

Regular School Board Meeting of ISD
857
Monday, December 13, 2021 6:00 PM

Board & Public in HS Library/Remote viewing
via ZOOM
100 County Road 25
Lewiston, MN 55952

Agenda

- I. Call Meeting to Order
Speaker(s): Board Chair
- II. Pledge of Allegiance.
Speaker(s): Board Chair
- III. Quorum Call

Brummer
Koverman
Maki
Meisch
Meyer
Pringle
Sommer
Speaker(s): Board Chair
- IV. Approve the December 13, 2021 Meeting Agenda
Speaker(s): Board Chair
- V. L-A High School Student Report
Speaker(s): Student Board Representative
- VI. Truth in Taxation Presentation by Superintendent Carman
- VII. Truth in Taxation Questions or Comments from the Public
- VIII. Certification of 2021 Payable 2022 Levy Limitation for \$1,385,728.24.
- IX. Open Forum

Guideline: Three minutes per speaker; 15 minutes maximum. Complaints about personnel or individuals are prohibited. No Board action is taken during the Open Forum. This is the only time during the Board meeting that audience participation is allowed unless scheduled prior.

- X. PK-6 Principal's Report
Speaker(s): Board Chair
- XI. 7-12 Principal's Report
Speaker(s): Principal Dave Riebel
- XII. Consent Agenda

- A. Board Meeting Minutes: November 15, 2021
- B. Financial Reports a. December 2021 Board Bills
b. Treasury Report

- c. November 2021 Miscellaneous Payments
- d. November 2021 Wire Payments
- XIII. C. Approve hire of Jake Ihrke as a substitute teacher for every school day upon receipt of MN Teaching License through June 9, 2021.
- E. Accept the anonymous donation of \$500 for the drama department.
- F. Accept the anonymous donations totaling \$400 for the weight room
- G. Approve hire of Emily Stafslie as Speech-Language Pathologist at MA10/Step 12 at 0.9FTE and 5 additional summer contracted days.
- H. Accept shirt donations from area businesses: Ag Partners (4), Drussell Well Drilling (3), Excel Images (4), Menards (5), Peerless Chain (4), Speltz Estates (6), Sema Equipment (5), Kwik Trip (4), Plasticert (4).
- I. Approve hire of Miranda Byington as a short term paraprofessional substitute.
- J. Approve hire of Carter Jonsgaard as JH Wrestling Coach.
- XIV. **Speaker(s): Board Chair**
- XV. Policies and Forms on 1st Reading
 - a. 501 School Weapons Policy
 - b. 413 Harassment and Violence
- XVI. c. 201 Legal Status of the School Board
- XVII. d. 202 School Board Officers
- XVIII. e. 203 Operation of the School Board
- XIX. f. 203.1 School Board Procedures, Rules of Order
- XX. g. 203.2 Order of the Regular School Board Meeting
- XXI. h. 203.5 School Board Meeting Agenda & 203.5F School Board Agenda Items Request Form
- Speaker(s): Board Chair**
- XXII. Policies and Forms on 2nd Reading
 - A. 102 Equal Opportunity
 - B. 406 Public and Private Personnel Data
 - C. 507 Corporal Punishment
 - D. 515 Protection and Privacy of Public Records and Form
- Speaker(s): Board Chair**
- XXIII. Resolution establishing combined polling places for multiple precincts and designating hours during which the polling places will remain open for voting for school district elections not held on the day of a statewide election.
- XXIV. Superintendent's Report
 - Speaker(s): Superintendent Carman**
- XXV. Discussion regarding stadium lights repair or replacement
- XXVI. Board Committee Reports
 - Speaker(s): Superintendent Carman**
- XXVII. Upcoming Meeting Dates
 - Health and Safety Committee: Thursday, December 16th
 - 2022 Organizational Meeting: Tuesday, January 4th, 6:00pm
 - Regular Board Meeting: Monday, January 10th, 6:00pm (at Altura Intermediate School - Meet at 5:15pm to tour the school)
- XXVIII. Closed session for purpose of discussing negotiations with EdMN/L-A.
- XXIX. Adjourn.

Report to the School Board

December 13, 2021

By Elementary / Intermediate School Principal Dave Riebel

GOAL 1: THE DISTRICT WILL STRIVE TO PROVIDE THE BEST EDUCATIONAL PROGRAMS.



- Winter Wonderland

Excitement was in the air as students and families arrived at the Winter Wonderland created by our district Early Childhood Preschool staff on Tuesday Dec. 7. Families were challenged to make their way through a scavenger hunt while participating in the themed games and activities. The evening is always highlighted by a visit and pictures with Santa! A huge thanks goes out to all of the staff members who helped create and staff the stations around the school!



- Virtual Concerts

The Intermediate students have been practicing their grade level performances within their classroom groupings for introductory band and choir. Those classroom groups gave live performances for their peers and broadcast them for family's viewing. Thank you to the students, Mr. Hamilton and Ms. Rupprecht for the preparations and modifications needed to create the performances.



- Extended Programs update:

Afterschool tutoring programs are again underway at both buildings. Invitations for supplemental tutoring sessions are generated from the same assessment databases that are utilized for our school day interventions. The Afterschool Club is up and running two days a week at the Intermediate School for students seeking extra time for their schoolwork and questions.

GOAL 2: THE DISTRICT WILL STRIVE TO HIRE, DEVELOP AND MAINTAIN THE BEST POSSIBLE STAFF.

- Staffing

The Intermediate School students and staff welcome to Rebecca Morrison to our school family as a half day paraprofessional. She replaces Sarah Fowler who has moved on to a teaching position in another district. The elementary continues to have an open posting for a full time paraprofessional position. Please direct anyone interested to our district website's employment tab.

Thank you to our current Speech Language Pathologist, Sarah Ong for her instruction and assistance with our students's speech service needs. We wish her all the best as she moves with her husband to a new location. We welcome Emily Stafslie to our in person district speech clinician.

- December Late Start staff development

PK-6 support staff continued their menu of choices of staff development topics within the Infinitic website in support of their staffing levels. Certified Staff continued curriculum mapping processes that will extend into the January late start and workshop day agendas.

Intermediate school staff member Justin Hanson has been scheduling activities and feedback sessions for the classes and experience time required for his administrative licensure program. Mr. Hanson has scheduled time with Lewiston-Altura administration as well as with Winona district staff.

GOAL 3: THE DISTRICT WILL STRIVE TO MAINTAIN A POSITIVE EMOTIONAL AND SAFE CLIMATE FOR LEARNERS AND STAFF.

Fall Conferences

K-6 parents were able to schedule and attend in person conferences on Nov. 18 and 22 at both the elementary and intermediate schools. We continue to enjoy greater than 90% attendance for our conference nights. We also thank the PLAY group for sponsoring a meal for teachers on these conference nights.



Ten Days of Giving

The elementary and intermediate school student council members led our annual 10 Days of Giving collection efforts to benefit the Winona County food shelf. The traveling trophy award given to the classrooms who collect the highest amount of items went to Ms. Kennedy's 4th grade and Mr. Olson's 6th grade classrooms. Great work everyone!

Congratulations to Ms. Weaver – 1st Grade

A guest joined our 1st grade classroom recently to honor Ms. Weaver as the Winona Radio Teacher of the Month. Gabe Glidden, KG95 radio show host stopped by to present Ms. Weaver with the acknowledgement and provide her students with their snack for the day. Congrats Jane!



GOAL 4: THE DISTRICT WILL STRIVE TO MAINTAIN AND IMPROVE THE DISTRICT'S INFRASTRUCTURE.

No report this month.



Independent School Dist. No. 857

100 County Road 25

Lewiston, MN 55952

(507) 523-2191

Gwen Carman, Superintendent

Dave Riebel, Elementary and Intermediate Principal

Cory Hanson, High School Principal

Goal 1: The District will strive to provide the best possible educational programs.

- Mr. Wilmes offered his first two concerts of the year. Both 7/8 grades and the 9/10 Treble and Bass Clef choirs performed for audiences. Both concerts were great; congratulations to those that sang and to Mr. Wilmes. Mr. Hamilton joined him for the 7/8 concert with the band having their first concert of the year in addition to all of their pep fest items for the high school.
- Congratulations to the cast, crew and directors of the fall play and the junior high play. Both performances were fantastic, and the actors and crew were fantastic.
- Pre-Registration for the 2022-23 school year is underway. Students in grades 9-11 will pre-register to identify course offerings for next year. Students in grades 6-8 will be identifying music choices and 8th graders identify language and elective priorities. Registration will begin in March or April when the schedule is finalized.
- We have begun our winter sports activities at this time. Wrestling, Dance, and Basketball are all underway. Additionally, supermileage and math league have begun. Good luck to our teams and advisors on the upcoming seasons.
- We have a couple of activities beginning soon: One Act Play and Speech.
- Second quarter began after our last meeting. A few students switched from PE to Health or Careers, and from metals to woods.

Goal 2: The District will strive to hire, develop, and maintain the best possible staff.

- At the November late start, we continued working on our unpacking program. We will continue at our December late start as well.
- We are making preparations for our April staff development day for additional ELL training.

Goal 3: The District will strive to maintain a positive emotional and safe climate for learners and staff.

- Student council is in the process of accepting donations for 10 Days of Giving. In addition to in school items, they hosted the first ever Saturday drive thru drop off program. Thank you for all of the donations to support local families in need during the holiday season.
- FCA accepted Toys for Tots from December 6-10. Thanks for those that were able to donate.
- We had a great turnout at the high school for the senior dinner. We served approximately 190 meals with some of those being at Altura. Thank you to the food service staff for all of their time and expertise preparing the meal. Thank you to Anna Hennesy, Elise Sommer, and Makayla Brown for helping handout meals to those that attended. Thank you to Isabel Schumacher for organizing a group of students to make cards to go with the meals. Thank you to the NHS and LAHS students that wrote cards to our community's seniors.

Goal 4: The District will strive to maintain and improve the district infrastructure.

- Our new cameras are up and running, and I think we are done with adding wiring for a little while.

MINUTES OF THE LEWISTON-ALTURA REGULAR SCHOOL BOARD MEETING
ISD #857
November 15, 2021

A regular meeting of the School Board of Independent School District #857 was held on November 15, 2021. The Board members met in the Elementary School Library and the public was able to be present or access the meeting via ZOOM due to COVID-19 Pandemic restrictions. Members Brummer, Koverman, Pringle, Maki, Meisch, Meyer, and Sommer were present.

Brummer called the meeting to order at 6:00pm. The Pledge of Allegiance was recited.

Motion by Meyer, seconded by Maki to approve the November 15, 2021 Meeting Agenda with the addition of Closed Session for the purposes of discussing negotiations with EdMN/L-A. MCU.

A LAHS Student Council report was presented by Matthew Schell.

