



AGENDA
REGULAR MEETING
ROYALTON BOARD OF EDUCATION
ECC RM PK 15
120 SOUTH HAWTHORN STREET
ROYALTON, MN 56373
MAY 23, 2022
6:00 PM

1. **Call to Order**
2. **Pledge to Flag**
3. **Roll Call**
4. **Board Chair Comment**
5. **Approval of Agenda**
6. **Appreciation, Recognition and Presentations**
7. **Recognition of Citizens for Input Purposes**
8. **Reports/News**
 - a. Board Committee Report
 - b. Superintendent Report
 - c. Business Manager Report 3
 - d. Principal Report 11
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 12
 - b. Claims, Accounts and Financial
Approve accounts payable and receivables, and employee reimbursements as attached and approve all other financial reports as presented.
 - c. Approval of New Hires 18
The Royalton School Board will approve the following hires based upon the findings of each individual's background check, licensure status, and discipline report from the MN Department of Education.
 - d. Approval of Resignations 19
10. **Discussion/Information/Action Items**
 - a. Approval of Donations by Resolution 20
 - b. New Budget Presentation 21
 - c. Request for Liquidation of Kitchen Equipment 22
 - d. Employee Handbook Presentation 30
 - e. Summer School Presentation Update 48
 - f. Principal's Contract
 - g. Human Resource Contract 1

h. Building and Grounds Contract	
i. Technology Integration Specialist Contract	
j. Policy Readings	
1. First Policy Readings	57
410 - Family and Medical Leave Policy	
413 - Harassment and Violence	
423 - Employee-Student Relationships	
709 - Student Transportation Safety Policy	
2. Second Policy Readings	98
616 - School District System Accountablilty	
714 - Fund Balance	
3. Approval of Third Policy Reading	108
506 - Student Discipline	

11. Upcoming Meeting Schedule

1. Thursday, May 26, 6:00-7:30 PM Strategic Planning Committee Meeting
2. Wednesday, June 8, 9:00 AM Policy Meeting
3. Wednesday, June 8, 6:00-7:30 PM Strategic Planning Committee Meeting
4. Tuesday, June 21, 12:00 PM Finance Meeting
5. Monday, June 27, 6:00 PM Regular Board Meeting

12. Adjournment

FY22 April Budget Update



A LOOK *at the* **BUDGET**

ENROLLMENT

- Original Adopted Budget: 920
- Enrollment as of May 2, 2022: 920
- Revised Budget based on enrollment of: 916

REVENUES

ROYALTON April 30, 2022												
REVENUE CATEGORIES	June 30, 2020	June 30, 2021	Revised Budget	Projected End Of Year	Received YTD	Budget Remaining	April 30, 2022	April 30, 2021	April 30, 2020	Current YTD vs. PYTD	April 30, 2021	April 30, 2020
							% of Budget Received	% of Actuals Received	% of Actuals Received			
STATE	8,931,669	8,485,614	8,785,179	9,517,604	7,389,792	1,395,387	84.12%	75.69%	74.78%	966,881	6,422,911	6,679,022
FEDERAL	139,409	562,863	1,041,984	765,583	331,795	710,189	31.84%	83.74%	79.24%	(139,533)	471,328	110,474
PROPERTY TAXES	572,195	707,849	684,800	55,269	1,643	683,157	0.24%	91.58%	89.03%	(646,611)	648,255	509,453
LOCAL SALES, INS RECOVERY & JUDGEMENTS	75,449	16,885	40,400	44,131	51,914	(11,514)	128.50%	79.85%	113.13%	38,433	13,482	85,359
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	296,079	328,801	291,313	4,766	98.39%	93.23%	97.37%	110,618	180,695	300,287
TOTALS	10,027,132	9,967,018	10,848,442	10,711,388	8,066,458	2,781,985	74.36%	77.62%	76.64%	329,787	7,736,670	7,684,595

REVENUES CONTINUED

- WE ARE \$329,787 AHEAD OF FY21 PACE IN REVENUES
- WE ARE CAUGHT UP ON FEDERAL DRAWS. CURRENTLY WE ARE \$139,533 BEHIND FY21 PACE
 - SAM.GOV REGISTRATION: WAITING ACTIVATION OF UEI NUMBER (REPLACES DUNS) HAS HELD UP FEDERAL REVENUE DEPOSITS
- PROPERTY TAXES – FYTD RECEIVED: \$850,772.73

EXPENDITURES

ROYALTON April 30, 2022												
EXPENDITURES (PROGRAM SERIES)	June 30, 2020	June 30, 2021	Revised Budget	Projected End Of Year	Expended YTD	Budget Remaining	April 30,	April 30,	April 30,	Current YTD vs. PYTD	April 30, 2021	April 30, 2020
							% of Budget Expended	% of Actuals Expended	% of Actuals Expended			
SITE ADMINISTRATION	356,308	361,675	410,235	457,722	361,343	48,893	88.08%	75.00%	76.29%	90,094	271,249	271,811
DISTRICT ADMINISTRATION	197,705	232,642	228,212	258,988	207,455	20,758	90.90%	73.94%	81.90%	35,435	172,020	161,924
SUPPORT SERVICES	333,936	347,394	461,939	487,506	357,280	104,659	77.34%	83.66%	85.05%	66,644	290,636	284,017
REGULAR INSTRUCTION	4,094,925	4,252,393	4,690,414	4,997,530	3,601,615	1,088,799	76.79%	68.19%	66.84%	701,960	2,899,655	2,737,182
EXTRA-CURRICULAR ACTIVITIES	526,246	422,966	460,170	538,659	404,601	55,569	87.92%	65.21%	74.80%	128,794	275,807	393,633
VOCATIONAL INSTRUCTION	76,779	86,044	161,360	205,570	157,865	3,495	97.83%	73.58%	71.78%	94,556	63,309	55,115
SPECIAL EDUCATION	1,180,162	1,284,881	1,427,680	1,634,394	1,162,732	264,948	81.44%	68.07%	59.01%	288,173	874,559	696,427
COMMUNITY SERVICES	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
INSTRUCTIONAL SUPPORT	362,497	434,199	454,891	645,178	560,152	(105,261)	123.14%	92.52%	95.29%	158,450	401,702	345,438
PUPIL SUPPORT SERVICES	881,217	669,017	1,093,284	1,079,708	912,135	181,149	83.43%	78.48%	83.05%	387,108	525,027	731,888
FACILITIES	1,087,884	1,330,337	1,733,737	1,602,433	1,269,999	463,737	73.25%	80.37%	80.61%	200,856	1,069,143	876,977
OTHER FINANCING USES	85,392	81,389	86,560	146,903	144,370	(57,810)	166.79%	224.93%	243.74%	(38,695)	183,065	208,134
TOTALS	9,183,053	9,502,937	11,208,481	12,054,591	9,139,546	2,068,935	81.54%	73.94%	73.64%	2,113,375	7,026,171	6,762,546

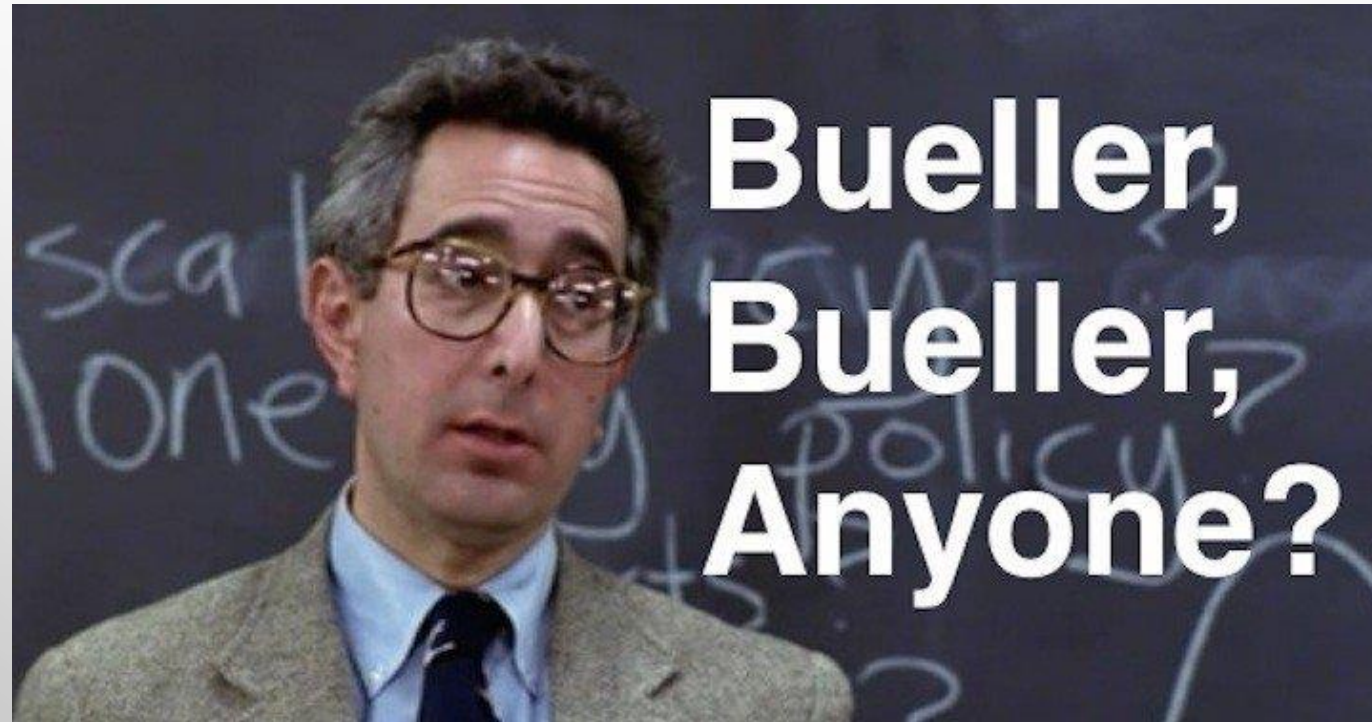
EXPENSES CONTINUED

- WE ARE \$2,113,375 AHEAD OF WHERE WE WERE THIS TIME LAST YEAR
 - WHY?
 - > IN EXPENSES THIS MONTH DUE TO ONE-TIME RETRO SALARY ADJUSTMENTS
 - REGULAR EDUCATION COST UP DUE TO COVID
 - EXTRA CURRICULAR ACTIVITIES BACK TO PRE-COVID LEVELS. INCREASE OF \$128,794 FROM PRIOR COVID YEAR
 - CARES FUNDING BEING SPENT FOR ONE-TIME EXPENDITURES THE BETTERMENT OF THE STUDENTS
 - LEFTOVER CONSTRUCTION FUNDS BEING USED FOR VARYING PROJECTS

MAP AND LITTLE ROYALS

MAP FINANCIALS										
	July	August	September	October	November	December	January	February	March	April
Revenue: 04 000 570 000 321 050	\$20,085.75	\$50,171.50	\$54,919.50	\$62,873.75	\$67,907.50	\$73,647.75	\$78,477.50	\$82,835.25	\$88,123.00	\$93,612.25
Staffing Cost	\$7,553.16	\$22,550.16	\$30,869.89	\$34,615.20	\$38,333.49	\$42,461.75	\$46,199.36	\$50,530.11	\$53,979.04	\$62,507.57
Purchased Serv	\$824.10	\$2,108.79	\$3,060.63	\$3,948.35	\$3,948.35	\$4,067.84	\$4,067.84	\$4,067.84	\$4,198.93	\$4,198.93
Supplies	\$111.76	\$470.37	\$470.37	\$470.37	\$470.37	\$667.17	\$1,125.35	\$1,266.55	\$1,555.60	\$1,555.60
Expense	\$8,489.02	\$25,129.32	\$34,400.89	\$39,033.92	\$42,752.21	\$47,196.76	\$51,392.55	\$55,864.50	\$59,733.57	\$68,262.10
Profit (Loss)	\$11,596.73	\$25,042.18	\$20,518.61	\$23,839.83	\$25,155.29	\$26,450.99	\$27,084.95	\$26,970.75	\$28,389.43	\$25,350.15
LITTLE ROYALS										
	July	August	September	October	November	December	January	February	March	April
Revenue: 04 000 000 000 344 050	\$930.00	\$1,330.00	\$16,705.00	\$28,189.25	\$39,694.25	\$46,427.25	\$57,060.25	\$69,315.58	\$87,526.58	\$99,239.58
Revenue: 04 000 000 000 344 300	\$2,221.84	\$6,879.33	\$7,768.07	\$7,768.07	\$7,768.07	\$16,202.70	\$25,317.76	\$25,317.76	\$25,317.76	\$25,317.76
Revenue: 04 000 582 000 338 040 04 000 582 000 337 040	\$0.00	\$0.00	\$0.00	\$2,635.75	\$5,438.74	\$10,196.23	\$12,325.10	\$17,080.97	\$20,338.34	\$22,097.21
Staffing Cost	\$3,366.77	\$6,767.78	\$15,317.94	\$32,541.23	\$48,847.86	\$64,790.54	\$81,053.59	\$98,822.98	\$112,758.15	\$146,623.07
Purchased Serv	\$678.32	\$678.32	\$112.43	\$569.44	\$569.44	\$569.44	\$1,850.60	\$2,615.60	\$2,811.16	\$3,576.16
Supplies	\$2,138.26	\$2,138.26	\$2,138.26	\$2,138.26	\$2,138.26	\$2,138.26	\$2,138.26	\$2,138.26	\$2,138.26	\$2,138.26
Expense	\$6,183.35	\$9,584.36	\$17,568.63	\$35,248.93	\$51,555.56	\$67,498.24	\$85,042.45	\$103,576.84	\$117,707.57	\$152,337.49
Profit (Loss)	-\$3,031.51	-\$1,375.03	\$6,904.44	\$3,344.14	\$1,345.50	\$5,327.94	\$9,660.66	\$8,137.47	\$15,475.11	-\$5,682.94

ANY QUESTIONS?



