



AGENDA  
REGULAR MEETING  
ROYALTON BOARD OF EDUCATION  
ECC RM PK 15  
120 SOUTH HAWTHORN STREET  
ROYALTON, MN 56373  
DECEMBER 20, 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
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 5
  - b. Approval of Truth in Taxation Minutes 11
  - c. Claims, Accounts and Financial 12

Approve accounts payable and receivables, and employee reimbursements as attached and approve all other financial reports as presented.
  - d. Approval of Resignations 18
  - e. Approval of New Hires 19

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. Final Levy 20
  - b. ESSER Funds Update 63
  - c. Budget 68
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  - e. David Lemm Conference in WI
  - f. Robotics Club 77
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102 - Equal Educational Opportunity	
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**11. Upcoming Meeting Schedule**

1. Tuesday, December 21st, 12:00 PM Finance Meeting
2. Monday, January 10th, 6:00 PM Organizational Meeting
3. Wednesday, January 12th, 9:00 AM Policy Meeting
4. Tuesday, January 18th, 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**

Blake Albright and Jacob Leibold - spoke to the board about Policy 902, Use of School District Facilities and Equipment.

Angela Roering - Leadership Development Certificate from MSBA

## Royalton Elementary Good News

Dr. Phil Gurbada

December 2021

1. The Grades 3-5 Christmas program on Dec. 9 went well. Thank you to our substitute music teacher, Kate Borghehinck, for her wonderful work. Thank you to all the staff for supporting Kate and helping with supervision. Parent attendance was excellent.
2. Thank you to the Lion's Club for conducting vision screenings for the elementary students on December 15.
3. We continue to work hard at implementing Benchmark Advance, our new reading program. We are making good progress. Our next teacher training session will be on January 17 with consultants from Benchmark.

## Regular Meeting

Monday, November 22, 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 Chair Comments

### 5. Approval of Agenda

#### Action(s):

Approve Agenda as Amended. This motion, made by Mary Lange 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

### 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

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.**

**Action(s):**

Approval of All Items on Consent Agenda. 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

- a. Approval of Regular Board Meeting Minutes for October 25, 2021
- b. Approval of Special Meeting Minutes for November 8, 2021
- c. Approval of Work Session Meeting Minutes for November 8, 2021
- d. Approval of Special Meeting Minutes for November 18, 2021
- 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
- g. Approval of New Hires

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

- a. Approval of Donations by Resolution

**Action(s):**

Motion to approve Donation by Resolution. 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

- b. Audit Presentation by KDV

c. HVAC Update

**Action(s):**

Motion to modify the ESSER funds for HVAC. This motion, made by Tyra Baumann 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

d. WBWF Plan Presentation

e. Technology Integrationist Specialist Contract

**Action(s):**

Motion to Approve the Technology Integrationist Specialist Contract. 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

f. REM Contract

**Action(s):**

Motion to Approve the REM Contract. This motion, made by Randy Hackett and seconded by Rian Hofstad, Passed.

**Voting Detail:**

Tyra Baumann: Abstain (With Conflict)  
Russ Gerads: Yea  
Randy Hackett: Yea  
Rian Hofstad: Yea  
Mary Lange: Yea  
Angela Roering: Yea

**Voting Summary:** Yea: 5, Nay: 0, Abstain (With Conflict): 1

g. MSHSL Form A

**Action(s):**

Motion to Approve MSHSL Form A. This motion, made by Tyra Baumann 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

h. Policy Reading

1. First Policy Reading

2. Second Policy Reading

3. Approval of Second Policy Reading (final reading due to minor changes)

**Action(s):**

Motion to Approve Second Policy Reading (final reading due to minor changes). 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

4. Approval of Third Policy Reading

**Action(s):**

Motion to Approve the Third Policy Reading. 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

i. Safe Deposit Box Signer

**Action(s):**

Amend the Motion to Remove Dawn Duevel from the Safe Deposit box and add Scott Marine to the Safe Deposit box. 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

11. Upcoming Meeting Schedule

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 7:45 pm. 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

Motion to Close the Closed Meeting at 8:35pm. This motion, made by Angela Roering 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

13. **Adjournment**

**Action(s):**

The meeting was adjourned at 8:36pm. 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

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Board Secretary

# Truth in Taxation Public Hearing

Monday, December 13, 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: Present  
Angela Roering: Present

1. **Call to Order**
2. **Roll Call**
3. **Truth in Taxation Public Hearing**
4. **Adjournment**

**Action(s) :**

The meeting was adjourned at 6:37pm. This motion, made by Mary Lange 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

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Board Secretary

# REVENUE & EXPENDITURE SUMMARY BY SOURCE, OBJECT SERIES & PROGRAM SERIES

ROYALTON | November 30, 2021

REVENUE CATEGORIES						November	November	November				
	June 30, 2020	June 30, 2021	Adopted Budget	Projected End Of Year	Received YTD	Remaining	% of Budget Received	% of Actuals Received	% of Actuals Received	Current YTD vs. PYTD	November 30, 2020	November 30, 2019
STATE	8,931,669	8,485,614	8,494,665	8,470,588	2,397,107	6,097,558	28.22%	28.11%	28.04%	11,514	2,385,592	2,504,302
FEDERAL	139,409	562,863	564,138	476,332	49,445	514,693	8.76%	43.47%	-0.57%	(195,241)	244,686	(794)
PROPERTY TAXES	572,195	707,849	676,668	581,675	1,643	675,025	0.24%	0.55%	0.23%	(2,267)	3,911	1,325
LOCAL SALES, INS RECOVERY & JUDGEMENTS	75,449	16,885	0	22,084	22,084	(22,084)	0.00%	49.23%	62.98%	13,771	8,313	47,518
SALE OF BONDS & LOANS	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
INCOMING TRANSFERS FROM OTH FUNDS	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
LOCAL (FEES, INTEREST, ETC.)	308,411	193,806	156,848	293,256	209,587	(52,739)	133.62%	36.07%	51.96%	139,672	69,916	160,258
<b>TOTALS</b>	<b>10,027,132</b>	<b>9,967,018</b>	<b>9,892,319</b>	<b>9,843,934</b>	<b>2,679,866</b>	<b>7,212,453</b>	<b>27.09%</b>	<b>27.21%</b>	<b>27.05%</b>	<b>(32,551)</b>	<b>2,712,417</b>	<b>2,712,610</b>

EXPENDITURES (OBJECT SERIES)						November	November	November				
	June 30, 2020	June 30, 2021	Adopted Budget	Projected End Of Year	Expended YTD	Remaining	% of Budget Expended	% of Actuals Expended	% of Actuals Expended	Current YTD vs. PYTD	November 30, 2020	November 30, 2019
SALARIES & WAGES	5,653,547	5,756,121	6,131,782	6,078,480	1,674,998	4,456,784	27.32%	27.61%	28.41%	85,701	1,589,297	1,606,249
EMPLOYEE BENEFITS	1,516,481	1,609,710	1,723,999	1,767,671	528,998	1,195,001	30.68%	28.18%	27.72%	75,391	453,606	420,362
PURCHASED SERVICES	1,161,915	1,135,091	1,162,407	1,364,603	514,478	647,929	44.26%	29.22%	27.09%	182,822	331,655	314,747
SUPPLIES	536,284	476,459	572,436	628,196	282,056	290,380	49.27%	36.79%	41.63%	106,773	175,283	223,244
EQUIPMENT	246,957	449,049	385,860	298,235	283,493	102,367	73.47%	90.43%	92.88%	(122,603)	406,096	229,379
DEBT SERVICE	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
OTHER EXPENDITURES	67,869	76,507	87,133	85,202	27,054	60,079	31.05%	30.74%	33.32%	3,538	23,516	22,615
OTHER FINANCING USES	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
<b>TOTALS</b>	<b>9,183,053</b>	<b>9,502,937</b>	<b>10,063,617</b>	<b>10,222,388</b>	<b>3,311,076</b>	<b>6,752,541</b>	<b>32.90%</b>	<b>31.35%</b>	<b>30.67%</b>	<b>331,622</b>	<b>2,979,454</b>	<b>2,816,596</b>

EXPENDITURES (PROGRAM SERIES)						November	November	November				
	June 30, 2020	June 30, 2021	Adopted Budget	Projected End Of Year	Expended YTD	Remaining	% of Budget Expended	% of Actuals Expended	% of Actuals Expended	Current YTD vs. PYTD	November 30, 2020	November 30, 2019
SITE ADMINISTRATION	356,308	361,675	339,825	362,413	140,594	199,231	41.37%	35.91%	35.98%	10,714	129,880	128,187
DISTRICT ADMINISTRATION	197,705	232,642	246,441	236,680	81,485	164,956	33.06%	36.23%	40.90%	(2,805)	84,290	80,856
SUPPORT SERVICES	333,936	347,394	356,241	387,556	174,256	181,985	48.92%	39.64%	41.49%	36,540	137,715	138,553
REGULAR INSTRUCTION	4,094,925	4,252,393	4,442,781	4,468,890	1,295,102	3,147,679	29.15%	26.64%	24.79%	162,471	1,132,632	1,015,013
EXTRA-CURRICULAR ACTIVITIES	526,246	422,966	452,946	487,769	182,579	270,367	40.31%	19.75%	31.57%	99,027	83,552	166,121
VOCATIONAL INSTRUCTION	76,779	86,044	137,808	148,757	48,517	89,291	35.21%	20.68%	26.23%	30,725	17,791	20,136
SPECIAL EDUCATION	1,180,162	1,284,881	1,373,977	1,338,111	269,992	1,103,985	19.65%	20.23%	19.46%	10,071	259,920	229,621
COMMUNITY SERVICES	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
INSTRUCTIONAL SUPPORT	362,497	434,199	370,870	367,580	139,970	230,900	37.74%	50.90%	59.20%	(81,059)	221,029	214,601
PUPIL SUPPORT SERVICES	881,217	669,017	899,951	820,617	320,103	579,848	35.57%	27.17%	36.97%	138,352	181,750	325,747
FACILITIES	1,087,884	1,330,337	1,253,406	1,434,700	579,980	673,426	46.27%	46.69%	37.45%	(41,110)	621,091	407,459
OTHER FINANCING USES	85,392	81,389	189,371	169,313	78,499	110,872	41.45%	134.91%	105.75%	(31,304)	109,803	90,302
<b>TOTALS</b>	<b>9,183,053</b>	<b>9,502,937</b>	<b>10,063,617</b>	<b>10,222,388</b>	<b>3,311,076</b>	<b>6,752,541</b>	<b>32.90%</b>	<b>31.35%</b>	<b>30.67%</b>	<b>331,622</b>	<b>2,979,454</b>	<b>2,816,596</b>

# REVENUE & EXPENDITURE SUMMARY BY SOURCE, OBJECT SERIES & PROGRAM SERIES

ROYALTON | November 30, 2021

ACTIVITY - OTHER FUNDS										November	November	November			
	June 30, 2020	June 30, 2021	Adopted Budget	Projected End Of Year	Received YTD	Budget Remaining	% of Budget Received	% of Actuals Received	% of Actuals Received	30, 2021	30, 2020	30, 2019	Current YTD vs. PYTD	November 30, 2020	November 30, 2019
<b>REVENUE</b>															
FOOD SERVICE	498,300	428,281	508,499	582,951	176,893	331,606	34.79%	38.01%	33.05%				14,108	162,785	164,701
COMMUNITY EDUCATION	320,351	273,184	359,105	372,923	164,190	194,915	45.72%	24.71%	39.96%				96,678	67,512	128,021
DEBT SERVICE	2,041,405	2,023,346	2,086,502	1,982,175	571,185	1,515,317	27.38%	30.37%	29.58%				(43,297)	614,482	603,848
<b>TOTALS</b>	<b>2,860,055</b>	<b>2,724,812</b>	<b>2,954,106</b>	<b>2,938,049</b>	<b>912,268</b>	<b>2,041,838</b>	<b>30.88%</b>	<b>31.00%</b>	<b>31.35%</b>				<b>67,489</b>	<b>844,779</b>	<b>896,570</b>
EXPENDITURES										November	November	November			
	June 30, 2020	June 30, 2021	Adopted Budget	Projected End Of Year	Expended YTD	Budget Remaining	% of Budget Expended	% of Actuals Expended	% of Actuals Expended	30, 2021	30, 2020	30, 2019	Current YTD vs. PYTD	November 30, 2020	November 30, 2019
<b>EXPENDITURES</b>															
FOOD SERVICE	517,294	416,624	493,202	495,730	154,831	338,371	31.39%	28.12%	36.84%				37,674	117,157	190,582
COMMUNITY EDUCATION	258,329	229,675	303,053	277,852	111,043	192,010	36.64%	31.53%	41.26%				38,629	72,415	106,593
DEBT SERVICE	2,019,433	2,023,983	2,023,983	1,999,988	430,929	1,593,054	21.29%	22.58%	23.90%				(26,050)	456,979	482,704
<b>TOTALS</b>	<b>2,795,056</b>	<b>2,670,281</b>	<b>2,820,238</b>	<b>2,773,569</b>	<b>696,803</b>	<b>2,123,435</b>	<b>24.71%</b>	<b>24.21%</b>	<b>27.90%</b>				<b>50,252</b>	<b>646,550</b>	<b>779,879</b>
SUMMARY - ALL FUNDS										November	November	November			
	June 30, 2020	June 30, 2021	Adopted Budget	Projected End Of Year	YTD	Budget Remaining	% of Budget Expended	% of Actuals Expended	% of Actuals Expended	30, 2021	30, 2020	30, 2019	Current YTD vs. PYTD	November 30, 2020	November 30, 2019
<b>SUMMARY</b>															
REVENUE	12,887,187	12,691,829	12,846,425	12,781,983	3,592,134	9,254,291	27.96%	28.03%	28.01%				34,937	3,557,196	3,609,180
EXPENDITURES	11,978,109	12,173,218	12,883,855	12,995,957	4,007,879	8,875,976	31.11%	29.79%	30.03%				381,875	3,626,004	3,596,475
SPENDING VARIANCE	909,078	518,611	(37,430)	(213,974)	(415,745)	N/A	N/A	N/A	N/A				(346,938)	(68,808)	12,705

# GENERAL FUND - REVENUE SUMMARY

ROYALTON | November 30, 2021

DESCRIPTION	June 30, 2020	June 30, 2021	Current Budget	Projected End Of Year	Revenue YTD	Budget Remaining	November 30, 2021	November 30, 2020	November 30, 2019	Current YTD vs. Prior YTD	November 30, 2020	November 30, 2019
							% of Budget Received	% of Actuals Received	% of Actuals Received			
<b>LOCAL REVENUES</b>												
001 PROPERTY TAX LEVY, GENERAL	543,184	683,144	653,603	560,145	0	653,603	0.00%	0.07%	0.00%	(447)	447	0
004 MUNICIPAL/TAX INCR FINANCE	195	1,121	1,122	1,122	0	1,122	0.00%	0.00%	0.00%	0	0	0
010 COUNTY APPORTIONMENT	13,741	14,687	20,943	17,968	0	20,943	0.00%	14.56%	0.00%	(2,139)	2,139	0
019 MISC TAX REV PAID BY COUNTY	15,075	8,897	1,000	2,440	1,643	(643)	164.32%	14.89%	8.79%	318	1,325	1,325
040 TUITION FROM PATRONS	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
050 FEES FROM PATRONS	4,606	954	0	860	860	(860)	0.00%	0.00%	0.00%	860	0	0
060 ADMISSIONS & STUDENT ACTIVITY REV	136,361	57,453	65,800	90,559	62,226	3,574	94.57%	31.12%	65.92%	44,344	17,882	89,894
071 MA REV/DEPT OF HUMAN SVCS	11,370	25,151	0	11,103	11,103	(11,103)	0.00%	8.98%	5.58%	8,844	2,259	634
092 INTEREST EARNINGS	39,428	2,663	6,000	2,993	698	5,302	11.63%	87.15%	77.94%	(1,623)	2,320	30,730
096 GIFTS AND BEQUESTS	24,210	12,829	1,700	34,457	32,850	(31,150)	1932.35%	29.72%	34.49%	29,037	3,813	8,350
099 MISC REV FROM LOCAL SOURCES	92,436	94,756	83,348	153,285	101,851	(18,503)	122.20%	46.06%	33.16%	58,209	43,642	30,650
<b>Total LOCAL REVENUES</b>	<b>880,606</b>	<b>901,656</b>	<b>833,516</b>	<b>874,931</b>	<b>211,230</b>	<b>622,286</b>	<b>25.34%</b>	<b>8.19%</b>	<b>18.35%</b>	<b>137,404</b>	<b>73,826</b>	<b>161,583</b>
<b>STATE REVENUES</b>												
201 ENDOWMENT FUND APPORTIONMENT	42,702	40,032	40,032	39,607	19,288	20,744	48.18%	50.40%	48.27%	(887)	20,175	20,611
211 GENERAL EDUCATION AID	7,770,653	7,628,396	7,549,011	7,456,345	2,184,605	5,364,406	28.94%	28.46%	31.52%	13,491	2,171,114	2,449,496
212 LITERACY INCENTIVE AID	46,491	49,322	49,322	48,707	(1,480)	50,802	-3.00%	-2.83%	-2.72%	(85)	(1,395)	(1,266)
213 SHARED TIME AID	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
227 ABATEMENT AID	97	164	164	67	6	158	3.56%	70.00%	70.01%	(109)	115	68
229 DISPARITY REDUCTION AID	10	20	20	20	0	20	0.00%	0.00%	0.00%	0	0	0
234 AGRICULTURE MARKET VALUE CR	1,829	3,425	3,425	3,425	0	3,425	0.00%	0.00%	0.00%	0	0	0
258 OTHER STATE CR/EXEMPT PROP REIMB	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
300 STATE AID (REQUIRES FIN CODE)	40,849	12,641	10,503	5,392	(315)	10,818	-3.00%	0.00%	78.94%	(315)	(0)	32,246
301 NONPUBLIC AID	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
309 DEBT SERVICE EQUALIZATION AID	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
317 LONG TERM FACILITY MAINT AID	94,205	101,015	99,188	98,239	(2,976)	102,164	-3.00%	-2.80%	-2.80%	(143)	(2,833)	(2,640)
360 STATE AID FOR SPECIAL EDUCATION	901,323	613,046	736,000	810,311	193,523	542,477	26.29%	31.24%	0.64%	1,989	191,535	5,787
370 OTHER, MN DEPT OF EDUCATION	2,851	7,759	7,000	8,475	4,455	2,545	63.64%	88.69%	0.00%	(2,427)	6,882	0
397 TRA & PERA SPEC SITUATIONS PENSION	30,659	29,793	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
<b>Total STATE REVENUES</b>	<b>8,931,669</b>	<b>8,485,614</b>	<b>8,494,665</b>	<b>8,470,588</b>	<b>2,397,107</b>	<b>6,097,558</b>	<b>28.22%</b>	<b>28.11%</b>	<b>28.04%</b>	<b>11,514</b>	<b>2,385,592</b>	<b>2,504,302</b>
<b>FEDERAL REVENUES RECEIVED FROM STATE</b>												
400 FEDERAL AID/MDE (REQUIRES FIN)	139,409	522,818	564,138	476,332	49,445	514,693	8.76%	42.75%	1.32%	(174,071)	223,516	1,838
405 FEDERAL AID THRU OTHER AGENCY	0	40,045	0	0	0	0	0.00%	52.87%	0.00%	(21,170)	21,170	(2,632)
471 SCHOOL LUNCH PROGRAM	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
472 SPECIAL ASSIST, NEEDY CHILD	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
473 COMMODITY CASH REBATE PROGRAM	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
474 COMMODITY DISTRIBUTION PROGRAM	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
476 SCHOOL BREAKFAST PROGRAM	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
479 SUMMER FOOD SERVICE PROGRAM	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
<b>Total REVENUES RECEIVED FROM STATE</b>	<b>139,409</b>	<b>562,863</b>	<b>564,138</b>	<b>476,332</b>	<b>49,445</b>	<b>514,693</b>	<b>8.76%</b>	<b>43.47%</b>	<b>-0.57%</b>	<b>(195,241)</b>	<b>244,686</b>	<b>(794)</b>
<b>LOCAL SALES, INSURANCE RECOVERY, AND JUDGEMENTS</b>												
601 FOOD SERVICE SALES TO PUPILS	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
606 FOOD SERVICE SALES TO ADULTS	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
610 COST MATERIALS/REV PROD (CONTRA)	(3,377)	900	0	0	0	0	0.00%	64.44%	64.23%	(580)	580	(2,169)
620 SALES/REV PRODUCING ACTIVITIES	65,328	15,985	0	22,084	22,084	(22,084)	0.00%	48.38%	73.37%	14,351	7,733	47,929
622 SALES OF MATERIALS (NET OF TX)	1,759	0	0	0	0	0	0.00%	0.00%	100.00%	0	0	1,759
625 INSURANCE RECOVERY	11,738	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
<b>Total LOCAL SALES, INSURANCE RECOVERY, AND JUDGEMENTS</b>	<b>75,449</b>	<b>16,885</b>	<b>0</b>	<b>22,084</b>	<b>22,084</b>	<b>(22,084)</b>	<b>0.00%</b>	<b>49.23%</b>	<b>62.98%</b>	<b>13,771</b>	<b>8,313</b>	<b>47,518</b>
<b>SALE OF BONDS AND LOANS</b>												
631 SALE OF BONDS	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
<b>Total SALE OF BONDS AND LOANS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0</b>	<b>0</b>	<b>0</b>
14												
<b>INCOMING TRANSFERS FROM OTHER FUNDS</b>												
649 PERMANENT TRANSFERS/OTHER FUND	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
<b>Total INCOMING TRANSFERS FROM OTHER FUNDS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>GENERAL FUND TOTAL</b>	<b>10,027,132</b>	<b>9,967,018</b>	<b>9,892,319</b>	<b>9,843,934</b>	<b>2,679,866</b>	<b>7,212,453</b>	<b>27.09%</b>	<b>27.21%</b>	<b>27.05%</b>	<b>(32,551)</b>	<b>2,712,417</b>	<b>2,712,610</b>

DESCRIPTION	June 30, 2020	June 30, 2021	Current Budget	Projected End Of Year	Revenue YTD	Budget Remaining	November 30, 2021	November 30, 2020	November 30, 2019	Current YTD vs. Prior YTD	November 30, 2020	November 30, 2019
							% of Budget Received	% of Actuals Received	% of Actuals Received			