Superintendent Carman presented the 2021-22 World's Best Workforce Plan.

Public Comment was heard.

PK-6 Principal Dave Riebel and 7-12 Principal Dr. Cory Hanson presented reports.

Motion by Pringle, second by Sommer to approve the Consent Agenda. MCU.

Motion by Meyer, second by Meisch to approve the Class of 2022 and Music Trip to Nashville in the Spring of 2022. MCU.

Motion by Meisch, second by Maki to approve Policies 102 Equal Opportunity, 406 Public and Private Personnel Data, 507 Corporal Punishment, 515 Protection and Privacy of Public Records and Form on a 1st reading. MCU.

Motion by Pringle, second by Brummer to approve Policy 616 Systems Accountability and 2021-22 Testing Plan on a 2nd Reading. MCU.

Superintendent Carman presented a monthly report and updates.

Motion by Meisch and seconded by Meyer to approve the 2021-22 World's Best Workforce Plan.

Board members presented committee reports.

Motion by Meisch, second by Sommer at 7:20pm to go into Closed Session for the purpose of discussing contract negotiations with EdMN/L-A.

At 7:51pm, motion by Meisch, second by Meyer to re-open the meeting.

Motion by Koverman, seconded by Sommer to adjourn the meeting at 7:52 pm. MCU.

Melissa Meisch, Clerk

Treasury Report

November 2021 Bank Reconciliation

FUNDS	BALANCE BEGINNING OF MONTH	<u>RECEIPTS</u>	<u>DISBURSEMENTS</u>	BALANCE END OF MONTH	ENDING BALANCE 11/30/2020
GENERAL FUND	1,745,438.81	679,184.73	(1,100,050.42)	1,324,573.12	1,205,526.10
FOOD SERVICE FUND	66,076.09	68,552.88	(49,298.84)	85,330.13	(4,003.09)
COMMUNITY ED	159,476.30	75,843.05	(34,870.45)	200,448.90	248,198.90
BUILDING CONSTRUCTION	606,590.41	20,146.00	(20,146.00)	606,590.41	0.00
DEBT REDEMPTION	224,883.79	41,979.82	0.00	266,863.61	974,040.26
STUDENT FUNDRAISED FUND	133,864.64	65,108.21	(14,748.34)	184,224.51	65,493.29
TOTALS	2,936,330.04	950,814.69	(1,219,114.05)	2,668,030.68	2,489,255.46

RECONCILEMENT OF TREASURER'S BALANCE WITH BANK

DESCRIPTION	BALANCE PER BANK STATEMENT	OUTSTANDING CHECKS	DEPOSITS NOT SHOWN ON BANK STATEMENT	OTHER RECONCILING ITEMS	BALANCE PER TREASURER'S BOOKS
General Fund Checking	87,452.64	(90,977.92)	0.00	115.00	(3,410.28)
Activity Checking	77,107.19	0.00	0.00	0.00	77,107.19
Savings	477,995.76	0.00	0.00	0.00	477,995.76
Merchants Bank	4,147.20	0.00	0.00	0.00	4,147.20
MSDLAF	2,062,063.98	0.00	0.00	0.00	2,062,063.98
CD-investments	50,126.83	0.00	0.00	0.00	50,126.83

TREASURER'S BALANCE

2,668,030.68

Lewiston-Altura Public Schools
November 2021 Wire Payments

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
001	P20569	62242		Wire	1 5546		VISA		No	Yes	No	11/15/2021	737.28
001	P20569	62243		Wire	1 1053		MINNESOTA ELECTRONIC FUNDS		No	Yes	No	11/15/2021	8,968.73
001	P20569	62244		Wire	1 1054		FEDERAL TAXES		No	Yes	No	11/15/2021	57,234.02
001	P20569	62245		Wire	1 18600		MINNESOTA TEACHERS RETIREMENT.		No	Yes	No	11/15/2021	30,931.01
001	P20569	62246		Wire	1 18610		PERA / Public Employers Retirement Assoc		No	Yes	No	11/15/2021	9,266.78
001	P20569	62247		Wire	1 4373		ING		No	Yes	No	11/15/2021	2,387.82
001	P20569	62248		Wire	1 6496		EDUCATORS BENEFIT CONSULTANTS		No	Yes	No	11/15/2021	8,472.65
001	P20569	62302		Wire	1 1053		MINNESOTA ELECTRONIC FUNDS		No	No	No	11/30/2021	7,787.21
001	P20569	62303		Wire	1 1054		FEDERAL TAXES		No	Yes	No	11/30/2021	49,525.34
001	P20569	62304		Wire	1 18600		MINNESOTA TEACHERS RETIREMENT.		No	Yes	No	11/30/2021	27,428.43
001	P20569	62305		Wire	1 18610		PERA / Public Employers Retirement Assoc		No	Yes	No	11/30/2021	8,248.78
001	P20569	62306		Wire	1 4373		ING		No	No	No	11/30/2021	2,387.82
001	P20569	62307		Wire	1 6496		EDUCATORS BENEFIT CONSULTANTS		No	Yes	No	11/30/2021	8,472.65
001	P20569	62318		Wire	1 3153		Merchants Bank - Fees		No	Yes	No	11/30/2021	96.65
001	P20569	62319		Wire	1 4834		MERCHANT PROCESSING CENTER		No	Yes	No	11/30/2021	324.60
001	P20569	62320		Wire	1 4866		BLUECROSS BLUESHIELD OF MN & BL		No	Yes	No	11/30/2021	26,042.50
001	P20569	62321		Wire	1 6283		MinnWest Bank Group		No	Yes	No	11/30/2021	50.00

Bank Total: \$248,362.27

Report Total: \$248,362.27

Lewiston-Altura Public Schools December 2021 Board Bills

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
001	P20631	62384	71635	Check	1	6737	A-1 Mobile Storage Service		Yes	No	No	12/13/2021	134.00
001	P20631	62346	71636	Check	1	3128	Amazon Capital Services		Yes	No	No	12/13/2021	437.58
001	P20631	62362	71637	Check	1	4988	Apple Inc.		Yes	No	No	12/13/2021	2,392.00
001	P20631	62325	71638	Check	1	00420	ARNOLD'S SUPPLY		Yes	No	No	12/13/2021	5,150.00
001	P20631	62341	71639	Check	1	2434	Bentson, Bill	Ind/Sole Proprietor	Yes	No	No	12/13/2021	125.00
001	P20631	62364	71640	Check	1	5142	Bills Welding and Machine		Yes	No	No	12/13/2021	1,047.00
001	P20631	62388	71641	Check	1	6896	Bricey, Hilary		Yes	No	No	12/13/2021	75.00
001	P20631	62366	71642	Check	1	5631	BSN Sports, LLC		Yes	No	No	12/13/2021	430.21
001	P20631	62365	71643	Check	1	5369	Caledonia Wrestling Club		Yes	No	No	12/13/2021	125.00
001	P20631	62327	71644	Check	1	1114	Century Link		Yes	No	No	12/13/2021	218.89
001	P20631	62359	71645	Check	1	4459	CHILEDIA INSTITUTE, INC.		Yes	No	No	12/13/2021	5,219.34
001	P20631	62374	71646	Check	1	6168	Cintas		Yes	No	No	12/13/2021	1,131.71
001	P20631	62371	71647	Check	1	5900	Dollar General - Regions 410526		Yes	No	No	12/13/2021	23.75
001	P20631	62356	71648	Check	1	3917	DVS RENEWAL		Yes	No	No	12/13/2021	23.25
001	P20631	62380	71649	Check	1	6496	EDUCATORS BENEFIT CONSULTANTS		Yes	No	No	12/13/2021	115.07
001	P20631	62379	71650	Check	1	6458	Faribault Public Schools ISD #656		Yes	No	No	12/13/2021	250.00
001	P20631	62385	71651	Check	1	6792	Fillmore Central Schools		Yes	No	No	12/13/2021	150.00
001	P20631	62361	71652	Check	1	4648	Gibbs, Nathan & Bridget		Yes	No	No	12/13/2021	147.84
001	P20631	62338	71653	Check	1	2243	Goodyear Tire & Rubber Company		Yes	No	No	12/13/2021	966.05
001	P20631	62343	71654	Check	1	2524	GRAINGER		Yes	No	No	12/13/2021	226.03
001	P20631	62348	71655	Check	1	3210	HBC		Yes	No	No	12/13/2021	2,245.41
001	P20631	62355	71656	Check	1	3737	Hiawatha Valley Ed District		Yes	No	No	12/13/2021	28,115.64
001	P20631	62373	71657	Check	1	6158	Innovative Therapy Solutions, LLC		Yes	No	No	12/13/2021	5,115.00
001	P20631	62326	71658	Check	1	10141	KWIK TRIP		Yes	No	No	12/13/2021	12,625.00
001	P20631	62354	71659	Check	1	3641	Lake City Booster Club		Yes	No	No	12/13/2021	125.00
001	P20631	62368	71660	Check	1	5756	LEARNING A-Z		Yes	No	No	12/13/2021	216.00
001	P20631	62372	71661	Check	1	5993	Lee Rain & Sons Trucking, LLC		Yes	No	No	12/13/2021	964.60
001	P20631	62328	71662	Check	1	11190	LEWISTON AUTO		Yes	No	No	12/13/2021	438.51
001	P20631	62344	71663	Check	1	3038	Lewiston Hardware, LLC		Yes	No	No	12/13/2021	393.35
001	P20631	62329	71664	Check	1	11260	LEWISTON JOURNAL		Yes	No	No	12/13/2021	225.12
001	P20631	62369	71665	Check	1	5865	Loffler Companies -- 131511		Yes	No	No	12/13/2021	4,125.90
001	P20631	62333	71666	Check	1	1463	LUTHER COLLEGE		Yes	No	No	12/13/2021	105.00
001	P20631	62383	71667	Check	1	6716	MATH FACTS PRO		Yes	No	No	12/13/2021	48.00
001	P20631	62352	71668	Check	1	3560	MAVO SYSTEMS, INC		Yes	No	No	12/13/2021	550.00
001	P20631	62353	71669	Check	1	3571	MINNESOTA ENERGY RESOURCES		Yes	No	No	12/13/2021	8,379.28
001	P20631	62351	71670	Check	1	3361	Minnesota FFA Association		Yes	No	No	12/13/2021	912.00
001	P20631	62330	71671	Check	1	12540	MISSISSIPPI WELDERS SUPPLY COMP.		Yes	No	No	12/13/2021	786.04
001	P20631	62331	71672	Check	1	12630	MOTOR PARTS & EQUIP		Yes	No	No	12/13/2021	58.19
001	P20631	62376	71673	Check	1	6280	Music Mart		Yes	No	No	12/13/2021	1,242.00

