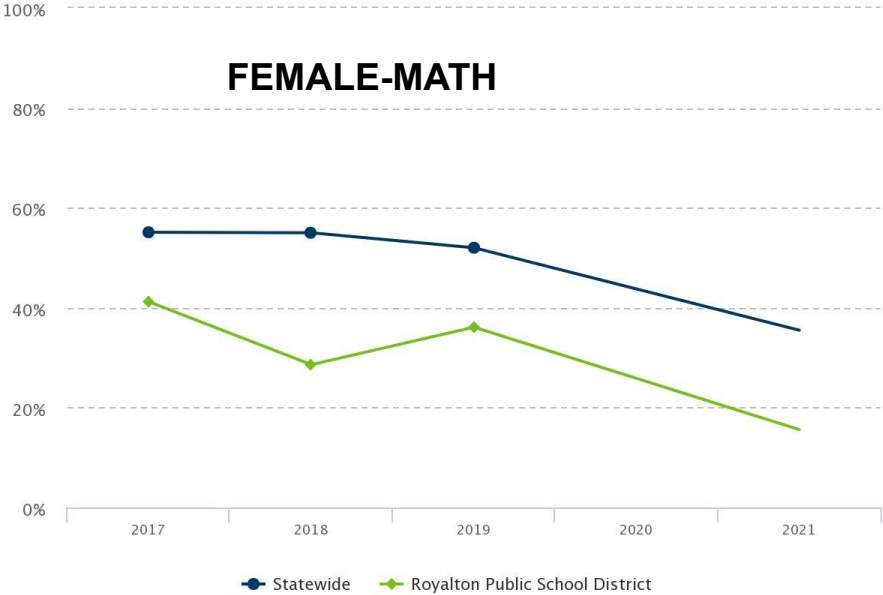
# GRADE 7-GENDER

## MALE-MATH



	2017	2018	2019	2020	2021
Statewide % Proficiency	54.6	53.7	52.1		39.1
Royaton Proficiency	25.7	51.2	36.2		13.3

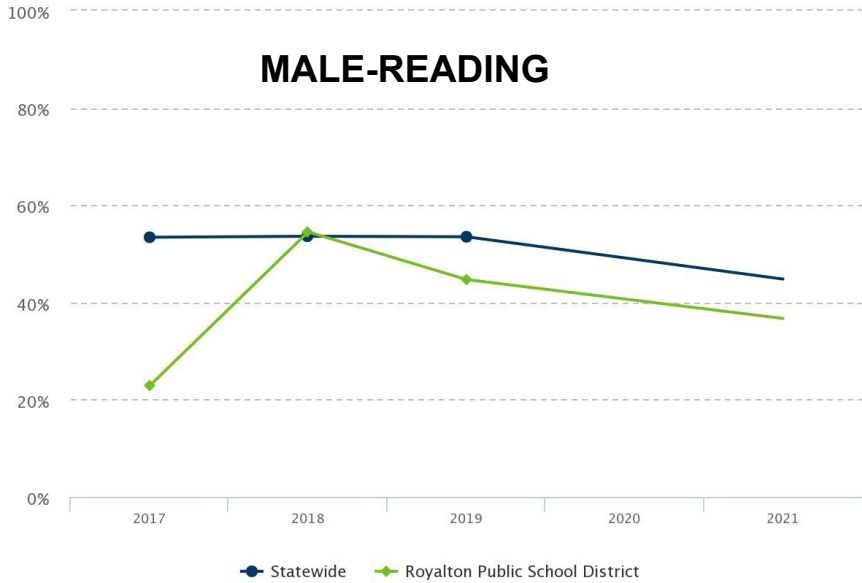
## FEMALE-MATH



	2017	2018	2019	2020	2021
Statewide % Proficiency	55.1	55.0	52.0		35.5
Royaton Proficiency	41.2	28.6	36.1		15.6

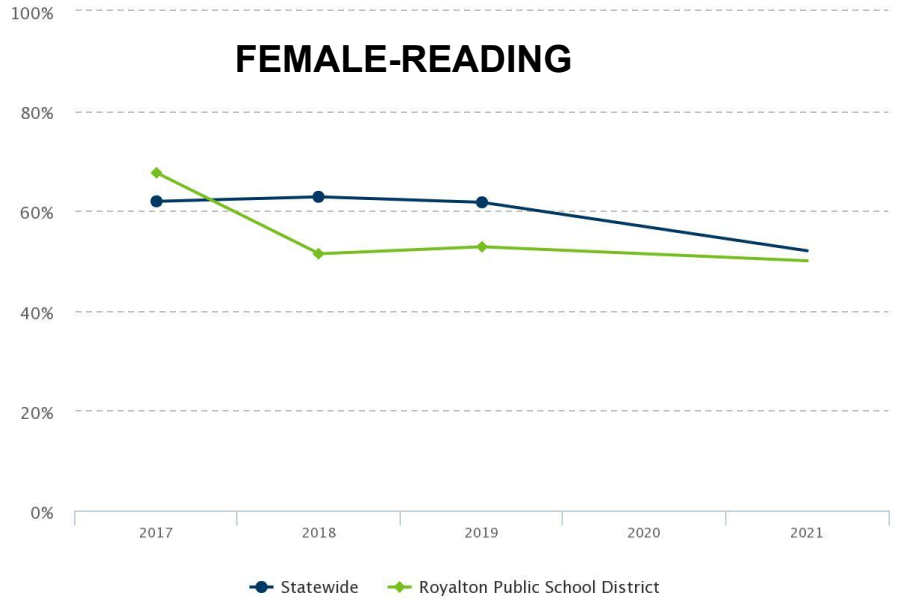
# GRADE 7-GENDER

## MALE-READING



	2017	2018	2019	2020	2021
Statewide % Proficiency	53.4	53.6	53.5		44.8
Royalton Proficiency	22.9	54.5	44.7		36.7

## FEMALE-READING

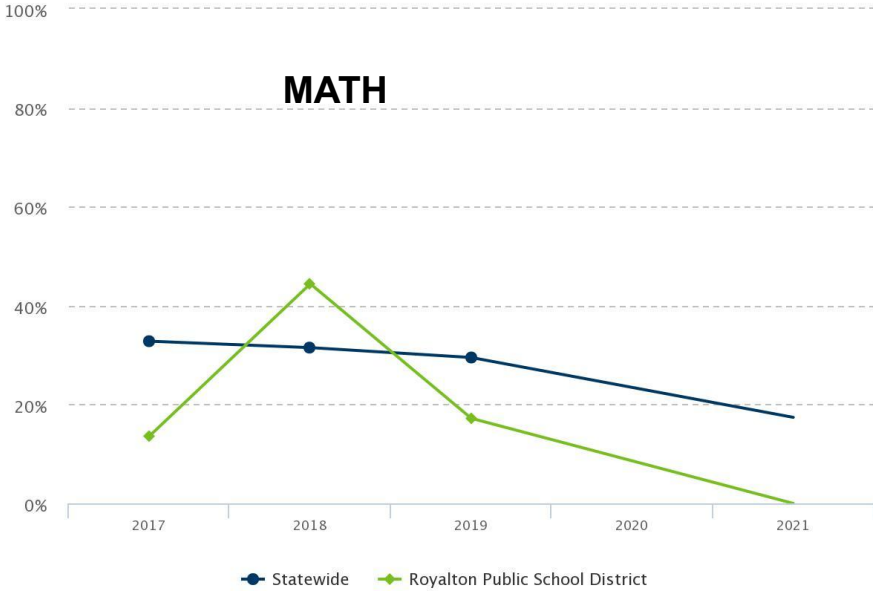


	2017	2018	2019	2020	2021
Statewide % Proficiency	61.9	62.8	61.7		52.0
Royalton Proficiency	67.6	51.4	52.8		50.0 <sup>32</sup>

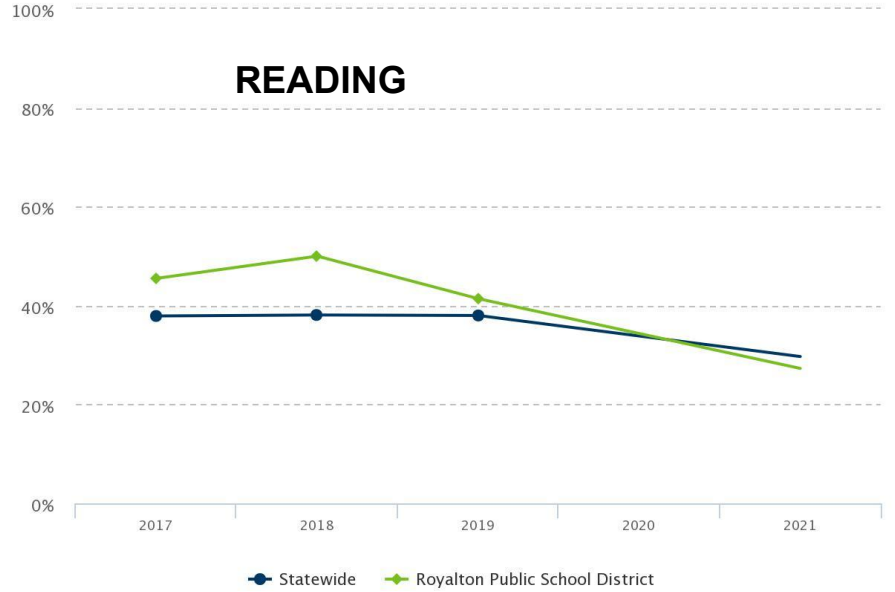
82

# GRADE 7-FRP

## MATH



## READING

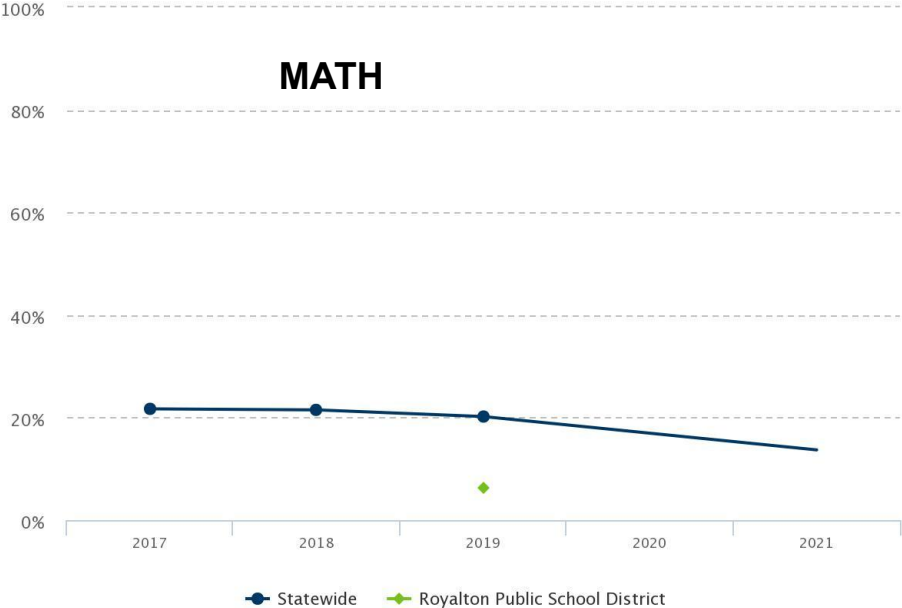


	2017	2018	2019	2020	2021
Statewide % Proficiency	32.8	31.5	29.5		17.4
Royaton Proficiency	13.6	44.4	17.2		0.0

	2017	2018	2019	2020	2021
Statewide % Proficiency	37.9	38.1	38.0		29.7
Royaton Proficiency	45.5	50.0	41.4		27.3

# GRADE 7-SPED

## MATH



	2017	2018	2019	2020	2021
Statewide % Proficiency	21.7	21.5	20.2		13.7
Royaton Proficiency	NA	NA	6.3		NA

## READING



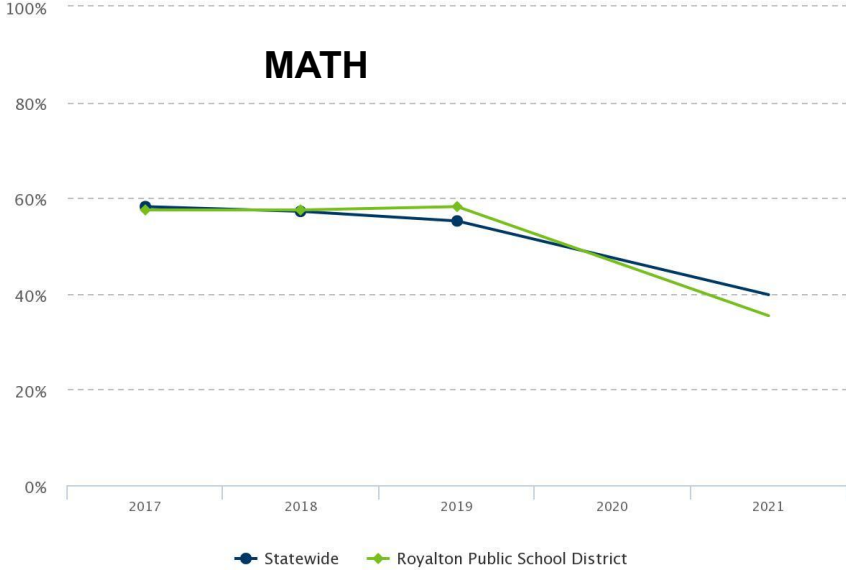
	2017	2018	2019	2020	2021
Statewide % Proficiency	24.7	25.8	25.5		21.7
Royaton Proficiency	NA	30.0	12.5		NA

# 7th Grade Analysis

- Below state percent proficient in Math and Reading four out of four years
- FRP above state percent proficient in Math one out of four years
- FRP above state percent proficient in Reading three out of four years
- SPED above state percent proficient in Math zero out of one year, with three years not having a large enough sample size to generate data
- SPED below state percent proficient in Reading one out of two years, with the last two years not having a large enough sample size to generate data

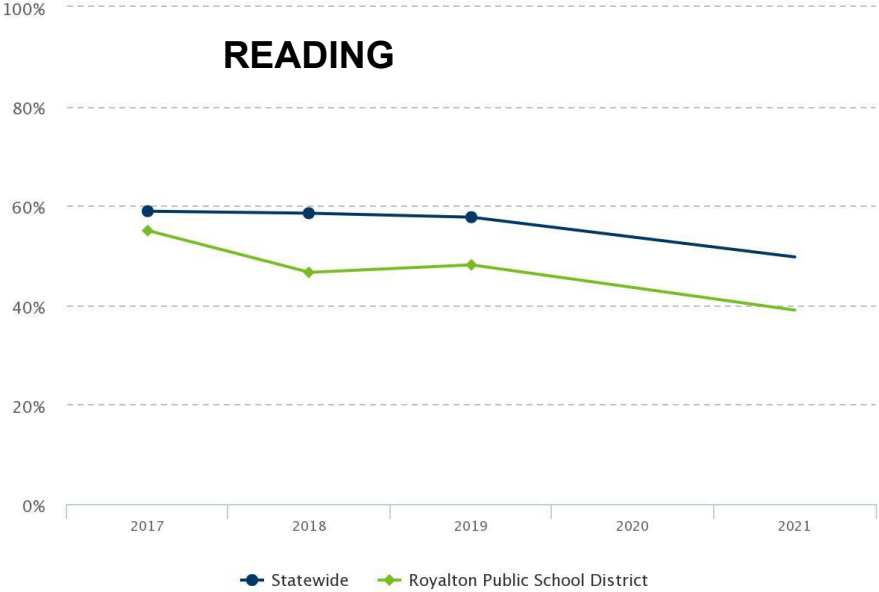
# GRADE 8-OVERALL

## MATH



	2017	2018	2019	2020	2021
Statewide % Proficiency	58.2	57.2	55.2		39.8
Royaton Proficiency	57.5	57.5	58.2		35.4

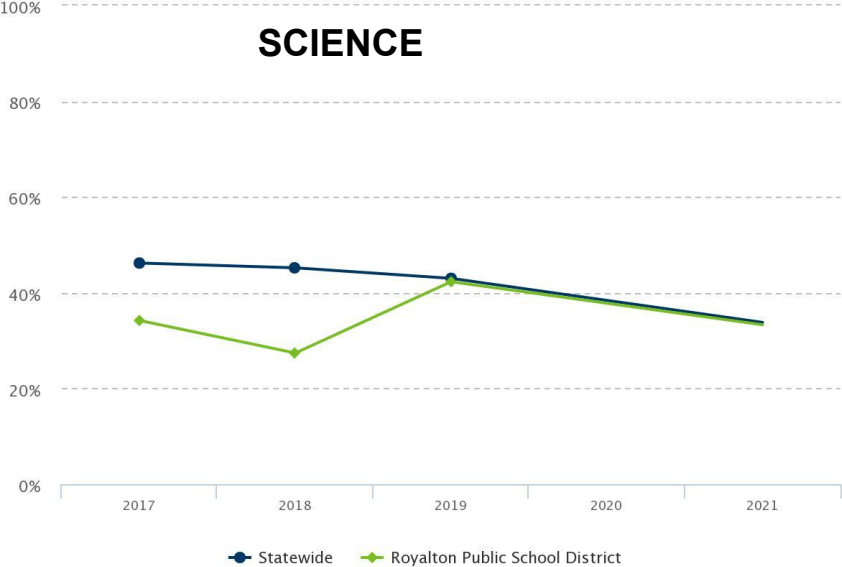
## READING



	2017	2018	2019	2020	2021
Statewide % Proficiency	58.9	58.5	57.7		49.7
Royaton Proficiency	55.0	46.6	48.1		39.0

# GRADE 8-OVERALL

## SCIENCE



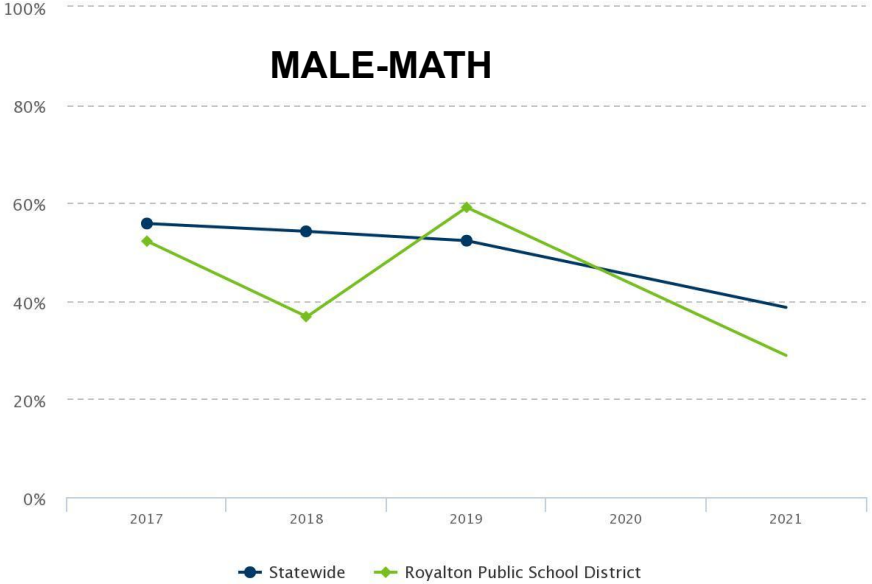
	2017	2018	2019	2020	2021
Statewide % Proficiency	46.2	45.2	43.0		33.8
Royaton Proficiency	34.2	27.4	42.3		33.3

# GRADE 8 (Class of 2026)-TREND DATA

	3rd	4th	5th	6th	7th	8th
Math	below	below	above	COVID	below	
Reading	below	below	above	COVID	below	
Science	NA	NA	NA	NA	NA	

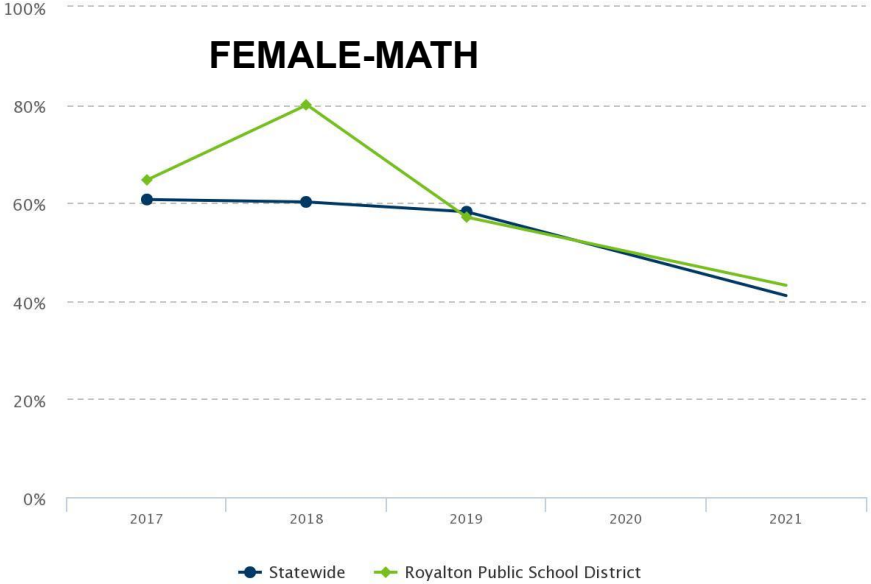
# GRADE 8-GENDER

## MALE-MATH



	2017	2018	2019	2020	2021
Statewide % Proficiency	55.8	54.2	52.3		38.7
Royalton Proficiency	52.2	36.8	59.1		28.9

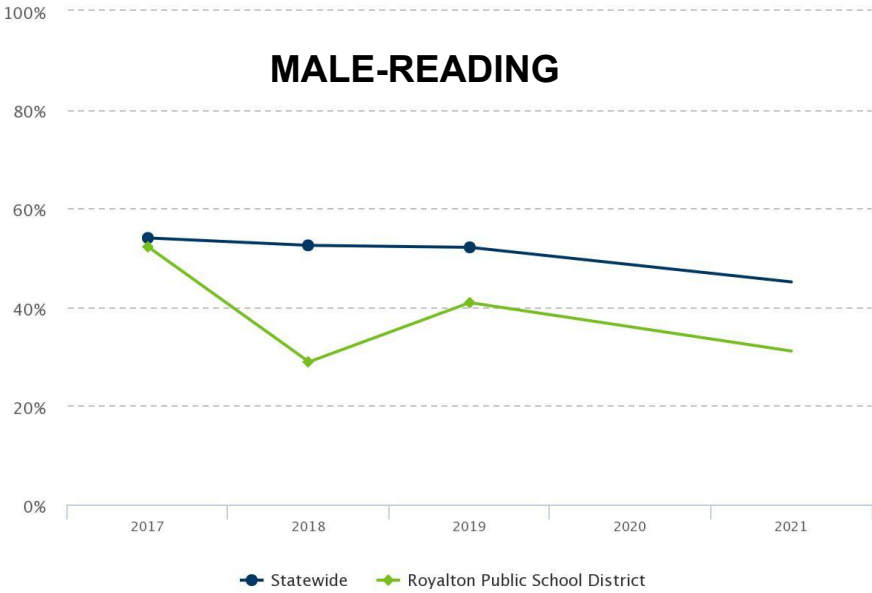
## FEMALE-MATH



	2017	2018	2019	2020	2021
Statewide % Proficiency	60.7	60.2	58.2		41.1
Royalton Proficiency	64.7	80.0	57.1		43.2

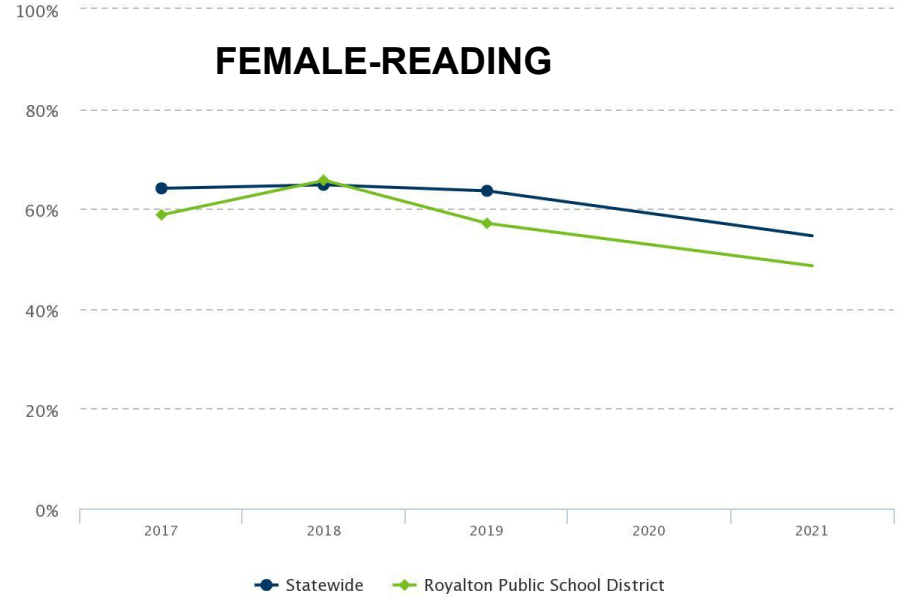
# GRADE 8-GENDER

## MALE-READING



	2017	2018	2019	2020	2021
Statewide % Proficiency	54.0	52.5	52.1		45.1
Royaton Proficiency	52.2	28.9	40.9		31.1