# GENERAL FUND - EXPENDITURES BY PROGRAM CODE

ROYALTON | November 30, 2021

DESCRIPTION	June 30, 2020	June 30, 2021	Adopted Budget	Projected End Of Year	Expenses YTD	Budget Remaining	November 30, 2021	November 30, 2020	November 30, 2019	Current YTD vs. Prior YTD	November 30, 2020	November 30, 2019
							% of Budget Expended	% of Actuals Expended	% of Actuals Expended			
<b>DISTRICT ADMINISTRATION</b>												
010 BOARD OF EDUCATION	17,051	23,050	22,379	20,834	8,511	13,868	38.03%	26.28%	53.20%	2,452	6,059	9,071
020 OFFICE OF THE SUPERINTENDENT	180,655	209,593	224,062	215,847	72,974	151,088	32.57%	37.33%	39.74%	(5,257)	78,231	71,785
<b>TOTAL - DISTRICT ADMINISTRATION</b>	<b>197,705</b>	<b>232,642</b>	<b>246,441</b>	<b>236,680</b>	<b>81,485</b>	<b>164,956</b>	<b>33.06%</b>	<b>36.23%</b>	<b>40.90%</b>	<b>(2,805)</b>	<b>84,290</b>	<b>80,856</b>
<b>SITE ADMINISTRATION</b>												
050 SCHOOL ADMINISTRATION	356,308	361,675	339,825	362,413	140,594	199,231	41.37%	35.91%	35.98%	10,714	129,880	128,187
<b>TOTAL - SITE ADMINISTRATION</b>	<b>356,308</b>	<b>361,675</b>	<b>339,825</b>	<b>362,413</b>	<b>140,594</b>	<b>199,231</b>	<b>41.37%</b>	<b>35.91%</b>	<b>35.98%</b>	<b>10,714</b>	<b>129,880</b>	<b>128,187</b>
<b>SUPPORT SERVICES</b>												
105 GENERAL ADMINISTRATIVE SUPPORT	57,086	61,974	69,379	77,040	30,191	39,188	43.52%	36.05%	41.33%	7,847	22,344	23,591
110 BUSINESS SUPPORT SERVICES	276,850	285,420	286,862	310,516	144,064	142,798	50.22%	40.42%	41.53%	28,693	115,371	114,962
<b>TOTAL - SUPPORT SERVICES</b>	<b>333,936</b>	<b>347,394</b>	<b>356,241</b>	<b>387,556</b>	<b>174,256</b>	<b>181,985</b>	<b>48.92%</b>	<b>39.64%</b>	<b>41.49%</b>	<b>36,540</b>	<b>137,715</b>	<b>138,553</b>
<b>REGULAR INSTRUCTION</b>												
201 EDUCATION, KINDERGARTEN	278,727	159,822	206,828	190,751	28,707	178,121	13.88%	40.85%	19.02%	(36,584)	65,291	53,021
203 EDUCATION, ELEMENTARY GENERAL	1,369,457	1,460,588	1,463,021	1,525,647	518,770	944,251	35.46%	28.75%	25.30%	98,882	419,887	346,535
204 TITLE II, PART A TRAINING & RECRUITING	19,770	17,419	19,766	17,654	2,857	16,909	14.46%	26.00%	30.09%	(1,672)	4,530	5,948
211 EDUCATION, SECONDARY GENERAL	405,993	354,522	396,424	430,339	188,142	208,282	47.46%	28.93%	22.38%	85,564	102,577	90,844
212 VISUAL ART	126,929	113,317	123,348	120,682	29,611	93,737	24.01%	24.08%	21.93%	2,320	27,291	27,838
215 BUSINESS	43,125	66,476	66,885	54,136	4,536	62,349	6.78%	25.34%	25.12%	(12,311)	16,847	10,833
216 TITLE I, PART A IMPROVE ACHIEVE/DISADV	116,091	106,748	109,302	112,927	37,113	72,189	33.95%	23.63%	26.74%	11,889	25,224	31,045
218 GIFTED & TALENTED	7,290	4,362	15,713	15,283	5,105	10,608	32.49%	66.04%	63.02%	2,224	2,881	4,594
220 ENGLISH, LANGUAGE ARTS	264,160	302,900	291,602	288,272	70,071	221,531	24.03%	23.44%	24.39%	(938)	71,009	64,419
230 FOREIGN/NATIVE LANGUAGE	108,812	121,809	131,955	129,840	31,100	100,855	23.57%	25.11%	25.50%	515	30,585	27,743
240 HEALTH, PHYSICAL ED & RECREATION	276,878	281,284	296,090	290,556	69,158	226,932	23.36%	24.59%	25.61%	(11)	69,170	70,916
255 INDUSTRIAL EDUCATION	81,419	56,080	74,116	63,968	10,724	63,392	14.47%	35.43%	24.65%	(9,145)	19,869	20,074
256 MATHEMATICS	292,998	308,549	318,456	314,271	75,760	242,696	23.79%	24.39%	24.22%	491	75,269	70,968
258 MUSIC	205,843	218,935	214,791	215,831	57,340	157,451	26.70%	31.58%	28.06%	(11,803)	69,143	57,750
260 NATURAL SCIENCES	235,715	256,928	262,129	253,290	59,567	202,562	22.72%	24.42%	29.34%	(3,176)	62,743	69,164
270 SOCIAL SCIENCES/SOCIAL STUDIES	261,719	277,389	298,838	295,109	70,672	228,166	23.65%	25.35%	24.19%	355	70,317	63,321
275 KINDERGARTEN INDIVIDUALIZED INSTRUCTION	0	145,262	153,517	150,334	35,871	117,646	23.37%	0.00%	0.00%	35,871	0	0
<b>TOTAL - REGULAR INSTRUCTION</b>	<b>4,094,925</b>	<b>4,252,393</b>	<b>4,442,781</b>	<b>4,468,890</b>	<b>1,295,102</b>	<b>3,147,679</b>	<b>29.15%</b>	<b>26.64%</b>	<b>24.79%</b>	<b>162,471</b>	<b>1,132,632</b>	<b>1,015,013</b>
<b>EXTRA-CURRICULAR</b>												
292 BOYS/GIRLS ATHLETICS	147,431	167,736	174,287	168,880	61,191	113,096	35.11%	35.28%	38.60%	2,020	59,171	56,906
294 BOYS ATHLETICS	146,577	114,370	134,789	140,711	46,741	88,048	34.68%	10.45%	30.11%	34,791	11,950	44,132
296 GIRLS ATHLETICS	78,242	74,404	81,243	97,891	38,823	42,420	47.79%	13.04%	32.68%	29,124	9,699	25,571
298 EXTRA-CURRICULAR ACTIVITIES	153,996	66,456	62,627	80,288	35,823	26,804	57.20%	4.11%	25.66%	33,091	2,732	39,512
<b>TOTAL - EXTRA-CURRICULAR ACTIVITIES</b>	<b>526,246</b>	<b>422,966</b>	<b>452,946</b>	<b>487,769</b>	<b>182,579</b>	<b>270,367</b>	<b>40.31%</b>	<b>19.75%</b>	<b>31.57%</b>	<b>99,027</b>	<b>83,552</b>	<b>166,121</b>
<b>VOCATIONAL INSTRUCTION</b>												
301 AGRICULTURAL EDUCATION	76,779	86,044	68,344	82,145	33,887	34,457	49.58%	20.68%	26.23%	16,096	17,791	20,136
341 BUSINESS & OFFICE EDUCATION	0	0	69,464	66,613	14,629	54,835	21.06%	0.00%	0.00%	14,629	0	0
<b>TOTAL - VOCATIONAL INSTRUCTION</b>	<b>76,779</b>	<b>86,044</b>	<b>137,808</b>	<b>148,757</b>	<b>48,517</b>	<b>89,291</b>	<b>35.21%</b>	<b>20.68%</b>	<b>26.23%</b>	<b>30,725</b>	<b>17,791</b>	<b>20,136</b>
<b>SPECIAL ED INSTRUCTION</b>												
400 GENERAL SPECIAL EDUCATION	108,998	109,967	66,113	58,067	60	66,053	0.09%	1.26%	-0.52%	(1,329)	1,389	(565)
401 SPEECH/LANGUAGE IMPAIRED	99,049	113,226	114,702	128,978	17,278	97,424	15.06%	17.66%	11.54%	(2,723)	20,001	11,434
402 MILD, MODERATE COGNITIVE DISAB	82,386	57,830	70,703	73,530	21,862	48,841	30.92%	35.87%	24.36%	1,121	20,741	20,065
403 SEVERE, PROFOUND COGNITIVE DISAB	14,024	5,825	8,218	5,987	237	7,981	2.88%	40.92%	29.05%	(2,147)	2,384	4,075
404 PHYSICALLY IMPAIRED	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
405 DEAF, HARD OF HEARING	22,511	21,184	22,232	22,866	1,745	20,487	7.85%	7.34%	11.45%	190	1,555	2,577
407 SPECIFIC LEARNING DISABILITY	257,593	282,218	291,605	292,810	77,769	213,836	26.67%	26.04%	29.81%	4,273	73,496	76,795
408 EMOTIONAL/BEHAVIORAL DISORDER	195,738	219,723	248,706	249,975	65,265	183,442	26.24%	24.40%	22.41%	11,653	53,611	43,868
410 OTHER HEALTH DISABILITIES	125,144	112,635	121,430	116,883	26,876	94,554	22.13%	27.32%	19.19%	(3,891)	30,767	24,019
411 AUTISTIC SPECTRUM DISORDERS	144,814	139,598	164,768	157,691	39,580	125,188	24.02%	25.89%	31.38%	3,437	36,143	45,443
412 DEVELOPMENTALLY DELAYED	79,651	152,444	154,567	156,947	19,321	135,246	12.50%	9.84%	13.41%	4,317	15,004	10,683
420 SPECIAL ED, AGGREGATE 3+	49,048	53,603	110,933	74,377	0	110,933	0.00%	0.00%	-17.89%	0	0	(8,773)
422 SPECIAL ED, STUDENTS W/O DISABILITIES	1,206	16,627	0	0	0	0	0.00%	29.04%	0.00%	(4,829)	4,829	0
<b>TOTAL - SPECIAL ED INSTRUCTION</b>	<b>1,180,162</b>	<b>1,284,881</b>	<b>1,373,977</b>	<b>1,338,111</b>	<b>269,992</b>	<b>1,103,985</b>	<b>19.65%</b>	<b>20.23%</b>	<b>19.46%</b>	<b>10,071</b>	<b>259,920</b>	<b>229,621</b>

DESCRIPTION	June 30, 2020	June 30, 2021	Adopted Budget	Projected End Of Year	Expenses YTD	Budget Remaining	November 30, 2021	November 30, 2020	November 30, 2019	Current YTD vs. Prior YTD	November 30, 2020	November 30, 2019
							% of Budget Expended	% of Actuals Expended	% of Actuals Expended			
<b>COMMUNITY EDUCATION</b>												
505 GENERAL COMMUNITY EDUCATION	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
570 SCHOOL AGE CARE	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
580 EARLY CHILDHOOD & FAMILY ED	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
582 SCHOOL READINESS	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
583 EARLY CHILDHOOD SCREENING	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
585 YOUTH DEV/AFTER SCHOOL ENRICH	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
590 OTHER COMMUNITY PROGRAMS	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
<b>TOTAL - COMMUNITY EDUCATION</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>INSTRUCTIONAL SUPPORT</b>												
620 LIBRARY MEDIA CENTER	28,636	31,668	34,234	34,890	10,698	23,536	31.25%	30.40%	32.12%	1,071	9,627	9,199
630 INSTRUCTION,RELATED TECHNOLOGY	286,057	356,091	188,077	201,873	98,789	89,288	52.53%	49.72%	56.88%	(78,258)	177,047	162,704
640 STAFF DEVELOPMENT	47,805	46,440	148,559	130,817	30,483	118,076	20.52%	73.98%	89.32%	(3,872)	34,355	42,698
<b>TOTAL - INSTRUCTIONAL SUPPORT</b>	<b>362,497</b>	<b>434,199</b>	<b>370,870</b>	<b>367,580</b>	<b>139,970</b>	<b>230,900</b>	<b>37.74%</b>	<b>50.90%</b>	<b>59.20%</b>	<b>(81,059)</b>	<b>221,029</b>	<b>214,601</b>
<b>PUPIL SUPPORT SERVICES</b>												
710 SECONDARY COUNSELING/GUIDANCE	109,570	107,846	106,674	106,045	28,635	78,039	26.84%	26.06%	22.72%	529	28,106	24,897
715 SCHOOL SECURITY	0	0	0	5,815	5,815	(5,815)	0.00%	0.00%	0.00%	5,815	0	0
720 HEALTH SERVICES	108,926	72,175	160,678	142,442	26,945	133,733	16.77%	27.03%	34.86%	7,434	19,511	37,975
740 SOCIAL WORK SERVICES	130,666	104,578	112,195	109,394	26,136	86,059	23.29%	24.73%	24.46%	277	25,858	31,966
760 PUPIL TRANSPORTATION	532,056	384,418	520,404	456,922	232,572	287,832	44.69%	28.17%	43.40%	124,297	108,275	230,909
770 FOOD SERVICES	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
<b>TOTAL - PUPIL SUPPORT SERVICES</b>	<b>881,217</b>	<b>669,017</b>	<b>899,951</b>	<b>820,617</b>	<b>320,103</b>	<b>579,848</b>	<b>35.57%</b>	<b>27.17%</b>	<b>36.97%</b>	<b>138,352</b>	<b>181,750</b>	<b>325,747</b>
<b>FACILITIES</b>												
810 OPERATIONS & MAINTENANCE	996,511	1,225,490	1,196,886	1,319,269	500,903	695,983	41.85%	43.49%	35.69%	(32,066)	532,969	355,647
850 CAPITAL FACILITIES	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
865 LTFM NOT PRO 866,867,868	91,373	104,847	56,520	115,430	79,077	(22,557)	139.91%	84.05%	56.70%	(9,045)	88,122	51,812
870 BUILDING CONSTRUCTION	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
<b>TOTAL - FACILITIES</b>	<b>1,087,884</b>	<b>1,330,337</b>	<b>1,253,406</b>	<b>1,434,700</b>	<b>579,980</b>	<b>673,426</b>	<b>46.27%</b>	<b>46.69%</b>	<b>37.45%</b>	<b>(41,110)</b>	<b>621,091</b>	<b>407,459</b>
<b>OTHER FINANCING USES</b>												
910 RETIRE LONG TERM OBLIGATIONS	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
930 EMPLOYEE BENEFITS, CLEARING	0	0	95,000	83,961	37,936	57,064	39.93%	0.00%	0.00%	(34,424)	72,360	52,407
940 INSURANCE	72,042	67,739	77,371	69,141	40,563	36,808	52.43%	53.06%	51.21%	4,620	35,943	36,895
960 OTHER NONRECURRING ITEMS	13,350	13,650	17,000	16,210	0	17,000	0.00%	10.99%	7.49%	(1,500)	1,500	1,000
<b>TOTAL - OTHER FINANCING USES</b>	<b>85,392</b>	<b>81,389</b>	<b>189,371</b>	<b>169,313</b>	<b>78,499</b>	<b>110,872</b>	<b>41.45%</b>	<b>134.91%</b>	<b>105.75%</b>	<b>(31,304)</b>	<b>109,803</b>	<b>90,302</b>
<b>GENERAL FUND TOTAL</b>	<b>9,183,053</b>	<b>9,502,937</b>	<b>10,063,617</b>	<b>10,222,388</b>	<b>3,311,076</b>	<b>6,752,541</b>	<b>32.90%</b>	<b>31.35%</b>	<b>30.67%</b>	<b>331,622</b>	<b>2,979,454</b>	<b>2,816,596</b>

Leslie Burggraff - Head Volleyball Coach

Resigned from these duties only. (Approved at the 11.25.21 Regular Board Meeting)

Kara Kloss - Long-term substitute for Brittney Meehl

Libby Herold - Long-term substitute for Kara Kloss

New Hires 12.20.21

Dean Kloek - Bus Driver

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

Marjorie Kardell-Smith - Transportation Director

Kate Borgheiinck - Long-term substitute para for approximately 4-6 weeks

Kate Borgheiinck - Long-term substitute teacher for 12 weeks



**ROYALTON**  
PUBLIC SCHOOLS

# Royalton Public Schools, ISD 485

Public Hearing for  
Taxes Payable in 2022

DECEMBER 13, 2021

PRESENTED BY:

EHLERS

# Minnesota State Law Requires:

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## **A Public Meeting...**

- Between November 25th & December 28th
- At 6:00 PM or later
- May be part of regularly scheduled meeting
- Must allow for public comments
- May adopt final levy at same meeting

## **...and Presentation of:**

- Current year budget
- Proposed property tax levy

# Hearing Agenda

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- Background Information on School Funding
- District's Budget
- District's Proposed Tax Levy for Taxes Payable in 2022
- Public Comments

# MN Legislature Must Set Funding for Minnesota Public Schools

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Minnesota Constitution ARTICLE XIII

MISCELLANEOUS SUBJECTS

Section 1

**“UNIFORM SYSTEM OF PUBLIC SCHOOLS.** The stability of a republican form of government depending mainly upon the intelligence of the people, it is the duty of the legislature to establish a general and uniform system of public schools. The *legislature shall make such provisions by taxation or otherwise* as will secure a thorough and efficient system of public schools throughout the state.”

As a result...

# Funding is Highly Regulated

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State Sets:

- Formulas which determine revenue; most revenue based on specified amounts per pupil
- Tax policy for local schools
- Maximum authorized property tax levy (districts can levy less but not more than amount authorized by state, unless approved by voters in November)

State also authorizes school board to submit referendums for operating and capital needs to voters for approval

# Challenge: State Set Basic General Education Formula Lags Inflation

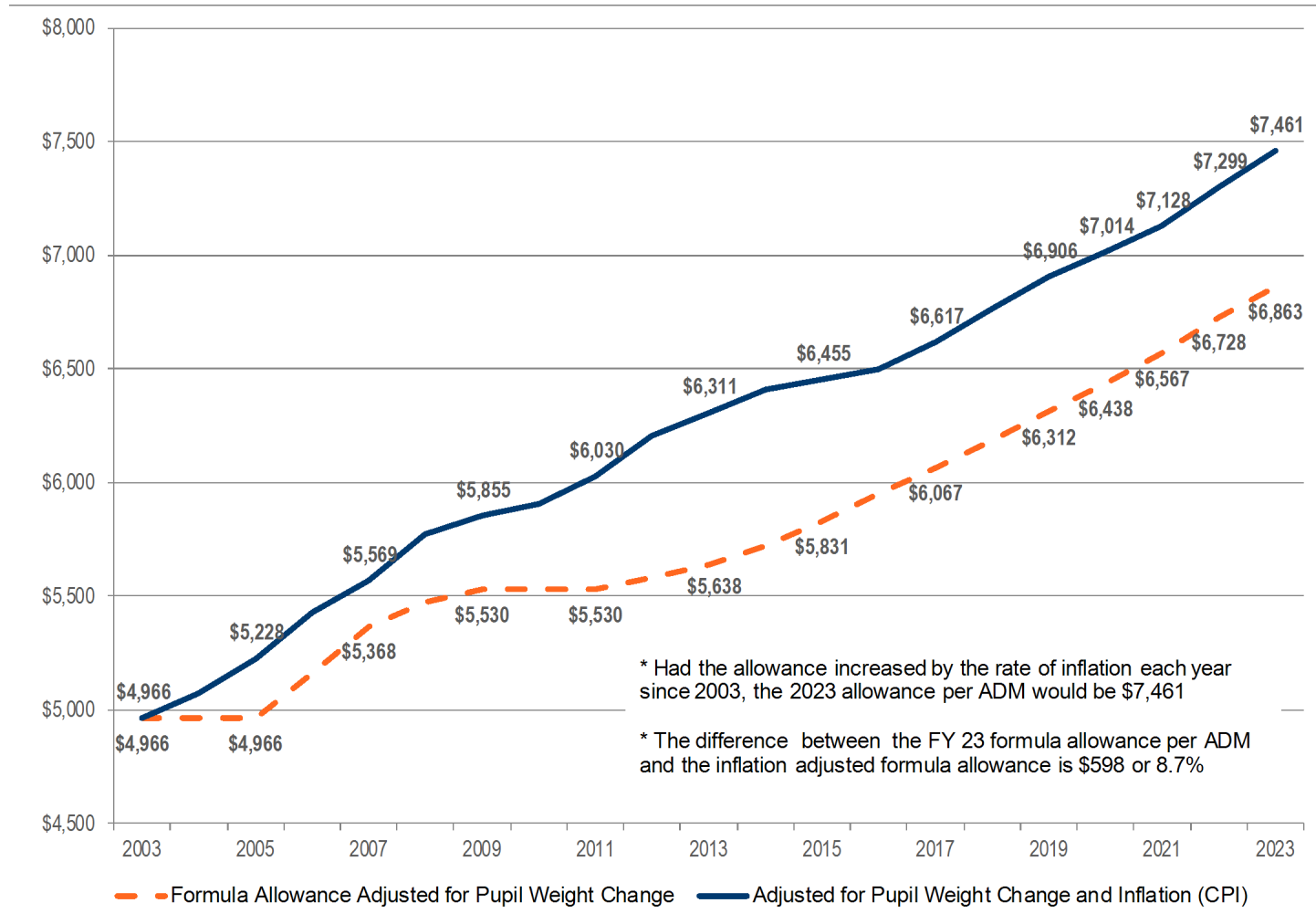
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- Since 2002-03, state General Education Revenue formula has not kept pace with inflation
- For Fiscal Year 2021-22, an increase of 2.45% or \$161 over previous year was approved
- For Fiscal Year 2022-23, an increase of 2.00% or \$135 over current year was approved

*Per-pupil allowance for Fiscal Year 2022-23 of \$6,863 would need to increase by another \$598 (8.7%) to have kept pace with inflation since 2002-03*

# General Education Formula Allowance, 2003-2023

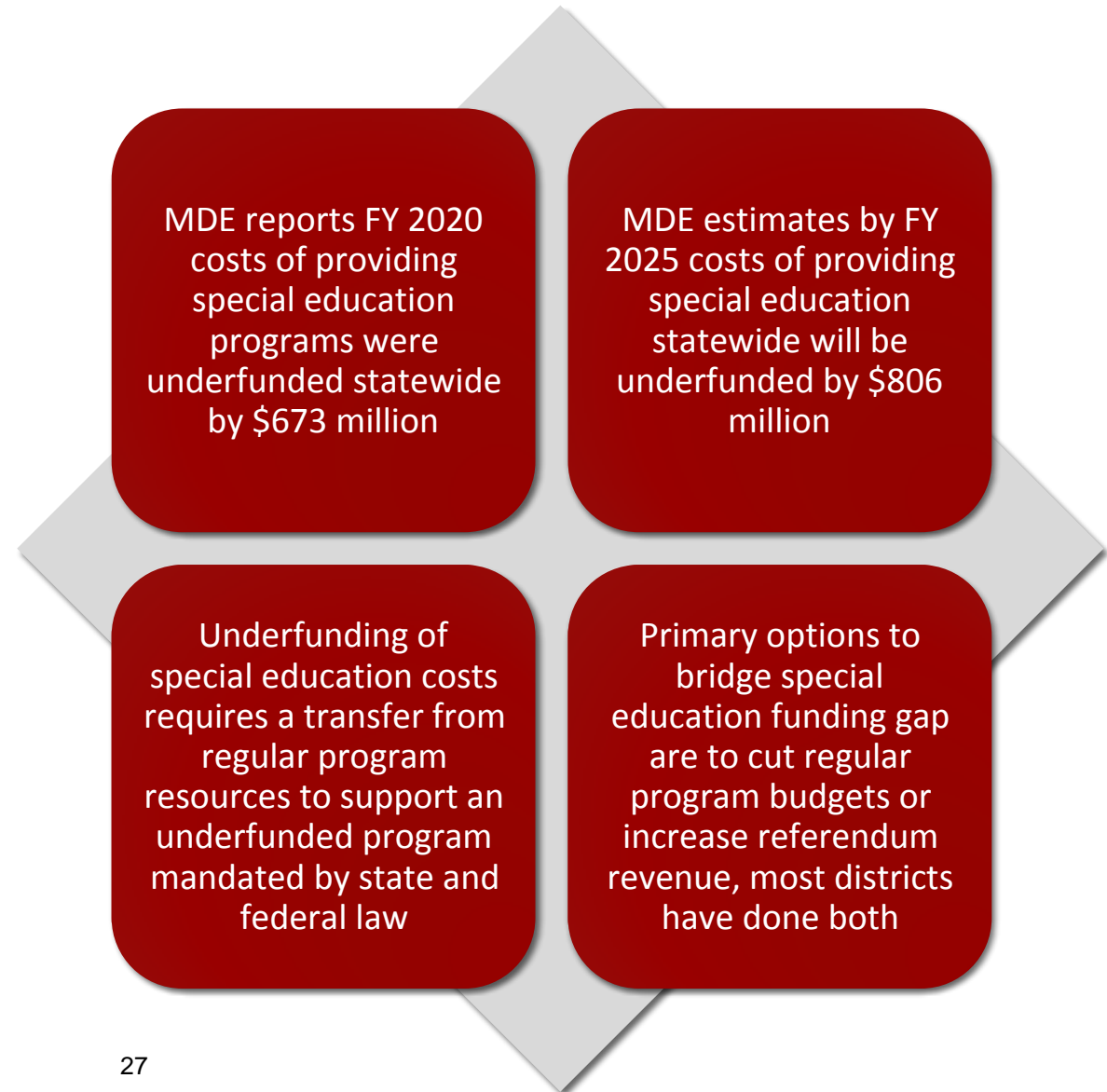
Adjusted for Pupil Weight Change and Inflation (CPI)



Source: MDE April 2021 Inflation Estimates

# Underfunding of Special Education

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# Change in Tax Levy does not Determine Change in Budget

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1

Tax levy is based on many state-determined formulas plus voter approved referendums

2

Some increases in tax levies are revenue neutral, offset by reductions in state aid

3

**Expenditure budget is limited** by state-set revenue formulas, voter-approved levies, and fund balance

4

An increase in school taxes does not always correlate to an equal increase in budget

# School District Levy Cycle Differs from City/County Levy Cycle

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## **City/County:**

- Budget Year same as calendar year
- 2022 taxes provide revenue for 2022 calendar year budget

## **Schools:**

- Budget year begins July 1st and coincides with school year
- 2022 taxes provide revenue for 2022-23 school fiscal year
- Budget will be adopted in June 2022

# Budget Information

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Because approval of school district budget lags certification of tax levy by six months, state requires only current year budget information be presented at this hearing. Fiscal Year 2022-23 budget will be adopted by School Board in June 2022.