Royalton Elementary Schools News
Dr. Phil Gurbada
May 2022

“A shared commitment to create a caring community where every child is valued and curiosity, creativity, and the desire to learn is encouraged.”

1. The third RIF book distribution for the school year was held on Wednesday, May 18. Thank you to Merrin Polzine-Lust and the committee members for organizing this event. As part of the program, Aaron Meier dyed his hair as a reward for the students raising over \$10,000 for Jump=Rope-for Heart.
2. Regular Summer School and SPED Extended School Year (ESY) will be held from July 11 - 28. At this point, 58 students, K-5, have enrolled and they will be divided into four classrooms. Ted Hanson is our Summer School coordinator
3. The Summer Map program is scheduled for June 6 - August 26.
4. Graduation dates for Preschool, Kindergarten, and Grade 5 are listed below.
 - a. May 25: Three Year. Old Preschool Graduation, 8:30am, Cafetorium
Four Year old Preschool Graduation, 10:00am, Cafetorium
 - b. May 26: Kindergarten, 9:00am, Cafetorium
 - c. May 27: Gr. 5, 8:30am, Elementary Gym

Regular Meeting

Monday, April 25, 2022 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 Comment

5. Approval of Agenda

Approval of Agenda. This motion, made by Rian Hofstad and seconded by Tyra Baumann, Passed.

Tyra Baumann: Yea
Russ Gerads: Yea
Randy Hackett: Yea
Rian Hofstad: Yea
Mary Lange: Yea
Angela Roering: Yea
Yea: 6, Nay: 0

6. Appreciation, Recognition and Presentations

7. Recognition of Citizens for Input Purposes

8. Reports/News

8.a. Board Committee Report

8.b. Superintendent Report

8.c. Business Manager Report

8.d. Principal Report

8.e. Athletic Director

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.**

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

Tyra Baumann: Yea
Russ Gerads: Yea
Randy Hackett: Yea
Rian Hofstad: Yea
Mary Lange: Yea
Angela Roering: Yea
Yea: 6, Nay: 0

9.a. Approval of Regular Board Meeting Minutes for March 28, 2022

9.b.

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

9.c. Approval of New Hires

9.d. Approval of Resignations

9.e. Approval of FMLA

9.f. Approval of Retirement

9.g. Approve St. Cloud Orthopedics Advertisement in South and Central Gyms

10. Discussion/Information/Action Items

10.a. Approval of Donations by Resolution

Motion to Approve Donations by Resolutions.

This motion, made by Tyra Baumann and seconded by Rian Hofstad, Passed.

Tyra Baumann: Yea
Russ Gerads: Yea
Randy Hackett: Yea
Rian Hofstad: Yea
Mary Lange: Yea
Angela Roering: Abstain (With Conflict)
Yea: 5, Nay: 0, Abstain (With Conflict): 1

10.b. Girls Basketball Fundraiser

Motion to Approve the Girls Basketball Fundraiser. This motion, made by Mary Lange and seconded by Angela Roering, Passed.

Tyra Baumann: Abstain (With Conflict)
Russ Gerads: Yea
Randy Hackett: Yea
Rian Hofstad: Yea
Mary Lange: Yea
Angela Roering: Yea
Yea: 5, Nay: 0, Abstain (With Conflict): 1

10.c. Choir Trip to New York City, June 2023

Motion to Approve the Choir Trip to New York City in June of 2023. This motion, made by Tyra Baumann and seconded by Rian Hofstad, Passed.

Tyra Baumann: Yea
Russ Gerads: Yea
Randy Hackett: Yea
Rian Hofstad: Yea
Mary Lange: Yea
Angela Roering: Yea
Yea: 6, Nay: 0

10.d. Hudl Focus

Motion to Approve the Hudl Focus Contract.

This motion, made by Tyra Baumann and seconded by Randy Hackett, Passed.

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

Angela Roering: Yea
Yea: 6, Nay: 0

10.e. Request for Amendment to the
Superintendent Contract

Motion to Approve Superintendent Dr.
Wehrkamp to roll over unused vacation days
for current school year 2021-22 to next
school year 2022-23. This motion, made by
Rian Hofstad and seconded by Randy Hackett,
Passed.

Tyra Baumann: Yea
Russ Gerads: Yea
Randy Hackett: Yea
Rian Hofstad: Yea
Mary Lange: Yea
Angela Roering: Yea
Yea: 6, Nay: 0

Motion to Approve Amendment to the
Superintendent Dr. Wehrkamp's Health
Insurance Benefit to mirror the Principle's
Contract. This motion, made by Randy Hackett
and seconded by Tyra Baumann, Passed.

Tyra Baumann: Yea
Russ Gerads: Yea
Randy Hackett: Yea
Rian Hofstad: Yea
Mary Lange: Yea
Angela Roering: Yea
Yea: 6, Nay: 0

10.f. Policy Readings

10.f.1. Second Policy Reading

10.f.2. Approval of Second Policy
Reading (final reading due to minor
changes)

Motion to Approve Second Policy Reading.
This motion, made by Randy Hackett and
seconded by Tyra Baumann, Passed.

Tyra Baumann: Yea
Russ Gerads: Yea
Randy Hackett: Yea
Rian Hofstad: Yea
Mary Lange: Yea
Angela Roering: Yea
Yea: 6, Nay: 0

10.f.3. Approval of Third Policy
Reading

Motion to Approve the Third Policy Readings. This motion, made by Randy Hackett and seconded by Tyra Baumann, Passed.

Tyra Baumann: Yea
Russ Gerads: Yea
Randy Hackett: Yea
Rian Hofstad: Yea
Mary Lange: Yea
Angela Roering: Yea
Yea: 6, Nay: 0

11. Upcoming Meeting Schedule

12. Close meeting for Labor Negotiation Strategies as permitted by MN Statute Section 13D.03

Motion to close the regular meeting at 7:12pm. This motion, made by Randy Hackett and seconded by Mary Lange, Passed.

Tyra Baumann: Yea
Russ Gerads: Yea
Randy Hackett: Yea
Rian Hofstad: Yea
Mary Lange: Yea
Angela Roering: Yea
Yea: 6, Nay: 0

Motion to open the closed meeting at 7:22pm. This motion, made by Mary Lange and seconded by Tyra Baumann, Passed.

Tyra Baumann: Yea
Russ Gerads: Yea
Randy Hackett: Yea
Rian Hofstad: Yea
Mary Lange: Yea
Angela Roering: Yea
Yea: 6, Nay: 0

Motion to close the closed meeting at 7:52pm. This motion, made by Mary Lange and seconded by Tyra Baumann, Passed.

Tyra Baumann: Yea
Russ Gerads: Yea
Randy Hackett: Yea
Rian Hofstad: Yea
Mary Lange: Yea
Angela Roering: Yea
Yea: 6, Nay: 0

Motion to open the regular meeting at 7:52pm.
This motion, made by Mary Lange and seconded by
Rian Hofstad, Passed.

Tyra Baumann: Yea
Russ Gerads: Yea
Randy Hackett: Yea
Rian Hofstad: Yea
Mary Lange: Yea
Angela Roering: Yea
Yea: 6, Nay: 0

13. **Adjournment**

The meeting was adjourned at 7:53pm. This
motion, made by Rian Hofstad and seconded by
Mary Lange, Passed.

Tyra Baumann: Yea
Russ Gerads: Yea
Randy Hackett: Yea
Rian Hofstad: Yea
Mary Lange: Yea
Angela Roering: Yea
Yea: 6, Nay: 0

Board Secretary

Hiring 05.23.22

Kara Kloss - 4 Year Old Preschool Teacher for the 2022-23 school year

Annabelle Bzdok - MAP Assistant

Rachel Cekalla - MAP Assistant

Brianna Wenner - MAP Lead

Resignations 05.23.22

Boyd Snyder - JH Boys Basketball

Boyd Snyder - JH Girls Basketball

Lesa Boser - JH Girls Basketball

Ted Morgan - Assistant Boys Basketball Coach, C-Squad

Jeanne Omgig - MS Student Council

Kara Kloss - JH Volleyball

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; _____

Royalton American Legion has generously donated \$2000 to the Royalton School District. 4 students with scholarships will receive \$500 each.

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

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

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

_____ and upon a roll call vote being taken thereon, the

following voted

in favor thereof:

following voted against:

and the following abstained:

The foregoing resolution was approved on the 23rd day of May, 2022.

_____ Board Chair, Russ Gerads

_____ Board Clerk, Rian Hofstad

ROYALTON
Budget / Fund Balance Overview (Next Year)
Proposed Adopted Budget - Next Year

General Fund - 01	Beginning				End of Year		Net Increase or Decrease
	Fund Balance	Revenues	Expenditures	Transfers	Proj. Balance		
422 Unassigned Fund Balan	2,001,631	9,391,969	9,357,893	-	2,035,707	34,076	
	21.06%				19.58%		
Restricted							
401 Student Activities	207,697	99,500	25	-	307,172	99,475	
402 Scholarships	38,243	13,000	10,000	-	41,243	3,000	
403 Staff Development	(0)	139,264	151,695	12,431	(0)	0	
424 Operating Capital	393,288	221,116	165,500	(50,000)	398,904	5,616	
438 Gifted and Talented	20,879	14,390	14,822	-	20,447	(432)	
441 Basic Skills Programs	(0)	133,673	148,419	14,746	0	0	
448 Achievement and Integration Revenue	-	-	-	-	-	-	
449 Safe Schools Levy	7,905	37,258	24,364	-	20,799	12,894	
467 Long-Term Facilities Maint	225,633	325,322	257,100	(52,325)	241,530	15,897	
472 Medical Assistance	62,425	15,000	100	-	77,325	14,900	
Subtotal Restricted	956,070	1,192,260	1,040,910	-	1,107,420	151,350	
460 Nonspendable	5,986	-	-	-	5,986	-	
Assigned Funds							
462 Assigned	470,000	-	-	-	470,000	-	
Assigned - "detail"	-	-	-	-	-	-	
Subtotal Assigned - 462	470,000	-	-	-	470,000	-	
Total General Fund	3,433,686	10,584,229	10,398,803	-	3,619,113	185,426	
Food Service Fund - 02							
460 Nonspendable	2,323	-	-	-	2,323	-	
464 Restricted	902	486,350	494,329	-	(7,077)	(7,979)	
463 Unassigned	-	-	-	-	-	-	
Total Food Service	3,225	486,350	494,329	-	(4,754)	(7,979)	
Community Services - 04							
460 Nonspendable	-	-	-	-	-	-	
464 Restricted	28,934	4,400	-	-	33,334	4,400	
Restricted / Reserved							
426 \$25 Taconite	-	-	-	-	-	-	
431 Community Education	191,449	190,772	123,897	-	258,324	66,875	
432 Early Childhood	51,010	43,477	30,000	-	64,487	13,477	
440 Teacher Development	-	-	-	-	-	-	
444 School Readiness	92,882	160,000	154,034	-	98,848	5,966	
447 Adult Basic Education	-	-	-	-	-	-	
452 Funded OPEB Liabilities	-	-	-	-	-	-	
Restricted/Reserved - Subtotal	335,341	394,249	307,931	-	421,659	86,318	
463 Unassigned	-	-	-	-	-	-	
Total Community Education	364,275	398,649	307,931	-	454,992	90,718	
Debt Service - 07							
464 Restricted	423,991	2,011,466	2,004,883	-	430,574	6,583	
463 Unassigned	-	-	-	-	-	-	
Total Debt Service Fund	423,991	2,011,466	2,004,883	-	430,574	6,583	
Trust - 08	-	-	-	-	-	-	
Total All Funds:	4,225,177	13,480,694	13,205,945	-	4,499,925	274,749	



ROYALTON
PUBLIC SCHOOLS

Creating a Collaborative and Caring Community

Request for Liquidation of High School North Kitchen Equipment
and
Elementary Kitchen Upgrade

Current Situation

- The HS north kitchen is not being used for food service (no intention to do so in the near future).
- The HS north kitchen equipment is not being used and has resale value.
- Elementary kitchen serving line is not ergonomically correct.
- Elementary kitchen is outdated and in need of new equipment.

North Kitchen Inventory

The following is the list of HS north kitchen equipment not being used:

- 2 - Commercial Ovens
- 1 - Tilting Kettle
- 1 - Commercial Dishwasher
- 2 - Display Coolers
- 5 - Buffet Carts
- 1 - Commercial Microwave

Estimated Resale Value: **\$77,500**

Elementary Kitchen Needs

- Updated serving line
- Double combi oven
- Multi-functional cooker
- Proofer cabinet
- Bunn hot water dispenser (move from north kitchen)
- Cold buffet cart (move from north kitchen)
- Stainless steel work tables (move from north kitchen)

Estimated Equipment Cost: **\$69,500**

Estimated Serving Line Remodel: **\$25,000**

Estimated Total Cost: **\$94,500**

Revenue Sources to pay for Elementary Kitchen Upgrade

- Cash from the proceeds of the sale of equipment from the north kitchen (**\$77,500** best case scenario)
- PMA funds (**\$43,700** available)
- LTFM funds
- Fund 2 (possibly)

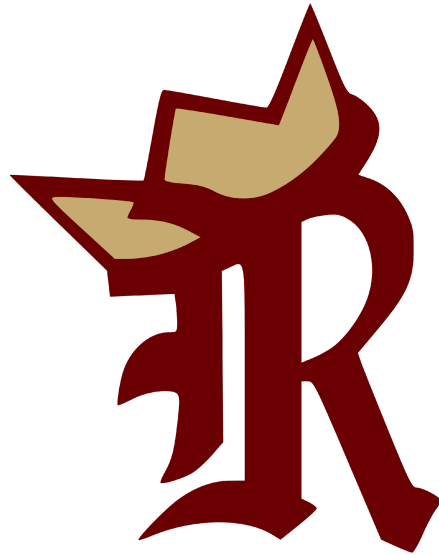
Request for Approval

- Upgrade Elementary kitchen
- Sell or auction equipment from the north kitchen

Discussion



Thank you!