## FEMALE-READING



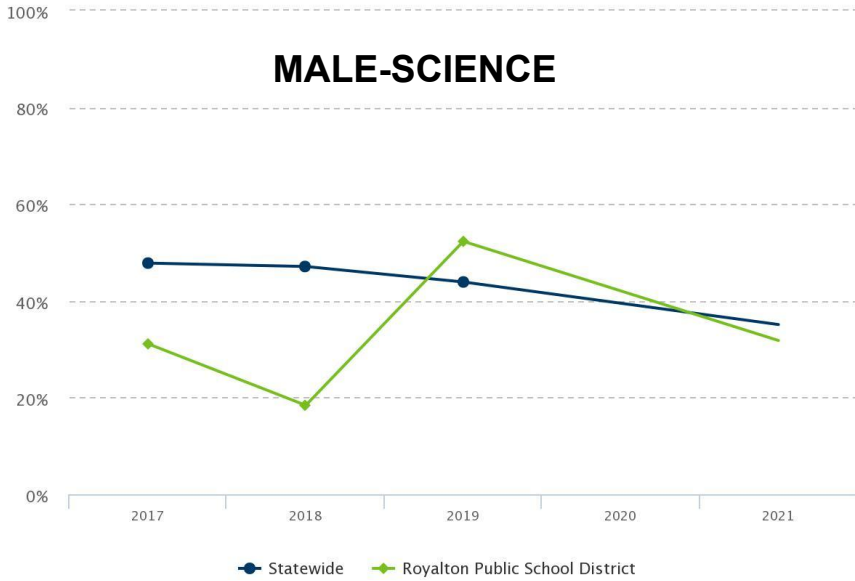
	2017	2018	2019	2020	2021
Statewide % Proficiency	64.1	64.8	63.6		54.6
Royaton Proficiency	58.8	65.7	57.1		48.6

90

40

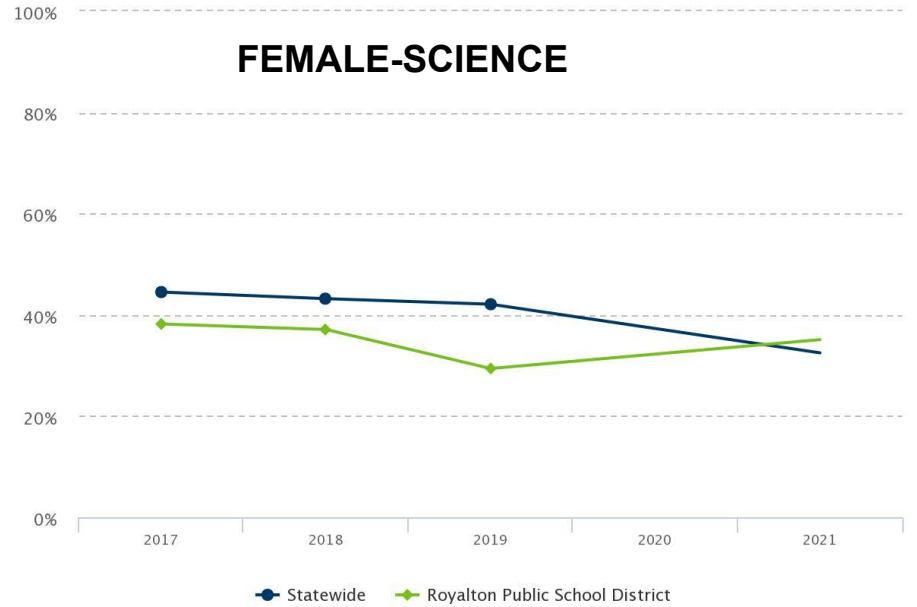
# GRADE 8-GENDER

## MALE-SCIENCE



	2017	2018	2019	2020	2021
Statewide % Proficiency	47.8	47.1	43.9		35.1
Royalton Proficiency	31.1	18.4	52.3		31.8

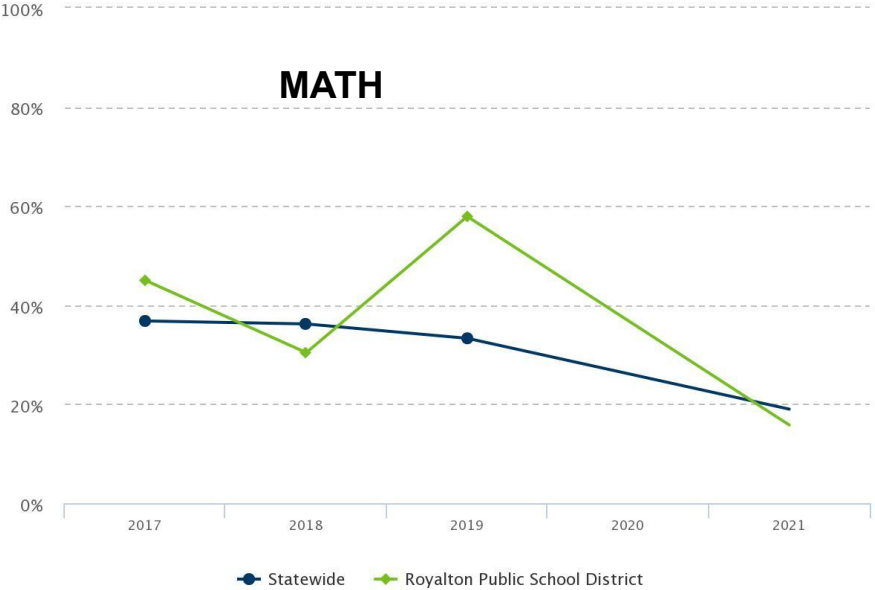
## FEMALE-SCIENCE



	2017	2018	2019	2020	2021
Statewide % Proficiency	44.5	43.2	42.1		32.5
Royalton Proficiency	38.2	37.1	29.4		35.1 <sup>41</sup>

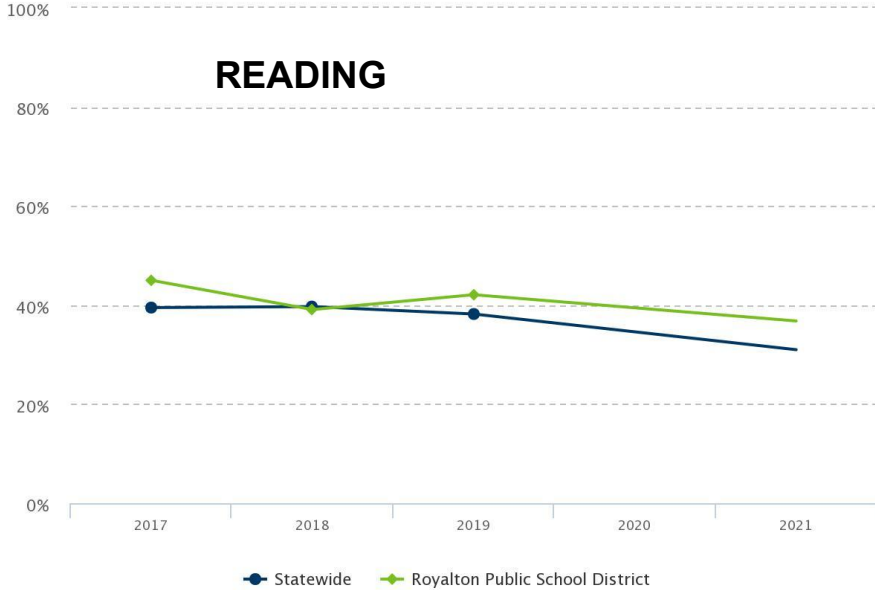
# GRADE 8-FRP

## MATH



	2017	2018	2019	2020	2021
Statewide % Proficiency	36.8	36.2	33.3		19.0
Royaton Proficiency	45.0	30.4	57.9		15.8

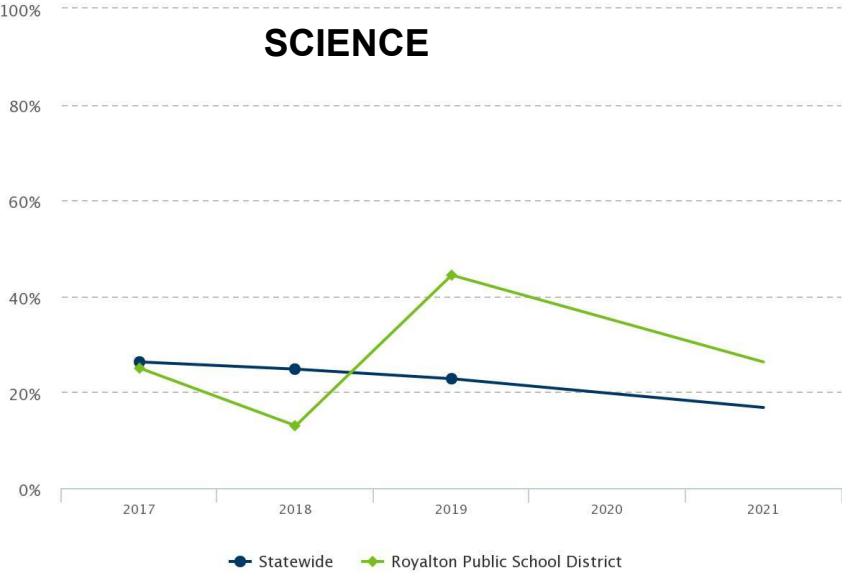
## READING



	2017	2018	2019	2020	2021
Statewide % Proficiency	39.5	39.7	38.2		31.0
Royaton Proficiency	45.0	39.1	42.1		36.8

# GRADE 8-FRP

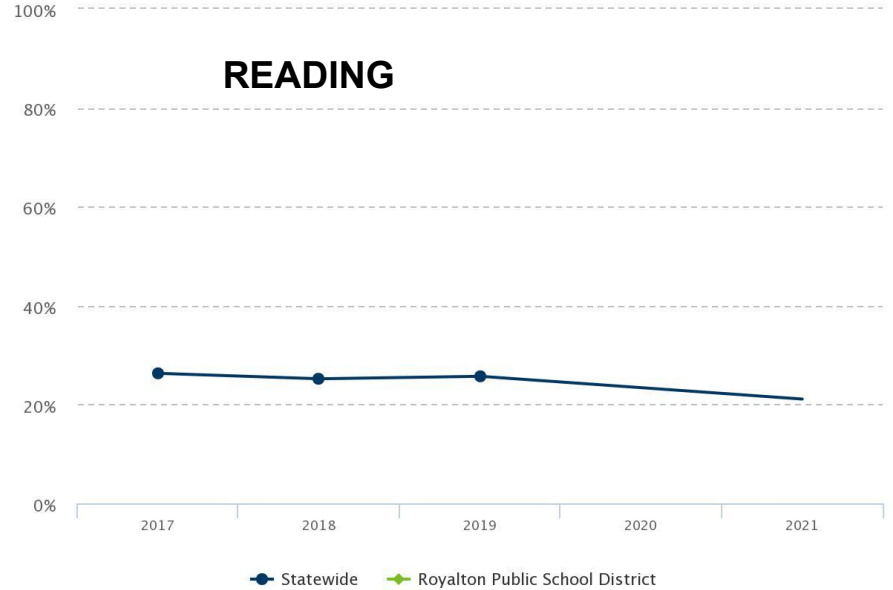
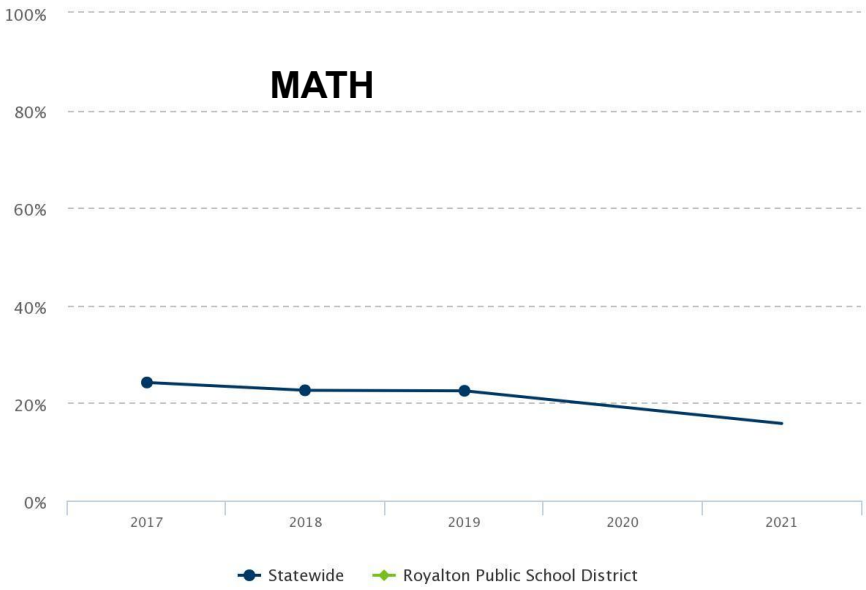
## SCIENCE



	2017	2018	2019	2020	2021
Statewide % Proficiency	26.3	24.8	22.8		16.8
Royalton Proficiency	25.0	13.0	44.4		26.3

93

# GRADE 8-SPED

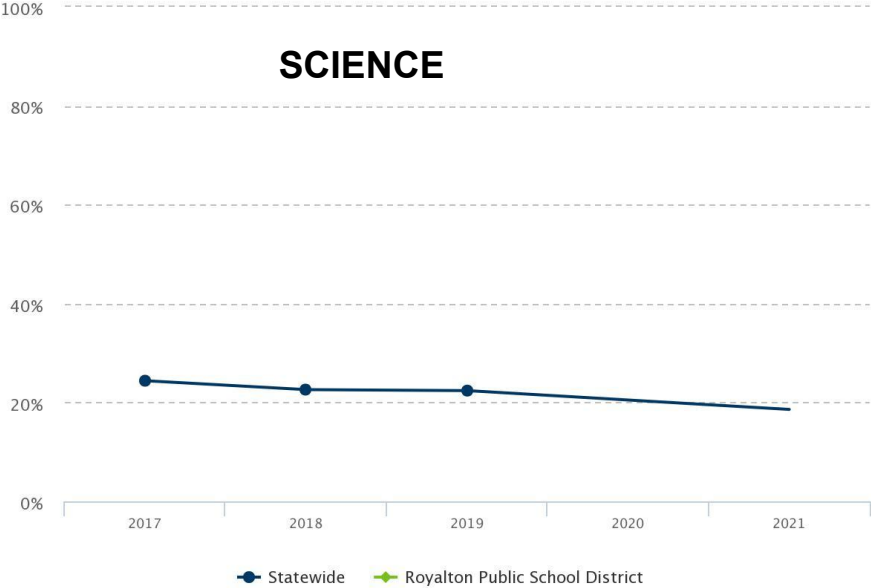


	2017	2018	2019	2020	2021
Statewide % Proficiency	24.2	22.6	22.5		15.8
Royalton Proficiency	NA	NA	NA		NA

	2017	2018	2019	2020	2021
Statewide % Proficiency	26.3	25.2	25.7		21.1
Royalton Proficiency	NA	NA	NA		NA

# GRADE 8-SPED

## SCIENCE



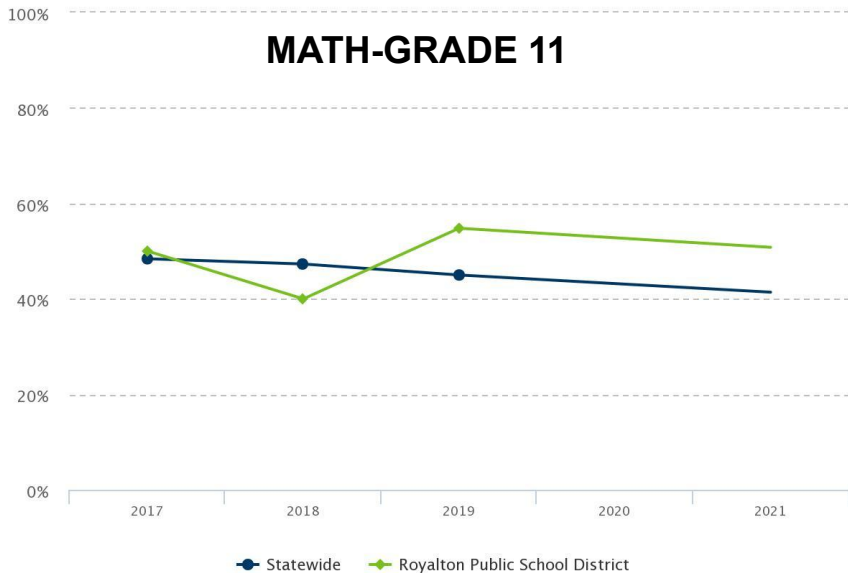
	2017	2018	2019	2020	2021
Statewide % Proficiency	24.4	22.6	22.4		18.6
Royaton Proficiency	NA	NA	NA		NA

# 8th Grade Analysis

- Above state percent proficient in Math two out of four years
- Below state percent proficient in Reading all four years
- Below state percent proficient in Science all four years
- FRP above state percent proficient in Math two out of four years
- FRP above state percent proficient in Reading three out of four years, with the last two years being above
- FRP above state percent proficient in Science two out of four years, with the last two years being above
- SPED numbers did not have a large enough sample size to generate data in any of the four years

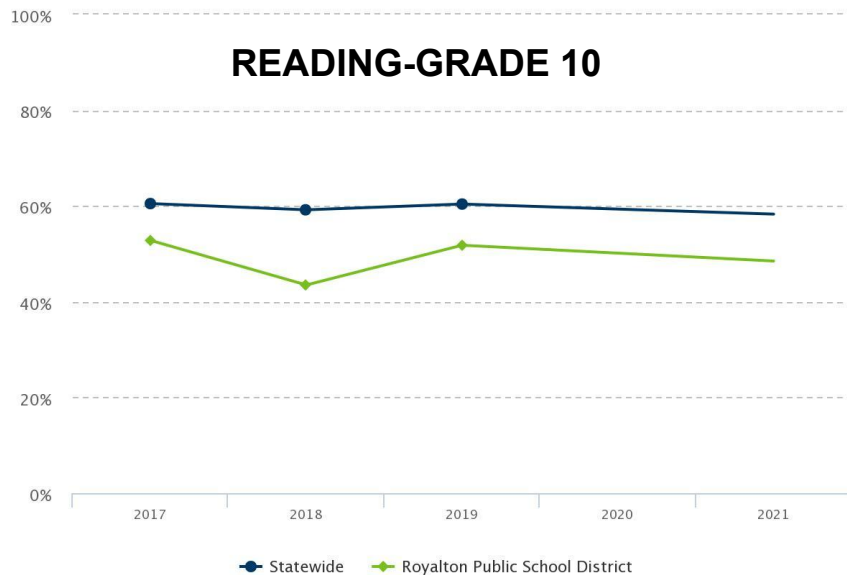
# GRADE 10/11-OVERALL

## MATH-GRADE 11



	2017	2018	2019	2020	2021
Statewide % Proficiency	48.4	47.3	45.0		41.4
Royaton Proficiency	50.0	40.0	54.8		50.8

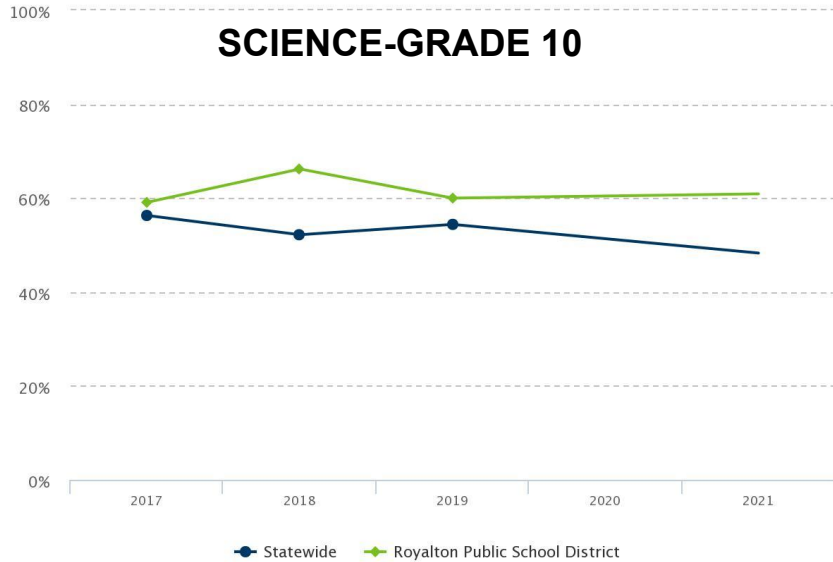
## READING-GRADE 10



	2017	2018	2019	2020	2021
97 Statewide % Proficiency	60.5	59.2	60.4		58.3
Royaton Proficiency	52.8	43.5	51.8		48.5

# GRADE 10/11-OVERALL

## SCIENCE-GRADE 10



	2017	2018	2019	2020	2021
Statewide % Proficiency	56.3	52.2	54.4		48.3
Royaton Proficiency	59.1	66.2	60.0		60.9

98

# GRADE 10 (Class of 2024)-TREND DATA

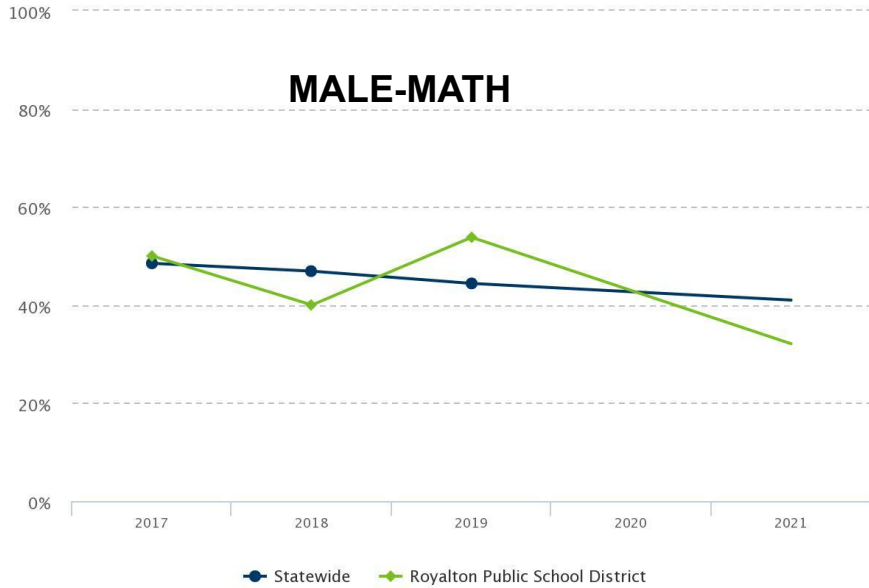
	4th	5th	6th	7th	8th	9th	10th
Math	above	above	below	below	COVID	NA	
Reading	below	below	below	below	COVID	NA	
Science	NA	above	NA	NA	COVID	NA	

# GRADE 12 (Class of 2022)-TREND DATA

	6th	7th	8th	9th	10th	11th	12th
Math	below	below	above	NA	COVID	above	NA
Reading	below	below	below	NA	COVID	NA	NA
Science	NA	NA	below	NA	COVID	NA	NA

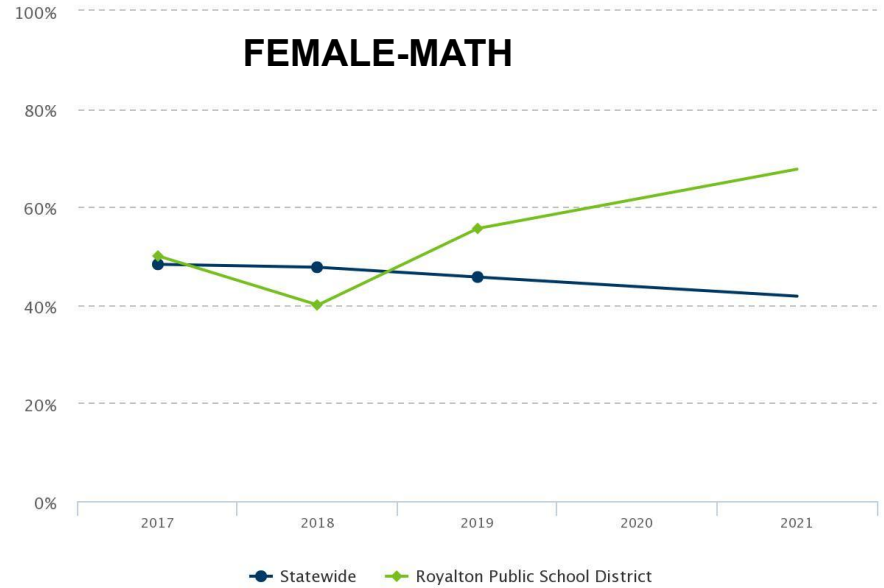
# GRADE 10/11-GENDER

## MALE-MATH



	2017	2018	2019	2020	2021
Statewide % Proficiency	48.5	46.9	44.4		41.0
Royalton Proficiency	50.0	40.0	53.8		32.1