**All school district budgets are divided into separate funds, based on purposes of revenue, as required by law**

## **Our District's Funds:**

- General
- Food Service
- Community Service
- Debt Service
- Trust

# Royalton Independent School District, ISD 485

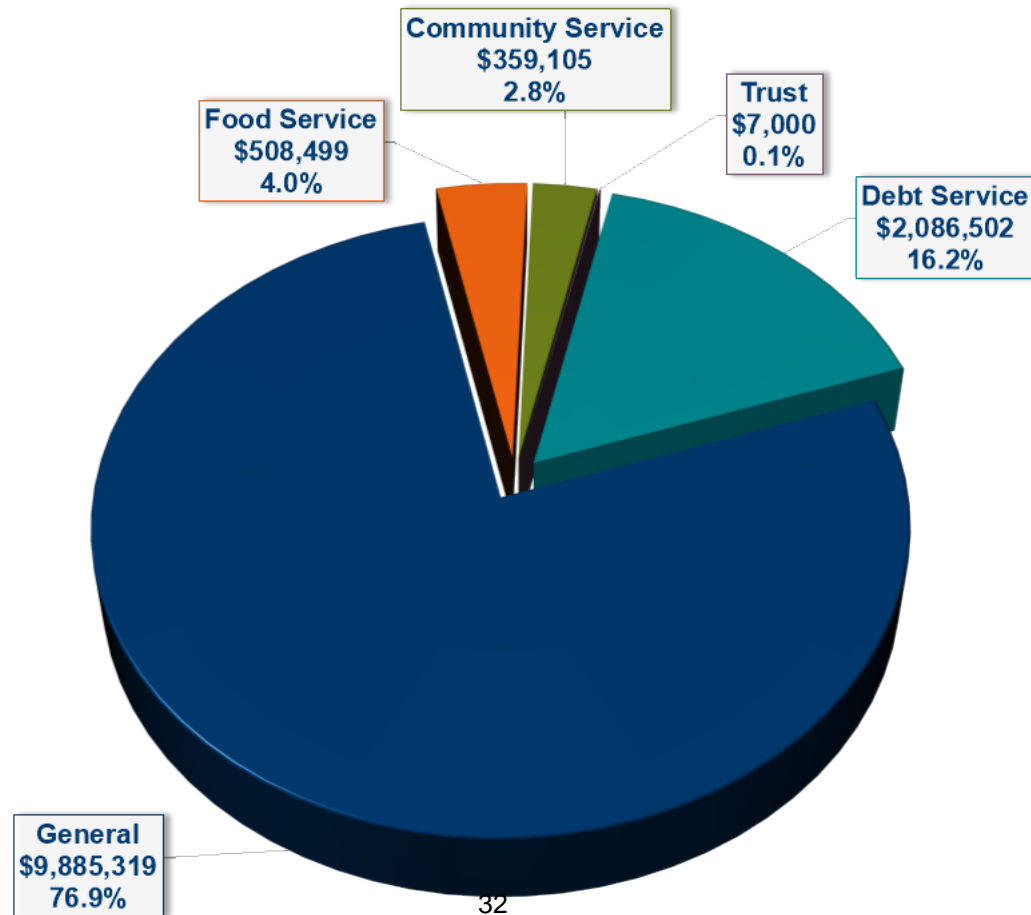
## District Revenues and Expenditures

Actual for FY 2021, Budget for FY 2022

FUND	FISCAL 2021 BEGINNING	2020-21 ACTUAL	2020-21 ACTUAL	JUNE 30, 2021 ACTUAL	2021-22 BUDGET	2021-22 BUDGET	JUNE 30, 2022 PROJECTED
	FUND BALANCES	REVENUES & TRANSFERS IN	EXPENDITURES & TRANSERS OUT	FUND BALANCES	REVENUES & TRANSERS IN	EXPENDITURES & TRANSFERS OUT	FUND BALANCES
<b>General/Restricted</b>	\$1,045,158	\$578,367	\$289,393	\$1,334,132	\$555,912	\$389,770	\$1,500,274
<b>General/Other</b>	2,215,597	9,339,475	9,153,938	2,401,134	9,329,407	9,656,847	2,073,694
<b>Food Service</b>	51,384	428,281	416,624	63,041	508,499	493,202	78,338
<b>Community Service</b>	225,551	273,184	229,675	269,060	359,105	303,053	325,112
<b>Debt Service</b>	445,686	2,023,346	2,023,983	445,049	2,086,502	2,023,983	507,568
<b>Trust</b>	215,990	49,175	59,605	205,560	7,000	17,000	195,560
<b>Total All Funds</b>	<b>\$4,199,366</b>	<b>\$12,691,828</b>	<b>\$12,173,218</b>	<b>\$4,717,976</b>	<b>\$12,846,425</b>	<b>\$12,883,855</b>	<b>\$4,680,546</b>

# Royalton Public Schools

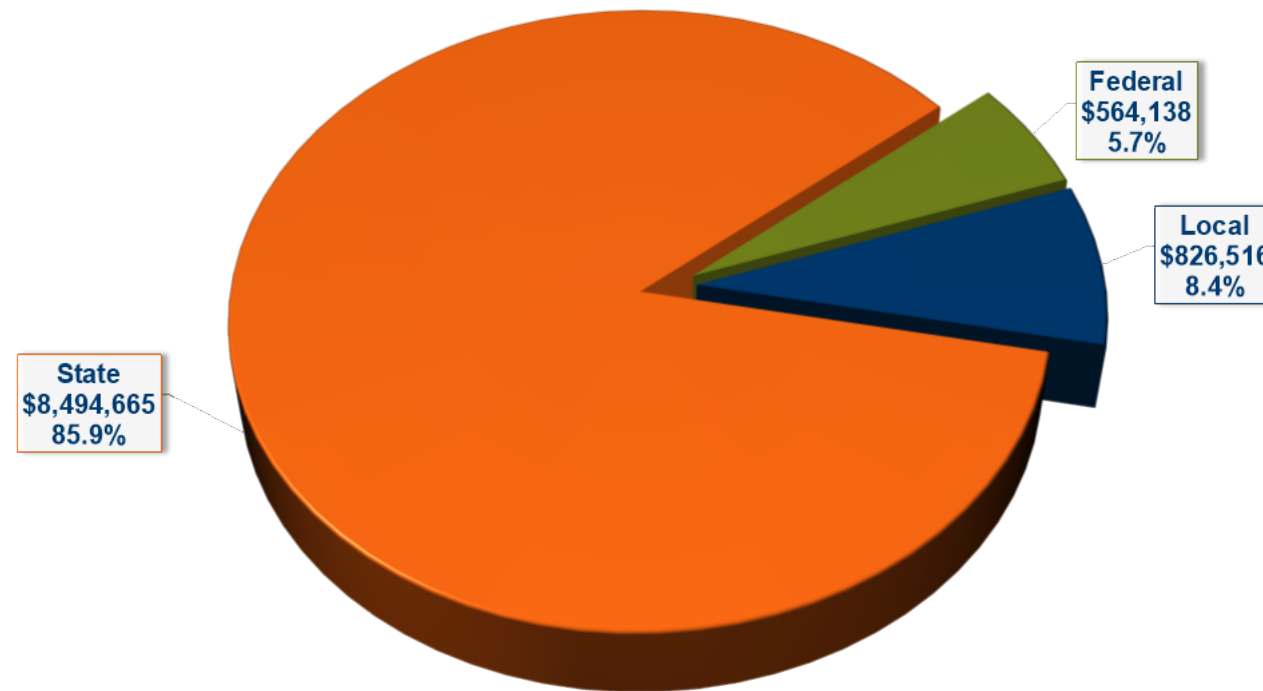
Revenue – All Funds  
2021-22 Budget \$12,846,425



# Royalton Public Schools

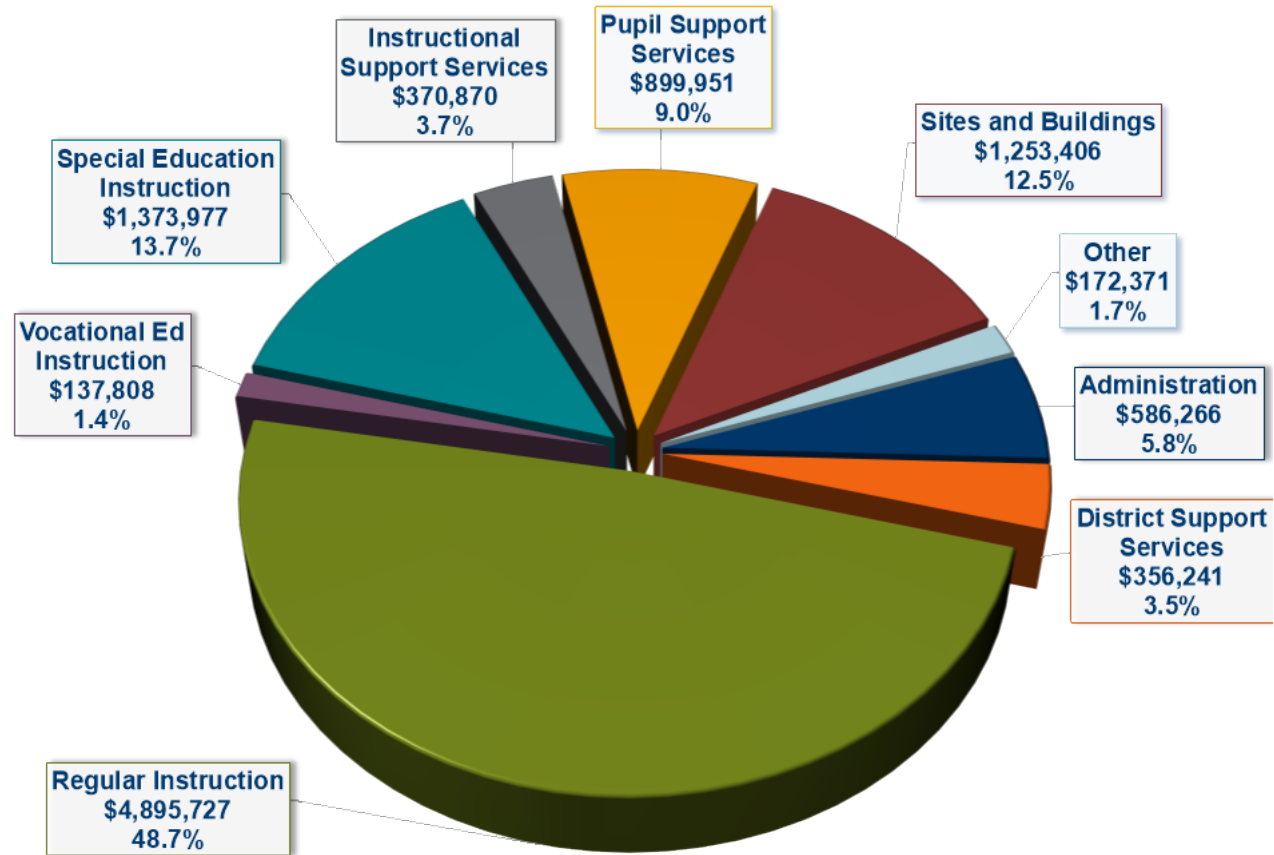
General Fund Revenue  
2021-22 Budget \$9,885,319

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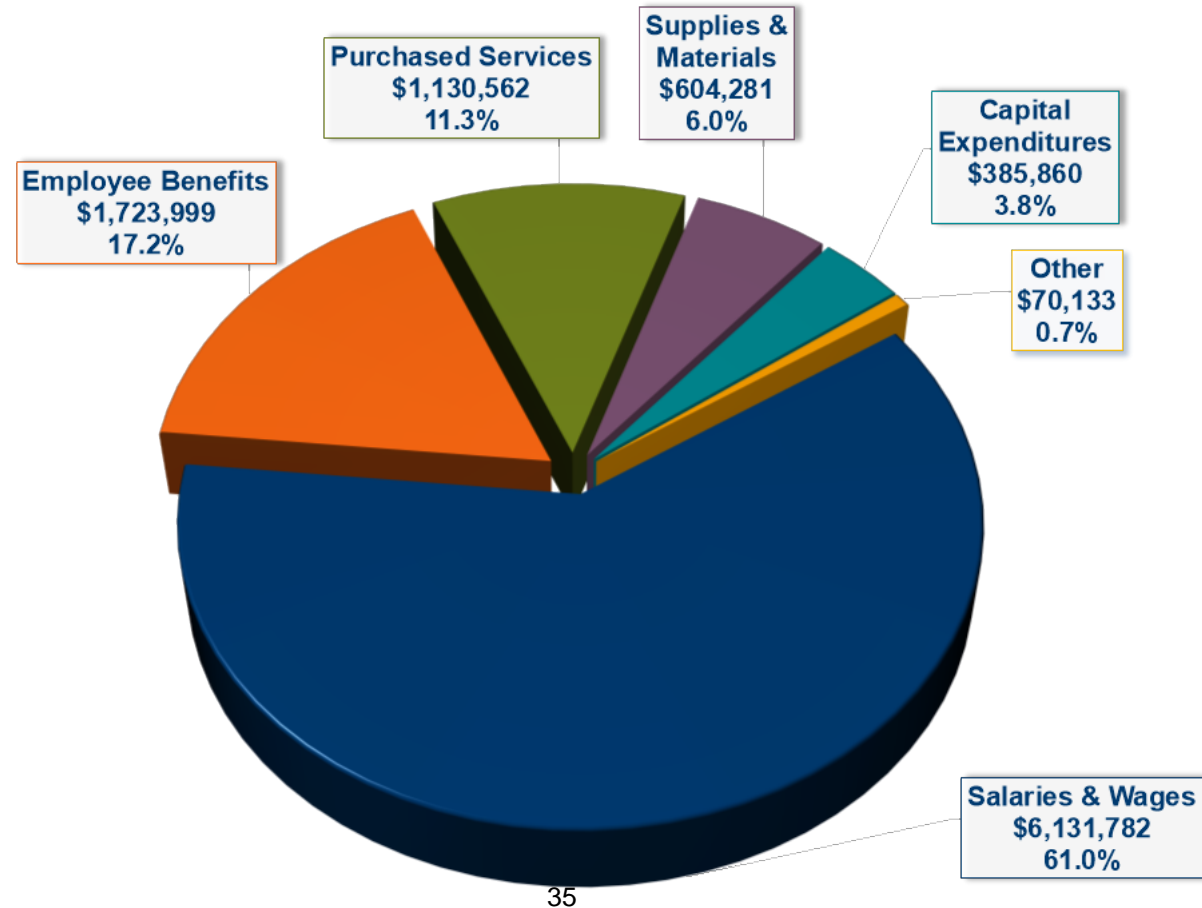
# Royalton Public Schools

## General Fund Expenditures by Program 2021-22 Budget \$10,046,617



# Royalton Public Schools

General Fund Expenditures by Object  
2021-22 Budget \$10,046,617



# Payable 2022 Property Tax Levy

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- Determination of levy
- Comparison of 2021 to 2022 levies
- Reasons for changes in tax levy
- Impact on taxpayers

# Property Tax Background

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- Every owner of taxable property pays property taxes to various “taxing jurisdictions” (county, city/township, school district, special districts) in which property is located
- Each taxing jurisdiction sets own tax levy, often based on limits in state law
- County sends bills, collects taxes from property owners, and distributes funds back to other taxing jurisdictions


# Sample of parcel specific notice mailed to every property owner between November 11 & November 24 with information on impact of Proposed 2022 levy

## Contents:

- Proposed property taxes compared to last year
- By taxing jurisdiction
- Contains time and place of public meetings
- By voter approved and other for school district

PROPOSED TAXES 2022

THIS IS NOT A BILL. DO NOT PAY.



**Spruce County**  
Jane Smith, Auditor-Treasurer  
345 12th Street East, Box 78  
Spruceville, MN 55555-5555  
(555) 345-6789  
www.co.spruce.mn.us

**TAXPAYER(S):**  
John and Mary Johnson  
123 Pine Road South  
Spruceville, MN 55555-5555

**Property Information**

**PDN Number:** 01.234.56.789.R1      **Property Address:** 789 Pine Rd S  
Spruceville, MN 55555

**Property Description:**  
Lot 1, Block 1, Spruce Acres Subdivision

The time to provide feedback on PROPOSED LEVIES is NOW  
 It is too late to appeal your value without going to Tax Court.

Step	VALUES AND CLASSIFICATION		
1	Taxes Payable Year	2021	2022
	Estimated Market Value	\$125,000	\$150,000
	Homestead Exclusion	\$	\$23,800
	Taxable Market Value	\$125,000	\$126,200
	Class:	Res NHmstd	Res Hmstd
2	PROPOSED TAX		
	Property Taxes before credits	\$1,479.52	
	School building bond credit	\$ 12.00	
	Agricultural market value credit		
	Other credits		
Property Taxes after credits		\$1,467.52	
3	PROPERTY TAX STATEMENT Coming in 2022		

Proposed Property Taxes and Meetings by Jurisdiction for Your Property

Contact Information	Meeting Information	Actual 2021	Proposed 2022
State General Tax	No public meeting	\$0	\$0
County of Spruce Spruce County Courthouse 123 Spruce St Spruceville, MN 55555 www.co.spruce.mn.us (555) 123-4567	December 3, 7:00 PM	\$438.06	\$484.18
City of Spruceville Mayor's Office 456 Spruce St Spruceville, MN 55555 www.ci.spruceville.mn.us (555) 123-7654	December 2, 6:30 PM Spruceville City Hall	\$273.79	\$312.06
Spruceville School District 999 150 1st St N Spruceville, MN 55555 www.spruceville.k12.mn.us (555) 123-6789	December 10, 7:00 PM Spruceville High School Cafeteria	\$289.35	\$296.68
	Other Levies	\$340.11	\$374.60
<b>Total excluding any special assessments</b>		<b>\$1,341.31</b>	<b>\$1,467.52 9.4%</b>

Your school district was scheduled to hold a referendum at the November general election. If the referendum was approved by the voters, the school district's voter approved property tax for 2022 may be higher than the proposed amount shown on this notice.

# School District Property Taxes

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- Each school district may levy taxes in over 40 different categories
- Maximum levy amounts for each category are set by:
  - State law
  - Voter approval

*Minnesota Department of Education (MDE) calculates levy maximums for each district*

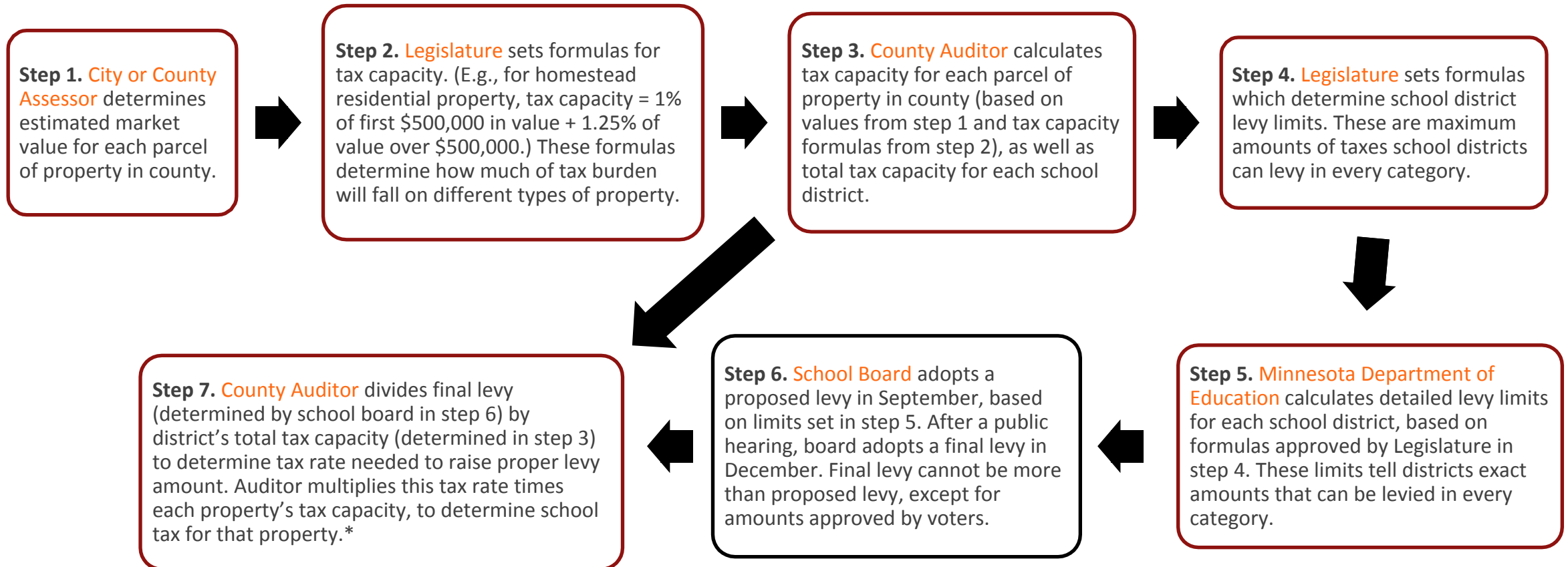
# Property Tax Background

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## School District Property Taxes

- Key steps in process are summarized on next slide
- Any of these steps may affect taxes on a parcel of property, but district has control over only 1 of 7 steps

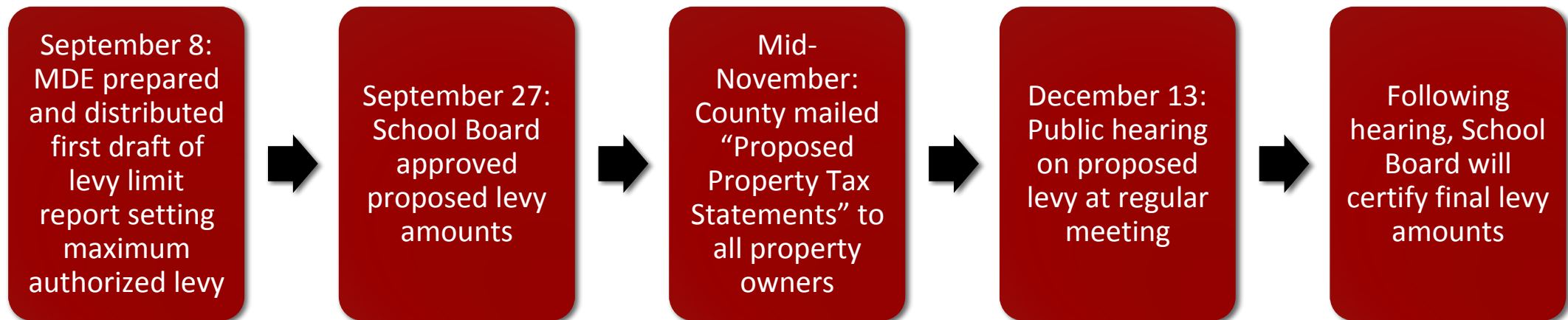
# School District Property Tax Process



**Step 7\*.** For certain levy categories (referendum, equity & transition levies), tax rates & levy amounts are based on referendum market value, rather than tax capacity.