Royalton Public Schools

Employee Handbook

2022-2023

DRAFT

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Mission of Royalton Public School District

The Mission of Royalton Public School District is to:

Create a collaborative and caring community where all students are inspired to achieve excellence in their learning, performance, integrity and leadership.

Welcome from District and Purpose of Handbook

Welcome! You have just joined a dedicated organization. We hope that your employment with Royalton Public Schools will be rewarding and challenging. We take pride in our employees as well as in the student and families we serve.

The School complies with all federal and state employment laws, and this handbook generally reflects those laws. The School also complies with any applicable local laws, although there may not be an express written policy regarding those laws contained in the handbook.

The employment policies and/or benefits summaries in this handbook are written for all employees. When questions arise concerning the interpretation of these policies as they relate to employees who are covered by a collective-bargaining agreement, the answers will be determined by reference to the actual union contract, rather than the summaries contained in this handbook.

Please take the time now to read this handbook carefully. Sign the acknowledgement at the end to show that you have read, understood, and agree to the contents of this handbook, which sets out the basic rules and guidelines concerning your employment. The online version of this handbook is found at www.royaltonpublicschools.org supersedes any previously issued handbooks or policy statements dealing with the subjects discussed herein. The School reserves the right to interpret, modify, or supplement the provisions of this handbook at any time. Neither this handbook nor any other communication by a management representative or other, whether oral or written, is intended in any way to create a contract of employment. Please understand that no employee handbook can address every situation in the workplace.

Annual Review of Handbook

Each year all District employees are expected to review the handbook and policies referenced herein. An employee who does not understand any policy, procedure, or guideline contained in or referenced in the handbook, should consult with the employee's supervisor, Principal, or the Human Resources Director for clarification.

Paper copies of this handbook and all policies are available upon request from the Human Resources Department.

Contract Disclaimer

No provision in this handbook or any policy referenced herein is intended to create a contract between Royalton Public School District and any employee or to limit the rights of the District and its employees to terminate the employment relationship. Where applicable, the terms of a Collective Bargaining Agreement or other contracts will take precedence over information provided in this handbook. In addition, to the extent any provision in this handbook conflicts with a School Board Policy, the School Board Policy shall prevail.

Section I: School Board Policies

It is the responsibility of all employees to be aware of and adhere to the policies that govern their employment with the Royalton Public School District. All School Board Policies can be found on the District website www.royaltonpublicschools.org, by selecting "District" on the top menu bar and "School Board Policies" on the drop down menu. The electronic link to all School Board Policies is: <https://www.royaltonpublicschools.org/policies>.

Some of the School Board Policies are summarized below for ease of reference; however all of the School Board Policies should be read in their entirety. Questions about any policy should be directed to the employee's supervisor, Principal, or Human Resources Director.

Summary of Equal Opportunity Employment Policy 401

The District provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, age, family care leave status, genetic information, veteran status, and all other protected class statuses in accordance with applicable federal, state and local laws. This policy applies to all terms and conditions of employment, including, but not limited to: hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training. The District also makes reasonable accommodations for disabled employees and applicants. See Policy 402 for more information about reasonable accommodations.

The District expressly prohibits any form of unlawful harassment based on an employee's protected class status. Questions concerning this policy are to be directed to the superintendent. For information on how to report a suspected violation of this policy see the Summary of Harassment and Violence Policy 413 below.

Summary of Disability Nondiscrimination Policy 402

The District does not discriminate against qualified individuals with disabilities, because of the disability, with regard to job application procedures, advancement, discharge, compensation, job training or privilege of employment. The District shall make reasonable accommodations to the known physical or mental impairment of an otherwise qualified individual with a disability, whether employee or applicant, unless to do so would cause the District an undue hardship. Employees or applicants seeking an accommodation should contact the Human Resources Director.

Summary of Family and Medical Leave Act (FMLA) Policy 410

The District provides up to twelve weeks of job-protected leave per rolling 12 month period to eligible employees in compliance with the Family and Medical Leave Act for the birth or placement for adoption/foster care of a child; to care for the employee's spouse, child or parent with a serious health condition; for the employee's own serious health condition; or for a qualifying exigency related to the employee's spouse's, child's or parent's military duties. The District also provides up to twenty-six weeks of job-protected leave per 12 month period for an employee to care for the employee's spouse, child, parent or next-of-kin who is a covered service member. Employees may apply paid sick leave to any such leave at the option of the employee and in accordance with the provisions of any applicable Collective Bargaining Agreement. The employee may also use accrued vacation or personal leave at the employee's option in accordance with the provisions of any applicable Collective Bargaining Agreement. Otherwise, FMLA leave is unpaid leave. Special rules apply to instructional employees of the District.

Employees who believe they may be eligible for FMLA leave under this policy should consult the Human Resources Department.

Summary of Harassment and Violence Policy 413

The District strives to maintain learning and working environments that are free of illegal harassment and discrimination.

Employees shall not engage in harassment and discrimination. Any employee who engages in harassment or discrimination on the basis of another's protected class status, or who permits employees under his or her supervision to engage in illegal harassment or discrimination, may be subject to progressive discipline, which includes corrective action up to and including termination of employment.

Any employee who believes he or she has been subjected to harassment or discrimination based on a protected class status should immediately report such belief to the Principal, building supervisor, Superintendent, Human Rights Officers or Human Resources Department. Employees may use the Harassment and Violence Report Form found with the School Board Policies to communicate a claim of harassment or discrimination. The District prohibits retaliation against an employee who in good faith reports suspected harassment or discrimination.

Summary of Mandated Reporting of Child Neglect or Physical or Sexual Abuse Policy 414

It is the policy of the District to fully comply with Minnesota Statute 626.556 requiring mandated reporters, which includes all school personnel, to report suspected child neglect or physical or sexual abuse. Mandated reporters shall immediately report neglect or abuse that is suspected of happening, or has happened in the preceding three years, to the local welfare agency, police department, county sheriff, or agency responsible for assisting or investigating maltreatment. It shall be a violation of school policy and the law for any mandated reporter to fail 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, or has been, neglected or physically or sexually abused.

PLEASE NOTE: The Morrison County Social Service Agency may be reached at 320-632-2951 . Depending upon the student's place of residence, a referral may be made to another city's police department, or county's social service agency or sheriff's department.

The Minnesota Department of Education (MDE) is responsible for assessing or investigating allegations of child maltreatment in schools. After making a report to the Social Service Agency or law enforcement agency of an allegation of child maltreatment in school, the reporter must also provide a report to the MDE within 24 hours. A form for reporting to MDE is available as School Board Policy 414 FRM.

Summary of Mandatory Reporting of Maltreatment of Vulnerable Adults Policy 415

The policy of the School District is to fully comply with Minn. Stat. 626.557 requiring mandated reporters, which includes all school personnel, to report suspected maltreatment of vulnerable adults. Mandated reporters shall immediately report maltreatment that is suspected of happening to the county sheriff or county agency responsible for assisting or investigating maltreatment. It shall be a violation of this policy for any school personnel to fail 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.

PLEASE NOTE: The Morrison County Social Service Agency may be reached at 320-632-2951 . Depending upon the student's place of residence, a referral may be made to another city's police department, or county's social service agency or sheriff's department.

Summary of Drug-Free Workplace/Drug-Free School Policies 417, 418, & 419

Use of tobacco, tobacco related devices, electronic cigarettes, controlled substances, toxic substances, and alcohol before, during, or after school hours, at school or in any school location, is prohibited. No student, teacher, administrator, other school district personnel, or member of the public is permitted to use alcohol, toxic substances, controlled substances, tobacco, tobacco related devices or electronic cigarettes at or in any school location. The District will discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

Summary of Student Sex Nondiscrimination Policy 522

It is the policy of the School District to fully comply with Title IX of the Education Amendments Act of 1972 and its implementing regulations, not to discriminate in such a manner. The School District prohibits sexual harassment that occurs within its education programs and activities. Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy and grievance process should discuss them with the Title IX Coordinator. The school district's Title IX Coordinator is the Director of Human Resources. This policy outlines reporting of prohibited conduct, initial response, assessment and investigation by the District and resolution of the complaint and determination of responsibility.

Summary of School Weapons Policy 501

No one is allowed to possess a firearm or dangerous weapon when in a school building or on school property, including buses or off campus at any school related activity. Exceptions to this policy are very limited, as described in Policy 501. Please see the complete policy for a list of exceptions. Violation of this policy shall result in discipline up to and including discharge, termination and cancelation of contract for services. In the case of a violation of the weapons prohibition, the violation shall also be reported to school police liaison officer and/or local law enforcement as well as the Minnesota Department of Education.

Summary of Bullying Prohibition Policy 514

An act of bullying, by either an individual student or group of students, is expressly prohibited on school premises, on school district property, at school functions or activities or on school transportation. No teacher, administrator, volunteer, contractor or other employee of the school District shall permit, condone or tolerate bullying. When an employee of the District witnesses, observes, receives a report of or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make every effort to address and resolve the bullying or prohibited conduct. The employee shall immediately inform the building report taker of what occurred. Failure to address or report an incident of bullying or prohibited conduct in a timely manner may result in disciplinary action.

A report of inappropriate student behavior can be made to any teacher or administrator in the District.

Section II: Ethics and Personal Conduct

Conflicts of Interest

Royalton Public Schools is concerned with conflicts of interest that create actual or potential job-related concerns, especially in the areas of confidentiality, employee relations, safety, security, and morale. If there is any actual or potential conflict of interest between you and a competitor, supplier, distributor, or contractor to the School, you must disclose it to your Supervisor. If an actual or potential conflict of interest is determined to exist, the School will take such steps as it deems necessary to reduce or eliminate this conflict.

Respectful Workplace

In addition to maintaining a work environment free of discrimination, harassment, and violence, it is the practice of the district to maintain a work environment where employees treat each other, students, parents, and visitors with respect. Employees have the responsibility to conduct themselves in a manner befitting the important work of an educational institution, and in accordance with the District's mission to provide an instructional environment that is caring and supportive. Employees also have the responsibility to conduct themselves in an ethical manner.

Respectful conduct includes, for example, treating others with courtesy and in a professional manner, valuing their perspectives, and appreciating their contributions. Disrespectful conduct includes, for example, aggressive, intimidating, demeaning, degrading, disruptive or malicious remarks or behavior.

An employee who believes that they have been treated in a disrespectful manner, or who witnesses disrespectful or unethical conduct, should contact their supervisor, Principal, Human Resources Department, or the Superintendent.

Conflict Resolution

Royalton Public School District encourages employees to discuss any issues you may have with a coworker directly with that individual. If you are unable to resolve the problem or issue, please contact your supervisor and arrange a meeting to discuss your concerns. It is counterproductive for employees to create or repeat rumors or gossip.

Professional Appearance

All District employees are expected to report to work dressed in a manner that reflects positively on the image of the District and consistent with the high standards and professionalism we set for ourselves as a District.

Employees are expected to present a well-groomed, professional appearance and to practice good personal hygiene. Remember, to students, parents and the public, District employees represent the District. Inappropriate dress may vary depending on the job and job settings, which includes safety concerns. If, in the judgment of an administrator or supervisor, an employee is not properly dressed, the administrator or supervisor has a responsibility to direct the employee to leave District premises until he or she is properly dressed.

Dependability

All employees are expected to maintain satisfactory attendance and report to work on time every day. Absences and tardiness create an unfair burden to co-workers and should be avoided. Absences, late arrivals and early departures must be kept to a minimum. All leaves, whether paid or unpaid, must be scheduled in accordance with District procedures and with current applicable collective bargaining agreements.

Section III: School Operations

Criminal Background Checks - Employees

In order for an individual to be eligible for employment or to provide athletic coaching services or other extracurricular academic coaching services to the School District, the individual must sign a criminal history consent form, which provides permission for the School District to conduct a criminal history background check, and provide payment in an amount equal to the actual cost to the School District of conducting the criminal history background check. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by the School District that an individual's criminal history does not preclude the individual from employment with, or provision of services to, the School District. For additional information, please see District policy 404.

Criminal Background Checks - Volunteers and/or Overnight

Chaperones

The District requires volunteers and/or overnight chaperones, to submit to a criminal history background check. The opportunity to volunteer or chaperone shall be conditioned upon a determination by the District that an individual's criminal history does not preclude the individual from volunteering with, or provision of services to, the School District.

Personnel Files

Employees shall have the right to examine their personnel files subject to the following conditions: (A) An employee, upon written request to the superintendent, may examine the contents of his or her file, which will be made available by the conclusion of the next working day. (B) No material shall be filed in an employees' personnel folder unless the employee has been sent a dated copy at the time of filing. The employee shall have the right to submit a response to any report or evaluation; such a response shall be attached to and become a part of the employee's personnel file. (C) An employee may be permitted to reproduce at his/her expense any contents of his/her personnel file. (D) The school district may destroy such files as provided by law. (E) Official grievances filed by any employee under the grievance procedure shall not be placed in the personnel file of the employee; nor shall such a grievance be utilized in personnel assignments.

Email Use

Email is the primary means of communication for many important items. Employees are expected to check their email a minimum of one time per day on the days they work.

Employee Use of Technology/Social Media

All employees are required to review and abide by School Board Policy 452 Information Technology and Policy 524 Internet Acceptable Use and Safety. Staff are required to monitor the websites that are accessed by students. Staff should report all inappropriate use to the Technology Department for possible disciplinary action. Staff are prohibited from accessing inappropriate material from the internet. Viewing inappropriate material may lead to disciplinary action, up to and including termination of employment. Staff must keep their personal use of the internet to a minimum during the contracted duty day.

Change of Personal Information

Employees are expected to notify the Human Resources Department whenever they experience a change in name, address, number of dependents, telephone number, emergency contact person, or marital status, so that District records and files can be updated. An employee may also need to complete another federal and state employee withholding allowance certificate (W-4) as well as various health insurance forms. For most benefits, employees only have 30 calendar days from the date of the event resulting in a change to make adjustments to the insurance plan(s).

Emergency School Closings

Royalton, Little Falls, Pierz, Upsala, and Swanville School Districts work with one another on weather-related emergencies.