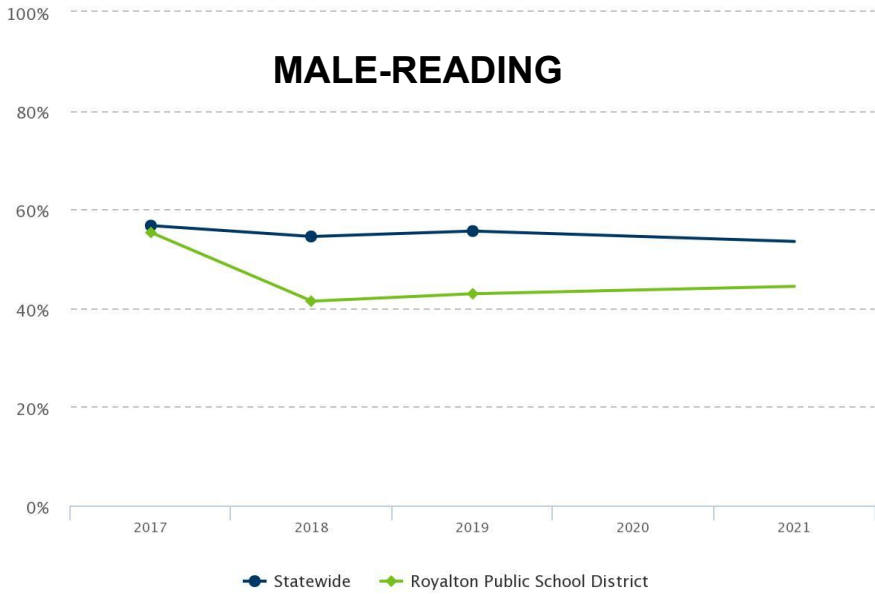
## FEMALE-MATH



	2017	2018	2019	2020	2021
Statewide % Proficiency	48.3	47.7	45.7		41.8
Royalton Proficiency	50.0	40.0	55.6		67.7

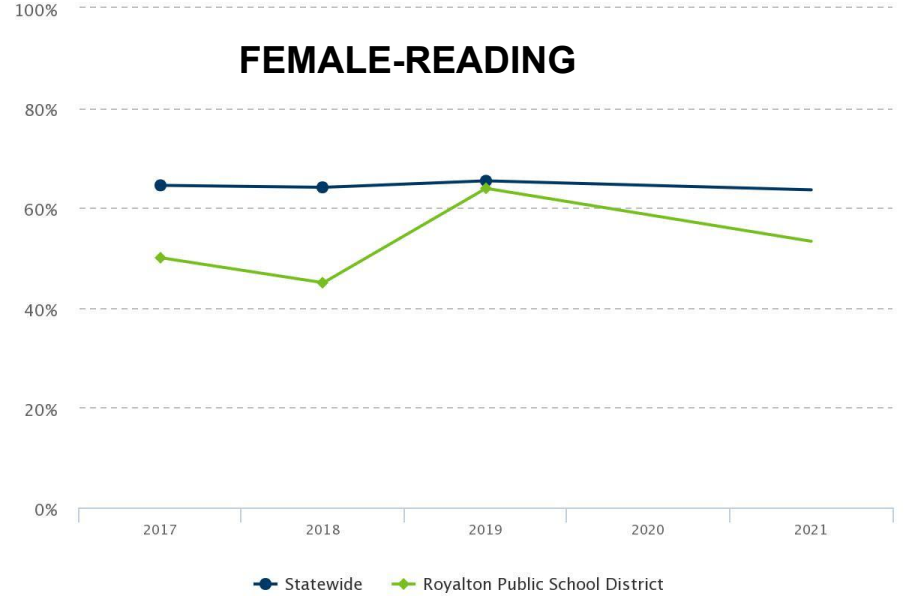
# GRADE 10/11-GENDER

## MALE-READING



	2017	2018	2019	2020	2021
Statewide % Proficiency	56.7	54.5	55.6		53.5
Royalton Proficiency	55.3	41.4	42.9		44.4

## FEMALE-READING

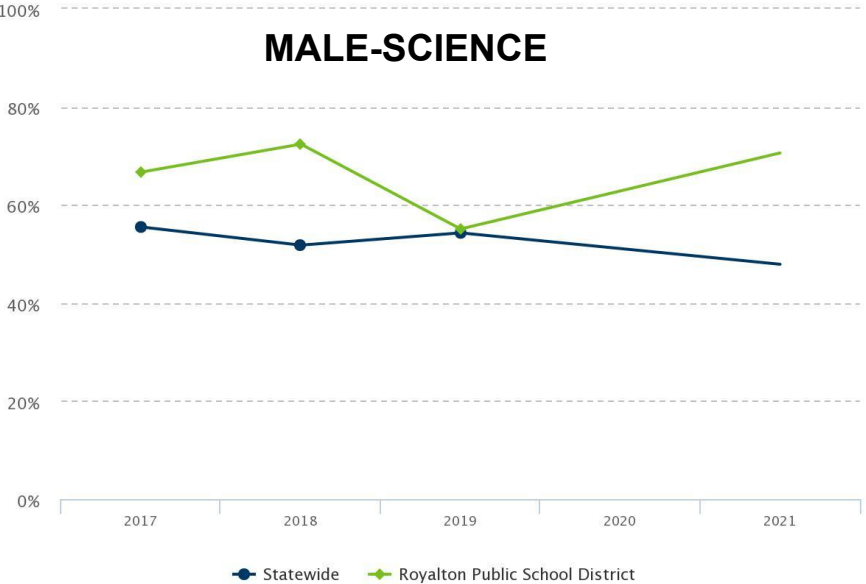


	2017	2018	2019	2020	2021
Statewide % Proficiency	64.5	64.1	65.4		63.6
Royalton Proficiency	50.0	45.0	63.9		53.3 <sup>52</sup>

102

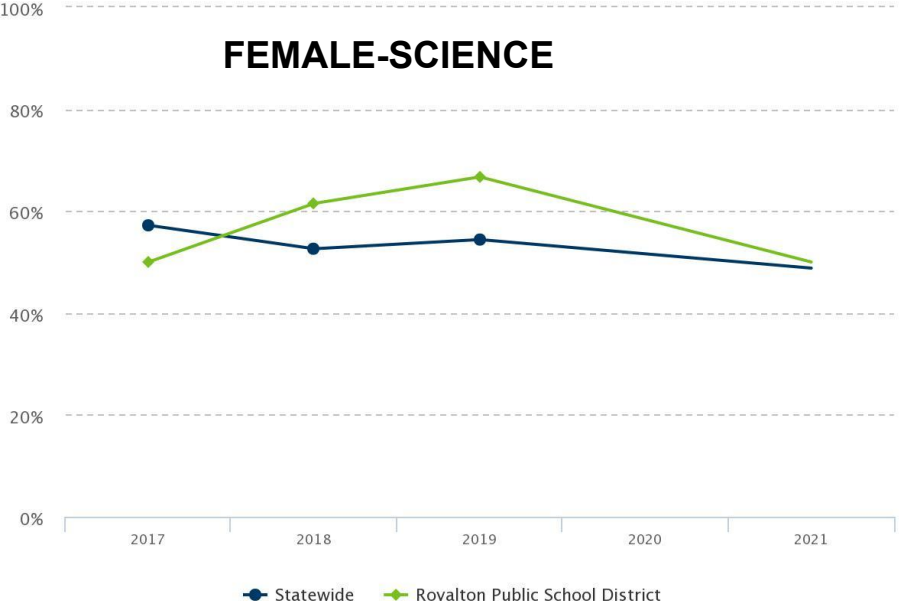
# GRADE 10/11-GENDER

## MALE-SCIENCE



	2017	2018	2019	2020	2021
Statewide % Proficiency	55.5	51.8	54.3		47.9
Royalton Proficiency	66.7	72.4	55.1		70.6

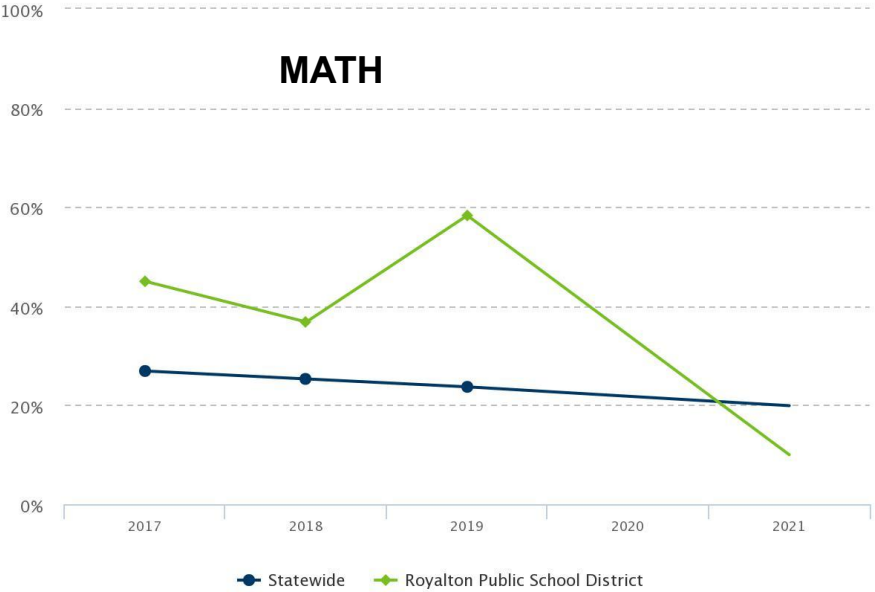
## FEMALE-SCIENCE



	2017	2018	2019	2020	2021
Statewide % Proficiency	57.2	52.6	54.4		48.8
Royalton Proficiency	50.0	61.5	66.7		50.0

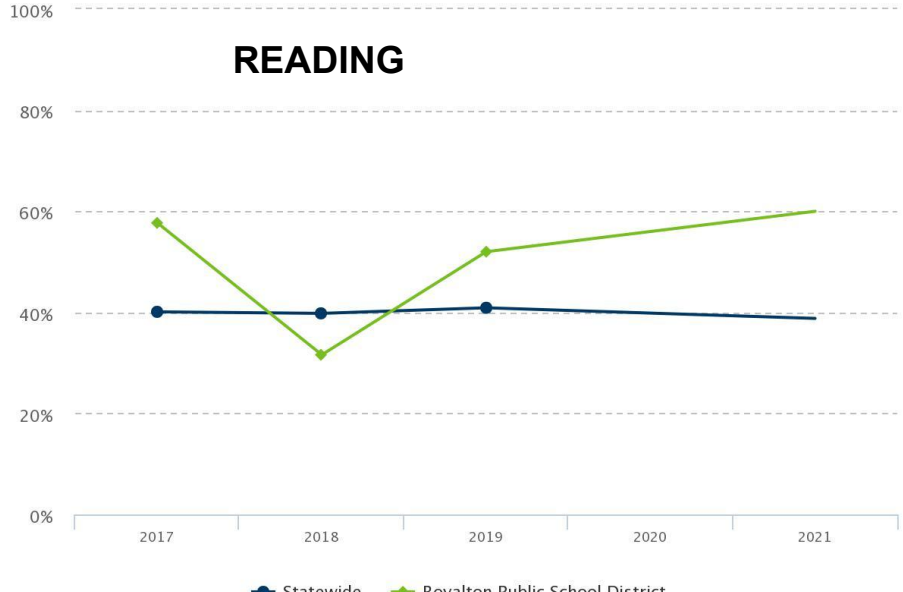
# GRADE 10/11-FRP

## MATH



	2017	2018	2019	2020	2021
Statewide % Proficiency	26.9	25.3	23.7		19.9
Royalton Proficiency	45.0	36.8	58.3		10.0

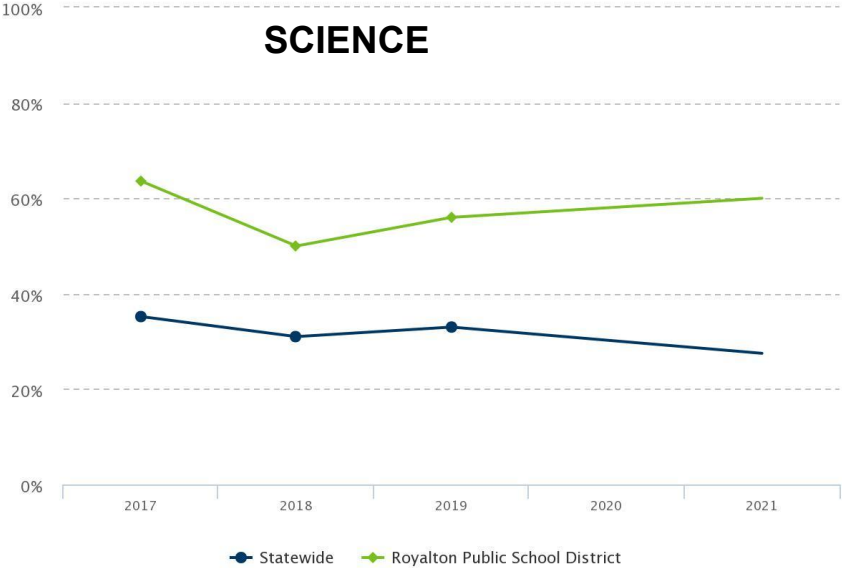
## READING



	2017	2018	2019	2020	2021
Statewide % Proficiency	40.1	39.8	40.9		38.8
Royalton Proficiency	57.7	31.6	52.0		60.0

# GRADE 10/11-FRP

## SCIENCE

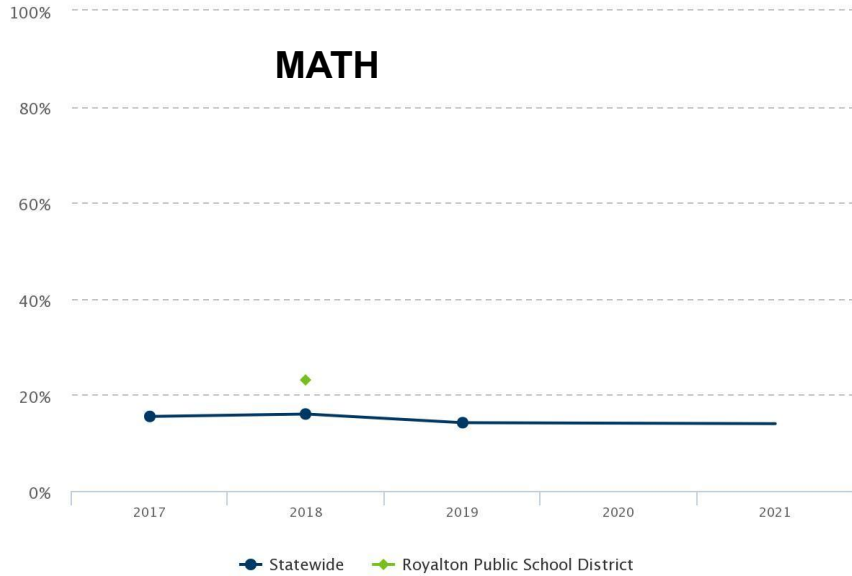


	2017	2018	2019	2020	2021
Statewide % Proficiency	35.2	31.0	33.0		27.5
Roylton Proficiency	63.6	50.0	56.0		60.0

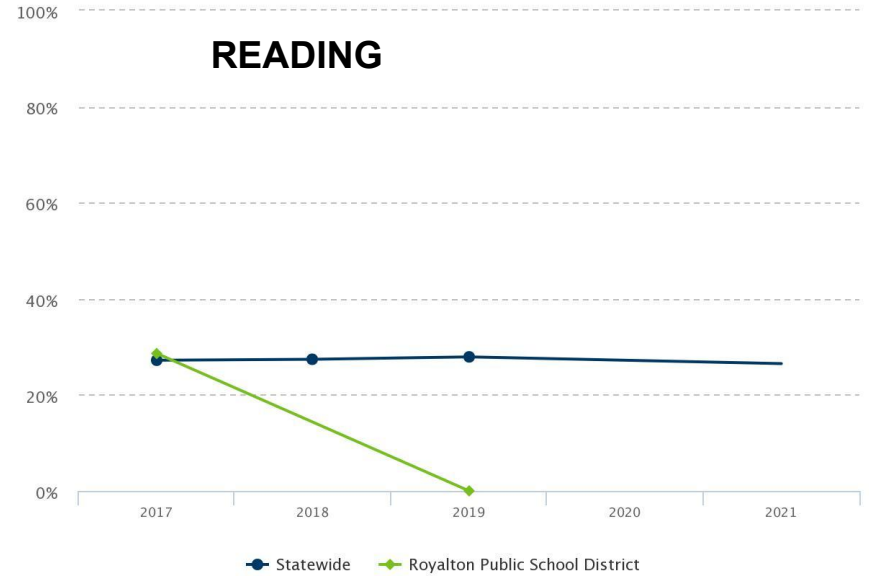
105

# GRADE 10/11-SPED

## MATH



## READING

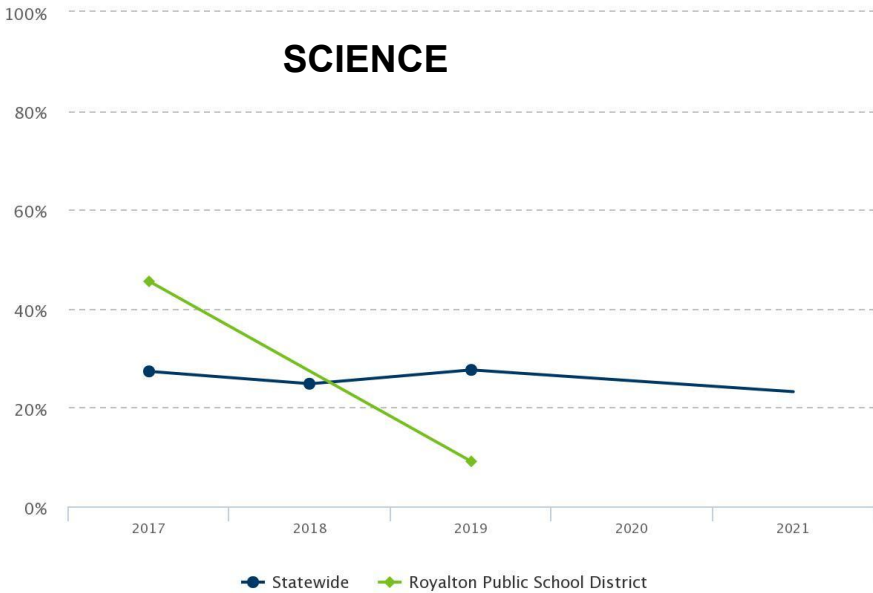


	2017	2018	2019	2020	2021
Statewide % Proficiency	15.5	16.0	14.2		14.0
Royalton Proficiency	NA	23.1	NA		NA

	2017	2018	2019	2020	2021
Statewide % Proficiency	27.7	27.4	27.9		26.5
Royalton Proficiency	28.6	NA	0.0		NA

# GRADE 10/11-SPED

## SCIENCE



	2017	2018	2019	2020	2021
Statewide % Proficiency	27.3	24.8	27.6		23.2
Royaton Proficiency	45.5	42.9	9.1		NA

107

# 10/11th Grade Analysis

- Above state percent proficient in Math three out of four years, with the last two years being above
- Below state percent proficient in Reading all four years
- Above state percent proficient in Science all four years
- FRP above state percent proficient in Math three out of four years
- FRP above state percent proficient in Reading three out of four years, with the last two years being above
- FRP above state percent proficient in Science all four years
- SPED above state percent proficient in Math one out of one year, three years with sample size not large enough to generate data
- SPED above state percent proficient in Reading one out of two years, two years with sample size not large enough to generate data
- SPED above state percent proficient in Science two out of three years, with the last year having a sample size not large enough to generate data

# Math District-wide Analysis

- Grade 6 and 7 consistently below state proficiency percent all 4 years
- Grade 5 consistently above state proficiency percent all 4 years
- Every grade except Grade 4 decreased from 2019-2021

# Reading District-wide Analysis

- Grade 4, 6, 7, 8 and 10 consistently below state proficiency percent all 4 years
- Grade 5 consistently above state proficiency percent all 4 years
- Every grade except Grade 5 decreased from 2019-2021

# Science District-wide Analysis

- 8th grade below state proficiency percent all 4 years
- High School above state proficiency percent all 4 years
- Every grade except High School decreased from 2019-2021

# Special Education District-wide Analysis

- Inconsistent performance over 5 year span, with multiple years having not a large enough sample size to generate data

# FRP District-wide Analysis

- 47/68=Overall 69% proficiency in this group over 5 year span

# Gender District-wide Analysis

- No patterns appear to be present with the performance of students based on gender.

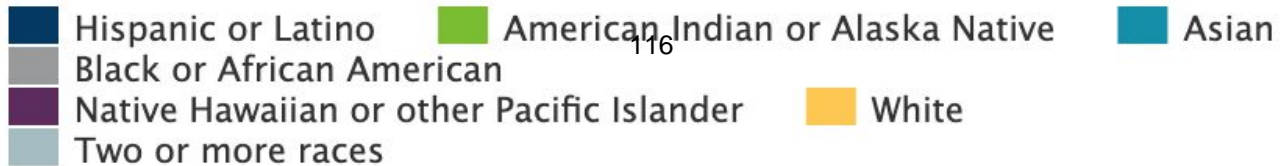
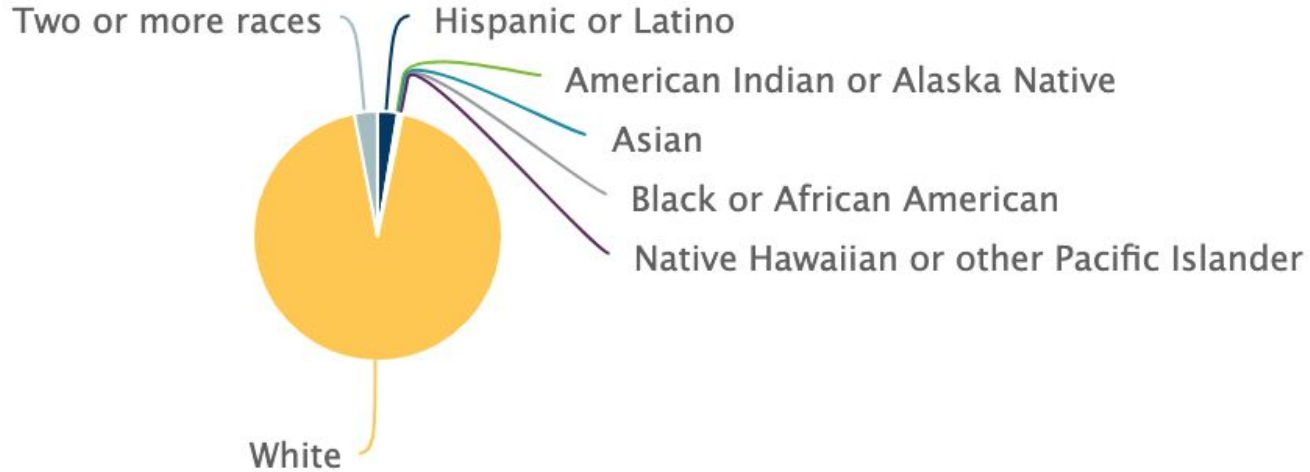
# World's Best Workforce Report

Royalton Public Schools  
2020-2022

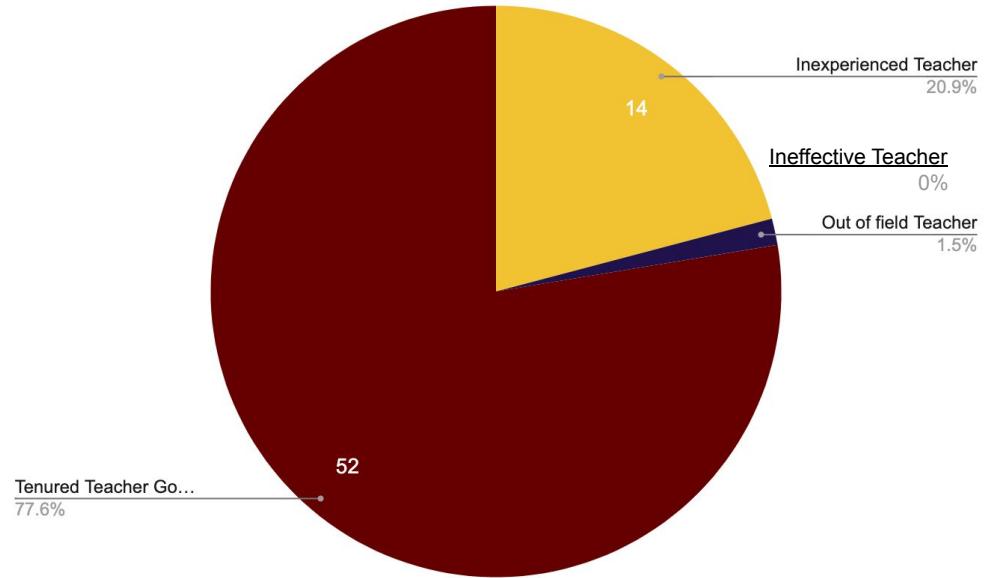
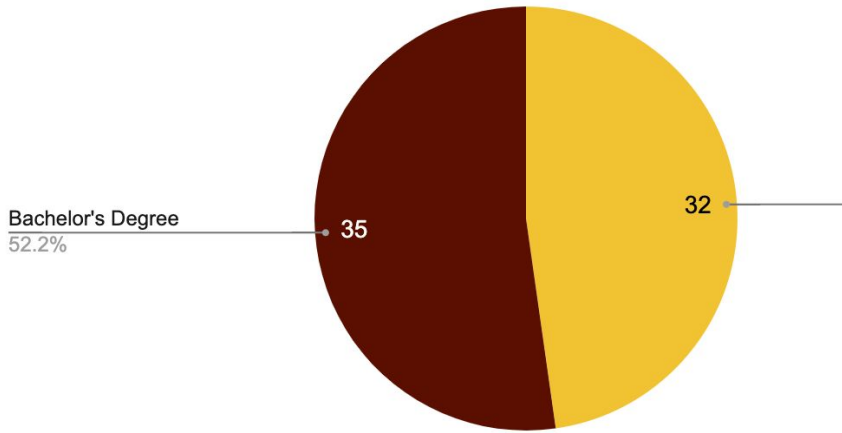


115  
**Presented by: Amy Krueger, Technology Integration  
Specialist/District Assessment Coordinator**

# Who Makes up Our Student Population?



# Who Makes up Our Teaching Population?



**Ineffective:** defined as a teacher who is not meeting professional standards as defined in the local teacher development and evaluation system

**Inexperienced:** licensed teacher who has taught for three or fewer years

**Out of Field:** licensed teacher who is providing instruction in an areas that they are not licensed in

**Tenured:** licensed teacher who has successfully completed a three year probationary period

# Kindergarten Readiness

## Goal 20-21

Royalton Public Schools will have screened, through the Early Childhood Screening process, 100% of eligible Kindergarten students prior to entering Kindergarten.