Lewiston-Altura Public Schools December 2021 Board Bills

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
001	P20631	62332	71674	Check	1		NEUMANN OIL CO		Yes	No	No	12/13/2021	523.00
001	P20631	62350	71675	Check	1		North Central Truck Equipment		Yes	No	No	12/13/2021	2,001.91
001	P20631	62345	71676	Check	1	R1	Pan-O-Gold Baking Company		Yes	No	No	12/13/2021	559.24
001	P20631	62335	71677	Check	1		PROJECT FINE		Yes	No	No	12/13/2021	275.00
001	P20631	62363	71678	Check	1		PRO-TUFF DECALS		Yes	No	No	12/13/2021	566.80
001	P20631	62382	71679	Check	1		Quadient Finance USA, INC.		Yes	No	No	12/13/2021	694.91
001	P20631	62381	71680	Check	1		Quadient Leasing USA, Inc.		Yes	No	No	12/13/2021	409.98
001	P20631	62340	71681	Check	1		REINHART FOOD SERVICE		Yes	No	No	12/13/2021	19,118.43
001	P20631	62375	71682	Check	1		RH Plumbing		Yes	No	No	12/13/2021	2,987.00
001	P20631	62347	71683	Check	1		Rochester Telecom Systems, Inc		Yes	No	No	12/13/2021	5.09
001	P20631	62367	71684	Check	1		ROCKIE HILL BISON		Yes	No	No	12/13/2021	514.50
001	P20631	62357	71685	Check	1		RONCO ENGINEERING SALES		Yes	No	No	12/13/2021	26.42
001	P20631	62349	71686	Check	1	R1	School Specialty LLC		Yes	No	No	12/13/2021	48.60
001	P20631	62339	71687	Check	1		SHERWIN WILLIAMS		Yes	No	No	12/13/2021	264.95
001	P20631	62334	71688	Check	1		SOUTHEAST SERVICE COOPERATIVE		Yes	No	No	12/13/2021	99.00
001	P20631	62387	71689	Check	1		Sumdog, Inc		Yes	No	No	12/13/2021	195.00
001	P20631	62370	71690	Check	1		Teachers on Call		Yes	No	No	12/13/2021	3,942.81
001	P20631	62377	71691	Check	1		The Country Corn Crib		Yes	No	No	12/13/2021	5,832.00
001	P20631	62378	71692	Check	1		TriState Tournaments		Yes	No	No	12/13/2021	2,200.00
001	P20631	62358	71693	Check	1		VERIZON WIRELESS		Yes	No	No	12/13/2021	198.33
001	P20631	62389	71694	Check	1		VOSS, EARL		Yes	No	No	12/13/2021	75.00
001	P20631	62336	71695	Check	1		WEST MUSIC COMPANY INC		Yes	No	No	12/13/2021	59.65
001	P20631	62360	71696	Check	1		WINONA HEALTH SERVICES		Yes	No	No	12/13/2021	1,602.50
001	P20631	62386	71697	Check	1		Wisconsin Center for Education Products ε		Yes	No	No	12/13/2021	101.00
001	P20631	62337	71698	Check	1		WORDWARE		Yes	No	No	12/13/2021	879.00
001	P20631	62342	71699	Check	1		ZIEBELL'S HIAWATHA FOODS, INC.		Yes	No	No	12/13/2021	7,787.83

Bank Total: \$136,025.71

Report Total: \$136,025.71

Lewiston-Altura Public Schools
November 2021 Misc Payments

Bank	Batch	Pmt No	Check No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
001	P20569	62134	71456	71456	Check	1		Adamczyk, Sam		Yes	Yes	No	11/05/2021	0.00
001	P20569	62133	71457	71457	Check	1		Caledonia Area Public Schools		Yes	No	No	11/05/2021	166.00
001	P20569	62129	71458	71458	Check	1		Century Link		Yes	Yes	No	11/05/2021	218.89
001	P20569	62135	71459	71459	Check	1		Kunst, Brennan		Yes	No	No	11/05/2021	30.00
001	P20569	62130	71460	71460	Check	1		MINNESOTA ENERGY RESOURCES		Yes	Yes	No	11/05/2021	954.71
001	P20569	62132	71461	71461	Check	1		Region 1A		Yes	Yes	No	11/05/2021	2,098.00
001	P20569	62131	71462	71462	Check	1		VERIZON WIRELESS		Yes	Yes	No	11/05/2021	313.02
001	P20569	62136	71463	71463	Check	1		Adamczyk, Sam		Yes	Yes	No	11/05/2021	30.00
001	P20569	62172	71464	71464	Check	1		Anderson, Jacob	Ind/Sole Proprietor	Yes	No	No	11/10/2021	40.00
001	P20569	62165	71465	71465	Check	1		Anderson, Zachary	Ind/Sole Proprietor	Yes	Yes	No	11/10/2021	40.00
001	P20569	62170	71466	71466	Check	1		Brown, Makayla	Ind/Sole Proprietor	Yes	Yes	No	11/10/2021	15.00
001	P20569	62175	71467	71467	Check	1		Brummer, Delaney		Yes	Yes	No	11/10/2021	15.00
001	P20569	62147	71468	71468	Check	1	R1	CDW-Government		Yes	Yes	No	11/10/2021	1,141.17
001	P20569	62164	71469	71469	Check	1		Cintas		Yes	Yes	No	11/10/2021	898.60
001	P20569	62145	71470	71470	Check	1		DEMCO		Yes	Yes	No	11/10/2021	63.08
001	P20569	62138	71471	71471	Check	1		Duane, Brent		Yes	Yes	No	11/10/2021	32.50
001	P20569	62179	71472	71472	Check	1		Dundas, Hannah		Yes	No	No	11/10/2021	55.00
001	P20569	62155	71473	71473	Check	1		EAI Education		Yes	Yes	No	11/10/2021	285.93
001	P20569	62159	71474	71474	Check	1		FUNK, ED	Ind/Sole Proprietor	Yes	Yes	No	11/10/2021	145.50
001	P20569	62168	71475	71475	Check	1		Grossell, Mitch		Yes	Yes	No	11/10/2021	67.50
001	P20569	62149	71476	71476	Check	1		HBC		Yes	Yes	No	11/10/2021	2,250.91
001	P20569	62163	71477	71477	Check	1		Hennessy, Anna Christine	Ind/Sole Proprietor	Yes	Yes	No	11/10/2021	15.00
001	P20569	62137	71478	71478	Check	1		HIGH PLAINS COOPERATIVE		Yes	Yes	No	11/10/2021	2,257.31
001	P20569	62171	71479	71479	Check	1		Hill, Stacy	Ind/Sole Proprietor	Yes	Yes	No	11/10/2021	152.00
001	P20569	62158	71480	71480	Check	1		HORMAN, TODD		Yes	Yes	No	11/10/2021	87.50
001	P20569	62169	71481	71481	Check	1		Ihrke, Jake	Ind/Sole Proprietor	Yes	Yes	No	11/10/2021	112.00
001	P20569	62144	71482	71482	Check	1	R1	J.W. Pepper & Son, Inc.	Ind/Sole Proprietor	Yes	Yes	No	11/10/2021	857.08
001	P20569	62156	71483	71483	Check	1		JACOBS, HOLLY		Yes	Yes	No	11/10/2021	105.50
001	P20569	62166	71484	71484	Check	1		Kauten, Allyson	Ind/Sole Proprietor	Yes	Yes	No	11/10/2021	15.00
001	P20569	62178	71485	71485	Check	1		Keichum, Katie		Yes	Yes	No	11/10/2021	15.00
001	P20569	62174	71486	71486	Check	1		Kreidermacher, Sierra		Yes	Yes	No	11/10/2021	15.00
001	P20569	62160	71487	71487	Check	1		LEARNING A-Z		Yes	Yes	No	11/10/2021	139.90
001	P20569	62146	71488	71488	Check	1		Lewiston Lions Club		Yes	Yes	No	11/10/2021	262.00
001	P20569	62139	71489	71489	Check	1		M & M LAWN & LEISURE		Yes	Yes	No	11/10/2021	435.86
001	P20569	62161	71490	71490	Check	1		Midwest Bus Parts, Inc.		Yes	Yes	No	11/10/2021	90.15
001	P20569	62151	71491	71491	Check	1		MINNESOTA ENERGY RESOURCES		Yes	Yes	No	11/10/2021	3,431.69
001	P20569	62154	71492	71492	Check	1		MONSON, DARRELL		Yes	Yes	No	11/10/2021	35.00
001	P20569	62173	71493	71493	Check	1		Neu, Anissa		Yes	Yes	No	11/10/2021	15.00
001	P20569	62157	71494	71494	Check	1		Nicometo, Tim		Yes	No	No	11/10/2021	105.00