If inclement weather is in the forecast, school closing or late start information is available on the following radio and television stations: KLTF, KFML, WYRG-Little Falls; KCLD, KLZZ, WJON-St. Cloud; WVAL, WHMH-Sauk Rapids; WCCO-Mpls; KCCO/KCCW-TV Channel 7-Alexandria; KSTP-TV Channel 5 and KARE 11, and via School Messenger system. Announcements will be made at the earliest time a determination can be made, usually not later than 6:30 a.m.

Fire Drill Procedures

1. All employees are to familiarize themselves with fire exits for their respective classroom and instructional areas.
2. All employees are to orient their students in their classrooms to the proper exits for their respective classrooms and instructional areas the first day of classes.
3. At the sound of the fire alarm system, employees are to take charge of their group directing them to stand and to walk single file in an orderly manner to their fire exit. Direct them to walk with no running or shoving allowed. All employees are to check that all students are out of the room or instructional area and then follow their group outside and assemble the group at areas away from the building. Teachers are required to bring their grade books or class lists with them during fire drills to check attendance.
4. In the event of a fire, employees are to keep students in groups away from the school so as not to hamper the Fire Dept.
5. Employees are to wait for instruction. In the event of a drill, a return bell will be sounded or a clearance given to re-enter the building.
6. In the event that a regular exit is blocked by fire or smoke, use the nearest alternate exit.
7. Please post exit directions for your classroom.

Tornado Drill Alert Procedures

Should a tornado drill or alert become necessary, the following procedures shall be followed:

1. Lights turned off.
2. All students shall be seated on the floor in the nearest interior corridor as far away from an exit as possible. The drill or alert will be announced verbally over the P.A. system or by the bells ringing in brief continuous intervals.
3. The return to classrooms will be announced verbally over the P.A. system.
4. Students are to be absolutely quiet during the drill or alert.

Lockdown Procedures

One means of securing the school is to implement lockdown procedures. These procedures may be called for in the following instances:

1. Lockdown with warning – The threat is outside of the school building. The school may have been notified of a potential threat outside of the building.
2. Lockdown with intruder – The threat/intruder is inside the building.

Lockdown with warning procedures:

- Building administrator will order and announce “lockdown with warning” procedures.
- Repeat announcement several times. Be direct. Code words lead to confusion.
- Bring people inside.
- Lock exterior doors.
- Clear hallways, restrooms and other rooms that cannot be secured.
- Pull shades. Keep students away from windows.
- Control all movement, but continue classes. Disable bells. Move on announcement only.
- Building administrator will announce “all clear.”
- Students eating in the cafeteria can bring their trays to their classroom.

Lockdown with intruder procedures (these actions happen rapidly):

- Building administrator will order and announce “lockdown with intruder.” Repeat announcement several times. Be direct. Code words lead to confusion.
- Immediately direct all students, staff and visitors into the nearest classroom or secured space. Classes that are outside of the building SHOULD NOT enter the building. Move outside classes to a primary evacuation site (Holy Trinity Church).
- Students in the cafeteria should move into the kitchen area and custodial storage area. Students in the gymnasium should move into the storage and tunnel area. If you are in the computer lab, use the hallway exit and go to the nearest classroom. If you are in the media center and the supervisor is absent, exit the doors by the 5th grade and enter a classroom.
- Lock classroom doors.
- DO NOT lock exterior doors.
- Move people away from windows and doors. Turn off lights.
- DO NOT respond to anyone at the door until “all clear” is announced.
- Keep out of sight.
- Building administrator will announce “all clear.”
- Some other threats may override lockdown, i.e. confirmed fire, intruder in classroom, etc.
- Consider making an action plan for people in large common areas i.e. cafeteria, gymnasium.

Lockdown may be initiated in non-threatening circumstances to keep people away from areas where there may be a medical emergency or disturbance.

District Newsletter

Three times per year, the school district publishes a newsletter that is send to over 1200 households. The newsletter is an excellent way of informing parents and community members about school activities. We often forget that much of what has happened or will happe is of great interest to many people. Articles need not be long. Often results of an event with the names of participants are all that is necessary. People love to see their name in print.

Absences

All District employees anticipating a need to be absent must submit a request to be absent for any regular scheduled duty days/shifts prior to the absence occurring. Employees are required to enter absences on the automated absence reporting/sub calling system, which can be accessed either by the internet.

The procedure is as follows:

1. Employee enters a request to be absent prior to the occurrence in accordance with union contract timelines.
2. Supervisor electronically approves/denies the request.
3. Absence occurs, if approved.
4. Information is uploaded into the payroll system for processing of leave time and substitute payments (when a sub has been employed to fill the vacancy).

Absences can be entered by computer, prior to the beginning of their shift on the day of the actual absence. Employees will need to contact their supervisor if they forget to enter an absence.

For unexpected but non-emergency absences, employees must notify their supervisor or designee in a timely fashion (before work starts). If the employee fails to call in, the employee may be placed on unauthorized leave without pay and subject to other corrective action. If the absence is due to an accident/illness/injury, a medical note may be required prior to returning to work. In emergency situations, employees are expected to call their supervisor and report the absence, or in extreme cases have a family member call the supervisor as soon as practical. Each employee is required to take responsibility for reporting their own absence by following the proper procedure. Recurring failure to follow the absence procedure will be considered a deficiency.

Recording Hours Worked

Non-exempt, hourly employees are required to complete an electronic timecard through Frontline Time and Attendance or timesheet for all hours worked. Timecards/time sheets should be submitted to the employee's supervisor or building administrator by the last day of the payroll to ensure timely processing. The payroll week is Monday through Sunday and time sheets must be signed off on by the supervisor. Any time sheets that do not arrive in the business office by the two days following the end of the pay period may not be processed until the next scheduled payroll.

Paychecks

Royalton School District issues paychecks through direct deposit or paper check on a semi-monthly basis. Non-exempt, hourly Employees will receive payment for work performed during the pay period that ended two weeks prior to the date of the check, exempt employees will be paid for the work performed during the current pay period. Employees enrolled in direct deposit are solely responsible for updating and changing bank account information as needed.

Employees are responsible for reviewing their payroll check information for proper deductions, benefits and wages. An employee who believes there is a mistake with respect to their paycheck, or who believes an improper deduction was made from their salary, should contact the Human Resources Department.

Expense Reimbursement for District Funds

Requests for reimbursement must be pre-approved by the employee's Supervisor or Building Administrator, must be itemized using the District's check request form and signed by the designated administrator, and be accompanied by proper documentation of the expense (except with respect to mileage reimbursement request). Such expenses to be reimbursed may include transportation, meals, lodging, registration fees, required materials, parking fees and other reasonable and necessary District business-related expenses.

An acceptable form of documentation evidencing a reimbursable expense is an itemized receipt with company name, date and dollar amount paid. Credit card slips showing total dollar amount and signature will not be accepted. The travel and expense reimbursement form is located on the Royalton Public Schools website|Staff|Employee Resources.

When ordering online, a printed copy of the order from the vendor confirming the placement of the order and showing the payment transaction will be accepted. The District cannot accept an order confirmation or screen printed copy of your order that does not show payment.

Approved automobile travel shall be reimbursed at the current mileage rate set by the IRS. Commercial transportation shall reflect economy fares and shall be reimbursed only for the actual cost of the trip. Hotel reimbursement shall not include incidental charges such as phone calls.

After Hours Building Use

Employees who wish to utilize the school building(s)/facilities for non-work related use need to follow the District's Use of School District Facilities and Equipment Policy 902 and Addendum 902. They can be found on the District website under School Board Policies/School-Community Relations or by calling the Community Education Director.

Building Access and Security

The school buildings have limited access, particularly when classes are in session. The buildings are open to students at 7:15 and remain open to students until 3:30 p.m. Students are not to be in the building at any other time unless they are participating in a school-sponsored activity and are under the direct supervision of a district employee. The doors to the building lock between 8:15 a.m-8:30 a.m. and all visitors must electronically request access into the office to gain access to the building. All doors should be kept locked during the school day. If you see people in the building that you do not recognize, please notify the office immediately.

Any coach, director, or supervisor of a student activity that meets when school is not in session is responsible for the security of the building. Under no circumstances are doors to be propped open or left unlocked and unattended.

Staff members from time to time use the building in the evenings and weekends. Be certain that when you enter the building during times other than when the building is open to the public you do the following:

1. Be certain the entrance door you used for access to the building is locked after you enter the building.

2. DO NOT PROP ANY DOORS OPEN!
3. Disarm the security system (if between 12:00 a.m.-5:00 am.).
4. When you leave the building be sure all lights are off.
5. Be certain the exterior door is completely closed and secured.

Confidential Information

Data maintained on student or other employees may be classified as private or confidential pursuant to the Minnesota Government Data Practices Act (MGDPA), and/or Family Educational Rights and Privacy Act (FERPA). It is the responsibility of all employees to follow those laws and avoid disclosing any private or confidential information to individuals who are not authorized to receive such information. Employees should refrain from sending confidential information on students to a personal email account of a parent or guardian unless permission is first granted by the student's parent or guardian.

Employee Discipline

Employees may be disciplined or discharged for just cause. The following steps outline the progressive discipline process, however, the School District reserves the right to skip steps when the offense by the employee justifies the action.

Verbal Warning: The building Administrator may meet with the employee to issue a verbal warning. This warning will be documented and placed in the employee's personal file.

Written Reprimand: The Building Administrator may meet with the employee and issue a written reprimand to the employee. The written reprimand will be placed in the employee's personnel file. Performance improvement plans may be issued as part of this meeting or at a separate meeting, depending upon the circumstances.

Unpaid Suspension: The employee may be placed on suspension without pay for up to five days. The employee may be placed on probation for up to 90 days following the suspension. A written reprimand and discussion of the conduct that led to the suspension may also be placed in the personnel file.

Termination: The employee may be recommended for termination by their direct supervisor to the Superintendent.

Employees that are members of a union shall have the right to have a representative of the union present during an investigation. A written record of all disciplinary actions, other than verbal reprimands, shall be made available to the employee upon request. All disciplinary records shall state the corrective action expected of the employee. Each employee shall receive a copy of evaluative personnel and disciplinary records. If the School District has a reason to reprimand an employee, it shall be done in a manner that maintains the dignity of the employee. Any disciplinary action or measure imposed upon an employee may be processed as a grievance through the regular grievance procedure. The union shall have the right to take up the suspension and/or discharge as a grievance at the arbitration step of the grievance procedure, and the manner shall be handled in accordance with this procedure through the arbitration step, if deemed necessary by either party.

Section IV: Employee Responsibilities

School Property and Equipment

Before any school district property and/or equipment are used for private purposes, the full knowledge and consent of the principal must be secured.

Building Responsibility

The employee in charge of the classroom is responsible for the equipment in these rooms. Equipment should be kept from unnecessary marking and damage. Students are held responsible for their assigned seats and should unnecessary damage occur, they should be reported to the office so that appropriate action may be taken. Employees shall periodically check the room for this purpose.

Aid the custodians by keeping the floors as free of paper as possible. A minute used at the end of the day is suggested to have students tidy up the room.

When the room is no being used for the remainder of the day, the shades shall be adjusted, windows closed and locked. All lights shall be turned off when not needed. Classroom doors should be locked during lunch breaks or when the room is not in use.

No students shall be present in your room unless they are supervised. Do not allow students to remove window screens or to hand/climb out of windows. These actions damage screens and walls and present a poor image to passers-by.

Proper Title

Students should address you only by the proper title, be it Mr., Mrs., Miss, or Coach. Make this understood whenever the students address you by any other title, or when a student refers to another official by a title other than the proper one.

General Discipline

Each staff member shall be responsible for maintaining good student discipline whenever they may be on school grounds. When specific assignments (class advisor, student activity clubs, etc.) are made, the staff member to whom such assignment is made is charged with the responsibility for student discipline.

School Telephones

The school telephones are for school business. Personal calls must be kept to an absolute necessity and minimum. In the event that it is critically necessary to make personal long distance calls during working hours, you must use a long distance code from office staff. Students are not to use the phone in a classroom unless it is for school business and you are supervising the call. Please do not send a student to the office to make phone calls during class time, unless it is an emergency or in the case of illness.

School Letterhead

School stationery and envelopes will be used only for school business.

Use of School Vehicle

Bus-An employee requiring bus transportation must submit a transportation request form to the transportation department. Any trips requiring transportation should be approved by the principal before scheduling. The transportation supervisor assigns all drivers.

Van-All trips for school related business by school personnel are to be taken in the school van if they are available. Mileage reimbursement for use of a personal auto will only be provided if the van is unavailable and a request has been filled out in advance.

Transformation form must be submitted to the transportation supervisor who will check for van availability. Preference will be given to trips that are most economical with the van/car. The maximum number of students allowed in the van is ten. Prior to leaving with students, the driver of the van must fill out a Pre-Trip Van Inspection Evaluation Form. Submit mileage records and evaluation form to the transportation supervisor at the conclusion of the trip

Section IV: Safety & Workplace Injuries

Non-Emergency Accidents/Injury Involving Students

It is the responsibility of the staff member to conduct their classes and maintain equipment so that accidents do not occur. Any accident, no matter how minor, must be reported to the nurse.

Non-Emergency Accidents/Injury Involving Employees

The safety of employees is a vital concern to the Royalton School District, and therefore the District has adopted policies and implemented systems and infrastructure to provide safe working conditions and equipment. In addition, employees are expected to observe safety rules to protect their own safety and the safety of others at the District. Any employee, who comes upon an unsafe condition, must immediately notify the Head Custodian or Building Principal as soon as possible.

When someone is injured at work.....

- If it is an **emergency, CALL 911**
- Otherwise, report the injury to your supervisor
- The employee **AND** supervisor should call **(844) 847-8708** together. (If no supervisor is available, the employee can call alone.) Do this as soon as possible.
- The registered nurse who answers will ask what happened and recommend what to do next, whether it's self-care, urgent care or even the emergency room.
- The nurse will report the injury to RAs (our workers comp insurance company).
- The employee or supervisor should report the injury to the Human Resources Director.