# Schedule of Events in Approval of District's 2021 (Payable 2022) Tax Levy

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# Overview of Proposed Levy Payable in 2022

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- Proposed property tax levy for 2022 is an increase from 2021 of \$119,650 or 5.5%
- Reasons for major increases and decreases in levy are included on following slides

# Royalton Public School District, ISD 485

Comparison of Actual Tax Levy Payable in 2021 to Proposed Levy Payable in 2022

Fund Levy Category	Actual Levy Payable in 2021	Proposed Levy Payable in 2022	\$ Change	% Change
<b>General</b>				
Local Optional Revenue (LOR)	430,267	430,720	454	
Equity	119,772	117,318	(2,454)	
Operating Capital	42,160	48,443	6,284	
Safe Schools	36,742	36,706	(36)	
Long Term Facilities Maintenance	54,624	58,199	3,575	
Other	28,483	35,227	6,745	
Prior Year Adjustments	(58,444)	(41,006)	17,438	
<b>Total, General Fund</b>	<b>\$653,603</b>	<b>\$685,608</b>	<b>\$32,005</b>	<b>4.9%</b>
<b>Community Service</b>				
Basic Community Education	\$31,277	\$33,022	\$1,745	
Early Childhood Family Education	12,054	12,629	575	
Other	167	274	107	
Prior Year Adjustments	(334)	118	451	
<b>Total, Community Service Fund</b>	<b>\$43,165</b>	<b>\$46,043</b>	<b>\$2,878</b>	<b>6.7%</b>
<b>Debt Service</b>				
Voter Approved	\$1,537,013	\$1,615,230	\$78,217	
Long-Term Facility Maintenance	61,844	62,677	834	
Reduction for Debt Excess	(116,900)	(112,759)	4,141	
Prior Year Adjustments	(163)	1,412	1,575	
<b>Total, Debt Service Fund</b>	<b>\$1,481,794</b>	<b>\$1,566,561</b>	<b>\$84,767</b>	<b>5.7%</b>
<b>Total Levy, All Funds</b>	<b>\$2,178,561</b>	<b>\$2,298,211</b>	<b>\$119,650</b>	<b>5.5%</b>
<b>Subtotal by Truth in Taxation Categories:</b>				
Voter Approved	1,429,172	1,512,836	83,665	
Other	749,389	785,375	35,986	
<b>Total</b>	<b>\$2,178,561</b>	<b>\$2,298,211</b>	<b>\$119,650</b>	<b>5.5%</b>

# Explanation of Levy Changes

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**Categories:** Prior Year Adjustments (General Fund)

**Changes:** Net change +\$17,438

**Use of Funds:** General Operating Expenses

**Reason for Changes:**

- Each year, initial levies are based on estimates of enrollment, values, and expenditures for future years
- In later years, estimates are updated, and levies are retroactively adjusted
- Negative adjustments in several categories for taxes payable in 2022 were less than the negative adjustments for taxes payable in 2021

# Explanation of Levy Changes

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**Categories:** Voter Approved Debt – Debt Service Fund

**Changes:** +\$78,217

**Use of Funds:** Annual required payments of principal & interest on voter approved bonds

**Reason for Changes:**

- Increase in levy for principal and interest payments

# Factors Impacting Individual Taxpayers' School Taxes

Many factors can cause tax bill for an individual property to increase or decrease from year to year

- Changes in value of individual property
- Changes in total value of all property in District
- Increases or decreases in levy amounts caused by changes in state funding formulas, local needs and costs, voter-approved referendums, and other factors

# Four Year School Levy Comparison

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- Following slides show examples of changes in school district portion of property taxes from 2019 to 2022
- Examples include school district taxes only
- All examples are based on a 13.6% increase in property value over this four-year period
  - Actual changes in value may be more or less than this for any parcel of property
  - Intended to provide a fair representation of what happened to school district property taxes over this period for typical properties

# Impact on Taxpayers

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- Amounts for 2022 are preliminary estimates, based on best available data – final amounts could change slightly
- Estimates prepared by Ehlers, District's municipal financial advisors

## Royalton Public School District, ISD 485

Estimated Changes in School Property Taxes, 2019 to 2022

Based on 13.6% Cumulative Changes in Property Value from 2019 to 2022 Taxes

Type of Property	Estimated Market Value for 2019 Taxes	Actual Taxes Payable in 2019	Estimated Market Value for 2020 Taxes	Actual Taxes Payable in 2020	Estimated Market Value for 2021 Taxes	Actual Taxes Payable in 2021	Estimated Market Value for 2022 Taxes	Estimated Taxes Payable in 2022	Change in Taxes 2019 to 2022	Change in Taxes 2021 to 2022
Residential Homestead	\$88,053	\$368	\$92,456	\$410	\$96,154	\$404	\$100,000	\$409	\$41	\$5
	132,079	622	138,683	684	144,231	674	150,000	683	61	9
	154,093	749	161,797	821	168,269	809	175,000	820	71	11
	176,106	876	184,911	959	192,308	945	200,000	957	81	12
	220,132	1,130	231,139	1,233	240,385	1,215	250,000	1,231	101	16
	264,159	1,384	277,367	1,508	288,462	1,486	300,000	1,506	122	20
	308,185	1,638	323,595	1,782	336,538	1,756	350,000	1,780	142	24
	352,212	1,892	369,822	2,057	384,615	2,027	400,000	2,054	162	27
Commercial/ Industrial	396,238	2,146	416,050	2,331	432,692	2,291	450,000	2,316	170	25
	440,265	2,391	462,278	2,590	480,769	2,546	500,000	2,574	183	28
	\$220,132	\$1,742	\$231,139	\$1,880	\$240,385	\$1,884	\$250,000	\$1,945	\$203	\$61
	242,146	1,944	254,253	2,096	264,423	2,100	275,000	2,168	224	68
	264,159	2,147	277,367	2,312	288,462	2,316	300,000	2,391	244	75
Agricultural Homestead (average value per acre of land and buildings)	440,265	3,766	462,278	4,041	480,769	4,045	500,000	4,173	407	128
	880,530	7,814	924,556	8,362	961,538	8,366	1,000,000	8,628	814	262
	\$2,642	\$3.13	\$2,774	\$2.89	\$2,885	\$2.73	\$3,000	\$2.74	-\$0.39	\$0.01
	3,082	\$3.65	3,236	\$3.36	3,365	\$3.19	3,500	3.20	-0.45	0.01
	3,522	\$4.17	3,698	\$3.85	3,846	\$3.64	4,000	3.67	-0.50	0.03
Agricultural Non-homestead (average value per acre of land and buildings)	4,403	\$5.22	4,623	\$4.81	4,808	\$4.55	5,000	4.58	-0.64	0.03
	\$2,642	\$6.25	\$2,774	\$5.77	\$2,885	\$5.46	\$3,000	\$5.49	-\$0.76	\$0.03
	3,082	\$7.30	3,236	\$6.73	3,365	\$6.37	3,500	6.41	-0.89	0.04
	3,522	\$8.34	3,698	\$7.70	3,846	\$7.28	4,000	7.32	-1.02	0.04
	4,403	\$10.42	4,623	\$9.61	4,808	\$9.10	5,000	9.15	-1.27	0.05

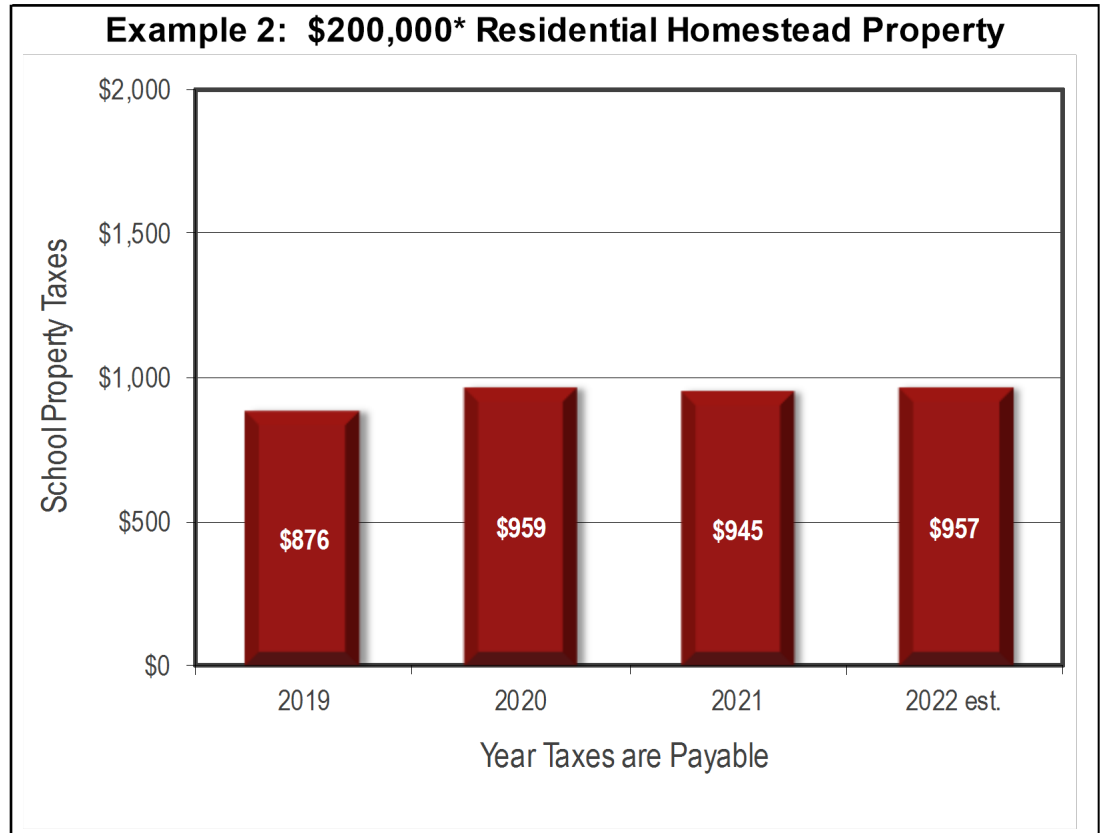
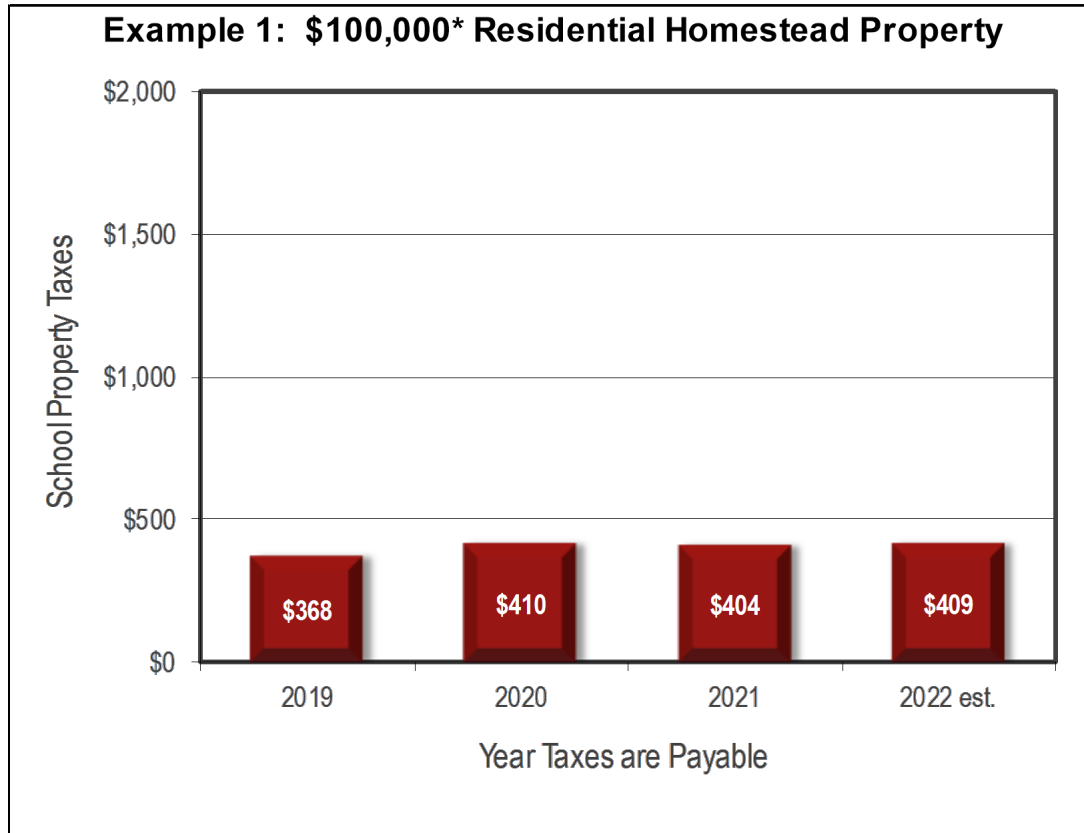
### General Notes

1. Amounts are based on school district taxes only, and do not include taxes for city or township, county, state, or other taxing jurisdictions.
2. Estimates of taxes payable in 2022 are preliminary, based on the best data available.
3. For all examples of properties, taxes are based on changes in estimated market value of 5.0% from 2019 to 2020 taxes, 4.0% from 2020 to 2021, and 4.0% from 2021 to 2022.
4. For agricultural property, estimates of taxes payable beginning in 2019 include impact of School Building Bond Agricultural Credit. Average value per acre is total estimated market value of all land and buildings, divided by total acres. Homestead examples do not include value of house, garage, and one acre, for which tax impact will be same as on a residential homestead property. This calculation does not include impact of Agricultural Homestead Credit, which reduces taxes on each parcel of agricultural homestead property by varying amounts.

# Royalton Public School District, ISD 485

Estimated Changes in School Property Taxes, 2019 to 2022

Based on 13.6% Cumulative Changes in Property Value from 2019 to 2022 Taxes

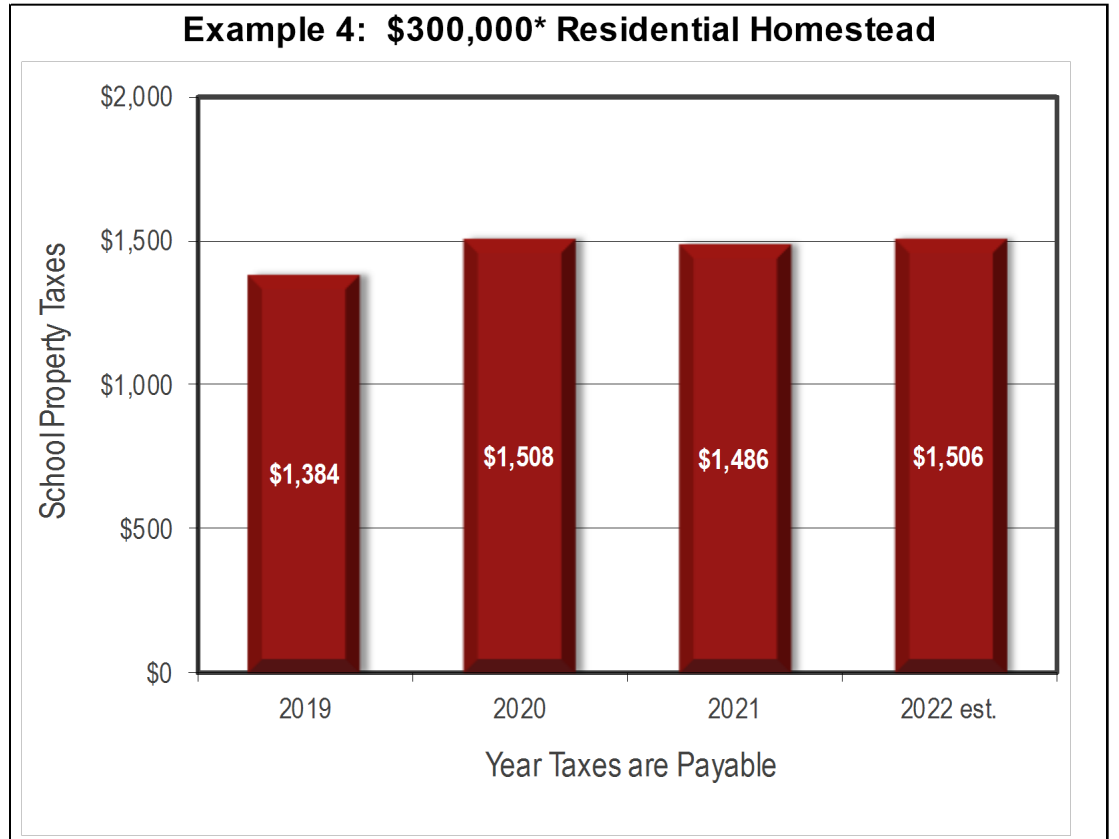
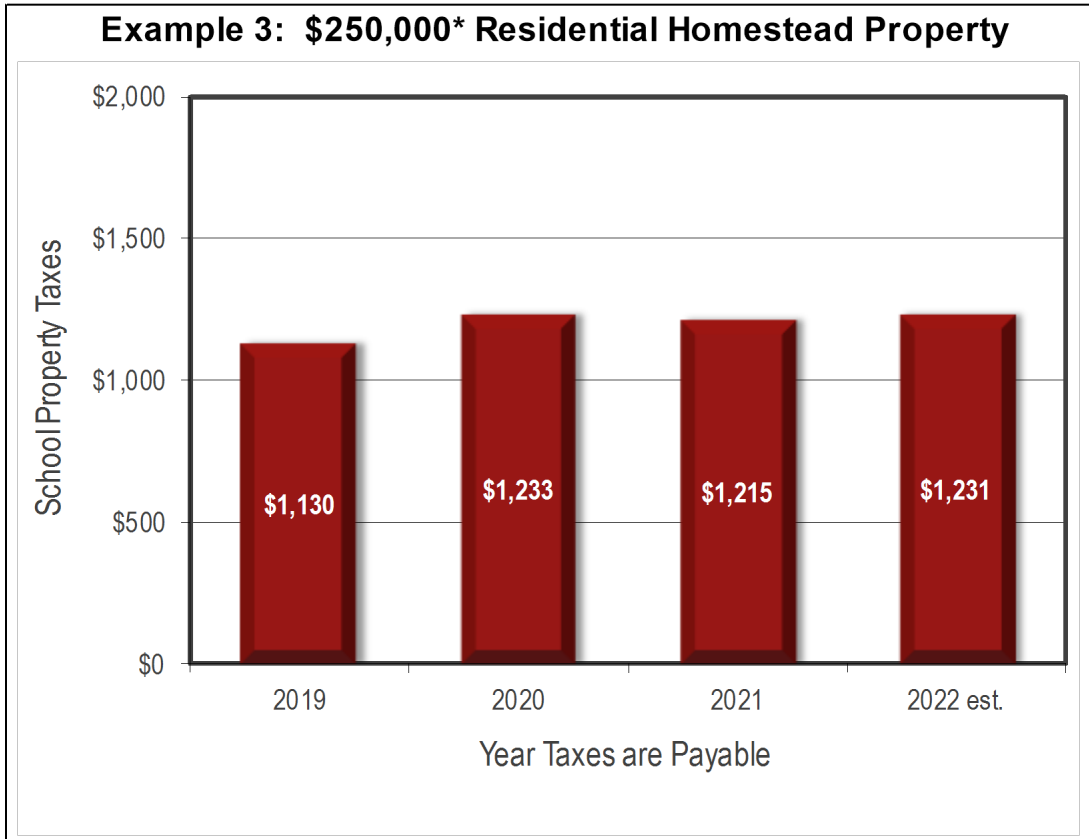


\* Estimated market value for taxes payable in 2022. Taxes are calculated based on changes in market value of 5.0% from 2019 to 2020 taxes, 4.0% from 2020 to 2021, and 4.0% from 2021 to 2022.

# Royalton Public School District, ISD 485

Estimated Changes in School Property Taxes, 2019 to 2022

Based on 13.6% Cumulative Changes in Property Value from 2019 to 2022 Taxes



\* Estimated market value for taxes payable in 2022. Taxes are calculated based on changes in market value of 5.0% from 2019 to 2020 taxes, 4.0% from 2020 to 2021, and 4.0% from 2021 to 2022.

# Minnesota Homestead Credit Refund “Circuit Breaker”

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- Has existed since 1970s
- Available each year to owners of homestead property  
(applies to taxes paid on house, garage and one acre for ag homestead property)
- Annual income must be approximately \$116,180 or less  
(income limit is higher if you have dependents)
- Sliding scale - refund based on income and total property taxes
- Maximum refund for homeowners is \$2,840
- Also available to renters
- Complete state tax form M-1PR ([www.revenue.state.mn.us](http://www.revenue.state.mn.us))

# Minnesota Special Property Tax Refund

Available each year to owners of homestead properties with a gross tax increase of at least 12% and \$100 over prior year

Helpful in first year after referendum

Refund is 60% of amount by which tax increase exceeds greater of 12% or \$100, up to a maximum of \$1,000

No income limits

Complete state tax form M-1PR  
([www.revenue.state.mn.us](http://www.revenue.state.mn.us))

# Senior Citizen Property Tax Deferral

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- Allows people age 65 and older with household income of \$60,000 or less to defer a portion of property taxes on home
- Must have lived in, owned, and homesteaded for last 15 years
- Limits maximum amount of property tax paid to 3% of household income
- Additional taxes are deferred, not forgiven
- Provides predictability; amount of tax paid will not change while participating in program
- Deferred property taxes plus accrued interest must be paid when home is sold or homeowner(s) dies

# Next Steps

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1

Board will accept public comments on proposed levy

2

Board will certify 2022 property tax levy



**ROYALTON**  
PUBLIC SCHOOLS

PUBLIC COMMENTS

Minnesota Department of Education  
Levy Limitation and Certification Report  
2021 Payable 2022

District Number-Type: 0485-01  
District Name: Royalton Public School District  
Home County: MORRISON

Date Printed: 12/15/21  
Limits Updated: 11/30/21  
Certified Submitted: 12/15/21

	LIMIT	PROPOSED	CERTIFIED
<b>SUBTOTALS BY LEVY CATEGORY</b>			
GENERAL - RMV VOTER - JOBZ EXEMPT	0.00	0.00	0.00
GENERAL - RMV OTHER - JOBZ EXEMPT	467,721.60	467,721.60	467,721.60
GENERAL - NTC VOTER - JOBZ EXEMPT	0.00	0.00	0.00
GENERAL - NTC OTHER GENED - EXEMPT	0.00	0.00	0.00
GENERAL - NTC OTHER - JOBZ EXEMPT	217,886.24	217,886.24	217,886.24
COMMUNITY SERVICE - NTC OTHER - JOBZ EXEMPT	46,042.80	46,042.80	46,042.80
GENERAL DEBT - NTC VOTER - JOBZ NONEXEMPT	1,512,836.26	1,512,836.26	1,512,836.26
GENERAL DEBT - NTC OTHER - JOBZ NONEXEMPT	53,724.46	53,724.46	53,724.46
OPEB DEBT - NTC VOTER - JOBZ NONEXEMPT	0.00	0.00	0.00
OPEB DEBT - NTC OTHER - JOBZ NONEXEMPT	0.00	0.00	0.00
<b>SUBTOTALS BY FUND</b>			
GENERAL FUND	685,607.84	685,607.84	685,607.84
COMMUNITY SERVICES FUND	46,042.80	46,042.80	46,042.80
GENERAL DEBT SERVICE FUND	1,566,560.72	1,566,560.72	1,566,560.72
OPEB/PENSION DEBT SERVICE FUND	0.00	0.00	0.00
<b>SUBTOTALS BY TAX BASE</b>			
REFERENDUM MARKET VALUE	467,721.60	467,721.60	467,721.60
NET TAX CAPACITY	1,830,489.76	1,830,489.76	1,830,489.76
<b>SUBTOTALS BY TRUTH IN TAXATION CATEGORY</b>			
VOTER APPROVED	1,512,836.26	1,512,836.26	1,512,836.26
OTHER	785,375.10	785,375.10	785,375.10
<b>TOTAL LEVY</b>			
TOTAL LEVY	2,298,211.36	2,298,211.36	2,298,211.36

The school district must submit the completed original of this form to the home county auditor by December 28, 2021. A duplicate form must be submitted to Minnesota

Department of Education, School Finance Division, 1500 Highway 36 West, Roseville, MN 55113, by January 7, 2022.