## Result

100% of eligible Kindergarten students who enrolled in Kindergarten were screened prior to entry to Kindergarten

## Goal Recommendation for 2021-2022

Royalton Public Schools will have screened, through the Early Childhood Screening process, 100% of eligible Kindergarten students prior to entering Kindergarten.

# Kindergarten Readiness

## Goal Recommendation for 2021-2022

Royalton Public Schools will have screened, through the Early Childhood Screening process, 100% of eligible Kindergarten students prior to entering Kindergarten.

## Strategies to Achieve Goal

2 screenings per year

Personalized screenings as needed.

## Other Strategies?

# Third Grade Literacy Proficiency

## Goal 20-21

The percentage of 3rd grade students meeting or exceeding the standards in reading on all state accountability tests (MCA, MTAS) will increase from 58% to 60%.

## Result

The percentage of 3rd grade students who met or exceeded the standards in reading on all state accountability tests (MCA, MTAS) decreased from 58% to 53.3%.

## Goal Recommendation for 2021-2022

The percentage of 3rd grade students meeting or exceeding the standards in reading on all state accountability tests (MCA, MTAS) will increase from 53.3% to 60%.

# Third Grade Literacy Proficiency

## Goal Recommendation for 2021-2022

The percentage of 3rd grade students meeting or exceeding the standards in reading on all state accountability tests (MCA, MTAS) will increase from 53.3% to 60%.

## Strategies to Achieve Goal

Benchmark Reading Curriculum

Alignment of standards

Continue to develop priority standards

Assessment development based on proficiency scales

Implementing learning targets

Progress monitoring 3 times per year

## Other Strategies?

Identify what kids have interest in reading

Increase book choices

Book of the month club

Reward for reading time monthly

# Closing the Achievement Gap

## Goal 20-21

The percent of students receiving special education services at Royalton Public Schools who earn partially meets, meets, or exceeds the standards in mathematics as measured by MCAs will increase from 55.8% to 60%.

## Result

The percent of students receiving special education services at Royalton Public schools who earned an achievement level of partially meets, meets, or exceeds the standards in mathematics on MCA tests decreased to 52.3%.

122

## Goal Recommendation for 2021-2022

The percent of students receiving special education services at Royalton Public Schools who earn partially meets, meets, or exceeds the standards in mathematics as measured by MCAs will increase from 52.3% to 60%.

# Closing the Achievement Gap

## Goal Recommendation for 2021-2022

The percent of students receiving special education services at Royalton Public Schools who earn partially meets, meets, or exceeds the standards in mathematics as measured by MCAs will increase from 52.3% to 60%.

## Strategies to Achieve Goal

Alignment of standards

Continue to develop priority standards

Assessment development based on proficiency scales

Implementing learning targets

Progress monitoring 3 times per year

## Other Strategies?

Explaining the why to students

# Closing the Achievement Gap

## Goal 20-21

Students who qualify for Free and Reduced Priced lunch services at Royalton Public Schools who earn an achievement level of partially meets, meets, or exceeds the standards in mathematics on MCA tests will increase from 65% to 78%.

## Result

All students who qualify for Free and Reduced Priced lunch services at Royalton Public Schools who earn an achievement level of partially meets, meets, or exceeds the standards in mathematics on the MCAs decreased to 62.9%

124

## Goal Recommendation for 2021-2022

Students who qualify for Free and Reduced Priced lunch services at Royalton Public Schools who earn an achievement level of partially meets, meets, or exceeds the standards in mathematics on MCA tests will increase from 62.9% to 65%.

# Closing the Achievement Gap

## Goal Recommendation for 2021-2022

Students who qualify for Free and Reduced Priced lunch services at Royalton Public Schools who earn an achievement level of partially meets, meets, or exceeds the standards in mathematics on MCA tests will increase from 62.9% to 65%.

125

## Strategies to Achieve Goal

Alignment of standards

Continue to develop priority standards

Assessment development based on proficiency scales

Implementing learning targets

Progress monitoring 3 times per year

## Other Strategies?

# College and Career Ready

## Goal 20-21

The percentage of all students who earn an achievement level in meets or exceeds the standards in Reading as measured by the MCA will increase from 48.1% to 55%.

## Result

The percentage of students who achieved meets or exceeds as measured by the MCAs on Reading, increased from 48.1% to 48.5%.

## Goal Recommendation for 2021-2022

The percentage of all students who earn an achievement level in meets or exceeds the standards in Reading as measured by the MCA will increase from 48.5% to 55%.

# College and Career Ready

## Goal Recommendation for 2021-2022

The percentage of all students who earn an achievement level in meets or exceeds the standards in Reading as measured by the MCA will increase from 48.5% to 55%.

## Strategies to Achieve Goal

Alignment of standards

Continue to develop priority standards

Assessment development based on proficiency scales

Implementing learning targets

Progress monitoring 3 times per year

## Other Strategies?

Registration strategies-ensure students don't leave their hardest classes to the last year

# College and Career Ready



## Goal 20-21

The percentage of all students who earn an achievement level in meets or exceeds the standards in Math will increase from 52.9% to 57%.

## Result

The percentage of students who achieved meets or exceeds as measured by the MCAs on Math decreased from 52.9% to 42.8%.

## Goal Recommendation for 2021-2022

The percentage of all students who earn an achievement level in meets or exceeds the standards in Math will increase from 42.8% to 55%.

# College and Career Ready

## Goal Recommendation for 2021-2022

The percentage of all students who earn an achievement level in meets or exceeds the standards in Math will increase from 42.8% to 50%.

## Strategies to Achieve Goal

Alignment of standards

Continue to develop priority standards

Assessment development based on proficiency scales

Implementing learning targets

Progress monitoring 3 times per year

## Other Strategies?

Registration strategies-ensure students don't leave their hardest classes to the last year

# College and Career Ready



## Goal 20-21

The percentage of all students who earn an achievement level in meets or exceeds the standards in Science as measured by the MCA will increase from 56.2% to 60%.

## Result

The percentage of students who achieved meets or exceeds as measured by the MCAs in Science decreased from 56.2% to 47.6%

## Goal Recommendation for 2021-2022

The percentage of all students who earn an achievement level in meets or exceeds the standards in Science as measured by the MCA will increase from 47.6% to 60%.

# College and Career Ready

## Goal Recommendation for 2021-2022

The percentage of all students who earn an achievement level in meets or exceeds the standards in Science as measured by the MCA will increase from 47.6% to 60%.

## Strategies to Achieve Goal

Alignment of standards

Continue to develop priority standards

Assessment development based on proficiency scales

Implementing learning targets

Progress monitoring 3 times per year

## Other Strategies?

Registration strategies-ensure students don't leave their hardest classes to the last year

# Graduation Rates

## Goal 20-21

All students who are eligible to graduate at Royalton Public Schools in four years will remain above 90%.

## Result

The percent of students who successfully graduated in four years was 92.2%

## Goal Recommendation for 2021-2022

All students who are eligible to graduate at Royalton Public Schools in four years will remain above 90%.

# Graduation Rates

## Goal Recommendation for 2021-2022

All students who are eligible to graduate at Royalton Public Schools in four years will remain above 90%.

## Strategies to Achieve Goal

Principal and counseling staff meeting with juniors and seniors to discuss graduation requirements

Principal monitors students who are at-risk

## Other Strategies?

Registration Strategies-don't save hard classes to the last year

Make parents aware of options to help their child graduate

**FORM A**

**RESOLUTION OF GOVERNING BOARD SUPPORTING  
FORM A APPLICATION TO MINNESOTA  
STATE HIGH SCHOOL LEAGUE FOUNDATION**

WHEREAS, the Minnesota State High School League Foundation was formed to provide support for Minnesota’s high school youth to participate in athletics and fine arts;

WHEREAS, the Governing Board of \_\_\_\_\_ recognizes the value of student participation in extracurricular activities; and

WHEREAS, the MSHSL Foundation is offering grants and funding to assist schools in recognizing, promoting and funding extracurricular participation by high school students in athletic and fine arts programs.

THEREFORE, BE IT RESOLVED, that the Governing Board of \_\_\_\_\_ supports the school’s application to the Minnesota State High School League Foundation for a **FORM A** grant to offset student activity fees.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Board Chair/Head of School

\_\_\_\_\_  
Date

\_\_\_\_\_  
Board Clerk – Treasurer/ Finance Director

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 515

Orig. 1995

Revised: \_\_\_\_\_

Reviewed: ~~2013~~2021

## 515 PROTECTION AND PRIVACY OF PUPIL RECORDS

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

### I. PURPOSE

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

### II. GENERAL STATEMENT OF POLICY

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

### III. DEFINITIONS

#### A. Authorized Representative

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

#### B. Biometric Record

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

#### C. Dates of Attendance

“Dates of attendance,” as referred to in “Directory Information,” means the period

of time during which a student attends or attended a school or schools in the school district, including attendance in person or by paper correspondence, videoconference, satellite, Internet or other electronic communication information and telecommunications technologies for students who are not in the classroom, and including the period during which a student is working under a work-study program. The term does not include specific daily records of a student's attendance at a school or schools in the school district.

D. Directory Information

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

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

***[Note: This definition includes all of the types of information specifically referenced by state and federal law as directory information. A school district may choose not to designate some or all of the enumerated information as***

*directory information. -A school district also may add to the list of directory information, as long as the added data is not information that generally would be deemed as an invasion of privacy or information that references the student's religion, race, color, social position, or nationality. Federal law now allows a school district to specify that the disclosure of directory information will be limited to specific parties, for specific purposes, or both. The identity of those parties and/or purposes should be identified. To the extent a school district adds these restrictions, it must then limit its directory information disclosures to those individuals and/or purposes specified in this public notice. Procedures to address how these restrictions will be enforced by the school district are advised. Designation of directory information is an important policy decision for the local school board ~~which~~who must balance not only the privacy interests of the student against public disclosure but also the additional administrative requirements such restrictions on disclosures will place on the school district.]*

E. Education Records

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

- c. Records relating to an individual, including a student, who is employed by the school district which:
  - (1) are made and maintained in the normal course of business;
  - (2) relate exclusively to the individual in that individual's capacity as an employee; and
  - (3) are not available for use for any other purpose.

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

- d. Records relating to an eligible student, or a student attending an institution of post-secondary education, ~~which~~**that** are:
  - (1) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity or assisting in that capacity;
  - (2) made, maintained, or used only in connection with the provision of treatment to the student; and
  - (3) disclosed only to individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are a part of the program of instruction within the school district.

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

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

#### F. Eligible Student

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

G. Juvenile Justice System

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

H. Legitimate Educational Interest

“Legitimate educational interest” includes an interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, student health and welfare, and the ability to respond to a request for education data. It includes a person’s need to know in order to:

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

I. Parent

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

J. Personally Identifiable

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

record relates.

K. Record

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

L. Responsible Authority

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

M. Student

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

N. School Official

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

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

O. Summary Data

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

P. Other Terms and Phrases

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

**IV. GENERAL CLASSIFICATION**

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

**V. STATEMENT OF RIGHTS**

A. Rights of Parents and Eligible Students

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

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

B. Eligible Students

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

C. ~~Disabled~~ Students with a Disability

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

## VI. DISCLOSURE OF EDUCATION RECORDS

A. Consent Required for Disclosure

1. The school district shall obtain a signed and dated written informed consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the student, except as provided herein.
2. The written consent required by this subdivision must be signed and dated by the parent of the student or the eligible student giving the consent and shall include:
  - a. a specification of the records to be disclosed;
  - b. the purpose or purposes of the disclosure;
  - c. the party or class of parties to whom the disclosure may be made;
  - d. the consequences of giving informed consent; and
  - e. if appropriate, a termination date for the consent.
3. When a disclosure is made under this subdivision:
  - a. if the parent or eligible student so requests, the school district shall provide him or her with a copy of the records disclosed; and
  - b. if the parent of a student who is not an eligible student so requests,

the school district shall provide the student with a copy of the records disclosed.

4. A signed and dated written consent may include a record and signature in electronic form that:
  - a. identifies and authenticates a particular person as the source of the electronic consent; and
  - b. indicates such person's approval of the information contained in the electronic consent.
  
5. If the responsible authority seeks an individual's informed consent to the release of private data to an insurer or the authorized representative of an insurer, informed consent shall not be deemed to have been given unless the statement is:
  - a. in plain language;
  - b. dated;
  - c. specific in designating the particular persons or agencies the data subject is authorizing to disclose information about the data subject;
  - d. specific as to the nature of the information the subject is authorizing to be disclosed;
  - e. specific as to the persons or agencies to whom the subject is authorizing information to be disclosed;
  - f. specific as to the purpose or purposes for which the information may be used by any of the parties named in Clause e. above, both at the time of the disclosure and at any time in the future; and
  - g. specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for: (i) life insurance or noncancellable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or (ii) medical assistance under ~~Minnesota Statutes Chapter~~ 256B or Minnesota Care under ~~Minnesota Statutes Chapter~~ 256L, which shall be ongoing during all terms of eligibility, for individualized education program health-related services provided by a school district that are subject to third party reimbursement.

6. Eligible Student Consent

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

B. Prior Consent for Disclosure Not Required

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

1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records;
2. To a contractor, consultant, volunteer, or other party to whom the school district has outsourced institutional services or functions provided that the outside party:
  - a. performs an institutional service or function for which the school district would otherwise use employees;
  - b. is under the direct control of the school district with respect to the use and maintenance of education records; and
  - c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made;
3. To officials of other schools, school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (see Section XIX.), suspension and expulsion information pursuant to section 7917 of the federal Every Student Succeeds Act, **20 U.S.C. § 7917**, *[insert the following if the school district has a policy regarding Staff Notification of Violent Behavior by Students]* and, if applicable, data regarding a student's history of violent behavior. The records also shall

include a copy of any probable cause notice or any disposition or court order under Minnesota Statutes, §section 260B.171, unless the data are required to be destroyed under Minnesota Statutes, §section 120A.22, Subdivision 7(c) or §section 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records ~~which~~that have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with Section XV. of this policy;

4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, ~~or~~ the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;
5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:
  - a. determine eligibility for the aid;
  - b. determine the amount of the aid;
  - c. determine conditions for the aid; or
  - d. enforce the terms and conditions of the aid.

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

6. To state and local officials or authorities to whom such information is specifically allowed to be reported or disclosed pursuant to state statute adopted:
  - a. before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system’s ability to effectively serve the student whose records are released; or
  - b. after November 19, 1974, if the reporting or disclosure allowed by state statute concerns the juvenile justice system and the system’s ability to effectively serve, prior to adjudication, the student whose records are released, provided the officials and authorities to whom the records are disclosed certify in writing to the school district that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the

parent of the student. At a minimum, the school district shall disclose the following information to the juvenile justice system under this paragraph: a student's full name, home address, telephone number, and date of birth; a student's school schedule, attendance record, and photographs, if any; and parents' names, home addresses, and telephone numbers;

7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction; provided that the studies are conducted in a manner which does not permit the personal identification of parents or students by individuals other than representatives of the organization who have a legitimate interest in the information, the information is destroyed when no longer needed for the purposes for which the study was conducted, and the school district enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy all personally identifiable information when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed. For purposes of this provision, the term, "organizations," includes, but is not limited to, federal, state, and local agencies and independent organizations. In the event the Department of Education determines that a third party outside of the school district to whom information is disclosed violates this provision, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years;
8. To accrediting organizations in order to carry out their accrediting functions;
9. To parents of a student eighteen (18) years of age or older if the student is a dependent of the parents for income tax purposes;
10. To comply with a judicial order or lawfully issued subpoena, provided, however, that the school district makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a federal grand jury subpoena, or any other subpoena issued for law enforcement

purposes, and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or the disclosure is in compliance with an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. § 2332b(g)(5)(B), an act of domestic or international terrorism as defined in 18 U.S.C. § 2331, or a parent is a party to a court proceeding involving child abuse and neglect or dependency matters, and the order is issued in the context of the proceeding. If the school district initiates legal action against a parent or student, it may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as a plaintiff. Also, if a parent or eligible student initiates a legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself;

11. To appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health, including the mental health, or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there is an articulable and significant threat to the health or safety of a student or other individuals. In making a determination whether to disclose information under this section, the school district may take into account the totality of the circumstances pertaining to a threat and may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other students. A record of this disclosure must be maintained pursuant to Section XIII.E. of this policy. In addition, an educational agency or institution may include in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and school officials within the school district and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;
12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;
13. Information the school district has designated as "directory information" pursuant to Section VII. of this policy;

14. To military recruiting officers and post-secondary educational institutions pursuant to Section XI. of this policy;
15. To the parent of a student who is not an eligible student or to the student himself or herself;
16. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;
17. To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students;
18. To the juvenile justice system, on written request that certifies that the information will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student:
  - a. the following information about a student must be disclosed: a student's full name, home address, telephone number, date of birth; a student's school schedule, daily attendance record, and photographs, if any; and any parents' names, home addresses, and telephone numbers;
  - b. the existence of the following information about a student, not the actual data or other information contained in the student's education record, may be disclosed provided that a request for access must be submitted on the statutory form and it must contain an explanation of why access to the information is necessary to serve the student: (1) use of a controlled substance, alcohol, or tobacco; (2) assaultive or threatening conduct that could result in dismissal from school under the Pupil Fair Dismissal Act; (3) possession or use of weapons or look-alike weapons; (4) theft; or (5) vandalism or other damage to property. Prior to releasing this information, the principal or chief administrative officer of a school who receives such a request must, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information. If the student's parent or guardian notifies the school official of an objection to the disclosure within ten (10) days of receiving certified notice, the school official must not disclose the information and instead must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received

within fourteen (14) days, the school official must respond to the request for information.

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

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

alleged offense if this information is provided in the peace officer's notice. Peace officer's record information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information must not be further disseminated by the counselor, teacher administrator, staff member, substitute, or volunteer except to communicate with the student or the student's parent or guardian as necessary to serve the student, to protect students and staff, or as otherwise required by law.

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

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

C. Nonpublic School Students

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

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

**VII. RELEASE OF DIRECTORY INFORMATION**

A. Classification

Directory information is public except as provided herein.

B. Former Students

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

C. Present Students and Parents

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

1. Annually give public notice by any means that are reasonably likely to inform the parents and eligible students of:

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

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

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

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

D. Procedure for Obtaining Nondisclosure of Directory Information

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

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

E. Duration

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

## **VIII. DISCLOSURE OF PRIVATE RECORDS**

A. Private Records

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

B. Private Records Not Accessible to Parent

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

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

C. Private Records Not Accessible to Student

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

D. Military-Connected Youth Identifier

When a school district updates its enrollment forms in the ordinary course of business, the school district must include a box on the enrollment form to allow

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

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## IX. DISCLOSURE OF CONFIDENTIAL RECORDS

### A. Confidential Records

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

### B. Reports Under the Maltreatment of Minors Reporting Act

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

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

### C. Investigative Data

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

1. The school district may make any data classified as protected non-public or confidential pursuant to this subdivision accessible to any person,

agency, or the public if the school district determines that such access will aid the law enforcement process, promote public health or safety, or dispel widespread rumor or unrest.

2. A complainant has access to a statement he or she provided to the school district.
3. Parents or eligible students may have access to investigative data of which the student is the subject, but only to the extent the data is not inextricably intertwined with data about other school district students, school district employees, and/or attorney data as defined in Minnesota Statutes, ~~§section~~ 13.393.
4. Once a civil investigation becomes inactive, civil investigative data becomes public unless the release of the data would jeopardize another pending civil legal action, except for those portions of such data that are classified as not public data under state or federal law. Any civil investigative data presented as evidence in court or made part of a court record shall be public. For purposes of this provision, a civil investigation becomes inactive upon the occurrence of any of the following events:
  - a. a decision by the school district, or by the chief attorney for the school district, not to pursue the civil legal action. However, such investigation may subsequently become active if the school district or its attorney decides to renew the civil legal action;
  - b. the expiration of the time to file a complaint under the statute of limitations or agreement applicable to the civil legal action; or
  - c. the exhaustion or expiration of rights of appeal by either party to the civil legal action.
5. A “pending civil legal action” for purposes of this subdivision is defined as including, but not limited to, judicial, administrative, or arbitration proceedings.

D. Chemical Abuse Records

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

**X. DISCLOSURE OF SCHOOL RECORDS PRIOR TO EXCLUSION OR**

## EXPULSION HEARING

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

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

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

B. Data released to military recruiting officers under this provision:

1. may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military; **and**
2. cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces; **and**
3. **copying fees shall not be imposed.**

C. A parent or eligible student has the right to refuse the release of the name, address, **electronic mail addresses (which shall be the electronic mail addresses provided by the school, if available, that may be released to military recruiting officers only)** or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the responsible authority [*designate title of individual, i.e., building principal*] in writing by [*date*] each year. The written request must include the following information:

1. Name of student and parent, as appropriate;
2. Home address;
3. Student's grade level;

4. School presently attended by student;
  5. Parent's legal relationship to student, if applicable;
  6. Specific category or categories of information which are not to be released to military recruiting officers and post-secondary educational institutions; and
  7. Specific category or categories of information which are not to be released to the public, including military recruiting officers and post-secondary educational institutions.
- D. Annually, the school district will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse to release the names, addresses, and home phone numbers of students in grades 11 and 12 without prior consent.
- E. A parent or eligible student's refusal to release the above information to military recruiting officers and post-secondary educational institutions does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII. of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, home phone number, and grade level of students as directory information, absent a request from a parent or eligible student not to release such data, this information will be public data and accessible to members of the public, including military recruiting officers and post-secondary educational institutions.

## **XII. LIMITS ON REDISCLOSURE**

### **A. Redisclosure**

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

### **B. Redisclosure Not Prohibited**

1. Subdivision A. of this section does not prevent the school district from disclosing personally identifiable information under Section VI. of this

policy with the understanding that the party receiving the information may make further disclosures of the information on behalf of the school district provided:

- a. The disclosures meet the requirements of Section VI. of this policy; and
  - b. The school district has complied with the record-keeping requirements of Section XIII. of this policy.
2. Subdivision A. of this section does not apply to disclosures made pursuant to court orders or lawfully issued subpoenas or litigation, to disclosures of directory information, to disclosures to a parent or student or to parents of dependent students, or to disclosures concerning sex offenders and other individuals required to register under 42 U.S.C. § 14071. However, the school district must provide the notification required in Section XII.D. of this policy if a redisclosure is made based upon a court order or lawfully issued subpoena.

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

C. Classification of Disclosed Data

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

D. Notification

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

**XIII. RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING**

A. Responsible Authority

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

B. Record Security

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

C. Plan for Securing Student Records

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

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

D. Review of Written Plan for Securing Student Records

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

E. Record Keeping

1. The principal shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record, with the education records of the student, ~~which~~ ~~that~~ indicates:
  - a. the parties who have requested or received personally identifiable information from the education records of the student;

- b. the legitimate interests these parties had in requesting or obtaining the information; and
  - c. the names of the state and local educational authorities and federal officials and agencies listed in Section VI.B.4. of this policy that may make further disclosures of personally identifiable information from the student's education records without consent.
2. In the event the school district discloses personally identifiable information from an education record of a student pursuant to Section XII.B. of this policy, the record of disclosure required under this section shall also include:
- a. the names of the additional parties to which the receiving party may disclose the information on behalf of the school district;
  - b. the legitimate interests under Section VI. of this policy which each of the additional parties has in requesting or obtaining the information; and
  - c. a copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 C.F.R. § 99.32 and to whom the school district disclosed information from an education record. The school district shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to whom education records were disclosed upon a request from a parent or eligible student to review the record of requests for disclosure.
3. Section XIII.E.1. does not apply to requests by or disclosure to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other school officials under Section VI.B.1. of this policy, to requests for disclosures of directory information under Section VII. of this policy, or to a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or agency has ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18. U.S.C. § 2332b(g)(5)(B) or an act of domestic or international terrorism.