ACKNOWLEDGEMENT

Printed Name: _____ Job Title: _____

I acknowledge that I have read Royalton Public School District's Employee Handbook, understand its contents, and agree to abide by the policies and procedures set forth herein. I understand that this employee handbook is not intended to nor should it be interpreted to be a contract or to otherwise create a property right in continued employment.

Signature: _____

Date: _____

For office use only:

Date received: _____



ROYALTON
PUBLIC SCHOOLS

Creating a Collaborative and Caring Community

Summer School Presentation

May 26, 2022

Summer School Dates and Times

Summer school dates are July 11 - July 28

Hours are 8am -12:00pm, Monday through Thursday

Breakfast and lunch will be served

Transportation will be provided

Estimated Total Students - 60 Elementary, 30 Middle School, 30 High School

Elementary School Plan

Summer School Coordinator - Ted Hanson

4 - 5 Teachers and 1 Paraprofessional

On-site nursing support

Curriculum: Reading (Houghton-Mifflin Harcourt Rigby Literacy) and Math (Envision Math)

Middle School Plan

Summer School Coordinator - Heidi Noerenberg

3 - 4 Teachers

On call nursing support

Curriculum: Curriculum will be a combination of the four core areas and will have labs and hands on learning activities.

High School Credit Recovery Plan

Summer School Coordinator - Jeremy Schaa

3 - 4 Teachers

On call nursing support

Curriculum: Students will make up the credit using our APEX online learning courses, with support from core teachers in those areas.

Student schedule may vary depending on transportation and credit recovery needs.

High School Summer Enrichment Courses Plan

Robert Skwira, Nathan Goldade, and Cathy Tordsen will be teaching classes this summer as enrichment opportunities for students.

Mr. Skwira: 4-day Small Engines (fuel systems) class (8-11:30).

Mr. Goldade: 4-day greenhouse management class (8-11:30).

Ms. Tordsen: 12-day ceramics/pottery class (8-11:30).

Curriculum: Curriculum is teacher developed using materials/curriculum purchased through ESSER 161.

Budget

Estimated Elementary School Budget: \$30,524 plus transportation (\$10,500 is a one time curriculum cost).

Estimated Middle School Budget: \$16,500 (includes \$4,500 of one-time curriculum cost).

Estimated High School Budget: \$30,000 (includes \$18,000 of one-time curriculum cost).

Questions?



Thank you!

Adopted: _____

MSBA/MASA Model Policy 410

Orig. 1995

Revised: _____

Rev. 2014 2015

410 FAMILY AND MEDICAL LEAVE POLICY

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

I. PURPOSE

The purpose of this policy is to provide for family and medical leave to school district employees in accordance with the Family and Medical Leave Act of 1993 (FMLA) and also with parenting leave under state law.

II. GENERAL STATEMENT OF POLICY

The following procedures and policies regarding family and medical leave are adopted by the school district, pursuant to the requirements of the FMLA and consistent with the requirements of the Minnesota parenting leave laws.

III. DEFINITIONS

A. "Covered active duty" means:

1. in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
2. in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in 10 U.S.C. § 101(a)(13)(B).

B. "Covered servicemember" means:

1. a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
2. a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including a member of the National Guard or Reserves, and was discharged or released under conditions other than dishonorable, at any time during the period of five years preceding the first date the eligible employee takes FMLA leave to care for the covered veteran.

- C. "Eligible employee" means an employee who has been employed by the school district for a total of at least 12 months and who has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave. An employee returning from fulfilling his or her Uniformed Services Employment and Reemployment Rights Act (USERRA)- covered service obligation shall be credited with the hours of service that would have been performed but for the period of absence from work due to or necessitated by USERRA-covered service. In determining whether the employee met the hours of service requirement, and to determine the hours that would have been worked during the period of absence from work due to or necessitated by USERRA-covered service, the employee's pre-service work schedule can generally be used for calculations. While the 12 months of employment need not be consecutive, employment periods prior to a break in service of seven years or more may not be counted unless the break is occasioned by the employee's fulfillment of his or her USERRA-covered service obligation or a written agreement, including a collective bargaining agreement, exists concerning the school district's intention to rehire the employee after the break in service.
- D. "Military caregiver leave" means leave taken to care for a covered servicemember with a serious injury or illness.
- E. "Next of kin of a covered servicemember" means the nearest blood relative other than the covered servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin, and the employee may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin.
- F. "Outpatient status" means, with respect to a covered servicemember who is a current member of the Armed Forces, the status of a member of the Armed Forces assigned to:
1. a military medical treatment facility as an outpatient; or
 2. a unit established for the purpose of providing command and control of members of the Armed Forces receiving care as outpatients.
- G. "Qualifying exigency" means a situation where the eligible employee seeks leave for one or more of the following reasons:

1. to address any issues that arise from a short-notice deployment (seven calendar days or less) of a covered military member;
 2. to attend military events and related activities of a covered military member;
 3. to address issues related to childcare and school activities of a covered military member's child;
 4. to address financial and legal arrangements for a covered military member;
 5. to attend counseling provided by someone other than a health care provider for oneself, a covered military member, or his/her child;
 6. to spend up to 15 calendar days with a covered military member who is on short-term, temporary rest and recuperation leave during a period of deployment;
 7. to attend post-deployment activities related to a covered military member;
 8. to address parental care needs; and
 9. to address other events related to a covered military member that both the employee and school district agree is a qualifying exigency.
- H. "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:
1. inpatient care in a hospital, hospice, or residential medical care facility; or
 2. continuing treatment by a health care provider.
- I. "Spouse" means a husband or wife. For purposes of this definition, husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into or, in the case of a marriage entered into outside of any state, if the marriage is valid in the place where entered into and could have been entered into in at least one state. This definition includes an individual in a same-sex or common law marriage that either: (1) was entered into in a state that recognizes such marriages; or (2) if entered into outside of any state, is valid in the place where entered into and could have been entered into in at least one state.
- J. "Veteran" has the meaning given in 38 U.S.C. § 101.

IV. LEAVE ENTITLEMENT

A. Twelve-week Leave under Federal Law

1. Eligible employees are entitled to a total of 12 work weeks of unpaid family or medical leave during the applicable 12-month period as defined below, plus any additional leave as required by law. Leave may be taken for one or more of the following reasons in accordance with applicable law:
 - a. birth of the employee's child and to care for such child;
 - b. placement of an adopted or foster child with the employee;
 - c. to care for the employee's spouse, son, daughter, or parent with a serious health condition;
 - d. the employee's serious health condition makes the employee unable to perform the functions of the employee's job; and/or
 - e. any qualifying exigency arising from the employee's spouse, son, daughter, or parent being on covered active duty, or notified of an impending call or order to covered active duty in the Armed Forces.
2. For the purposes of this policy, "year" is defined as a rolling 12-month period measured backward from the date an employee's leave is to commence.
3. An employee's entitlement to FMLA leave for the birth, adoption, or foster care of a child expires at the end of the 12-month period beginning on the date of the birth or placement.
4. A "serious health condition" typically requires either inpatient care or continuing treatment by or under the supervision of a health care provider, as defined by applicable law. Family and medical leave generally is not intended to cover short-term conditions for which treatment and recovery are very brief.
5. A "serious injury or illness," in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means:
 - a. injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
 - b. in the case of a covered veteran who was a member of the Armed

Forces, including a member of the National Guard or Reserves, at any time, during the period of five years preceding the date on which the veteran undergoes the medical treatment, recuperation, or therapy, means a qualifying injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty in the Armed Forces and that manifested itself before or after the member became a veteran, and is:

- (1) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; or
 - (2) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability (VASRD) rating of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
 - (3) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
 - (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.
6. Eligible spouses employed by the school district are limited to an aggregate of 12 weeks of leave during any 12-month period for the birth and care of a newborn child or adoption of a child, the placement of a child for foster care, or to care for a parent. This limitation for spouses employed by the school district does not apply to leave taken: by one spouse to care for the other spouse who is seriously ill; to care for a child with a serious health condition; because of the employee's own serious health condition; or pursuant to Paragraph IV.A.1.e. above.
7. Depending on the type of leave, intermittent or reduced schedule leave may be granted in the discretion of the school district or when medically necessary. However, part-time employees are only eligible for a pro-rata portion of leave to be used on an intermittent or reduced schedule basis, based on their average hours worked per week. Where an intermittent or

reduced schedule leave is foreseeable based on planned medical treatment, the school district may transfer the employee temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position, and which has equivalent pay and benefits.

8. If an employee requests a leave for the serious health condition of the employee or the employee's spouse, child, or parent, the employee will be required to submit sufficient medical certification. In such a case, the employee must submit the medical certification within 15 days from the date of the request or as soon as practicable under the circumstances.
9. If the school district has reason to doubt the validity of a health care provider's certification, it may require a second opinion at the school district's expense. If the opinions of the first and second health care providers differ, the school district may require certification from a third health care provider at the school district's expense. An employee may also be required to present a certification from a health care provider indicating that the employee is able to return to work.
10. Requests for leave shall be made to the school district. When leave relates to an employee's spouse, son, daughter, parent, or covered servicemember being on covered active duty, or notified of an impending call or order to covered active duty pursuant to Paragraph IV.A.1.e. above, and such leave is foreseeable, the employee shall provide reasonable and practical notice to the school district of the need for leave. For all other leaves, employees must give 30 days' written notice of a leave of absence where practicable. The failure to provide the required notice may result in a delay of the requested leave. Employees are expected to make a reasonable effort to schedule leaves resulting from planned medical treatment so as not to disrupt unduly the operations of the school district, subject to and in coordination with the health care provider.
11. The school district may require that a request for leave under Paragraph IV.A.1.e. above be supported by a copy of the covered military member's active duty orders or other documentation issued by the military indicating active duty or a call to active duty status and the dates of active duty service. In addition, the school district may require the employee to provide sufficient certification supporting the qualifying exigency for which leave is requested.
12. During the period of a leave permitted under this policy, the school district will provide health insurance under its group health plan under the same conditions coverage would have been provided had the employee not taken the leave. The employee will be responsible for payment of the employee contribution to continue group health insurance coverage during the leave. An employee's failure to make necessary and timely contributions may result in termination of coverage. An employee who

does not return to work after the leave may be required, in some situations, to reimburse the school district for the cost of the health plan premiums paid by it.

13. The school district may request or require the employee to substitute accrued paid leave for any part of the 12-week period. Employees may be allowed to substitute paid leave for unpaid leave by meeting the requirements set out in the administrative directives and guidelines established for the implementation of this policy, if any. Employees eligible for leave must comply with the family and medical leave directives and guidelines prior to starting leave. The superintendent shall be responsible to develop directives and guidelines as necessary to implement this policy. Such directives and guidelines shall be submitted to the school board for annual review.

The school district shall comply with written notice requirements as set forth in federal regulations.

14. Employees returning from a leave permitted under this policy are eligible for reinstatement in the same or an equivalent position as provided by law. However, the employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the leave.

B. Twelve-week Leave under State Law

An employee who does not qualify for parenting leave under Paragraphs IV.A.1.a. or IV.A.1.b. above may qualify for a 12-week unpaid leave which is available to a biological or adoptive parent in conjunction with the birth or adoption of a child, or to a female employee for prenatal care or incapacity due to pregnancy, childbirth, or related health conditions. The length of the leave shall be determined by the employee but must not exceed 12 weeks unless agreed by the employer. The employee may qualify if he or she has worked for the school district for at least 12 months and has worked an average number of hours per week equal to one-half of the full time equivalent during the 12-month period immediately preceding the leave. This leave is separate and exclusive of the family and medical leave described in the preceding paragraphs but may be reduced by any period of paid parental, disability, personal, or medical, or sick leave, or accrued vacation provided by the employer so that the total leave does not exceed 12 weeks, unless agreed by the employer, or leave taken for the same purpose under the FMLA. The leave taken under this section shall begin at a time requested by the employee. An employee who plans to take leave under this section must give the employer reasonable notice of the date the leave shall commence and the estimated duration of the leave. For leave taken by a biological or adoptive parent in conjunction with the birth or adoption of a child, the leave must begin within 12 months of the birth or adoption; except that, in the case where the child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital.

C. Twenty-six-week Servicemember Family Military Leave

1. An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember shall be entitled to a total of 26 work weeks of leave during a 12-month period to care for the servicemember. The leave described in this paragraph shall be available only during a single 12-month period. For purposes of this leave, the need to care for a servicemember includes both physical and psychological care.
2. During a single 12-month period, an employee shall be entitled to a combined total of 26 work weeks of leave under Paragraphs IV.A. and IV.C. above.
3. The 12-month period referred to in this section begins on the first day the eligible employee takes leave to care for a covered servicemember and ends 12 months after that date.
4. Eligible spouses employed by the school district are limited to an aggregate of 26 weeks of leave during any 12-month period if leave is taken for birth of the employee's child or to care for the child after birth; for placement of a child with the employee for adoption or foster care or to care for the child after placement; to care for the employee's parent with a serious health condition; or to care for a covered servicemember with a serious injury or illness.
5. The school district may request or require the employee to substitute accrued paid leave for any part of the 26-week period. Employees may be allowed to substitute paid leave for unpaid leave by meeting the requirements set out in the administrative directives and guidelines established for the implementation of this policy, if any. Employees eligible for leave must comply with the family and medical leave directives and guidelines prior to starting leave.
6. An employee will be required to submit sufficient medical certification issued by the health care provider of the covered servicemember and other information in support of requested leave and eligibility for such leave under this section within 15 days from the date of the request or as soon as practicable under the circumstances.
7. The provisions of Paragraphs IV.A.7., IV.A.10., IV.A.12., IV.A.13., and IV.A.14. above shall apply to leaves under this section.

V. SPECIAL RULES FOR INSTRUCTIONAL EMPLOYEES

- A. An instructional employee is one whose principal function is to teach and instruct students in a class, a small group, or an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors, and special education

assistants.