The certified levy listed above is the levy voted by the school board for taxes payable in 2022.

Signature of School Board Clerk

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Date of Certification

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**EXTRACT OF MINUTES OF MEETING  
OF SCHOOL BOARD OF  
INDEPENDENT SCHOOL DISTRICT NO. 485  
(ROYALTON PUBLIC SCHOOLS)  
STATE OF MINNESOTA**

Pursuant to due call and notice thereof, a regular meeting of the School Board of Independent School District No. 485, State of Minnesota, was duly held in said school district on December 20, 2021, at 6:00 p.m.

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

**RESOLUTION ESTABLISHING FINAL PROPERTY TAX LEVY 2021 PAYABLE 2022**

WHEREAS, pursuant to Minnesota statutes, the School Board of Independent School District No. 485, (Royalton Public Schools), State of Minnesota, is authorized to make the following proposed tax levies for 2021 Payable 2022 general purposes:

Maintenance (General Fund)	\$685,607.84
Community Service	\$46,042.80
Debt Service	<u>\$1,566,560.72</u>
Total Proposed Tax Levy	\$2,298,211.36

NOW THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 485 (Royalton Public Schools), State of Minnesota, that the proposed tax levy to be levied in 2021 and collected in 2022 is set at \$2,298,211.36. The clerk of the Royalton Public Schools School Board is authorized to certify the proposed levy to the County Auditor of Morrison County, Minnesota, and to the Minnesota Department of Education.

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

Member \_\_\_\_\_ and upon vote being taken thereon, the following voted in favor thereof: \_\_\_\_\_

and the following voted against the same: \_\_\_\_\_

whereupon said resolution was declared duly passed and adopted.

Dated: December 20, 2021

BY ORDER OF THE SCHOOL BOARD

/s/ \_\_\_\_\_

School District Clerk

Independent School District No. 485

(Royalton Public Schools)

State of Minnesota

STATE OF MINNESOTA

COUNTY OF MORRISON

I, the undersigned, being duly qualified and acting Clerk of Independent School District No. 485 (Royalton Public Schools), State of Minnesota, hereby certify that the attached and foregoing is a full, true and correct transcript of the minutes of a meeting of the school board of said school district duly called and held on the date therein indicated, so far as such minutes relate to establishing final property tax levy 2021 payable 2022, and that the resolution included therein is a full, true and correct copy of the original thereof.

WITNESS MY HAND officially as Clerk of said School District this 20th day of December 2021.

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School District Clerk



**ESSER, Cares &  
Additional Federal  
Funding  
December 20, 2021**

# Break down of ESSER, CARES & Federal Funding

WHO?	How much?	WHEN?	WHERE?
Governor's Discretionary American Rescue Plan (ARP) <b>FIN 150</b>	<b>\$25,732.61</b>	Can be spent between <b>7/01/2021 and 9/30/2024</b>	Summer Academic and Mental Health Support
ESSER II <b>FIN 155</b>	<b>\$283,165.44</b>	Can be spent between <b>5/1/2021 and 6/30/2023</b>	These funds can be used very flexibly for most COVID-19-related needs, including for purposes as broad as maintaining operations and staffing in the face of declining revenue from other sources.
ESSER III <b>FIN 160</b>	<b>\$508,759.48</b>	Can be spent between <b>10/1/2021 and 9/30/2024</b>	Available to local educational agencies (LEAs) that were eligible for Title I, Part A in 2020-21 and can be used very flexibly for most COVID-19-related needs, including for purposes as broad as maintaining operations and staffing in the face of declining revenue from other sources.

ESSER III <b>FIN 161</b>	<b>\$127,19.87</b>	Can be spent between <b>10/1/2021 and 9/30/2024</b>	Available to LEAs that were eligible for Title I, Part A in 2020-21 and can only be used for activities that address the impact of lost learning time. These include programs in summer, afterschool, extended school day, extended school year.
Governor's Discretionary American Rescue Plan (ARP) <b>FIN 169</b>	<b>\$10,000</b>	Can be spent between <b>12/01/2021 and 9/30/2024</b>	Has to be used for Learning Recovery, Lost Instructional Time.
Minnesota COVID-19 Testing Program <b>FIN 170</b>	<b>\$40,000</b>	Can be spent between <b>09/01/2021 and 9/30/2022</b>	Used for COVID-19 Testing, including supplies and staff time.
Governor's Discretionary American Rescue Plan (ARP) <b>FIN 171</b>	<b>\$28,315</b>	Can be spent between <b>01/10/2022 and 9/30/2023</b>	Funds can be spent on early learning services, educational and evidence-based services to address learning loss and academic needs of students, services to address the social, emotional and mental health needs of students, and professional development and staff training necessary to implement one or more of the strategies listed above.

# Progress on Spending with Additional Recommendations

Which Fund?	What's been done?	What needs to be done?	Recommendation to the Board
Governor's Discretionary American Rescue Plan (ARP) <b>FIN 150</b>	The school has accepted the <b>\$25,732.61</b> funding, but this has not been budgeted	Need to budget the funds. Funds can be used for Summer Academic and Mental Health Support	Use this for Summer School July 2021, and remaining Funds will be used for Summer School July 2022
ESSER II <b>FIN 155</b>	The school has accepted <b>\$283,165.44</b> in funding and has used thus far (through 9/30/2021) \$177,041.26.	Need to revise the budget to match the needs of the school. Purchased a Bus, Technology, etc, but still have remaining funds.	Revise the budget. Money was allocated here for Summer School. These funds should be moved to FIN 150, which will free up additional funding for Tech items, a bus? More on this later...
ESSER III <b>FIN 160</b>	The school has accepted <b>\$508,759.48</b> in funds to be allocated for HVAC	Currently budgeted for Contingency, HVAC, Technology (Smart Boards, Staff Computers), Software	HVAC along with use of PMA Funds. Buy the bus which was taken out at the recommendation of administration at the 11/22/2021 Board Meeting. Purchase technology and budget the contingency.

# Progress Cont...

Which Fund?	What's been done?	What needs to be done?	Recommendation to the Board
<p>ESSER III <b>FIN 161</b></p>	<p>The school has accepted <b>\$127,189.87</b>. The Board has approved a Reading Interventionist and the Behavior Interventionist, ZAP Program &amp; the 4 Course Summer Academy at the Secondary and the Contingency of \$25,000</p>	<p>Because other CARES, ESSER and Federal dollars weren't available at the time, the recommendation to the Board was to have the Reading Interventionist come out of FIN 161. We recommend the Reading Interventionist moves out of FIN 161 to more appropriate funding sources.</p>	<p>We recommend to move the Reading Interventionist to 160, 169, and 171 and increase the contingency in FIN 161 to allow for administration to meet with teachers to discuss after school and summer programs centered around learning loss.</p>
<p>ARP Learning Recovery <b>FIN 169</b></p>	<p>The school has accepted the <b>\$10,000</b>, but it has not been budgeted.</p>	<p>Funds will be budgeted</p>	<p>We recommend using these funds to offset the cost of the Reading Interventionist.</p>
<p>COVID Testing <b>FIN 170</b></p>	<p>The school has accepted and budgeted the <b>\$40,000</b>.</p>	<p>Nothing</p>	<p>Proceed as budgeted</p>
<p>ARP <b>FIN 171</b></p>	<p>The school has accepted <b>\$28,315.00</b></p>	<p>Funds will be budgeted</p>	<p>We recommend using these funds to offset the cost of the Reading Interventionist.</p>

# FY22 November Budget Update



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## **A LOOK** *at the* **BUDGET**

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# ENROLLMENT

- Original Adopted Budget: 920
- Using end of FY21 Data

# REVENUES

ROYALTON | November 30, 2021

REVENUE CATEGORIES	June 30, 2020	June 30, 2021	Adopted Budget	Projected End Of Year	Received YTD	Budget Remaining	November			Current YTD vs. PYTD	November 30, 2020	November 30, 2019
							30, 2021	30, 2020	30, 2019			
						% of Budget Received	% of Actuals Received	% of Actuals Received				
STATE	8,931,669	8,485,614	8,494,665	8,470,588	2,397,107	6,097,558	28.22%	28.11%	28.04%	11,514	2,385,592	2,504,302
FEDERAL	139,409	562,863	564,138	476,332	49,445	514,693	8.76%	43.47%	-0.57%	(195,241)	244,686	(794)
PROPERTY TAXES	572,195	707,849	676,668	581,675	1,643	675,025	0.24%	0.55%	0.23%	(2,267)	3,911	1,325
LOCAL SALES, INS RECOVERY & JUDGEMENTS	75,449	16,885	0	22,084	22,084	(22,084)	0.00%	49.23%	62.98%	13,771	8,313	47,518
SALE OF BONDS & LOANS	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
INCOMING TRANSFERS FROM OTH FUNDS	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
LOCAL (FEES, INTEREST, ETC.)	308,411	193,806	156,848	293,256	209,587	(52,739)	133.62%	36.07%	51.96%	139,672	69,916	160,258
<b>TOTALS</b>	<b>10,027,132</b>	<b>9,967,018</b>	<b>9,892,319</b>	<b>9,843,934</b>	<b>2,679,866</b>	<b>7,212,453</b>	<b>27.09%</b>	<b>27.21%</b>	<b>27.05%</b>	<b>(32,551)</b>	<b>2,712,417</b>	<b>2,712,610</b>

# REVENUES CONTINUED

- CURRENTLY \$32,551 BEHIND FY21 PACE
- \$195,241 BEHIND IN FEDERAL REVENUE DRAWS
- HARDLY ANY FEDERAL DRAWS HAVE BEEN DONE UP UNTIL RECENTLY AND WILL BE REFLECTED ON THE DECEMBER BOARD REPORTS

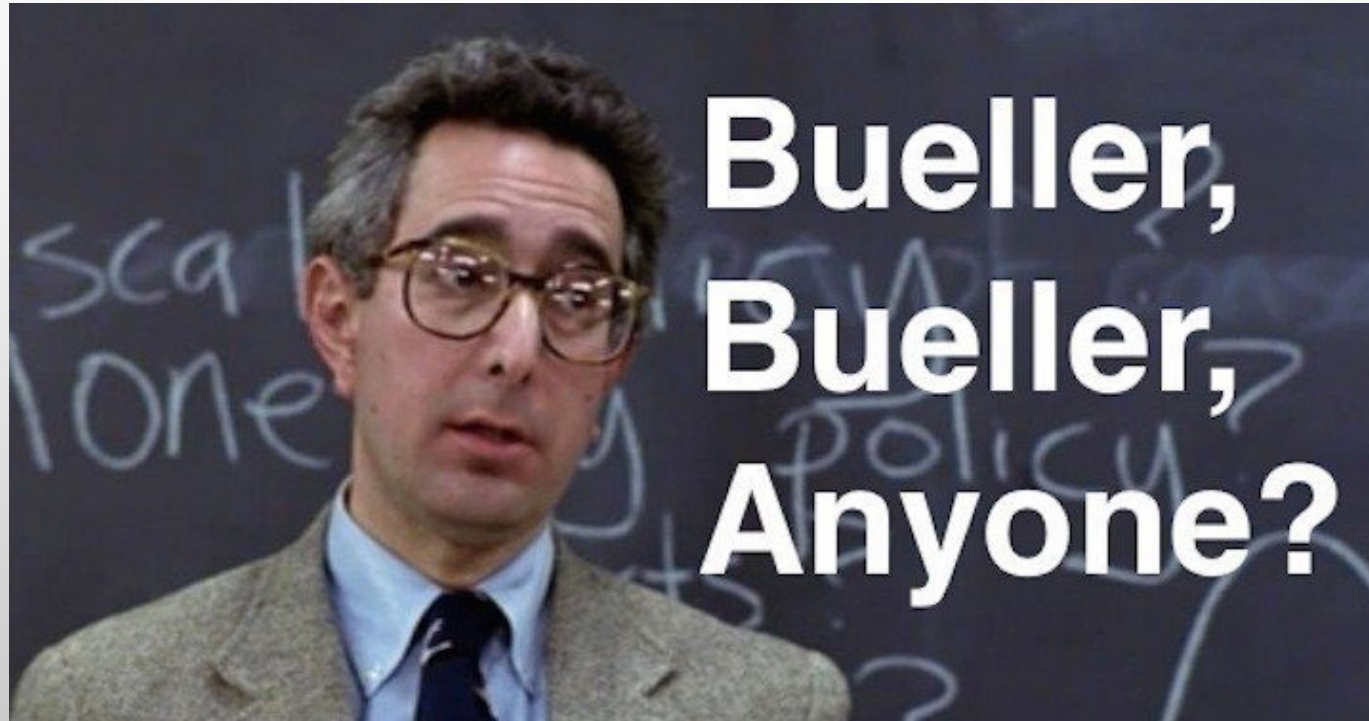
# EXPENDITURES

EXPENDITURES (PROGRAM SERIES)							November 30, 2021	November 30, 2020	November 30, 2019			
	June 30, 2020	June 30, 2021	Adopted Budget	Projected End Of Year	Expended YTD	Budget Remaining	% of Budget Expended	% of Actuals Expended	% of Actuals Expended	Current YTD vs. PYTD	November 30, 2020	November 30, 2019
SITE ADMINISTRATION	356,308	361,675	339,825	362,413	140,594	199,231	41.37%	35.91%	35.98%	10,714	129,880	128,187
DISTRICT ADMINISTRATION	197,705	232,642	246,441	236,680	81,485	164,956	33.06%	36.23%	40.90%	(2,805)	84,290	80,856
SUPPORT SERVICES	333,936	347,394	356,241	387,556	174,256	181,985	48.92%	39.64%	41.49%	36,540	137,715	138,553
REGULAR INSTRUCTION	4,094,925	4,252,393	4,442,781	4,468,890	1,295,102	3,147,679	29.15%	26.64%	24.79%	162,471	1,132,632	1,015,013
EXTRA-CURRICULAR ACTIVITIES	526,246	422,966	452,946	487,769	182,579	270,367	40.31%	19.75%	31.57%	99,027	83,552	166,121
VOCATIONAL INSTRUCTION	76,779	86,044	137,808	148,757	48,517	89,291	35.21%	20.68%	26.23%	30,725	17,791	20,136
SPECIAL EDUCATION	1,180,162	1,284,881	1,373,977	1,338,111	269,992	1,103,985	19.65%	20.23%	19.46%	10,071	259,920	229,621
COMMUNITY SERVICES	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
INSTRUCTIONAL SUPPORT	362,497	434,199	370,870	367,580	139,970	230,900	37.74%	50.90%	59.20%	(81,059)	221,029	214,601
PUPIL SUPPORT SERVICES	881,217	669,017	899,951	820,617	320,103	579,848	35.57%	27.17%	36.97%	138,352	181,750	325,747
FACILITIES	1,087,884	1,330,337	1,253,406	1,434,700	579,980	673,426	46.27%	46.69%	37.45%	(41,110)	621,091	407,459
OTHER FINANCING USES	85,392	81,389	189,371	169,313	78,499	110,872	41.45%	134.91%	105.75%	(31,304)	109,803	90,302
<b>TOTALS</b>	<b>9,183,053</b>	<b>9,502,937</b>	<b>10,063,617</b>	<b>10,222,388</b>	<b>3,311,076</b>	<b>6,752,541</b>	<b>32.90%</b>	<b>31.35%</b>	<b>30.67%</b>	<b>331,622</b>	<b>2,979,454</b>	<b>2,816,596</b>

# EXPENSES CONTINUED

- WE ARE \$331,622 AHEAD OF WHERE WE WERE THIS TIME LAST YEAR
  - WHY?
- REGULAR EDUCATION COST UP DUE TO COVID
- EXTRA CURRICULAR ACTIVITIES BACK TO PRE-COVID LEVELS AND EVEN ABOVE A LITTLE
- CARES FUNDING BEING SPENT FOR ONE-TIME EXPENDITURES

ANY QUESTIONS?



## 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;

Cora Martin, a Committee Chair for The Wall That Heals in Rice has generously donated \$2,000 as a huge thank you for their amazing dedication to helping out in August. \$1,000 will go to the Varsity Football team and \$1,000 will go to the Varsity Wrestling team.

Royalton Lions Club has generously donated \$8,000 to the RBI Club account with the Royalton School District for the Softball Grandstand project.

There has been an anonymous donation of \$1,000 for the RBI account for the use on the Softball Grandstand Project.

John Tschida has generously donated \$52 to the Girls Basketball Program.

WHEREAS the conditions on these gifts are included in the packet.

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

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 20th day of December, 2021.

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

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



The District is requesting approval from the School Board to begin the new Royalton Royals Robotics (R<sup>3</sup>) Club. Royalton Public Schools has been approved for a grant from the Initiative Foundation for \$5,000 to begin a Robotics Club at the Middle School/High School. The District has set aside \$5,000 in matching funds per the requirement of the grant. This is an opportunity to create a new program at the secondary level that expands upon the existing Community Education Program at the elementary level.

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Central Minnesota Libraries Exchange  
Mary Jordan, Executive Director  
570 1st Street SE  
St. Cloud, MN 56304  
[mary@cmle.org](mailto:mary@cmle.org)

December 14, 2021

Kathy Popp  
Elementary Media Center Para  
Royalton Elementary School

Dear Kathy,

Our grant review committee has approved your Extended Mini Grant application, and awarded you up to \$1,000 to use to buy child-friendly furniture for your library.

You will buy the materials, and submit your receipts to us for reimbursement.

After you buy the furniture, we will also need a final report from you to send you the reimbursement check. Write up at least 300 words to tell us about the impact of this grant. This will go onto our website, and in the newsletter. (You don't need to be a perfect writer! We just want to share your good news with our community.)

If you have any questions, please let me know. Or you can contact Angie at [ajordan@cmle.org](mailto:ajordan@cmle.org). And again: congratulations! We are so happy to be able to help you in your library work!

--

Dr. Mary Wilkins Jordan  
Executive Director  
Central Minnesota Library Exchange (CMLE)  
[cmle.org](http://cmle.org)  
Twitter: @CMLELibs



Dr. Kristine Wehrkamp, *Superintendent*  
(320) 584-4250  
Kristine.Wehrkamp@isd485.org

120 South Hawthorn Street, Royalton, MN 56373 | phone (320) 584-4000 | fax (320) 584-4101

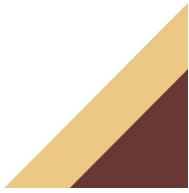
December 14 , 2021

Dear School Board Members,

I respectfully request the Royalton School Board to approve a change in the days of paid holidays listed in the superintendent contract. Currently, I have Martin Luther King (MLK) day as a paid holiday, along with two additional floating holidays. I would like to amend the contract to give me New Year's Eve, Christmas Eve and the day after Thanksgiving as paid holidays, thus eliminating the two floating holidays and MLK day. This aligns the paid holidays of the superintendent contract to those of other full time directors in the District. This alignment will simplify the payroll process as well. There is no additional compensation for this change, purely alignment with the rest of the District staff.

Respectfully,

Dr. Kristine J. Wehrkamp  
Superintendent  
Royalton Public Schools



# ROYALTON PUBLIC SCHOOLS

Dr. Kristine Wehrkamp, *Superintendent*  
(320) 584-4250  
Kristine.Wehrkamp@isd485.org

120 South Hawthorn Street, Royalton, MN 56373 | phone (320) 584-4000 | fax (320) 584-4101

# Royalton Public Schools

## Superintendent and School Board Goals: 2021-2022

(Second draft – December 07, 2021)

### **Superintendent Goal (December 20, 2021 – June 30, 2022)**

**GOAL 1:** Begin to refresh the Strategic Plan for Royalton Public Schools. Proactively develop and implement steps toward crafting a student-focused and forward-facing plan to carry the district into the next three to five years.

#### **Sources of evidence for Goal 1** (*Kristine will identify these*):

- (1.b) Explores options and begins implementing the facilitation process of the development of short and long term goals
- (6.c) Throughout the strategic planning process, the superintendent ensures student achievement for all is reflected in the goals of the strategic plan
- (6.e) Throughout the strategic planning process, the superintendent ensures that an open, productive, caring and trusting environment among staff is embedded in the goals of the strategic plan

#### **How the Board can support the Superintendent in this area (Board Goals)**

- Identify key stakeholders within the district and introduce them to the Superintendent.
- Develop parameters and create context for each step of the process.

### **Standards and Elements identified to support this goal (survey results):**

#### **STANDARD 1:** Governance Team

- **ELEMENT 1.b.** Goals and/or Strategic Plan

#### **STANDARD 6:** Teaching and Learning

- **ELEMENT 6.c.** Curriculum and Instruction
- **ELEMENT 6.e.** Culture of Cooperation

### **Timeline for superintendent review process:**

December 20, 2021 – approve the goals and performance review plan

January, 2022 – conduct mid-year (formative) evaluation

June, 2022 – conduct year-end (summative) evaluation

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## **Superintendent Evaluation – Mid-Year (FORMATIVE)**

**GOAL 1:** Begin to refresh the Strategic Plan for Royalton Public Schools. Proactively develop and implement steps toward crafting a student-focused and forward-facing plan to carry the district into the next three to five years.

Evidence of progress; Comments:

### **STANDARD 1: Governance Team**

**ELEMENT 1.b.** Goals and/or Strategic Plan

Evidence of progress; Comments:

### **STANDARD 6: Teaching and Learning**

**ELEMENT 6.c.** Curriculum and Instruction

**ELEMENT 6.e.** Culture of Cooperation

Evidence of progress; Comments:

Evaluation Period: \_\_\_\_\_ to \_\_\_\_\_

Superintendent's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

School Board Chair's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Superintendent Evaluation – Year-End (SUMMATIVE)**

**GOAL 1:** Begin to refresh the Strategic Plan for Royalton Public Schools. Proactively develop and implement steps toward crafting a student-focused and forward-facing plan to carry the district into the next three to five years.