***[Note: While Section XIII.E.1. does not apply to requests for or***

*disclosures of directory information under Section VII. of this policy, to the extent the school district chooses to limit the disclosure of directory information to specific parties, for specific purposes, or both, it is advisable that records be kept to identify the party to whom the disclosure was made and/or purpose for the disclosure.]*

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

#### **XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS**

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

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

B. Response to Request for Access

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

C. Right to Inspect and Review

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

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

D. Form of Request

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

E. Collection of Student Records

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

F. Records Containing Information on More Than One Student

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

G. Authority to Inspect or Review

The school district may presume that either parent of the student has authority to

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

H. Fees for Copies of Records

1. The school district shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the reasonable fee, the school district shall consider the following:
  - a. the cost of materials, including paper, used to provide the copies;
  - b. the cost of the labor required to prepare the copies;
  - c. any schedule of standard copying charges established by the school district in its normal course of operations;
  - d. any special costs necessary to produce such copies from machine based record-keeping systems, including but not limited to computers and microfilm systems; and
  - e. mailing costs.
2. If 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and, instead, the charge shall be no more than 25 cents for each page copied.
3. The cost of providing copies shall be borne by the parent or eligible student.
4. The responsible authority, however, may not impose a fee for a copy of an education record made for a parent or eligible student if doing so would effectively prevent or, in the case of a student with a disability, impair the parent or eligible student from exercising their right to inspect or review the student's education records.

**XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA**

A. Request to Amend Education Records

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

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

B. Right to a Hearing

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

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

- b. if the education records of the student or the contested portion thereof is disclosed by the school district to any party, the explanation shall also be disclosed to that party.

C. Conduct of Hearing

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

D. Appeal

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

## XVI. PROBLEMS ACCESSING DATA

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

made to the data practices compliance official.

## **XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA**

### **A. Where to File Complaints**

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

### **B. Content of Complaint**

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

## **XVIII. WAIVER**

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

## **XIX. ANNUAL NOTIFICATION OF RIGHTS**

### **A. Contents of Notice**

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

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;
2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records;
3. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosure without consent;

4. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of FERPA and the rules promulgated thereunder;
5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing education records to other school officials whom the school district has determined to have legitimate educational interests; and
6. That the school district forwards education records on request to a school in which a student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment or transfer and that such records may include suspension and expulsion records pursuant to the federal Every Student Succeeds Act and, if applicable, a student's history of violent behavior.

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

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

C. Notification to Parents or Eligible Students Who are Disabled

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

**XX. DESTRUCTION AND RETENTION OF RECORDS**

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

**XXI. COPIES OF POLICY**

Copies of this policy may be obtained by parents and eligible students at the ~~superintendent's office of the superintendent.~~

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 13.393 (Attorneys)  
Minn. Stat. Ch. 14 (Administrative Procedures Act)  
Minn. Stat. § 120A.22 (Compulsory Instruction)  
Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.75 (~~Sharing Disposition Order and Peace Officer~~)

~~Records~~ Receipt of Records; Sharing)

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

**Cross References:** MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)  
MSBA/MASA Model Policy 520 (Student Surveys)  
MSBA/MASA Model Policy 711 (Video Recording on School Buses)  
MSBA/MASA Model Policy 722 (Public Data Requests)  
MSBA/MASA Model Policy 906 (Community Notification of Predatory Offenders)  
~~MSBA Service Manual, Chapter 13, School Law Bulletin “I” (School Records – Privacy – Access to Data)~~

## PUBLIC NOTICE

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

1. Parents and eligible students are hereby informed that they have the following rights:
  - a. That a parent or eligible student has a right to inspect and review the student's education records within 45 days after the day the request for access is received by the school district. A parent or eligible student should submit to the school district a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect. The parent or eligible student will be notified of the time and place where the records may be inspected;
  - b. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy rights. A parent or eligible student may ask the school district to amend a record that they believe is inaccurate or misleading. The request shall be in writing, identify the item the parent or eligible student believes to be inaccurate, misleading, or in violation of the privacy rights of the student, shall state the reason for this belief, and shall specify the correction the parent or eligible student wishes the school district to make. The request shall be signed by the parent or eligible student. If the school district decides not to amend the record as requested by the parent or eligible student, the school district will notify the parent or eligible student of the decision and advise him or her of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing;
  - c. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosures without consent;
  - d. That the school district may disclose education records to other school officials within the school district if the school district has determined they have legitimate educational interests. For purposes of such disclosure, a "school official" is a person employed by the school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or other employee; a person serving on the school board; a person or company with

whom the school district has consulted to perform a specific task (such as an attorney, auditor, medical consultant, therapist, public information officer, or data practices compliance official); or a parent or student serving on an official committee, such as a disciplinary or grievance committee; or any individual assisting a school official in the performance of his or her tasks. A school official has a "legitimate educational interest" if the individual needs to review an education record in order to fulfill his or her professional responsibility and includes, but is not limited to, an interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, and student health and welfare and the ability to respond to a request for educational data;

- e. That the school district forwards education records on request to a school or post-secondary educational institution in which a student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment, including information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, suspension and expulsion information pursuant to [section 20 U.S.C. § 7917, part](#) of the federal ~~No-Child-Left-Behind~~ [Every Student Succeeds](#) Act *[insert the following bracketed phrase if the school district has a policy regarding Staff Notification of Violent Behavior by Students]* *[and data regarding a student's history of violent behavior,]* and any disposition order which adjudicates the student as delinquent for committing an illegal act on school district property and certain other illegal acts;
- f. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of 20 U.S.C. § 1232g and the rules promulgated thereunder. The name and address of the office that administers the Family Education Rights and Privacy Act is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue S.W.  
Washington, D.C. 20202

*[optional]*

- g. That the parent or eligible student has a right to obtain a copy of the school district's policy regarding the protection and privacy of pupil records; and

*[optional]*

- h. That copies of the school district's policy regarding the protection and privacy of school records are located at \_\_\_\_\_ *[insert location]*.

[optional]

2. Independent School District No. \_\_\_\_\_ has adopted a school board policy in order to comply with state and federal laws regarding education records. The policy does the following:
  - a. It classifies records as public, private, or confidential.
  - b. It establishes procedures and regulations to permit parents or students to inspect and review a student's education records. These procedures include the method of determining fees for copies, a listing of the locations of these education records, and the identity of the individuals in charge of the records.
  - c. It establishes procedures and regulations to allow parents or students to request the amendment of a student's education records to ensure that the records are not inaccurate, misleading, or otherwise in violation of the student's privacy rights.
  - d. It establishes procedures and regulations for access to and disclosure of education records.
  - e. It establishes procedures and regulations for safeguarding the privacy of education records and for obtaining prior written consent of the parent or student when required prior to disclosure.
3. Copies of the school board policy and accompanying procedures and regulations are available to parents and students upon written request to the Superintendent.
4. Pursuant to applicable law, Independent School District No. \_\_\_\_\_ gives notice to parents of students currently in attendance in the school district, and eligible students currently in attendance in the school district, of their rights regarding "directory information."

"Directory information" includes the following information relating to a student: the student's name; address; telephone number; electronic mail address; photograph; date and place of birth; major field of study; dates of attendance; grade level; enrollment status; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; the most recent educational agency or institution attended by the student; and other similar information. "Directory information" also includes the name, address, and telephone number of the student's parent(s). "Directory information" does not include a student's social security number or a student's identification number (ID) if the ID may be used to access education records without use of one or more factors that authenticate the student's identity such as a personal identification number, password, or other factor known or possessed only by the authorized user. It also does not include identifying information on a student's religion, race, color, social position, or nationality.

***[Note: The definition of directory information is found on page 515-2 of the school district's policy. This definition includes all of the types of information specifically referenced by state and federal law as directory information. A school district may choose not to include some or all of the enumerated information as directory information. A school district also may add to the list of directory information, as long as the added data is not information that generally would be deemed as an invasion of privacy or information that references the student's religion, race, color, social position, or nationality. A school district also may specify in this section that the disclosure of directory information will be limited to specific parties, for specific purposes, or both. The identity of those parties and/or purposes should be identified. To the extent a school district adds these restrictions, it must then limit its directory information disclosures to those individuals and/or purposes specified in this public notice. Procedures to address how these restrictions will be enforced by the school district are advised. Designation of directory information is an important policy decision for the local school board which must balance not only the privacy interests of the student against public disclosure but also the additional administrative requirements such restrictions on disclosures will place on the school district.]***

- a. THE INFORMATION LISTED ABOVE SHALL BE PUBLIC INFORMATION WHICH THE SCHOOL DISTRICT MAY DISCLOSE FROM THE EDUCATION RECORDS OF A STUDENT OR INFORMATION REGARDING A PARENT.**
- b. SHOULD THE PARENT OF A STUDENT OR THE STUDENT SO DESIRE, ANY OR ALL OF THE LISTED INFORMATION WILL NOT BE DISCLOSED WITHOUT THE PARENT'S OR ELIGIBLE STUDENT'S PRIOR WRITTEN CONSENT EXCEPT TO SCHOOL OFFICIALS AS PROVIDED UNDER FEDERAL LAW.**
- c. IN ORDER TO MAKE ANY OR ALL OF THE DIRECTORY INFORMATION LISTED ABOVE "PRIVATE" (I.E., SUBJECT TO CONSENT PRIOR TO DISCLOSURE), THE PARENT OR ELIGIBLE STUDENT MUST MAKE A WRITTEN REQUEST TO THE BUILDING PRINCIPAL WITHIN THIRTY (30) DAYS AFTER THE DATE OF THE LAST PUBLICATION OF THIS NOTICE. THIS WRITTEN REQUEST MUST INCLUDE THE FOLLOWING INFORMATION:**
  - (1) NAME OF STUDENT AND PARENT, AS APPROPRIATE;**
  - (2) HOME ADDRESS;**
  - (3) SCHOOL PRESENTLY ATTENDED BY STUDENT;**

- (4) PARENT'S LEGAL RELATIONSHIP TO STUDENT, IF APPLICABLE;**
- (5) SPECIFIC CATEGORY OR CATEGORIES OF DIRECTORY INFORMATION WHICH IS NOT TO BE MADE PUBLIC WITHOUT THE PARENT'S OR ELIGIBLE STUDENT'S PRIOR WRITTEN CONSENT.**

5. Pursuant to applicable law, Independent School District No. hereby gives notice to parents of students and eligible students in grades 11 and 12 of their rights regarding release of information to military recruiting officers and post-secondary educational institutions. The school district must release the names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request. Data released to military recruiting officers under this provision may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military and cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces.

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

**IN ORDER TO REFUSE THE RELEASE OF THIS INFORMATION WITHOUT PRIOR CONSENT, THE PARENT OR ELIGIBLE STUDENT MUST MAKE A WRITTEN REQUEST TO THE RESPONSIBLE AUTHORITY, [DESIGNATE TITLE OF INDIVIDUAL, I.E., BUILDING PRINCIPAL], BY [INSERT DATE] EACH YEAR. THIS WRITTEN REQUEST MUST INCLUDE THE FOLLOWING INFORMATION:**

- (1) NAME OF STUDENT AND PARENT, AS APPROPRIATE;**
- (2) HOME ADDRESS;**
- (3) STUDENT'S GRADE LEVEL;**
- (4) SCHOOL PRESENTLY ATTENDED BY STUDENT;**
- (5) PARENT'S LEGAL RELATIONSHIP TO STUDENT, IF APPLICABLE;**
- (6) SPECIFIC CATEGORY OR CATEGORIES OF INFORMATION WHICH ARE NOT TO BE RELEASED TO MILITARY**

**RECRUITING OFFICERS AND POST-SECONDARY  
EDUCATIONAL INSTITUTIONS WITHOUT PRIOR CONSENT;**

- (7) SPECIFIC CATEGORY OR CATEGORIES OF DIRECTORY INFORMATION WHICH ARE NOT TO BE RELEASED TO THE PUBLIC, INCLUDING MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS.**

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

INDEPENDENT SCHOOL DISTRICT NO. \_\_\_\_\_  
\_\_\_\_\_, MINNESOTA

Dated: \_\_\_\_\_

\_\_\_\_\_  
Chair

**[Note: The use of this form requesting information about specific activities or behavior is mandated by statute. In addition, the school district is required to maintain such requests and a record of any release in the student's file.]**

**JUVENILE JUSTICE SYSTEM  
REQUEST FOR INFORMATION**

Family Educational Rights and Privacy Act  
Minnesota Government Data Practices Act, Minn. Stat. § 13.32, Subds. 3(i) and 8(b)

**DATE/TIME OF REQUEST:** \_\_\_\_\_

**TO:** \_\_\_\_\_  
(Superintendent of school district or chief administrative officer of school)

**FROM:** \_\_\_\_\_  
(Requester's name/agency)

**STUDENT:** \_\_\_\_\_

**BASIS FOR REQUEST:**

- \_\_\_\_\_ Juvenile delinquency investigation/prosecution
- \_\_\_\_\_ Child protection assessment/investigation
- \_\_\_\_\_ Investigation/filing of CHIPS or delinquency petition

**REASON FOR REQUEST:** (Requester must describe why information regarding existence of the data marked below is necessary to effectively serve the student)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RESPONSE TO REQUEST:**

The school must indicate whether it has data on the student that document any activity or behavior marked by the requester.

**INFORMATION REQUESTED:** *(mark all that apply)*    **RESPONSE PROVIDED:** *(yes / no)* Indicate whether you have data that document the student's:

_____	Use of a controlled substance, alcohol, or tobacco	_____
_____	Assaultive or threatening conduct as defined in Minn. Stat. § 13.32, Subd. 8	_____
_____	Possession or use of weapons or look-alike weapons	_____
_____	Theft	_____
_____	Vandalism and damage to property	_____

**CERTIFICATION:** The undersigned certifies that he or she is a member of the juvenile justice system. The requested data are needed by the juvenile justice system so it may effectively serve, prior to adjudication, the student whose records are released. The undersigned will not disclose the information received to any other party, except as provided under state law, without prior written consent as required by Code of Federal Regulations, title 34, section 99.38(b). The undersigned further certifies that he or she understands that, by signing this request, he or she is subject to the penalties in Minn. Stat. § 13.09.

\_\_\_\_\_  
Signature/Title

***[Note: A principal or chief administrative officer of a school who receives such a request to disclose information about a student to the juvenile justice system shall, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information before disclosing the information. If the student's parent or guardian notifies the principal or chief administrative officer within ten (10) days of receiving the certified notice that the parent or guardian objects to the disclosure, the principal or chief administrative officer must not disclose the information. The principal or chief administrative officer must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the principal or chief administrative officer must respond to the data request.]***

## Royalton Schools Technology Acceptable Use Policy

Technology is shifting the ways that information may be accessed, processed, and communicated. These changes may also alter instruction and student learning. The Royalton School District offers staff and students access to many forms of technology.

The Royalton School District supports and respects each family's right to decide whether or not to allow their children access to the technology we provide.

### Rules and Responsibilities

Students are responsible for good behavior on school computer networks just as they are in a classroom or a school hallway.

The Royalton School District is providing resources for students and staff to conduct research and communicate with others in relation to schoolwork. Royalton School District uses G Suite for Education. G Suite for Education is a set of education productivity tools from Google, including Gmail, Calendar, Docs, Classroom, and more used by tens of millions of students and teachers around the world. At Royalton School District, students will use their G Suite accounts to complete assignments, communicate with their teachers, sign into their Chromebooks, and learn 21st century digital citizenship skills. An email address for education purposes will be created for students in grades 3-12. Students in grades 3-8 are restricted to only send/receive email to/from internal users. Students in grades 9-12 can send/receive email internally/externally. Access to network services is given to students who agree to act in a considerate and responsible manner. Parent permission is required. *Access is a privilege, not a right.* Therefore, based upon the acceptable use guidelines outlined in the document, the school administrators or their designated representatives may close an account at any time. The administration, faculty, and staff of the Royalton School District may deny, revoke, or suspend specific user accounts.

Students are responsible for their own actions. Their behavior must be in support of education and must be consistent with the academic expectations of the school district. Use of other organizations' networks or computing resources must comply with the rules appropriate for that network. Transmission of any material in violation of the U.S. or State regulations including copyrighted, threatening, or obscene materials is prohibited. Use of commercial activities by for-profit organizations, product promotion, political lobbying, or illegal activities is strictly prohibited.

### Technology Usage Policy

#### Inappropriate Logins

Students who use another student's login name and/or give their name or password to other students.

#### Inappropriate Computer Activities

Students who play games; do personal web surfing; tamper with equipment; send unauthorized email; visit chat rooms; print unauthorized documents; restricted sites or joke sites; download unauthorized audio, video or image files.

#### Installing Software, visiting inappropriate site, chat, email, etc.

Students who visit porn, hate or violence advocating sites; install unauthorized software; deface or use technology equipment in a destructive manner.

Students will receive the following consequences for inappropriate technology use.

- A. 1<sup>st</sup> Offense – Student will be put on a restricted filter policy for 2 weeks
- B. 2<sup>nd</sup> Offense – Student will be put on a restricted filter policy for 4 weeks
- C. 3<sup>rd</sup> Offense – Student will be put on a restricted filter policy for the remainder of the semester.

**\*\*If equipment is rendered inoperable, a replacement fine will result.**

\*\*The administration reserves the right to sanction students more severely based on the nature of the offense.

\*\*A restricted filter policy will allow the student to only access the websites and apps required to complete their school work. All other content will be blocked. This includes games, social media, and streaming services.

**Reporting procedure:** All incidences will be reported to the principal and a discipline notice will be sent home to parents. A copy will also be placed in the student's records.

**Royalton Schools Technology  
User Agreement and Parent Permission Form**

After reading the Royalton Schools Technology Rules and Responsibilities, please complete this form to indicate that you agree with the terms and conditions outlined. The signatures of both the student and the parent/guardian are mandatory before access may be granted to the district's data networks. This document, which incorporates the Royalton Schools Technology Acceptable Use Policy, reflects the entire agreement and understanding of all parties.

As a user of the Royalton Schools data networks, I have read and hereby agree to comply with the Royalton Schools Technology Acceptable Use Policy.

Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Student Name (Please Print): \_\_\_\_\_

Graduation Year: \_\_\_\_\_

As parent/legal guardian of the student signing above, I grant permission for my child to access the computer networks of the Royalton School District, as well as such services as G Suite for Education and the Internet. I have read and agree to the Royalton Schools Technology Acceptable Use Policy. I understand that some materials on the Internet may be objectionable; therefore I agree to accept responsibility for guiding my child, and conveying to her/him appropriate standards for selecting, sharing, and/or exploring information and media.

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian Name (Please Print): \_\_\_\_\_

Street Address: \_\_\_\_\_

Home Telephone: \_\_\_\_\_ Daytime Telephone: \_\_\_\_\_

**Please complete and return only this page to your child's school. Keep the other pages for your records.**

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 524

Orig. 1996

Revised: \_\_\_\_\_

Reviewed: ~~2019~~2021

## **524 INTERNET ACCEPTABLE USE AND SAFETY POLICY**

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

### **I. PURPOSE**

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

### **II. GENERAL STATEMENT OF POLICY**

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

### **III. LIMITED EDUCATIONAL PURPOSE**

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

### **IV. USE OF SYSTEM IS A PRIVILEGE**

The use of the school district system and access to use of the Internet is a privilege, not a right. -Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the school district system or the Internet may result in one or more of the following consequences: -suspension or cancellation of use or access

privileges; payments for damages and repairs; discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment; or civil or criminal liability under other applicable laws.

## V. UNACCEPTABLE USES

A. **While not an exhaustive list,** the following uses of the school district system and Internet resources or accounts are considered unacceptable:

1. Users will not use the school district system to access, review, upload, download, store, print, post, receive, transmit, or distribute:
  - a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
  - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
  - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
  - d. information or materials that could cause damage or danger of disruption to the educational process;
  - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
2. Users will not use the school district system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
3. Users will not use the school district system to engage in any illegal act or violate any local, state, or federal statute or law.
4. Users will not use the school district system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
5. Users will not use the school district system to gain unauthorized access to

information resources or to access another person's materials, information, or files without the implied or direct permission of that person.

6. Users will not use the school district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message. ***[Note: School districts should consider the impact of this paragraph on present practices and procedures, including, but not limited to, practices pertaining to employee communications, school or classroom websites, and student/employee use of social networking websites. Depending upon school district policies and practices, school districts may wish to add one or more of the following clarifying paragraphs.]***
  - a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
  - b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
    - (1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or
    - (2) such information is not classified by the school district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

In addition, prior to posting any personal contact or personally

identifiable information on a school-related webpage, employees shall obtain written approval of the content of the postings from the building administrator.

- c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited to, social networks such as “Facebook,” “Twitter,” “Instagram,” “Snapchat,” “TikTok,” and “Reddit,” and similar websites or applications.
7. Users must keep all account information and passwords on file with the designated school district official. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person’s account, or use computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities.
  8. Users will not use the school district system to violate copyright laws or usage licensing agreements, or otherwise to use another person’s property without the person’s prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.
  9. Users will not use the school district system for conducting business, for unauthorized commercial purposes, or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district official.
  10. Users will not use the school district system to engage in bullying or cyberbullying in violation of the school district’s Bullying Prohibition Policy ~~(MSBA/MASA Model Policy 514)~~. This prohibition includes using any technology or other electronic communication off school premises to the extent that student learning or the school environment is substantially and materially disrupted.
- B. The school district has a special interest in regulating off-campus speech that materially disrupts classwork or involves substantial disorder or invasion of the rights of others. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of

this policy as well as other school district policies. Examples of such violations may include, but are not limited to, ~~situations~~ serious or severe bullying or harassment targeting particular individuals, threats aimed at teachers or other students, failure to follow rules concerning lessons, the writing of papers, the use of computers, or participation in other online school activities, and breaches of school security devices. ~~where the school district system is compromised or if a school district employee or student is negatively impacted.~~ If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.

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

## VI. FILTER

*[Note: Pursuant to state law, school districts are required to restrict access to inappropriate materials on school computers with Internet access. School districts ~~which~~ seeking technology revenue pursuant to Minnesota Statutes, Section 125B.26 or certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children's Internet Protection Act, effective in 2001. ~~Those districts are required to comply with additional standards in restricting possible access to inappropriate materials. Therefore, school districts should select one of the following alternative sections depending upon whether the school district is seeking such funding and the type of funding sought.]~~*

### ALTERNATIVE NO. 1

*[Note: For a school district ~~which~~that does not seek either state or federal funding in connection with its computer system, the following language should be adopted. ~~It reflects a mandatory requirement under state law, Minnesota Statutes, Section 125B.15.]~~*

All computers equipped with Internet access and available for student use at each school site will be equipped to restrict, by use of available software filtering technology or other effective

methods, all student access to materials that are reasonably believed to be obscene, child pornography or harmful to minors under state or federal law. -Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

*[Note: The purchase of filtering technology is not required by state law if the school site would incur more than incidental expense in making the purchase. In the absence of filtering technology, school sites still are required to use “other effective methods” to restrict student access to such materials.]*

## ALTERNATIVE NO. 2

*[Note: Technology revenue is available to school districts that meet the additional condition of also restricting adult access to inappropriate materials. School districts that seek such state technology revenue may adopt or retain the following language. However, the school district is not required to do so.]*

- A. All school district computers with Internet access and available for student use will be equipped to restrict, by use of available software filtering technology or other effective methods, all student access to materials that are reasonably believed to be obscene, child pornography or harmful to minors under state or federal law.
- B. All school district computers with Internet access, not just those accessible and available to students, will be equipped to restrict, by use of available software filtering technology or other effective methods, adult access to materials that are reasonably believed to be obscene or child pornography under state or federal law.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

## ALTERNATIVE NO. 3

*[Note: School districts ~~which~~that receive certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children’s Internet Protection Act, effective in 2001. -This law requires school districts to adopt an Internet safety policy ~~which~~that contains the provisions set forth below. -Also, the Act requires such school districts to provide reasonable notice and hold at least one public hearing or meeting to address the proposed Internet safety policy prior to its implementation. -School districts that do not seek such federal financial assistance need not adopt the alternative language set forth below nor meet the requirements with respect to a public meeting to review the policy. The following alternative language for school districts that seek such federal financial assistance satisfies both state and federal law requirements.]*

- A. With respect to any of its computers with Internet access, the school district will

monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:

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

***[Note: Although school districts are not required to adopt the more restrictive provisions contained in either Alternative No. 2 or No. 3 if they do not seek state or federal funding, they may choose to adopt the more restrictive provisions as a matter of school policy.]***

## **VII. CONSISTENCY WITH OTHER SCHOOL POLICIES**

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

## **VIII. LIMITED EXPECTATION OF PRIVACY**

- A. By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school district system.
- B. Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.
- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.
- D. Parents **may** have the right at any time to investigate or review the contents of their child's files and e-mail files **in accordance with the school district's Protection and Privacy of Pupil Records Policy**. Parents have the right to request the termination of their child's individual account at any time.
- E. School district employees should be aware that the school district retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, school district employees should be aware that data and other materials in files maintained on the school district system may be subject to review, disclosure or discovery under Minnesota Statutes Chapter 13 (~~the~~ Minnesota Government Data Practices Act).
- F. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

## **IX. INTERNET USE AGREEMENT**

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

## **X. LIMITATION ON SCHOOL DISTRICT LIABILITY**

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

## **XI. USER NOTIFICATION**

- A. All users shall be notified of the school district policies relating to Internet use.
- B. This notification shall include the following:
  - 1. Notification that Internet use is subject to compliance with school district policies.
  - 2. Disclaimers limiting the school district's liability relative to:
    - a. Information stored on school district diskettes, hard drives, or servers.
    - b. Information retrieved through school district computers, networks, or online resources.
    - c. Personal property used to access school district computers, networks, or online resources.
    - d. Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.
  - 3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.
  - 4. Notification that, even though the school district may use technical means to limit student Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
  - 5. Notification that goods and services can be purchased over the Internet

that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student and/or the student's parents.