- B. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule leave greater than 20 percent of the work days in the leave period may be required to:
 - 1. take leave for the entire period or periods of the planned medical treatment; or
 - 2. move to an available alternative position for which the employee is qualified, and which provides equivalent pay and benefits, but not necessarily equivalent duties.
- C. Instructional employees who request continuous leave near the end of a semester may be required to extend the leave through the end of the semester. The number of weeks remaining before the end of a semester does not include scheduled school breaks, such as summer, winter, or spring break.
 - 1. If an instructional employee begins leave for any purpose more than five weeks before the end of a semester and it is likely the leave will last at least three weeks, the school district may require that the leave be continued until the end of the semester.
 - 2. If the employee begins leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last more than two weeks or if the employee's return from leave would occur during the last two weeks of the semester.
 - 3. If the employee begins leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, school district may require the employee to continue taking leave until the end of the semester.
- D. The entire period of leave taken under the special rules will be counted as leave. The school district will continue to fulfill the school district's leave responsibilities and obligations, including the obligation to continue the employee's health insurance and other benefits, if an instructional employee's leave entitlement ends before the involuntary leave period expires.

VI. OTHER

- A. The provisions of this policy are intended to comply with applicable law, including the FMLA and applicable regulations. Any terms used from the FMLA will have the same meaning as defined by the FMLA and/or applicable regulations. To the extent that this policy is ambiguous or contradicts applicable law, the language of the applicable law will prevail.

- B. The requirements stated in the collective bargaining agreement between employees in a certified collective bargaining unit and the school district regarding family and medical leaves (if any) shall be followed.

VII. DISSEMINATION OF POLICY

- A. This policy shall be conspicuously posted in each school district building in areas accessible to employees.
- B. This policy will be reviewed at least annually for compliance with state and federal law.

Legal References: Minn. Stat. §§ 181.940-181.944 (Parenting Leave)
10 U.S.C. § 101 *et seq.* (Armed Forces General Military Law)
29 U.S.C. § 2601 *et seq.* (Family and Medical Leave Act)
38 U.S.C. § 101 (Definitions)
29 C.F.R. Part 825 (Family and Medical Leave Act)

Cross References: MSBA Service Manual, Chapter 13, School Law Bulletin "M" (Statutory Provisions Which Grant Leaves to Licensed as well as Non-Licensed School District Employees – Family and Medical Leave Act Summary)

Adopted: _____

MSBA/MASA Model Policy 413

Orig. 1995

Revised: _____

Rev. 2017/21

413 HARASSMENT AND VIOLENCE

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

I. PURPOSE

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

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

II. GENERAL STATEMENT OF POLICY

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

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

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

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

III. DEFINITIONS

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

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

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

D. Protected Classifications; Definitions

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

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

b. has a record of such an impairment; or

c. is regarded as having such an impairment.

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

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

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

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

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

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

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

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

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

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

F. Sexual Harassment; Definition

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

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

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

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

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

a. unwelcome verbal harassment or abuse;

b. unwelcome pressure for sexual activity;

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

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

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

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

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

G. Sexual Violence; Definition

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

H. Violence; Definition

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

IV. REPORTING PROCEDURES

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

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

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

disciplinary action against the building report taker.

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

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

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

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

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

V. INVESTIGATION

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

VI. SCHOOL DISTRICT ACTION

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

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

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

VII. RETALIATION OR REPRISAL

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

VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

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

IX. HARASSMENT OR VIOLENCE AS ABUSE

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

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

X. DISSEMINATION OF POLICY AND TRAINING

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

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

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

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

Adopted: _____

MSBA/MASA Model Policy 423

Orig. 1999

Revised: _____

Rev. 202209

423 EMPLOYEE-STUDENT RELATIONSHIPS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

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

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

III. REPORTING AND INVESTIGATION

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

IV. SCHOOL DISTRICT ACTION

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

V. SCOPE OF LIABILITY

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

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

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

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

Adopted: _____

MSBA/MASA Model Policy 709

Orig. 1995

Revised: _____

Rev. 2014 2017

709 STUDENT TRANSPORTATION 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 provide safe transportation for students and to educate students on safety issues and the responsibilities of school bus ridership.

II. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING

A. School Bus Safety Week

The school district may designate a school bus safety week. The National School Bus Safety Week is the third week in October.

B. Student Training

1. The school district shall provide students enrolled in grades kindergarten (K) through 10 with age-appropriate school bus safety training of the following concepts:
 - a. transportation by school bus is a privilege, not a right;
 - b. school district policies for student conduct and school bus safety;
 - c. appropriate conduct while on the bus;
 - d. the danger zones surrounding a school bus;
 - e. procedures for safely boarding and leaving a school bus;
 - f. procedures for safe vehicle lane crossing; and
 - g. school bus evacuation and other emergency procedures.
2. All students in grades K through 6 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training by the end of the third week of school. All students in grades 7 through 10 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training or receive bus safety instruction materials by the end of the sixth week of school, if they have not previously received school bus

training. Students in grades K through 10 who enroll in a school after the second week of school, are transported by school bus, and have not received training in their previous school districts shall undergo school bus safety training or receive bus safety instructional materials within 4 weeks of their first day of attendance.

3. The school district and a nonpublic school with students transported by school bus at public expense must provide students enrolled in grades K through 3 school bus safety training twice during the school year.
4. Students taking driver's training instructional classes must receive training in the laws and proper procedures for operating a motor vehicle in the vicinity of a school bus as required by Minn. Stat. § 169.446, Subd. 2.
5. The school district and a nonpublic school with students transported by school bus at public expense must conduct a school bus evacuation drill at least once during the school year.
6. The school district will make reasonable accommodations in training for students known to speak English as a second language and students with disabilities.
7. The school district may provide kindergarten students with school bus safety training before the first day of school.
8. The school district may provide student safety education for bicycling and pedestrian safety for students in grades K through 5.
9. The school district shall adopt and make available for public review a curriculum for transportation safety education.
10. Nonpublic school students transported by the school district will receive school bus safety training by their nonpublic school. The nonpublic schools may use the school district's school transportation safety education curriculum. Upon request by the school district superintendent, the nonpublic school must certify to the school district's school transportation safety director that all students enrolled in grades K through 10 have received the appropriate training.

III. CONDUCT ON SCHOOL BUSES AND CONSEQUENCES FOR MISBEHAVIOR

- A. Riding the school bus is a privilege, not a right. The school district's general student behavior rules are in effect for all students on school buses, including nonpublic and charter school students.
- B. Consequences for school bus/bus stop misconduct will be imposed by the school district under adopted administrative discipline procedures. In addition, all school bus/bus stop misconduct will be reported to the school district's transportation

safety director. Serious misconduct may be reported to local law enforcement.

1. School Bus and Bus Stop Rules. The school district school bus safety rules are to be posted on every bus. If these rules are broken, the school district's discipline procedures are to be followed. In most circumstances, consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the school district's Transportation Office/School Office.
2. Rules at the Bus Stop
 - a. Get to your bus stop 5 minutes before your scheduled pick up time. The school bus driver will not wait for late students.
 - b. Respect the property of others while waiting at your bus stop.
 - c. Keep your arms, legs, and belongings to yourself.
 - d. Use appropriate language.
 - e. Stay away from the street, road, or highway when waiting for the bus.
 - f. Wait until the bus stops before approaching the bus.
 - g. After getting off the bus, move away from the bus.
 - h. If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
 - i. No fighting, harassment, intimidation, or horseplay.
 - j. No use of alcohol, tobacco, or drugs.
3. Rules on the Bus
 - a. Immediately follow the directions of the driver.
 - b. Sit in your seat facing forward.
 - c. Talk quietly and use appropriate language.
 - d. Keep all parts of your body inside the bus.
 - e. Keep your arms, legs, and belongings to yourself.

- f. No fighting, harassment, intimidation, or horseplay.
- g. Do not throw any object.
- h. No eating, drinking, or use of alcohol, tobacco, or drugs.
- i. Do not bring any weapons or dangerous objects on the school bus.
- j. Do not damage the school bus.

4. Consequences

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

(1) Elementary (K-6)

- 1st offense - warning
- 2nd offense - 3 school-day suspension from riding the bus
- 3rd offense - 5 school-day suspension from riding the bus
- 4th offense - 10 school-day suspension from riding the bus/meeting with parent
- Further offenses - individually considered. Students may be suspended for longer periods of time, including the remainder of the school year.

(2) Secondary (7-12)

- 1st offense - warning
- 2nd offense - 5 school-day suspension from riding the bus
- 3rd offense - 10 school-day suspension from riding the bus
- 4th offense - 20 school-day suspension from riding the bus/meeting with parent
- 5th offense - suspended from riding the bus for the remainder of the school year

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

(3) Other Discipline

Based on the severity of a student's conduct, more serious consequences may be imposed at any time. Depending on the nature of the offense, consequences such as suspension

or expulsion from school also may result from school bus/bus stop misconduct.

(4) Records

Records of school bus/bus stop misconduct will be forwarded to the individual school building and will be retained in the same manner as other student discipline records. Reports of student misbehavior on a school bus or in a bus-loading or unloading area that are reasonably believed to cause an immediate and substantial danger to the student or surrounding persons or property shall be provided by the school district to local law enforcement and the Department of Public Safety in accordance with state and federal law.

(5) Vandalism/Bus Damage

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

(6) Notice

School bus and bus stop rules and consequences for violations of these rules will be reviewed with students annually and copies of these rules will be made available to students. School bus rules are to be posted on each school bus.

(7) Criminal Conduct

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

IV. PARENT AND GUARDIAN INVOLVEMENT

A. Parent and Guardian Notification

The school district school bus and bus stop rules will be provided to each family. Parents and guardians are asked to review the rules with their children.

B. Parents/Guardians Responsibilities for Transportation Safety

Parents/Guardians are responsible to:

1. Become familiar with school district rules, policies, regulations, and the principles of school bus safety, and thoroughly review them with their children;
2. Support safe riding and walking practices, and recognize that students are responsible for their actions;
3. Communicate safety concerns to their school administrators;
4. Monitor bus stops, if possible;
5. Have their children to the bus stop 5 minutes before the bus arrives;
6. Have their children properly dressed for the weather; and
7. Have a plan in case the bus is late.

V. SCHOOL BUS DRIVER DUTIES AND RESPONSIBILITIES

- A. School bus drivers shall have a valid Class A, B, or C Minnesota driver's license with a school bus endorsement. A person possessing a valid driver's license, without a school bus endorsement, may drive a type III vehicle set forth in Sections VII.B. and VII.C., below. Drivers with a valid Class D driver's license, without a school bus endorsement, may operate a "type A-I" school bus as set forth in Section VII.D., below.
- B. The school district shall conduct mandatory drug and alcohol testing of all school district bus drivers and bus driver applicants in accordance with state and federal law and school district policy.
- C. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of a criminal offense, a serious traffic violation, or of violating any other state or local law relating to motor vehicle traffic control, other than a parking violation, in any type of motor vehicle in a state or jurisdiction other than Minnesota, shall notify the Minnesota Division of Driver and Vehicle Services (Division) of the conviction within 30 days of the conviction. For purposes of this paragraph, a "serious traffic violation" means a conviction of any of the following offenses:
 1. excessive speeding, involving any single offense for any speed of 15 miles per hour or more above the posted speed limit;
 2. reckless driving;
 3. improper or erratic traffic lane changes;
 4. following the vehicle ahead too closely;

5. a violation of state or local law, relating to motor vehicle traffic control, arising in connection with a fatal accident;
 6. driving a commercial vehicle without obtaining a commercial driver's license or without having a commercial driver's license in the driver's possession.
- D. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of violating, in any type of motor vehicle, a Minnesota state or local law relating to motor vehicle traffic control, other than a parking violation, shall notify the person's employer of the conviction within 30 days of conviction. The notification shall be in writing and shall contain all the information set forth in Attachment A accompanying this policy.
- E. A school bus driver, with the exception of a driver operating a type A-I school bus ~~of type III vehicle~~, who has a Minnesota commercial driver's license suspended, revoked, or cancelled by the state of Minnesota or any other state or jurisdiction and who loses the right to operate a commercial vehicle for any period or who is disqualified from operating a commercial motor vehicle for any period shall notify the person's employer of the suspension, revocation, cancellation, lost privilege, or disqualification. Such notification shall be made before the end of the business day following the day the employee received notice of the suspension, revocation, cancellation, lost privilege, or disqualification. The notification shall be in writing and shall contain all the information set forth in Attachment B accompanying this policy.
- F. A person who operates a type III vehicle and who sustains a conviction as described in Section VII.C.1.g. (i.e., driving while impaired offenses), VII.C.1.h. (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor), or VII.C.1.i. (multiple moving violations) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the person's employer within 10 days of the date of the conviction. The notification shall be in writing and shall contain all the information set forth in Attachment C accompanying this policy.

VI. SCHOOL BUS DRIVER TRAINING

- A. Training
1. All new school bus drivers shall be provided with pre-service training, including in-vehicle (actual driving) instruction, before transporting students and shall meet the competency testing specified in the Minnesota Department of Public Safety Model School Bus Driver Training Manual. All school bus drivers shall receive in-service training annually. For

purposes of this section, "annually" means at least once every 380 days from the initial or previous evaluation and at least once every 380 days from the initial or previous license verification. The school district shall retain on file an annual individual school bus driver "evaluation certification" form for each school district driver as contained in the Model School Bus Driver Training Manual.

[Note: The Model School Bus Driver Training Manual is available online through the Minnesota Department of Public Safety State Patrol web page.]

2. All bus drivers operating a type III vehicle will be provided with annual training and certification as set forth in Section VII.C.1.b., below, by either the school district or the entity from whom such services are contracted by the school district.

B. Evaluation

School bus drivers with a Class D license will be evaluated annually and all other bus drivers will be assessed periodically for the following competencies:

1. Safely operate the type of school bus the driver will be driving;
2. Understand student behavior, including issues relating to students with disabilities;
3. Ensure orderly conduct of students on the bus and handling incidents of misconduct appropriately;
4. Know and understand relevant laws, rules of the road, and local school bus safety policies;
5. Handle emergency situations; and
6. Safely load and unload students.