<b>4 Highly Effective</b>	<b>3 Effective</b>	<b>2 Developing</b>	<b>1 Ineffective</b>

**Evidence to support this goal:** *(List below)*

**Comments:**

**STANDARD 1: Governance Team**

**Element 1.b. Goals and/or Strategic Plan**

Element 1.b. Goals and/or Strategic Plan				
Highly Effective (4)	Effective (3)	Developing (2)	Ineffective (1)	NA
<i>Facilitates development of the school district's short- and long-term measurable goals and aligns available resources with school district's budget to accomplish goals</i>	<i>Facilitates development of the school district's short- and long-term goals and recommends necessary financial strategies to meet goals</i>	<i>Goals have been developed but no overall plan or alignment of resources exists</i>	<i>Goals are not developed.</i>	

**STANDARD 6: Teaching and Learning**

**Element 6.c. Curriculum and Instruction**

Element 6.c. Curriculum and Instruction				
Highly Effective (4)	Effective (3)	Developing (2)	Ineffective (1)	NA
<i>Ensures curriculum is in place, aligned across grade levels, and complies with state standards; assures instructional practices are differentiated and personalized to student needs and that technology enhances teaching and learning</i>	<i>Ensures curriculum meets the state standards; strives to accommodate diverse learning styles, needs, and levels of readiness; makes some effort to incorporate technology into learning</i>	<i>Allows teachers to define their own curriculum; little coordination exists; encourages teachers to enhance instructional skills and embrace technology, but no comprehensive program is in place</i>	<i>Curriculum is not a priority and/or is inconsistent across grade levels; little to no focus on instruction exists; Technology not utilized in classroom instruction</i>	

**Element 6.e. Culture of Cooperation**

Element 6.e. Culture of Cooperation				
Highly Effective (4)	Effective (3)	Developing (2)	Ineffective (1)	NA
<i>Develops and supports open, productive, caring, and trusting relationships among staff</i>	<i>Encourages open, productive, caring, and trusting environment among staff</i>	<i>Haphazardly supports open, productive, caring, and trusting environment among staff</i>	<i>Culture of trust does not exist</i>	

**For goals and standards, which best illustrates the superintendent's greatest strength and why?**

*(Summarize board's comments as a whole here)*

**For goals and standards, which presented the superintendent with the greatest challenge and why?**

*(Summarize board's comments as a whole here)*

**How might the school board enhance the superintendent's strengths and assist in overcoming challenges?**

*(Summarize board's comments as a whole here)*

**Superintendent's comments:**

*(Superintendent places their summary comments here and/or submits a self-evaluation)*

Evaluation Period: \_\_\_\_\_ to \_\_\_\_\_

Superintendent's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

School Board Chair's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**414 MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE**

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

**I. PURPOSE**

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

**II. GENERAL STATEMENT OF POLICY**

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

**III. DEFINITIONS**

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

- D. “Mandated reporter” means any school personnel who knows or has reason to believe a child is being neglected or physically or sexually abused, or has been neglected or physically or sexually abused within the preceding three years.
- E. “Neglect” means the commission or omission of any of the acts specified below, other than by accidental means:
1. failure by a person responsible for a child’s care to supply a child with necessary food, clothing, shelter, health care, medical care, or other care required for the child’s physical or mental health when reasonably able to do so, including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;
  2. failure to protect a child from conditions or actions that seriously endanger the child’s physical or mental health when reasonably able to do so;
  3. failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors such as the child’s age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for his or her own basic needs or safety or the basic needs or safety of another child in his or her care;
  4. failure to ensure that a child is educated in accordance with state law, which does not include a parent’s refusal to provide his or her child with sympathomimetic medications;
  5. prenatal exposure to a controlled substance used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child’s birth, or medical effects or developmental delays during the child’s first year of life that medically indicate prenatal exposure to a controlled substance or the presence of a fetal alcohol spectrum disorder;
  6. medical neglect as defined by Minn. Stat. § 260C.007, Subd. 6, Clause (5);
  7. chronic and severe use of alcohol or a controlled substance by a parent or person responsible for the care of the child that adversely affects the child’s basic needs and safety; or
  8. emotional harm from a pattern of behavior which contributes to impaired emotional functioning of the child which may be demonstrated by a substantial and observable effect in the child’s behavior, emotional response, or cognition that is not within the normal range for the child’s age and stage of development, with due regard to the child’s culture.

Neglect does not include spiritual means or prayer for treatment or care of disease where the person responsible for the child’s care in good faith has selected and

depended on those means for treatment or care of disease, except where the lack of medical care may cause serious danger to the child's health.

- F. "Nonmaltreatment mistake" means: (1) at the time of the incident, the individual was performing duties identified in the center's child care program plan required under Minn. Rules Part 9503.0045; (2) the individual has not been determined responsible for a similar incident that resulted in a finding of maltreatment for at least seven years; (3) the individual has not been determined to have committed a similar nonmaltreatment mistake under this paragraph for at least four years; (4) any injury to a child resulting from the incident, if treated, is treated only with remedies that are available over the counter, whether ordered by a medical professional or not; and (5) except for the period when the incident occurred, the facility and the individual providing services were both in compliance with all licensing requirements relevant to the incident. This definition only applies to child care centers licensed under Minn. Rules Ch. 9503.
- G. "Physical abuse" means any physical injury, mental injury, or threatened injury, inflicted by a person responsible for the child's care other than by accidental means; or any physical or mental injury that cannot reasonably be explained by the child's history of injuries or any aversive or deprivation procedures, or regulated interventions, that have not been authorized by Minn. Stat. § 125A.0942 or § 245.825.

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

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

- H. “Report” means any communication received by the local welfare agency, police department, county sheriff, or agency responsible for child protection pursuant to this section that describes neglect or physical or sexual abuse of a child and contains sufficient content to identify the child and any person believed to be responsible for the neglect or abuse, if known.
- I. “School personnel” means professional employee or professional’s delegate of the school district who provides health, educational, social, psychological, law enforcement, or child care services.
- J. “Sexual abuse” means the subjection of a child by a person responsible for the child’s care, by a person who has a significant relationship to the child (as defined in Minn. Stat. § 609.341, Subd. 15), or by a person in a current or recent position of authority (as defined in Minn. Stat. § 609.341, Subd. 10) to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual penetration, sexual contact, solicitation of children to engage in sexual conduct, and communication of sexually explicit materials to children. Sexual abuse also includes any act involving a minor which constitutes a violation of Minnesota statutes prohibiting prostitution or use of a minor in a sexual performance. Sexual abuse includes all reports of known or suspected child sex trafficking involving a child who is identified as a victim of sex trafficking. Sexual abuse includes threatened sexual abuse which includes the status of a parent or household member who has committed a violation which requires registration under Minn. Stat. § 243.166, Subd. 1b(a) or (b) (Registration of Predatory Offenders).
- K. “Mental injury” means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child’s ability to function within a normal range of performance and behavior with due regard to the child’s culture.
- L. “Person responsible for the child’s care” means (1) an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, other school employees or agents, or other lawful custodian of a child having either full-time or short-term care responsibilities including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.
- M. “Threatened injury” means a statement, overt act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes, but is not limited to, exposing a child to a person responsible for the child’s care who has subjected the child to, or failed to protect a child from, egregious harm, or a person whose parental rights were involuntarily terminated, been found palpably unfit, or one from whom legal and physical custody of a child has been involuntarily transferred to another.

#### **IV. REPORTING PROCEDURES**

- A. A mandated reporter as defined herein shall immediately report the neglect or physical or sexual abuse, which he or she knows or has reason to believe is happening or has happened within the preceding three years, to the local welfare agency, police department, county sheriff, tribal social services, or tribal police department. The reporter will include his or her name and address in the report.
- B. If the immediate report has been made orally, by telephone or otherwise, the oral report shall be followed by a written report within 72 hours (exclusive of weekends and holidays) to the appropriate police department, the county sheriff, local welfare agency, or agency responsible for assisting or investigating maltreatment. The written report shall identify the child, any person believed to be responsible for the abuse or neglect of the child if the person is known, the nature and extent of the abuse or neglect and the name and address of the reporter.
- C. Regardless of whether a report is made, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident has occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.
- D. A mandated reporter who knows or has reason to know of the deprivation of parental rights or the kidnapping of a child shall report the information to the local police department or the county sheriff.
- E. With the exception of a health care professional or a social service professional who is providing the woman with prenatal care or other health care services, a mandated reporter shall immediately report to the local welfare agency if the person knows or has reason to believe that a woman is pregnant and has used a controlled substance for a nonmedical purpose during the pregnancy, including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive.
- F. A person mandated by Minnesota law and this policy to report who fails to report may be subject to criminal penalties and/or discipline, up to and including termination of employment.
- G. Submission of a good faith report under Minnesota law and this policy will not adversely affect the reporter's employment, or the child's access to school.
- H. Any person who knowingly or recklessly makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, and the reckless making of a false report may

result in discipline. The court may also award attorney's fees.

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

## V. INVESTIGATION

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

- E. Upon request by MDE, the school district shall provide all requested data that are relevant to a report of maltreatment and are in the possession of a school facility, pursuant to an assessment or investigation of a maltreatment report of a student in school. The school district shall provide the requested data in accordance with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

## **VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE**

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

## **VII. PHYSICAL OR SEXUAL ABUSE AS SEXUAL HARASSMENT OR VIOLENCE**

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

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

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

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 121A.58 (Corporal Punishment)  
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)

Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)  
Minn. Stat. § 243.166, Subd. 1b(a)(b) (Registration of Predatory Offenders)  
Minn. Stat. § 245.825 (Use of Aversive or Deprivation Procedures)  
Minn. Stat. § 260C.007, Subd. 6, Clause (5) (Child in Need of Protection)  
Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18)  
Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment)  
Minn. Stat. § 609.02, Subd. 6 (Definitions – Dangerous Weapon)  
Minn. Stat. § 609.341, Subd. 10 (Definitions – Position of Authority)  
Minn. Stat. § 609.341, Subd. 15 (Definitions – Significant Relationship)  
Minn. Stat. § 609.379 (Reasonable Force)  
Minn. Stat. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)  
Minn. Stat. § 626.5561 (Reporting of Prenatal Exposure to Controlled Substances)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

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

## Confidential Student Maltreatment Reporting Form

Date submitted: \_\_\_\_\_

MDE File # \_\_\_\_\_ (MDE staff use only)

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

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Phone: \_\_\_\_\_ Mandated Reporter: Yes No

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### SCHOOL INFORMATION

ISD#: \_\_\_\_\_ School District: \_\_\_\_\_ Program Name: \_\_\_\_\_

School Name: \_\_\_\_\_ Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Principal/Director: \_\_\_\_\_ Phone: \_\_\_\_\_ (Ext): \_\_\_\_\_

Transportation Company (if necessary): Contact: \_\_\_\_\_ Phone: \_\_\_\_\_

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

Name: \_\_\_\_\_ Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Parent/Guardian: \_\_\_\_\_ Phone: \_\_\_\_\_ Alternate Phone: \_\_\_\_\_

Gender: Male Female \_\_\_ DOB: \_\_\_\_\_ Grade: \_\_\_\_\_ Ethnicity: \_\_\_\_\_

Special Education: Yes No Disability Description: \_\_\_\_\_ State Student ID: \_\_\_\_\_

### ALLEGED OFFENDER

Name: \_\_\_\_\_ Position: \_\_\_\_\_ DOB: \_\_\_\_\_ Gender: Male \_\_\_ Female \_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Ethnicity: \_\_\_\_\_ Phone: \_\_\_\_\_ Alternate Phone: \_\_\_\_\_

Licensed: Yes \_\_\_ No \_\_\_ If Licensed, name of licensing board: \_\_\_\_\_ Folder # \_\_\_\_\_

### INCIDENT

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

Address (if different than school): \_\_\_\_\_ County: \_\_\_\_\_

Witness Contact Information: \_\_\_\_\_

Police Notified: Yes \_\_\_ No \_\_\_ Police Department: \_\_\_\_\_

Police Contact: \_\_\_\_\_ Phone: \_\_\_\_\_ Case No.: \_\_\_\_\_

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

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

## **415 MANDATED REPORTING OF MALTREATMENT OF VULNERABLE ADULTS**

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

### **I. PURPOSE**

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

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

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

### **III. DEFINITIONS**

- A. “Mandated Reporters” means any school personnel who has reason to believe that a vulnerable adult is being or has been maltreated.
- B. “Maltreatment” means the neglect, abuse, or financial exploitation of a vulnerable adult.
- C. “Neglect” means the failure or omission by a caregiver to supply a vulnerable adult with care or services, including but not limited to, food, clothing, shelter, health care, or supervision which is: (1) reasonable and necessary to obtain or maintain the vulnerable adult’s physical or mental health or safety, considering the physical and mental capacity or dysfunction of the vulnerable adult; and (2) which is not the result of an accident or therapeutic conduct. Neglect also includes the absence or likelihood of absence of care or services, including but not limited to, food, clothing, shelter, health care, or supervision necessary to maintain the physical and mental health of the vulnerable adult which a reasonable person would deem essential to obtain or maintain the vulnerable adult’s health, safety, or comfort considering the physical or mental capacity or dysfunction of the vulnerable adult. Neglect does not include actions specifically excluded by Minn. Stat. § 626.5572, Subd. 17.

- D. “Abuse” means: (a) An act against a vulnerable adult that constitutes a violation of, an attempt to violate, or aiding and abetting a violation of: (1) assault in the first through fifth degrees as defined in sections 609.221 to 609.224; (2) the use of drugs to injure or facilitate crime as defined in section 609.235; (3) the solicitation, inducement, and promotion of prostitution as defined in section 609.322; and (4) criminal sexual conduct in the first through fifth degrees as defined in sections 609.342 to 609.3451. A violation includes any action that meets the elements of the crime, regardless of whether there is a criminal proceeding or conviction. (b) Conduct which is not an accident or therapeutic conduct as defined in this section, which produces or could reasonably be expected to produce physical pain or injury or emotional distress including, but not limited to, the following: (1) hitting, slapping, kicking, pinching, biting, or corporal punishment of a vulnerable adult; (2) use of repeated or malicious oral, written, or gestured language toward a vulnerable adult or the treatment of a vulnerable adult which would be considered by a reasonable person to be disparaging, derogatory, humiliating, harassing, or threatening; (3) use of any aversive or deprivation procedure, unreasonable confinement, or involuntary seclusion, including the forced separation of the vulnerable adult from other persons against the will of the vulnerable adult or the legal representative of the vulnerable adult; and (4) use of any aversive or deprivation procedures for persons with developmental disabilities or related conditions not authorized under section 245.825. (c) Any sexual contact or penetration as defined in section 609.341, between a facility staff person or a person providing services in the facility and a resident, patient, or client of that facility. (d) The act of forcing, compelling, coercing, or enticing a vulnerable adult against the vulnerable adult’s will to perform services for the advantage of another. Abuse does not include actions specifically excluded by Minn. Stat. § 626.5572, Subd. 2.
- E. “Financial Exploitation” means a breach of a fiduciary duty by an actor’s unauthorized expenditure of funds entrusted to the actor for the benefit of the vulnerable adult or by an actor’s failure to provide food, clothing, shelter, health care, therapeutic conduct or supervision, the failure of which results or is likely to result in detriment to the vulnerable adult. Financial exploitation also includes: the willful use, withholding or disposal of funds or property of a vulnerable adult; the obtaining of services for wrongful profit or advantage which results in detriment to the vulnerable adult; the acquisition of a vulnerable adult’s funds or property through undue influence, harassment, duress, deception or fraud; and the use of force, coercion, or enticement to cause a vulnerable adult to perform services against the vulnerable adult’s will for the profit or advantage of another.
- F. “Vulnerable Adult” means any person 18 years of age or older who: (1) is a resident or inpatient of a facility; (2) receives services required to be licensed under Minn. Stat. Ch. 245A, except as excluded under Minn. Stat. § 626.5572, Subd. 21(a)(2); (3) receives services from a licensed home care provider or person or organization that offers, provides, or arranges for personal care assistance services under the medical assistance program; or (4) regardless of residence or type of service received possesses a physical or mental infirmity or other physical, mental, or

emotional dysfunction that impairs the individual's ability to adequately provide the person's own care without assistance or supervision and, because of the dysfunction or infirmity and need for care or services, has an impaired ability to protect the individual's self from maltreatment.

- G. "Caregiver" means an individual or facility who has responsibility for the care of a vulnerable adult as a result of a family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, by contract, or by agreement.
- H. "School Personnel" means professional employees or their delegates of the school district engaged in providing health, educational, social, psychological, law enforcement, or other caretaking services of vulnerable adults.
- I. "Immediately" means as soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received.

#### **IV. REPORTING PROCEDURES**

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

- F. Any person who intentionally makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury. The intentional making of a false report may result in discipline.

**V. INVESTIGATION**

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

**VI. DISSEMINATION OF POLICY AND TRAINING**

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

**Legal References:** Minn. Stat. § 13.02 (Collection, Security, and Dissemination of Records; Definitions)  
 Minn. Stat. § 245.825 (Aversive and Deprivation Procedures; Licensed Facilities and Services)  
 Minn. Stat. §§ 609.221-609.224 (Assault)  
 Minn. Stat. § 609.234 (Crimes Against the Person)  
 Minn. Stat. § 609.235 (Use of Drugs to Injure or Facilitate Crime)  
 Minn. Stat. § 609.322 (Solicitation, Inducement, and Promotion of Prostitution; Sex Trafficking)  
 Minn. Stat. § 609.341 (Definitions)  
 Minn. Stat. §§ 609.342-609.3451 (Criminal Sexual Conduct)  
 Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)  
 Minn. Stat. § 626.5572 (Definitions)  
*In re Kleven*, 736 N.W.2d 707 (Minn. App. 2007)

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

## **506 STUDENT DISCIPLINE**

### **I. PURPOSE**

The purpose of this policy is to ensure that students are aware of and comply with the school district's expectations for student conduct. Such compliance will enhance the school district's ability to maintain discipline and ensure that there is no interference with the educational process. The school district will take appropriate disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.

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

The school board recognizes that individual responsibility and mutual respect are essential components of the educational process. The school board further recognizes that nurturing the maturity of each student is of primary importance and is closely linked with the balance that must be maintained between authority and self-discipline as the individual progresses from a child's dependence on authority to the more mature behavior of self-control.

All students are entitled to learn and develop in a setting which promotes respect of self, others, and property. Proper positive discipline can only result from an environment which provides options and stresses student self-direction, decision-making, and responsibility. Schools can function effectively only with internal discipline based on mutual understanding of rights and responsibilities.

Students must conduct themselves in an appropriate manner that maintains a climate in which learning can take place. Overall decorum affects student attitudes and influences student behavior. Proper student conduct is necessary to facilitate the education process and to create an atmosphere conducive to high student achievement.

Although this policy emphasizes the development of self-discipline, it is recognized that there are instances when it will be necessary to administer disciplinary measures. The position of the school district is that a fair and equitable district-wide student discipline policy will contribute to the quality of the student's educational experience. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

In view of the foregoing and in accordance with Minn. Stat. § 121A.55, the school board, with the participation of school district administrators, teachers, employees, students, parents, community members, and such other individuals and organizations as appropriate, has developed this policy which governs student conduct and applies to all students of the school district.

### III. AREAS OF RESPONSIBILITY

- A. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.
- B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students, and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.
- C. Principal. The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of behavior referrals and shall make use of those agencies appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, 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.
- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher 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.
- E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.
- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the behavior of their children.

- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

#### **IV. STUDENT RIGHTS**

All students have the right to an education and the right to learn.

#### **V. STUDENT RESPONSIBILITIES**

All students have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused or exempt, and to be on time to all classes and other school functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;

- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

**VI. CODE OF STUDENT CONDUCT**

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.
  - 1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
  - 2. The use of profanity or obscene language, or the possession of obscene materials;
  - 3. Gambling, including, but not limited to, playing a game of chance for stakes;
  - 4. Violation of the school district's Hazing Prohibition Policy;
  - 5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
  - 6. Violation of the school district's Student Attendance Policy;
  - 7. Opposition to authority using physical force or violence;

8. Using, possessing, or distributing tobacco, tobacco-related devices, 506-5 electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices Policy;9.  
Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances, or look-alike substances, except as prescribed by a physician, including one student sharing prescription medication with another student;
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district's Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
19. Violation of any local, state, or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper

activation of fire alarms, or bomb threats;

21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;
23. Violation of school bus or transportation rules;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district' Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of

picture phones or other technology to accomplish this end;

35. Impertinent or disrespectful language toward teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy;
37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;
38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
40. Verbal assaults or verbally abusive behavior including, but not limited to, use of language that is discriminatory, abusive, obscene, threatening, intimidating, or that degrades other people;
41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;
43. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
44. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or employees.

## **VII. DISCIPLINARY ACTION OPTIONS**

The general policy of the school district is to utilize progressive discipline to the extent reasonable and appropriate based upon the specific facts and circumstances of student misconduct. The specific form of discipline chosen in a particular case is solely within the discretion of the school district. At a minimum, violation of school district rules,

regulations, policies, or procedures will result in discussion of the violation and a verbal warning. The school district shall, however, impose more severe disciplinary sanctions for any violation, including exclusion or expulsion, if warranted by the student's misconduct, as determined by the school district. Disciplinary action may include, but is not limited to, one or more of the following:

- A. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
- B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
- C. Parent contact;
- D. Parent conference;
- E. Removal from class;
- F. In-school suspension;
- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;
- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;

- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the school district.

**VIII. REMOVAL OF STUDENTS FROM CLASS**

- A. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student’s parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student’s conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. “Removal from class” and “removal” mean any actions taken by a teacher, principal, or other school district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

Grounds for removal from class shall include any of the following:

1. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher’s ability to teach or communicate effectively with students in a class or with the ability of other students to learn;
2. Willful conduct that endangers surrounding persons, including school district employees, the student or other students, or the property of the school;
3. Willful violation of any school rules, regulations, policies or procedures, including the Code of Student Conduct in this policy; or
4. Other conduct, which in the discretion of the teacher or administration, requires removal of the student from class.

Such removal shall be for at least one (1) activity period or class period of instruction for a given course of study and shall not exceed five (5) such periods.

- B. If a student is removed from class more than five (5) times in a school year, the school district shall notify the parent or guardian of the student’s fifth removal from class and make reasonable attempts to convene a meeting with the student’s parent or guardian to discuss the problem that is causing the student to be removed from class.

**C. Procedures for Removal of a Student From a Class.**

If any student is removed from class, that student shall be sent to the Principal or designee for determination of appropriate consequences as per policy.

When a teacher decides to remove a student from a class for a class activity or class period, the teacher shall:

1. Direct the student to go directly to the main office.
2. Contact the main office by telephone or intercom system in order to alert office staff and the Principal. The name of the student and a brief description of why the student is being sent to the office will be given to the main office staff.
3. If necessary, the teacher can call the main office and ask for assistance in the removal of a student, or ask that an adult escort the student to the main office.
4. Upon arrival at the main office the student will be seated in the main office.
5. The student will meet with the Principal or designee for determination of appropriate consequences as per school/district policy.
6. At the high school the teacher who removes a student from class will complete a student discipline referral and forward it to the Principal for review. The report must be completed within 1 school day of the removal from class. At the elementary school the teacher may be asked by the elementary principal for a written or an oral report. The parent/guardian will be contacted at this time by the principal or referring teacher.
7. The referring teacher may be asked by the Principal to contact the parent of the student removed from class.

**D. Responsibility for and Custody of a Student Removed From Class.**

1. Any student removed from class shall report to the office immediately.
2. The teacher removing the student from class will, before sending the student to the office, notify the office by telephone that the student is coming to the office.
3. An adult escort may be required to bring the student to the office.
4. Temporary custody will be determined by the Principal or designee.
5. After evaluation of the reasons for being removed from class, the principal may:
  - a. Place the student in an in-school suspension room.
  - b. Designate another adult in the building to supervise the student.
  - c. Contact the student's parent.

6. If possible the student removed from class will bring class work to the office with him/her on which s/he can work

**E. Procedures for Return of a Student to a Class From Which the Student Was Removed.**

1. When a student returns to class after removal for part of one class session:
  - a. The student will have a pass from the principal or his/her designee.
  - b. The teacher will be notified that the student is returning to class.
2. When a student returns to class after being removed from a class for more than one class session:
  - a. The student will meet with the principal or his/her designee prior to returning to class for readmission to that class.
  - b. A parent may be required to attend the readmission meeting.
  - c. The teacher(s) to whom the student will return may be required to participate in the readmission meeting.
  - d. A readmission plan may be developed and required for readmission to the class.

**F. Procedures for Notification.**

1. If determined necessary by the principal or designee the teacher and the parent will receive oral or written notification of the consequence.
2. The student and parent/guardian will be notified of rule violation(s) and consequences orally, by telephone or in writing.
3. The Principal or designee may require that a teacher notify the parent either orally or in written communication of the consequence.