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Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
001	P20569	62162	71495	Check	1	5945	Oevering, Benjamin	Ind/Sole Proprietor	Yes	No	No	11/10/2021	70.00
001	P20569	62140	71496	Check	1	1407	RANDALL, ROBIN		Yes	Yes	No	11/10/2021	72.50
001	P20569	62148	71497	Check	1	3184	Rochester Telecom Systems, Inc		Yes	Yes	No	11/10/2021	5.31
001	P20569	62180	71498	Check	1	90787	SANOW, DAVID		Yes	Yes	No	11/10/2021	119.50
001	P20569	62143	71499	Check	1	2234	Sanow, Theresa		Yes	Yes	No	11/10/2021	32.00
001	P20569	62177	71500	Check	1	6879	Schumacher, Mike		Yes	Yes	No	11/10/2021	105.00
001	P20569	62141	71501	Check	1	1841	SSE MUSIC		Yes	Yes	No	11/10/2021	214.00
001	P20569	62167	71502	Check	1	6448	Sula, Tom		Yes	Yes	No	11/10/2021	40.00
001	P20569	62150	71503	Check	1	3251	Todd's Refrigeration LLC		Yes	Yes	No	11/10/2021	222.86
001	P20569	62152	71504	Check	1	3958	Universal Trucking		Yes	Yes	No	11/10/2021	1,580.48
001	P20569	62142	71505	Check	1	22067	WEST MUSIC COMPANY INC		Yes	Yes	No	11/10/2021	24.95
001	P20569	62153	71506	Check	1	4542	WINONA HEALTH SERVICES		Yes	Yes	No	11/10/2021	1,200.00
001	P20569	62176	71507	Check	1	6878	Zolidis, Don		Yes	Yes	No	11/10/2021	300.00
001	P20569	62253	71569	Check	1	5594	ALTRA FEDERAL CREDIT UNION		Yes	Yes	No	11/15/2021	130.00
001	P20569	62256	71570	Check	1	6406	Ameritas Life Insurance Corp		Yes	No	No	11/15/2021	118.78
001	P20569	62249	71571	Check	1	11202	Education Minnesota - Lewiston-Altura		Yes	No	No	11/15/2021	2,585.38
001	P20569	62254	71572	Check	1	6265	HOME FEDERAL SAVINGS BANK		Yes	Yes	No	11/15/2021	42.50
001	P20569	62257	71573	Check	1	6461	ISD 857 - Flex Plan Checking		Yes	Yes	No	11/15/2021	1,479.23
001	P20569	62250	71574	Check	1	17090	MADISON NATIONAL LIFE		Yes	Yes	No	11/15/2021	562.74
001	P20569	62252	71575	Check	1	4786	Merchants Bank		Yes	Yes	No	11/15/2021	525.00
001	P20569	62255	71576	Check	1	6283	MinnWest Bank Group		Yes	Yes	No	11/15/2021	30.00
001	P20569	62251	71577	Check	1	3545	Winona National Bank		Yes	Yes	No	11/15/2021	110.00
001	P20569	62276	71578	Check	1	3474	AAA-Awards		Yes	No	No	11/23/2021	128.10
001	P20569	62265	71579	Check	1	2183	B & S Rentals Inc.		Yes	No	No	11/23/2021	790.00
001	P20569	62280	71580	Check	1	3868	BRAINPOP		Yes	Yes	No	11/23/2021	295.00
001	P20569	62288	71581	Check	1	5631	BSN Sports, LLC		Yes	Yes	No	11/23/2021	275.59
001	P20569	62268	71582	Check	1	2707	City of Lewiston		Yes	Yes	No	11/23/2021	2,756.85
001	P20569	62269	71583	Check	1	2916	CONTINENTAL RESEARCH CORP		Yes	Yes	No	11/23/2021	719.56
001	P20569	62262	71584	Check	1	18635	Department of Labor & Industry		Yes	Yes	No	11/23/2021	70.00
001	P20569	62272	71585	Check	1	3174	Excel Images Inc.		Yes	Yes	No	11/23/2021	681.52
001	P20569	62291	71586	Check	1	6455	Fifth Avenue Awards		Yes	No	No	11/23/2021	364.75
001	P20569	62267	71587	Check	1	2524	GRAINGER		Yes	Yes	No	11/23/2021	70.66
001	P20569	62294	71588	Check	1	6891	Harter's Trash & Recycling Inc		Yes	No	No	11/23/2021	1,510.10
001	P20569	62258	71589	Check	1	07141	HIGH PLAINS COOPERATIVE		Yes	No	No	11/23/2021	2,294.69
001	P20569	62271	71590	Check	1	3172	Hy-Vee Accounts Receivable		Yes	No	No	11/23/2021	702.82
001	P20569	62282	71591	Check	1	4085	IEA, INC		Yes	Yes	No	11/23/2021	175.01
001	P20569	62290	71592	Check	1	6158	Innovative Therapy Solutions, LLC		Yes	Yes	No	11/23/2021	10,624.50
001	P20569	62259	71593	Check	1	09110	JOSTENS		Yes	No	No	11/23/2021	573.19
001	P20569	62275	71594	Check	1	3282	Kennedy & Graven Chartered		Yes	No	No	11/23/2021	164.50

Lewiston-Altura Public Schools
November 2021 Misc Payments

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
001	P20569	62292	71595	Check	1	6851	Marzano Resources		Yes	Yes	No	11/23/2021	689.00
001	P20569	62279	71596	Check	1	3866	MATH WIZARDS		Yes	No	No	11/23/2021	130.00
001	P20569	62270	71597	Check	1	3061	MENARDS		Yes	Yes	No	11/23/2021	583.72
001	P20569	62277	71598	Check	1	3659	Minnesota Department of Health		Yes	No	No	11/23/2021	2,100.00
001	P20569	62260	71599	Check	1	12540	MISSISSIPPI WELDERS SUPPLY COMP,		Yes	Yes	No	11/23/2021	99.95
001	P20569	62261	71600	Check	1	12630	MOTOR PARTS & EQUIP		Yes	No	No	11/23/2021	3.10
001	P20569	62293	71601	Check	1	6865	MTEEA		Yes	No	No	11/23/2021	100.00
001	P20569	62281	71602	Check	1	3887	North Central International		Yes	No	No	11/23/2021	30.56
001	P20569	62274	71603	Check	1	3263	North Central Truck Equipment		Yes	Yes	No	11/23/2021	1,375.92
001	P20569	62287	71604	Check	1	5263	PACA ENTERPRISES LLC		Yes	No	No	11/23/2021	4,100.00
001	P20569	62286	71605	Check	1	4662	REGENTS OF UNIVERSITY OF MINNES		Yes	No	No	11/23/2021	1,750.00
001	P20569	62273	71606	Check	1	3217	School Specialty LLC		Yes	No	No	11/23/2021	77.93
001	P20569	62263	71607	Check	1	18645	STUMPF PRINTING		Yes	No	No	11/23/2021	179.00
001	P20569	62289	71608	Check	1	5876	Teachers on Call		Yes	Yes	No	11/23/2021	3,942.87
001	P20569	62285	71609	Check	1	4519	TELIN TRANSPORTATION GROUP		Yes	No	No	11/23/2021	318.91
001	P20569	62278	71610	Check	1	3680	Uline		Yes	No	No	11/23/2021	258.55
001	P20569	62284	71611	Check	1	4448	VERIZON WIRELESS		Yes	No	No	11/23/2021	321.40
001	P20569	62283	71612	Check	1	4188	Vetsch Hardwoods, Inc.		Yes	No	No	11/23/2021	346.50
001	P20569	62264	71613	Check	1	1883	XCEL ENERGY		Yes	Yes	No	11/23/2021	1,369.19
001	P20569	62266	71614	Check	1	25014	ZIEBELL'S HIAWATHA FOODS, INC.		Yes	Yes	No	11/23/2021	343.51
001	P20569	62296	71615	Check	1	5100	DELTA DENTAL OF MINNESOTA		Yes	No	No	11/24/2021	2,621.17
001	P20569	62297	71616	Check	1	5171	Edmentum, Inc.		Yes	No	No	11/24/2021	4,546.78
001	P20569	62295	71617	Check	1	4877	MINNESOTA Public Employees Insurance		Yes	No	No	11/24/2021	34,397.92
001	P20569	62301	71618	Check	1	6732	Generation Genius, Inc		Yes	No	No	11/30/2021	125.00
001	P20569	62298	71619	Check	1	17130	RISLOW SERVICE CENTER		Yes	No	No	11/30/2021	3,919.97
001	P20569	62299	71620	Check	1	18080	SCHILLING SUPPLY COMPANY		Yes	No	No	11/30/2021	782.16
001	P20569	62300	71621	Check	1	5567	West Ave Ink		Yes	No	No	11/30/2021	190.00
001	P20569	62313	71622	Check	1	5594	ALTRA FEDERAL CREDIT UNION		Yes	No	No	11/30/2021	130.00
001	P20569	62316	71623	Check	1	6406	Ameritas Life Insurance Corp		Yes	No	No	11/30/2021	118.78
001	P20569	62312	71624	Check	1	4951	Bremer Bank		Yes	No	No	11/30/2021	1,751.50
001	P20569	62308	71625	Check	1	11202	Education Minnesota - Lewiston-Altura		Yes	No	No	11/30/2021	2,585.38
001	P20569	62314	71626	Check	1	6265	HOME FEDERAL SAVINGS BANK		Yes	No	No	11/30/2021	42.50
001	P20569	62317	71627	Check	1	6461	ISD 857 - Flex Plan Checking		Yes	Yes	No	11/30/2021	1,479.23
001	P20569	62309	71628	Check	1	17090	MADISON NATIONAL LIFE		Yes	No	No	11/30/2021	562.74
001	P20569	62311	71629	Check	1	4786	Merchants Bank		Yes	No	No	11/30/2021	525.00
001	P20569	62315	71630	Check	1	6283	MinnWest Bank Group		Yes	No	No	11/30/2021	30.00

Lewiston-Altura Public Schools November 2021 Misc Payments

Bank	Batch	Pmt No	Check No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Date	Pay/Void	Amount
001	P20569	62310	71631	71631	Check	1 3545		Winona National Bank		Yes	No	No	11/30/2021		110.00
														Bank Total:	\$120,812.11
														Report Total:	\$120,812.11

201 LEGAL STATUS OF THE SCHOOL BOARD

I. PURPOSE

- A. The care, management and control of the schools is vested by statutory and constitutional authority in the school board. The school board shall carry out the mission of the school district with diligence, prudence, and dedication to the ideals of providing the finest public education. The purpose of this policy is to define the authority, duties and powers of the school board in carrying out its mission.

II. GENERAL STATEMENT OF POLICY

- A. The school board is the governing body of the school district. As such, the school board has responsibility for the care, management, and control over public schools in the school district.
- B. Generally, elected members of the school board have binding authority only when acting as a school board legally in session, except where specific authority is provided to school board members or officers individually. Generally, the school board is not bound by an action or statement on the part of an individual school board member unless the action is specifically directed or authorized by the school board.

III. DEFINITION

- A. "School Board" means the governing body of the school district.

VI. ORGANIZATION AND MEMBERSHIP

- A. The membership of the school board consists of seven elected directors.
- B. There may be other ex officio members of the school board as provided by law. The superintendent is an ex officio member.
- C. A majority of voting members constitutes a quorum. The act of the majority of a quorum is the act of the school board.

V. POWERS AND DUTIES

- A. The school board has powers and duties specified by statute. The school board's authority includes implied powers in addition to specific powers granted by the legislature.
- B. The school board exercises administrative functions. It also has certain powers of a legislative character and other powers of a quasi-judicial character.

- C. The school board shall superintend and manage the schools of the school district; adopt rules for their organization, government, and instruction; prescribe textbooks and courses of study; and make and authorize contracts.
- D. The school board shall have the general charge of the business of the school district, its facilities and property, and of the interest of the schools.
- E. The school board, among other duties, shall perform the following in accordance with applicable law:
 - 1. provide by levy of tax, necessary funds for the conduct of schools, the payment of indebtedness, and all proper expenses of the school district;
 - 2. conduct the business of the schools and pay indebtedness and proper expenses;
 - 3. make and authorize contracts;
 - 4. employ and contract with necessary qualified teachers and discharge the same for cause;
 - 5. manage the schools; adopt rules for their organization, government, and instruction; prescribe textbooks and courses of study; and make and authorize contracts;
 - 6. provide services to promote the health of its pupils;
 - 7. provide school buildings and erect needed buildings;
 - 8. purchase, sell, and exchange school district property and equipment as deemed necessary by the school board for school purposes;
 - 9. provide for payment of claims against the school district, and prosecute and defend actions by or against the school district, in all proper cases;
 - 10. employ and discharge necessary employees and contract for other services;
 - 11. provide for transportation of pupils to and from school, as governed by statute; and
 - 12. procure insurance against liability of the school district, its officers and employees.
- F. The school board, at its discretion, may perform the following:
 - 1. provide library facilities, public evening schools, adult and continuing education programs, summer school programs and intercession classes of flexible school year programs;
 - 2. furnish school lunches for pupils and teachers on such terms as the school board determines;
 - 3. enter into agreements with one or more other independent school districts to provide for agreed upon educational services;
 - 4. lease rooms or buildings for school purposes;
 - 5. authorize the use of school facilities for community purposes that will not interfere with their use for school purposes;
 - 6. authorize co-curricular and extracurricular activities;

7. receive, for the benefit of the school district, bequests, donations, or gifts for any proper purpose; and
8. perform other acts as the school board shall deem to be reasonably necessary or required for the governance of the schools.