The evaluation must include completion of an individual "school bus driver evaluation form" (road test evaluation) as contained in the Model School Bus Driver Training Manual.

[Note: The school district may use alternative assessments rather than those set forth in the Model School Bus Driver Training Manual for bus driver training competencies with the approval of the Commissioner of Public Safety. A driver also may receive at least 8 hours of school bus in-service training in any year as an alternative to being assessed for bus driver competencies after the initial year of being assessed for bus driver competencies.]

VII. OPERATING RULES AND PROCEDURES

A. General Operating Rules

1. School buses shall be operated in accordance with state traffic and school bus safety laws and the procedures contained in the Minnesota Department of Public Safety Model School Bus Driver Training Manual.

[Note: The Model School Bus Driver Training Manual is available online through the Minnesota Department of Public Safety State Patrol web page.]

2. Only students assigned to the school bus by the school district shall be transported. The number of students or other authorized passengers transported in a school bus shall not be more than the legal capacity for the bus. No person shall be allowed to stand when the bus is in motion.
3. The parent/guardian may designate, pursuant to school district policy, a day care facility, respite care facility, the residence of a relative, or the residence of a person chosen by the parent or guardian as the address of the student for transportation purposes. The address must be in the attendance area of the assigned school and meet all other eligibility requirements.
4. Bus drivers must minimize, to the extent practical, the idling of school bus engines and exposure of children to diesel exhaust fumes.
5. To the extent practical, the school district will designate school bus loading/unloading zones at a sufficient distance from school air-intake systems to avoid diesel fumes from being drawn into the systems.

[Note: A school district is not required to comply with Section VII.A.5. if the school board determines that alternative locations block traffic, impair student safety, or are not cost effective.]

6. A bus driver may not operate a school bus while communicating over, or otherwise operating, a cellular phone for personal reasons, whether hand-held or hands free, when the vehicle is in motion or a part of traffic. For purposes of this paragraph, "school bus" has the meaning given in Minn. Stat. § 169.011, Subd. 71. In addition, "school bus" also includes type III vehicles when driven by employees or agents of the school district. "Cellular phone" means a cellular, analog, wireless, or digital telephone capable of sending or receiving telephone or text messages without an access line for service.

B. Type III Vehicles

1. Type III vehicles are restricted to passenger cars, station wagons, vans, and buses having a maximum manufacturer's rated seating capacity of 10 or fewer people including the driver and a gross vehicle weight rating of 10,000 pounds or less. A van or bus converted to a seating capacity of 10

or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.

2. Type III vehicles must be painted a color other than national school bus yellow.
3. Type III vehicles shall be state inspected in accordance with legal requirements.
4. A type III vehicle cannot be older than 12 years old unless excepted by state and federal law.
5. If a type III vehicle is school district owned, the school district name will be clearly marked on the side of the vehicle. The type III vehicle must not have the words "school bus" in any location on the exterior of the vehicle or in any interior location visible to a motorist.
6. A "type III vehicle" must not be outwardly equipped and identified as a type A, B, C, or D bus.
7. Eight-lamp warning systems and stop arms must not be installed or used on type III vehicles.
8. Type III vehicles must be equipped with mirrors as required by law.
9. Any type III vehicle may not stop traffic and may not load or unload before making a complete stop and disengaging gears by shifting into neutral or park. Any type III vehicle used to transport students must not load or unload so that a student has to cross the road, except where not possible or impractical, then the driver or assistant must escort a student across the road. If the driver escorts the student across the road, then the motor must be stopped, the ignition key removed, the brakes set, and the vehicle otherwise rendered immobile.
10. Any type III vehicle used to transport students must carry emergency equipment including:
 - a. Fire extinguisher. A minimum of one 10BC rated dry chemical type fire extinguisher is required. The extinguisher must be mounted in a bracket, and must be located in the driver's compartment and be readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.
 - b. First aid kit and body fluids cleanup kit. A minimum of a 10-unit first aid kit and a body fluids cleanup kit is required. They must be contained in removable, moisture- and dust-proof containers mounted in an accessible place within the driver's compartment

and must be marked to indicate their identity and location.

- c. Passenger cars and station wagons may carry a fire extinguisher, a first aid kit, and warning triangles in the trunk or trunk area of the vehicle if a label in the driver and front passenger area clearly indicates the location of these items.
11. Students will not be regularly transported in private vehicles that are not state inspected as type III vehicles. Only emergency, unscheduled transportation may be conducted in vehicles with a seating capacity of 10 or fewer without meeting the requirements for a type III vehicle. Also, parents may use a private vehicle to transport their own children under a contract with the district. The school district has no system of inspection for private vehicles.
12. All drivers of type III vehicles will be licensed drivers and will be familiar with the use of required emergency equipment. The school district will not knowingly allow a person to operate a type III vehicle if the person has been convicted of an offense that disqualifies the person from operating a school bus.
13. Type III vehicles will be equipped with child passenger restraints, and child passenger restraints will be utilized to the extent required by law.

C. Type III Vehicle Driven by Employees with a Driver's License Without a School Bus Endorsement

1. The holder of a Class A, B, C, or D driver's license, without a school bus endorsement, may operate a type III vehicle, described above, under the following conditions:
 - a. The operator is an employee of the entity that owns, leases, or contracts for the school bus, which may include the school district.
 - b. The operator's employer, which may include the school district, has adopted and implemented a policy that provides for annual training and certification of the operator in:
 - (1) safe operation of a type III vehicle;
 - (2) understanding student behavior, including issues relating to students with disabilities;
 - (3) encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately;
 - (4) knowing and understanding relevant laws, rules of the road, and local school bus safety policies;

- (5) handling emergency situations;
 - (6) proper use of seat belts and child safety restraints;
 - (7) performance of pretrip vehicle inspections;
 - (8) safe loading and unloading of students, including, but not limited to:
 - (a) utilizing a safe location for loading and unloading students at the curb, on the nontraffic side of the roadway, or at off-street loading areas, driveways, yards, and other areas to enable the student to avoid hazardous conditions;
 - (b) refraining from loading and unloading students in a vehicular traffic lane, on the shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane;
 - (c) avoiding a loading or unloading location that would require a student to cross a road, or ensuring that the driver or an aide personally escort the student across the road if it is not reasonably feasible to avoid such a location;
 - (d) placing the type III vehicle in "park" during loading and unloading;
 - (e) escorting a student across the road under clause (c) only after the motor is stopped, the ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile; and
 - (9) compliance with paragraph V.F. concerning reporting convictions to the employer within 10 days of the date of conviction.
- c. A background check or background investigation of the operator has been conducted that meets the requirements under Minn. Stat. § 122A.18, Subd. 8, or Minn. Stat. § 123B.03 for school district employees; Minn. Stat. § 144.057 or Minn. Stat. Ch. 245C for day care employees; or Minn. Stat. § 171.321, Subd. 3, for all other persons operating a type III vehicle under this section.
 - d. Operators shall submit to a physical examination as required by Minn. Stat. § 171.321, Subd. 2.

- e. The operator's employer requires preemployment drug testing of applicants for operator positions. Current operators must comply with the employer's policy under Minn. Stat. § 181.951, Subds. 2, 4, and 5. Notwithstanding any law to the contrary, the operator's employer may use a breathalyzer or similar device to fulfill random alcohol testing requirements.
 - f. The operator's driver's license is verified annually by the entity that owns, leases, or contracts for the type III vehicle as required by Minn. Stat. § 171.321, Subd. 5.
 - g. A person who sustains a conviction, as defined under Minn. Stat. § 609.02, of violating Minn. Stat. § 169A.25, § 169A.26, § 169A.27 (driving while impaired offenses), or § 169A.31 (alcohol-related school bus driver offenses), or whose driver's license is revoked under Minn. Stat. §§ 169A.50 to 169A.53 of the implied consent law, or who is convicted of violating or whose driver's license is revoked under a similar statute or ordinance of another state, is precluded from operating a type III vehicle for 5 years from the date of conviction.
 - h. A person who has ever been convicted of a disqualifying offense as defined in Minn. Stat. § 171.3215, Subd.1(c), (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor) may not operate a type III vehicle.
 - i. A person who sustains a conviction, as defined under Minn. Stat. § 609.02, of a moving offense in violation of Minn. Stat. Ch. 169 within 3 years of the first of 3 other moving offenses is precluded from operating a type III vehicle for 1 year from the date of the last conviction.
 - j. Students riding the type III vehicle must have training required under Minn. Stat. § 123B.90, Subd. 2 (See Section II.B., above).
 - k. Documentation of meeting the requirements listed in this section must be maintained under separate file at the business location for each type III vehicle operator. The school district or any other entity that owns, leases, or contracts for the type III vehicle operating under this section is responsible for maintaining these files for inspection.
2. The type III vehicle must bear a current certificate of inspection issued under Minn. Stat. § 169.451.

3. An employee of the school district who is not employed for the sole purpose of operating a type III vehicle may, in the discretion of the school district, be exempt from paragraphs VII.C.1.d. (physical examination) and VII.C.1.e. (drug testing), above.

D. Type A-I "Activity" Buses Driven by Employees with a Driver's License Without a School Bus Endorsement

1. The holder of a Class D driver's license, without a school bus endorsement, may operate a type A-I school bus or a Multifunction School Activity Bus (MFSAB) under the following conditions:
 - a. The operator is an employee of the school district or an independent contractor with whom the school district contracts for the school bus and is not solely hired to provide transportation services under this paragraph.
 - b. The operator drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.
 - c. The operator is prohibited from using the 8-light system if the vehicle is so equipped.
 - d. The operator has submitted to a background check and physical examination as required by Minn. Stat. § 171.321, Subd. 2.
 - e. The operator has a valid driver's license and has not sustained a conviction of a disqualifying offense as set forth in Minn. Stat. § 171.02, Subd. 2a(h) - 2a(j).
 - f. The operator has been trained in the proper use of child safety restraints as set forth in the National Highway Traffic Safety Administration's "Guideline for the Safe Transportation of Pre-school Age Children in School Buses," if child safety restraints are used by passengers, in addition to the training required in Section VI., above.
 - g. The bus has a gross vehicle weight rating of 14,500 pounds or less and is designed to transport 15 or fewer passengers, including the driver.
2. The school district shall maintain annual certification of the requirements listed in this section for each Class D license operator.
3. A school bus operated under this section must bear a current certificate of inspection.

4. The word "School" on the front and rear of the bus must be covered by a sign that reads "Activities" when the bus is being operated under authority of this section.

VIII. SCHOOL DISTRICT EMERGENCY PROCEDURES

- A. If possible, school bus drivers or their supervisors shall call "911" or the local emergency phone number in the event of a serious emergency.
- B. School bus drivers shall meet the emergency training requirements contained in Unit III "Crash & Emergency Preparedness" of the Minnesota Department of Public Safety Model School Bus Driver Training Manual. This includes procedures in the event of a crash (accident).

[Note: The Model School Bus Driver Training Manual is available online through the Minnesota Department of Public Safety State Patrol web page.]

- C. School bus drivers and bus assistants for special education students requiring special transportation service because of their handicapping condition shall be trained in basic first aid procedures, shall within 1 month after the effective date of assignment participate in a program of in-service training on the proper methods for dealing with the specific needs and problems of students with disabilities, assist students with disabilities on and off the bus when necessary for their safe ingress and egress from the bus; and ensure that protective safety devices are in use and fastened properly.
- D. Emergency Health Information shall be maintained on the school bus for students requiring special transportation service because of their handicapping condition. The information shall state:
 1. the student's name and address;
 2. the nature of the student's disabilities;
 3. emergency health care information; and
 4. the names and telephone numbers of the student's physician, parents, guardians, or custodians, and some person other than the student's parents or custodians who can be contacted in case of an emergency.

IX. SCHOOL DISTRICT VEHICLE MAINTENANCE STANDARDS

- A. All school vehicles shall be maintained in safe operating conditions through a systematic preventive maintenance and inspection program adopted or approved by the school district.
- B. All school vehicles shall be state inspected in accordance with legal requirements.

- C. A copy of the current daily pre-trip inspection report must be carried in the bus. Daily pre-trip inspections shall be maintained on file in accordance with the school district's record retention schedule. Prompt reports of defects to be immediately corrected will be submitted.
- D. Daily post-trip inspections shall be performed to check for any children or lost items remaining on the bus and for vandalism.

X. SCHOOL TRANSPORTATION SAFETY DIRECTOR

The school board has designated an individual to serve as the school district's school transportation safety director. The school transportation safety director shall have day-to-day responsibility for student transportation safety, including transportation of nonpublic school children when provided by the school district. The school transportation safety director will assure that this policy is periodically reviewed to ensure that it conforms to law. The school transportation safety director shall certify annually to the school board that each school bus driver meets the school bus driver training competencies required by Minn. Stat. § 171.321, Subd. 4. The transportation safety director also shall annually verify or ensure that the private contractor utilized by the school has verified the validity of the driver's license of each employee who regularly transports students for the school district in a type A, B, C, or D school bus, type III vehicle, or MFSAB with the National Driver Register or the Department of Public Safety. Upon request of the school district superintendent or the superintendent of the school district where nonpublic students are transported, the school transportation safety director also shall certify to the superintendent that students have received school bus safety training in accordance with state law. The name, address and telephone number of the school transportation safety director are on file in the school district office. Any questions regarding student transportation or this policy may be addressed to the school transportation safety director.

XI. STUDENT TRANSPORTATION SAFETY COMMITTEE

The school board may establish a student transportation safety committee. The chair of the student transportation safety committee is the school district's school transportation safety director. The school board shall appoint the other members of the student transportation safety committee. Membership may include parents, school bus drivers, representatives of school bus companies, local law enforcement officials, other school district staff, and representatives from other units of local government.