6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the Internet, including electronic communications, is governed by ~~Policy 406~~, Public and Private Personnel Data Policy, and ~~Policy 515~~, Protection and Privacy of Pupil Records Policy.
7. Notification that, should the user violate the school district's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.
8. Notification that all provisions of the acceptable use policy are subordinate to local, state, and federal laws.

## **XII. PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE**

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

### XIII. IMPLEMENTATION; POLICY REVIEW

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

**Legal References:** [Minn. Stat. Ch. 13 \(Minnesota Government Data Practices Act\)](#)  
15 U.S.C. § 6501 *et seq.* (Children’s Online Privacy Protection Act)  
17 U.S.C. § 101 *et seq.* (Copyrights)  
[20 U.S.C. § 1232g \(Family Educational Rights and Privacy Act\)](#)  
47 U.S.C. § 254 (Children’s Internet Protection Act of 2000 (CIPA))  
47 C.F.R. § 54.520 (FCC rules implementing CIPA)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. § 125B.15 (Internet Access for Students)  
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)  
[Mahanoy Area Sch. Dist. v. B.L., 594 U.S. \\_\\_\\_, 141 S. Ct. 2038 \(2021\)](#)  
~~[Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 \(1969\)](#)~~  
~~[United States v. Amer. Library Assoc., 539 U.S. 194, 123 S.Ct. 2297, 56 L.Ed.2d 221 \(2003\)](#)~~  
~~[Doninger v. Niehoff, 527 F.3d 41 \(2<sup>nd</sup> Cir. 2008\)](#)~~  
[Sagehorn v. Indep. Sch. Dist. No. 728, 122 F.Supp.2d 842 \(D. Minn. 2015\)](#)  
~~[R.S. v. Minnewaska Area Sch. Dist. No. 2149, No. 12-588, 2012 WL 3870868-894 F.Supp.2d 1128 \(D. Minn. 2012\)](#)~~  
~~[Tatro v. Univ. of Minnesota, 800 N.W.2d 811 \(Minn. App. 2011\), aff’d on other grounds 816 N.W.2d 509 \(Minn. 2012\)](#)~~  
~~[S.J.W. v. Lee’s Summit R-7 Sch. Dist., 696 F.3d 771 \(8<sup>th</sup> Cir. 2012\)](#)~~  
~~[Kowalski v. Berkeley County Sch., 652 F.3d 565 \(4<sup>th</sup> Cir. 2011\)](#)~~  
~~[Layshock v. Hermitage Sch. Dist., 650 F.3d 205 \(3<sup>rd</sup> Cir. 2011\)](#)~~  
~~[Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 \(W.D. Mo. 2012\)](#)~~  
~~[M.T. v. Cent. York Sch. Dist., 937 A.2d 538 \(Pa. Commw. Ct. 2007\)](#)~~

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal  
524-90

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

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 102

Orig. 1995

Revised: \_\_\_\_\_

Reviewed: 2017/2021

## 102 EQUAL EDUCATIONAL OPPORTUNITY

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

### I. PURPOSE

The purpose of this policy is to ensure that equal educational opportunity is provided for all students of the school district.

### II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to provide equal educational opportunity for all students. ~~The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation, including gender identity and expression, or age. The school district also makes reasonable accommodations for disabled students~~ with disabilities.

¶

~~*[Note: Part of the definition of “sexual orientation” within the Minnesota Human Rights Act (MHRA) is “having or being perceived as having a self-image or identity not traditionally associated with one’s biological maleness or femaleness,” which is how gender identity and expression gain protection under the MHRA. Minn. Stat. § 363A.03, Subd. 44.]*~~

- B. The school district prohibits ~~the~~ harassment and discrimination of any individual ~~for any of the categories~~ based on any of the protected classifications listed above. For information about the types of conduct that constitute violation of the school district’s policy on harassment and violence and the school district’s procedures for addressing such complaints, refer to the school district’s policy on harassment and violence (Policy 413).

- C. The school district prohibits discrimination of students with a disability, within the intent of Section 504 of the Rehabilitation Act of 1973 (“Section 504”), who need services, accommodations, or programs in order to receive a free appropriate public education. ~~For information as to protections that may apply pursuant to Section 504 and the school district’s corresponding procedures for addressing disability discrimination complaints, refer to the school district’s policy on student disability nondiscrimination (Policy 521).~~

- D. The school district prohibits sexual harassment discrimination of any individual on the basis of sex in its education programs or activities. ~~For information as to~~

the protections that apply pursuant to Title IX and school district's corresponding procedures and processes for addressing sexual harassment and discrimination, refer to the school district's policy on Title IX sex nondiscrimination (Policy 522).

- CE. This policy applies to all areas of education including academics, coursework, co-curricular and extracurricular activities, or other rights or privileges of enrollment.
- DF. Every school district employee shall be responsible for complying with this policy ~~conscientiously~~.
- EG. Any student, parent, or guardian having a question regarding this policy should discuss it with the appropriate school district official as provided by policy. In the absence of a specific designee, an inquiry or a complaint should be referred to the superintendent. ¶

¶

**Legal References:** Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. § 1681 *et seq.* (Title IX of the Education Amendments of 1972)  
~~42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)~~  
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

**Cross References:** ~~MSBA/MASA Model Policy 402 (Disability Nondiscrimination)~~  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (~~Student Sex Nondiscrimination~~ Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process)

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 406

Orig. 1995

Revised: \_\_\_\_\_

Reviewed: ~~2014~~2021

## 406 PUBLIC AND PRIVATE PERSONNEL DATA

*[Note: The provisions of this policy accurately reflect the Minnesota Government Data Practices Act and are not discretionary in nature.]*

### I. PURPOSE

The purpose of this policy is to provide guidance to school district employees as to the data the school district collects and maintains regarding its ~~personnel~~employees, volunteers, independent contractors, and applicants (“personnel”).

### II. GENERAL STATEMENT OF POLICY

- A. All data on individuals collected, created, received, maintained, or disseminated by the school district, which is classified by statute or federal law as public, shall be accessible to the public pursuant to the procedures established by the school district.
- B. All other data on individuals is private or confidential.

### III. DEFINITIONS

- A. “Public” means that the data is available to anyone who requests it.
- B. “Private” means the data ~~is not public and is available~~accessible only to the following: the subject of the data, as limited by any applicable state or federal law; ~~individuals within the school district whose work assignments reasonably require access; entities and agencies as determined by the responsible authority who are authorized by law to gain access to that specific data; and entities or individuals given access by the express written direction of the data subject.~~
- C. “Confidential” means the data ~~is not public and is not available~~accessible to the subject.
- D. “Parking space leasing data” means the following government data on an applicant~~tion~~ for, or lessee~~use~~ of, a parking space: ~~residence address, home telephone number, beginning and ending work hours, place of employment, location of parking space, and work telephone number.~~
- E. “Personnel data” means government data on individuals maintained because they are or were employees ~~of the school district~~, applicants for employment, ~~or~~

volunteers or independent contractors for the school district, ~~or members of or applicants for an advisory board or commission.~~ Personnel data include data submitted ~~by an employee~~ to the school district ~~by an employee~~ as part of an organized self-evaluation effort by the school district to request suggestions from all employees on ways to cut costs, make the school district more efficient, or to improve school district operations. ~~An employee who is identified in a suggestion shall have access to all data in the suggestion except the identity of the employee making the suggestion.~~

- F. “Finalist” means an individual who is selected to be interviewed by the school board for a position.
- G. “Protected health information” means individually identifiable health information ~~as defined in 45 C.F.R. § 160.103, that is transmitted in electronic form by a school district acting as a~~ ~~by electronic media, maintained in electronic media, or transmitted or maintained in any other form or medium by a~~ health care provider, ~~in connection with a transaction covered by 45 C.F.R. Parts 160, 162 and 164.~~ “Protected health information” excludes ~~individually identifiable~~ health information in education records covered by the ~~federal~~ Family Educational Rights and Privacy Act, ~~and~~ employment records held by a school district in its role as employer; ~~and records regarding a person who has been deceased for more than fifty (50) years..~~
- H. “Public officials” means business managers; human resource directors; athletic directors whose duties include at least ~~fifty (50)~~ percent of their time spent in administration, personnel, supervision, and evaluation; chief financial officers; directors; and individuals defined as superintendents and principals ~~and in a charter school, individuals employed in comparable positions.~~

#### IV. PUBLIC PERSONNEL DATA

- A. The following information on ~~current and former~~ employees, ~~including~~ volunteers and independent contractors ~~of the school district~~, is public:
  - 1. name;
  - 2. employee identification number, which may not be the employee’s ~~s~~Social ~~s~~Security number;
  - 3. actual gross salary;
  - 4. salary range;
  - 5. terms and conditions of employment relationship;
  - 6. contract fees;

7. actual gross pension;
8. the value and nature of employer-paid fringe benefits;
9. the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary;
10. job title;
11. bargaining unit;
12. job description;
13. education and training background;
14. previous work experience;
15. date of first and last employment;
16. the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action;
17. the final disposition of any disciplinary action, as defined in Minnesota Statutes, section ~~§~~ 13.43, subdivision 2(b), together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the school district;
18. the complete terms of any agreement settling any dispute arising out of the employment relationship, including superintendent buyout agreements, except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money, and such agreement may not have the purpose or effect of limiting access to or disclosure of personnel data or limiting the discussion of information or opinions related to personnel data;
19. work location;
20. work telephone number;
21. badge number;
22. work-related continuing education;

23. honors and awards received; and
  24. payroll time sheets or other comparable data that are used only to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.
- B. The following information on **current and former** applicants for employment **by the school district** is public:
1. veteran status;
  2. relevant test scores;
  3. rank on eligible list;
  4. job history;
  5. education and training; and
  6. work availability.
- C. Names of applicants are private data except when certified as eligible for appointment to a vacancy or when **they applicants are considered by the school board to become** finalists for **an public** employment **position**.
- D. Applicants for appointment to a public body.
1. Data about applicants for appointment to a public body **collected by the school district as a result of the applicant's application for employment** are private data on individuals except that the following are public:
    - a. name;
    - b. city of residence, except when the appointment has a residency requirement that requires the entire address to be public;
    - c. education and training;
    - d. employment history;
    - e. volunteer work;
    - f. awards and honors;
    - g. prior government service;

- h. any data required to be provided or that are voluntarily provided in an application for appointment to a multimember agency pursuant to ~~Minnesota Statutes, section~~ § 15.0597; and
        - i. veteran status.
  - 2. Once an individual is appointed to a public body, the following additional items of data are public:
    - a. residential address;
    - b. either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee;
    - c. first and last dates of service on the public body;
    - d. the existence and status of any complaints or charges against an appointee; and
    - e. upon completion of an investigation of a complaint or charge against an appointee, the final investigative report is public, unless access to the data would jeopardize an active investigation.
  - 3. Notwithstanding paragraph 2., any electronic mail address or telephone number provided by a public body for use by an appointee shall be public. An appointee may use an electronic mail address or telephone number provided by the public body as the designated electronic mail address or telephone number at which the appointee can be reached.
- E. Regardless of whether there has been a final disposition as defined in ~~Minnesota Statutes, section~~ § 13.43, ~~Subdivision~~ 2(b), upon completion of an investigation of a complaint or charge against a public official, as defined in ~~Minnesota Statutes, section~~ 13.43, ~~Subdivision~~ 2(e), or if a public official resigns or is terminated from employment while the complaint or charge is pending, all data relating to the complaint or charge are public, unless access to the data would jeopardize an active investigation or reveal confidential sources. ¶
- ~~F.~~ ¶ Data relating to a complaint or charge against a public official is public only if:
- ~~(1.)~~ the complaint or charge results in disciplinary action or the employee resigns or is terminated from employment while the complaint or charge is pending; or
  - ~~(2.)~~ potential legal claims arising out of the conduct that is the subject of the complaint or charge are released as part of a settlement agreement.

-  
Data that is classified as private under another law is not made public by this provision.

## V. PRIVATE PERSONNEL DATA

- A. All other personnel data ~~not listed in Section IV~~ are private ~~and will only be shared with school district staff whose work requires such access. Private data will not be otherwise released unless authorized by law or by the employee's informed written consent.~~
- B. Data pertaining to an employee's dependents are private data on individuals.
- C. Data created, collected, or maintained by the school district to administer employee assistance programs are private.
- D. Parking space leasing data ~~with regard to data on individuals~~ are private.
- E. An individual's checking account number is private when submitted to a government entity.
- F. Personnel data may be disseminated to labor organizations to the extent the ~~responsible authority school district~~ determines ~~it is~~ ~~the dissemination is necessary for the labor organization to conduct its business~~ ~~elections, notify employees of fair share fee assessments and implement the provisions of Minnesota Statutes chapters 179 and 179A.~~ ~~Personnel data shall be disseminated to labor organizations and the Bureau of Mediation Services ("BMS") to the extent the dissemination is or when~~ ordered or authorized by the Commissioner of the ~~Bureau of Mediation Services~~ ~~BMS~~.
- G. The school district may display a photograph of a current or former employee to prospective witnesses as part of the school district's investigation of any complaint or charge against the employee.
- H. The school district may, if ~~the~~ ~~its~~ responsible authority or designee reasonably determines that the release of personnel data is necessary to protect an employee from harm to self or to protect another person who may be harmed by the employee, release data that are relevant to the concerns for safety to:
  - 1. the person who may be harmed and to the attorney representing the person when the data are relevant to obtaining a restraining order;
  - 2. a ~~pre~~-petition screening team conducting an investigation of the employee under ~~Minnesota Statutes section~~ ~~§ 253B.07, S~~ ~~subdivision~~ 1; or
  - 3. a court, law enforcement agency, or prosecuting authority.

- I. Private personnel data or confidential investigative data on employees may be disseminated to a law enforcement agency for the purpose of reporting a crime or alleged crime committed by an employee, or for the purpose of assisting law enforcement in the investigation of ~~such~~ a crime or alleged crime committed by an employee.
- J. A complainant has access to a statement provided by the complainant to the school district in connection with a complaint or charge against an employee.
- K. When allegations of sexual or other types of harassment are made against an employee, the employee ~~shall~~ does not have access to data that would identify the complainant or other witnesses if the ~~school district~~ responsible authority determines that the employee's access to that data would:
  - 1. threaten the personal safety of the complainant or a witness; or
  - 2. subject the complainant or witness to harassment.

If a disciplinary proceeding is initiated against the employee, data on the complainant or witness shall be available to the employee as may be necessary for the employee to prepare for the proceeding.

- L. The school district ~~shall~~ must make any report to the Minnesota Professional Educator Licensing and Standards Board ("PELSB") or ~~the state board of education~~ the Board of School Administrators ("BOSA"), whichever has jurisdiction over the teacher's or administrator's license, as required by Minnesota Statutes, section ~~§~~ 122A.20, Ssubdivision. 2, and shall, upon written request from the licensing board having jurisdiction over a ~~teacher's~~ license, provide the licensing board with information about the teacher or administrator from the school district's files, any termination or disciplinary proceeding, and settlement or compromise, or any investigative file in accordance with Minnesota Statutes, section ~~§~~ 122A.20, Ssubdivision. 2.

*[Note: The obligation to make a report set forth in this section applies equally to charter school boards and their executive directors and charter school authorizers.]*

- M. Private personnel data shall be disclosed to the ~~e~~ Department of Employment and ~~e~~ Economic security ~~Development~~ for the purpose of administration of the unemployment insurance program under Minnesota Statutes. Ch. 268.
- N. When a report of alleged maltreatment of a student in an elementary, middle school, high school or charter school facility, as defined under Minn. Stat. section ~~260E.03~~, is made to the Commissioner of the Minnesota Department of Education ("MDE") under Minnesota Statutes ~~e~~ Chapter 260E, data that are relevant and

collected by the school facility about the person alleged to have committed maltreatment must be provided to the Commissioner on request for purposes of an assessment or investigation of the maltreatment report. Additionally, personnel data may be released for purposes of ~~informing~~ providing information to a parent, legal guardian, or custodian of a child in accordance with MDE Screening Guidelines that an incident has occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.

- O. The school district shall release to a requesting school district or charter school private personnel data on a current or former employee related to acts of violence toward or sexual contact with a student, if
1. an investigation conducted by or on behalf of the school district or law enforcement affirmed the allegations in writing prior to release and the investigation resulted in the resignation of the subject of the data; or
  2. the employee resigned while a complaint or charge involving the allegations was pending, the allegations involved acts of sexual contact with a student, and the employer informed the employee in writing, before the employee resigned, that if the employee resigns while the complaint or charge is still pending, the employer must release private personnel data about the employee's alleged sexual contact with a student to a school district or charter school requesting the data after the employee applies for employment with that school district or charter school and the data remain classified as provided in Minnesota Statutes Chapter 13.

Data that are released under this paragraph must not include data on the student.

- P. ~~The identity of an employee making a suggestion as part of an organized self-evaluation effort by the school district to cut costs, make the school district more efficient, or to improve school district operations is private.~~ Data submitted by an employee to the school district as part of an organized self-evaluation effort by the school district to request suggestions from all employees on ways to cut costs, make the school district more efficient, or improve the school district operations is private data. An employee who is identified in a suggestion, however, shall have access to all data in the suggestion except the identity of the employee making the suggestion.
- Q. Protected health information, as defined in 45 C.F.R. Parts 160 and 164, on employees is private and will not be disclosed—except as permitted or required unless otherwise provided—by law. ~~To the extent that the school district transmits protected health information, the school district will comply with all privacy requirements.~~
- R. Personal home contact information for employees may be used by the school

district to ensure that an employee can be reached in the event of an emergency or other disruption affecting continuity of school district operations –and may be shared with another government entity in the event of an emergency or other disruption to ensure continuity of operation for the school district or government entity.

- S. The personal telephone number, home address, and electronic mail address of a current or former employee of a contractor or subcontractor maintained as a result of a contractual relationship between the school district and a contractor or subcontractor entered on or after August 1, 2012, are private data. These data must be shared with another government entity to perform a function authorized by law. The data also must be disclosed to a government entity or any person for prevailing wage purposes.
- T. When a **continuing contract** teacher is discharged immediately because the teacher’s license has been revoked due to a conviction for child abuse or sexual offenses involving a child as set forth in Minnesota Statutes, section 122A.40, subdivision 13(b), ~~or sexual abuse~~ or when the Commissioner of the ~~Minnesota Department of Education (MDE)~~ makes a final determination of child maltreatment involving a teacher under Minnesota Statutes, section 260E.21, subdivision 4 or 260E.35, the school principal or other person having administrative control of the school must include in the teacher’s employment record the information contained in the record of the disciplinary action or the final maltreatment determination, consistent with the definition of public data under Minnesota Statutes, section § 13.41, ~~Subdivision. 5~~, and must provide ~~the Minnesota Professional Educator Licensing and Standards Board (PELSB) and the licensing division at MDE~~ with the necessary and relevant information to enable ~~the Minnesota Professional Educator Licensing and Standards Board~~ **PELSB** and MDE’s licensing division to fulfill their statutory and administrative duties related to issuing, renewing, suspending, or revoking a teacher’s license. In addition to the background check required under Minnesota Statutes, section § 123B.03, a school board or other school hiring authority must contact ~~the Minnesota Professional Educator Licensing and Standards Board~~ **PELSB** and MDE to determine whether the teacher’s license has been suspended or revoked, consistent with the discharge and final maltreatment determinations. ~~–~~Unless restricted by federal or state data practices law or by the terms of a collective bargaining agreement, the responsible authority for a school district must disseminate to another school district private personnel data on a current or former teacher (employee or contractor) of the district, including the results of background investigations, if the requesting school district seeks the information because the subject of the data has applied for employment with the requesting school district.

## VI. MULTIPLE CLASSIFICATIONS

If data on individuals are classified as both private and confidential by Minnesota-

Statutes Chapter 13, or any other state or federal law, the data are private.

**VII. CHANGE IN CLASSIFICATIONS**

The school district shall change the classification of data in its possession if it is required to do so to comply with ~~other~~ either judicial or administrative rules pertaining to the conduct of legal actions or with a specific statute applicable to the data in the possession of the disseminating or receiving agency.

**VIII. RESPONSIBLE AUTHORITY**

The school district has designated *[name and title, telephone]* as the authority responsible for personnel data.

The responsible authority, or a school district employee if so designated, shall serve as the school district’s data practices compliance official and, as such, shall be the employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.

~~If you have any questions, contact *[him/her]*.~~ ¶

¶

**IX. EMPLOYEE AUTHORIZATION/RELEASE FORM**

An employee authorization form is included as an addendum to this policy.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act) ¶

¶

- Minn. Stat. § 13.02 (Definitions)
- Minn. Stat. § 13.03 (Access to Government Data)
- Minn. Stat. § 13.05 (Duties of Responsible Authority)
- Minn. Stat. § 13.37 (General Nonpublic Data)
- Minn. Stat. § 13.39 (Civil Investigation Data)
- Minn. Stat. § 13.41 (Licensing Data – Public Data)
- Minn. Stat. § 13.43 (Personnel Data)
- Minn. Stat. § 13.601, Ssubd. 3 (~~Elected and Appointed Officials~~ Applicants for Employment)
- Minn. Stat. § 15.0597 (Appointment to Multimember Agencies)
- Minn. Stat. § 122A.20, Ssubd. 2 (Mandatory Reporting)
- Minn. Stat. § 122A.40, Ssubds. 13 and 16 (Employment; Contracts; Termination)
- Minn. Stat. § 123B.03 (Background Check)
- Minn. Stat. § 123B.143, Ssubd. 2 (Disclose Past Buyouts) ¶
- Minn. Stat. Ch. 179 (Minnesota Labor Relations Act)
- Minn. Stat. Ch. 179A (Minnesota Public Labor Relations Act)
- Minn. Stat. § 253B.07;(Judicial Commitment: Preliminary Procedures)

Minn. Stat. Ch. ~~§ 260E~~ 626.556, Subd. ~~7~~ (Reporting of Maltreatment of Minors)

Minn. Stat. Ch. 268 (Unemployment Insurance)

Minn. R. Pt. 1205 (Data Practices)

P.L. 104-191 (HIPAA)

45 C.F.R. Parts 160, 162 and 164 (HIPAA Regulations)

***Cross References:*** MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 722 (Public Data Requests)  
MSBA ~~Service Manual, Chapter 13, School Law Bulletin “I”~~ (School Records – Privacy – Access to Data)

## Consent to Release **Data** – Request from an Individual

An individual asks the government entity to release his/her private data to an outside entity or person. Because the entity does not have statutory authority to release the data, it must get the individual's written informed consent.

### Explanation of Your Rights

If you have a question about anything on this form, or would like more explanation, please talk to

\_\_\_\_\_ before you sign it.  
[entity contact person name and contact information]

I, \_\_\_\_\_, give my permission for \_\_\_\_\_  
[name of individual data subject] [name of government entity]

to release data about me to \_\_\_\_\_ as described on this form.  
[name of other entity or person]

1. The specific data I want \_\_\_\_\_ to release \_\_\_\_\_.  
[name of government entity] [explanation of data]
2. I understand that I have asked \_\_\_\_\_ to release the data.  
[name of government entity]
3. I understand that although the data are classified as private at \_\_\_\_\_, the  
[name of government entity]  
classification/treatment of the data at \_\_\_\_\_ depends on laws or  
[name of other entity or person]  
policies that apply to \_\_\_\_\_.  
[name of other entity or person]

This authorization to release expires \_\_\_\_\_.  
[date/time of expiration]

Individual data subject's signature \_\_\_\_\_ Date \_\_\_\_\_

Parent/guardian's signature [if needed] \_\_\_\_\_ Date \_\_\_\_\_

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 503

Orig. 1995

Revised: \_\_\_\_\_

Review: ~~2013~~2021

## 503 STUDENT ATTENDANCE

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

### I. PURPOSE

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

### II. GENERAL STATEMENT OF POLICY

#### A. Responsibilities

##### 1. Student's Responsibility

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

##### 2. Parent or Guardian's Responsibility

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

##### 3. Teacher's Responsibility

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. -It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's

responsibility to provide any student who has been absent with any missed assignments upon request. -Finally, it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

4. Administrator's Responsibility

- a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. -It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.
- b. In accordance with the Minnesota Compulsory Instruction Law, Minnesota Statutes, [§section 120A.22](#), the students of the school district are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

B. Attendance Procedures

Attendance procedures shall be presented to the school board for review and approval. -When approved by the school board, the attendance procedures will be included as an addendum to this policy.

1. Excused Absences

- a. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. -A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.
- b. ~~Reasonable efforts will be made by the school district to accommodate any student who wishes to be excused from a curricular activity for a religious observance. The school district will provide annual notice to students of the school district's policy relating to a student's absence for religious observance.~~

~~ebb.~~ The following reasons shall be sufficient to constitute excused

absences:

- (1) Illness.
- (2) Serious illness in the student's immediate family.
- (3) A death or funeral in the student's immediate family or of a close friend or relative.
- (4) Medical, dental, or orthodontic treatment, or a counseling appointment.
- (5) Court appearances occasioned by family or personal action.
- (6) Religious instruction not to exceed three hours in any week.
- (7) Physical emergency conditions such as fire, flood, storm, etc.
- (8) Official school field trip or other school-sponsored outing.
- (9) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
- (10) Family emergencies.
- (11) Active duty in any military branch of the United States.
- (12) A student's condition that requires ongoing treatment for a mental health diagnosis.

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

c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.

- (2) Work missed because of absence must be made up within \_\_\_\_\_ days from the date of the student's return to school. Students receive one day per day missed to make up missed work. Any work not completed within this period shall result in "no credit" for the missed assignment. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

## 2. Unexcused Absences

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

- (1) Truancy. An absence by a student which was not approved by the parent and/or the school district.
- (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
- (3) Work at home.
- (4) Work at a business, except under a school-sponsored work release program.
- ~~(5) Vacations with family.~~
- ~~(6) Personal trips to schools or colleges.~~
- ~~(7) Absences resulting from cumulated unexcused tardies (\_\_\_\_\_ tardies equal one unexcused absence).~~
- (58) Any other absence not included under the attendance procedures set out in this policy.

### b. Consequences of Unexcused Absences

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

the juvenile court, pursuant to Minnesota statutes.

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

(a) From the first through the 15 \_\_\_\_\_ cumulated unexcused absence in a [quarter or semester] the student will not be allowed to make up work missed due to such absence.

(b) ~~After the \_\_\_\_\_ cumulated unexcused absence in a [quarter or semester], Depending on the county of residents after a certain number of days, a student's parent or guardian will be notified by certified mail that his or her child is nearing a total of 7 \_\_\_\_\_ unexcused absences, and that, after the \_\_\_\_\_ unexcused absence, the student's grade shall be reduced by one increment for each unexcused absence thereafter.~~

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

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

(de) After 7 \_\_\_\_\_ cumulated unexcused absences in a [quarter or semester], the administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative conference must be held among the principal, student, and parent.

(f) If the result of a grade reduction or loss of credit has the effect of an expulsion, the school district will follow the procedures set forth in the Pupil Fair

C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness.

2. Procedures for Reporting Tardiness

- a. Students tardy at the start of school must report to the school office for an admission slip.
- b. Tardiness between periods will be handled by the teacher.

3. Excused Tardiness

Valid excuses for tardiness are:

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

4. Unexcused Tardiness

- a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
- b. Consequences of tardiness may include detention after 3 unexcused tardies. ~~In addition, \_\_\_\_\_ unexcused tardies are equivalent to one unexcused absence.~~

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

1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.
2. School-initiated absences will be accepted and participation permitted.
3. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
4. If a student is suspended from any class, he or she may not participate in any activity or program that day.
5. If a student is absent from school due to medical reasons, he or she must present a physician's statement ~~or a statement from the student's parent or guardian~~ clearing the student for participation that day. The note must be presented to the front office ~~each or advisor~~ before the student participates in the activity or program.

### **III. RELIGIOUS OBSERVANCE ACCOMMODATION**

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

### **IV. DISSEMINATION OF POLICY**

1. Copies of this policy shall be made available to all students and parents at the commencement of each school year. This policy shall also be available upon request in each principal's office.
2. The school district will provide annual notice to parents of the school district's policy relating to a student's absence from school for religious observance.

### **IV. REQUIRED REPORTING**

#### **A. Continuing Truant**

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

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

junior high school, or high school.

B. Reporting Responsibility

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

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

***[Note: Where truancy services and procedures programs under ~~Minnesota Statutes Chapter- 260A~~ are available within the school district, the following provisions should also be included in the policy.]***

C. Habitual Truant

1. A habitual truant is a child under the age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on

seven school days per school year if the child is in middle school, junior high school, or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school.

2. A school district attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under [Minnesota Statutes Chapter 260A](#).

**Legal References:**

Minn. Stat. § 120A.05 (Definitions)  
Minn. Stat. § 120A.22 (Compulsory Instruction)  
Minn. Stat. § 120A.24 (Reporting)  
Minn. Stat. § 120A.26 (Enforcement and Prosecution)  
Minn. Stat. § 120A.34 (Violations; Penalties)  
[Minn. Stat. § 120A.35 \(Absence from School for Religious Observance\)](#)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 260A.02 (Definitions)  
Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is a Continuing Truant)  
Minn. Stat. § 260C.007, [S](#)ubd. 19 (Habitual Truant Defined)  
Minn. Stat. § 260C.201 (Dispositions; Children in Need of Protection or Services or Neglected and in Foster Care)  
*Goss v. Lopez*, 419 U.S. 565, [95 S.Ct. 729](#) (1975)  
*Slocum v. Holton Board of Education*, 429 N.W.2d 607 (Mich. App. Ct. 1988)  
*Campbell v. Board of Education of New Milford*, 475 A.2d 289 (Conn. 1984)  
*Hamer v. Board of Education of Township High School District No. 113*, 66 Ill. App.3d 7, 383 N.E.2d 231 (1978)  
*Gutierrez v. School District R-1*, 585 P.2d 935 (Co. Ct. App. 1978)  
*Knight v. Board of Education*, 38 Ill. App. 3d 603, 348 N.E.2d 299 (1976)  
*Dorsey v. Bale*, 521 S.W.2d 76 (Ky. 1975)

**Cross References:**

MSBA/MASA Model Policy 506 (Student Discipline)

Adopted:

MSBA/MASA Model Policy 507

Orig. 1995

Revised:

Reviewed: 200121

## 507 CORPORAL PUNISHMENT

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

### I. PURPOSE

The purpose of this policy is to describe limitations on corporal punishment of students.

### II. GENERAL STATEMENT OF POLICY

No employee or agent of the school district or charter school shall cause corporal punishment to be inflicted upon a student to reform unacceptable conduct or as a penalty for unacceptable conduct. -As used in this policy, the term “corporal punishment” means conduct involving hitting or spanking a person with or without an object, or unreasonable physical force that causes bodily harm or substantial emotional harm.

### III. EXCEPTIONS

A teacher or school principal may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another. Other school district employees, school bus drivers, or other agents of a school district may use reasonable force when necessary under the circumstances to restrain a student or prevent bodily harm or death to another.

### IV. VIOLATION

Employees who violate the provisions of this policy shall be subject to disciplinary action as appropriate. -Any such disciplinary action shall be made pursuant to and in accordance with applicable statutory authority, collective bargaining agreements and school district policies. -Violation of this policy may also result in civil or criminal liability for the employee.

#### **Legal References:**

Minn. Stat. § 121A.58 (Corporal Punishment)

Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)

Minn. Stat. § 123B.25 (Actions Against Districts and Teachers)

Minn. Stat. § 609.06 Subd. 1 (6)(7) (Authorized Use of Force)

#### **Cross References:**

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)

MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect)

or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment  
of Vulnerable Adults)  
MSBA/MASA Model Policy 506 (Student Discipline)

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 534

Orig. 2017

Revised: \_\_\_\_\_

Review: 2019 2021

## 534 ~~UNPAID MEAL CHARGES~~ SCHOOL MEALS POLICY

*[Note: In 2021, the Minnesota legislature amended Minnesota Statutes, section 124D.111, ~~which~~ that now states that Minnesota school districts that participate in the national school lunch program must adopt a school meals policy]. ~~United States Department of Agriculture (USDA) Policy Memorandum SP 46-2016 requires all School Food Authorities (i.e., school districts) operating federal school meal programs to have a written and clearly communicated system to address unpaid meal charges by July 1, 2017. USDA Policy Memorandum SP 23-2017 clarified that school districts could adopt a “policy” or “standard practice.” Although this document is styled as a “policy,” school districts may establish and implement a set of written procedures instead of a policy, provided that the written document explains how the school district will handle situations where students eligible to receive reduced-price or paid meals do not have money in their account or in hand to cover the cost of their meals at the time of service. The policy or standard practice must be implemented throughout the school district.]~~*

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

*[Note: School districts must follow appropriate debt collection practices when attempting to recover unpaid meal charges.]*

### I. PURPOSE

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

### II. PAYMENT OF MEALS

*[Note: Payment systems and procedures will likely vary from school district to school district. The school district should select one of the following options and delete the remaining options.]*

A. ~~[OPTION 1: All meal purchases are to be prepaid before meal service begins. [Insert description for how families may add money to students' accounts (e.g., electronic payment options, pay at the school office, etc.).] A student who does not have sufficient funds will not be allowed to charge meals or a la carte items until additional money is deposited in the student's account.]~~

~~[OPTION 2: Students have use of a meal account. When the balance reaches zero, a student may charge no more than \$[insert amount] or [insert number of meals] to this account]. When an account reaches this limit, a student shall not be allowed to charge further meals or a la carte items until the negative account balance is paid. [Insert description for how families may add money to students' accounts (e.g., electronic payment options, pay at the school office, etc.).]]~~

~~[OPTION 3: Insert a school district-specific process for payment of meals.]~~

Students have use of a meal account. Students will be provided a reimbursable meal regardless of the student's account balance. When the student's account balance reaches \$5.00 and lower, the school district sends out a message to the account holder (i.e. parent/guardian) via voicemail that their lunch account has a low balance. Families can add money to students' accounts either by using the electronic payment option, mailing a check, or paying in person at the school office.

B. If the school district receives school lunch aid under Minnesota Statutes, ~~§section~~ 124D.111, it must make lunch available without charge to all participating students who qualify for free or reduced-price meals regardless of account balance.

C. A student with an outstanding meal charge debt will be allowed to receive ~~purchase a reimbursable meal. if the student pays for the meal when it is received.~~

D. ~~-A student who has been determined to be eligible for free and reduced-price lunch must always~~ must always be served a reimbursable meal even if the student has an outstanding debt.

E. Once a meal has been placed on a student's tray or otherwise served to a student, the meal may not be subsequently withdrawn from the student by the cashier or other school official, whether or not the student has an outstanding meals balance.

~~DF.~~ The school district may provide an alternate meal that meets federal and state requirements to a student who does not have sufficient funds in the student's account or cannot pay cash for a meal. The school district will accommodate special dietary needs with respect to alternate meals. The cost of the alternative meal (~~\$(insert amount)~~) will be charged to the student's account or otherwise charged to the student.

~~EG.~~ When a student has a negative account balance, the student will not be allowed to charge a snack item.

~~FGH.~~ If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.

### III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION

- A. The school district will make reasonable efforts to notify families when meal account balances are low or fall below zero.
- B. Families will be notified of an outstanding negative balance once the negative balance reaches \$50.00. ~~[insert amount] or [insert number of meals].~~ Families will be notified by phone and mail. ~~[insert the method used to notify families (e.g., automated calling system, email, letters sent home)].~~
- C. Reminders for payment of outstanding student meal balances will not demean or stigmatize any student participating in the school lunch program. ~~A meal will not be taken away from a student with an overdrawn account. including, but not limited to, dumping meals, withdrawing a meal that has been served, announcing or listing students' names publicly, or affixing stickers, stamps, or pins.~~



### IV. UNPAID MEAL CHARGES

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free and reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances with no contact for 90 days of more than \$[insert amount], not paid prior to ~~[enter time period (e.g., end of the month, end of the semester, end of the school year)]~~, will be turned over to the superintendent or superintendent's designee for collection. In some instances, the school district does use a collection agency to collect unpaid school meal debts after reasonable efforts first have been made by the school district to collect the debt. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.

- D. The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- E. The school district ~~may not~~ **must** will not impose any other restriction prohibited under Minnesota Statutes, § section 123B.37 due to unpaid student meal balances. The school district ~~must~~ will not limit a student's participation in any school activities, graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities or access to materials, technology, or other items provided to students due to an unpaid student meal balance. ~~deny any student the opportunity to participate in graduation ceremonies or other commencement activities due to unpaid meal charges.~~

**V. COMMUNICATION OF POLICY**

- A. This policy and any pertinent supporting information shall be provided in writing (i.e., mail, email, back-to-school packet, student handbook, etc.) to:
  - 1. all households at or before the start of each school year;
  - 2. students and families who transfer into the school district, at the time of enrollment; and
  - 3. all school district personnel who are responsible for enforcing this policy.
- B. The school district ~~may~~ **must** will post ~~the~~ **is** policy on the school district's website, ~~or the website of the organization where the meal is served,~~ in addition to providing the required written notification described above.
- C. ~~If the school district contracts with a third party for its meal services, it must will provide the vendor with its school meals policy. Any contract between the school district will ensure that and any third-party provider with whom the school district entered into either an original or modified contract after July 1, 2021, must ensure that the third-party provider adheres to the school district's school meals policy.~~

**Legal References:** Minn. Stat. § 123B.37 (Prohibited Fees)  
 Minn. Stat. § 124D.111, ~~Subd. 4~~ (Lunch Aid; Food Service Accounting)  
 42 U.S.C. § 1751 *et seq.* (Healthy and Hunger-Free Kids Act)  
 7 C.F.R. § 210 *et seq.* (School Lunch Program Regulations)  
 7 C.F.R. § 220.8 (School Breakfast Program Regulations)  
 USDA Policy Memorandum SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies (2016)  
 USDA Policy Memorandum SP 47-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments (2016)

USDA Policy Memorandum SP 23-2017, Unpaid Meal  
Charges: Guidance and Q&A  
~~Min. Op. Atty. Gen. 169j (May 14, 2019) (Letter to  
Ricker)~~

*Cross References:* *None*¶

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 206

Orig. 1995

Revised: \_\_\_\_\_

Rev. 2015 2017

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

### **I. PURPOSE**

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

### **II. GENERAL STATEMENT OF POLICY**

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

### **III. DEFINITIONS**

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

Name; employee identification number, which must not be the employee's social security number; actual gross salary; salary range; terms and conditions of employment relationship; contract fees; actual gross pension; the value and nature of employer paid fringe benefits; the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary; bargaining unit; job title; job description; education and training background; previous work experience; date of first and last employment; the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action; the final disposition of any disciplinary

action as defined in Minn. Stat. § 13.43, Subd. 2(b), together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the public body; the complete terms of any agreement settling any dispute arising out of the employment relationship, including a buyout agreement as defined in Minn. Stat.

§ 123B.143, Subd. 2, except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money; work location; work telephone number; badge number; work-related continuing education; honors and awards received; and payroll time sheets or other comparable data that are only used to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.

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

Veteran status; relevant test scores; rank on eligible list; job history; education and training; and work availability. Names of applicants shall be private data except when certified as eligible for appointment to a vacancy or when applicants are considered by the appointing authority to be finalists for a position in public employment. For purposes of this subdivision, "finalist" means an individual who is selected to be interviewed by the appointing authority prior to selection.
- D. "Educational data" means data maintained by the school district which relates to a student.
- E. "Student" means an individual currently or formerly enrolled or registered in the school district, or applicants for enrollment, or individuals who receive shared time services.
- F. Data about applicants for appointments to a public body, including a school board, collected by the school district as a result of the applicant's application for appointment to the public body are private data on individuals, except that the following are public: name; city of residence, except where the appointment has a residency requirement that requires the entire address to be public; education and training; employment history; volunteer work; awards and honors; prior government service; any data required to be provided or that is voluntarily provided in an application to a multimember agency pursuant to Minn. Stat. § 15.0597; and veteran status. Once an individual has been appointed to a public body, the following additional items of data are public: residential address; either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee; the first and last dates of service on the public body; the existence and status of any complaints or charges against an appointee; and, upon completion of an investigation of a complaint or charge against an appointee, the final investigative report unless access to the data would jeopardize an active investigation. Any electronic mail address or telephone number provided by a public body for use by an appointee shall be public. An

appointee may use an electronic mail address or telephone number provided by the public body as the designated electronic mail address or telephone number at which the appointee can be reached.

#### **IV. RIGHTS TO PRIVACY**

- A. School district employees have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following:
1. right to a private hearing for teachers, pursuant to Minn. Stat. § 122A.40, Subd. 14 (Teachers Discharge Hearing);
  2. right to privacy of personnel data as provided by Minn. Stat. § 13.43 (Personnel Data);
  3. right to consideration by the school board of certain data treated as not public as provided in Minn. Stat. § 13D.05 (Not Public Data);
  4. right to a private hearing for licensed or nonlicensed head varsity coaches to discuss reasons for nonrenewal of a coaching contract pursuant to Minn. Stat. § 122A.33, Subd. 3.
- B. School district students have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following:
1. right to a private hearing, Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing);
  2. right to privacy of educational data, Minn. Stat. § 13.32 (Educational Data); 20 U.S.C. § 1232g (FERPA);
  3. right to privacy of complaints as provided by child abuse reporting and discrimination laws, Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors) and Minn. Stat. Ch. 363A (Minnesota Human Rights Act).

#### **V. THE PUBLIC'S OPPORTUNITY TO BE HEARD**

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

#### **VI. PROCEDURES**

- A. Agenda Items
1. Citizens Persons who wish to have a subject discussed at a public school

board meeting are encouraged to notify the superintendent's office in advance of the school board meeting. The citizen person should provide his or her name, address, the name of group represented (if any), and the subject to be covered or the issue to be addressed.

2. Citizens Persons who wish to address the school board on a particular subject should identify the subject and identify agenda item(s) to which their comments pertain.
3. The school board chair will recognize one speaker at a time and will rule out of order other speakers who are not recognized. Only those speakers recognized by the chair will be allowed to speak. Comments by others are out of order. Individuals who interfere with or interrupt speakers, the school board, or the proceedings may be directed to leave.
4. The school board retains the discretion to limit discussion of any agenda item to a reasonable period of time as determined by the school board. If a group or organization wishes to address the school board on a topic, the school board reserves the right to require designation of one or more representatives or spokespersons to speak on behalf of the group or organization.
5. Matters proposed for placement on the agenda which may involve data privacy concerns, which may involve preliminary allegations, or which may be potentially libelous or slanderous in nature shall not be considered in public, but shall be processed as determined by the school board in accordance with governing law.
6. The school board chair shall promptly rule out of order any discussion by any person, including school board members, that would violate the provisions of state or federal law, this policy or the statutory rights of privacy of an individual.
7. Personal attacks by anyone addressing the school board are unacceptable. Persistence in such remarks by an individual shall terminate that person's privilege to address the school board.
8. Depending upon the number of persons in attendance seeking to be heard, the school board reserves the right to impose such other limitations and restrictions as necessary in order to provide an orderly, efficient, and fair opportunity for those present to be heard.

B. Complaints

1. Routine complaints about a teacher or other employee should first be directed to that teacher or employee or to the employee's immediate supervisor.

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

C. Open Forum

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

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

D. No Board Action at Same Meeting

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

**VII. PENALTIES FOR VIOLATION OF DATA PRIVACY**

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

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 13.43 (Personnel Data)  
Minn. Stat. § 13.601, Subd. 3 (Applicants for Appointment)  
Minn. Stat. § 13D.05 (Open Meeting Law)  
Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing)  
Minn. Stat. § 122A.33, Subd. 3 (Coaches; Opportunity to Respond)  
Minn. Stat. § 122A.40, Subd. 14 (Teacher Discharge Hearing)  
Minn. Stat. § 122A.44 (Contracting with Teachers)  
Minn. Stat. § 123B.02, Subd. 14 (Employees; Contracts for Services)  
Minn. Stat. § 123B.143, Subd. 2 (Disclose Past Buyouts or Contract is Void)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
Minn. Op. Atty. Gen. 852 (July 14, 2006)

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

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 413

Orig. 1995

Revised: \_\_\_\_\_

Rev. 2017/21

## 413 HARASSMENT AND VIOLENCE

*[Note: State law (Minn-~~esota~~ Statutes, ~~section~~ § 121A.03) requires that school districts adopt a sexual, religious, and racial harassment and violence policy that conforms with the Minnesota Human Rights Act, ~~Minnesota~~ Statutes, ~~Ch.~~section 363A (MHRA). This policy complies with that statutory requirement and addresses the other classifications protected by the MHRA and/or federal law. While the recommendation is that school districts incorporate the other protected classifications, in addition to sex, religion, and race, into this policy, they are not specifically required to do so by ~~Minnesota~~ Statutes, ~~section~~ § 121A.03. The Minnesota Department of Education (MDE) is required to maintain and make available a model sexual, religious, and racial harassment policy in accordance with ~~Minnesota~~ Statutes, ~~section~~ § 121A.03. MDE's policy differs from that of MSBA and imposes greater requirements upon school districts than required by law. For that reason, MSBA recommends the adoption of its model policy by school districts. Each school board must submit a copy of the policy the board has adopted to the Commissioner of MDE.]*

### I. PURPOSE

The purpose of this policy is to maintain a learning and working environment ~~that is~~ free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, ~~including gender identity or expression~~, or disability (Protected Class).

*[~~Note: The Minnesota Human Rights Act defines sexual orientation~~] to include "having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness." Minn. Stat. § 363A.03, Subd. 44.]*

### II. GENERAL STATEMENT OF POLICY

A. The policy of the school district is to maintain a learning and working environment ~~that is~~ free from harassment and violence on the basis of ~~race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability~~ Protected Class. The school district prohibits any form of harassment or violence on the basis of Protected Class~~race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability~~.

B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's Protected

~~Classrace, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability~~, as defined by this policy. (For purposes of this policy, school district personnel include school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)

- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's ~~Protected Classrace, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability~~.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's ~~Protected Classrace, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability~~, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel ~~who is~~ found to have violated this policy.

### III. DEFINITIONS

- A. "Assault" is:
  - 1. an act done with intent to cause fear in another of immediate bodily harm or death;
  - 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
  - 3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, when the conduct:
  - 1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
  - 2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or

3. otherwise adversely affects an individual's employment or academic opportunities.

C. "Immediately" means as soon as possible but in no event longer than 24 hours.

D. Protected Classifications; Definitions

1. "Disability" means, ~~with respect to an individual any condition or characteristic that renders a person a disabled person. A disabled person is any person who~~who:

a. ~~has a physical, sensory, sensory~~ or mental impairment ~~which that~~ substantially materially materially limits one or more major life activities of such individual;

b. has a record of such an impairment; or

c. is regarded as having such an impairment.

2. "Familial status" means the condition of one or more minors being domiciled with:

a. their parent or parents or the minor's legal guardian; or

b. the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment or violence discrimination on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.

3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment or violence discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.

4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.

5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.

6. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological

maleness or femaleness. “Sexual orientation” does not include a physical or sexual attachment to children by an adult.

7. “Status with regard to public assistance” means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.

E. “Remedial response” means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.

F. Sexual Harassment; Definition

1. Sexual harassment ~~includes—consists of~~ unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:

a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or

b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual’s employment or education; or

c. that conduct or communication has the purpose or effect of substantially ~~or unreasonably~~ interfering with an individual’s employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.

2. Sexual harassment may include, but is not limited to:

a. unwelcome verbal harassment or abuse;

b. unwelcome pressure for sexual activity;

c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;

d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual’s employment or educational status;

e. unwelcome sexual behavior or words, including demands for sexual

favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or

- f. unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.

G. Sexual Violence; Definition

1. Sexual violence is a physical act of aggression or force or the threat thereof ~~which that~~ involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minnesota Statutes, §section 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
2. Sexual violence may include, but is not limited to:
  - a. touching, patting, grabbing, or pinching another person's intimate parts, ~~whether that person is of the same sex or the opposite sex;~~
  - b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
  - c. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
  - d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

H. Violence; Definition

Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to, ~~race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability~~ an individual's Protected Class.

**IV. REPORTING PROCEDURES**

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of ~~race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability~~ Protected Class by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school

district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct ~~which~~ ~~that~~ may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in

disciplinary action against the building report taker.

- G. In the District. The school board hereby designates \_\_\_\_\_ as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.<sup>1</sup>
- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

Consequences for employees who permit, condone, or tolerate violence or harassment or engage in an act of reprisal or intentional false reporting of violence or harassment may result in disciplinary action up to and including termination or discharge.

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<sup>1</sup> In some school districts the superintendent may be the human rights officer. If so, an alternative individual should be designated by the school board.

Consequences for other individuals engaging in prohibited acts of violence or harassment may include, but not be limited to, exclusion from school district property and events and/or termination of services and/or contracts.

## **V. INVESTIGATION**

- A. By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district 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 incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

## **VI. SCHOOL DISTRICT ACTION**

- A. Upon completion of an investigation that determines a violation of this policy has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer,

remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school district policies and regulations.

- B. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the targets or victims and alleged perpetrators of harassment or violence, the parent(s) or guardian(s) of targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.
- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in acts of harassment or violence.

## **VII. RETALIATION OR REPRISAL**

The school district will discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged harassment or violence prohibited by this policy, who testifies, assists, or participates in an investigation of retaliation or alleged harassment or violence, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

## **VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights or another state or federal agency, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

## **IX. HARASSMENT OR VIOLENCE AS ABUSE**

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minnesota- Statutes- Chapter. 260E § 626.556 may be applicable.