Adopted: June 19, 2000

Legal References: Minn. Stat. 123A.22 (Cooperative Centers)
Minn. Stat. 123B.02 (general powers)
Minn. Stat. 123B.09 (school board powers)
Minn. Stat. 123B.14 (school district officers)
Minn. Stat. 123B.23 (Liability Insurance)
Minn. Stat. 123B.49 (Cocurricular and Extracurricular Activities;
Insurance
Minn. Stat. 123B.51 (Schoolhouses and Sites; Access for
Noncurricular Purposes)
Minn. Stat. 123B.85 (definition)
Jensen v. Indep. Consol. Sch. Dist. No. 85, 160 Minn. 233, 199
N.W. 911 (1924)

Cross References: MSBA Model Policy 101 (Legal Status of the School District)
MSBA Model Policy 202 (School Board Officers)
MSBA Model Policy 203 (Operation of the School Board-
Governing Rules)
MSBA Model Policy 205 (Open Meetings and Closed Meetings)
MSBA Service Manual, Chapter 3, School Board and its Powers

202 SCHOOL BOARD OFFICERS

I. PURPOSE

School board officers are charged with the duty of carrying out the responsibilities entrusted to them for the care, management, and control of the public schools of the school district. The purpose of this policy is to delineate those responsibilities.

II. GENERAL STATEMENT OF POLICY

- A. The school board shall meet annually and organize by selecting a chair, a clerk, a treasurer, and such other officers as determined by the school board. At its option, the school board may appoint a vice-chair to serve in the temporary absence of the chair.
- B. The school board shall appoint a superintendent who shall be an ex officio, nonvoting member of the school board.

III. ORGANIZATION

- A. The school board shall meet annually on the first Monday in January, or as soon thereafter as practicable, and organize by selecting a chair, a clerk, a treasurer, and such other officers as determined by the school board. These officers hold office for one year and until their successors are elected and qualify.
- B. The person who perform the duties of clerk and treasurer need not be a member of the school board.
- C. The school board by resolution may combine the duties of the office of clerk and treasurer in a single person in the office of business affairs.

IV. OFFICER'S RESPONSIBILITIES

- A. Chair
 - 1. The chair when present shall preside at all meetings of the school board, countersign all orders upon the treasurer for claims allowed by the school board, represent the school district in all actions and perform all duties a chair usually performs.
 - 2. In case of absence, inability, or refusal of the clerk to draw orders for the payment of money authorized by a vote of the majority of the school board to be paid, the chair may draw the orders, or the office of the clerk may be declared vacant by the chair and treasurer and filled by appointment.
- B. Treasurer

1. The treasurer shall deposit the funds of the school district in the official depository.
2. The treasurer shall make all reports which may be called for by the school board and perform all duties a treasurer usually performs.
3. In the event there are insufficient funds on hand to pay valid orders presented to the treasurer, the treasurer shall receive, endorse, and process the orders in accordance with Minn. Stat. § 123B.12.

C. Clerk

1. The clerk shall keep a record of all meetings in the books provided.
2. Within three days after an election, the clerk shall notify all persons elected of their election.
3. On or before September 15 of each year, the clerk shall:
 - a. file with the school board a report of the revenues, expenditures and balances in each fund for the preceding fiscal year.
 - b. make and transmit to the commissioner certified reports, showing:
 - (1) revenues and expenditures in detail, and such other financial information required by law, rule, or as may be called for by the commissioner;
 - (2) length of school term and enrollment and attendance by grades; and
 - (3) other items of information as called for by the commissioner.
4. The clerk shall enter into the clerk's record book copies of all reports and of the teachers' term reports, and of the proceedings of any meeting, and keep an itemized account of all expenses of the school district.
5. The clerk shall furnish to the county auditor, on or before September 30, an attested copy of the clerk's record, showing the amount of proposed property tax voted by the school district or the school board for school purposes.
6. The clerk shall draw and sign all orders for the payment of money for bills allowed by the school board for salaries of officers and for teachers' wages and all claims, to be countersigned by the chair and treasurer.
7. The clerk shall perform such duties as required by the Minnesota Election Law or other applicable laws relating to the conduct of elections.
8. The clerk shall perform the duties of the chair in the event of the chair's and the vice-chair's temporary absences.

D. Vice-Chair (Optional)

The vice-chair shall perform the duties of the chair in the event of the chair's temporary absence.

E. Superintendent.

1. The superintendent shall be an ex officio, nonvoting member of the school board.

2. The superintendent shall perform the following:
 - a. visit and supervise the schools in the school district, report and make recommendations about their condition when advisable or on request by the school board;
 - b. recommend to the school board employment and dismissal of teachers;
 - c. annually evaluate each school principal assigned responsibility for supervising a school building within the district;
 - d. superintend school grading practices and examinations for promotions;
 - e. make reports required by the commissioner; and
 - f. perform other duties prescribed by the school board.

Adopted: June 19, 2000
Revised: March 8, 2021

Legal References: Minn. Stat. § 123B.12 (Finance)
Minn. Stat. § 123B.14 (Officers)
Minn. Stat. § 123B.143 (Superintendent)
Minn. Stat. § 126C.17 (Referendum Revenue)
Minn. Stat. Ch. 205A (School District Elections)

Cross References: MSBA/MASA Model Policy 101 (Legal Status of the School District)
MSBA/MASA Model Policy 201 (Legal Status of the School Board)
MSBA/MASA Model Policy 203 (Operation of the School Board-Governing Rules)
MSBA/MASA Service Manual, Chapter 1, School District Governance, Powers and Duties

203 OPERATION OF THE SCHOOL BOARD -- GOVERNING RULES

I. PURPOSE

- A. The purpose of this policy is to provide governing rules for the conduct of meetings of the school board

II. GENERAL STATEMENT OF POLICY

- A. An orderly school board meeting allows school board members to participate in discussion and decision of school district issues. Rules of order allow school board members the opportunity to review school-related topics, discuss school business items, and bring matters to conclusion in a timely and consistent manner.

III. RULES OF ORDER

- A. Rules of order for school board meetings shall be as follows:
 - 1. Minnesota statutes where specified;
 - 2. Specific rules of order as provided by the school board consistent with Minnesota statutes; and
 - 3. Robert's Rules of Order, Revised (latest edition) where not inconsistent with A and B above.

Adopted: June 19, 2000

Legal References: Minn. Stat. 123B.09, Subds. 6, 7 and 10 (School Board Matters)
Minn. Stat. 123B.14 (Officers)
Minn. Stat. 471.705 (Open Meeting Law)

Cross References:

203.1 SCHOOL BOARD PROCEDURES; RULES OF ORDER

I. PURPOSE

The purpose of this policy is to provide specific rules of order to conduct meetings of the school board.

II. GENERAL STATEMENT OF POLICY

- A. To ensure that school board meetings are conducted in an orderly fashion, the school board will follow rules of order which will allow the school board:
1. To establish guidelines by which the business of the school board can be conducted in a regular and internally consistent manner;
 2. To organize the meetings so all necessary matters can be brought to the school board and decisions of the school board can be made in an orderly and reasonable manner;
 3. To insure that members of the school board have the necessary information to make decisions on substantive issues and to insure adequate discussion of decisions to be made; and
 4. To insure that meetings and actions of the school board are conducted so as to be informative to the staff and the public, and to produce a clear record of actions taken and decisions made.

III. RULES OF ORDER

- A. School board members need not rise to gain the recognition of the chair.
- B. A motion will be adopted or carried if it receives the affirmative votes of a majority of those actually voting on the matter. Abstentions are considered to be acquiescence to the vote of the majority. It should be noted that some motions by statute or Robert's Rules of Order require larger numbers of affirmative votes.
- C. All motions that require a second shall receive a second prior to opening the issue for discussion of the school board. If a motion that requires a second does not receive a second, the chair may declare that the motion fails for lack of a second or may provide the second. The names of the members making and seconding a motion shall be recorded in the minutes.
- D. The chair shall decide the order in which school board members will be recognized to address an issue. An attempt should be made to alternate between pro and con positions if appropriate to the discussion. A member shall only speak to an issue after the member is recognized by the chair.

- E. The chair shall rule on all questions relating to motions and points of order brought before the school board.
- F. A ruling by the chair is subject to appeal to the full school board pursuant to Robert's Rules of Order.
- G. The school board shall have authority to recognize any member of the audience regarding a request to be heard at the school board meeting. Members of the public who wish to be heard shall follow school board procedures.
- H. The chair has the authority to declare a recess at any time for the purpose of restoring decorum to the meeting or for any other necessary purpose.
- I. The chair shall repeat a motion or the substance of a motion prior to the vote. The chair shall call for an affirmative and a negative vote on all motions.
- J. The order in which names will be called for roll call votes will be determined by the school board chair.
- K. The chair has the same right and responsibility as each school board member to vote on all issues.
- L. The chair shall announce the result of each vote. The vote of each member, including abstentions, shall be recorded in the minutes. If the vote is unanimous, it may be reflected as unanimous in the minutes if the minutes also reflect the members present.
- M. A majority of the voting members of the school board constitute a quorum. The absence of a quorum may be raised by the chair or any member. Generally any action taken in the absence of a quorum is null and void. The only legal actions the school board may take in the absence of a quorum are to fix the time to which to adjourn, to adjourn, to recess or to take measures to obtain a quorum.

Adopted: June 19, 2000

Legal References: Minn. Stat. 123B.09, Subds. 6 and 7 (School Board Powers)
Minn. Stat. 126C.53 (Enabling Resolution; Form of Certificates of Indebtedness)
Minn. Stat. 122A.40 (Employment Contracts, Termination)
Minn Stat. 331A.01, Subd. 6 (Newspapers; Definitions)
Minn. Stat. 471.705, Subd. 1 (Open Meeting Law)
Minn. Stat. 471.88 (Exceptions)

Cross Reference: MSBA/MASA Model Policy 203 (Operation of the School Board - Governing Rules)
MSBA/MASA Model Policy 204 (School Board Meeting Minutes)
MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)
MSBA/MASA Model 207 (Public Hearings)

203.2 ORDER OF THE REGULAR SCHOOL BOARD MEETING

I. PURPOSE

- A. The purpose of this policy is to ensure consistency in the order of business at regular school board meetings.