- Legal References:**
- Minn. Stat. § 122A.18, Subd. 8 (Board to Issue Licenses)
 - Minn. Stat. § 123B.03 (Background Check)
 - Minn. Stat. § 123B.42 (Textbooks; Individual Instructor or Cooperative Learning Material; Standard Tests)
 - Minn. Stat. § 123B.88 (Independent School Districts; Transportation)
 - Minn. Stat. § 123B.885 (Diesel School Buses; Operation of Engine; Parking)
 - Minn. Stat. § 123B.90 (School Bus Safety Training)
 - Minn. Stat. § 123B.91 (School District Bus Safety Responsibilities)

Minn. Stat. § 144.057 (Background Studies on Licensees and Other Personnel)
 Minn. Stat. Ch. 169 (Traffic Regulations)
 Minn. Stat. § 169.011, Subds. 15, 16, and 71 (Definitions)
 Minn. Stat. § 169.02 (Scope)
 Minn. Stat. § 169.443 (Safety of School Children; Bus Driver's Duties)
 Minn. Stat. § 169.446, Subd. 2 (Driver Training Programs)
 Minn. Stat. § 169.451 (Inspecting School and Head Start Buses; Rules; Misdemeanor)
 Minn. Stat. § 169.454 (Type III Vehicle Standards)
 Minn. Stat. § 169.4582 (Reportable Offense on School Buses)
 Minn. Stat. §§ 169A.25-169A.27 (Driving While Impaired)
 Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)
 Minn. Stat. §§ 169A.50-169A.53 (Implied Consent Law)
 Minn. Stat. § 171.02, Subds. 2, 2a, and 2b (Licenses; Types, Endorsements, Restrictions)
 Minn. Stat. § 171.168 (Notification of Conviction for Violation by a Commercial Driver)
 Minn. Stat. § 171.169 (Notification of Suspension of License of Commercial Driver)
 Minn. Stat. § 171.321 (Qualifications of School Bus Driver)
 Minn. Stat. § 171.3215, Subd. 1(c) (Canceling Bus Endorsement for Certain Offenses)
 Minn. Stat. § 181.951 (Authorized Drug and Alcohol Testing)
 Minn. Stat. Ch. 245C (Human Services Background Studies)
 Minn. Stat. § 609.02 (Definitions)
 Minn. Rules Parts 7470.1000-7470.1700 (School Bus Inspection)
 49 C.F.R. § 383.31 (Notification of Convictions for Driver Violations)
 49 C.F.R. § 383.33 (Notification of Driver's License Suspensions)
 49 C.F.R. § 383.5 (Transportation Definitions)

Cross References:

MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)
 MSBA/MASA Model Policy 506 (Student Discipline)
 MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
 MSBA/MASA Model Policy 707 (Transportation of Public Students)
 MSBA/MASA Model Policy 708 (Transportation of Nonpublic Students)
 MSBA/MASA Model Policy 710 (Extracurricular Transportation)

Adopted: ~~February 14, 2011,~~
Revised: ~~August 26, 2019,~~

~~Royalton School District Policy 616~~
~~Reviewed:~~

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- [Note: Minn. Stat. § Minnesota Statutes section 120B.11 requires school districts to adopt a comprehensive long-term strategic plan that addresses the review of curriculum, instruction, student achievement, and assessment. MSBA/MASA Model Policies 601, 603, and 616 address these statutory requirements. In addition, MSBA/MASA Model Policies 613-615 and 617-620 provide procedures to further implement the requirements of Minn. Stat. §Minnesota Statutes section 120B.11.]⁴
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616 SCHOOL DISTRICT SYSTEM ACCOUNTABILITY

I. PURPOSE

The purpose of this policy is to focus public education strategies on a process that promotes higher academic achievement for all students and ensures broad-based community participation in decisions regarding the implementation of the Minnesota K-12 Academic Standards and federal law.

II. GENERAL STATEMENT OF POLICY

Implementation of the Minnesota K-12 Academic Standards and federal law requires accountability for the school district. The school district established a system to transition to the graduation requirements of the Minnesota K-12 Academic Standards. The school district also established 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 K-12 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 ~~that~~ provide broad direction for the school district. Incorporated in these goals are the graduation and education standards contained in the Minnesota K-12 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.
2. The Strategic Planning Committee ~~is~~ established by the school board to ensure active community participation in all phases of planning and improving the instruction and curriculum affecting state and district academic standards.
3. The school district-wide 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 also be developed through an education effectiveness program, an evaluation of student progress committee, or through some other locally determined process.

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- 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 Minnesota Statutes section 123B.147, and teacher evaluations under Minnesota Statutes section 122A.40 or 122A.41.

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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.

Deleted: The Advisory Committee shall also 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 the Advisory 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.

2. The school board shall annually review and determine if student achievement levels at each school site meet federal expectations. If the school board determines that student achievement levels at a school site do not meet federal expectations and the site has not made adequate yearly progress for two consecutive school years, the Advisory Committee shall work with the school site to adopt a plan to raise student achievement levels to meet federal expectations. The Advisory Committee may seek assistance from the Commissioner of the Minnesota Department of Education (MDE) (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 districtwide 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. Annually, 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 K-12 Academic 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; and,
 - d. Advising the school board about development of the annual budget.

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3. The Strategic Planning Committee shall meet the following criteria:

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a. The Strategic Planning Committee shall ensure active community participation in all planning for instruction and curriculum affecting Graduation Standards.

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b. The Strategic Planning Committee shall make recommendations to the school board on school district-wide standards, assessments, and program evaluation.

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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.

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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:

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a. The Superintendent

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b. Principals

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c. 2 School Board Members

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d. Student Representative appointed by Student Council

e. One teacher from each building

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f. Two parents from each building or instructional level

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g. Two residents without school-aged children, non-representative of local business or industry

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h. Two resident's representative of local business or industry

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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 a minimum of two times per year.~~

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 [Minnesota Statutes section 120B.36](#), Subd. 1, the school board shall publish a 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 cultural competency and efforts to equitably distribute diverse, effective, experienced, and in-field teachers, 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 in their native languages, where appropriate and practicable, about their connection to and level of satisfaction with school. The school district shall include the results of this evaluation in its published reports and 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)

Deleted: 4.→ The Advisory Committee shall, when possible, be comprised of at least two-thirds community representatives and shall reflect the diversity of the community. To the extent possible, the Advisory Committee shall reflect the diversity of the school district and its school sites and include teachers, parents, support staff, students, and other community residents. Included in its membership should be:

- a.→ The Director of Curriculum (or similar educational leader)
- b.→ Principal
- c.→ School Board Member
- d.→ Student Representative
- e.→ One teacher from each building or instructional level
- 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 residents representative of local business or industry
- i.→ District Assessment Coordinator (if different from "a." above)

Deleted: *[Note: This Advisory Committee composition is a model only.]*

Deleted: The Advisory Committee shall meet the following timeline each year:

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 Month:→ Organizational meeting of the Committee to review the authorizing legislation and the roles and responsibilities of the Committee as determined by the school board.

Month(s):→ Agree on the process to be used. Become familiar with the instruction and curriculum of the cycle content area.

... [1]

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Deleted: 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 Advisory Committee to review instruction and curriculum, cultural competencies, including cultural awareness and c...

... [2]

Deleted: Minn. Stat. §

Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota’s Students)
Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement; Striving for the World’s Best Workforce)
Minn. Stat. § 120B.35 (Student Academic Achievement and Growth)
Minn. Stat. § 120B.36 (School Accountability)
Minn. Stat. § 122A.40 (Employment; Contracts; Termination)
Minn. Stat. § 122A.41 (Teacher Tenure Act; Cities of the First Class; Definitions)
Minn. Stat. § 123B.04 (Site Decision Making; Individualized Learning Agreement; Other Agreements)
Minn. Stat. § 123B.147 (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 3501.0820 (Academic Standards for the Arts)
Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in 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)

- Deleted: Levels
- Deleted: ; Appeals Process
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- Deleted: , Subd. 5
- Deleted: Agreement
- Deleted: , Subd. 3
- Deleted: 00-3501.0815

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)

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Page 5: [2] Deleted Microsoft Office User 5/18/22 7:59:00 AM

Adopted: June 13, 2011

Royalton School District Policy 714

Last Revised: July 22, 2019

Revised: October 21, 2013

714 FUND BALANCES

I. PURPOSE

The purpose of this policy is to create new fund balance classifications to allow for more useful fund balance reporting and for compliance with the reporting guidelines specified in Statement No. 54 of the Governmental Accounting Standards Board (GASB).

II. GENERAL STATEMENT OF POLICY

The policy of this School District is to comply with GASB Statement No. 54. To the extent a specific conflict occurs between this policy and the provisions of GASB Statement No. 54, the GASB Statement shall prevail.

III. DEFINITIONS

- A. “Assigned” fund balance amounts are comprised of unrestricted funds constrained by the School District’s intent that they be used for specific purposes, but that do not meet the criteria to be classified as restricted or committed. In funds other than the general fund, the assigned fund balance represents the remaining amount that is not restricted or committed. The assigned fund balance category will cover the portion of a fund balance that reflects the School District’s intended use of those resources. The action to assign a fund balance may be taken after the end of the fiscal year. An assigned fund balance cannot be a negative number.
- B. “Committed” fund balance amounts are comprised of unrestricted funds used for specific purposes pursuant to constraints imposed by formal action of the School Board and that remain binding unless removed by the School Board by subsequent formal action. The formal action to commit a fund balance must occur prior to fiscal year end; however, the specific amounts actually committed can be determined in the subsequent fiscal year. A committed fund balance cannot be a negative number.
- C. “Enabling legislation” means legislation that authorizes a school district to assess, levy, charge, or otherwise mandate payment of resources from external providers and includes a legally enforceable requirement that those resources be used only for the specific purposes listed in the legislation.

- D. “Fund balance” means the arithmetic difference between the assets and liabilities reported in a school district fund.
- E. “Nonspendable” fund balance amounts are comprised of funds that cannot be spent because they are either not in spendable form or are legally or contractually required to be maintained intact. They include items that are inherently unspendable, such as, but not limited to, inventories, prepaid items, long-term receivables, non-financial assets held for resale, or the permanent principal of endowment funds.
- F. “Restricted” fund balance amounts are comprised of funds that have legally enforceable constraints placed on their use that either are externally imposed by resource providers or creditors (such as through debt covenants), grantors, contributors, voters, or laws or regulations of other governments, or are imposed by law through constitutional provisions or enabling legislation.
- G. “Unassigned” fund balance amounts are the residual amounts in the general fund not reported in any other classification. Unassigned amounts in the general fund are technically available for expenditure for any purpose. The general fund is the only fund that can report a positive unassigned fund balance. Other funds would report a negative unassigned fund balance should the total of nonspendable, restricted, and committed fund balances exceed the total net resources of that fund.
- H. “Unrestricted” fund balance is the amount of fund balance left after determining both nonspendable and restricted net resources. This amount can be determined by adding the committed, assigned, and unassigned fund balances.

IV. CLASSIFICATION OF FUND BALANCES

The School District shall classify its fund balances in its various funds in one or more of the following five classifications: nonspendable, restricted, committed, assigned, and unassigned.

V. MINIMUM FUND BALANCE

The school district will strive to maintain an unassigned general fund balance of [14-20 percent of the annual budget.] [3 months of operating expenses.]
~~The Board recognizes that maintaining adequate fund balance reserves is critical to being fiscally responsible and ensures the School District’s long term ability to meet its financial obligations in order to provide appropriate educational services and programs to all students of the School District.¶~~
 ¶
~~Therefore, the School District shall establish a minimum unassigned fund balance of 7.5 percent (1 month of operating expense) and work toward an unassigned fund balance in the general fund of 15 percent (2 months of operating expense) of the annual expenditure budget. The School District will maintain the unassigned fund balance each year beginning in~~

~~fiscal year 2019 will be equal to or greater than 15 percent of the School District's annual expenditure budget.~~

VI. ORDER OF RESOURCE USE

If resources from more than one fund balance classification could be spent, the School District will strive to spend resources from fund balance classifications in the following order (first to last): restricted, committed, assigned, and unassigned.

VII. COMMITTING FUND BALANCE

A majority vote of the School Board is required to commit a fund balance to a specific purpose and subsequently to remove or change any constraint so adopted by the Board.

VIII. ASSIGNING FUND BALANCE

The school board, by majority vote, may assign fund balances to be used for specific purposes when appropriate. The board also delegates the power to assign fund balances to the following: Superintendent. Assignments so made shall be reported to the school board on a monthly basis, either separately or as part of ongoing reporting by the assigning party if other than the school board.

An appropriation of an existing fund balance to eliminate a projected budgetary deficit in the subsequent year's budget in an amount no greater than the projected excess of expected expenditures over expected revenues satisfies the criteria to be classified as an assignment of fund balance.

~~The School Board, by majority vote, may assign fund balances to be used for specific purposes when appropriate.~~

~~¶~~

~~An appropriation of an existing fund balance to eliminate a projected budgetary deficit in the subsequent year's budget in an amount no greater than the projected excess of expected expenditures over expected revenues satisfies the criteria to be classified as an assignment of fund balance.~~

IX. REVIEW

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

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

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

Adopted: December 11, 2006
Last Revised: October 26, 2020~~September 23, 2019~~
~~October 26, 2020~~

Royalton School District Policy 506
Reviewed: -

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;~~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;
- 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;~~
- FG. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- GH. To be aware of and comply with federal, state, and local laws;
- HI. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;

- ~~IJ~~. To respect and maintain the school's property and the property of others;
- ~~JK~~. 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;
- ~~KE~~. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- ~~LM~~. To conduct themselves in an appropriate physical or verbal manner; and
- ~~MN~~. 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 #526;
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 #503;
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:~~
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 #501;
14. Violation of the school district's Violence Prevention Policy #525;
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 #524;
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 #502;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy #527;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district' Bullying Prohibition Policy #514;
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 #525;
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 pPrincipal 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 pPrincipal 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 pPrincipal 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 pPrincipal 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 pPrincipal 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 my 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 regular school communications.~~
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 (6th) consecutive day of suspension or the tenth (10th) 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 [Individuals with Disabilities Act \(IDEA\)](#) 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)