**G. Disabled Students; Special Provisions.**

1. If deemed necessary by the principal or his/her designee a manifest determination hearing may be held. At that hearing it may be determined that:
  - a. No further action occur
  - b. Consequences or disciplinary action may or may not be taken.
  - c. Further assessment may be required.
2. The principal and/or his/her designee will consult with the case manager of a disabled student removed from class to determine if there is a need to review the student's individual education plan (IEP) for adequacy.
3. The IEP team will be the team that determines if any referral for other services is necessary.

4. Teachers may refer students for evaluation for special education services by using the Royalton Schools Child Study Referral Form. Parents may request that their child be evaluated for special education services by using the Royalton Schools Child Study Referral Form or in writing.

**H. Procedures for Detecting and Addressing Chemical Abuse Problems of Students. While on School Premises.**

Pre-Assessment Team

1. A pre-assessment team consisting of the high school principal, chemical health counselor (if available), guidance counselor, school social worker, school nurse and one teacher has been established. The pre-assessment team shall be responsible for addressing reports of chemical abuse among students. The team will assess, gather information and make recommendations for appropriate response to the individual reported using
2. In the event that a school district employee knows that a student is abusing, possessing, transferring, distributing or selling chemicals in a school location:
  - a. The employee shall immediately either take the student to an administrator or notify an appropriate administrator of the observation and continue to observe the student until the administrator arrives.
  - b. The administrator will notify the student's parents. If there is a medical emergency, the administrator will notify the school nurse and/or outside medical personnel as appropriate.
  - c. The administrator will notify law enforcement officials, the student's counselor, and the chemical pre-assessment team.
  - d. The administrator and/or law enforcement officials will confiscate the chemicals and/or conduct a search of the student's person, effects, locker, vehicle, or areas within the student's control. Searches by school district officials shall be in accordance with school board policies regarding search and seizure.
  - e. The school district will take appropriate disciplinary action in compliance with the student discipline code. Such discipline may include immediate suspension, initiation of expulsion proceedings, and/or referral to a detoxification center or medical center.

**I. Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct.**

1. All violations of the student code of conduct as found in the District Student Discipline Policy will be forwarded to the building principal;
  - a. In writing using a discipline referral form.
  - b. Reported in electronic format using email or the student data management program.
  - c. Verbally in person or by telephone.

**J. Any Procedures Determined Appropriate for Encouraging Early Involvement**

**of Parents or Guardians in Attempts to Improve a Student's Behavior.**

1. Parents/guardians may be contacted to request assistance in the improvement of their child's behavior. That contact may be made:
  - a. By the building principal or his/her designee orally or in writing.
  - b. By the classroom teacher orally or in writing.
2. The school may request that parents/guardians attend conferences, IEP staffing, or general meetings to discuss the improvement of the student's behavior.

**K. Any Procedures Determined Appropriate for Encouraging Early Detection of Behavioral Problems.**

1. Teachers and support staff should report in writing using the Royalton Schools Child Study Referral Form any student who they think may benefit from early intervention for behavior problems.
2. After receipt of the form, the Child Study Team will make recommendations and/or referrals in reference to the student's behavior.
3. Parents may submit in writing or verbally to the principal, guidance counselor, social worker or the chemical health counselor (if available) any concerns or questions regarding the investigation and/or possible evaluation of a student in order to detect any possible behavioral problems.

**IX. DISMISSAL**

- A. "Dismissal" means the denial of the current educational program to any student, including exclusion, expulsion and suspension. Dismissal does not include removal from class.

The school district shall not deny due process or equal protection of the law to any student involved in a dismissal proceeding which may result in suspension, exclusion or expulsion.

The school district shall not dismiss any student without attempting to provide alternative educational services before dismissal proceedings, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

- B. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:

1. Willful violation of any reasonable school board regulation, including those found in this policy;

2. Willful conduct that significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or
3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.

C. Suspension Procedures

1. “Suspension” means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.
2. If a student’s total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student’s parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian’s expense. The purpose of this meeting is to attempt to determine the pupil’s need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.

4. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6<sup>th</sup>) consecutive day of suspension or the tenth (10<sup>th</sup>) cumulative day of suspension has elapsed.
5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the pupil to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.
6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
7. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
  - a. strongly encourages a parent or guardian of the student to attend school with the student for one day;
  - b. assigns the student to attend school on Saturday as supervised by the principal or the principal's designee; and

- c. petitions the juvenile court that the student is in need of services under Minn. Stat. Ch. 260C.
8. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference. (See attached sample Notice of Suspension.)
9. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
10. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
11. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.

D. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This

notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56; describe alternative educational services accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE).

6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.
8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.
10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.

13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.
14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation provided that neither party presents any evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the Commissioner of Education (Commissioner) of the basis and reason for the decision.
18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minn. Stat. § 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.
19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status. The dismissal report must include state student

identification numbers of affected students.

21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

## **X. ADMISSION OR READMISSION PLAN**

A school administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan may include measures to improve the student's behavior, including completing a character education program consistent with Minn. Stat. § 120B.232, Subd. 1, and require parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

## **XI. NOTIFICATION OF POLICY VIOLATIONS**

Notification of any violation of this policy and resulting disciplinary action shall be as provided herein, or as otherwise provided by the Pupil Fair Dismissal Act or other applicable law. The teacher, principal or other school district official may provide additional notification as deemed appropriate.

In addition, the school district must report, through the MDE electronic reporting system, each physical assault of a school district employee by a student within thirty (30) days of the assault. This report must include a statement of the alternative educational services or other sanction, intervention, or resolution given to the student in response to the assault and the reason for, the effective date, and the duration of the exclusion or expulsion or other sanction, intervention, or resolution. The report must also include the student's age, grade, gender, race, and special education status.

## **XII. STUDENT DISCIPLINE RECORDS**

The policy of the school district is that complete and accurate student discipline records be maintained. The collection, dissemination, and maintenance of student discipline records shall be consistent with applicable school district policies and federal and state law, including the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13.

## **XIII. DISABLED STUDENTS**

Students who are currently identified as eligible under the IDEA or Section 504 will be subject to the provisions of this policy, unless the student's IEP or 504 plan specifies a necessary modification.

Before initiating an expulsion or exclusion of a student with a disability, relevant members of the child's IEP team and the child's parent shall, consistent with federal law, conduct a

manifestation determination and determine whether the child's behavior was (i) caused by or had a direct and substantial relationship to the child's disability and (ii) whether the child's conduct was a direct result of a failure to implement the child's IEP. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school district will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral assessment and implement a behavioral intervention plan for such student provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior.

When a student who has an IEP is excluded or expelled for misbehavior that is not a manifestation of the student's disability, the school district shall continue to provide special education and related services during the period of expulsion or exclusion.

#### **XIV. OPEN ENROLLED STUDENTS**

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minn. Stat. § 124D.03) or Enrollment in Nonresident District (Minn. Stat. § 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minn. Stat. Ch. 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of sixteen (17) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

#### **XV. DISTRIBUTION OF POLICY**

The school district will notify students and parents of the existence and contents of this policy in such manner as it deems appropriate. Copies of this discipline policy shall be made available to all students and parents at the commencement of each school year and to all new students and parents upon enrollment. This policy shall also be available upon request in each principal's office.

#### **XVI. REVIEW OF POLICY**

The principal and representatives of parents, students and staff in each school building shall confer at least annually to review this discipline policy, determine if the policy is working as intended, and to assess whether the discipline policy has been enforced. Any recommended changes shall be submitted to the superintendent for consideration by the school board, which shall conduct an annual review of this policy.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)  
Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 121A.26 (School Preassessment Teams)  
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)  
Minn. Stat. § 121A.582 (Reasonable Force)  
Minn. Stat. §§ 121A.60-121A.61 (Removal From Class)  
Minn. Stat. § 122A.42 (General Control of Schools)  
Minn. Stat. § 123A.05 (Area Learning Center Organization)  
Minn. Stat. § 124D.03 (Enrollment Options Program)  
Minn. Stat. § 124D.08 (Enrollment in Nonresident District)  
Minn. Stat. Ch.125A (Students With Disabilities)  
Minn. Stat. Ch. 260A (Truancy)  
Minn. Stat. Ch. 260C (Juvenile Court Act)  
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Improvement Act of 2004)  
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)  
34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

**Cross References:** MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices)  
MSBA/MASA Model Policy 501 (School Weapons)  
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)  
MSBA/MASA Model Policy 503 (Student Attendance)  
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)  
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 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)  
MSBA/MASA Model Policy 610 (Field Trips)  
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)  
MSBA/MASA Model Policy 711 (Video Recording on School Buses)  
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

## **514 BULLYING PROHIBITION POLICY**

### **I. PURPOSE**

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

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

- A. An act of bullying, by either an individual student or a group of students, is expressly prohibited on school premises, on school district property, at school functions or activities, or on school transportation. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.
- C. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.

- E. False accusations or reports of bullying against another student are prohibited.
- F. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures, including the school district's discipline policy (See MSBA/MASA Model Policy 506). The school district may take into account the following factors:
  - 1. The developmental ages and maturity levels of the parties involved;
  - 2. The levels of harm, surrounding circumstances, and nature of the behavior;
  - 3. Past incidences or past or continuing patterns of behavior;
  - 4. The relationship between the parties involved; and
  - 5. The context in which the alleged incidents occurred.

Consequences for students who commit prohibited acts of bullying may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion. The school district shall employ research-based developmentally appropriate best practices that include preventative and remedial measures and effective discipline for deterring violations of this policy, apply throughout the school district, and foster student, parent, and community participation.

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

Consequences for other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from school district property and events.

- G. The school district will act to investigate all complaints of bullying reported to the school district and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

### **III. DEFINITIONS**

For purposes of this policy, the definitions included in this section apply.

- A. "Bullying" means intimidating, threatening, abusive, or harming conduct that is

objectively offensive and:

1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or
2. materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

The term, "bullying," specifically includes cyberbullying as defined in this policy.

- B. "Cyberbullying" means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on school district property, at school functions or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. "Intimidating, threatening, abusive, or harming conduct" means, but is not limited to, conduct that does the following:
1. Causes physical harm to a student or a student's property or causes a student to be in reasonable fear of harm to person or property;
  2. Under Minnesota common law, violates a student's reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or
  3. Is directed at any student or students, including those based on a person's actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.
- E. "On school premises, on school district property, at school functions or activities, or on school transportation" means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school

bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.

- F. "Prohibited conduct" means bullying or cyberbullying as defined in this policy or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying.
- G. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.
- H. "Student" means a student enrolled in a public school or a charter school.

#### **IV. REPORTING PROCEDURE**

- A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report bullying 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 in the school district office, but oral reports shall be considered complaints as well.
- C. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or 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.

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 the primary contact on policy and procedural matters. The building report taker or a third party designated by the school district shall be responsible for the investigation. The building report taker shall provide information about available community resources to the target or victim of the bullying or other prohibited

conduct, the perpetrator, and other affected individuals as appropriate.

- D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.
- E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.
- F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, work assignments, or educational or work environment.
- G. 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 obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

## **V. SCHOOL DISTRICT ACTION**

- A. Within three days of the receipt of a complaint or report of bullying or other prohibited conduct, the school district shall undertake or authorize an investigation by the building report taker or a third party designated by the school district.
- B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.
- C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of an investigation that determines that bullying or other prohibited conduct 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 conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy (See MSBA/MASA Model Policy 506) and other applicable school district policies; and applicable regulations.

- E. 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 parent(s) or guardian(s) of students who are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or respond to bullying or other prohibited conduct committed by or directed against a child with a disability, the school district shall, when determined appropriate by the child's individualized education program (IEP) team 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 bullying or other prohibited conduct.

## **VI. RETALIATION OR REPRISAL**

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged bullying or prohibited conduct, who provides information about bullying or prohibited conduct, who testifies, assists, or participates in an investigation of alleged bullying or prohibited conduct, or who testifies, assists, or participates in a proceeding or hearing relating to such bullying or prohibited conduct. 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 prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy.

## **VII. TRAINING AND EDUCATION**

- A. The school district shall discuss this policy with school personnel and volunteers and provide appropriate training to school district personnel regarding this policy.

The school district shall establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district. The school district or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training materials, and publications on school rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.

- B. The school district shall require ongoing professional development, consistent with Minn. Stat. § 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:
1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
  2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
  3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
  4. The incidence and nature of cyberbullying; and
  5. Internet safety and cyberbullying.
- C. The school district annually will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.
- D. The administration of the school district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.
- E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.

The administration must establish strategies for creating a positive school climate and use evidence-based social-emotional learning to prevent and reduce discrimination and other improper conduct.

The administration is encouraged, to the extent practicable, to take such actions as it may deem appropriate to accomplish the following:

1. Engage all students in creating a safe and supportive school environment;
  2. Partner with parents and other community members to develop and implement prevention and intervention programs;
  3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
  4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
  5. Teach students to advocate for themselves and others;
  6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and
  7. Foster student collaborations that, in turn, foster a safe and supportive school climate.
- F. The school district may implement violence prevention and character development education programs to prevent or 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, and resourcefulness.
- G. The school district shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy (See MSBA/MASA Model Policy 515) in the student handbook.

## **VIII. NOTICE**

- A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.
- B. This policy or a summary thereof must be conspicuously posted in the administrative offices of the school district and the office of each school.

- C. This policy must be given to each school employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy (See MSBA/MASA Model Policy 506) distributed to parents at the beginning of each school year.
- E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the school district's or a school's website.
- F. The school district shall provide an electronic copy of its most recently amended policy to the Commissioner of Education.

## **IX. POLICY REVIEW**

To the extent practicable, the school board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with Minn. Stat. § 121A.031 and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

***Legal References:*** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definition of Public School)  
Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 121A.03 (Sexual, Religious and Racial Harassment and Violence)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. § 121A.0311 (Notice of Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.69 (Hazing Policy)  
Minn. Stat. Ch. 124E (Charter School)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)  
34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)

***Cross References:*** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)

MSBA/MASA Model Policy 423 (Employee-Student Relationships)  
MSBA/MASA Model Policy 501 (School Weapons Policy)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 507 (Corporal Punishment)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil  
Records)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (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 529 (Staff Notification of Violent Behavior  
by Students)  
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)  
MSBA/MASA Model Policy 711 (Video Recording on School Buses)  
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on  
Buses)

## **522 STUDENT SEX NONDISCRIMINATION**

### **I. PURPOSE**

Students are protected from discrimination on the basis of sex pursuant to Title IX of the Education Amendments of 1972 and the Minnesota Human Rights Act. The purpose of this policy is to provide equal educational opportunity for all students and to prohibit discrimination on the basis of sex.

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

- A. The school district provides equal educational opportunity for all students and does not unlawfully discriminate on the basis of sex. No student will be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any educational program or activity operated by the school district on the basis of sex.
- B. Every school district employee shall be responsible for complying with this policy.
- C. The school board hereby designates *AD – 120 S. Hawthorn Street Royalton, MN 56373, 320.584.4257*, as its Title IX coordinator. This employee coordinates the school district's efforts to comply with and carry out its responsibilities under Title IX.
- D. Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy should discuss them with the Title IX coordinator. Questions relating solely to Title IX and its regulations may be referred to the Assistant Secretary for Civil Rights of the United States Department of Education. In the absence of a specific designee, an inquiry or complaint should be referred to the superintendent or the school district human rights officer.

### **III. REPORTING GRIEVANCE PROCEDURES**

- A. Any student who believes he or she has been the victim of unlawful sex discrimination by a teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute unlawful sex discrimination toward a student should report the alleged acts immediately to an appropriate school district official designated by this policy or may file a grievance. The school district encourages the reporting party or complainant to use the report form available from the principal of each building or available from the school district office, but oral reports shall be considered complaints as well. Nothing in this policy shall prevent any person from reporting unlawful sex discrimination

toward a student directly to a school district human rights officer or to the superintendent.

- B. In Each School Building. The building principal is the person responsible for receiving oral or written reports or grievances of unlawful sex discrimination toward a student at the building level. Any adult school district personnel who receives a report of unlawful sex discrimination toward a student shall inform the building principal immediately.
- C. Upon receipt of a report or grievance, the principal must notify the school district human rights officer immediately, without screening or investigating the report. The principal 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 principal to the human rights officer. If the report was given verbally, the principal shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any report or complaint of unlawful sex discrimination toward a student as provided herein may result in disciplinary action against the principal. If the complaint involves the building principal, 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. The school board hereby designates **Human Resource Director, Roylton District Office, 120 S. Hawthorn Street, Roylton, MN 56373, 320.584.4250, [superintendent@isd485.org](mailto:superintendent@isd485.org)** as the school district human rights officer(s) to receive reports, complaints or grievances of unlawful sex discrimination toward a student. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.
- E. The school district shall conspicuously post the names of the Title IX coordinator and human rights officer(s), including office addresses and telephone numbers and work e-mail addresses.
- F. Submission of a good faith complaint, grievance, or report of unlawful sex discrimination toward a student will not affect the complainant or reporter's future employment, grades, or work assignments.
- G. Use of formal reporting forms is not mandatory.
- H. The school district will respect the privacy of the complainant, 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 conform with any discovery or disclosure obligations.

#### IV. INVESTIGATION

- A. By authority of the school district, the human rights officer, upon receipt of a report, complaint, or grievance alleging unlawful sex discrimination toward a student, shall

promptly 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 complainant, pupils, teachers, administrators, or other school personnel pending completion of an investigation of alleged unlawful sex discrimination toward a student.
- E. 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.

## **V. SCHOOL DISTRICT ACTION**

- A. Upon conclusion of the investigation and receipt of a report, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and school district policies.
- B. The result of the school district's investigation of each complaint filed under these procedures will be reported in writing to the complainant by the school district in accordance with state and federal law regarding data or records privacy.

## **VI. REPRISAL**

The school district will discipline or take appropriate action against any pupil, teacher, administrator, or other school personnel who retaliates against any person who reports

alleged unlawful sex discrimination toward a student or any person who testifies, assists, or participates in an investigation, or who testifies, assists, or participates in a proceeding or hearing relating to such unlawful sex discrimination. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

## **VII. 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, initiating civil action or seeking redress under state criminal statutes and/or federal law, or contacting the Office of Civil Rights for the United States Department of Education.

## **VIII. DISSEMINATION OF POLICY AND EVALUATION**

- A. This policy shall be made available to all students, parents/guardians of students, staff members, employee unions, and organizations.
- B. The school district shall review this policy and the school district's operation for compliance with state and federal laws prohibiting discrimination on a continuous basis.

***Legal References:*** Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)  
34 C.F.R. Part 106 (Implementing Regulations of Title IX)

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

## **616 SCHOOL DISTRICT SYSTEM ACCOUNTABILITY**

### **I. PURPOSE**

The purpose of this policy is to focus public education strategies on a process which promotes higher academic achievement for all students and ensures broad-based community participation in decisions regarding the implementation of the Minnesota Academic Standards and the federal law.

The school board is accountable to the public. The superintendent is accountable to the school board to execute the policies of the school board. The principals are accountable to the superintendent and the teachers and most of the rest of the staff are accountable to the principals.

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

Implementation of the Minnesota Academic Standards and federal law will require a new level of accountability for the school district. The school district will establish a system to transition to the graduation requirements of the Minnesota Academic Standards. The school district also will establish a system to review and improve instruction, curriculum, and assessment which will include substantial input by students, parents or guardians, and local community members. The school district will be accountable to the public and the state through annual reporting.

### **III. DEFINITIONS**

- A. “Credit” means a student’s successful completion of an academic year of study or a student’s mastery of the applicable subject matter, as determined by the school district.
- B. “Graduation Standards” means the credit requirements and locally adopted content standards or Minnesota Academic Standards that school districts must offer and certify that students complete to be eligible for a high school diploma.
- C. “World’s best workforce” means striving to: meet school readiness goals; have all third-grade students achieve grade-level literacy; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.

#### IV. ESTABLISHMENT OF GOALS; IMPLEMENTATION; EVALUATION AND REPORTING

##### A. School District Goals

1. The school board has established school district-wide goals which provide broad direction for the school district. Incorporated in these goals are the graduation and education standards contained in the Minnesota Academic Standards and federal law. The broad Strategic Plan shall be reviewed annually and approved by the school board. The school board shall adopt annual goals based on the recommendations of the Strategic Planning Committee for Comprehensive Continuous Improvement of Student Achievement
2. The improvement goals should address recommendations identified through the Strategic Planning Committee process. The school district's goal setting process will include consideration of individual site goals. School district goals may be developed through an education effectiveness program, an evaluation of student progress committee, or through some other locally determined process.

- B. System for Reviewing All Instruction and Curriculum. Incorporated in the process will be analysis of the school district's progress toward implementation of the Minnesota Academic Standards. Instruction and curriculum shall be reviewed and evaluated by taking into account strategies and best practices, student outcomes, principal evaluations under Minn. Stat. § 123B.147, Subd. 3, and teacher evaluations under Minn. Stat. § 122A.40, Subd. 8, or 122A.41, Subd. 5.

See the attached Curriculum Review Cycle for Royalton Public Schools.

##### C. Implementation of Graduation Requirements

1. The school board shall appoint a Graduation Standards Implementation Committee which shall advise the school board on implementation of the state and local graduation requirements, including K-12 curriculum, assessment, student learning opportunities, and other related issues. Recommendations of this committee shall be published annually to the community. The school board shall receive public input and comment and shall adopt or update this policy at least annually. The Graduation Standards Implementation Committee will be comprised of the Strategic Planning Committee for Comprehensive Continuous Improvement Comprised of: 2 Board Members, Superintendent, the Principals, Counselor, 1 Secondary and 1 Elementary Staff , 1 Secondary and 1 Elementary Non-staff Member Parent and a Graduating Senior appointed by the Student Council.

2. The school board shall annually review and determine if student achievement levels at each school site meet federal expectations and the Minnesota State expectations on the MCA tests. If the school board determines that student achievement levels at a school site do not meet federal expectations/Minnesota State expectations and the site has not made adequate yearly progress for two consecutive school years, the Graduation Standards Implementation Committee shall work with the school site to adopt a plan to raise student achievement levels to meet federal expectations. The Graduation Standards Implementation Committee may seek assistance from the Commissioner of the Minnesota Department of Education (MDE) (the Commissioner) in developing a plan which must include parental involvement components.
3. The educational assessment system component utilized by the school board to measure individual students' educational progress must be based, to the extent annual tests are administered, on indicators of achievement growth that show an individual student's prior achievement. Indicators of achievement and prior achievement must be based on highly reliable statewide or district wide assessments. The school board will utilize models developed by the Commissioner for measuring individual student progress. The school board must coordinate with MDE in evaluating school sites and continuous improvement plans, consistent with best practices.

D. Strategic Planning Committee

1. By October 31 of each year, the Strategic Planning Committee, will meet to advise and assist the school district in the implementation of the school district system accountability and comprehensive continuous improvement process.
2. The Curriculum Committee, working in cooperation with other committees of the school district [such as the Technology and Strategic Planning Committee etc.], will provide active community participation in:
  - a. Reviewing the school district instructional and curriculum plan, with emphasis on implementing the Minnesota Graduation Standards;
  - b. Identifying annual instruction and curriculum improvement goals for recommendation to the school board;
  - c. Making recommendations regarding the evaluation process that will be used to measure school district progress toward its goals;
  - d. Advising the school board about development of the annual budget.

3. The Strategic Planning Committee shall meet the following criteria:
  - a. The Strategic Planning Committee shall ensure active community participation in all planning for instruction and curriculum affecting Graduation Standards.
  - b. The Strategic Planning Committee shall make recommendations to the school board on school district-wide standards, assessments, and program evaluation.
  - c. Building teams may be established as subcommittees to develop and implement an education effectiveness plan and to carry out methods to improve instruction, curriculum, and assessments as well as methods to use technology in meeting the school district improvement plan.
  - d. A “World’s Best Workforce” plan to evaluate student progress, using a local process, shall be used for developing a plan for assessment of student progress toward the Graduation Standards, as well as program evaluation data for use by the Strategic Planning Committee in the instruction and curriculum review process. This plan shall annually be approved by the school board.
  