II. GENERAL STATEMENT OF POLICY

- A. It is the policy of the school board to consider matters that come before it in a consistent and orderly manner.

III. ORDER

- A. The school board shall conduct an orderly school board meeting. The school board will, at all regular school board meetings, follow an agenda order similar to:
 1. Call to order
 2. Quorum call
 3. Open Forum for input from the public: Limited to fifteen minutes.

ACTION ITEMS

1. Approval of agenda.
2. Approval of consent agenda.
3. Business items

DISCUSSION ITEMS

1. Principal reports
2. Discussion items
3. Committee reports.
4. Adjournment.

- B. Items in this order may be considered as part of a consent agenda.
- C. The school board may depart from the order of business with the consent of the majority of members present.

Adopted: June 19, 2000

Legal References: Minn. Stat. 123B.09, Subd. 7 (School Board powers)

Cross Reference: MSBA/MASA Model Policy 203 (Operation of the School Board - Governing Rules)
MSBA/MASA Model Policy 203.5 (School Board Meeting Agenda)
MSBA/MASA Model Policy 203.6 (Consent Agendas)

203.5 SCHOOL BOARD MEETING AGENDA

I. PURPOSE

- A. The purpose of this policy is to provide procedures for the preparation of the school board meeting agenda to ensure that the school board can accomplish its business as efficiently and expeditiously as possible.

II. GENERAL STATEMENT OF POLICY

- A. It is the policy of the school board that school board meetings shall be conducted in a manner to allow the school board to accomplish its business while allowing reasoned debate and discussion of each matter to be acted upon.

III. PROCEDURES

- A. It shall be the responsibility of the school board chair and superintendent to develop, prepare and arrange the order of items for the tentative school board meeting agenda for each school board meeting.
- B. Persons wishing to place an item on the agenda must make a request to the school board chair or superintendent in a timely manner. The person making the request is encouraged to state the person's name, address, purpose of the item, action desired and pertinent background information. A form for this purpose is available. The chair and superintendent shall determine whether to place the matter on the tentative agenda.
- C. The tentative agenda and supporting documents shall be sent to the school board members three (3) days prior to the scheduled school board meeting.
- D. Items may only be added to the agenda for discussion by a motion adopted at the meeting. If an added item is acted upon, the minutes of the school board meeting shall include a description of the matter.
- E. At least one copy of any printed materials relating to the agenda items of the meeting prepared or distributed by or at the direction of the school board or its employees and: (i) distributed at the meeting to all members of the governing body; (ii) distributed before the meeting to all members; or (iii) available in the meeting room to all members shall be available in the meeting room for inspection by the public while the school board considers their subject matter. This does not apply to materials classified by law as other than public or to materials relating to the agenda items of a closed meeting.

Adopted: June 19, 2000

Legal References: Minn. Stat. 123B.09, Subd. 7 (School Board powers)
Minn. Stat. 471.705 (Meetings of Governing Bodies)

Cross Reference: MSBA/MASA Model Policy 203 (Operation of the School Board -
Governing Rules)
MSBA/MASA Model Policy 203.2 (Order of the Regular School
Board Meeting)
MSBA/MASA Model Policy 203.6 (Consent Agendas)
MSBA/MASA Model Policy 204 (School Board Meeting Minutes)
MSBA/MASA Model Policy 207 (Public Hearings)

413 HARASSMENT AND VIOLENCE

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.

[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. The school district prohibits any form 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.
- 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 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 as defined by this policy. (For purposes of this policy, school district personnel includes 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 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.
- 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 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 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 any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
 - a. has a physical, sensory, or mental impairment which materially limits one or more major life activities;
 - 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 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 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 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 of 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 students 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 involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minn. Stat. 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.

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 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 should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct which 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 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 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 principal immediately. If the complaint involves the building principal, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- 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 principal immediately. School district personnel who fail to inform the building principal 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 principal must notify the school district human rights officer immediately, without screening or investigating the report. The principal may request, but may not insist upon a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the principal to the human rights officer. If the report was given verbally, the principal shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein will result in disciplinary action against the principal. If the complaint involves the building principal, the complaint shall be made or filed

directly with the superintendent or the school district human rights officer by the reporting party or complainant.

- G. In the district: the School Board hereby designates the Superintendent as the school district human rights officer to receive reports or complaints of harassment or violence prohibited by this policy.
- 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.

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 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

- A. 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.

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

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 Minn. Stat. 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.

Adopted: December 13, 1999
 Revised: May 8, 2006
 Revised: December 8, 2008
 Revised: May 26, 2015
 Revised: April 8, 2019

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. § 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 (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 (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 501

Orig. 1995

Revised: _____

Rev. 20142021

501 SCHOOL WEAPONS POLICY

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

A. "Weapon"

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

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

IV. EXCEPTIONS

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

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

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

C. Policy Application to Instructional Equipment/Tools

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

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

D. Firearms in School Parking Lots and Parking Facilities

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

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

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

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

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

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

CD. Administrative Discretion

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

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

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

A. Employees

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

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

B. Other Nonstudents

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

VII. REPORTS OF DANGEROUS WEAPON INCIDENTS IN SCHOOL ZONES

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

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

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

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

Adopted: _____

MSBA/MASA Model Policy 102

Orig. 1995

Revised: _____

Rev. 2017/2021

102 EQUAL EDUCATIONAL OPPORTUNITY

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

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

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

D. The school district prohibits sexual harassment discrimination of any individual on the basis of sex in its education programs or activities. For information as to the protections that apply pursuant to Title IX and school district’s corresponding procedures and processes for addressing sexual harassment and discrimination,

refer to the school district's policy on Title IX sex nondiscrimination (Policy 522).

CE. This policy applies to all areas of education including academics, coursework, co-curricular and extracurricular activities, or other rights or privileges of enrollment.

DE. Every school district employee shall be responsible for complying with this policy conscientiously.

EG. Any student, parent, or guardian having a question regarding this policy should discuss it with the appropriate school district official as provided by policy. In the absence of a specific designee, an inquiry or a complaint should be referred to the superintendent.

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

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

Adopted: _____

MSBA/MASA Model Policy 406

Orig. 1995

Revised: _____

Rev. ~~2014~~2021

406 PUBLIC AND PRIVATE PERSONNEL DATA

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

B. All other data on individuals is private or confidential.

III. DEFINITIONS

A. “Public” means that the data is available to anyone who requests it.

B. “Private” means the data is not public and is available-accessible only to the following: the subject of the data, as limited by any applicable state or federal law; individuals within the school district whose work assignments reasonably require access; entities and agencies as determined by the responsible authority who are authorized by law to gain access to that specific data; and entities or individuals given access by the express written direction of the data subject.

C. “Confidential” means the data isare not public and isare not available-accessible to the subject.

D. “Parking space leasing data” means the following government data on an applicant ~~tion~~ for, or ~~lessee~~ ase of, a parking space: residence address, home telephone number, beginning and ending work hours, place of employment, location of parking space, and work telephone number.

E. “Personnel data” means government data on individuals maintained because they are or were employees ~~of the school district~~, applicants for employment, ~~or~~ volunteers or independent contractors for the school district, ~~or members of or applicants for an advisory board or commission~~. Personnel data include data submitted by an employee to the school district ~~by an employee~~ as part of an

organized self-evaluation effort by the school district to request suggestions from all employees on ways to cut costs, make the school district more efficient, or to improve school district operations. ~~An employee who is identified in a suggestion shall have access to all data in the suggestion except the identity of the employee making the suggestion.~~

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

IV. PUBLIC PERSONNEL DATA

- A. The following information on current and former employees, ~~including~~ volunteers and independent contractors of the school district, is public:
1. name;
 2. employee identification number, which may not be the employee’s sSocial sSecurity number;
 3. actual gross salary;
 4. salary range;
 5. terms and conditions of employment relationship;
 6. contract fees;
 7. actual gross pension;
 8. the value and nature of employer-paid fringe benefits;

9. the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary;
10. job title;
11. bargaining unit;
12. job description;
13. education and training background;
14. previous work experience;
15. date of first and last employment;
16. the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action;
17. the final disposition of any disciplinary action, as defined in Minnesota Statutes, section § 13.43, Subdivision 2(b), together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the school district;
18. the complete terms of any agreement settling any dispute arising out of the employment relationship, including superintendent buyout agreements, except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money, and such agreement may not have the purpose or effect of limiting access to or disclosure of personnel data or limiting the discussion of information or opinions related to personnel data;
19. work location;
20. work telephone number;
21. badge number;
22. work-related continuing education;
23. honors and awards received; and
24. payroll time sheets or other comparable data that are used only to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.

- B. The following information on current and former applicants for employment by the school district is public:
1. veteran status;
 2. relevant test scores;
 3. rank on eligible list;
 4. job history;
 5. education and training; and
 6. work availability.
- C. Names of applicants are private data except when certified as eligible for appointment to a vacancy or when they applicants are considered by the school board to be become finalists for an public employment position.
- D. Applicants for appointment to a public body.
1. Data about applicants for appointment to a public body collected by the school district as a result of the applicant's application for employment are private data on individuals except that the following are public:
 - a. name;
 - b. city of residence, except when the appointment has a residency requirement that requires the entire address to be public;
 - c. education and training;
 - d. employment history;
 - e. volunteer work;
 - f. awards and honors;
 - g. prior government service;
 - h. any data required to be provided or that are voluntarily provided in an application for appointment to a multimember agency pursuant to Minn-esota Statutes, section-§ 15.0597; and
 - i. veteran status.
 2. Once an individual is appointed to a public body, the following additional items of data are public:

- a. residential address;
- b. either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee;
- c. first and last dates of service on the public body;
- d. the existence and status of any complaints or charges against an appointee; and
- e. upon completion of an investigation of a complaint or charge against an appointee, the final investigative report is public, unless access to the data would jeopardize an active investigation.

3. Notwithstanding paragraph 2., any electronic mail address or telephone number provided by a public body for use by an appointee shall be public. An appointee may use an electronic mail address or telephone number provided by the public body as the designated electronic mail address or telephone number at which the appointee can be reached.

E. Regardless of whether there has been a final disposition as defined in ~~Minnesota Statutes, section~~ § 13.43, ~~s~~Subdivision 2(b), upon completion of an investigation of a complaint or charge against a public official, as defined in ~~Minnesota Statutes, section~~ 13.43, ~~S~~subdivision 2(e), or if a public official resigns or is terminated from employment while the complaint or charge is pending, all data relating to the complaint or charge are public, unless access to the data would jeopardize an active investigation or reveal confidential sources.