- B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

## **X. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members.
- B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- C. This policy shall appear in the student handbook.
- D. The school district will develop a method of discussing this policy with students and employees.
- E. The school district may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, resourcefulness, and/or sexual abuse prevention.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

**Legal References:** Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)  
Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
Minn. Stat. § 609.341 (Definitions)  
Minn. Stat. ~~§ Ch. 260E 626.556 et seq.~~ (Reporting of Maltreatment of Minors)  
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)  
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)  
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973, ~~§ 504~~)  
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)  
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)  
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)  
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

**Cross References:** MSBA/MASA Model Policy 102 (Equal Educational Opportunity)  
MSBA/MASA Model Policy 401 (Equal Employment Opportunity)

MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)  
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 ([Title IX Sex Nondiscrimination, Grievance Procedures and Process Policy Student Sex Nondiscrimination](#))  
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
MSBA/MASA Model Policy 526 (Hazing Prohibition)  
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)

INDEPENDENT SCHOOL DISTRICT NO. \_\_\_\_\_  
HARASSMENT AND VIOLENCE REPORT FORM

General Statement of Policy Prohibiting Harassment and Violence

Independent School District No. maintains a firm policy prohibiting all forms of discrimination. Harassment or violence against students or employees or groups of students or employees on the basis of race, color, creed, religion, national origin, sex, **gender**, age, marital status, familial status, status with regard to public assistance, sexual orientation, **including gender identity and expression**, or disability is strictly prohibited. All persons are to be treated with respect and dignity. Harassment or violence on the basis of race, color, creed, religion, national origin, sex, **gender**, age, marital status, familial status, status with regard to public assistance, sexual orientation, **including gender identity and expression**, or disability by any pupil, teacher, administrator, or other school personnel, which create an intimidating, hostile, or offensive environment will not be tolerated under any circumstances.

Complainant \_\_\_\_\_  
Home Address \_\_\_\_\_  
Work Address \_\_\_\_\_  
Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_

Date of Alleged Incident(s) \_\_\_\_\_

Basis of Alleged Harassment/Violence - circle as appropriate: race \ color \ creed \ religion \ national origin \ sex \ **gender** \ age \ marital status \ familial status \ status with regard to public assistance \ sexual orientation, **including gender identity and expression** \ disability

Name of person you believe harassed or was violent toward you or another person or group.  
\_\_\_\_\_

If the alleged harassment or violence was toward another person or group, identify that person or group. \_\_\_\_\_  
\_\_\_\_\_

Describe the incident(s) as clearly as possible, including such things as: what force, if any, was used; any verbal statements (i.e., threats, requests, demands, etc.); what, if any, physical contact was involved; etc. (Attach additional pages if necessary.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Where and when did the incident(s) occur? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List any witnesses that were present \_\_\_\_\_  
\_\_\_\_\_

This complaint is filed based on my honest belief that \_\_\_\_\_ has harassed or has been violent to me or to another person or group. I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge and belief.

\_\_\_\_\_  
(Complainant Signature)

\_\_\_\_\_  
(Date)

Received by \_\_\_\_\_

\_\_\_\_\_  
(Date)

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 501

Orig. 1995

Revised: \_\_\_\_\_

Rev. 20142021

## 501 SCHOOL WEAPONS POLICY

*[Note: School districts are required by statute to have a policy addressing these issues. ATTENTION: This policy incorporates certain provisions of the Minnesota Citizens' Personal Protection Act (often referred to as the "conceal and carry" law).]*

### I. PURPOSE

The purpose of this policy is to assure a safe school environment for students, staff and the public.

### II. GENERAL STATEMENT OF POLICY

No student or nonstudent, including adults and visitors, shall possess, use, or distribute a weapon when in a school location except as provided in this policy. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school employee, volunteer, or member of the public who violates this policy.

### III. DEFINITIONS

#### A. "Weapon"

1. A "weapon" means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including, but not limited to, any firearm, whether loaded or unloaded; airguns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; numchucks; throwing stars; explosives; fireworks; mace and other propellants; stunguns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.
2. No person shall possess, use, or distribute any object, device or instrument having the appearance of a weapon and such objects, devices or instruments shall be treated as weapons including, but not limited to, weapons listed above which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon.
3. No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.), to inflict bodily harm and/or intimidate and such use will be treated as the possession and use of a weapon.

- B. "School Location" includes any school building or grounds, whether leased, rented, owned or controlled by the school, locations of school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the area of entrance or departure from school premises or events, all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the school district.
- C. "Possession" means having a weapon on one's person or in an area subject to one's control in a school location.
- D. "Dangerous Weapon" means any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, any combustible or flammable liquid or other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm, or any fire that is used to produce death or great bodily harm. As used in this definition, "flammable liquid" means any liquid having a flash point below 100 degrees Fahrenheit and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100 degrees Fahrenheit but does not include intoxicating liquor. As used in this subdivision, "combustible liquid" is a liquid having a flash point at or above 100 degrees Fahrenheit.

#### IV. EXCEPTIONS

- A. A student who finds a weapon on the way to school or in a school location, or a student who discovers that he or she accidentally has a weapon in his or her possession, and takes the weapon immediately to the principal's office shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the principal's office, a student shall not be considered to possess a weapon if he or she immediately turns the weapon over to an administrator, teacher or head coach or immediately notifies an administrator, teacher or head coach of the weapon's location.
- B. It shall not be a violation of this policy if a nonstudent (or student where specified) falls within one of the following categories:
1. active licensed peace officers;
  2. military personnel, or students or nonstudents participating in military training, who are on duty performing official duties;
  3. persons authorized to carry a pistol under ~~Minnesota Statutes, §section~~ 624.714 while in a motor vehicle or outside of a motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle;
  4. persons who keep or store in a motor vehicle pistols in accordance with ~~Minnesota Statutes, §§sections~~ 624.714 or 624.715 or other firearms in accordance with ~~§Minnesota Statutes, section~~ 97B.045;

- a. Section 624.714 specifies procedures and standards for obtaining pistol permits and penalties for the failure to do so. Section 624.715 defines an exception to the pistol permit requirements for “antique firearms which are carried or possessed as curiosities or for their historical significance or value.”
  - b. Section 97B.045 generally provides that a firearm may not be transported in a motor vehicle unless it is (1) unloaded and in a gun case without any portion of the firearm exposed; (2) unloaded and in the closed trunk; or (3) a handgun carried in compliance with §§Sections 624.714 and 624.715.
5. firearm safety or marksmanship courses or activities for students or nonstudents conducted on school property;
  6. possession of dangerous weapons, BB guns, or replica firearms by a ceremonial color guard;
  7. a gun or knife show held on school property;
  8. possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other person having general control and supervision of the school or the director of a child care center; or
  9. persons who are on unimproved property owned or leased by a child care center, school or school district unless the person knows that a student is currently present on the land for a school-related activity.

***[Note: Nothing prevents a school district from being more stringent in its weapons policy with respect to students and school district employees than the criminal law, except that the school district may not prohibit the lawful carry or possession of firearms in a parking facility or parking area. Although some school districts may choose to incorporate all of the exceptions to the criminal law, other school districts may choose either not to incorporate some or all of the exceptions or to further limit them. For example, a school district may choose to require written permission from the superintendent, not just a principal, for someone to possess a dangerous weapon in a school location. This would impose a more stringent requirement than the exceptions to the general prohibition of having a weapon on school grounds set forth in (7) to Minnesota Statutes, Section 609.66, Subdivision 1d (f) listed in Section IV.B. above. However, a school district may not regulate firearms, ammunition, or their respective components, when possessed or carried by nonstudents or nonemployees, in a manner that is inconsistent with Minnesota Statutes, Section 609.66, Subdivision 1d.]***

C. Policy Application to Instructional Equipment/Tools

While the school district does not allow the possession, use, or distribution of weapons by students or nonstudents, such a position is not meant to interfere with

instruction or the use of appropriate equipment and tools by students or nonstudents. Such equipment and tools, when properly possessed, used, and stored, shall not be considered in violation of the rule against the possession, use, or distribution of weapons. However, when authorized instructional and work equipment and tools are used in a potentially dangerous or threatening manner, such possession and use will be treated as the possession and use of a weapon.

D. Firearms in School Parking Lots and Parking Facilities

A school district may not prohibit the lawful carry or possession of firearms in a school parking lot or parking facility. For purposes of this policy, the “lawful” carry or possession of a firearm in a school parking lot or parking facility is specifically limited to nonstudent permit-holders authorized under Minnesota Statutes, §section 624.714 to carry a pistol in the interior of a vehicle or outside the motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle. Any possession or carry of a firearm beyond the immediate vicinity of a permit-holder’s vehicle shall constitute a violation of this policy.

V. **CONSEQUENCES FOR STUDENT WEAPON POSSESSION/USE/DISTRIBUTION**

A. The school district does not allow the possession, use, or distribution of weapons by students. Consequently, the minimum consequence for students willfully possessing, using, or distributing weapons shall include:

1. immediate out-of-school suspension;
2. confiscation of the weapon;
3. immediate notification of police;
4. parent or guardian notification; and
5. recommendation to the superintendent of dismissal for a period of time not to exceed one year.

B. Pursuant to Minnesota law, a student who brings a firearm, as defined by federal law, to school will be expelled for at least one year. The school board may modify this requirement on a case-by-case basis.

C. ~~The appropriate school official building principal shall, as soon as practicable, refer to the criminal justice or juvenile delinquency system, as appropriate, a pupil student who brings a firearm to school unlawfully.~~

CD. Administrative Discretion

While the school district does not allow the possession, use, or distribution of

weapons by students, the superintendent may use discretion in determining whether, under the circumstances, a course of action other than the minimum consequences specified above is warranted. If so, other appropriate action may be taken, including consideration of a recommendation for lesser discipline.

## **VI. CONSEQUENCES FOR WEAPON POSSESSION/USE/DISTRIBUTION BY NONSTUDENTS**

### **A. Employees**

1. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, or discharge as deemed appropriate by the school board.
2. Sanctions against employees, including nonrenewal, suspension, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.
3. When an employee violates the weapons policy, law enforcement may be notified, as appropriate.

*[Note: An employer may establish policies that restrict the carry or possession of firearms by its employees while acting in the course and scope of employment. Employment-related sanctions may be invoked for a violation. Thus, for example, reasonable limitations may be imposed on the method of storing firearms by permit-holding employees while at work or performing employment-related duties. Reasonable limitations may include requiring firearms to have trigger locks and to be stored in a locked container or locked compartment of the vehicle.]*

### **B. Other Nonstudents**

1. Any member of the public who violates this policy shall be informed of the policy and asked to leave the school location. Depending on the circumstances, the person may be barred from future entry to school locations. In addition, if the person is a student in another school district, that school district may be contacted concerning the policy violation.
2. If appropriate, law enforcement will be notified of the policy violation by the member of the public and may be asked to provide an escort to remove the member of the public from the school location.

## **VII. REPORTS OF DANGEROUS WEAPON INCIDENTS IN SCHOOL ZONES**

- A. The school district must electronically report to the Commissioner of Education incidents involving the use or possession of a dangerous weapon in school zones, as required under Minnesota Statutes, section 121A.06.

**Legal References:** Minn. Stat. § 97B.045 (Transportation of Firearms)

Minn. Stat. § 121A.05 (Referral to Police)  
[Minn. Stat. § 121A.06 \(Reports of Dangerous Weapon Incidents in School Zones\)](#)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)  
[Minn. Stat. § 152.01, subd. 14\(a\) \(Definition of a School Zone\)](#)  
Minn. Stat. § 609.02, ~~S~~subd. 6 (Definition of Dangerous Weapon)  
Minn. Stat. § 609.605 (Trespass)  
Minn. Stat. § 609.66 (Dangerous Weapons)  
Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)  
Minn. Stat. § 624.715 (Exemptions; Antiques and Ornaments)  
18 U.S.C. § 921 (Definition of Firearm)  
*In re C.R.M.*, 611 N.W.2d 802 (Minn. 2000)  
[\*In re A.D.\*, 883 N.W.2d 251 \(Minn. 2016\)](#)

***Cross References:*** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
[MSBA/MASA Model Policy 903 \(Visitors to School District Buildings and Sites\)](#)

## ~~Addendum A~~



**Royalton Public Schools**  
Independent School District #485

### **Facility Use Procedures**

1. Upon request the users shall provide a Certificate of Liability Insurance listing the district as an additional insured party. Minimum coverage shall be \$1,000,000 per occurrence and \$2,000,000 aggregate.
2. School equipment and supplies are available to groups only through previous arrangement with the Community Education office. ~~Equipment needed in conjunction with rental requests must be scheduled by the Community Education office and should be scheduled at the time the rental application is completed. The renting party is responsible for damage or loss of all equipment.~~
3. Adult supervision must be provided at all times. ~~Applicants must provide any special supervision required. (i.e., police protection, parking supervision, lifeguards, etc.)~~
4. All facilities must be left in the condition found. ~~This includes room arrangement and placement of furniture. Damages to facilities or equipment will be charged to the group. Disregard of policies may result in cancellation of the reservation.~~
5. Custodians are required unless it is determined by the Community Education Director or building principal that any problems can be taken care of by supervision of another district employee.
6. ~~Room materials placed on walls, bulletin boards or whiteboards-written-on-blackboards should not be disturbed.~~
7. Royalton Public Schools is a healthy, comfortable, smoke-free learning environment. The use of all tobacco products is prohibited in all school buildings and on all school property. Possession or consumption of intoxicating beverages or drugs in any form on school premises is prohibited. ~~See Board Policy 417, 418, and 419.~~
8. No food or beverages are allowed in any ~~Interactive Television +TV~~ room, computer lab, or other specified areas.
9. All refuse and debris must be disposed of properly by the ~~user renter~~ in designated receptacles.
10. Any equipment brought into the building by the user must be approved by the Community Education office. Equipment must be removed directly following the activity.
11. Royalton Public Schools does not become a promoter, endorser, or sponsor of any meeting or event when renting facilities to outside organizations.

12. Any outside organization which uses a school facility and wishes to attract the public to its meeting/event via advertising shall, on the advertising, identify itself as the sponsoring organization and accurately represent the content activity of the event. **The district may require an organization to include a disclaimer in its advertising stating that the activity/event is not sponsored by the school district.**
13. The use of outside areas such as fields and parking lots will require a request to be completed. Organizations using inside or outside areas will be expected to clean up all trash and litter in facilities, on fields or surrounding areas. Groups not providing clean-up will be charged for required custodial fees. Groups using outside facilities will follow all school policies at all times.
14. ~~Royalton Public Schools Food Service Department offers an easy, cost-effective way to provide food for your event. To inquire and/or make arrangements, contact Food Service at 320-584-4252.~~ Food service personnel are required to be on duty when **any district kitchen is in use.** Any group serving food but not utilizing the Food Service Department must obtain a Special Event Food License through Morrison County and provide a copy to the Community Education office.
15. Practice or event requests provided to Category II organizations must be coordinated ~~with the Community~~with Community Education office. Category I activities have priority over Category II, e.g., girls basketball just secured a home playoff basketball game and the reservation made by the Boy Scouts will have to move to an alternative site.
16. ~~Royalton Public Schools ISD 485~~ reserves the right to cancel or postpone a reservation due to an emergency condition. Examples include: closure of a school by the School Board, or weather cancellation. ~~In the event of an emergency cancellation, the Community Education office will try to assist in finding another appropriate facility.~~
17. Administration and the School Board reserves all rights to amend this ~~addendum~~ policy as needed.

## APPLICATION PROCEDURES

1. All renters must complete a "Facility Request" either online or through the Community Education office. ~~This request must be made to the Community Education office no less than seven working days prior to the requested use.~~ Royalton Public Schools Community Education office is located at Royalton Public Schools District office 120 S Hawthorn Street, Royalton, MN 56373. Phone number 320-584-4257.
2. School equipment should be requested at the same time the building use application is made.
3. All facility use fees must be paid prior to the event.
4. ~~All fees must be paid at time of request. Cancellations must be 72hours in advance for a refund to be given.~~



Royalton Public Schools  
Independent School District #485

## Facility Use Fee Information

### Facility Rental Fees

Category I – No fees will be assessed. Additional fees may be assessed if the district has additional staffing, refuse, or facility use expenses.

Category II – Certain circumstances may require fees, including but not limited to the following circumstances. Fees will be charged at a Class III rate.

- Staffing Fees: When activity is held outside regularly scheduled hours. ~~and/or expected attendance.~~
- Facility Rental Fees: When admission is charged for an event.
- Garbage Removal Fee: When the District incurs additional refuse cost (\$200/dumpster).

Category III, IV, V Fees – Hourly Rates

Space	Class III	Class IV	Class V
MS/HSSH Gym (Full)	\$40	\$65	\$80
MS/HSSH Gym (One Court)	\$20	\$30	\$40
MS/HSSH Wrestling	\$15	\$25	\$30
MS/HSSH Commons	\$30	\$45	\$60
MS/HSSH Kitchen*	\$40	\$65	\$80
MS/HSSH Cafetorium	\$40	\$65	\$80
Elementary Gym	\$20	\$30	\$40
Elementary Cafeteria*	\$15	\$25	\$30
Elementary Kitchen*	\$40	\$65	\$80
Field Space	\$40	\$65	\$80
Aerobic Room	\$20	\$30	\$40
Media Center	\$20	\$30	\$40
Classroom	\$10	\$15	\$20

Royalton Public Schools, through the Community Ed Office, ~~ISD 485~~ has the right to waive or assess fees as deemed necessary.

\*required additional ISD 485 staff. ~~or license~~



**Royalton Public Schools**  
Independent School District #485

**Staffing Fees**

Groups/individuals using **Royalton Public Schools District 485** facilities are responsible for staff charges resulting from their use. A two-hour minimum charge will be assessed for any of the following required staff.

<b><i>Custodial</i></b>	Could include opening or closing a building, set-up, clean-up or presence during a time when not otherwise staffed.	\$35 per hour
<b><i>Food Service</i></b>	Required to be present whenever a school kitchen is used.	\$35 per hour
<b><i>Building Supervisor</i></b>	Placed by the District during times when the building is not otherwise staffed to protect and oversee the facility and represent the school district.	\$35 per hour
<b><i>Auditorium <del>TBD</del> Technician</i></b>	Required when use of light and/or sound is requested.	\$35 per hour

**Miscellaneous**

Additional fees may be incurred depending on the type of use as well as group needs. Additional fees may include, but are not limited to the following: equipment (gym, electronic, A/V), personnel, air conditioning, field maintenance, etc.

**Royalton Public School, through the Community Ed Office ~~ISD-485~~ has the right to waive or assess fees as deemed necessary.**

~~Addendum C~~



**Royalton Public Schools**  
Independent School District #485

## Facility Use Classification

**Category I:**

- a. School sponsored events and activities
- b. Community Education classes
- c. PTO and Grad Bash
- d. Political caucuses/meetings

**Category II:**

- a. Nonprofit youth groups serving ISD 485
- b. Nonprofit groups serving youth of ISD 485
- c. Government agencies serving ISD 485

~~Political caucuses/meetings~~

**Category III:**

- a. Organized nonprofit community service group serving ISD 485
- b. Civic organizations located in or serving ISD 485
- c. Commercial, business, or private organizations located in ISD 485
- d. Individuals residing in ISD 485

**Category IV:**

- a. Nonprofit groups not located in ISD 485.
- b. Civic organizations not located in ISD 485.
- c. Higher education organizations.

**Category V:**

- a. Commercial, business, or private organizations not located in ISD 485.
- b. Individuals not located in ISD 485.



**Royalton Public Schools**  
Independent School District #485

## Royalton Fitness Center Application

Name \_\_\_\_\_ DOB \_\_\_\_\_

Address \_\_\_\_\_

Phone # \_\_\_\_\_ Email \_\_\_\_\_

Emergency Contact \_\_\_\_\_ Phone # \_\_\_\_\_

### MEMBERSHIP TYPE:

<input type="checkbox"/> Individual Membership \$120	<ul style="list-style-type: none"><li>• All memberships are valid for one year from date of registration/activation.</li><li>• Members of family memberships must reside within the same household.</li><li>• Key fob fees apply to new members or to replace a lost or damaged fob.</li></ul>
<input type="checkbox"/> Family Membership \$204**	
<input type="checkbox"/> Non-District Resident Membership \$300	
<input type="checkbox"/> Key Fob Fee \$15	

\*\*If selecting a family membership, please include names and DOB for each family member 16 and over living at the same address. Each family member will need a separate key fob.

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**MEMBERSHIP PARAMETERS:** Membership age must be 16 years old. All persons under 16 must be accompanied by a contracted adult approved member. Members are required to have a fob access-application completed and approved annually. The initial cost of a key fob is \$15. Each new key fob distributed requires a separate key fob fee. Failure to follow parameters and rules will put you at risk of losing your membership privilege. No guests are allowed.

**NON-DISTRICT RESIDENTS:** Fitness Center is accessible to non-district residents at a fee of \$300 per year.

**CHECKING IN:** During school hours - Enter Door #2 and sign in at the District Office. All other times enter Door #3, (Activities Entrance) with key fob. Your fob will allow you to enter all Fitness Center Rooms.

**MEMBERS AGREE:** To abide by all the membership rules of the facility. Because physical exercise can be strenuous and subject to risk of serious injury, the school district urges you to obtain a physical examination from a doctor before using any exercise equipment or participation in any exercise activity. You (each member or participant) agree that if you engage in any physical exercise or activity, or use any fitness center amenity on the premises or off premises at a school district sponsored event, you do so entirely at your own risk. This includes, without limitation, your use of the locker room, parking area, sidewalk area, or any equipment in the fitness facility and your participation in any activity, class, program, or instruction. You agree that you are voluntarily participating in these activities and use of these facilities and premises and assume all risks of injury, illness, damage or loss by theft of any personal property. You expressly agree to release and discharge the school district, and all affiliates, employees, agents, representatives, successors, or assigns, from any and all claims or causes of action. This waiver and release of liability includes, without limitation, all injuries to you which may occur, regardless of negligence, as a result of (a.) your use of any exercise equipment, (b.) the sudden and unforeseen malfunctioning of any equipment, (c.) our instruction or supervision, and (d.) your slipping and/or falling while in the fitness center, or on the school district premises, including adjacent sidewalks and parking areas. You acknowledge that you have carefully read this waiver and release and fully understand that it is a release of liability. You agree to voluntarily give up any right that you may otherwise have to bring a legal action against the school district for negligence, or any other personal injury or property damage or loss action.

Member: \_\_\_\_\_ Date: \_\_\_\_\_

**Disclaimer - Agreement is subject to change**



### ~~STAFFED HOURS:~~

~~Our staffed hours of operation are: Two hours per day based on demand.~~

~~ff~~  
~~ff~~

### ~~CHECKING IN:~~

~~School Hours Enter Door #2 and the District Office signing in. All other times enter Door #3, Activities Entrance using your fob to enter when locked. Your fob will allow you to enter the Fitness Center Rooms.~~



**Royalton Public Schools**  
Independent School District #485

## Royalton Fitness Center Rules and Etiquette

- Members are required to have a fFob access -application completed. Please see Membership Parameters.
- ~~Adult Public Access:~~ ~~ss~~supervision required for members time only for under 1649; members over 1649 and over must have a fob. ~~have fob.~~
- All students enrolled at Royalton Middle/High School are able to use the fitness center free of charge during the school day as part of their physical education classes. Students may use the fitness center free of charge after school if a supervisor is available~~has it open.~~ A-Building administration will post a schedule on the door of the fitness center. ~~schedule will be posted for students.~~
- No student below grade 6 may be in or use the fitness center. ~~Because of the design of the equipment, no one under 6th grade can use or be in the fitness center. It is imperative that your eChildren under grade 6 are~~ do not allowed to accompany other members~~you~~ inside the fitness center.
- ~~Students in grade 6th through 12th are allowed to use the fitness center with a parent/guardian after school hours~~
- ~~Cameras are present in the fitness center. If a member's behavior violates the terms of the contract, the community ed director will contact the member to discuss behavior. Additional breaches could result in loss of membership. . will monitor the center we will notify the fob user and let them know if they have breached the contract Fob will be deactivated.~~
- ~~PE/CommED~~Physical education and community ed classes take precedence to community members' ~~use~~members use. Times for PE class sessions and community ed sessions will be posted on the door of the fitness center and on the school's calendar.
- Please carry in your shoes. Street shoes are **NOT** allowed in the fitness center.
- Proper ~~workout and school appropriate~~ attire is required. ~~Shirts must be worn at all times. This includes closed toe shoes, t shirts, exercise shorts/pants.~~
- ~~Proper attire for a school setting is required. Shirts must be worn at all times.~~
- ~~Gym bags and jackets belong in the cubbies along entrance doors. Cubbies, along entrance doors, are provided for belongings.~~
- ~~Valuables should not be stored~~ Please do not store valuables on the floor or near equipment.

- No vulgar or obscene language will be tolerated.
- Water and sports drinks must be consumed from containers with a lid. No glass containers are allowed.
- ~~Members~~~~Participants~~ may use personal listening devices, but ~~they~~ may not use the sound system in the fitness center. ~~as not all users want to listen to someone else's music.~~  
~~The volume control on the televisions will be turned down all the way and the closed captioning feature will be used.~~
- ~~Members are required to~~~~Please~~ wipe down ~~your~~ machines, weight bars, and handles after use. Cleaning agents will be provided.
- Members are required to ~~pick up after themselves and~~ discard trash and ~~take all~~ ~~remove~~ personal items ~~with them when they leave.~~ ~~from fitness center when they are finished working out.~~
- There is a 30-minute ~~time~~ limit on all cardiovascular equipment ~~if other members are waiting to use them.~~
- ~~Members are required to return free weights and dumbbells to racks when finished using. Please remove the weights from the machine after you are done.~~  
~~Return all equipment to its place. All barbells and dumbbells must be returned to the racks.~~  
~~Allow others to "work in" or take turns on the equipment in the fitness room.~~
- Do not drop weights ~~(if you can't handle it don't use it).~~ ~~(Ease the weights into position on the machines preventing them from slamming)~~  
~~Ease the weights into position on the machines preventing them from slamming.; do not allow them to slam down.~~
- No gum ~~or tobacco~~ allowed in the facility.