4. The Strategic Planning Committee shall be comprised of two-thirds community representatives and shall reflect the diversity of the community. The membership shall strive to be:
  - a. The Superintendent
  - b. Principals
  - c. 2 School Board Members
  - d. Student Representative appointed by Student Council
  - e. One teacher from each building
  - f. Two parents from each building or instructional level
  - g. Two residents without school-aged children, non-representative of local business or industry
  - h. Two resident’s representative of local business or industry
  - i. School District Assessment Coordinator (DAC)

5. Translation services should be provided to the extent appropriate and practicable.
6. The Strategic Planning Committee shall meet bimonthly during the school year
7. The Curriculum Committee shall meet the following timeline each year:
  - September: Organizational meeting of the Committee to review the authorizing legislation and the roles and responsibilities of the Committee as determined by the school board.
  - October: Agree on the process to be used. Become familiar with the instruction and curriculum of the cycle content area.
  - November: Take Recommendations for adding new classes/curriculum and/or remove classes/curriculum.
  - January: Make any decision which classes/curriculum to add or remove and approve for the School Boards January meeting.

E. Evaluation of Student Progress Committee. A committee of professional staff shall develop a plan for assessment of student progress toward Literacy by Grade 3, the Graduation Standards, as well as program evaluation data for use by the Strategic Planning Committee in the review instruction and curriculum, cultural competencies, including cultural awareness and cross-cultural communication, and student achievement at the school site. This plan shall annually be approved by the school board.

F. Reporting.

1. Consistent with Minn. Stat. § 120B.36, Subd. 1, the school board shall publish a summary of the report in the local newspaper with the largest circulation in the district, by mail, or by electronic means on the school district website. The school board shall hold an annual public meeting to review and revise, where appropriate, student achievement goals, local assessment outcomes, plans, strategies, and practices for improving curriculum and instruction, and to review school district success in realizing the previously adopted student achievement goals and related benchmarks and the improvement plans leading to the world's best workforce. The school board must transmit an electronic summary of its report to the Commissioner in the form and manner the Commissioner determines. The school district shall periodically survey affected constituencies about their connection to and level of satisfaction with the school. The school district shall include the results of this evaluation in its summary report to the Commissioner.
2. The school performance report for a school site and a school district must include performance reporting information and calculate proficiency rates as required by the most recently reauthorized Elementary and Secondary Education Act.

**Legal References:** Minn. Stat. § 120B.018 (Definitions)  
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota’s Students)  
Minn. Stat. § 120B.11 (School District Process)  
Minn. Stat. § 120B.128 (Educational Planning and Assessment System (EPAS) Program)  
Minn. Stat. § 120B.35 (Student Achievement Levels)  
Minn. Stat. § 120B.36 (School Accountability; Appeal Process)  
Minn. Stat. § 122A.40, Subd. 8 (Employment; Contracts; Termination)  
Minn. Stat. § 122A.41, Subd. 5 (Teacher Tenure Act; Cities of the First Class; Definitions)  
Minn. Stat. § 123B.04 (Site Decision Making Agreement)  
Minn. Stat. § 123B.147, Subd. 3 (Principals)  
Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)  
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)  
Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)  
Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards for Science)  
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)  
Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)  
20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

**Cross References:** MSBA/MASA Model Policy 104 (School District Mission Statement)  
MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)  
MSBA/MASA Model Policy 613 (Graduation Requirements)  
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)  
MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)  
MSBA/MASA Model Policy 617 (School District Ensurance of Preparatory and High School Standards)  
MSBA/MASA Model Policy 618 (Assessment of Student Achievement)  
MSBA/MASA Model Policy 619 (Staff Development for Standards)  
MSBA/MASA Model Policy 620 (Credit for Learning)

## Royalton’s District –Wide Curriculum Review Calendar

2019-20	K-12 Alignment – Writing Proficiency Scales & Curriculum			
2020-21	Curriculum, Lesson Plans, Scaling, Scope, & Sequence			
	<b>Implementation</b>	<b>Implementation</b>	<b>Assess, Evaluate, &amp; Improve</b>	<b>P</b>
2021-22	Language Arts World Language	Health/PE/Art/Music	Social Science	
2022-23	Mathematics	Language Arts World Language	Health/PE/Art/Music	
2023-24	Science	Mathematics	Language Arts World Language	
2024-25	Agriculture/Business Technology Education	Science	Mathematics	
2025-26	Social Science	Agriculture/Business Technology Education	Science	
2026-27	Health/PE/Art/Music	Social Science	Agriculture/Business Technology Education	

***Note: Special Education is included in all curricula areas throughout the review process***

## **806 CRISIS MANAGEMENT POLICY**

### **I. PURPOSE**

The purpose of this Model Crisis Management Policy is to act as a guide for school district and building administrators, school employees, students, school board members, and community members to address a wide range of potential crisis situations in the school district. For purposes of this Policy, the term, “school districts,” shall include charter schools. The step-by-step procedures suggested by this Policy will provide guidance to each school building in drafting crisis management plans to coordinate protective actions prior to, during, and after any type of emergency or potential crisis situation. Each school district should develop tailored building-specific crisis management plans for each school building in the school district, and sections or procedures may be added or deleted in those crisis management plans based on building needs.

The school district will, to the extent possible, engage in ongoing emergency planning within the school district and with emergency responders and other relevant community organizations. The school district will ensure that relevant emergency responders in the community have access to their building-specific crisis management plans and will provide training to school district staff to enable them to act appropriately in the event of a crisis.

### **II. GENERAL INFORMATION**

#### **A. The Policy and Plans**

The school district’s Crisis Management Policy has been created in consultation with local community response agencies and other appropriate individuals and groups that would likely be involved in the event of a school emergency. It is designed so that each building administrator can tailor a building-specific crisis management plan to meet that building’s specific situation and needs.

The school district’s administration and/or the administration of each building shall present tailored building-specific crisis management plans to the school board for review and approval. The building-specific crisis management plans will include general crisis procedures and crisis-specific procedures. Upon approval by the school board, such crisis management plans shall be an addendum to this Crisis Management Policy. This Policy and the plans will be maintained and updated on an annual basis.

B. Elements of the District Crisis Management Policy

1. General Crisis Procedures. The Crisis Management Policy includes general crisis procedures for securing buildings, classroom evacuation, building evacuation, campus evacuation, and sheltering. The Policy designates the individual(s) who will determine when these actions will be taken. These district-wide procedures may be modified by building administrators when creating their building-specific crisis management plans. A communication system will be in place to enable the designated individual to be contacted at all times in the event of a potential crisis, setting forth the method to contact the designated individual, the provision of at least two designees when the contact person is unavailable, and the method to convey contact information to the appropriate staff persons. The alternative designees may include members of the emergency first responder response team. A secondary method of communication should be included in the plan for use when the primary method of communication is inoperable. Each building in the school district will have access to a copy of the Comprehensive School Safety Guide (2011 Edition) to assist in the development of building-specific crisis management plans.

All general crisis procedures will address specific procedures for the safe evacuation of children and employees with special needs such as physical, sensory, motor, developmental, and mental health challenges.

- a. Lock-Down Procedures. Lock-down procedures will be used in situations where harm may result to persons inside the school building, such as a shooting, hostage incident, intruder, trespass, disturbance, or when determined to be necessary by the building administrator or his or her designee. The building administrator or designee will announce the lock-down over the public address system or other designated system. Code words will not be used. Provisions for emergency evacuation will be maintained even in the event of a lock-down. Each building administrator will submit lock-down procedures for their building as part of the building-specific crisis management plan.
- b. Evacuation Procedures. Evacuations of classrooms and buildings shall be implemented at the discretion of the building administrator or his or her designee. Each building's crisis management plan will include procedures for transporting students and staff a safe distance from harm to a designated safe area until released by the building administrator or designee. Safe areas may change based upon the specific emergency situation. The evacuation procedures should include specific procedures for children with special needs, including children with limited mobility (wheelchairs, braces, crutches, etc.), visual impairments, hearing impairments, and other

sensory, developmental, or mental health needs. The evacuation procedures should also address transporting necessary medications for students that take medications during the school day.

- c. Sheltering Procedures. Sheltering provides refuge for students, staff, and visitors within the school building during an emergency. Shelters are safe areas that maximize the safety of inhabitants. Safe areas may change based upon the specific emergency. The building administrator or his or her designee will announce the need for sheltering over the public address system or other designated system. Each building administrator will submit sheltering procedures for his or her building as part of the building-specific crisis management plan.
2. Crisis-Specific Procedures. The Crisis Management Policy includes crisis-specific procedures for crisis situations that may occur during the school day or at school-sponsored events and functions. These district-wide procedures are designed to enable building administrators to tailor response procedures when creating building-specific crisis management plans.
3. School Emergency Response Teams
    - a. Composition. The building administrator in each school building will select a school emergency response team that will be trained to respond to emergency situations. All school emergency response team members will receive on-going training to carry out the building's crisis management plans and will have knowledge of procedures, evacuation routes, and safe areas. For purposes of student safety and accountability, to the extent possible, school emergency response team members will not have direct responsibility for the supervision of students. Team members must be willing to be actively involved in the resolution of crises and be available to assist in any crisis situation as deemed necessary by the building administrator. Each building will maintain a current list of school emergency response team members which will be updated annually. The building administrator, and his or her alternative designees, will know the location of that list in the event of a school emergency. A copy of the list will be kept on file in the school district office, or in a secondary location in single building school districts.
    - b. Leaders. The building administrator or his or her designee will serve as the leader of the school emergency response team and will be the primary contact for emergency response officials. In the event the primary designee is unavailable, the designee list should include more than one alternative designee and may include members of the

emergency response team. When emergency response officials are present, they may elect to take command and control of the crisis. It is critical in this situation that school officials assume a resource role and be available as necessary to emergency response officials.

### III. PREPARATION BEFORE AN EMERGENCY

#### A. Communication

1. District Employees. Teachers generally have the most direct contact with students on a day-to-day basis. As a result, they must be aware of their role in responding to crisis situations. This also applies to non-teaching school personnel who have direct contact with students. All staff shall be aware of the school district's Crisis Management Policy and their own building's crisis management plan. Each school's building-specific crisis management plan shall include the method and dates of dissemination of the plan to its staff. Employees will receive a copy of the relevant building-specific crisis management plans and shall receive periodic training on plan implementation.
2. Students and Parents. Students and parents shall be made aware of the school district's Crisis Management Policy and relevant tailored crisis management plans for each school building. Each school district's building-specific crisis management plan shall set forth how students and parents are made aware of the district and school-specific plans. Students shall receive specific instruction on plan implementation and shall participate in a required number of drills and practice sessions throughout the school year.

#### B. Planning and Preparing for Fire

1. Designate a safe area at least 50 feet away from the building to enable students and staff to evacuate. The safe area should not interfere with emergency responders or responding vehicles and should not be in an area where evacuated persons are exposed to any products of combustion. (Depending on the wind direction, where the building on fire is located, the direction from which the fire is arriving, and the location of fire equipment, the distance may need to be extended.)
2. Each building's facility diagram and site plan shall be available in appropriate areas of the building and shall identify the most direct evacuation routes to the designated safe areas both inside and outside of the building. The facility diagram and site plan must identify the location of the fire alarm control panel, fire alarms, fire extinguishers, hoses, water spigots, and utility shut offs.
3. Teachers and staff will receive training on the location of the primary

emergency evacuation routes and alternate routes from various points in the building. During fire drills, students and staff will practice evacuations using primary evacuation routes and alternate routes.

4. Certain employees, such as those who work in hazardous areas in the building, will receive training on the locations and proper use of fire extinguishers and protective clothing and equipment.
5. Fire drills will be conducted periodically without warning at various times of the day and under different circumstances, e.g., lunchtime, recess, and during assemblies. State law requires a minimum of five fire drills each school year, consistent with Minn. Stat. § 299F.30. See Minn. Stat. § 121A.035.
6. A record of fire drills conducted at the building will be maintained in the building administrator's office.
7. The school district will have prearranged sites for emergency sheltering and transportation as needed.
8. The school district will determine which staff will remain in the building to perform essential functions if safe to do so (e.g., switchboard, building engineer, etc.). The school district also will designate an administrator or his or her designee to meet local fire or law enforcement agents upon their arrival.

C. Facility Diagrams and Site Plans

All school buildings will have a facility diagram and site plan that includes the location of primary and secondary evacuation routes, exits, designated safe areas inside and outside of the building, and the location of fire alarm control panel, fire alarms, fire extinguishers, hoses, water spigots, and utility shut offs. All facility diagrams and site plans will be updated regularly and whenever a major change is made to a building. Facility diagrams and site plans will be maintained by the building administrator and will be easily accessible and on file in the school district office. Facility diagrams and site plans will be provided to first responders, such as fire and law enforcement personnel.

D. Emergency Telephone Numbers

Each building will maintain a current list of emergency telephone numbers and the names and addresses of local, county, and state personnel who may be involved in a crisis situation. The list will include telephone numbers for local police, fire, ambulance, hospital, the Poison Control Center, county and state emergency management agencies, local public works departments, local utility companies, the public health nurse, mental health/suicide hotlines, and the county welfare agency. A copy of this list will be kept on file in the school district office, or at a secondary

location for single building school districts, and updated annually.

School district employees will receive training on how to make emergency contacts, including 911 calls, when the school district's main telephone number and location is electronically conveyed to emergency personnel instead of the specific building in need of emergency services.

School district plans will set forth a process to internally communicate an emergency, using telephones in classrooms, intercom systems, or two-way radios, as well as the procedure to enable the staff to rapidly convey emergency information to a building designee. Each plan will identify a primary and secondary method of communication for both internal and secondary use. It is recommended that the plan include several methods of communication because computers, intercoms, telephones, and cell phones may not be operational or may be dangerous to use during an emergency.

E. Warning and Notification Systems

The school district shall maintain a warning system designed to inform students, staff, and visitors of a crisis or emergency. This system shall be maintained on a regular basis under the maintenance plan for all school buildings. The school district should consider an alternate notification system to address the needs of staff and students with special needs, such as vision or hearing.

The building administrator shall be responsible for informing students and employees of the warning system and the means by which the system is used to identify a specific crisis or emergency situation. Each school's building-specific crisis management plan will include the method and frequency of dissemination of the warning system information to students and employees.

F. Early School Closure Procedures

The superintendent will make decisions about closing school or buildings as early in the day as possible. The early school closure procedures will set forth the criteria for early school closure (e.g., weather-related, utility failure, or a crisis situation), will specify how closure decisions will be communicated to staff, students, families, and the school community (designated broadcast media, local authorities, e-mail, or district or school building web sites), and will discuss the factors to be considered in closing and reopening a school or building.

Early school closure procedures also will include a reminder to parents and guardians to listen to designated local radio and TV stations for school closing announcements, where possible.

G. Media Procedures

The superintendent has the authority and discretion to notify parents or guardians

and the school community in the event of a crisis or early school closure. The superintendent will designate a spokesperson who will notify the media in the event of a crisis or early school closure. The spokesperson shall receive training to ensure that the district is in strict compliance with federal and state law relative to the release of private data when conveying information to the media.

H. Behavioral Health Crisis Intervention Procedures

Short-term behavioral health crisis intervention procedures will set forth the procedure for initiating behavioral health crisis intervention plans. The procedures will utilize available resources including the school psychologist, counselor, community behavioral health crisis intervention, or others in the community. Counseling procedures will be used whenever the superintendent or the building administrator determines it to be necessary, such as after an assault, a hostage situation, shooting, or suicide. The behavioral health crisis intervention procedures shall include the following steps:

1. Administrator will meet with relevant persons, including school psychologists and counselors, to determine the level of intervention needed for students and staff.
2. Designate specific rooms as private counseling areas.
3. Escort siblings and close friends of any victims as well as others in need of emotional support to the counseling areas.
4. Prohibit media from interviewing or questioning students or staff.
5. Provide follow-up services to students and staff who receive counseling.
6. Resume normal school routines as soon as possible.

I. Long-Term Recovery Intervention Procedures

Long-term recovery intervention procedures may involve both short-term and long-term recovery planning:

1. Physical/structural recovery.
2. Fiscal recovery.
3. Academic recovery.
4. Social/emotional recovery.

**IV. SAMPLE PROCEDURES INCLUDED IN THIS POLICY**

Sample procedures for the various hazards/emergencies listed below are attached to this Policy for use when drafting specific crisis management plans. Additional sample procedures may be found in the Response section of the Comprehensive School Safety Guide (2011 Edition). After approval by the school board, an adopted procedure will become an addendum to the Crisis Management Policy.

- A. Fire
- B. Hazardous Materials
- C. Severe Weather: Tornado/Severe Thunderstorm/Flooding
- D. Medical Emergency
- E. Fight/Disturbance
- F. Assault
- G. Intruder
- H. Weapons
- I. Shooting
- J. Hostage
- K. Bomb Threat
- L. Chemical or Biological Threat
- M. Checklist for Telephone Threats
- N. Demonstration
- O. Suicide
- P. Lock-down Procedures
- Q. Shelter-In-Place Procedures
- R. Evacuation/Relocation
- S. Media Procedures
- T. Post-Crisis Procedures
- U. School Emergency Response Team

- V. Emergency Phone Numbers
- W. Highly Contagious Serious Illness or Pandemic Flu

**V. MISCELLANEOUS PROCEDURES**

A. Chemical Accidents

Procedures for reporting chemical accidents shall be posted at key locations such as chemistry labs, art rooms, swimming pool areas, and janitorial closets.

B. Visitors

The school district shall implement procedures mandating visitor sign in and visitors in school buildings. See MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites).

The school district shall implement procedures to minimize outside entry into school buildings except at designated check-in points and assure that all doors are locked prior to and after regular building hours.

C. Student Victims of Criminal Offenses at or on School Property

The school district shall establish procedures allowing student victims of criminal offenses on school property the opportunity to transfer to another school within the school district.

- Legal References:**
- Minn. Stat. Ch. 12 (Emergency Management)
  - Minn. Stat. Ch. 12A (Natural Disaster; State Assistance)
  - Minn. Stat. § 121A.035 (Crisis Management Policy)
  - Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)
  - Minn. Stat. § 299F.30 (Fire Drill in School)
  - Minn. Stat. § 326B.02, Subd. 6 (Powers)
  - Minn. Stat. § 326B.106 (General Powers of Commissioner of Labor and Industry)
  - Minn. Stat. § 609.605, Subd. 4 (Trespasses on School Property)
  - Minn. Rules Ch. 7511 (Fire Safety)
  - 20 U.S.C. § 1681, *et seq.* (Title IX)
  - 20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)
  - 20 U.S.C. § 7912 (Unsafe School Choice Option)
  - 42 U.S.C. § 5121 *et seq.* (Disaster Relief and Emergency Assistance)

***Cross References:*** MSBA/MASA Model Policy 407 (Employee Right to Know – Exposure to Hazardous Substances)  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 501 (School Weapons Policy)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 532 (Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds)  
MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)  
<https://dps.mn.gov/divisions/sfm/documents/2011comprehensiveschoolsafetyguide.pdf>

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

MSBA/MASA Model Policy 524

Orig. 1996

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

Rev. ~~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

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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

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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

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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

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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**

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- 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.

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## **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 524-11

## 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 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.

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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.

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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

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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.

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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

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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:

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- 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

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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**  
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## 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**

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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***  
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*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.

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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.

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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

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**Royalton Public Schools #485**  
**Request to Withhold**  
**DIRECTORY INFORMATION FORM**

The Royalton Public School District Board of Education has adopted the following policy regarding student directory information.

All school information regarding a student is considered private and confidential except "Directory Information." The Royalton Board of Education has classified the following as Directory Information.

The student's name, address, telephone number, electronic mail address, date and place of birth, dates of attendance, grade level, enrollment status, (e. g. full-time, part-time), major field of study, participation in officially recognized activities and sports, weight and height of athletic team members, photograph(s), degrees received, honors and awards received, the most recent previous educational agency or institution attended by the student is public data. It also includes the name, address, electronic mail address, and telephone number of the student's parent(s).

Parents/guardians or eligible students may opt out of the directory information classification by providing written notice to the principal of the school where the student is enrolled and attending.

-----  
**For the 20\_\_ - 20\_\_ School Year**

I am requesting that Royalton Public School District #485 not provide any agency with the following directory information regarding my child. (Check all that apply)

- |                                                                                                                       |                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <input type="checkbox"/> Student name                                                                                 | <input type="checkbox"/> Major field of study                                       |
| <input type="checkbox"/> Name, address, electronic mail address & telephone number of student's parent/legal guardian | <input type="checkbox"/> Participation in officially recognized activities & sports |
| <input type="checkbox"/> Address                                                                                      | <input type="checkbox"/> Weight & height of athletic team members                   |
| <input type="checkbox"/> Telephone number                                                                             | <input type="checkbox"/> Photograph(s)                                              |
| <input type="checkbox"/> Email address                                                                                | <input type="checkbox"/> Degrees                                                    |
| <input type="checkbox"/> Date and place of birth                                                                      | <input type="checkbox"/> Honors & awards received                                   |
| <input type="checkbox"/> Dates of attendance                                                                          | <input type="checkbox"/> Most recent previous educational institution attended      |
| <input type="checkbox"/> Grade level                                                                                  | <input type="checkbox"/> <b>All of the above</b>                                    |
| <input type="checkbox"/> Enrollment status (e. g. full-time, part-time)                                               |                                                                                     |

Date: \_\_\_\_\_

Student: \_\_\_\_\_  
Last Name First Name M. I.

Birthdate: \_\_\_\_\_

Grade Level: \_\_\_\_\_ Graduation Year: \_\_\_\_\_

Parent/Guardian: \_\_\_\_\_  
Last Name First Name M. I.

\_\_\_\_\_  
Parent Signature Date

Please return this completed form to the District Office:  
Royalton Public Schools  
120 S. Hawthorn  
Royalton, MN 56373-0005

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 ~~isare not public and isare not available~~accessible to the subject.
- D. “Parking space leasing data” means the following government data on an applicant~~-tion~~ for, or lessee ~~ase~~ 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 sSocial sSecurity 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, ~~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 ~~d~~ 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) ¶

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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)

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~~

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~~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, Subdivision: 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, 503-4

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 Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.

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 coach or advisor~~ before the student participates in the activity or program.

**III. RELIGIOUS OBSERVANCE ACCOMMODATION**

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

**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**

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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~~subd. 19 (Habitual Truant Defined)  
Minn. Stat. § 260C.201 (Dispositions; Children in Need of Protection or Services or Neglected and in Foster Care)  
*Goss v. Lopez*, 419 U.S. 565, ~~95 S.Ct. 729~~ (1975)  
*Slocum v. Holton Board of Education*, 429 N.W.2d 607 (Mich. App. Ct. 1988)  
*Campbell v. Board of Education of New Milford*, 475 A.2d 289 (Conn. 1984)  
*Hamer v. Board of Education of Township High School District No. 113*, 66 Ill. App.3d 7, 383 N.E.2d 231 (1978)  
*Gutierrez v. School District R-1*, 585 P.2d 935 (Co. Ct. App. 1978)

*Knight v. Board of Education*, 38 Ill. App. 3d 603, 348 N.E.2d 299  
(1976)  
*Dorsey v. Bale*, 521 S.W.2d 76 (Ky. 1975)

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

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

MSBA/MASA Model Policy 507

Orig. 1995

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

Rev. 2004 ~~21~~

## 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)

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

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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.]*

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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 ~~may~~ **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  
~~Minn. Op. Atty. Gen. 169j (May 14, 2019) (Letter to  
Ricker)~~

*Cross References:* None¶