~~F.~~ Data relating to a complaint or charge against a public official is public only if:

- ~~(1.)~~ the complaint or charge results in disciplinary action or the employee resigns or is terminated from employment while the complaint or charge is pending; or
- ~~(2.)~~ potential legal claims arising out of the conduct that is the subject of the complaint or charge are released as part of a settlement agreement.

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

V. PRIVATE PERSONNEL DATA

A. All other personnel data not listed in Section IV are private ~~and will only be shared with school district staff whose work requires such access. Private data will not be otherwise released unless authorized by law or by the employee's informed written consent.~~

- B. Data pertaining to an employee's dependents are private data on individuals.
- C. Data created, collected, or maintained by the school district to administer employee assistance programs are private.
- D. Parking space leasing data with regard to data on individuals are private.
- E. An individual's checking account number is private when submitted to a government entity.
- F. Personnel data may be disseminated to labor organizations to the extent the responsible authority school district determines it is the dissemination is necessary for the labor organization to conduct its business elections, notify employees of fair share fee assessments and implement the provisions of Minnesota Statutes chapters 179 and 179A. Personnel data shall be disseminated to labor organizations and the Bureau of Mediation Services ("BMS") to the extent the dissemination is or when ordered or authorized by the Commissioner of the Bureau of Mediation Services BMS.
- G. The school district may display a photograph of a current or former employee to prospective witnesses as part of the school district's investigation of any complaint or charge against the employee.
- H. The school district may, if the its responsible authority or designee reasonably determines that the release of personnel data is necessary to protect an employee from harm to self or to protect another person who may be harmed by the employee, release data that are relevant to the concerns for safety to:
 1. the person who may be harmed and to the attorney representing the person when the data are relevant to obtaining a restraining order;
 2. a pre-petition screening team conducting an investigation of the employee under Minnesota Statutes section -§ 253B.07, §subdivision- 1; or
 3. a court, law enforcement agency, or prosecuting authority.
- I. Private personnel data or confidential investigative data on employees may be disseminated to a law enforcement agency for the purpose of reporting a crime or alleged crime committed by an employee, or for the purpose of assisting law enforcement in the investigation of such a crime or alleged crime committed by an employee.
- J. A complainant has access to a statement provided by the complainant to the school district in connection with a complaint or charge against an employee.
- K. When allegations of sexual or other types of harassment are made against an employee, the employee shall does not have access to data that would identify the complainant or other witnesses if the school district responsible authority

determines that the employee's access to that data would:

1. threaten the personal safety of the complainant or a witness; or
2. subject the complainant or witness to harassment.

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

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

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

- M. Private personnel data shall be disclosed to the ~~d~~Department of Employment and e~~conomic~~ security–Development for the purpose of administration of the unemployment insurance program under ~~Minnesota Statutes~~ Ch. 268.
- N. When a report of alleged maltreatment of a student in an elementary, middle school, high school or charter school facility, as defined under Minn. Stat. section 260E.03, is made to the Commissioner of the Minnesota Department of Education ("MDE") under Minnesota Statutes eChapter 260E, data that are relevant and collected by the school facility about the person alleged to have committed maltreatment must be provided to the Commissioner on request for purposes of an assessment or investigation of the maltreatment report. Additionally, personnel data may be released for purposes of informing–providing information to a parent, legal guardian, or custodian of a child in accordance with MDE Screening Guidelines ~~that an incident has occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.~~
- O. The school district shall release to a requesting school district or charter school private personnel data on a current or former employee related to acts of violence toward or sexual contact with a student, if
1. an investigation conducted by or on behalf of the school district or law enforcement affirmed the allegations in writing prior to release and the investigation resulted in the resignation of the subject of the data; or

2. the employee resigned while a complaint or charge involving the allegations was pending, the allegations involved acts of sexual contact with a student, and the employer informed the employee in writing, before the employee resigned, that if the employee resigns while the complaint or charge is still pending, the employer must release private personnel data about the employee's alleged sexual contact with a student to a school district or charter school requesting the data after the employee applies for employment with that school district or charter school and the data remain classified as provided in Minnesota Statutes Chapter 13.

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

- P. ~~The identity of an employee making a suggestion as part of an organized self-evaluation effort by the school district to cut costs, make the school district more efficient, or to improve school district operations is private. Data submitted by an employee to the school district as part of an organized self-evaluation effort by the school district to request suggestions from all employees on ways to cut costs, make the school district more efficient, or improve the school district operations is private data. An employee who is identified in a suggestion, however, shall have access to all data in the suggestion except the identity of the employee making the suggestion.~~
- Q. ~~Protected Health information, as defined in 45 C.F.R. Parts 160 and 164, on employees is private and will not be disclosed except as permitted or required unless otherwise provided by law. To the extent that the school district transmits protected health information, the school district will comply with all privacy requirements.~~
- R. Personal home contact information for employees may be used by the school district to ensure that an employee can be reached in the event of an emergency or other disruption affecting continuity of school district operations and may be shared with another government entity in the event of an emergency or other disruption to ensure continuity of operation for the school district or government entity.
- S. The personal telephone number, home address, and electronic mail address of a current or former employee of a contractor or subcontractor maintained as a result of a contractual relationship between the school district and a contractor or subcontractor entered on or after August 1, 2012, are private data. These data must be shared with another government entity to perform a function authorized by law. The data also must be disclosed to a government entity or any person for prevailing wage purposes.
- T. When a continuing contract teacher is discharged immediately because the teacher's license has been revoked due to a conviction for child abuse or sexual offenses involving a child as set forth in Minnesota Statutes, section 122A.40, subdivision 13(b), ~~or sexual abuse~~ or when the Commissioner of the Minnesota Department of Education (MDE) makes a final determination of child maltreatment

involving a teacher under Minnesota Statutes, section 260E.21, subdivision 4 or 260E.35, the school principal or other person having administrative control of the school must include in the teacher's employment record the information contained in the record of the disciplinary action or the final maltreatment determination, consistent with the definition of public data under ~~Minnesota Statutes, section § 13.41, Ssubdivision. 5~~, and must provide ~~the Minnesota Professional Educator Licensing and Standards Board (PELSB)~~ and the ~~licensing division at MDE~~ with the necessary and relevant information to enable ~~the Minnesota Professional Educator Licensing and Standards Board PELSB~~ and MDE's licensing division to fulfill their statutory and administrative duties related to issuing, renewing, suspending, or revoking a teacher's license. In addition to the background check required under ~~Minnesota Statutes, section § 123B.03~~, a school board or other school hiring authority must contact ~~the Minnesota Professional Educator Licensing and Standards Board PELSB~~ and MDE to determine whether the teacher's license has been suspended or revoked, consistent with the discharge and final maltreatment determinations. Unless restricted by federal or state data practices law or by the terms of a collective bargaining agreement, the responsible authority for a school district must disseminate to another school district private personnel data on a current or former teacher (employee or contractor) of the district, including the results of background investigations, if the requesting school district seeks the information because the subject of the data has applied for employment with the requesting school district.

VI. MULTIPLE CLASSIFICATIONS

If data on individuals are classified as both private and confidential by ~~Minnesota Statutes Chapter- 13~~, or any other state or federal law, the data are private.

VII. CHANGE IN CLASSIFICATIONS

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

VIII. RESPONSIBLE AUTHORITY

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

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

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

IX. EMPLOYEE AUTHORIZATION/RELEASE FORM

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

- Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
- Minn. Stat. § 13.02 (Definitions)
 - [Minn. Stat. § 13.03 \(Access to Government Data\)](#)
 - [Minn. Stat. § 13.05 \(Duties of Responsible Authority\)](#)
 - Minn. Stat. § 13.37 (General Nonpublic Data)
 - Minn. Stat. § 13.39 (Civil Investigation Data)
 - [Minn. Stat. § 13.41 \(Licensing Data – Public Data\)](#)
 - Minn. Stat. § 13.43 (Personnel Data)
 - Minn. Stat. § 13.601, ~~S~~subd. 3 (~~Elected and Appointed Officials~~[Applicants for Employment](#))
 - [Minn. Stat. § 15.0597 \(Appointment to Multimember Agencies\)](#)
 - Minn. Stat. § 122A.20, ~~S~~subd. 2 (Mandatory Reporting)
 - Minn. Stat. § 122A.40, ~~S~~subds. 13 and 16 (Employment; Contracts; Termination)
 - [Minn. Stat. § 123B.03 \(Background Check\)](#)
 - [Minn. Stat. § 123B.143, Ssubd. 2 \(Disclose Past Buyouts\)](#)
 - [Minn. Stat. Ch. 179 \(Minnesota Labor Relations Act\)](#)
 - [Minn. Stat. Ch. 179A \(Minnesota Public Labor Relations Act\)](#)
 - [Minn. Stat. § 253B.07, \(Judicial Commitment: Preliminary Procedures\)](#)
 - Minn. Stat. ~~Ch. § 260E 626.556, Subd. 7~~ (Reporting of Maltreatment of Minors)
 - [Minn. Stat. Ch. 268 \(Unemployment Insurance\)](#)
 - [Minn. R. Pt. 1205 \(Data Practices\)](#)
 - P.L. 104-191 (HIPAA)
 - 45 C.F.R. Parts 160, ~~162~~ and 164 (HIPAA Regulations)
- Cross References:** MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)
- MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
 - [MSBA/MASA Model Policy 722 \(Public Data Requests\)](#)
 - MSBA ~~Service Manual, Chapter 13, School~~ Law Bulletin “I” (School Records – Privacy – Access to Data)

Adopted: _____

MSBA/MASA Model Policy 507

Orig. 1995

Revised: _____

Rev. 2001~~21~~

507 CORPORAL PUNISHMENT

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. EXCEPTIONS

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

IV. VIOLATION

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

Legal References: Minn. Stat. § 121A.58 (Corporal Punishment)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. § 123B.25 (Actions Against Districts and Teachers)
Minn. Stat. § 609.06 Subd. 1 (6)(7) (Authorized Use of Force)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
[MSBA/MASA Model Policy 414 \(Mandated Reporting of Child Neglect or Physical or Sexual Abuse\)](#)
[MSBA/MASA Model Policy 415 \(Mandated Reporting of Maltreatment of](#)

| Vulnerable Adults)

MSBA/MASA Model Policy 506 (Student Discipline)

Adopted: _____

MSBA/MASA Model Policy 515

Orig. 1995

Revised: _____

Rev. 20132021

515 PROTECTION AND PRIVACY OF PUPIL RECORDS

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

A. Authorized Representative

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

B. Biometric Record

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

C. Dates of Attendance

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

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

D. Directory Information

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

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

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

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

E. Education Records

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

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

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

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

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

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

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

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

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

F. Eligible Student

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

G. Juvenile Justice System

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

H. Legitimate Educational Interest

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

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

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

I. Parent

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

J. Personally Identifiable

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

K. Record

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

L. Responsible Authority

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

M. Student

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

N. School Official

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

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

O. Summary Data

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

P. Other Terms and Phrases

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

IV. GENERAL CLASSIFICATION

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

V. STATEMENT OF RIGHTS

A. Rights of Parents and Eligible Students

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

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

B. Eligible Students

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

C. ~~Disabled~~ Students with a Disability

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

VI. DISCLOSURE OF EDUCATION RECORDS

A. Consent Required for Disclosure

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

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

6. Eligible Student Consent

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

B. Prior Consent for Disclosure Not Required

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

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

district would otherwise use employees;

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

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

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

at an educational agency or institution;

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

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

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

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

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

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

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

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

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

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

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

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

C. Nonpublic School Students

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

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

VII. RELEASE OF DIRECTORY INFORMATION

A. Classification

Directory information is public except as provided herein.

B. Former Students

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

C. Present Students and Parents

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

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

inform the parents and eligible students of:

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

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

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

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

D. Procedure for Obtaining Nondisclosure of Directory Information

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

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

E. Duration

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

VIII. DISCLOSURE OF PRIVATE RECORDS

A. Private Records

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

B. Private Records Not Accessible to Parent

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

if at all.

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

C. Private Records Not Accessible to Student

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

D. Military-Connected Youth Identifier

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

IX. DISCLOSURE OF CONFIDENTIAL RECORDS

A. Confidential Records

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

B. Reports Under the Maltreatment of Minors Reporting Act

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

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

C. Investigative Data

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

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

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

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

D. Chemical Abuse Records

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

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

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

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

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

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

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

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

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

XII. LIMITS ON REDISCLOSURE

A. Redisclosure

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

B. Redisclosure Not Prohibited

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

issued subpoena.

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

C. Classification of Disclosed Data

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

D. Notification

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

XIII. RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING

A. Responsible Authority

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

B. Record Security

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

C. Plan for Securing Student Records

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

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

D. Review of Written Plan for Securing Student Records

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

E. Record Keeping

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

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

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

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

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

XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

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

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

B. Response to Request for Access

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

C. Right to Inspect and Review

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

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

D. Form of Request

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

E. Collection of Student Records

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

F. Records Containing Information on More Than One Student

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

G. Authority to Inspect or Review

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

H. Fees for Copies of Records

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

be no more than 25 cents for each page copied.

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

XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA

A. Request to Amend Education Records

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

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

B. Right to a Hearing

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

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

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

C. Conduct of Hearing

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

D. Appeal

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

XVI. PROBLEMS ACCESSING DATA

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

XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA

A. Where to File Complaints

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

B. Content of Complaint

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

XVIII. WAIVER

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

XIX. ANNUAL NOTIFICATION OF RIGHTS

A. Contents of Notice

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

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

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

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

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

C. Notification to Parents or Eligible Students Who are Disabled

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

XX. DESTRUCTION AND RETENTION OF RECORDS

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

XXI. COPIES OF POLICY

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

superintendent's office of the superintendent.

- Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 13.393 (Attorneys)
Minn. Stat. Ch. 14 (Administrative Procedures Act)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)
Minn. Stat. § 121A.75 (~~Sharing Disposition Order and Peace Officer~~
~~Records Receipt of Records; Sharing~~)
Minn. Stat. § 127A.852 (Military-Connected Youth Identifier)
Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)
Minn. Stat. Ch. 256B (Medical Assistance for Needy Persons)
Minn. Stat. Ch. 256L (MinnesotaCare)
Minn. Stat. § 260B.171, ~~S~~subds. 3 and 5 (Disposition Order and Peace
Officer Records of Children)
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
Minn. Stat. § 363A.42 (Public Records; Accessibility)
~~Minn. Stat. § Ch. 260E-626.556 (Reporting of Maltreatment of Minors)~~
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)
10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns;
Compilation of Directory Information)
18 U.S.C. § 2331 (Definitions)
18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
20 U.S.C. § 6301 *et seq.* (Every Student Succeeds Act)
20 U.S.C. § 7908 (Armed Forces Recruiting Information)
20 U.S.C. § 7917 (Transfer of School Disciplinary Records)
25 U.S.C. § 5304 (Definitions – Tribal Organization)
26 U.S.C. §§ 151 and 152 (Internal Revenue Code)
42 U.S.C. § 1711 *et seq.* (Child Nutrition Act)
42 U.S.C. § 1751 *et seq.* (Richard B. Russell National School Lunch Act)
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)
34 C.F.R. § 300.610-300.627 (Confidentiality of Information)
42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records)
~~*Gonzaga University v. Doe*, 536 U.S. 273, 122 S.Ct. 2268, 153 L.Ed. 2d~~
309 (2002)
- Cross References:** MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or
Physical or Sexual Abuse)
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside
Agencies)
MSBA/MASA Model Policy 520 (Student Surveys)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 722 (Public Data Requests)
MSBA/MASA Model Policy 906 (Community Notification of Predatory

Offenders)

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

PUBLIC NOTICE

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

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

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

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

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

[optional]

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

[optional]

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

[optional]

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

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

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

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

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

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

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

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

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

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

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

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

INDEPENDENT SCHOOL DISTRICT NO. _____
_____, MINNESOTA

Dated: _____

Chair

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

**JUVENILE JUSTICE SYSTEM
REQUEST FOR INFORMATION**

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

DATE/TIME OF REQUEST: _____

TO: _____
(Superintendent of school district or chief administrative officer of school)

FROM: _____
(Requester's name/agency)

STUDENT: _____

BASIS FOR REQUEST:

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

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

RESPONSE TO REQUEST:

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

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

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

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

Signature/Title

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

Member _____ submitted the following resolution and moved its adoption:
RESOLUTION ESTABLISHING COMBINED POLLING PLACES
FOR MULTIPLE PRECINCTS AND
DESIGNATING HOURS DURING WHICH THE POLLING
PLACES WILL REMAIN OPEN FOR VOTING
FOR SCHOOL DISTRICT ELECTIONS NOT HELD
ON THE DAY OF A STATEWIDE ELECTION

BE IT RESOLVED by the School Board of Independent School District No. 857, State of Minnesota, as follows:

1. Pursuant to Minnesota Statutes, Section 205A.11, the precincts and polling places for school district elections are those precincts or parts of precincts located within the boundaries of the school district which have been established by the cities or towns located in whole or in part within the school district. The board hereby confirms those precincts and polling places so established by those municipalities.

2. Pursuant to Minnesota Statutes, Section 205A.11, the board may establish a combined polling place for several precincts for school elections not held on the day of a statewide election. The following combined polling places are established to serve the precincts specified for all school district special and general elections not held on the same day as a statewide election:

Precinct No. 1 Lewiston-Altura Intermediate School, Altura, Minnesota

All territory in Independent District No. 857 located in the city of Altura and the following townships:

Whitewater, Mount Vernon, Elba and Norton

Precinct No. 2 Lewiston Altura High School, Lewiston, Minnesota

All territory in Independent School District o. 857 located in the city of Lewiston and the following townships:

Hillsdale, St. Charles, Utica, Warren, Fremont and Hart.

Pursuant to Minnesota Statutes, Section 205A.09, the polling places will remain open for voting for school district elections not held on the same day as a statewide election between the hours of 7:00 o'clock a.m. and 7:00 o'clock p.m.

The clerk is directed to file a certified copy of this resolution with the county auditors of each of the counties in which the school district is located in whole or in part.

Member _____ seconded the motion to adopt the resolution.

Ayes:

Nayes:

Melissa Meisch
Board Clerk



Independent School Dist. No. 857
100 County Road 25
Lewiston, MN 55952
(507) 523-2191

Gwen Carman, Superintendent
Cory Hanson, High School Principal • Dave Riebel, Elementary/Intermediate Principal

Superintendent's Report to the School Board

Respectfully Submitted by Gwen Carman

December 13, 2021

Meeting Agenda Item Notes

Truth In Taxation Public Hearing At the beginning of the meeting I will facilitate our annual, required Truth in Taxation Hearing. This will include a power point with the required information, followed by public questions or comments. We will need Board approval to certify the levy which is then forwarded to Winona County.

Stadium Lights As you know, one of the stadium lights shut off during the October 20th football game. While we had all of the light bulbs replaced this summer, the light poles on the field are 40 years old and much of the coating on the electrical wires has decayed. As the weather was wet and windy that evening, it appears the wires came in contact with the bulb fixture and blew the fuse. While we can 'repair' the lights in that pole, it appears that without replacing the wiring we are only putting a 'band aid' on the situation. In addition, we have 3 additional poles in a similar condition and at risk of having the same situation repeat itself.

Thank you Toby, Dave, Sarah, Brian Menk and Joe Banicki for joining me on a visit to the football field in Harmony at 6:30am to see their stadium lights. Although it was early, cold and windy, it was valuable to see the quality of the lighting and to talk with their AD about his experience and perspective on the system.

At the meeting I will share cost estimates for replacing the poles/lights and our financing options. Because of the size of this project, if the Board decides to move forward with replacing, we will need to go through an open bid process.

OTHER UPDATES

Longterm Investment Process This week we were able to formally initiate an investment process of our reserve funds to generate a higher rate of interest. Thank you to Connie for visiting the bank with me to sign the appropriate paperwork. Under the proposed plan, Ehlers is estimating we will generate a return of over \$35,000 in five years. It is set up so that the invested funds could be withdrawn if necessary in June of each year.

MASA Legislative Committee For the past three years, I have participated on the MASA (MN Association of School Administrators) Legislative Committee. This group (approximately 25 superintendents) discusses and makes recommendations for the MASA Board of Directors on legislative priorities. The two major areas are Finance and Policy. I serve on the Policy Sub-Committee. The primary 'themes' of the recommendations are 1) No unfunded mandates, 2) Increase local control, 3) Increase flexibility with priorities and details under each.

Three Rivers Conference In the upcoming months, you can anticipate discussions regarding the conference and possible expansion/realignment of the conference with the Hiawatha Valley League and the Southeast Conference. It is a complex discussion involving many factors and districts. Activities Director Menk is part of the area ADs looking at options. The Three Rivers districts' superintendents serve as a Governing Board. It is not yet clear if any changes when/if would require School Board approvals.

Pandemic: We are seeing an increase in the number of positive COVID-19 cases amongst students. The Safe Learning Plan will be modified to clarify options for testing or choosing to quarantine if we have an 'outbreak' (3 or more cases) in a single classroom or activity. This enables us to avoid whole class remote learning.

Community Survey Draft I will have copies of the draft survey for discussion as part of my Superintendent's report.

A reminder of the importance of considering equity in the work we do:

