

## Agenda

### 1. ROUTINE BUSINESS ITEMS

1.1. Call to Order/Pledge of Allegiance

1.2. Roll Call: Stenson \_\_\_ Birhanzi \_\_\_ Wibben \_\_\_ Shourds \_\_\_ Miller \_\_\_ and Norman \_\_\_.

1.3. Approval of Agenda

1.4. Special Presentation

1.4.1. Truth in Taxation

1.4.2. Audit Presentation

1.5. Approval of Consent Agenda

*(Any item or items may be pulled off the consent agenda, at the request of any board member, for consideration by the board as a whole.)*

1.5.1. Regular Board of Education Meeting Minutes

1.5.2. Bills

1.5.3. Treasurer's Report

1.5.4. Budget Report

1.5.5. Personnel Actions

1.5.5.1. Employment

1.5.5.2. Resignations/Retirements

1.5.5.3. Reassignments

1.5.6. Approve Basketball Hoop Free Throw Contest sponsored by local businesses.

1.5.7. Approval of the Fundraising Requests from December through the end of the school year.

1.6. Resolution Accepting a Gift, Donation, Contribution or Bequest RESOLUTION ACCEPTING MONETARY, PROPERTY, GOODS OR SERVICES DONATION

1.7. Public Forum

1.8. Superintendent's Report

1.9. Board Reports

1.9.1. Board Committees

1.9.2. Student Representative Report

1.9.3. Administrators

1.10. Congratulatory Action and Recognition

### 2. DISCUSSION ITEMS

2.1. Policies 501 and 503 have received revisions. These are MSBA model policies. These policy revisions will be brought back to the School Board in January for formal approval.

2.2. Referendum Update - Superintendent Jamie Skjeveland will provide an update.

### 3. ACTION ITEMS

- 3.1. Certification of the 2025 Pay 2026 Levy
- 3.2. Resolution Directing Recommendation for Reductions for the 2026-2027 school year.
- 3.3. Approve the annual audit.
- 3.4. Approve policies 414, 416, 418, 425 as presented.
- 3.5. Approve the purchase and installation of cameras on school buses.
4. ADJOURNMENT

2025 Payable 2026 Levy Comparison

Category	COMPARISON OF CERTIFICATIONS			
	Pay 25 Levy Limitation	Pay 26 Levy Limitation	Variance	% Increase/ (Decrease)
General Fund - Voter Approved Refer	\$ 192,141.65	\$ 195,572.84	\$ 3,431.19	
Local Optional Revenue (\$424+300)	\$ 687,029.27	\$ 678,145.17	\$ (8,884.10)	
Equity	\$ 229,633.94	\$ 222,879.55	\$ (6,754.39)	
Transition	\$ 10,750.89	\$ 10,420.49	\$ (330.40)	
Operating Capital	\$ 140,114.42	\$ 140,478.24	\$ 363.82	
Achievement & Integration	\$ 69,187.16	\$ 70,767.82	\$ 1,580.66	
Reemployment	\$ 10,000.00	\$ 10,000.00	\$ -	
Safe Schools	\$ 60,091.20	\$ 58,939.20	\$ (1,152.00)	
Career Technical (Sec Vocational)	\$ 91,652.60	\$ 100,632.02	\$ 8,979.42	
Annual Other Postemployment Benefits (OPEB)	\$ 92,649.54	\$ 90,769.54	\$ (1,880.00)	
Long Term Facilities Maintenance Revenue	\$ 634,296.00	\$ 622,136.00	\$ (12,160.00)	
Bldg/Land Lease	\$ 222,639.00	\$ 242,371.00	\$ 19,732.00	
Other PY Adjustments (Net)	\$ (259,230.59)	\$ 132,087.82	\$ 391,318.41	
Capital Facilities Bond Adjustment	\$ (29,400.00)	\$ (28,613.00)	\$ 787.00	
<b>Sub-total General Fund Other</b>	<b>\$ 2,151,555.08</b>	<b>\$ 2,546,586.69</b>	<b>\$ 395,031.61</b>	<b>18.36%</b>
Community Service	\$ 204,127.30	\$ 95,965.96	\$ (108,161.34)	-52.99%
Debt Service - Other	\$ 966,655.05	\$ 831,705.90	\$ (134,949.15)	
Debt Service - Abatement Adjustments	\$ (31.16)	\$ 45.82	\$ 76.98	
Reduction for Debt Service Excess	\$ -	\$ -	\$ -	
<b>Sub-total Debt Service</b>	<b>\$ 966,623.89</b>	<b>\$ 831,751.72</b>	<b>\$ (134,872.17)</b>	<b>-13.95%</b>
<b>Total Levy</b>	<b>\$ 3,322,306.27</b>	<b>\$ 3,474,304.37</b>	<b>\$ 151,998.10</b>	<b>4.58%</b>

12/5/2025

## Comparison of September 2025 Proposed Levy to December 2025 Final Certification

Category	COMPARISON OF CERTIFICATIONS			% Increase/ (Decrease)
	September 2025 Proposed	December 2025 Certified	Variance	
General Fund - Voter Approved Referendum	\$ 181,638.14	\$ 195,572.84	\$ 13,934.70	
General Fund - Board Conversion (\$300+424)	\$ 629,130.66	\$ 678,145.17	\$ 49,014.51	
Equity	\$ 206,998.07	\$ 222,879.55	\$ 15,881.48	
Transition	\$ 9,678.30	\$ 10,420.49	\$ 742.19	
Operating Capital	\$ 140,478.27	\$ 140,478.24	\$ (0.03)	
Achievement & Integration	\$ 4,254.60	\$ 70,767.82	\$ 66,513.22	
Reemployment	\$ 10,000.00	\$ 10,000.00	\$ -	
Safe Schools	\$ 51,055.20	\$ 58,939.20	\$ 7,884.00	
Career Technical (Sec Vocational)	\$ 100,632.02	\$ 100,632.02	\$ -	
Annual Other PostEmployment Benefits (OPEB)	\$ 90,769.54	\$ 90,769.54	\$ -	
Long Term Facilities Maintenance Revenue	\$ 538,916.00	\$ 622,136.00	\$ 83,220.00	
Bldg/Land Lease	\$ 61,371.00	\$ 242,371.00	\$ 181,000.00	
Other PY Adjustments (Net)	\$ 132,197.82	\$ 132,087.82	\$ (110.00)	
Capital Facilities Bond Adjustment	\$ (28,613.00)	\$ (28,613.00)	\$ -	
<b>Sub-total General Fund Other</b>	<b>\$ 2,128,506.62</b>	<b>\$ 2,546,586.69</b>	<b>\$ 418,080.07</b>	<b>19.64%</b>
Community Service	\$ 96,065.63	\$ 95,965.96	\$ (99.67)	<b>-0.10%</b>
Debt Service - Other	\$ 883,277.97	\$ 831,705.90	\$ (51,572.07)	
Debt Service - Abatement Adjustments	\$ 45.82	\$ 45.82	\$ -	
Reduction for Debt Service Excess	\$ -	\$ -	\$ -	
<b>Sub-total Debt Service</b>	<b>\$ 883,323.79</b>	<b>\$ 831,751.72</b>	<b>\$ (51,572.07)</b>	<b>-5.84%</b>
<b>Total Levy</b>	<b>\$ 3,107,896.04</b>	<b>\$ 3,474,304.37</b>	<b>\$ 366,408.33</b>	<b>11.79%</b>

**2024-2025 ACTUAL**

Unappropriated Operating Funds	July 1, 2024	2024-2025		June 30, 2025	Variance
	Beginning Balance	Revenues	Expenditures	Projected Fund Balance	
General	\$ 1,236,770	\$ 21,907,312	\$ 21,164,007	\$ 1,980,075	\$ 743,305
				9.36%	\$ -
Food Service	\$ 807,610	\$ 1,510,486	\$ 1,450,504	\$ 867,592	\$ 59,982
Community Service:					\$ -
ECFE	\$ 66,178	\$ 75,695	\$ 99,442	\$ 42,431	\$ (23,747)
School Readiness	\$ (47,856)	\$ 240,449	\$ 264,511	\$ (71,918)	\$ (24,062)
Comm Ed	\$ (301,905)	\$ 1,227,426	\$ 1,383,062	\$ (457,541)	\$ (155,636)
<b>Total Operating Funds</b>	<b>\$ 1,760,797</b>	<b>\$ 24,961,369</b>	<b>\$ 24,361,527</b>	<b>\$ 2,360,639</b>	<b>\$ 599,842</b>
<b>% of Operating Expenditures</b>				<b>9.69%</b>	
<b>Other Appropriated Funds</b>					
Long Term Facilities Maint	\$ 1,081,687	\$ 521,645	\$ 1,522,716	\$ 80,616	\$ (1,001,071)
Operating Capital	\$ (96,566)	\$ 367,123	\$ 629,949	\$ (359,392)	\$ (262,826)
Building Construction	\$ -	\$ 3,843,287	\$ 826,474	\$ 3,016,813	\$ 3,016,813
Debt Service	\$ 233,553	\$ 1,219,269	\$ 1,116,663	\$ 336,159	\$ 102,606
Student Activities	\$ 236,860	\$ 352,859	\$ 335,643	\$ 254,076	\$ 17,216
<b>Total All Funds</b>	<b>\$ 3,216,331</b>	<b>\$ 31,265,552</b>	<b>\$ 28,792,970</b>	<b>\$ 5,688,912</b>	<b>\$ 2,472,581</b>



2024 - 2025 Financial Statement Audit

# Montevideo School District #129

DRAFT



# Introduction

- Audit Opinion and Responsibility
- General Fund Results
- Other Governmental Funds
- Key Performance Indicators



# Audit Results

Auditor's Opinion

unmodified  
opinion

Minnesota Legal  
Compliance

Two  
instances of  
noncompliance

Single Audit  
Report

No instances  
of  
noncompliance

## AUDIT RESULTS

# Fiscal Year 2025 Findings

- Preparation of Financial Statements
  - *Internal Control Finding*
- Limited Segregation of Duties
  - *Internal Control Finding*
- Student Activity Purpose Summaries
  - *Legal Compliance Finding*
- Student Activity Accounts with a Negative Balance
  - *Legal Compliance Finding*

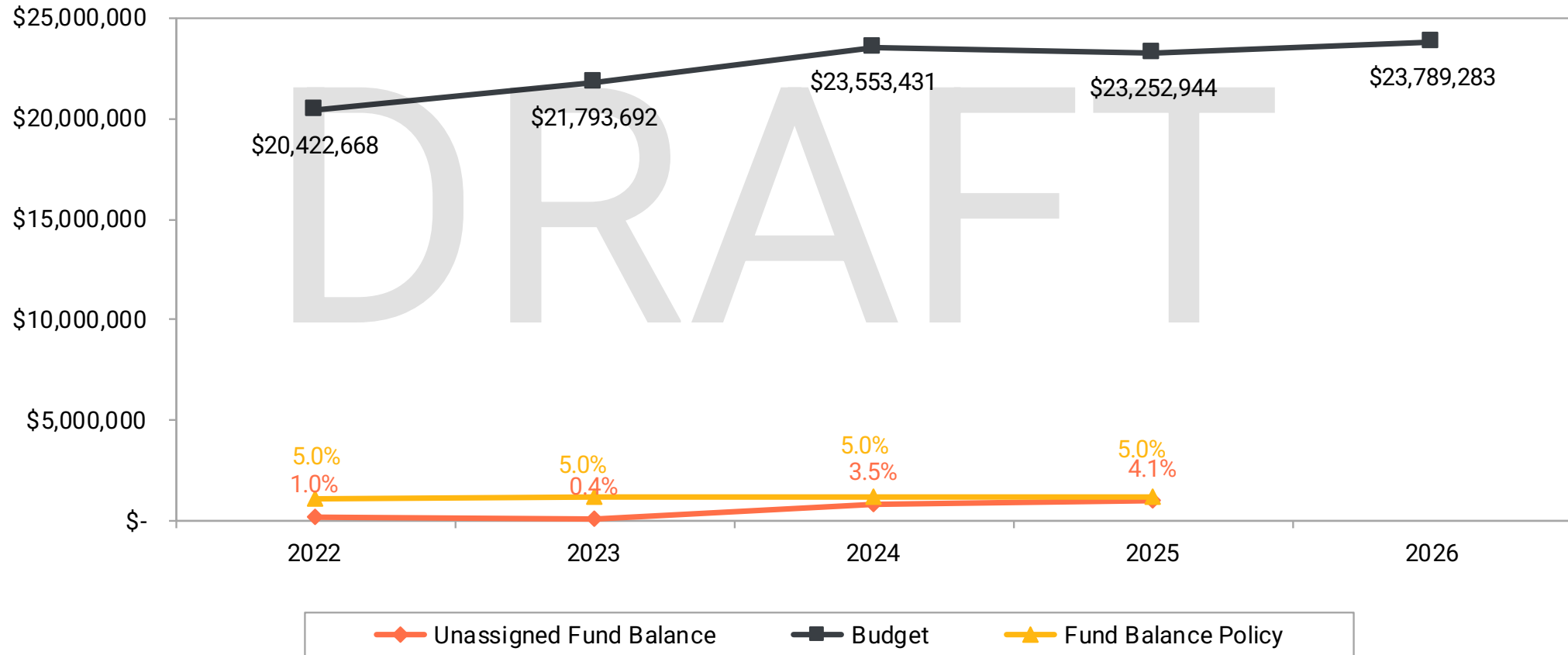


# Auditor Recommendations

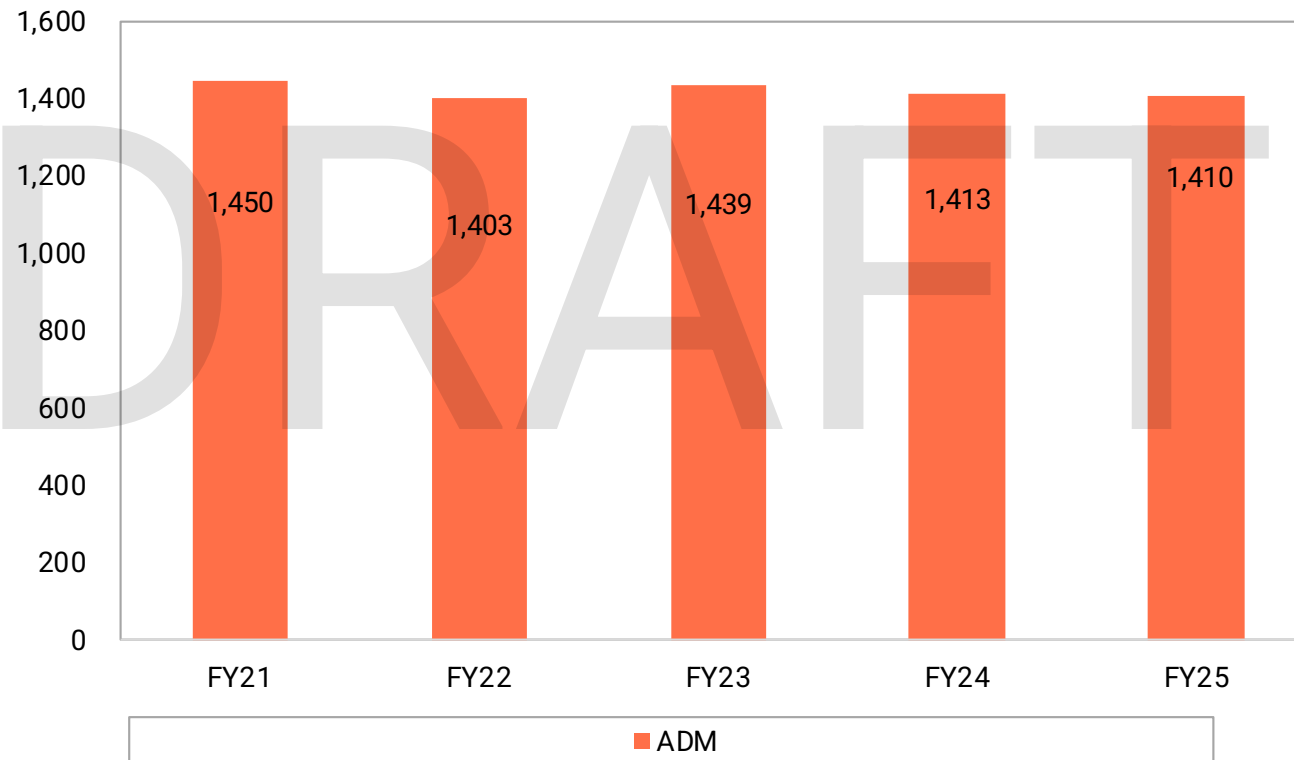
- Food Service Fund Cash
  - *Reminder that at the end of FY26 allowable cash is going back to three months of expenses. Currently the District is over three months, which is allowable for FY25 but needs to be spent down during FY27 on appropriate expenditures per the U.S. Department of Agriculture list of allowable expenses.*
- Unassigned Fund Balance
  - *Per Accounting Policies and Procedures Manual – Revised 2024-2025 – “It is the goal of ISD #129 to maintain a minimum of five percent unrestricted general operating fund balance per Fund Balance Policy #714 (2011)”*
  - *In FY25 ISD #129 is at 4.29%.*

# General Fund Balances

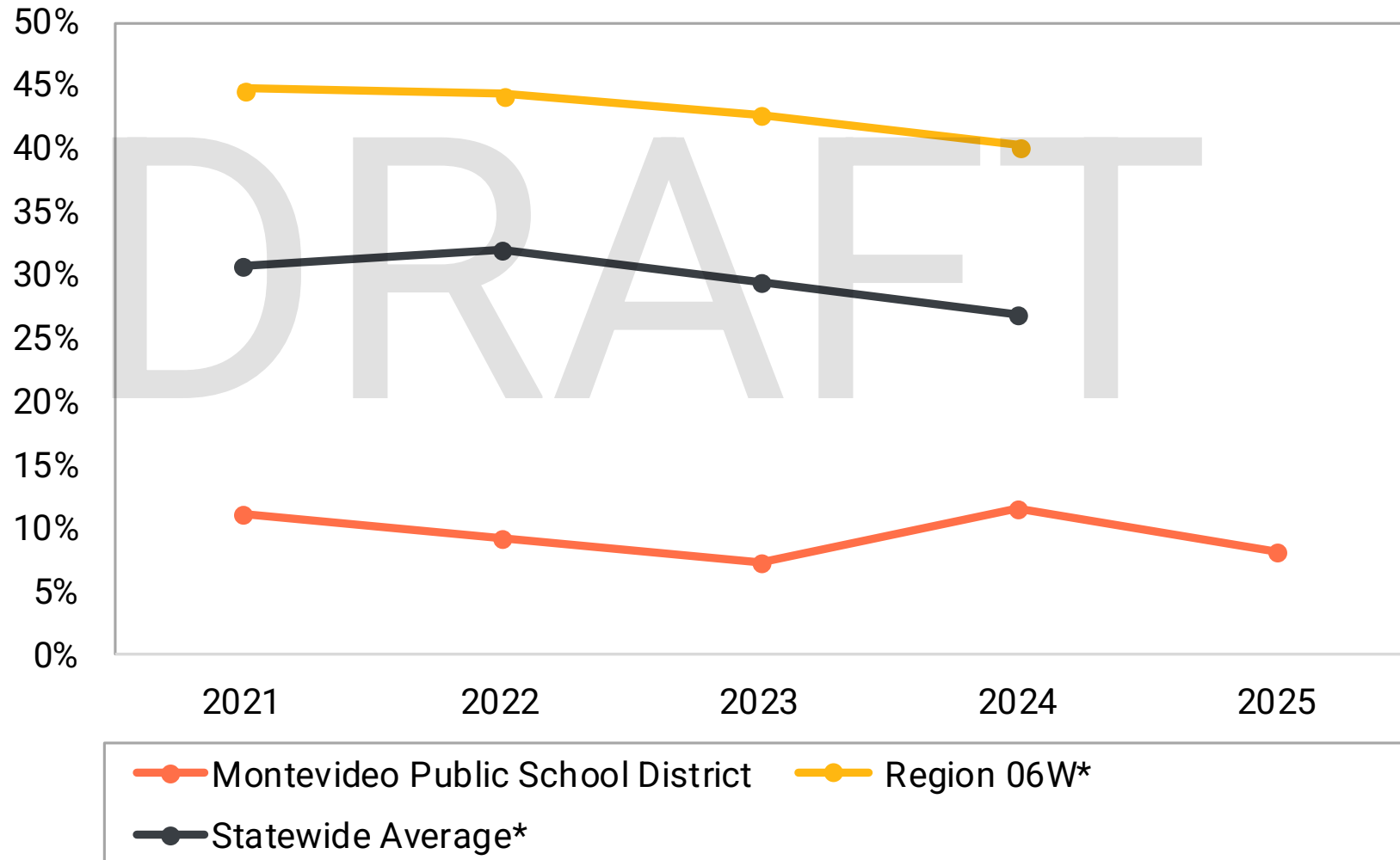
## *Fund Balance Policy Goal of 5% of Expenditures*



# Average Daily Membership



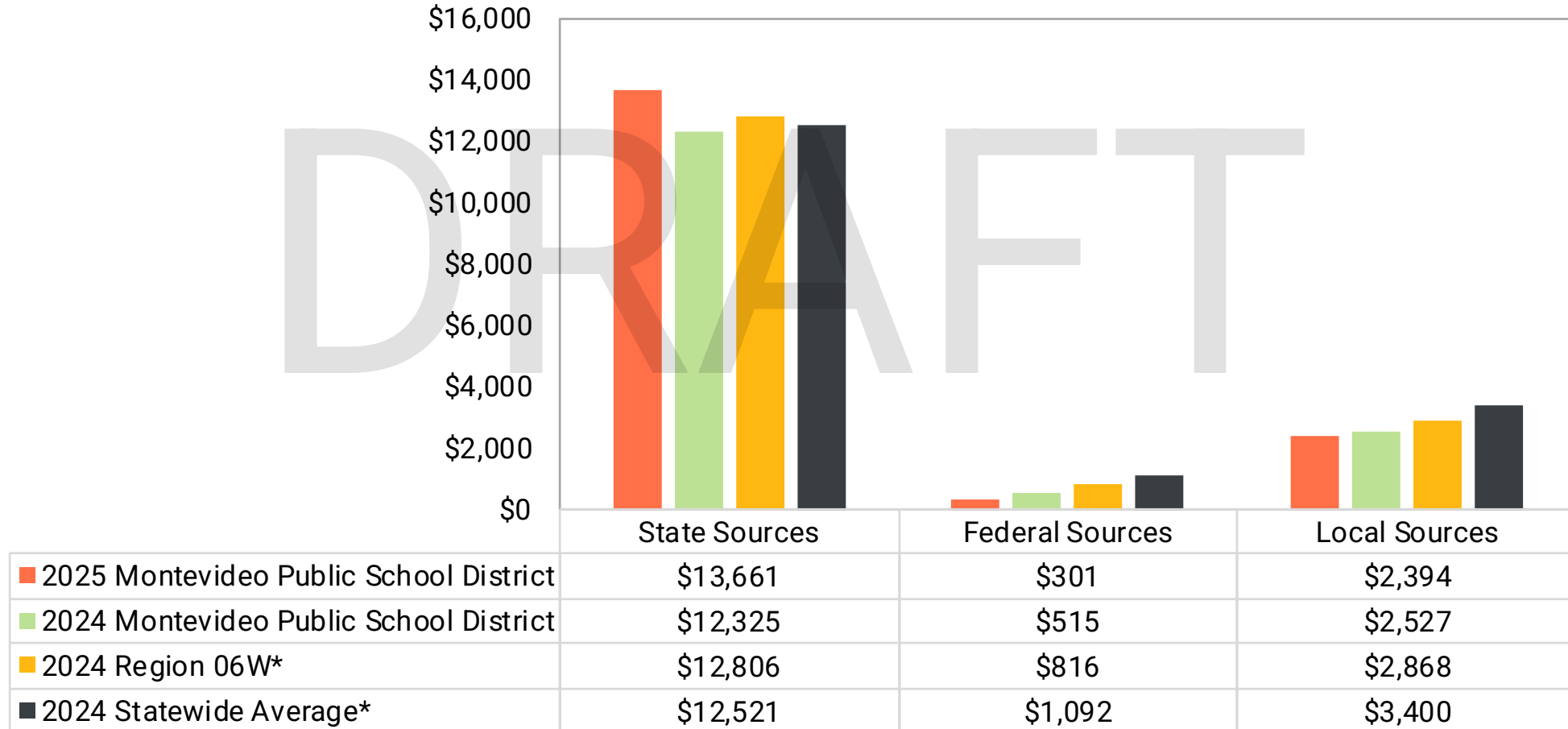
# General Fund Balances



# General Fund Budget to Actual

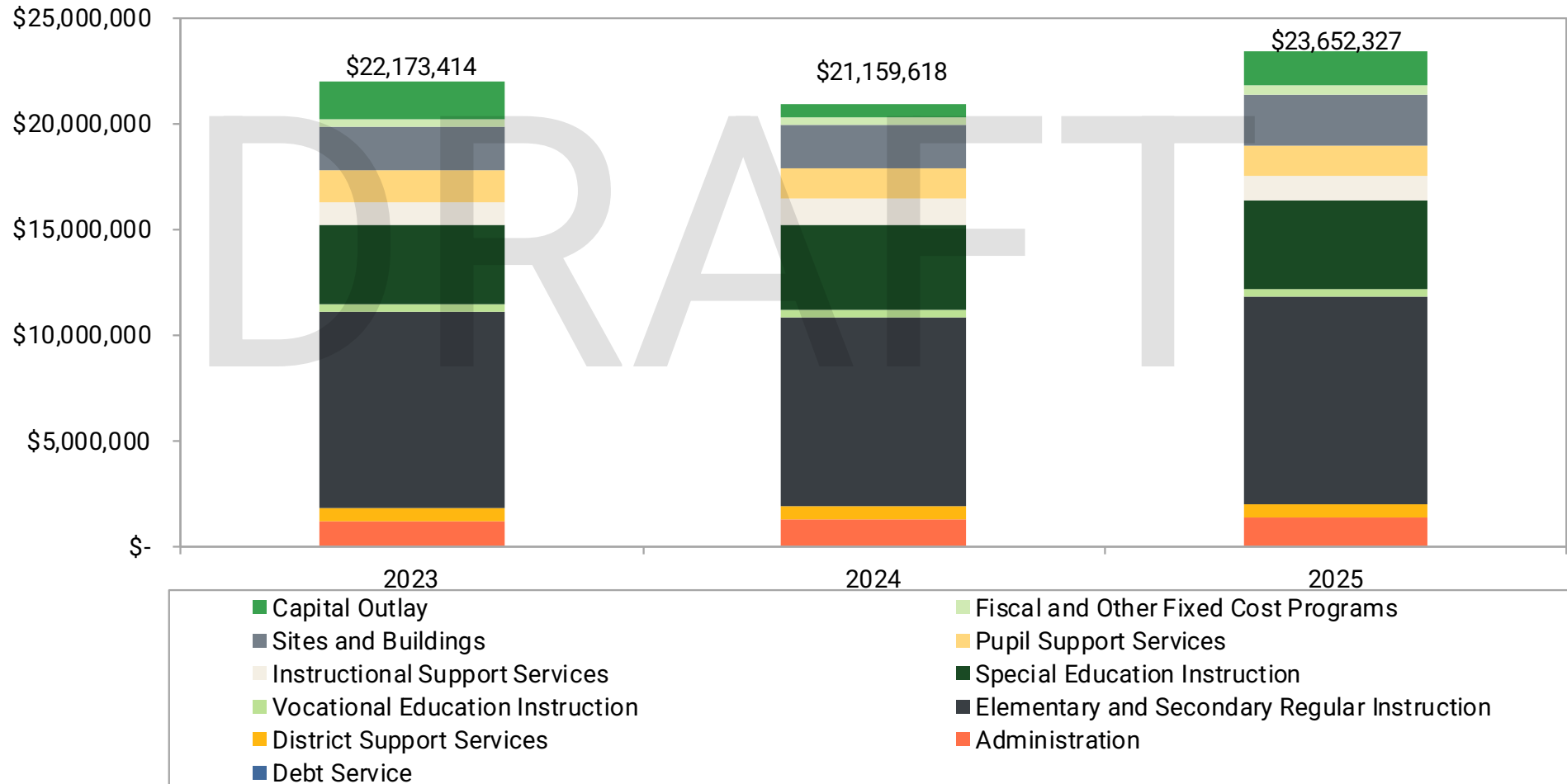
	Final Budget	Actual Amounts	Variance with Final Budget
Revenues	\$ 22,807,024	\$ 23,140,518	\$ 333,494
Expenditures	23,262,550	23,652,327	(389,777)
Excess (Deficiency) of Revenues Over (Under) Expenditures	(455,526)	(511,809)	(56,283)
Other Financing Sources (Uses)			
Insurance recoveries	-	8,434	8,434
Net Change in Fund Balances	(455,526)	(503,375)	(47,849)
Fund Balances, July 1	2,458,750	2,458,750	-
Prior Period Restatement (Note 7)	-	-	-
Fund Balances, June 30	<u>\$ 2,003,224</u>	<u>\$ 1,955,375</u>	<u>\$ (47,849)</u>

# General Fund Revenues per ADM

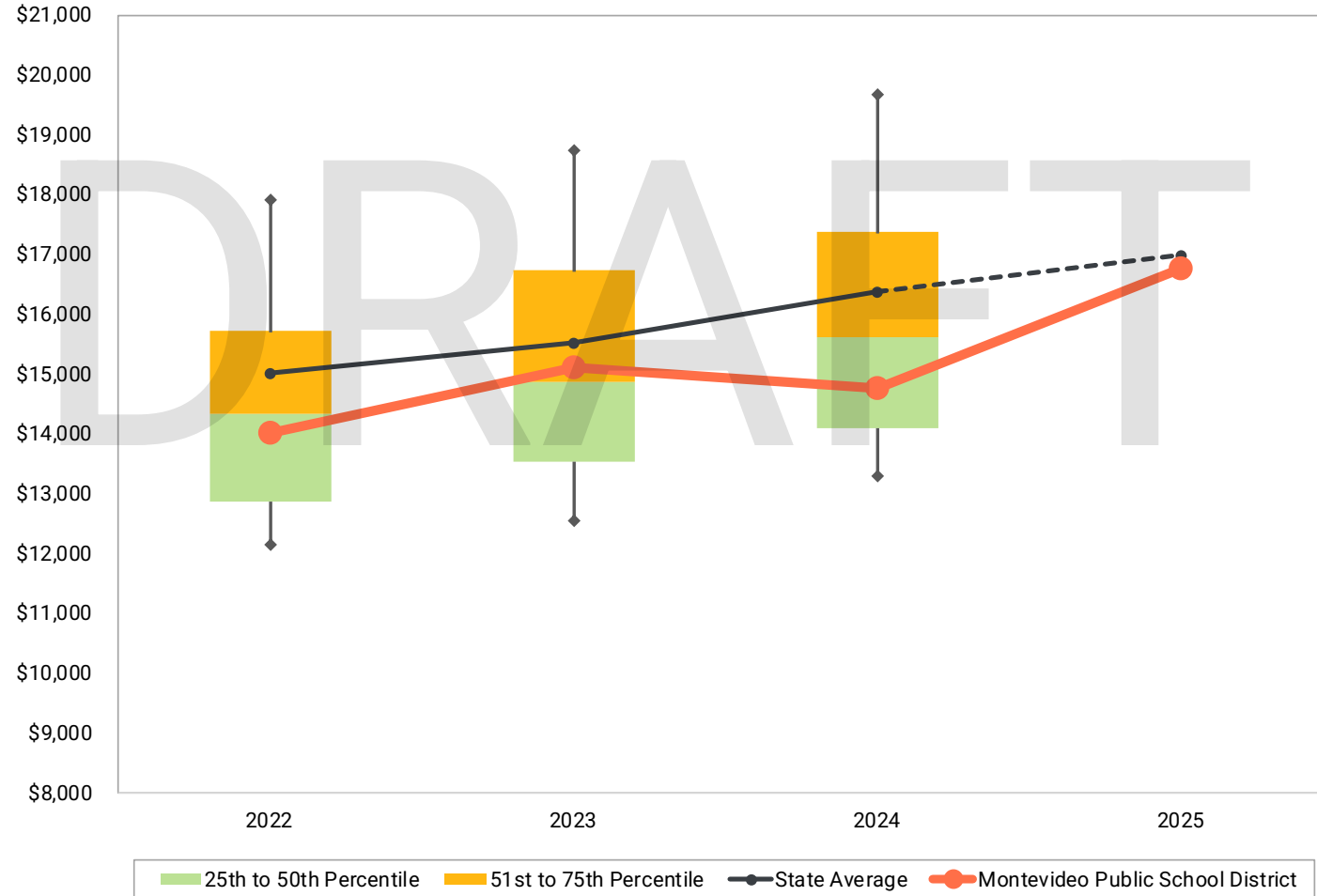


\* Information obtained from School District Profile reports published by the MDE

# General Fund Expenditures



# General Fund Expenditures per ADM

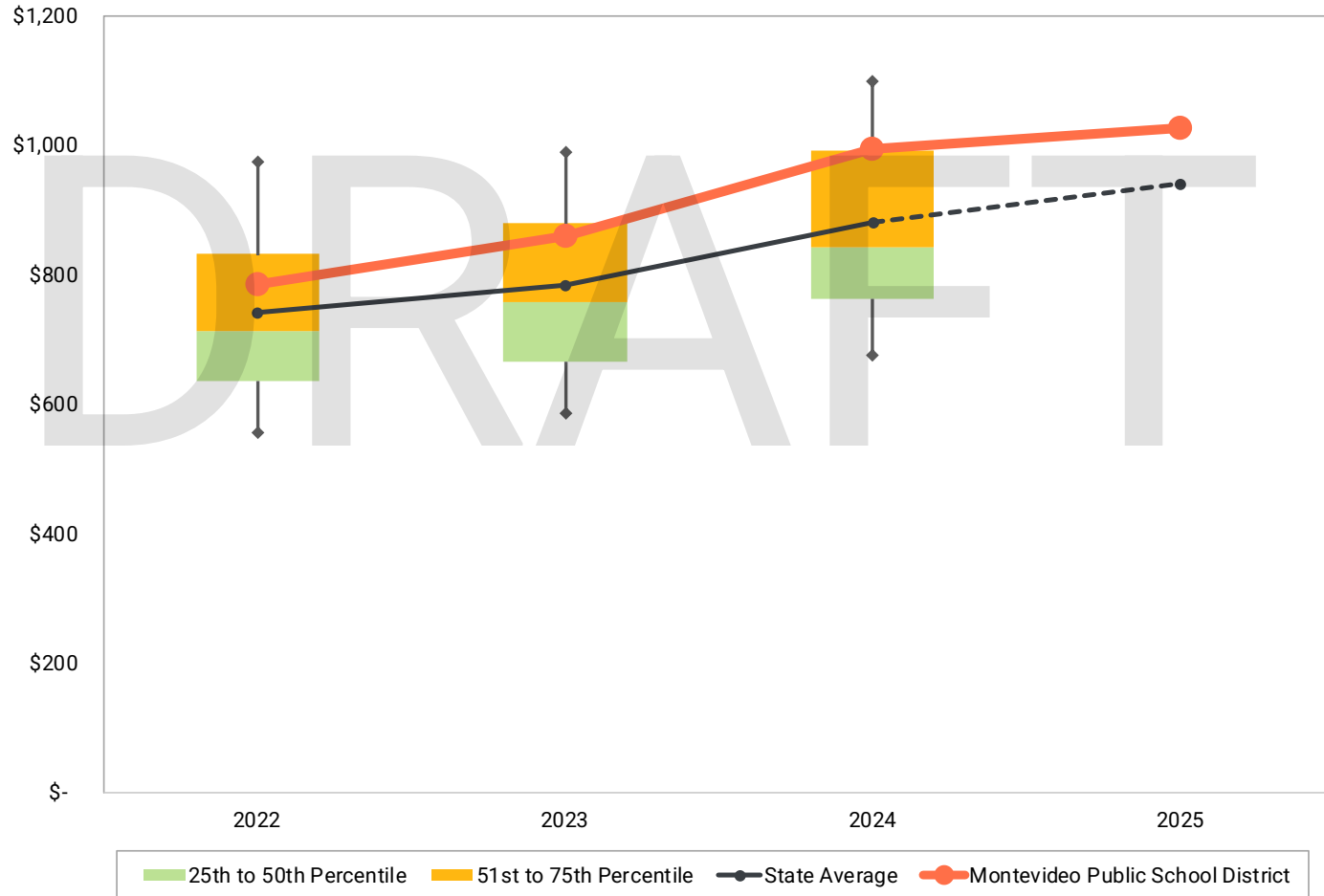


\* Percentile data and state average obtained from School District Profile reports published by the MDE

# Food Service Fund Budget to Actual

	Final Budget	Actual Amounts	Variance with Final Budget -
Revenues	\$ 1,499,800	\$ 1,510,487	\$ 10,687
Expenditures	1,509,621	1,450,504	59,117
Net Change in Fund Balances	(9,821)	59,983	69,804
Fund Balances, July 1	807,610	807,610	-
Fund Balances, June 30	<u>\$ 797,789</u>	<u>\$ 867,593</u>	<u>\$ 69,804</u>

# Food Service Fund Expenditures per ADM Comparison

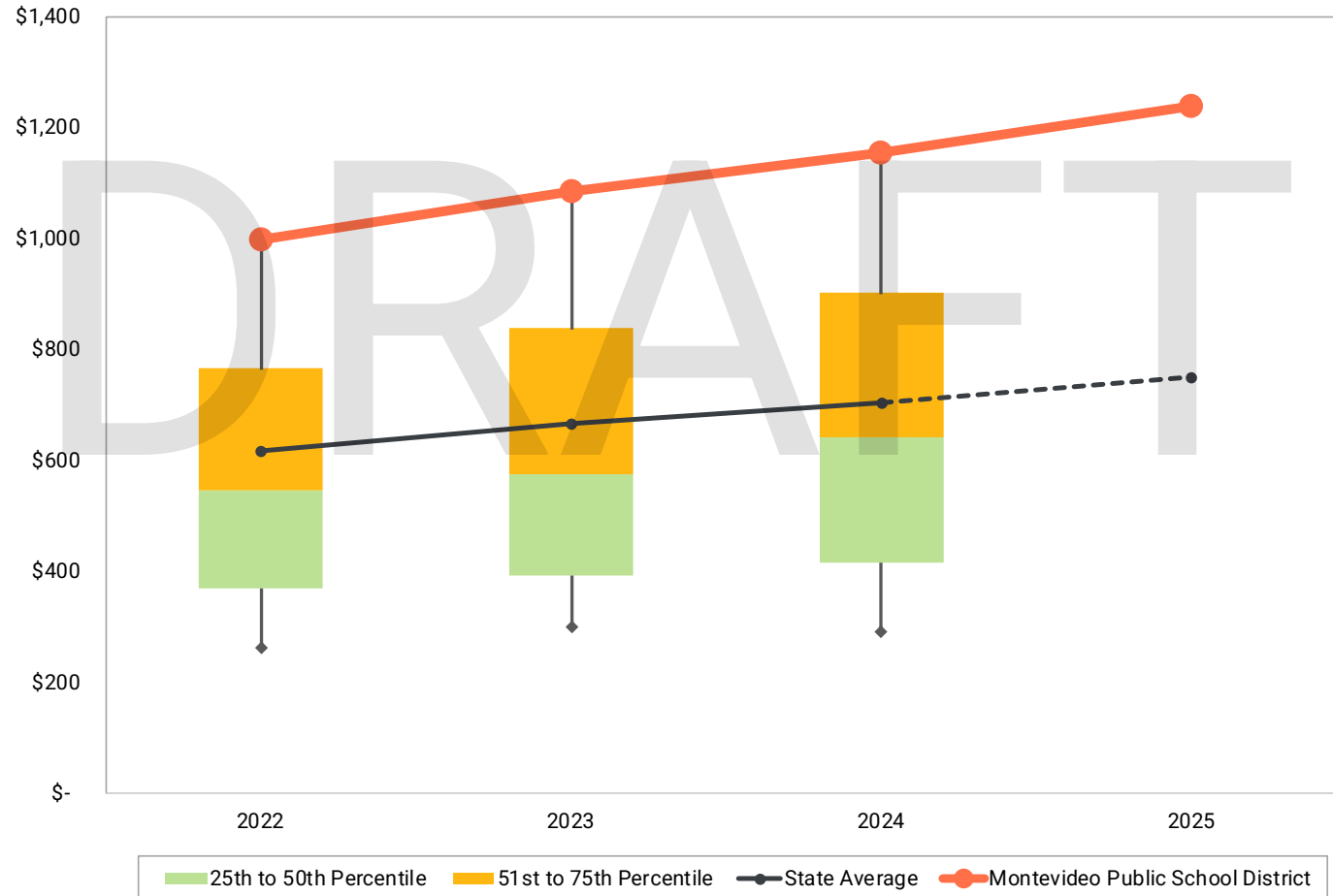


\* Percentile data and state average obtained from School District Profile reports published by the MDE

# Community Service Fund Budget to Actual

	Final Budget	Actual Amounts	Variance with Final Budget
Revenues	\$ 1,655,107	\$ 1,543,572	\$ (111,535)
Expenditures	1,592,279	1,747,016	(154,737)
Net Change in Fund Balances	62,828	(203,444)	(266,272)
Fund Balances, July 1	(283,584)	(283,584)	-
Fund Balances, June 30	<u>\$ (220,756)</u>	<u>\$ (487,028)</u>	<u>\$ (266,272)</u>

# Community Service Fund Expenditures per ADM Comparison

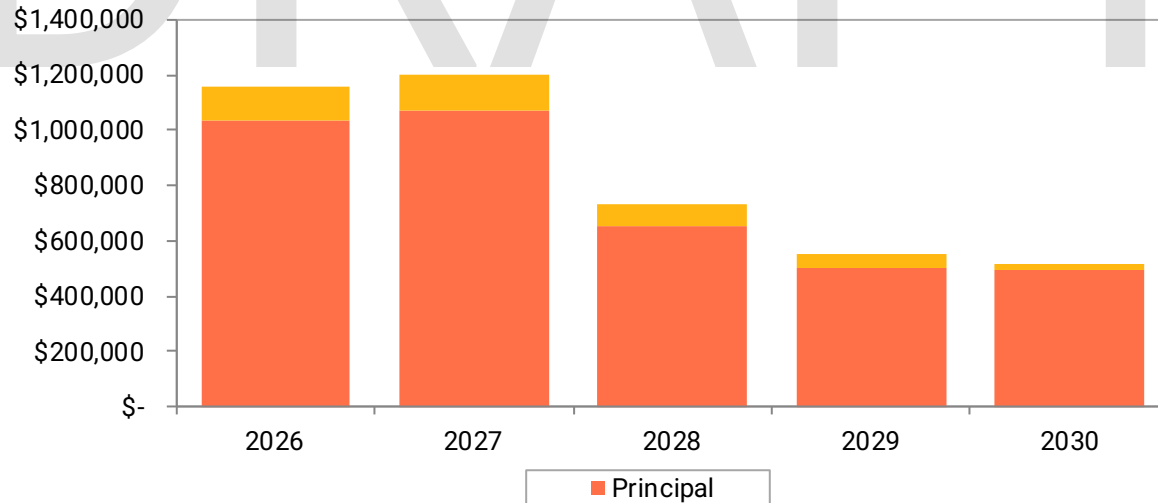


\* Percentile data and state average obtained from School District Profile reports published by the MDE

# Debt Service Fund

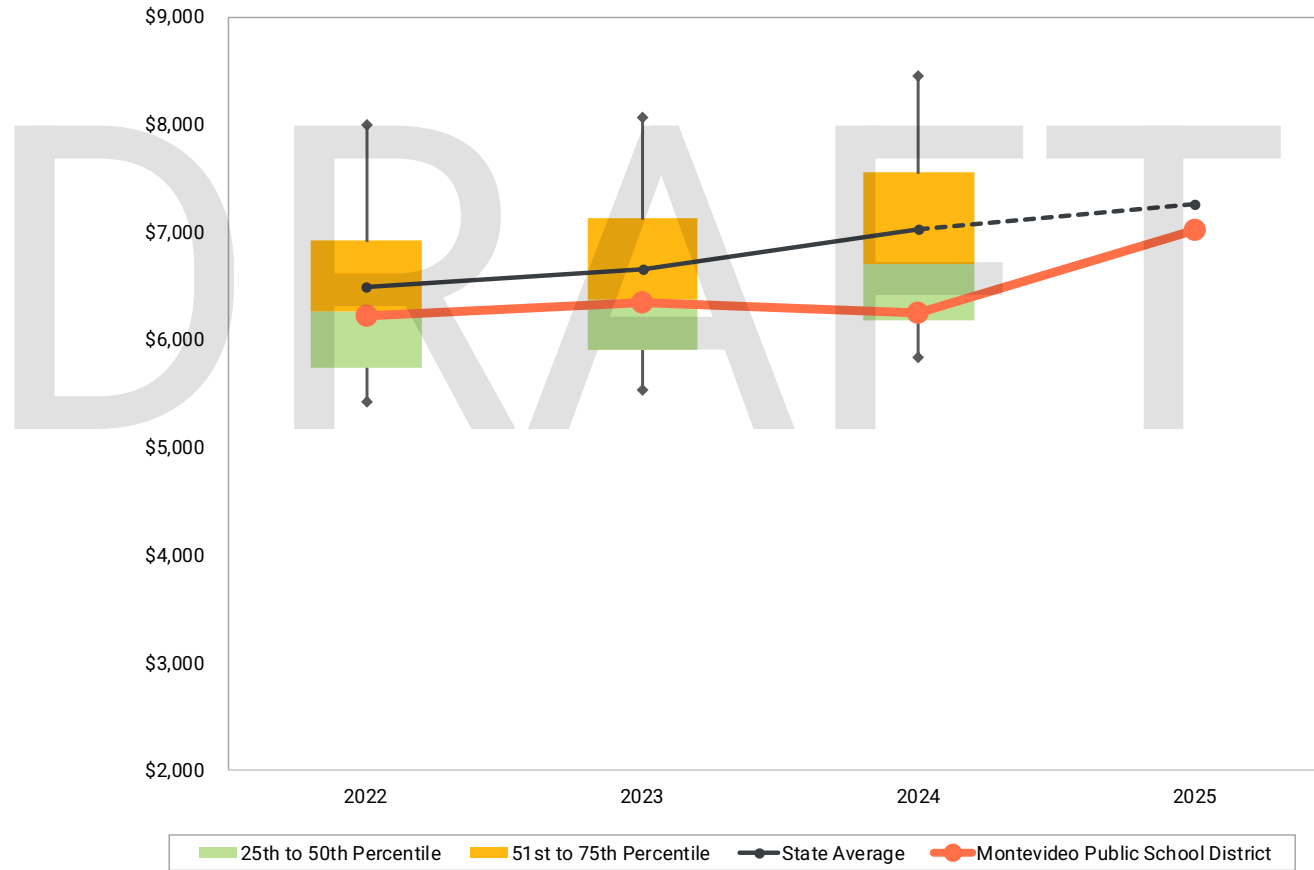
Description	Authorized and Issued	Interest Rate	Maturity Date	Balance at Year End	Due Within One Year
G.O. Facilities Maintenance & Tax Abatement Bonds, Series 2025A	\$ 3,655,000	5.00 %	02/01/30	\$ 3,650,000	\$ 1,010,000
Capital Facilities Bonds Series 2014A	295,000	2.00 - 3.00	02/01/29	100,000	25,000
<b>Total Debt Outstanding</b>				<b>\$ 3,750,000</b>	<b>\$ 1,035,000</b>

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# KEY PERFORMANCE INDICATORS

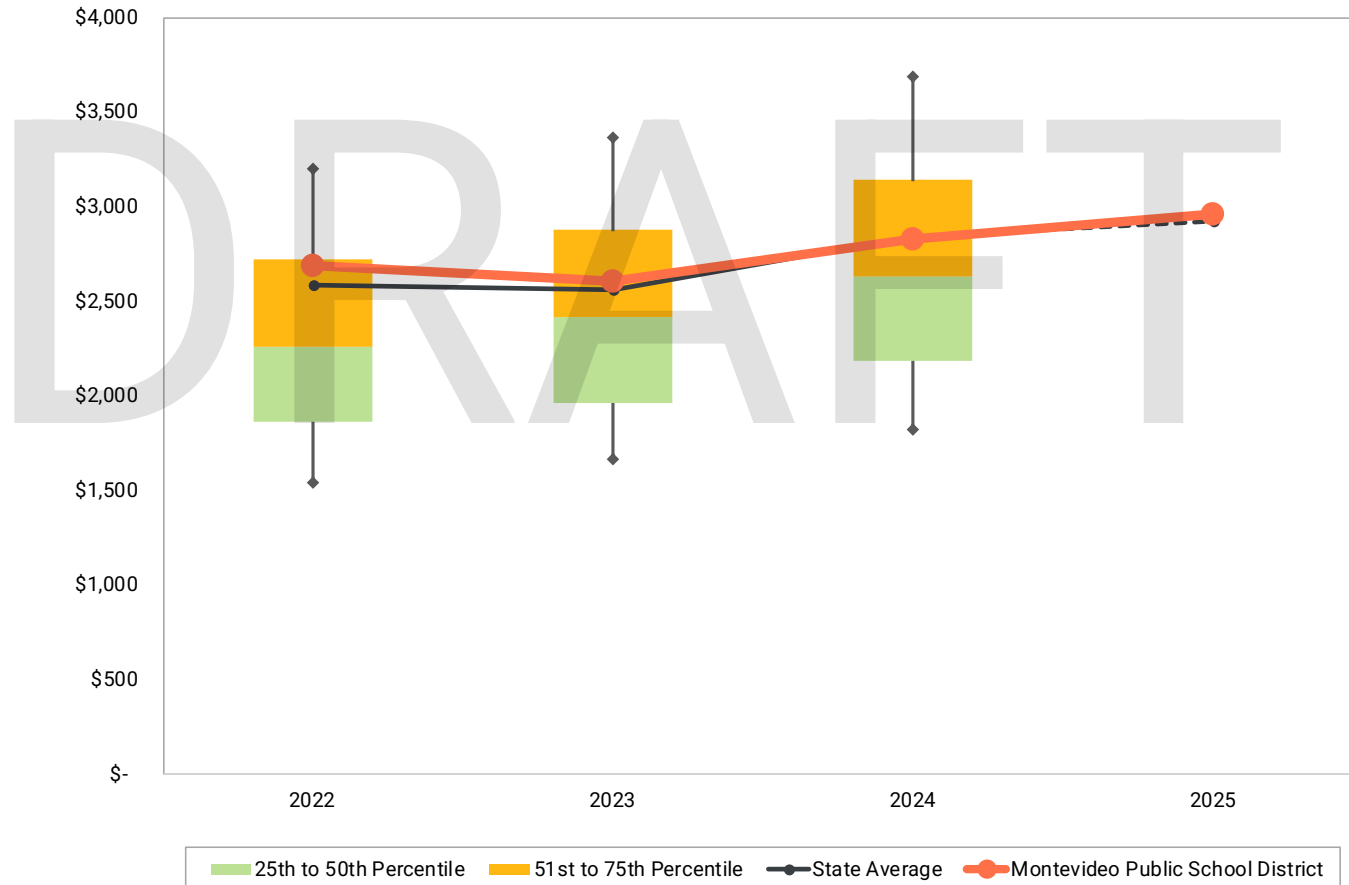
## Elementary and Secondary Regular Instruction per ADM



\* Percentile data and state average obtained from School District Profile reports published by the MDE

KEY PERFORMANCE INDICATORS

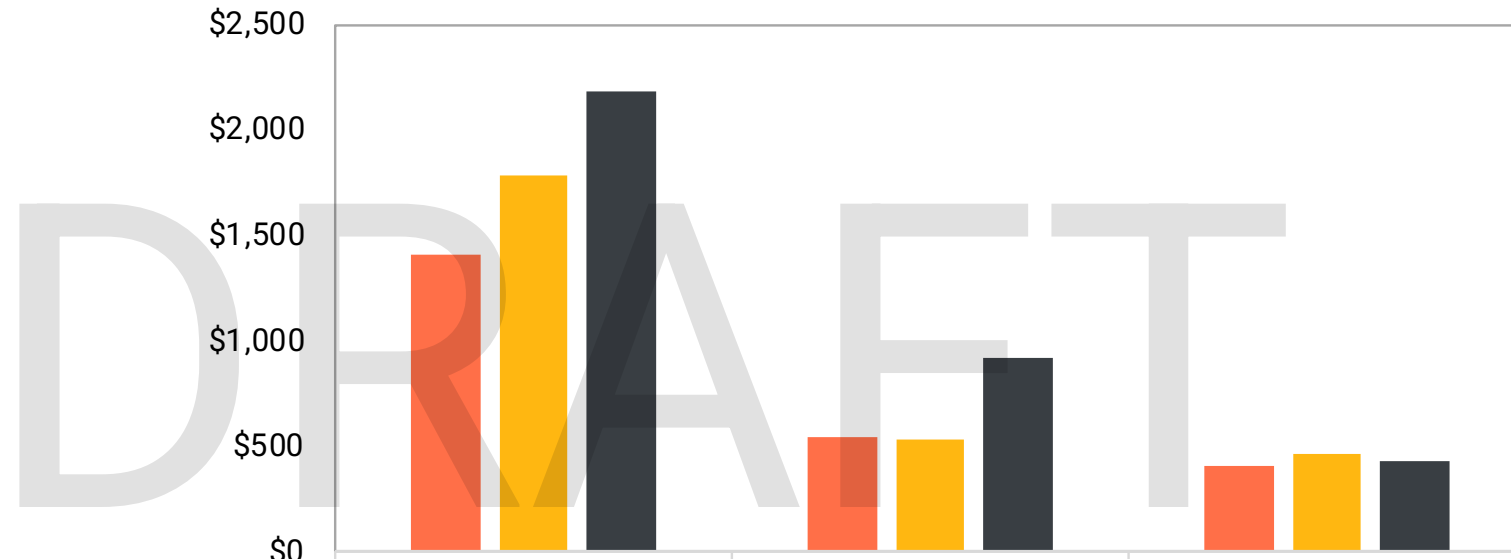
# Special Education Expenditures per ADM



\* Percentile data and state average obtained from School District Profile reports published by the MDE

KEY PERFORMANCE INDICATORS

# Property Taxes



	Per ADM	Average School District Property Tax Per Home	District Property Tax Per 100K Home Value After Credits
■ Montevideo Public School District	\$1,402	\$543	\$400
■ Region 06W*	\$1,777	\$531	\$463
■ Statewide Average*	\$2,182	\$913	\$425

\* Percentile data and state average obtained from School District Profile reports published by the MDE

# Your Abdo Team



*Brad*  
**FALTYESEK**  
CPA - Partner



*Abby*  
**SCHMIDT**  
CPA – Senior Manager



*Michelle*  
**THISSEN**  
CPA – Senior Associate



*Hannah*  
**ANDERSON**  
Associate



*Luke*  
**MULDER**  
Associate

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ISD 129 – MONTEVIDEO PUBLIC SCHOOLS  
Minutes of Regular School Board Meeting  
Held November 10, 2025, in Montevideo, MN

Chairman Stenson called the regular meeting of the School Board of Independent School District #129 to order at 6:02 p.m. on Monday, November 10, 2025, in the District Board Room of Montevideo Middle School.

Members present were Wibben, Shourds, Norman, Birhanzi, & Stenson. Member Miller arrived at 6:03 p.m. Superintendent Skjeveland, Chief Business Official, Adam Spray, Principal, Sachariason, Principal Maethner, and members of the staff and community were also present.

Director Shourds made the motion, and Director Norman seconded the motion to approve the agenda as presented. The Motion carried unanimously.

Heidi Huseby, MTSS Coordinator, provided an update on the Multi-Tiered Systems of Support program happening in our district.

Director Birhanzi made the motion, and Director Wibben seconded the motion to approve the Consent Agenda as presented. The Motion carried unanimously.

- Regular Board of Education Meeting Minutes – October 13, 2025
- School Board Work Session Minutes – October 21, 2025
- Special Board of Education Meeting Minutes – October 27, 2025
- November Board Bills

**TOTAL EXPENDITURES BY FUND**

GENERAL FUND	\$	248,292.87
FOOD SERVICE	\$	1,670.28
COMMUNITY SERVICES	\$	2,973.98
CAPITAL EXPENDITURE	\$	45,453.60
BUILDING CONSTRUCTION	\$	164,755.75
STUDENT ACTIVIES	\$	3,801.08
MINN RIVER VALLEY ED DIST	\$	171,510.75
MRVED COMMUNITY EDUCATION	\$	3,499.64
<b>TOTAL BY FUND</b>	<b>\$</b>	<b>641,957.95</b>

- Treasure Report
- Personnel Actions
  - Employment: Debbie Christians, Special Ed Teacher, Sanford Elementary, for the remainder of the 25–26 school year. Alexi Barrett, Special Ed Para, Sanford Elementary. Aaron Sears, Special Ed Para, Sanford Elementary. Ronita Keneto, Special Ed Para, Ramsey Elementary.
  - Reassignment: David Vane has been reassigned to Ramsey Elementary Special Ed Teacher for the remainder of the 25=26 school year.
  - Fall Extra-Curricular Assignments
- Resolution Accepting a Gift, Donation, Contribution, or Bequest – None this month
- Superintendent’s Report
- Chairman Stenson provided an update on the Negotiations process.
- Student Representative, Emmary Birhanzi, provided an update on the high school.
- Administrators Report
- Congratulatory Recognition: Congratulations to all of the Fall 2025 Athletes, Honors & Awards.

Discussion Items:

Superintendent Jamie Skjeveland provided an update on the February 10 Bond Referendum.

Policies 414, 416, 418, and 425 have received revisions. These policies are MSBA model policies. These policy revisions will be brought back to the School Board in December for formal approval.

Action Items:

Motion by Director Miller and seconded by Director Wibben to approve and adopt the Resolution Establishing Combined Polling Places for elections held in 2026. After a roll call vote, all members voted Aye, and the motion carried.

Motion by Director Birhanzl and seconded by Director Shourds to approve policies 506, 722, and 806. The motion carried unanimously.

Motion by Director Wibben and seconded by Director Norman to approve the 2025-26 Teacher's Seniority List. The motion carried unanimously.

Motion by Director Shourds and seconded by Director Birhanzl to ratify the 2025-2027 Contract with the Montevideo School Clerical Personnel. With Director Miller abstaining, all other members voted Aye. The motion carried.

Motion by Director Birhanzl and seconded by Director Miller to approve the membership in the Minnesota Infinity Online Consortium. The motion carried unanimously.

Adjournment: Motion by Director Birhanzl and seconded by Director Shourds to adjourn the meeting at 7:02 p.m. The motion carried unanimously.

**MONTEVIDEO PUBLIC SCHOOLS  
MONTHLY WARRANTS  
DECEMBER 8, 2025**

Check #	Vendor	Amount	Description
70961	4.0 SCHOOL SERVICES INC	256,642.80	OCTOBER & NOVEMBER TRANSPORTATION
70962	A&B BUSINESS SOLUTIONS	1,535.76	PRINTER LEASES
70963	AMAZON CAPITAL SERVICES, INC	4,765.84	MISC SUPPLIES
70964	AMERICAN WELDING & GAS, INC	38.56	AG SHOP SUPPLIES
70965	ASHA	250.00	MEMBERSHIP
70966	BISBEE PLUMBING & HEATING	42,067.00	NEW FLUSH VALVES
70967	BOARD OF SCHOOL ADMINISTRATOR	200.00	BOSA FEES
70968	BORCH'S SPORTING GOODS	45.00	SCOREBOOKS
70969	BSN SPORTS	350.70	MAT TAPE & NETS
70970	CAMBRIDGE-ISANTI SCHOOLS	2,229.13	INTERNET SERVICE
70971	CHAPPEL CENTRAL INC	810.00	SERVICE CALLS
70972	CHARMTECH LABS LLC (CAPTI)	3,007.00	CAPTI READBASIX & PD
70973	CHIPPEWA COUNTY TREASURER	1,173.37	PROPOSED TAX NOTICES
70974	CLARA CITY TELEPHONE	479.00	FIBER LEASE
70975	CLEARWAY COMMUNITY SOLAR	11,830.83	SOLAR GARDEN CREDITS
70976	COMMUNITY EDUCATION DEPT	9,970.00	SWNS TUITION FOR ECSE STUDENTS
70977	CULLIGAN ULTRAPURE INC	87.35	SALT & WATER
70978	DOUBLE D DEVELOPMENT	17,099.68	HAWKS NEST LEASE
70979	DSC COMMUNICATIONS	2,805.47	BUS RADIOS
70980	ECKROTH MUSIC	10.40	MUSIC SUPPLIES
70981	ECOLAB PEST ELIMINATION	588.08	PEST ELIMINATION - ALL BUILDINGS
70982	FOLLET CONTENT SOLUTIONS, LLC	984.27	LIBRARY ORDERS
70983	GAG SHEET METAL, INC	632.75	ROOF REPAIR
70984	GREAT PLAINS NATURAL GAS	1,647.15	NATURAL GAS BILLINGS
70985	HILLYARD FLOOR CARE SUPPLY	7,061.00	CUSTODIAL SUPPLIES
70986	INFINITY ONLINE	4,525.00	INIFINITY ONLINE
70987	INNOVATIVE OFFICE SOLUTIONS, LLC	287.33	MISC SUPPLIES
70988	ISD #129 - MONTEVIDEO	210.00	TENNIS PROGRAM FUND
70989	ISD #378-DAWSON	11,597.57	SHARED WRESTLING PROGRAM
70990	JEFF DEHLER PUBLIC RELATIONS LLI	15,750.00	ELECTION PR CONTRACT
70991	JOHN DEERE FINANCIAL	21.28	CUSTODIAL SUPPLIES
70992	KDMA (AM)/KMGH (FM)	166.00	HOLIDAY ADS
70993	KENNEDY & GRAVEN CHARTERED	1,924.50	LEGAL SERVICES
70994	LAURITSEN SEPTIC AND DRAIN	495.00	MAIN LINE CLEANING
70995	MCEA	963.00	MEMBERSHIP
70996	MILESTONES & MEMORIES, LLC	419.95	GRADUATION SUPPLIES
70997	MILLENNIUM THEATER	180.00	FFA MOVIE
70998	MIND YOUR BUSINESS	15.69	SHIPPING
70999	MN ASSN OF SEC SCHOOL PRINC	405.00	WINTER CONF REGISTRATION
71000	MN RIVER VALLEY EDUCATION DIST	6,700.00	FLY YEAR COLLABORATIVE
71001	MOLDE'S ELECTRIC & MECHANICAL II	4,715.92	ELECTRICAL REPAIRS
71002	MONTE CANDY CO	130.00	CONCESSIONS
71003	MONTE HARDWARE HANK	17.72	CUSTODIAL SUPPLIES
71004	MONTEVIDEO ARMORY FUND	15,000.00	TACC LEASE
71005	MONTEVIDEO MARKET	761.85	FACS SUPPLIES
71006	MUSIC STREET INC	94.50	MUSIC SUPPLIES
71007	NCS PEARSON INC	110.90	TESTING PROTOCOLS
71008	NEW DOMINION SCHOOL	8,093.36	IN CARE & TREATMENT SERVICES
71009	OFFICE OF MNIT SERVICES	40.33	COMPUTING SERVICES
71010	OLSEN PLUMBING & HEATING INC	775.88	PLUMBING REPAIRS
71011	PETTY CASH FUND	3,853.05	PETTY CASH REIMBURSEMENTS

**MONTEVIDEO PUBLIC SCHOOLS  
MONTHLY WARRANTS  
DECEMBER 8, 2025**

71012	QUADIENT LEASING USA, INC	464.07	POSTAGE MACHINE LEASE
71013	RANDI'S STITCH & SCREEN	300.00	FALL PLAY SHIRTS
71014	RAYMO, BRANDON J	84.75	COACHES MEMBERSHIP
71015	REGENTS OF THE UNIV OF MN	3,500.00	MN PRINCIPALS ACADEMY
71016	RENNEBERG HARDWOODS INC	1,773.33	WOOD SHOP SUPPLIES
71017	RIVERSIDE INSIGHTS	360.00	TESTING PROTOCOLS
71018	RUNNING'S SUPPLY INC	231.95	CUSTODIAL SUPPLIES
71019	SARLETTES MUSIC	595.92	BAND REPAIRS/SUPPLIES
71020	SCHOOL SPECIALTY INC	193.43	MISC SUPPLIES
71021	SCHWIETERS FORD	111.44	VEHICLE SERVICE
71022	SJ MILLER ARTS	300.00	ART HISTORY
71023	SPARKY'S WELDING & FABRICATION	7,560.00	REPAIRS TO PAYLOADER
71024	STAR GROUP, LLC	14.49	CUSTODIAL SUPPLIES
71025	SW/WC SERVICE COOPERATIVE	21,075.00	SLP SERVICES/DATA PRIVACY BILLING
71026	TAHER, INC	121,099.51	FOOD SERVICE SERVICES
71027	T-MOBILE	89.25	BUS ACCESS POINTS
71028	TOSTENSON LANDFILL	4,026.71	GARBAGE SERVICES
71029	TRANE US INC	208.00	HVAC CONTROLS
71030	TREVIPAY	2,070.91	MISC SUPPLIES
71031	TRIO SUPPLY COMPANY	830.15	FOOD SERVICE SUPPLIES
71032	VISA	8,416.10	MISC SUPPLIES
71033	WESTERN PSYCHOLOGICAL SERVICE	96.80	TESTING PROTOCOLS
71034	WILLIAMSON, JENNA	47.50	COACHES MEMBERSHIP
9000000106	AKER, SHAWN	74.75	COACHES MEMBERSHIP
9000000107	ARNDT, KRISTI L	35.14	BETWEEN BUILDING MILEAGE
9000000108	BEADELL, AARON	95.75	COACHES MEMBERSHIP
9000000109	BRADY, JEREMY ANTHON	1,194.98	NSTA CONFERENCE EXPENSES
9000000110	BROWN, ELIZABETH C	46.51	FIELD TRIP REIMBURSEMENT
9000000111	BROWN, SERENA M	32.20	BETWEEN BUILDING MILEAGE
9000000112	CARLSON, KAILEE A	24.15	BETWEEN BUILDING MILEAGE
9000000113	CHRISTENSON, MARTIN J	90.75	COACHES MEMBERSHIP
9000000114	CHRISTOPHERSON, KRIS A	146.01	ECFE REIMBURSEMENTS
9000000115	DISCOVER YOUR SISU THERAPY SEF	4,541.58	OT SERVICES
9000000116	DOUGLAS, DANIEL B	53.50	COACHES MEMBERSHIP
9000000117	ENEVOLDSEN, RENELLE JOY	58.50	COACHES MEMBERSHIP
9000000118	EPEMA, TIMOTHY D	117.69	CLASSROOM SUPPLIES& COACH MEMBERSHIP
9000000119	FRAGODT, CONNIE	32.90	HOME VISIT MILEAGE
9000000120	GATCHELL, JODY A	35.24	CUSTODIAL SUPPLIES
9000000121	GIESE, CHRISTOPHER B	23.61	CLASSROOM SUPPLIES
9000000122	GOPHER STATE ONE CALL	6.75	LOCATING SERVICES
9000000123	GOVCONNECTION, INC	2,106.50	TECHNOLOGY ORDERS
9000000124	HAMPTON, DANIEL H	476.22	FALL PLAY REIMBURSEMENTS
9000000125	HAWKINS INC	785.68	POOL CHEMICALS
9000000126	HENDRICKSON, KURT A	74.75	COACHES MEMBERSHIP
9000000127	IS-CORP	281.25	FINANCE SOFTWARE HOST
9000000128	KIENITZ, BRADY D	230.75	COACHES MEMBERSHIP
9000000129	KNUTSON, TAYLOR JOY	74.75	COACHES MEMBERSHIP
9000000130	KOEBNICK, MITCHEL D	84.75	COACHES MEMBERSHIP
9000000131	LIPPERT, ERIN	64.30	BLOOKET SUBSCRIPTION
9000000132	LUND, DEANNE M	97.68	FACS SUPPLIES
9000000133	MACZIEWSKI, AMANDA L	100.75	COACHES MEMBERSHIP
9000000134	MADER, JOHN C	63.50	COACHES MEMBERSHIP



**MONTEVIDEO PUBLIC SCHOOLS  
MONTHLY WARRANTS  
DECEMBER 8, 2025**

11/20/2025 WIRE FROM LAF TO OLD NATIONAL	\$	350,000.00	INS PAYMENT/BILLS
11/24/2025 WIRE FROM LAF TO MINNWEST	\$	275,000.00	PAYROLL
11/24/2025 WIRE FROM PMA TO MINNWEST	\$	400,000.00	PAYROLL

**NOVEMBER 2025 MANUAL CHECKS**

70805 LA PLAZITA	\$	3,000.00	CAREER FAIR
70806 WALMART-CAPITAL O NE	\$	3,466.11	MISC EXPENSES
70807 XCEL ENERGY	\$	1,343.17	ELECTRICAL SERVICE
70808 VISA	\$	7,167.69	MISC EXPENSES
70924 CHARTER COMMUNICATIONS	\$	309.98	PHONE/INTERNET SERVICE
70925 DISCOVER YOUR SISU THERAPY SERVICES, LLC	\$	5,486.41	OT SERVICES
70926 FARMERS UNION OIL COMPANY	\$	1,710.83	FUEL/SUPPLIES
70927 NEW DOMINION SCHOOL	\$	8,461.24	IN CARE TREATMENT SERVICES
70928 TAHER, INC	\$	160,075.08	FOOD SERVICE OPERATIONS
70929 TREVIPAY	\$	615.67	MISC EXPENSES
70930 VERIZON WIRELESS	\$	734.72	MOBILE PHONE SERVICE
70942 CENTURYLINK-AZ	\$	122.29	ILP
70943 JOHNSON CONTROLS FIRE PROTECTION LP	\$	650.00	MRVED ANNUAL FEE
70944 XCEL ENERGY	\$	757.76	MRVED ELECTRICAL SERVICE
70945 ISD #378 - DAWSON	\$	3,405.00	24-25 MVCC SP ED

**TOTAL NOVEMBER 2025 MANUAL CHECKS \$ 197,305.95**

**NOVEMBER 2025 PAYROLL DEDUCT CHECKS/EFT PMTS**

US TREAS	US TREASURY	\$	143,258.69	FEDERAL PAYROLL TAX
US TREAS	US TREASURY	\$	134,931.55	FEDERAL PAYROLL TAX
MN REV	MN DEPARTMENT OF REVENUE	\$	22,241.05	STATE WITHHOLDING
MN REV	MN DEPARTMENT OF REVENUE	\$	21,095.95	STATE WITHHOLDING
MN TRA	MINNESOTA TEACHERS RETIREMENT ASSO	\$	79,975.40	TRA EFT
MN TRA	MINNESOTA TEACHERS RETIREMENT ASSO	\$	78,085.59	TRA EFT
MN PERA	MN PUBLIC EMPLOYEES RETIREMENT ASSO	\$	28,312.09	PERA EFT
MN PERA	MN PUBLIC EMPLOYEES RETIREMENT ASSO	\$	26,296.73	PERA EFT
BCBS	BLUE CROSS BLUE SHIELD OF MINN	\$	221,767.00	HEALTH EFT
EBC	EDUCATORS BENEFIT CONSULTANTS	\$	29,969.68	PAYROLL 403(B) EFT
EBC	EDUCATORS BENEFIT CONSULTANTS	\$	29,868.17	PAYROLL 403(B) EFT
70917	AFLAC	\$	1,427.41	PAYROLL ACCRUAL
70918	AFSCME COUNCIL 65	\$	608.83	PAYROLL ACCRUAL
70919	ISD #129 - MONTEVIDEO	\$	2,229.88	PAYROLL ACCRUAL
70920	MEA	\$	9,952.37	PAYROLL ACCRUAL
70921	MONTEVIDEO PUBLIC SCHOOL	\$	60.00	PAYROLL ACCRUAL
70922	SOUTHWEST INITIATIVE FOUNDATION	\$	246.50	PAYROLL ACCRUAL
70923	WI SCTF	\$	324.00	PAYROLL ACCRUAL
70931	AFSCME COUNCIL 65	\$	603.54	PAYROLL ACCRUAL
70932	AVIBEN	\$	168.84	PAYROLL ACCRUAL
70933	ISD #129 - MONTEVIDEO	\$	2,229.88	PAYROLL ACCRUAL
70934	MADISON NATIONAL LIFE INS	\$	5,742.72	PAYROLL ACCRUAL
70935	MEA	\$	9,952.37	PAYROLL ACCRUAL
70936	METLIFE	\$	7,900.34	PAYROLL ACCRUAL
70937	MONTEVIDEO PUBLIC SCHOOL	\$	35.00	PAYROLL ACCRUAL
70938	NCPERS GROUPE LIFE INS	\$	48.00	PAYROLL ACCRUAL
70939	SOUTHWEST INITIATIVE FOUNDATION	\$	246.50	PAYROLL ACCRUAL
70940	VSP INSURANCE CO	\$	1,613.43	PAYROLL ACCRUAL
70941	WI SCTF	\$	324.00	PAYROLL ACCRUAL

**TOTAL PAYROLL CHECKS/EFTS \$ 746,697.36**

**MONTEVIDEO PUBLIC SCHOOLS  
MONTHLY WARRANTS  
DECEMBER 8, 2025**

**NOVEMBER 2025 PETTY CASH DISBURSEMENTS**

11/14/2025	BOLD Dance Boosters	\$	240.00	BOLD Dance Competition - Montevideo routines
11/4/2025	Dack, Josh	\$	36.00	Fall 2025 MSO
11/4/2025	Glady, Mark	\$	297.00	Fall 2025 MSO
11/14/2025	GSL Dance Team	\$	120.00	GSL Dance Invite - Montevideo 2 routines
11/18/2025	Gullickson, Vance	\$	150.00	GBB Official 11/20/25
11/4/2025	HIRE IMAGE, LLC	\$	196.30	Employee Background Check/Driving Records
11/4/2025	Hutchinson High School	\$	150.00	Girls Swim & Dive True Team
11/4/2025	Jimmy John's Volleyball Tournament	\$	315.00	2026 Jimmy John's Volleyball Tournament
11/18/2025	Johnson, Matt	\$	150.00	GBB Official 11/20/25
11/18/2025	Ninham, Daniel	\$	250.00	Indigenous games programming
11/14/2025	PELSB	\$	57.00	Short Call Sub License - F Leal
11/14/2025	PELSB	\$	57.00	Short Call sub license - E Geurtz
11/18/2025	PELSB	\$	90.25	Short Call Sub License - D Birdsall
11/14/2025	Redepenning, Gilbert	\$	400.00	Cookies with Santa
11/18/2025	Renville County West Public Schools	\$	300.00	Dance Comp - Montevideo 4 Routines
11/18/2025	Schmidgall, John	\$	150.00	GBB Official 11/20/25
11/14/2025	Stueckrath, Arla	\$	60.00	Cooking 101 Assistant
11/4/2025	Thompson, Jamey	\$	315.00	Fall 2025 MSO
11/4/2025	Trewick, Jen	\$	49.50	Fall 2025 MSO
11/18/2025	Wellness For Living	\$	470.00	Squishmallow & Culinary Crafts

**NOVEMBER 2025 PETTY CASH TOTAL \$ 3,853.05**

**Independent School District No. 129  
TREASURER'S REPORT TO THE SCHOOL BOARD**

Date of Report: December 2025      For the Month of: November 2025

<b>Funds</b>	<b>Balance Beginning of Month</b>	<b>Receipts</b>	<b>Disbursements</b>	<b>Accounting/P rior Year Adjustments</b>	<b>Balance End of Month</b>
General	2,520,881.49	3,876,716.45	4,594,430.09	-620,376.31	1,182,791.54
Food Service	657,527.08	910.85	161,923.06	-8,764.00	487,750.87
Community Service	-423,979.36	94,616.91	155,467.83	7,320.16	-477,510.12
Capital Outlay	-748,742.25	306.34	47,929.95	144,183.63	-652,182.23
Building Construction	616,244.02	206,396.65	329,511.50	5,897.57	499,026.74
Debt Service	1,292,736.25	133,628.04	0.00	-31,949.00	1,394,415.29
Flex Benefit	16,509.69	2,229.88	5,148.07		13,591.50
Student Activities	273,746.57	20,480.24	4,759.51	-641.00	288,826.30
MRVED	2,297,762.06	120,746.92	349,835.90	511,149.11	2,579,822.19
<b>TOTALS</b>	<b>6,502,685.55</b>	<b>4,456,032.28</b>	<b>5,649,005.91</b>	<b>6,820.16</b>	<b>5,316,532.08</b>

**RECONCILEMENT OF TREASURER'S BALANCE WITH BANK STATEMENTS**

<b>Bank</b>	<b>Bank Balance</b>	<b>Outstanding Checks</b>	<b>Outstanding Deposits</b>	<b>Other Reconciling Items</b>	<b>Balance Per Treasurer's Books</b>
<b>Checking</b>					
Old National Bank	\$366,707.41	\$268,250.49	\$1,833.00	-\$29,868.17	\$ 70,421.75
MinnWest Bank	\$24,580.42	\$284.62		-\$21,095.95	\$ 3,199.85
Flex Account	\$14,916.50	\$1,325.00			\$ 13,591.50
HS Checking - MW	\$2,942.31	\$31.18			\$ 2,911.13
<b>Trust Accounts</b>					
			<b>Interest Rate</b>		
PMA MN Trust			3.87%	\$	1,250,147.09
PMA - 2025A			3.87%	\$	606,764.51
Liquid Asset Fund			3.84% & 3.92%	\$	147,422.69
<b>Investments</b>					
		<b>Maturity Date</b>			
Co-op Credit Union				\$	329.09
Old National Bank- Scholarship		6/11/2026	4.26%	\$	146,345.83
MN Trust Full Flex (TFed CU), IL		12/31/2025	3.83%	\$	255,792.45
Cornerstone Bank, NE		1/26/2026	4.75%	\$	229,000.00
Farmers & Merchants Union Bank, WI		1/12/2026	4.94%	\$	232,550.00
Financial Federal Bank, TN		1/12/2026	5.05%	\$	232,200.00
Harmony Bank, TX		1/12/2026	4.90%	\$	232,700.00
First National Bank of McGregor, TX		7/21/2026	4.75%	\$	227,900.00
ServisFirst Bank, FL		7/21/2026	4.98%	\$	226,950.00
CIBC Bank USA, MI		1/26/2026	4.31%	\$	235,300.00
First Internet Bank of Indiana, IN		7/27/2026	4.47%	\$	229,700.00
Western Alliance Bank, CA		1/26/2026	4.03%	\$	245,800.00
BOM Bank, LA		1/26/2026	4.08%	\$	245,700.00
Consumers Credit Union, IL		8/28/2026	4.08%	\$	240,100.00
American Commercial Bank & Trust		1/25/2027	3.96%	\$	236,700.00
Investors Choice			0.01%	\$	5,006.19
<b>Treasurer's Balance Per Books</b>					<b>\$5,316,532.08</b>

PERIOD ENDING NOVEMBER 30, 2025

MONTEVIDEO PUBLIC SCHOOLS

2025-2026 BUDGET COMPARISON REPORT

REVENUES	25-26 BUDGET	25-26 YTD RECEIVED	% RECEIVED	24-25 BUDGET	24-25 YTD RECEIVED	% RECEIVED
General Fund-01	\$22,086,768.00	\$5,528,946.77	25.03%	\$21,630,219.00	\$5,266,007.24	24.35%
Food Service Fund-02	\$1,459,700.00	\$21,691.68	1.49%	\$1,368,000.00	\$33,428.78	2.44%
Community Education Fund-04	\$1,692,466.00	\$426,727.79	25.21%	\$1,654,665.00	\$493,655.17	29.83%
Capital Outlay-05	\$1,071,069.00	\$0.00	0.00%	\$1,100,641.00	\$12,688.00	1.15%
Building Construction-06	\$0.00	\$35,566.74	0.00%	\$0.00	\$0.00	0.00%
Debt Redemption Fund-07	\$1,336,387.00	\$579,575.58	43.37%	\$1,222,749.00	\$527,399.92	43.13%
Student Activities - 50	\$386,400.00	\$66,470.13	17.20%	\$386,400.00	\$67,449.17	17.46%
<b>TOTAL OF ALL FUNDS</b>	<b>\$28,032,790.00</b>	<b>\$6,658,978.69</b>	<b>23.75%</b>	<b>\$27,362,674.00</b>	<b>\$6,400,628.28</b>	<b>23.39%</b>
<b>***Less FUND 06</b>	<b>\$28,032,790.00</b>	<b>\$6,623,411.95</b>	<b>23.63%</b>	<b>\$27,362,674.00</b>	<b>\$6,400,628.28</b>	<b>23.39%</b>

EXPENDITURES	25-26 BUDGET	25-26 YTD EXPENDED	% EXPENDED	24-25 BUDGET	24-25 YTD EXPENDED	% EXPENDED
General Fund-01	\$22,080,610.00	\$7,083,943.05	32.08%	\$21,561,544.00	\$6,120,629.03	28.39%
Food Service Fund-02	\$1,557,586.00	\$483,425.61	31.04%	\$1,542,141.00	\$442,610.09	28.70%
Community Education Fund-04	\$1,623,225.00	\$638,634.42	39.34%	\$1,651,965.00	\$642,408.55	38.89%
Capital Outlay-05	\$1,341,873.00	\$482,854.37	35.98%	\$1,324,600.00	\$1,297,315.17	97.94%
Building Construction-06	\$0.00	\$2,871,026.08	0.00%	\$0.00	\$0.00	0.00%
Debt Redemption Fund-07	\$1,228,638.00	\$475.00	0.04%	\$1,118,250.00	\$712.50	0.06%
Student Activities - 50	\$366,800.00	\$34,408.86	9.38%	\$366,800.00	\$31,180.68	8.50%
<b>TOTAL OF ALL FUNDS</b>	<b>\$28,198,732.00</b>	<b>\$11,594,767.39</b>	<b>41.12%</b>	<b>\$27,565,300.00</b>	<b>\$8,534,856.02</b>	<b>30.96%</b>
<b>***Less FUND 06</b>	<b>\$28,198,732.00</b>	<b>\$8,723,741.31</b>	<b>30.94%</b>	<b>\$27,565,300.00</b>	<b>\$8,534,856.02</b>	<b>30.96%</b>



<b>Advisor/Coach/Teacher Name</b>	<b>Organization</b>	<b>Type of Fundraiser</b>	<b>Dates</b>
Amanda Macziewski	Dance Team	50/50 Raffle	January 9, 2026
Alexis Mulder	Community Ed	Sell Pastry Puffins	February 9-23, 2026
Martin Christenson	Montevideo Football Team	Selling/delivering solar salt - Culligan	April 25, 2026
Derek Webb	Boys Basketball	Free-will donation & team registration fees	April 4, 2026
Elizabeth Brown	American Indian Education	Native Culture Club design & sell t-shirts	April 13 - May 1, 2026
Tim Epema	Montevideo Legion Post 59 Baseball	Coupon Books	March 12-April 1, 2026
Gabrielle Mazer	Prom Committee	VFW Steak & Shrimp night students serving	January 17, February 27 & March 27, 2026

## December School Board Report

### Food Drive

The student council at the high school recently held a food drive where they wanted these items to be given to people in need before Thanksgiving. In the past, our food drives haven't been extremely successful, so students advertised, made announcements, and said that the TA with the most items would win a pizza party. We were able to collect 804 items! These items were brought to a community member who sets up a free community food drive in a fish house around town.

### Lunch Service

Students shared several concerns about our high school lunch service. I will follow up with the food service team to understand the causes of these issues and discuss possible solutions.

Emmary Birhanzi

School Board Student Representative

# December Board Updates

## Hawks Nest: Kelly Snell

Community Education Fall programs for youth were well attended. Youth basketball and wrestling are geared up with mini-camps before the winter season gets into full swing. Taekwondo and Indoor Soccer are consistently popular recreation activities, and STEM, Culinary Craft, and Squishmallow Squad were two new enrichment programs offered this Fall. We partnered with the Montevideo Snowdrifters to help them provide the required Snowmobile Safety Field Course for ages 11-17. Adult offerings include Bachata, Weight Training for Women, Taekwondo, and Pickleball. Online adult enrichment courses are offered through the end of the year. The Winter/Spring brochure is currently at the printer and will be available to community members early in December.

ECFE hosted its annual Cookies with Santa event on December 1 with approximately 220 people in attendance. This is a family favorite with crafts, cookies, stories, and of course, Santa. Each student was also gifted a special book to promote early literacy.



Little Thunder Hawk Care successfully completed the DHS licensing audit with zero findings. Alexis Mulder, LTH Coordinator, is to be credited for her excellent work in assuring the program meets the extensive licensing requirements for staff ratio, training, facility, and supplies. The infant/toddler lead position remains unfilled at the Hawks Nest with no qualified applicants. Due to these staff shortages, we are not at the full capacity of children in our license. We will pull from our waitlist again when we have filled the open positions.

Small World and ECSE teachers held conferences in November. These are an important tool in connecting with parents to discuss age-appropriate development and kindergarten readiness. The LTH preschool classrooms will be conducting similar conferences in December.

As you can see, we are a busy building. It's a privilege to connect with our community and engage with families through Community Education.

# MES: Heidi Sachariason

## MES FAMILY ENGAGEMENT

### MES Hawk News

MES provides families with weekly newsletters. This is a strategy we use at the elementary level to keep families informed. Below are the newsletters we have had for families so far this year. Staff also receive a newsletter each week.

- [November 7th MES News for Families](#)
- [November 14th MES News for Families](#)
- [November 21st MES News for Families](#)
- [November 28th MES News for Families](#)

## MES COMMUNITY ENGAGEMENT

### Conferences

Parent-Teacher Conferences were scheduled for **November 24th (4:00 PM–8:00 PM)** and **November 25th (8:00 AM–8:00 PM)**. The day turned out to be a bit snowy. We had very good attendance from families; however, due to the weather, we are in the process of making up conferences that were rescheduled.

### Winter Program

The Elementary Winter Program is scheduled for December 8th, the same night as the board meeting. Ramsey will begin at 6 pm, and Sanford will follow at 7:15 pm.

### National Anthem

Students in grades 1-4 will be singing the National Anthem at the boys' basketball game at 7:15 pm on January 29th.

## MES STUDENT ACHIEVEMENT

### Assessment

This year, we have transitioned to 3 benchmarking or testing periods rather than four times or quarterly. So our next assessment window will be January 12-16. We are looking forward to seeing our students' growth. I will be able to share that with you at the February Meeting.

### Reading Curriculum

In January, the elementary learning level will have a board presentation. I am looking forward to sharing more about the implementation of our reading curriculum this fall, CKLA for grades K-4.

## MMS: Shawn Huntley

Greetings, Montevideo School Board

I would like to start by recognizing all of our staff, students, parents, and community members for all of their efforts and hard work. I am happy to share that MMS received an award from U.S. News and World Report as a top-performing middle school in Minnesota, ranking 116 out of 445 middle schools. Here is the link for our information:

<https://www.usnews.com/education/k12/minnesota/montevideo-middle-276051>

We received this award last year, and in 2022, as well.

We are running some advisory challenges through our HAWK Pride team. Each challenge runs for half of a quarter, and the top advisories receive an incentive. We recently sent 100 to see the movie Zootopia 2 because 7 advisories had zero tardies to school or class! Currently, for the first half of quarter 2, advisories with no office discipline referrals will receive a field trip to the new trampoline park opening in Burnsville this spring. You may be asking, "How do you know if the incentives are working?" Well, let's look at the data! With two days remaining for the discipline referral challenge, we have 70 total office discipline referrals. Comparing those same dates to last year's office discipline referrals, we had 132 referrals. This is almost a 50% reduction in office discipline referrals! I would say this is extremely effective! Group contingencies can be an effective tool to motivate students, hence the advisory challenges.

Thank you all for your time and support as we work together for our students, families, and our community!

## MHS: Tanya Maethner

November was a whirlwind, as all months seem to be! We concluded a successful round of parent-teacher conferences. Char, Gabby, and I attended conferences for students flagged for significant concerns regarding attendance, grades, and/or behavior issues. The focus of these meetings was to ensure clear communication of expectations and to ensure all students remain on a path toward academic success and graduation.

Our staff continues to prioritize work on horizontal alignment of standards across all grade levels and content areas. This commitment to continuous improvement reinforces the foundation of our instructional program through our MTSS systemic approach.

The annual Fall Play was a success and had great attendance from the community. The students delivered an outstanding performance, showcasing their dedication, talent, and commitment. We extend our sincere gratitude to the directors and production staff for their tireless efforts and hard work in mentoring our students and bringing such a high-quality production to the stage.

The official push toward graduation for our senior class has begun. On December 3, we presented the Montevideo Scholarship Program to all seniors, and the application portal opened that afternoon. This marks a critical time when seniors often struggle with the psychological shift of dividing their focus between finishing their current coursework and planning for their futures.

As we approach the holiday season, we are observing the expected increase in student anxiety, which often manifests as escalated behaviors. Navigating this period requires a delicate balancing act for our staff: holding students accountable for their actions while simultaneously being sensitive and compassionate toward the underlying stressors and situations they may be facing at home or in their personal lives. We are committed to employing restorative practices and providing emotional support alongside consistent application of behavioral expectations.

Finally, the push to the referendum is a priority, as the High School building continues to present some facilities challenges. We are grateful to our custodial staff, under the leadership of Jody Gatchell, for the hard work they put in daily to keep us up and running.

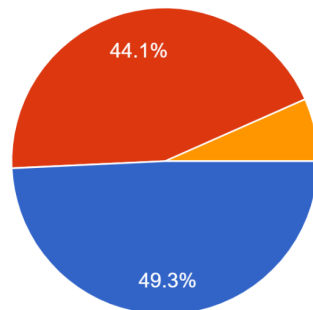
Thank you to the Montevideo School Board for your dedication to our District! Happy Holidays and cheers to health and happiness in 2026!

## Activities: Michael Trewick

Here are a couple of samples of our student evaluation responses that we got from our fall activities participants survey. The survey was sent to 226 athletes ranging from 7th grade through 12th grade. Responses were anonymous and we have gotten about 140 responses back. We asked 21 questions in total including grade, level you participated at, sport you played, and do you plan on playing next year. We will share and discuss responses with each of the coaches. This should be great information to help all the coaches and better serve our Montevideo students. I think it also shows that we are doing a pretty good job of mentoring our students. If you are interested in the survey I can share with you just let me know.

My coach provides leadership opportunities.

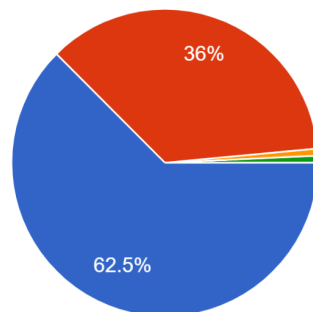
136 responses



- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

My coach emphasizes the importance of teamwork.

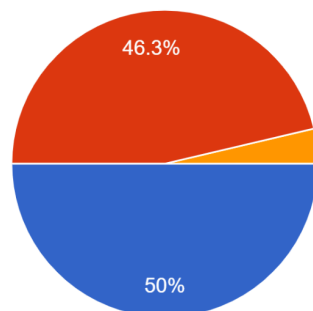
136 responses



- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

My coach exhibits confidence in his/her work and in others.

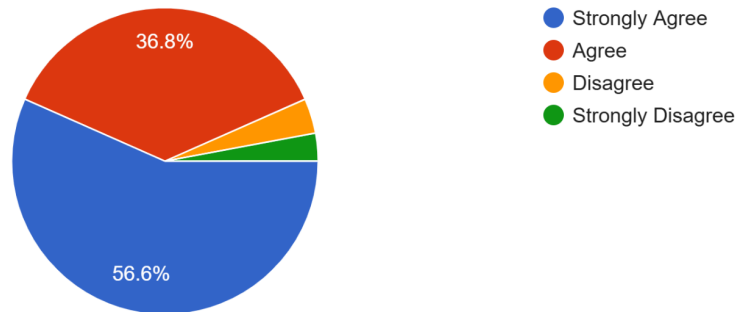
136 responses



- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

I feel free to approach my coach with questions, concerns, and ideas.

136 responses



## MTSS: Heidi Huseby

Hello School Board Members!



### Curriculum Alignment and Design: Tier 1 Standard Alignment:

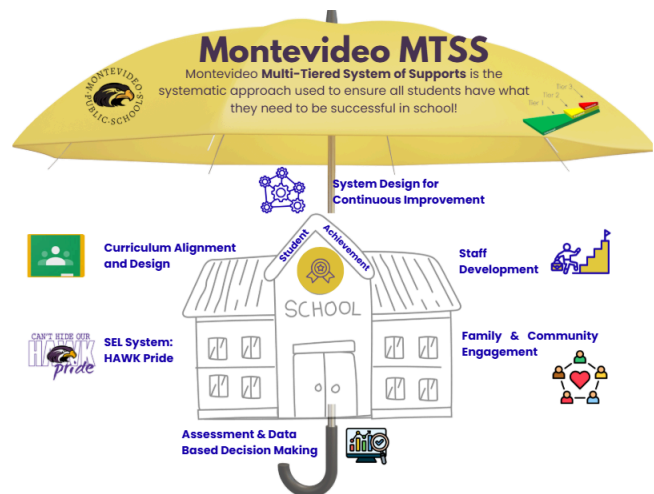
In October's board report I updated that teachers will be focusing largely on Tier 1 alignment of **Proficiency Standards**.

The first step is to come to a common horizontal alignment, which means teachers of the same grade level/content will collaborate to have common prioritized standards.

Teachers are continuing this work as work through a process called REAL-T. Teachers are in the phase of leverage, this means a skill will be rated higher if the skill is needed or used in different content areas.



### Assessment & Data Based Decision Making:



Our Students, PreK-8 are assessed 3 times a year Fall, Winter and Spring. The Winter testing window opens Dec. 12th and goes until January 16th.

*What's new in the world of assessment this year?*

In the MN READ Act, we are required to give a reading test to all 4th-12 grade students not reading at or above grade level as a diagnostic for interventions. This will be most beneficial in our MTSS process for data based decision making and Intervention matching for the upper grades!

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

MSBA/MASA Model Policy 501

Orig. 1995

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

Rev.

202~~5~~<sup>1</sup>

## 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. "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.
- B. "Possession" means having a weapon on one's person or in an area subject to one's control in a school location.
- C. "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.
- D. "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.

**[NOTE: In June 2025, MSBA organized these definitions in alphabetical order.]**

#### **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, section 624.714 or 624.715 or other firearms in accordance with Minnesota Statutes, section 97B.045;
    - a. Minnesota Statutes, section 624.714 specifies procedures and standards for obtaining pistol permits and penalties for the failure to do so. Minnesota Statutes, 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. Minnesota Statutes, 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 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 building principal shall, as soon as practicable, refer to the criminal justice or juvenile delinquency system, as appropriate, a student who brings a firearm to school unlawfully.
- D. 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 AND ACTIVE SHOOTER INCIDENTS IN SCHOOL ZONES**

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

B. The school district must electronically file an after-action review report for active shooter incidents and active shooter threats to the Minnesota Fusion Center as required under Minnesota Statutes, section 121A.06.

1. "Active shooter incident" means an event involving an armed individual or individuals on campus or an armed assailant in the immediate vicinity of the school.

2. "Active shooter threat" means a real or perceived threat that an active shooter incident will occur.

**[NOTE: The 2025 Minnesota legislature enacted the addition to 2.c (Session Law Chapter 35)].**

**Legal References:** Minn. Stat. § 97B.045 (Transporting Firearms)  
Minn. Stat. § 121A.05 (Policy to Refer Firearms Possessor)  
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, 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: \_\_\_\_\_

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

MSBA/MASA Model Policy 503  
Orig. 1995  
Rev.  
20254

## 503 STUDENT ATTENDANCE

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

### I. PURPOSE

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

### II. GENERAL STATEMENT OF POLICY

#### A. Responsibilities

##### 1. Student's Responsibility

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

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

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

##### 3. Teacher's Responsibility

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's responsibility to provide any student who has been absent with any missed assignments upon request. Finally, it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

##### 4. Administrator's Responsibility

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

B. Attendance Procedures

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

1. Excused Absences

- a. A parent, guardian, or other person having control of a child may apply to a school district to have the child excused from attendance for the whole or any part of the time school is in session during any school year. Application may be made to ~~any member of the board,~~ a truant officer, ~~or the school official designated by the~~ principal, ~~or the superintendent.~~ A note from a physician or a licensed mental health professional stating that the child cannot attend school is a valid excuse.

**[NOTE: The 2025 Minnesota legislature amended Minnesota Statutes, section 120A.22 as indicated above.]**

- b. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school.

**[NOTE: The school district may choose to include subparagraph (b).]**

- c. The board of the district in which the child resides may approve the application under subparagraph (a) above upon a legitimate exception being demonstrated to the satisfaction of that board.

d. Legitimate Exceptions

The following reasons shall be sufficient to constitute excused absences:

- (1) that the child's physical or mental health is such as to prevent attendance at school or application to study for the period required, which includes:

- (a) child illness, medical, dental, orthodontic, or counseling appointments; including appointments conducted through telehealth
  - (b) family emergencies;
  - (c) the death or serious illness or funeral of an immediate family member;
  - (d) active duty in any military branch of the United States;
  - (e) the child has a condition that requires ongoing treatment for a mental health diagnosis; or
  - (f) other exemptions included in this attendance policy.
- (2) that the child has already completed state and district standards required for graduation from high school; or
- (3) that it is the wish of the parent, guardian, or other person having control of the child, that the child attend for a period or periods not exceeding in the aggregate three hours in any week, instruction conducted by a Tribal spiritual or cultural advisor, or a school for religious instruction conducted and maintained by a church, or association of churches, or any Sunday school association incorporated under the laws of this state, or any auxiliary thereof. This instruction must be conducted and maintained in a place other than a public school building, and it must not, in whole or in part, be conducted and maintained at public expense. A child may be absent from school on days that the child attends upon instruction according to this clause.

**[NOTE: Subparagraph iii above incorporates the 2024 amendment to Minnesota Statutes, section 120A.22, subdivision 12.]**

**[NOTE: In 2024, the Minnesota legislature amended Minnesota Statutes, section 120A.22, subdivision 12. The legitimate exceptions set forth above quote this statute. Minnesota law provides that a school board may include other exemptions in the school district's attendance policy. When considering whether to add other exemptions, school boards should consider the intent of the compulsory attendance law, which recognizes the educational value of regular attendance and class participation, and whether the proposed exemption is consistent with the intent of the law.]**

c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.
- (2) Work missed because of absence must be made up within \_\_\_\_\_

days from the date of the student's return to school. Any work not completed within this period shall result in "no credit" for the missed assignment. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

2. Unexcused Absences

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

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

b. Consequences of Unexcused Absences

- (1) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.
- (2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.
- (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.
- (4) Students with unexcused absences shall be subject to discipline in the following manner:
  - (a) From the first through the \_\_\_\_ cumulated unexcused absence in a [quarter or semester] the student will not be allowed to make up work missed due to such absence.
  - (b) After the \_\_\_\_ cumulated unexcused absence in a

[quarter or semester], a student's parent or guardian will be notified by certified mail that his or her child is nearing a total of \_\_\_\_\_ unexcused absences and that, after the \_\_\_\_\_ unexcused absence, the student's grade shall be reduced by one increment for each unexcused absence thereafter.

- (c) After such notification, the student or his or her parent or guardian may, within a reasonable time, request a conference with school officials regarding the student's absences and the prescribed discipline. The notification will state that the school strongly urges the student's parent or guardian to request such a conference.
- (d) After \_\_\_\_\_ cumulative unexcused absences in a [quarter or semester] the teacher will reduce the student's letter grade by one increment for each unexcused absence thereafter (i.e. A to A-). However, prior to reducing the student's grade, an administrative conference must be held among the principal, student, and parent.
- (e) After \_\_\_\_\_ cumulated unexcused absences in a [quarter or semester], the administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative conference must be held among the principal, student, and parent.
- (f) If the result of a grade reduction or loss of credit has the effect of an expulsion, the school district will follow the procedures set forth in the Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.

**[NOTE: MSBA encourages school boards to consider whether imposition of academic penalties for unexcused absences is consistent with the district's mission and pedagogical approach. If a school board determines that academic penalties should not be imposed, section 2(b) should be deleted or rewritten.]**

C. Tardiness

1. Definition

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

2. Procedures for Reporting Tardiness

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

3. Excused Tardiness

Valid excuses for tardiness are:

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

4. Unexcused Tardiness

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

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

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

**III. RELIGIOUS OBSERVANCE ACCOMMODATION**

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

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

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

#### **V. REQUIRED REPORTING**

##### A. Continuing Truant

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

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

##### B. Reporting Responsibility

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

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

9. That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

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

C. Habitual Truant

1. A habitual truant is a child under the age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school, junior high school, or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school.
2. A school district attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minnesota Statutes, chapter 260A.

**Legal References:**

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

**Cross References:**

MSBA/MASA Model Policy 506 (Student Discipline)

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

MSBA/MASA Model Policy 414

Orig. 1995

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

Rev. 2025

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

### **I. PURPOSE**

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

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

- A. The policy of the school district is to fully comply with Minnesota Statutes chapter 260E requiring school personnel to report suspected child neglect or physical or sexual abuse.
- B. A violation of this policy occurs when any school personnel fails to immediately report instances of child neglect or physical or sexual abuse when the school personnel knows or has reason to believe a child is being neglected or physically or sexually abused or has been neglected or physically or sexually abused within the preceding three years.

### **III. DEFINITIONS**

- A. "Accidental" means a sudden, not reasonably foreseeable, and unexpected occurrence or event that:
  - 1. is not likely to occur and could not have been prevented by exercise of due care; and
  - 2. if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the facility are in compliance with the laws and rules relevant to the occurrence of event.
- B. "Child" means one under age 18 and, for purposes of Minnesota Statutes, chapter 260C (Juvenile Safety and Placement) and Minnesota Statutes, chapter 260D (Child in Voluntary Foster Care for Treatment), includes an individual under age 21 who is in foster care pursuant to Minnesota Statutes, chapter 260C.451 (Foster Care Benefits Past Age 18).
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. "Mandated reporter" means any school personnel who knows or has reason to believe a child is being maltreated or has been maltreated within the preceding three years.
- E. "Mental injury" means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child's ability to function within a normal range of performance and behavior with due regard to the child's culture.
- F. "Neglect" means the commission or omission of any of the acts specified below, other than by accidental means:
  - 1. failure by a person responsible for a child's care to supply a child with necessary

food, clothing, shelter, health care, medical, or other care required for the child's physical or mental health when reasonably able to do so;

2. failure to protect a child from conditions or actions that seriously endanger the child's physical or mental health when reasonably able to do so, including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;
3. failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors as the child's age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for the child's own basic needs or safety, or the basic needs or safety of another child in his or her care;
4. failure to ensure that a child is educated in accordance with state law, which does not include a parent's refusal to provide his or her child with sympathomimetic medications;
5. prenatal exposure to a controlled substance as defined in state law used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child's birth, medical effects or developmental delays during the child's first year of life that medically indicate prenatal exposure to a controlled substance, or the presence of a fetal alcohol spectrum disorder;
6. medical neglect as defined by Minnesota Statutes, section 260C.007, subdivision 6, clause (5);
7. chronic and severe use of alcohol or a controlled substance by a person responsible for the care of the child that adversely affects the child's basic needs and safety; or
8. emotional harm from a pattern of behavior that contributes to impaired emotional functioning of the child, which may be demonstrated by a substantial and observable effect in the child's behavior, emotional response, or cognition that is not within the normal range for the child's age and stage of development, with due regard to the child's culture.

Neglect does not occur solely because the child's parent, guardian, or other person responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child in lieu of medical care.

- G. "Nonmaltreatment mistake" occurs when: (1) at the time of the incident, the individual was performing duties identified in the center's child care program plan required under Minnesota Rules, part 9503.0045; (2) the individual has not been determined responsible for a similar incident that resulted in a finding of maltreatment for at least seven years; (3) the individual has not been determined to have committed a similar nonmaltreatment mistake under this paragraph for at least four years; (4) any injury to a child resulting from the incident, if treated, is treated only with remedies that are available over the counter, whether ordered by a medical professional or not; and (5) except for the period when the incident occurred, the facility and the individual providing services were both in compliance with all licensing requirements relevant to the incident. This definition only applies to child care centers licensed under Minnesota Rules, chapter 9503.

- H. "Person responsible for the child's care" means (1) an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, other school employee or agent, or other lawful custodian of a child having either full-time or short-term care responsibilities including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.
- I. "Physical abuse" means any physical injury, mental injury (under subdivision 13), or threatened injury (under subdivision 23), inflicted by a person responsible for the child's care on a child other than by accidental means; or any physical or mental injury that cannot reasonably be explained by the child's history of injuries, or any aversive or deprivation procedures, or regulated interventions, that have not been authorized by Minnesota Statutes, section 125A.0942 or 245.825.

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

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

- J. "Report" means any communication received by the local welfare agency, police department, county sheriff, or agency responsible for child protection pursuant to this section that describes maltreatment of a child and contains sufficient content to identify the child and any person believed to be responsible for the maltreatment, if known.
- K. "School personnel" means professional employee or professional's delegate of the school district who provides health, educational, social, psychological, law enforcement, or child care services.
- L. "Sexual abuse" means the subjection of a child by a person responsible for the child's care, by a person who has a significant relationship to the child (as defined in Minnesota Statutes, section 609.341, subdivision 15), or by a person in a current or recent position of authority (as defined in Minnesota Statutes, section 609.341, subdivision 10) to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual penetration, sexual contact, solicitation of children to

engage in sexual conduct, and communication of sexually explicit materials to children. Sexual abuse also includes any act involving a minor that constitutes a violation of Minnesota statutes prohibiting prostitution or use of a minor in a sexual performance. Sexual abuse includes all reports of known or suspected child sex trafficking involving a child who is identified as a victim of sex trafficking. Sexual abuse includes threatened sexual abuse which includes the status of a parent or household member who has committed a violation that requires registration under Minnesota Statutes, section 243.166, subdivision 1b(a) or (b).

- M. "Threatened injury" means a statement, overt act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes, but is not limited to, exposing a child to a person responsible for the child's care who has (1) subjected the child to, or failed to protect a child from, an overt act or condition that constitutes egregious harm under Minnesota Statutes, section 260E.03, subdivision 5, or a similar law of another jurisdiction; (2) been found to be palpably unfit under Minnesota Statutes, section 260C.301, subdivision 1, paragraph (b), clause 3, or a similar law of another jurisdiction; (3) committed an act that resulted in an involuntary termination of parental rights under Minnesota Statutes, section 260C.301, or a similar law of another jurisdiction; or (4) committed an act that resulted in the involuntary transfer of permanent legal and physical custody of a child to a relative or parent under Minnesota Statutes, section 260C.515, subdivision 4, or a similar law of another jurisdiction.

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

- A. A mandated reporter shall immediately report the information to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, tribal social services agency, or tribal police department. The reporter will include his or her name and address in the report.
- B. An oral report shall be made immediately by telephone or otherwise. The oral report shall be followed by a written report within 72 hours (exclusive of weekends and holidays) to the appropriate police department, the county sheriff, local welfare agency, or agency responsible for assessing or investigating the report. Any report shall be of sufficient content to identify the child, any person believed to be responsible for the maltreatment of the child if the person is known, the nature and extent of the maltreatment, and the name and address of the reporter.
- C. Regardless of whether a report is made, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident has occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.
- D. A mandated reporter who knows or has reason to know of the deprivation of custodial or parental rights or the kidnapping of a child shall report the information to the local police department or the county sheriff.
- E. With the exception of a health care professional or a social service professional who is providing the woman with prenatal care or other health care services, a mandated reporter shall immediately report to the local welfare agency if the person knows or has reason to believe that a woman is pregnant and has used a controlled substance for a nonmedical purpose during the pregnancy, including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive.

- F. A person mandated by Minnesota law and this policy to report who fails to report may be subject to criminal penalties and/or discipline, up to and including termination of employment.
- G. An employer of a mandated reporter shall not retaliate against the person for reporting in good faith maltreatment against a child with respect to whom a report is made, because of the report.
- H. Any person who knowingly or recklessly makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, plus costs and reasonable attorney fees. Knowingly or recklessly making a false report also may result in discipline.

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

## **V. INVESTIGATION**

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

- D. Where the alleged offender is believed to be a school official or employee, the school district shall conduct its own investigation independent of MDE and, if involved, the local welfare or law enforcement agency.
- E. Upon request by MDE, the school district shall provide all requested data that are relevant to a report of maltreatment and are in the possession of a school facility, pursuant to an assessment or investigation of a maltreatment report of a student in school. The school district shall provide the requested data in accordance with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13, and the Family Educational Rights and Privacy Act, 20 United States Code, section 1232g.

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

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

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

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

**VIII. DISSEMINATION OF POLICY AND TRAINING**

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

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 121A.58 (Corporal Punishment)  
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)  
Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)  
Minn. Stat. § 243.166, Subd. 1b(a)(b) (Registration of Predatory Offenders)  
Minn. Stat. § 245.825 (Use of Aversive or Deprivation Procedures)  
Minn. Stat. § 260C.007, Subd. 6, Clause (5) (Child in Need of Protection)  
Minn. Stat. § 260C.301 (Termination of Parental Rights)  
Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18)  
Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment)  
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)  
Minn. Stat. § 609.02, Subd. 6 (Definitions – Dangerous Weapon)

Minn. Stat. § 609.341, Subd. 10 (Definitions – Position of Authority)  
Minn. Stat. § 609.341, Subd. 15 (Definitions – Significant Relationship)  
Minn. Stat. § 609.379 (Reasonable Force)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

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

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

MSBA/MASA Model Policy 416

Orig. 1995

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

Rev. 2025

## **416 DRUG, ALCOHOL, AND CANNABIS TESTING**

### **I. PURPOSE**

- A. The school board recognizes the significant problems created by drug, alcohol, and cannabis use in society in general, and the public schools in particular. The school board further recognizes the important contribution that the public schools have in shaping the youth of today into the adults of tomorrow.
- B. The school board believes that a work environment free of drug, alcohol, and cannabis use will be not only safer, healthier, and more productive but also more conducive to effective learning. To provide such an environment, the purpose of this policy is to provide authority so that the school board may require all employees and/or job applicants to submit to drug, alcohol, and cannabis testing in accordance with the provisions of this policy and as provided in federal law and Minnesota Statutes, sections 181.950-181.957.

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

- A. All school district employees and job applicants whose positions require a commercial driver's license will be required to undergo drug and alcohol testing and cannabis testing in accordance with federal law and the applicable provisions of this policy. The school district also may request or require that drivers submit to drug and alcohol testing and cannabis testing in accordance with the provisions of this policy and as provided in Minnesota Statutes, sections 181.950-181.957.
- B. The school district may request or require that any school district employee or job applicant, other than an employee or applicant whose position requires a commercial driver's license, submit to drug and alcohol testing and cannabis testing in accordance with the provisions of this policy and as provided in Minnesota Statutes, sections 181.950-181.957.
- C. The use, possession, sale, purchase, transfer, or dispensing of any drugs not medically prescribed, including medical cannabis, whether or not it has been prescribed for the employee, is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of drugs that are not medically prescribed, including medical cannabis, whether or not it has been prescribed for the employee, is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of drugs that are not medically prescribed are prohibited from entering or remaining on school district property.
- D. The use, possession, sale, purchase, transfer, or dispensing of alcohol or cannabis is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of alcohol or cannabis is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of alcohol or cannabis are prohibited

from entering or remaining on school district property.

- E. Any employee who violates this section shall be subject to discipline that includes, but is not limited to, immediate suspension without pay and immediate discharge.
- F. The school district may discipline, discharge, or take other adverse personnel action against an employee for cannabis flower, cannabis product, lower-potency hemp edible, or hemp-derived consumer product use, possession, impairment, sale, or transfer while an employee is working, on school district premises, or operating a school district vehicle, machinery, or equipment as follows:
  - 1. if, as the result of consuming cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product, the employee does not possess that clearness of intellect and control of self that the employee otherwise would have;
  - 2. if cannabis testing verifies the presence of cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product following a confirmatory test;
  - 3. as provided in the school district's written work rules for cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products and cannabis testing, provided that the rules are in writing and in a written policy that contains the minimum information required by Minnesota Statutes, section 181.952; or
  - 4. as otherwise authorized or required under state or federal law or regulations, or if a failure to do so would cause the school district to lose a monetary or licensing-related benefit under federal law or regulations.

### **III. FEDERALLY MANDATED DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS**

#### **A. General Statement of Policy**

All persons subject to commercial driver's license requirements shall be tested for alcohol, cannabis (including medical cannabis), cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP), pursuant to federal law. Drivers who test positive for alcohol or drugs shall be subject to disciplinary action, which may include termination of employment.

#### **B. Definitions**

- 1. "Actual Knowledge" means actual knowledge by the school district that a driver has used alcohol or controlled substances based on: (a) direct observation of the employee's use (not observation of behavior sufficient to warrant reasonable suspicion testing); (b) information provided by a previous employer; (c) a traffic citation; or (d) an employee's admission, except when made in connection with a qualified employee self-admission program.
- 2. "Alcohol Screening Device" (ASD) means a breath or saliva device, other than an Evidential Breath Testing Device (EBT), that is approved by the National Highway Traffic Safety Administration and placed on its Conforming Products List for such devices.
- 3. "Breath Alcohol Technician" (BAT) means an individual who instructs and

assists individuals in the alcohol testing process and who operates the EBT.

4. "Commercial Motor Vehicle" (CMV) includes a vehicle that is designed to transport 16 or more passengers, including the driver.
5. "Designated Employer Representative" (DER) means an employee authorized by the school district to take immediate action to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation process. The DER receives test results and other communications for the school district.
6. "Department of Transportation" (DOT) means United States Department of Transportation.
7. "Direct Observation" means observation of alcohol or controlled substances use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing.
8. "Driver" is any person who operates a CMV, including full-time, regularly employed drivers, casual, intermittent, or occasional drivers, leased drivers, and independent owner-operator contractors.
9. "Evidential Breath Testing Device" (EBT) means a device approved by the National Highway Traffic Safety Administration for the evidentiary testing of breath for alcohol concentration and placed on its Conforming Products List for such devices.
10. "Licensed Medical Practitioner" means a person who is licensed, certified, and/or registered, in accordance with applicable Federal, State, local, or foreign laws and regulations, to prescribe controlled substances and other drugs.
11. "Medical Review Officer" (MRO) means a licensed physician responsible for receiving and reviewing laboratory results generated by the school district's drug testing program and for evaluating medical explanations for certain drug tests.
12. "Refusal to Submit" (to an alcohol or controlled substances test) means that a driver: (a) fails to appear for any test within a reasonable time, as determined by the school district, consistent with applicable DOT regulations, after being directed to do so; (b) fails to remain at the testing site until the testing process is complete; (c) fails to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test; (d) fails to permit the observation or monitoring of the driver's provision of a specimen in the case of a directly observed or monitored collection in a drug test; (e) fails to provide a sufficient breath specimen or sufficient amount of urine when directed and a determination has been made that no adequate medical explanation for the failure exists; (f) fails or declines to take an additional test as directed by the school district or the collector; (g) fails to undergo a medical examination or evaluation, as directed by the MRO or the DER; (h) fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector, fails to sign the certification on the forms); (i) fails to follow the observer's instructions, in an observed collection, to raise the

driver's clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the driver has any type of prosthetic or other device that could be used to interfere with the collection process; (j) possesses or wears a prosthetic or other device that could be used to interfere with the collection process; (k) admits to the collector or MRO that the driver adulterated or substituted the specimen; or (l) is reported by the MRO as having a verified adulterated or substituted test result. An applicant who fails to appear for a pre-employment test, who leaves the testing site before the pre-employment testing process commences, or who does not provide a urine specimen because he or she has left before it commences is not deemed to have refused to submit to testing.

13. "Safety-Sensitive Functions" are on-duty functions from the time the driver begins work or is required to be in readiness to work until relieved from work and all responsibility for performing work, and include such functions as driving, loading and unloading vehicles, or supervising or assisting in the loading or unloading of vehicles, servicing, repairing, obtaining assistance to repair, or remaining in attendance during the repair of a disabled vehicle.
14. "Screening Test Technician" (STT) means anyone who instructs and assists individuals in the alcohol testing process and operates an ASD.
15. "Stand Down" means the practice of temporarily removing an employee from performing safety-sensitive functions based only upon a laboratory report to the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test before the MRO completes the verification process.
16. "Substance Abuse Professional" (SAP) means a qualified person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

C. Policy and Educational Materials

**[NOTE: Federal regulations require that school districts provide materials to bus drivers explaining the school district's policies and procedures and the federal requirements with respect to the mandatory drug and alcohol testing of bus drivers (49 Code of Federal Regulations, section 382.601). Most of the required information is contained within this model policy. Additional materials to be provided to employees are described in Paragraph 2. of Section C.]**

1. The school district shall provide a copy of this policy and procedures to each driver prior to the start of its alcohol and drug testing program and to each driver subsequently hired or transferred into a position requiring driving of a CMV.
2. The school district shall provide to each driver information required under Title 49 of the Code of Federal Regulations, including information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or controlled substance problem (the driver's or a coworker's); and available methods of intervening when an alcohol or controlled substance problem is suspected, including confrontation, referral to an employee assistance program, and/or

referral to management.

3. The school district shall provide written notice to representatives of employee organizations that the information described above is available.
4. The school district shall require each driver to sign a statement certifying that the driver received a copy of the policy and materials. This statement should be in the form of Attachment A to this policy. The school district will maintain the original signed certificate and will provide a copy to the driver if the driver so requests.

**[NOTE: The federal regulations require a school district to obtain a signed statement from each driver certifying that he or she received a copy of these materials (49 Code of Federal Regulations, section 382.601(d)). The original signed certificate must be maintained by the school district and a copy may be provided to the driver.]**

D. Alcohol and Controlled Substances Testing Program Manager

**[NOTE: School districts are required by federal regulations to designate a person to answer driver questions about the policy and the education materials described in Section C. above and to notify the drivers of the designation (49 Code of Federal Regulations, section 382.601(b)(1)).]**

1. The program manager will coordinate the implementation, direction, and administration of the alcohol and controlled substances testing policy for bus drivers. The program manager is the principal contact for the collection site, the testing laboratory, the MRO, the BAT, the SAP, and the person submitting to the test. Employee questions concerning this policy shall be directed to the program manager.
2. The school district shall designate a program manager and provide written notice of the designation to each driver along with this policy.

E. Specific Prohibitions for Drivers

**[NOTE: The specific prohibitions for drivers are contained, in large part, in 49 Code of Federal Regulations, sections 382.201-382.215.]**

1. Alcohol Concentration

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. Drivers who test greater than 0.04 will be taken out of service and will be subject to evaluation by a professional and retesting at the driver's expense.

2. Alcohol Possession

No driver shall be on duty or operate a CMV while the driver possesses alcohol.

3. On-Duty Use

No driver shall use alcohol while performing safety-sensitive functions.

4. Pre-Duty Use

No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.

5. Use Following an Accident

No driver required to take a post-accident test shall use alcohol for eight (8) hours following the accident, or until the driver undergoes a post-accident alcohol test, whichever occurs first.

6. Refusal to Submit to a Required Test

No driver shall refuse to submit to an alcohol or controlled substances test required by post-accident, random, reasonable suspicion, return-to-duty, or follow-up testing requirements. A verified adulterated or substituted drug test shall be considered a refusal to test.

7. Use of Controlled Substances

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to instructions (which have been presented to the school district) from a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that the substance does not adversely affect the driver's ability to safely operate a CMV. Controlled substance includes medical cannabis, regardless of whether the driver is enrolled in the state registry program.

8. Positive, Adulterated, or Substituted Test for Controlled Substance

No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive for controlled substances, including medical cannabis, or has adulterated or substituted a test specimen for controlled substances.

9. General Prohibition

Drivers are also subject to the general policies and procedures of the school district that prohibit possession, transfer, sale, exchange, reporting to work under the influence of drugs or alcohol, and consumption of drugs or alcohol while at work or while on school district premises or operating any school district vehicle, machinery, or equipment.

F. Other Alcohol-Related Conduct

**[NOTE: Consequences for drivers engaging in alcohol-related conduct are described in the federal regulations (49 Code of Federal Regulations, section 382.505).]**

No driver found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall perform safety-sensitive functions for at least twenty-four (24) hours following administration of the test. The school district will not take any action under this policy other than removal from safety-sensitive functions based solely on test results showing an alcohol concentration of less than 0.04 but may take action otherwise

consistent with law and the policies of the school district.

G. Prescription Drugs/Cannabinoid Products

A driver shall inform the driver's supervisor if at any time the driver is using a controlled substance pursuant to a physician's prescription. The physician's instructions shall be presented to the school district upon request. Use of a prescription drug shall be allowed if the physician has advised the driver that the prescribed drug will not adversely affect the driver's ability to safely operate a CMV. Use of medical cannabis is prohibited notwithstanding the driver's enrollment in the patient registry. Use of nonintoxicating cannabinoids or edible cannabinoid products is not a legitimate medical explanation for a confirmed positive test result for cannabis. MROs will verify a drug test confirmed as positive, even if a driver claims to have only used nonintoxicating cannabinoids or edible cannabinoid product.

H. Testing Requirements

**[NOTE: School districts must utilize the U.S. DOT Drug & Alcohol Clearinghouse ("Clearinghouse") to conduct pre-employment queries, annual queries, and reports regarding CDL holders who operate CMVs on public roads (including school bus drivers) and who are covered by the Federal Motor Carrier Safety Administration (FMCSA) Drug and Alcohol Testing Program. In addition to utilizing the Clearinghouse, school districts must continue to comply with the alcohol and controlled substance testing required under Title 49 of the Federal Regulations.]**

I. Pre-Employment Testing

**[NOTE: 49 Code of Federal Regulations, section 382.301 details the requirements for pre-employment testing.]**

- a. A driver applicant shall undergo testing for [alcohol and] controlled substances, including medical cannabis, before the first time the driver performs safety-sensitive functions for the school district.

**[NOTE: A school district is permitted, but not required, to conduct pre-employment testing for the use of alcohol. If a school district elects to require pre-employment testing for alcohol, it should include the bracketed text in Subparagraph a., above, and test all applicants uniformly.]**

- b. Tests shall be conducted only after the applicant has received a conditional offer of employment.
- c. To be hired, the applicant must test negative and must sign an agreement in the form of Attachment B to this policy, authorizing former employers to release to the school district all information on the applicant's alcohol tests with results of blood alcohol concentration of 0.04 or higher, or verified positive results for controlled substances, including medical cannabis, or refusals to be tested (including verified adulterated or substituted drug test results), or any other violations of DOT agency drug and alcohol testing regulations, or, if the applicant violated the testing regulations, documentation of the applicant's successful completion of DOT return-to-duty requirements (including follow-up tests), within the preceding two (2) years.

**[NOTE: Federal regulations require school districts to inquire about, obtain, and review alcohol and controlled substances information from prior employers pursuant to a driver's written authorization, prior to the time a driver performs safety-sensitive functions, if feasible (49 Code of Federal Regulations, section 382.413, and 49 Code of Federal Regulations, section 40.25). If not feasible, school districts must not permit the employee to perform safety-sensitive functions for more than thirty (30) days from the date a safety-sensitive function was performed unless the school districts make good faith efforts to obtain the information and to make a record of those efforts to be retained in the driver's qualification file.]**

- d. The applicant also must be asked whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee, during the last two (2) years, applied for, but did not obtain, safety-sensitive transportation work covered by DOT testing rules.
- e. Before employing a driver subject to controlled substances and alcohol testing, the school district must conduct a full pre-employment query of the federal Commercial Driver's License (CDL) Drug and Alcohol Clearinghouse ("Clearinghouse") to obtain information about whether the driver (1) has a verified positive, adulterated, or substituted controlled substances test result; (2) has an alcohol confirmation test with a concentration of 0.04 or higher; (3) has refused to submit to a test in violation of federal law; or (4) that an employer has reported actual knowledge that the driver used alcohol on duty, before duty, or following an accident in violation of federal law or used a controlled substance in violation of federal law. The applicant must give specific written or electronic consent for the school district to conduct the Clearinghouse full query (see Attachment C to this policy). The school district shall retain the consent for three (3) years from the date of the query.

2. Post-Accident Testing

**[NOTE: 49 Code of Federal Regulations, section 382.303, governs post-accident testing of drivers.]**

- a. As soon as practicable following an accident involving a CMV, the school district shall test the driver for alcohol and controlled substances, including medical cannabis, if the accident involved the loss of human life or if the driver receives a citation for a moving traffic violation arising from an accident which results in bodily injury or disabling damage to a motor vehicle.
- b. Drivers should be tested for alcohol use within two (2) hours and no later than eight (8) hours after the accident.
- c. Drivers should be tested for controlled substances, including medical cannabis, no later than thirty-two (32) hours after the accident.
- d. A driver subject to post-accident testing must remain available for testing, or shall be considered to have refused to submit to the test.

- e. If a post-accident alcohol test is not administered within two (2) hours following the accident, the school district shall prepare and maintain on file a record stating the reasons the test was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours.
- f. If a post-accident alcohol test is not administered within eight (8) hours following the accident or a post-accident controlled substances test is not administered within thirty-two (32) hours following the accident, the school district shall cease attempts to administer the test, and prepare and maintain on file a record stating the reasons for not administering the test.
- g. The school district shall report drug and alcohol program violations to the Clearinghouse as required under federal law.

3. Random Testing

**[NOTE: 49 Code of Federal Regulations, section 382.305 governs random testing of drivers.]**

- a. The school district shall conduct tests on a random basis at unannounced times throughout the year, as required by the federal regulations.

**[NOTE: The Federal Highway Administration (FHWA) set the random alcohol selection and testing rate at 10% of the average number of driver positions and evaluates this minimum percentage each year. School districts can elect to stay at the 1998 level of 25% (or a higher percentage) if they do not want to monitor the minimum annual percentage rate set by the FHWA. The random controlled substances selection and testing rate has remained at 50% each year and has not been lowered to 25% as is possible under the regulations.]**

- b. The school district shall test for alcohol at a minimum annual percentage rate of 10% of the average number of driver positions, and for controlled substances, including medical cannabis, at a minimum annual percentage of 50%.
- c. The school district shall adopt a scientifically valid method for selecting drivers for testing, such as random number table or a computer-based random number generator that is matched with identifying numbers of the drivers. Each driver shall have an equal chance of being tested each time selections are made. Each driver selected for testing shall be tested during the selection period.
- d. Random tests shall be unannounced. Dates for administering random tests shall be spread reasonably throughout the calendar year.
- e. Drivers shall proceed immediately to the collection site upon notification of selection; provided, however, that if the driver is performing a safety-sensitive function, other than driving, at the time of notification, the driver shall cease to perform the function and proceed to the collection site as soon as possible.

4. Reasonable Suspicion Testing

**[NOTE: 49 Code of Federal Regulations, section 382.307 governs reasonable suspicion testing of drivers.]**

- a. The school district shall require a driver to submit to an alcohol test and/or controlled substances, including medical cannabis, test when a supervisor or school district official, who has been trained in accordance with the regulations, has reasonable suspicion to believe that the driver has used alcohol and/or controlled substances, including medical cannabis, on duty, within four (4) hours before coming on duty, or just after the period of the work day. The test shall be done as soon as practicable following the observation of the behavior indicative of the use of controlled substances or alcohol.
- b. The reasonable suspicion determination must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech, or body odors. The required observations for reasonable suspicion of a controlled substances violation may include indications of the chronic and withdrawal effects of controlled substances.
- c. Alcohol testing shall be administered within two (2) hours following a determination of reasonable suspicion. If it is not done within two (2) hours, the school district shall prepare and maintain a record explaining why it was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours. If an alcohol test is not administered within eight (8) hours following the determination of reasonable suspicion, the school district shall cease attempts to administer the test and state in the record the reasons for not administering the test.
- d. The supervisor or school district official who makes observations leading to a controlled substances reasonable suspicion test shall make and sign a written record of the observations within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

**[NOTE: 49 Code of Federal Regulations, sections 382.309, 40.23(d), and 40.305 govern return-to-duty testing.]**

5. Return-To-Duty Testing

A driver found to have violated this policy shall not return to work until an SAP has determined the employee has successfully complied with prescribed education and/or treatment and until undergoing return-to-duty tests indicating an alcohol concentration of less than 0.02 and a confirmed negative result for the use of controlled substances. The school district is not required to return a driver to safety-sensitive duties because the driver has met these conditions; this is a personnel decision subject to collective bargaining agreements or other legal requirements.

**[NOTE: 49 Code of Federal Regulations, sections 382.311, 40.307, and 40.309 govern follow-up testing.]**

6. Follow-Up Testing

When an SAP has determined that a driver is in need of assistance in resolving problems with alcohol and/or controlled substances, the driver shall be subject to unannounced follow-up testing as directed by the SAP for up to sixty (60) months after completing a treatment program.

7. Refusal to Submit and Attendant Consequences

**[NOTE: Consequences for refusals to submit to required drug and alcohol tests are addressed generally in 49 Code of Federal Regulations, sections 40.191, 40.261, and 382.211. They are more specifically addressed in 49 Code of Federal Regulations, sections 382.501-382.507 and in 49 United States Code, section 521(b).]**

- a. A driver or driver applicant may refuse to submit to drug and alcohol testing.
- b. Refusal to submit to a required drug or alcohol test subjects the driver or driver applicant to the consequences specified in federal regulations as well as the civil and/or criminal penalty provisions of 49 United States Code, section 521(b). In addition, a refusal to submit to testing establishes a presumption that the driver or driver applicant would test positive if a test were conducted and makes the driver or driver applicant subject to discipline or disqualification under this policy.
- c. A driver applicant who refuses to submit to testing shall be disqualified from further consideration for the conditionally offered position.
- d. An employee who refuses to submit to testing shall not be permitted to perform safety-sensitive functions and will be considered insubordinate and subject to disciplinary action, up to and including dismissal. If an employee is offered an opportunity to return to a DOT safety-sensitive duty, the employee will be evaluated by an SAP and must submit to a return-to-duty test prior to being considered for reassignment to safety-sensitive functions.
- e. Drivers or driver applicants who refuse to submit to required testing will be required to sign Attachment D to this policy.

I. Testing Procedures

1. Drug Testing

**[NOTE: The Federal Drug Testing Custody and Control Form (CCF) must be used to document every urine collection required by the DOT drug testing program (49 Code of Federal Regulations, section 40.45).]**

- a. Drug testing is conducted by analyzing a donor's urine specimen. Split urine samples will be collected in accordance with federal regulations. The donor will provide a urine sample at a designated collection site. The collection site personnel will then pour the sample into two sample bottles, labeled "primary" and "split," seal the specimen bottles,

complete the chain of custody form, and prepare the specimen bottles for shipment to the testing laboratory for analysis. The specimen preparation shall be conducted in sight of the donor.

- b. If the donor is unable to provide the appropriate quantity of urine, the collection site person shall instruct the individual to drink up to forty (40) ounces of fluid distributed reasonably through a period of up to three (3) hours to attempt to provide a sample. If the individual is still unable to provide a complete sample, the test shall be discontinued and the school district notified. The DER shall refer the donor for a medical evaluation to determine if the donor's inability to provide a specimen is genuine or constitutes a refusal to test. For pre-employment testing, the school district may elect to not have a referral made, and revoke the employment offer.
- c. Drug test results are reported directly to the MRO by the testing laboratory. The MRO reports the results to the DER. If the results are negative, the school district is informed and no further action is necessary. If the test result is confirmed positive, adulterated, substituted, or invalid, the MRO shall give the donor an opportunity to discuss the test result. The MRO will contact the donor directly, on a confidential basis, to determine whether the donor wishes to discuss the test result. The MRO shall notify each donor that the donor has seventy-two (72) hours from the time of notification in which to request a test of the split specimen at the donor's expense. No split specimen testing is done for an invalid result.
- d. If the donor requests an analysis of the split specimen within seventy-two (72) hours of having been informed of a confirmed positive test, the MRO shall direct, in writing, the laboratory to provide the split specimen to another Department of Health and Human Services – SAMHSA certified laboratory for analysis. If the donor has not contacted the MRO within seventy-two (72) hours, the donor may present the MRO information documenting that serious illness, injury, inability to contact the MRO, lack of actual notice of the confirmed positive test, or other circumstances unavoidably prevented the donor from timely making contact. If the MRO concludes that a legitimate explanation for the donor's failure to contact him/her within seventy-two (72) hours exists, the MRO shall direct the analysis of the split specimen. The MRO will review the confirmed positive test result to determine whether an acceptable medical reason for the positive result exists. The MRO shall confirm and report a positive test result to the DER and the employee when no legitimate medical reason for a positive test result as received from the testing laboratory exists.
- e. If, after making reasonable efforts and documenting those efforts, the MRO is unable to reach the donor directly, the MRO must contact the DER who will direct the donor to contact the MRO. If the DER is unable to contact the donor, the donor will be suspended from performing safety-sensitive functions.
- f. The MRO may confirm the test as a positive without having communicated directly with the donor about the test results under the following circumstances:

- (1) The donor expressly declines the opportunity to discuss the test results;
- (2) The donor has not contacted the MRO within seventy-two (72) hours of being instructed to do so by the DER; or
- (3) The MRO and the DER, after making and documenting all reasonable efforts, have not been able to contact the donor within ten (10) days of the date the confirmed test result was received from the laboratory.

2. Alcohol Testing

**[NOTE: The DOT Alcohol Testing Form (ATF) must be used for every DOT alcohol test. 49 Code of Federal Regulations, section 40.225.]**

- a. The federal alcohol testing regulations require testing to be administered by a BAT using an EBT or an STT using an ASD. EBTs and ASDs can be used for screening tests but only EBTs can be used for confirmation tests.
- b. Any test result less than 0.02 alcohol concentration is considered a "negative" test.
- c. If the donor is unable to provide sufficient saliva for an ASD, the DER will immediately arrange to use an EBT. If the donor attempts and fails to provide an adequate amount of breath, the school district will direct the donor to obtain a written evaluation from a licensed physician to determine if the donor's inability to provide a breath sample is genuine or constitutes a refusal to test.
- d. If the screening test results show alcohol concentration of 0.02 or higher, a confirmatory test conducted on an EBT will be required to be performed between fifteen (15) and thirty (30) minutes after the completion of the screening test.
- e. Alcohol tests are reported directly to the DER.

J. Driver/Driver Applicant Rights

1. All drivers and driver applicants subject to the controlled substances testing provisions of this policy who receive a confirmed positive test result for the use of controlled substances have the right to request, at the driver's or driver applicant's expense, a confirming retest of the split urine sample. If the confirming retest is negative, no adverse action will be taken against the driver, and a driver applicant will be considered for employment.

**[NOTE: The limitation on discharge in Paragraph 2., below, is contained solely in Minnesota law. State law is preempted by federal laws and regulations as it relates to drivers of commercial motor vehicles (such as bus drivers). See Minnesota Statutes, section 221.031, subdivision 10. Nevertheless, school districts may decide to comply with the state law requirements for various reasons (such as to treat all school district employees equally since employees subject to testing only under state law are accorded these additional rights).**

**Consultation with the school district’s legal counsel is recommended.]**

2. The school district will not discharge a driver who, for the first time, receives a confirmed positive drug or alcohol test UNLESS:
  - a. The school district has first given the employee an opportunity to participate in, at the employee’s own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with the SAP; and
  - b. The employee refuses to participate in the recommended program, or fails to successfully complete the program as evidenced by withdrawal before its completion or by a positive test result on a confirmatory test after completion of the program.
  - c. This limitation on employee discharge does not bar discharge of an employee for reasons independent of the first confirmed positive test result.

K. Testing Laboratory

The testing laboratory for controlled substances will be [***name, address, telephone number***], which is a laboratory certified by the Department of Health and Human Services – SAMHSA to perform controlled substances testing pursuant to federal regulations.

L. Confidentiality of Test Results

All alcohol and controlled substances test results and required records of the drug and alcohol testing program are considered confidential information under federal law and private data on individuals as that phrase is defined in Minnesota Statutes, chapter 13. Any information concerning the individual’s test results and records shall not be released without written permission of the individual, except as provided for by regulation or law.

M. Recordkeeping Requirements and Retention of Records

1. The school district shall keep and maintain records in accordance with the federal regulations in a secure location with controlled access.

**[NOTE: The federal recordkeeping requirements for school districts are detailed in the federal regulations, 49 Code of Federal Regulations, sections 382.401 et seq. and 40.331. The DOT publishes a guide to the recordkeeping requirements of mandatory drug and alcohol testing for persons with a commercial driver’s license as part of its Alcohol & Drugs: DOT Compliance Manual.]**

2. The required records shall be retained for the following minimum periods:

Basic records	5 years
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“Basic records” includes records of: (a) alcohol test results with concentration of 0.02 or greater; (b) verified positive drug test results; (c) refusals to submit to required tests (including substituted or

adulterated drug test results); (d) SAP reports; (e) all follow-up tests and schedules for follow-up tests; (f) calibration documentation; (g) administration of the testing programs; and (h) each annual calendar year summary.

Information obtained from previous employers	3 years
Alcohol and controlled substance collection procedures	2 years
Negative and cancelled controlled substance tests	1 year
Alcohol tests with less than 0.02 concentration	1 year
Education and training records	indefinite

“Education and training records” must be maintained while the individuals perform the functions which require training and for the two (2) years after ceasing to perform those functions.

3. Personal Information

Personal information about all individuals who undergo any required testing under this policy will be shared with the U.S. DOT Drug & Alcohol Clearinghouse (“Clearinghouse”) as required under federal law, including:

- a. The name of the person tested;
- b. Any verified positive, adulterated, or substituted drug test result;
- c. Any alcohol confirmation test with a BAC concentration of 0.04 or higher;
- d. Any refusal to submit to any test required hereunder;
- e. Any report by a supervisor of actual knowledge of use as follows
  - (1) Any on-duty alcohol use;
  - (2) Any pre-duty alcohol use;
  - (3) Any alcohol use following an accident; and
  - (4) Any controlled substance use.
- f. Any report from a substance abuse professional certifying successful completion of the return-to-work process;
- g. Any negative return-to-duty test; and
- h. Any employer’s report of completion of follow-up testing.

N. Training

The school district shall ensure all persons designated to supervise drivers receive training. The designated employees shall receive at least sixty (60) minutes of training on alcohol misuse and at least sixty (60) minutes of training on controlled substances use. The training shall include physical, behavioral, speech, and performance indicators of probable misuse of alcohol and use of controlled substances. The training

will be used by the supervisors to make determinations of reasonable suspicion.

O. Consequences of Prohibited Conduct and Enforcement

1. Removal

The school district shall remove a driver who has engaged in prohibited conduct from safety-sensitive functions. A driver shall not be permitted to return to safety-sensitive functions until and unless the return-to-duty requirements of federal DOT regulations have been completed.

2. Referral, Evaluation, and Treatment

- a. A driver or driver applicant who has engaged in prohibited conduct shall be provided a listing of SAPs readily available to the driver or applicant and acceptable to the school district.

**[NOTE: Subparagraphs b. and c., below, are based on the provisions of 49 Code of Federal Regulations, section 40.289.]**

- b. If the school district offers a driver an opportunity to return to a DOT safety-sensitive duty following a violation, the driver must be evaluated by an SAP and the driver is required to successfully comply with the SAP's evaluation recommendations (education, treatment, follow-up evaluation(s), and/or ongoing services). The school district is not required to provide an SAP evaluation or any subsequent recommended education or treatment.

**[NOTE: School districts are not required to comply with state law governing drug and alcohol testing when the individuals are subject to the federal laws and regulations (i.e., bus drivers). If a school district, after consultation with legal counsel, chooses to comply voluntarily with these requirements, Subparagraph b., above, can be modified as follows:**

- b. The school district will offer a driver an opportunity to return to a DOT safety-sensitive duty following an employee's first positive test result on a confirmatory test if no reasons independent of the first test result for discharge exist. Otherwise, the school district may choose, but is not required, to provide an SAP evaluation or any subsequent recommended education or treatment.]**

- c. Drivers are responsible for payment for SAP evaluations and services unless a collective bargaining agreement or employee benefit plan provides otherwise.

- d. Drivers who engage in prohibited conduct also are required to comply with follow-up testing requirements.

3. Disciplinary Action

- a. Any driver who refuses to submit to post-accident, random, reasonable

suspicion, or follow-up testing not only shall not perform or continue to perform safety-sensitive functions, but also may be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.

- b. Drivers who test positive with verification of a confirmatory test or are otherwise found to be in violation of this policy or the federal regulations shall be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.
- c. Nothing in this policy limits or restricts the right of the school district to discipline or discharge a driver for conduct which not only constitutes prohibited conduct under this policy but also violates the school district's other rules or policies.

P. Other Testing

The school district may request or require that drivers submit to cannabis testing or drug and alcohol testing other than that required by federal law. For example, drivers may be requested or required to undergo cannabis testing or drug and alcohol testing on an annual basis as part of a routine physical examination. Such additional testing of drivers will be conducted only in accordance with the provisions of this policy and as provided in Minnesota Statutes, sections 181.950-181.957. For purposes of such additional, non-mandatory testing, drivers fall within the definition of "other employees" covered by Section IV. of this policy.

**[NOTE: When the testing of drivers complies with federal testing requirements and procedures, school districts clearly are exempt from the state drug and alcohol testing requirements in Minnesota Statutes, sections 181.950-181.957. See Minnesota Statutes, section 221.031, subdivision 10. When testing beyond the federally mandated requirements, however, school districts still must comply with state law.]**

Q. Report to Clearinghouse

The school district shall promptly submit to the Clearinghouse any record generated of an individual who refuses to take an alcohol or controlled substance test required under Title 49, Code of Federal Regulations, tests positive for alcohol or a controlled substance in violation of federal regulations, or violates subpart B of Part 382 of Title 49, Code of Federal Regulations (or any subsequent corresponding regulations).

R. Annual Clearinghouse Query

- 1. The school district must conduct a query of the Clearinghouse record at least once per year for information for all employees subject to controlled substance and alcohol testing related to CMV operation to determine whether information exists in the Clearinghouse about those employees. In lieu of a full query, the school district may obtain the individual driver's consent to conduct a limited query to satisfy the annual query requirement. The limited query will tell the employer whether there is information about the driver in the Clearinghouse but will not release that information to the employer. If the limited query shows that information exists in the Clearinghouse about the driver, the school district must conduct a full query within twenty-four (24) hours or must not allow the driver to continue to perform any safety-sensitive function until the employee conducts the full query and the results confirm the driver's

Clearinghouse record contains no prohibitions showing the driver has a verified positive, adulterated or substitute controlled substance test, no alcohol confirmation test with a concentration of 0.04 or higher, refuses to submit to a test, or was reported to have used alcohol on duty, before duty, following an accident or otherwise used a controlled substance in violation of the regulations except where the driver completed the SAP evaluation, referral and education/treatment process as required by the regulations. The school district shall comply with the query requirements set forth in 49 Code of Federal Regulations, section 382.701.

2. The school district may not access an individual's Clearinghouse record unless the school district (1) obtains the individual's prior written or electronic consent for access to the record; and (2) submits proof of the individual's consent to the Clearinghouse. The school district must retain the consent for three (3) years from the date of the last query. The school district shall retain for three (3) years a record of each request for records from the Clearinghouse and the information received pursuant to the request.
3. The school district shall protect the individual's privacy and confidentiality of each Clearinghouse record it receives. The school district shall ensure that information contained in a Clearinghouse record is not divulged to a person or entity not directly involved in assessing and evaluating whether a prohibition applies with respect to the individual to operate a CMV for the school district.
4. The school district may use an individual's Clearinghouse record only to assess and evaluate whether a prohibition applies with respect to the individual to operate a CMV for the school district.

#### **IV. CANNABIS TESTING OR DRUG AND ALCOHOL TESTING FOR OTHER EMPLOYEES**

The school district may request or require drug and alcohol testing or cannabis testing for other school district personnel, i.e., employees who are not school bus drivers, or job applicants for such positions. The school district does not have a legal duty to request or require any employee or job applicant to undergo drug and alcohol testing or cannabis testing as authorized in this policy, except for school bus drivers and other drivers of CMVs who are subject to federally mandated testing (See Section III. of this policy.) If a school bus driver is requested or required to submit to drug or alcohol testing beyond that mandated by federal law, the provisions of Section IV. of this policy will be applicable to such testing.

##### **A. Definitions**

1. "Cannabis testing" means the analysis of a body component sample according to the standards established under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1, for the purpose of measuring the presence or absence of cannabis flower, as defined in Minnesota Statutes, section 342.01, subdivision 16, cannabis products, as defined in section 342.01, subdivision 20, lower-potency hemp edibles as defined in section 342.01, subdivision 50, hemp-derived consumer products as defined in section 342.01, subdivision 37, or cannabis metabolites in the sample tested. The definitions in this section apply to cannabis testing unless stated otherwise.
2. "Confirmatory test" and "confirmatory retest" mean a drug or alcohol test that uses a method of analysis allowed under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.

3. "Drug" means a controlled substance as defined in Minnesota Statutes, section 152.01, subdivision 4, but does not include marijuana, tetrahydrocannabinols, cannabis flower as defined in section 342.01, subdivision 16, cannabis products as defined in section 342.01, subdivision 20, lower-potency hemp edibles as defined in section 342.01, subdivision 50, and hemp-derived consumer products as defined in section 342.01, subdivision 37.
4. "Drug and Alcohol Testing," "Drug or Alcohol Testing," and "Drug or Alcohol Test" mean analysis of a body component sample by a testing laboratory that meets one of the criteria listed in Minnesota Statutes, section 181.953, subdivision 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested. "Drug and alcohol testing," "drug or alcohol testing," and "drug or alcohol test" do not include cannabis or cannabis testing, unless stated otherwise.
5. "Employee" means a person, independent contractor, or person working for an independent contractor who performs services for compensation, in whatever form, for an employer.
6. "Initial screening test" means a drug or alcohol test or cannabis test which uses a method of analysis under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.
7. "Job Applicant" means a person, independent contractor, or person working for an independent contractor who applies to become an employee of the school district in a position that does not require a commercial driver's license, and includes a person who has received a job offer made contingent on the person's passing drug or alcohol testing. Job applicants for positions requiring a commercial driver's license are governed by the provisions of the school district's drug and alcohol testing policy relating to school bus drivers (Section III).
8. "Oral fluid test" means analysis of a saliva sample for the purpose of measuring the presence of the same substances as drug and alcohol testing and cannabis testing that:
  - a. can detect drugs, alcohol, cannabis, or their metabolites in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1; and
  - b. does not require the services of a testing laboratory under section 181.953, subdivision 1.

**[NOTE: The 2024 Minnesota legislature added oral fluid tests.]**

9. "Other Employees" means any persons, independent contractors, or persons working for an independent contractor who perform services for the school district for compensation, either full time or part time, in whatever form, except for persons whose positions require a commercial driver's license, and includes both professional and nonprofessional personnel. Persons whose positions require a commercial driver's license are primarily governed by the provisions of the district's drug and alcohol testing policy relating to school bus drivers (Section III.). To the extent that the drug and alcohol testing of persons whose positions require a commercial driver's license is not mandated

by federal law and regulations, such testing shall be governed by Section IV. of this policy and the drivers shall fall within this definition of "other employees."

10. "Positive Test Result" means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.
11. "Random Selection Basis" means a mechanism for selection of employees that:
  - a. results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected; and
  - b. does not give the school district discretion to waive the selection of any employee selected under the mechanism.
12. "Reasonable Suspicion" means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.
13. "Safety-Sensitive Position" means a job, including any supervisory or management position, in which an impairment caused by drug, alcohol, or cannabis usage would threaten the health or safety of any person.

B. Circumstances Under Which Cannabis Testing or Drug or Alcohol Testing May Be Requested or Required; Exceptions

1. General Limitations

- a. The school district may not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug or alcohol testing or cannabis testing, unless the testing is done pursuant to this policy; and either (1) is conducted by a testing laboratory that meets one of the criteria listed in Minnesota Statutes, section 181.953, subdivision 1; or (2) complies with the oral fluid test procedures under section 181.953, subdivision 5a.

**[NOTE: The 2024 Minnesota legislature amended this provision.]**

- b. The school district will not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing or cannabis testing on an arbitrary and capricious basis.

2. Cannabis Testing Exceptions

For the following positions, cannabis and its metabolites are considered a drug and subject to the drug and alcohol testing provisions in Minnesota Statutes, sections 181.950 to 181.957:

- a. a safety-sensitive position, as defined in Minnesota Statutes, section 181.950, subdivision 13;

- b. a position requiring face-to-face care, training, education, supervision, counseling, consultation, or medical assistance to children;
- c. a position requiring a commercial driver's license or requiring an employee to operate a motor vehicle for which state or federal law requires drug or alcohol testing of a job applicant or an employee;
- d. a position of employment funded by a federal grant; or
- e. any other position for which state or federal law requires testing of a job applicant or an employee for cannabis.

3. Job Applicant Testing

The school district may request or require any job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing, provided a job offer has been made to the applicant and the same test is requested or required of all job applicants conditionally offered employment for that position. If a job applicant has received a job offer that is contingent on the applicant's passing drug and alcohol testing, the school district may not withdraw the offer based on a positive test result from an initial screening test that has not been verified by a confirmatory test. In the event the job offer is subsequently withdrawn, the school district shall notify the job applicant of the reason for its action.

- a. The school district must not request or require a job applicant to undergo cannabis testing solely for the purpose of determining the presence or absence of cannabis as a condition of employment unless otherwise required by state or federal law.
- b. Unless otherwise required by state or federal law, the school district must not refuse to hire a job applicant solely because the job applicant submits to a cannabis test or a drug and alcohol test authorized by Minnesota law and the results of the test indicate the presence of cannabis.
- c. The school district must not request or require an employee or job applicant to undergo cannabis testing on an arbitrary or capricious basis.
- d. Cannabis testing authorized under paragraph (d) must comply with the safeguards for testing employees provided in Minnesota Statutes, sections 181.953 and 181.954.

4. Oral fluid testing

- a. When drug and alcohol testing or cannabis testing is otherwise authorized under Minnesota Statutes, section 181.951, the school district may request an employee or job applicant to undergo oral fluid testing according to the procedures under Minnesota Statutes, section 181.953, subdivision 5a as an alternative to using the services of a testing laboratory under Minnesota Statutes, section 181.953, subdivision 1.
- b. The employee must be informed of the test result at the time of the

oral fluid test. Within 48 hours of an oral fluid test that indicates a positive test result or that is inconclusive or invalid, the employee or job applicant may request drug or alcohol testing or cannabis testing at no cost to the employee or job applicant using the services of a testing laboratory under Minnesota Statutes, section 181.953, subdivision 1, and according to the existing laboratory testing standards in subdivisions 1 to 5. The rights, notice, and limitations in Minnesota Statutes, section 181.953, subdivision 6, paragraph (b), and subdivisions 7 to 8 and 10 to 11 apply to an employee or job applicant and a laboratory test conducted pursuant to this paragraph.

- c. If the laboratory test under paragraph (b) above indicates a positive result, any subsequent confirmatory retest, if requested by the employee or job applicant, must be conducted following the retest procedures provided in Minnesota Statutes, section 181.953, subdivision 6, paragraph (c), and subdivision 9 at the employee's or job applicant's own expense.
- d. Nothing in this subdivision is intended to modify the existing requirements for drug and alcohol testing or cannabis testing in the workplace under Minnesota Statutes, sections 181.950 to 181.957, unless stated otherwise.

**[NOTE: The 2024 Minnesota legislature enacted this provision.]**

5. Random Testing

The school district may request or require "other employees" to undergo cannabis testing or drug and alcohol testing on a random selection basis only if they are employed in safety-sensitive positions.

6. Reasonable Suspicion Testing

The school district may request or require any employee to undergo cannabis testing or drug and alcohol testing if the school district has a reasonable suspicion that the employee:

- a. is under the influence of cannabis, drugs, or alcohol;
- b. has violated the school district's written work rules prohibiting the use, possession, sale, or transfer of drugs or alcohol, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products while the employee is working or while the employee is on the school district's premises or operating the school district's vehicles, machinery, or equipment;
- c. has sustained a personal injury, as that term is defined in Minnesota Statutes, section 176.011, subdivision 16, or has caused another employee to sustain a personal injury; or
- d. has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.

7. Treatment Program Testing

The school district may request or require any employee to undergo cannabis testing and drug and alcohol testing if the employee has been referred by the school district for chemical dependency treatment or evaluation or is participating in a chemical dependency treatment program under an employee benefit plan, in which case the employee may be requested or required to undergo cannabis testing and drug and alcohol testing without prior notice during the evaluation or treatment period and for a period of up to two (2) years following completion of any prescribed chemical dependency treatment program.

8. Routine Physical Examination Testing

The school district may request or require any employee to undergo drug and alcohol testing as part of a routine physical examination provided the drug or alcohol test is requested or required no more than once annually and the employee has been given at least two weeks' written notice that a drug or alcohol test may be requested or required as part of the physical examination.

C. No Legal Duty to Test

The school district does not have a legal duty to request or require any employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing.

D. Right of Other Employee or Job Applicant to Refuse Drug and Alcohol Testing and Consequences of Such Refusal

1. Right of Other Employee or Job Applicant to Refuse Drug and Alcohol Testing

Any employee or job applicant whose position does not require a commercial driver's license has the right to refuse drug and alcohol testing subject to the provisions contained in Paragraphs 2. and 3. of Section IV.D.

2. Consequences of an Employee's Refusal to Undergo Drug and Alcohol Testing

Any employee in a position that does not require a commercial driver's license who refuses to undergo drug and alcohol testing in the circumstances set out in the Random Testing, Reasonable Suspicion Testing, and Treatment Program Testing provisions of this policy may be subject to disciplinary action, up to and including immediate discharge.

3. Consequences of a Job Applicant's Refusal to Undergo Drug and Alcohol Testing

Any job applicant for a position which does not require a commercial driver's license who refuses to undergo drug and alcohol testing pursuant to the Job Applicant Testing provision of this policy shall not be employed.

E. Reliability and Fairness Safeguards

1. Pretest Notice

Before requesting an employee or job applicant whose position does not require a commercial driver's license to undergo drug or alcohol testing or

requesting cannabis testing, the school district shall provide the employee or job applicant with a Pretest Notice in the form of Attachment D to this policy on which to acknowledge that the employee or job applicant has received the school district's drug and alcohol testing or cannabis testing policy.

2. Notice of Test Results

Within three (3) working days after receipt of a test result report from the testing laboratory, the school district shall inform in writing an employee or job applicant who has undergone drug or alcohol testing or cannabis testing of a negative test result on an initial screening test or of a negative or positive test result on a confirmatory test.

3. Notice of and Right to Test Result Report

Within three (3) working days after receipt of a test result report from the testing laboratory, the school district shall inform in writing, an employee or job applicant who has undergone drug or alcohol testing of the employee or job applicant's right to request and receive from the school district a copy of the test result report on any drug or alcohol test or cannabis test.

4. Notice of and Right to Explain Positive Test Result

- a. If an employee or job applicant has a positive test result on a confirmatory test, the school district shall provide the individual with notice of the test results and, at the same time, written notice of the right to explain the results and to submit additional information (see Attachment G to this policy).
- b. The school district may request that the employee or job applicant indicate any over-the-counter or prescription medication that the individual is currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result.
- c. The employee may present verification of enrollment in the medical cannabis patient registry or of enrollment in a Tribal medical cannabis program as part of the employee's explanation.
- d. Use of nonintoxicating cannabinoids or edible cannabinoid products is not a legitimate medical explanation for a confirmed positive test result for cannabis. MROs will verify a drug test confirmed as positive, even if an employee claims to have only used nonintoxicating cannabinoids or edible cannabinoid product.
- e. Within three (3) working days after notice of a positive test result on a confirmatory test, an employee or job applicant may submit information (in addition to any information already submitted) to the school district to explain that result.

5. Notice of and Right to Request Confirmatory Retests

- a. If an employee or job applicant has a positive test result on a confirmatory test, the school district shall provide the individual with notice of the test results and, at the same time, written notice of the

right to request a confirmatory retest of the original sample at his or her expense.

- b. An employee or job applicant may request a confirmatory retest of the original sample at his or her own expense after notice of a positive test result on a confirmatory test. Within five (5) working days after notice of the confirmatory test result, the employee or job applicant shall notify the school district in writing of his or her intention to obtain a confirmatory retest. Within three (3) working days after receipt of the notice, the school district shall notify the original testing laboratory that the employee or job applicant has requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under Minnesota Statutes, section 181.953, subdivision 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that appropriate chain-of-custody procedures are followed during transfer of the sample to the other laboratory. The confirmatory retest must use the same drug, alcohol, or cannabis threshold detection levels as used in the original confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against the employee or job applicant.
6. If an employee or job applicant has a positive test result on a confirmatory test, the school district, at the time of providing notice of the test results, shall also provide written notice to inform the individual of other rights provided under Sections F. or G., below, whichever is applicable.

Attachments F and G to this policy provide the Notices described in Paragraphs 2. through 6. of this Section E.

F. Discharge and Discipline of Employees Whose Positions Do Not Require a Commercial Driver's License

1. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.
2. In the case of a positive test result on a confirmatory test, the employee shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge, pursuant to the provisions of this policy.
3. The school district may not discharge an employee for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test or cannabis test requested by the school district, unless the following conditions have been met:
  - a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug, alcohol, or cannabis counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with a certified chemical abuse counselor or a physician trained in the diagnosis and treatment of chemical dependency; and

- b. The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program.
- 4. Notwithstanding Paragraph 1., the school district may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the school district believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.
- 5. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information or the employee's status as a patient enrolled in the medical cannabis registry program revealed to the school district, unless the employee was under an affirmative duty to provide the information before, upon, or after hire, or failing to do so would violate federal law or regulations or cause the school district to lose money or licensing-related benefit under federal law or regulations.
- 6. The school district may not discriminate against any employee in termination, discharge, or any term of condition of employment or otherwise penalize an employee based upon an employee registered patient's positive drug test for cannabis components or metabolites, unless the employee used, possessed, or was impaired by medical cannabis on school district property during the hours of employment.
- 7. An employee must be given access to information in the individual's personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process or cannabis testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

G. Withdrawal of Job Offer for an Applicant for a Position That Does Not Require a Commercial Driver's License

If a job applicant has received a job offer made contingent on the applicant's passing drug and alcohol testing, the school district may not withdraw the offer based on a positive test result from an initial screening test that has not been verified by a confirmatory test. In the case of a positive test result on a confirmatory test, the school district may withdraw the job offer.

H. Chain-of-Custody Procedures

The school district has established its own reliable chain-of-custody procedures to ensure proper record keeping, handling, labeling, and identification of the samples to be tested. The procedures require the following:

- 1. Possession of a sample must be traceable to the employee from whom the sample is collected, from the time the sample is collected through the time the sample is delivered to the laboratory;

2. The sample must always be in the possession of, must always be in view of, or must be placed in a secure area by a person authorized to handle the sample;
3. A sample must be accompanied by a written chain-of-custody record; and
4. Individuals relinquishing or accepting possession of the sample must record the time the possession of the sample was transferred and must sign and date the chain-of-custody record at the time of transfer.

I. Privacy, Confidentiality and Privilege Safeguards

1. Privacy Limitations

A laboratory may only disclose to the school district test result data regarding the presence or absence of drugs, alcohol or their metabolites in a sample tested.

2. Confidentiality Limitations

With respect to employees and job applicants, test result reports and other information acquired in the drug or alcohol testing process are private data on individuals as that phrase is defined in Minnesota Statutes, chapter 13, and may not be disclosed by the school district or laboratory to another employer or to a third-party individual, governmental agency, or private organization without the written consent of the employee or job applicant tested.

3. Exceptions to Privacy and Confidentiality Disclosure Limitations

Notwithstanding Paragraphs 1. and 2., evidence of a positive test result on a confirmatory test may be: (1) used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under Minnesota Statutes, chapter 43A or other applicable state or local law, or a judicial proceeding, provided that information is relevant to the hearing or proceeding; (2) disclosed to any federal agency or other unit of the United States government as required under federal law, regulation or order, or in accordance with compliance requirements of a federal government contract; and (3) disclosed to a substance abuse treatment facility for the purpose of evaluation or treatment of the employee.

4. Privilege

Positive test results from the school district drug or alcohol testing program may not be used as evidence in a criminal action against the employee or job applicant tested.

J. Notice of Testing Policy to Affected Employees

The school district shall provide written notice of this drug, alcohol, and cannabis testing policy to all affected employees upon adoption of the policy, to a previously non-affected employee upon transfer to an affected position under the policy, and to a job applicant upon hire and before any testing of the applicant if the job offer is made contingent on the applicant's passing drug and alcohol testing. Affected employees and applicants will acknowledge receipt of this written notice in the form of Attachment H to this policy.

## **V. POSTING**

The school district shall post notice in an appropriate and conspicuous location on its premises that it has adopted a drug and alcohol testing policy and that copies of the policy are available for inspection during regular business hours by its employees or job applicants in its personnel office or other suitable locations.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. Ch. 43A (State Personnel Management)  
Minn. Stat. § 151.72 (Sale of Certain Cannabinoid Products)  
Minn. Stat. § 152.01 (Definitions)  
Minn. Stat. § 152.22 (Definitions; Medical Cannabis)  
Minn. Stat. § 152.23 (Limitations; Medical Cannabis)  
Minn. Stat. § 152.32 (Protections for Registry Program Participation)  
Minn. Stat. § 176.011, Subd. 16 (Definitions; Personal Injury)  
Minn. Stat. §§ 181.950-181.957 (Drug and Alcohol Testing in the Workplace)  
Minn. Stat. § 221.031 (Motor Carrier Rules)  
49 U.S.C. § 31306 (Omnibus Transportation Employee Testing Act of 1991)  
49 U.S.C. 31306a (National Clearinghouse for Controlled Substance and Alcohol Test Results of Commercial Motor Vehicle Operators)  
49 U.S.C. § 521(b) (Civil and Criminal Penalties for Violations)  
49 C.F.R. Parts 40 (Department of Transportation Rules Implementing Omnibus Transportation Employee Testing Act of 1991)  
49 C.F.R. Part 382 (Controlled Substances and Alcohol Use and Testing)

**Cross-References:** 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 417 (Chemical Use and Abuse)  
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)

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

MSBA/MASA Model Policy 418

Orig. 1995

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

Rev. 2025

## **418 DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL**

### **I. PURPOSE**

The purpose of this policy is to maintain a safe and healthful environment for employees and students by prohibiting the use of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products, and controlled substances without a physician's prescription.

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

- A. Use or possession of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products, and controlled substances before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.
- B. A violation of this policy occurs when any student, teacher, administrator, other school district personnel, or member of the public uses or possesses alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products, or controlled substances in any school location.
- C. An individual may not use or possess cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public school, as defined in Minnesota Statutes, section 120A.05, subdivisions 9, 11, and 13, including all facilities, whether owned, rented, or leased, and all vehicles that the school district owns, leases, rents, contracts for, or controls.
- D. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

### **III. DEFINITIONS**

- A. "Alcohol" includes any alcoholic beverage containing more than one-half of one percent alcohol by volume.
- B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code, section 812, including analogues and look-alike drugs.
- C. "Edible cannabinoid product" means any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in combination with food ingredients, and is not a drug.
- D. "Nonintoxicating cannabinoid" means substances extracted from certified hemp plants that do not produce intoxicating effects when consumed by injection, inhalation, ingestion, or by any other immediate means.

- E. "Medical cannabis" means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of: (1) liquid, including, but not limited to, oil; (2) pill; (3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; (4) combustion with use of dried raw cannabis; or (5) any other method approved by the Commissioner of the Minnesota Department of Health ("Commissioner").
- F. "Possess" means to have on one's person, in one's effects, or in an area subject to one's control.
- G. "School location" includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.
- H. "Sell" means to sell, give away, barter, deliver, exchange, distribute or dispose of to another, or to manufacture; or to offer or agree to perform such an act, or to possess with intent to perform such an act.
- I. "Toxic substances" includes: (1) glue, cement, aerosol paint, containing toluene, benzene, xylene, amyl nitrate, butyl nitrate, nitrous oxide, or containing other aromatic hydrocarbon solvents, but does not include glue, cement, or paint contained in a packaged kit for the construction of a model automobile, airplane, or similar item; (2) butane or a butane lighter; or (3) any similar substance declared to be toxic to the central nervous system and to have a potential for abuse, by a rule adopted by the Commissioner.
- I. "Use" means to sell, buy, manufacture, distribute, dispense, be under the influence of, or consume in any manner, including, but not limited to, consumption by injection, inhalation, ingestion, or by any other immediate means.

#### **IV. EXCEPTIONS**

- A. A violation of this policy does not occur when a person brings onto a school location, for such person's own use, a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.
- B. A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minnesota Statutes, section 624.701, subdivision 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).
- C. A violation of this policy does not occur when a person uses or possesses a toxic substance unless they do so with the intent of inducing or intentionally aiding another in inducing intoxication, excitement, or stupefaction of the central nervous system, except under the direction and supervision of a medical doctor.
- D. The school district may not refuse to enroll or otherwise penalize a patient or person

enrolled in the Minnesota Patient Registry Program or a Tribal medical cannabis program as a pupil solely because the patient or person is enrolled in the registry program or a Tribal medical cannabis program, unless failing to do so would violate federal law or regulations or cause the school to lose a monetary or licensing-related benefit under federal law or regulations.

An employer or a school must provide written notice to a patient at least 14 days before the employer or school takes an action against the patient that is prohibited under Minnesota Statutes, section 342.57, subdivision 3 or 5. The written notice must cite the specific federal law or regulation that the employer or school believes would be violated if the employer or school fails to take action. The notice must specify what monetary or licensing-related benefit under federal law or regulations that the employer or school would lose if the employer or school fails to take action.

A school or an employer must not retaliate against a patient for asserting the patient's rights or seeking remedies under Minnesota Statutes, section 342.57 or section 152.32.

**[NOTE: The 2025 Minnesota legislature amended this law.]**

## **V. PROCEDURES**

- A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, must comply with the school district's student medication policy.

**[NOTE: School districts are required by Minnesota Statutes, section 121A.22 to develop procedures for the administration of drugs and medicine. If the school district does not have a student medication policy such as MSBA/MASA Model Policy 516, this Paragraph A. can be modified to provide: "Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, must provide a copy of the prescription and the medication to the school nurse, principal, or other designated staff member. The school district's licensed school nurse, trained health clerk, principal, or teacher will administer the prescribed medication except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, in accordance with school district procedures."]**

- B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.
- C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.

**[NOTE: The Drug-Free Workplace Act requires that school district employees be notified by a published statement of the prohibition of the use of controlled substances and actions that will be taken against employees for violations of such prohibition (41 United States Code section 8103; 34 Code of Federal Regulations Part 84). An acknowledgment will document satisfaction by the school district of this federal requirement.]**

- D. Employees are subject to the school district's drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances, intoxicating cannabinoids, or edible cannabinoid products in a school location except with the express permission of the superintendent.
- F. No person is permitted to possess or use medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any child care facility. This prohibition includes (1) vaporizing or combusting medical cannabis on any form of public transportation where the vapor or smoke could be inhaled by a minor child or in any public place, including indoor or outdoor areas used by or open to the general public or place of employment; and (2) operating, navigating, or being in actual physical control of any motor vehicle or working on transportation property, equipment or facilities while under the influence of medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products.
- G. Possession of alcohol on school grounds pursuant to the exceptions of Minnesota Statutes, section 624.701, subdivision 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

**VI. SCHOOL PROGRAMS**

- A. Starting in the 2026-2027 school year, the school district must implement a comprehensive education program on cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, for students in middle school and high school. The program must include instruction on the topics listed in Minnesota Statutes, section 120B.215, subdivision 1 and must:
  - 1. respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl; and
  - 2. refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, and treatment for a substance use disorder.

**[NOTE: MDE information on this requirement is provided in the Resources section of this model policy.]**

- B. School district efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with Minnesota Statutes, sections 120B.10 and 120B.11.
- C. Notwithstanding any law to the contrary, the school district shall have a procedure for a parent, a guardian, or an adult student 18 years of age or older to review the content of the instructional materials to be provided to a minor child or to an adult student pursuant to this article. The district must allow a parent or adult student to opt out of instruction under this article with no academic or other penalty for the student and must inform parents and adult students of this right to opt out.

## **VII. ENFORCEMENT**

### **A. Students**

1. Students may be required to participate in programs and activities that provide education against the use of alcohol, tobacco, marijuana, smokeless tobacco products, electronic cigarettes, and nonintoxicating cannabinoids, and edible cannabinoid products.
2. Students may be referred to drug or alcohol assistance or rehabilitation programs; school based mental health services, mentoring and counseling, including early identification of mental health symptoms, drug use and violence and appropriate referral to direct individual or group counselling service, which may be provided by school based mental health services providers; and/or referral to law enforcement officials when appropriate.
3. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.

### **B. Employees**

1. As a condition of employment in any federal grant, each employee who is engaged either directly or indirectly in performance of a federal grant shall abide by the terms of this policy and shall notify his or her supervisor in writing of his or her conviction of any criminal drug statute for a violation occurring in any of the places listed above on which work on a school district federal grant is performed, no later than five (5) calendar days after such conviction. Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
2. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, termination, or discharge as deemed appropriate by the school board.
3. In addition, any employee who violates the terms of this policy may be required to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the school district. Any employee who fails to satisfactorily participate in and complete such a program is subject to nonrenewal, suspension, or termination as deemed appropriate by the school board.
4. Sanctions against employees, including nonrenewal, suspension, termination, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.

### **C. The Public**

A member of the public who violates this policy shall be informed of the policy and asked to leave. If necessary, law enforcement officials will be notified and asked to provide an escort.

**Legal References:** Minn. Stat. § 120B.215 (Education on Cannabis Use and Substance Use)

Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)  
Minn. Stat. § 121A.40-§ 121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 151.72 (Sale of Certain Cannabinoid Products)  
Minn. Stat. § 152.01, Subd. 15a (Definitions)  
Minn. Stat. § 152.0264 (Cannabis Sale Crimes)  
Minn. Stat. § 152.22, Subd. 6 (Definitions; Medical Cannabis)  
Minn. Stat. § 152.23 (Limitations; Medical Cannabis)  
Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)  
Minn. Stat. § 340A.101 (Definitions; Alcoholic Beverage)  
Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)  
Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)  
Minn. Stat. § 342.09 (Personal Adult Use of Cannabis)  
Minn. Stat. § 342.56 (Limitations)  
Minn. Stat. § 609.684 (Abuse of Toxic Substances)  
Minn. Stat. § 624.701 (Alcohol in Certain Buildings or Grounds)  
20 U.S.C. § 7101-7122 (Student Support and Academic Enrichment Grants)  
21 U.S.C. § 812 (Schedules of Controlled Substances)  
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)  
21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)  
34 C.F.R. Part 84 (Government-Wide Requirements for Drug-Free Workplace)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)  
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)  
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 516 (Student Medication)

**Resources:** To support the requirements for school districts and charter schools outlined in [Minnesota Statute 2024, section 120B.215, subdivision 2](#), and in accordance with subdivision 1, MDE, in collaboration with MDH, the Minnesota Department of Human Services (DHS), and education experts, has created a

[List of Model Cannabis Education Programs for School District and Charter School Consideration.](#)

Schools may choose to implement one of the listed programs or they may implement their own program(s) identified through a local curriculum adoption process by the 2026-27 school year. While it is not required for a school district or charter school to use one of the programs in the list, the list and rubric provided may be useful to school districts and charter schools in their own decision-making process.

Please visit [MDE's Health Education webpage](#) for more information.

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

MSBA/MASA Model Policy 425

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## **425 STAFF DEVELOPMENT AND MENTORING**

### **I. PURPOSE**

The purpose of this policy is to establish a staff development program and structure to carry out planning and reporting on staff development that supports improved student learning.

### **II. ADVISORY STAFF DEVELOPMENT COMMITTEE AND SITE PROFESSIONAL DEVELOPMENT TEAMS**

A. The school board will establish an Advisory Staff Development Committee to develop a Staff Development Plan, assist Site Professional Development Teams in developing a site plan consistent with the goals of the Staff Development Plan, and evaluate staff development efforts at the site level.

1. The majority of the membership of the Advisory Staff Development Committee shall consist of teachers representing various grade levels, subject areas, and special education. The Committee also will include nonteaching staff, parents, and administrators.

2. Members of the Advisory Staff Development Committee shall be appointed by the school administration. Committee members shall serve a two-year term\* based upon nominations by board members, teachers, and paraprofessionals. The school administration shall appoint replacement members of the Advisory Staff Development Committee as soon as possible following the resignation, death, serious illness, or removal of a member from the Committee.

B. The school board will establish the Site Professional Development Teams.

1. Members of the Site Professional Development Teams will be appointed by the school administration. Team members shall serve a two-year term\* based upon nominations by board members, teachers, and paraprofessionals. The school administration shall appoint replacement members of the Site Professional Development Teams as soon as possible following the resignation, death, serious illness, or removal of a member from the Team.

2. The majority of the Site Professional Development Teams shall be teachers representing various grade levels, subject areas, and special education.

### **III. DUTIES OF THE ADVISORY STAFF DEVELOPMENT COMMITTEE**

A. The Advisory Staff Development Committee will develop a Staff Development Plan that will be reviewed and subject to approval by the school board twice a year.\*

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\* This time period may be changed to accommodate individual school district needs.

- B. The Staff Development Plan must contain the following elements:
1. Staff development outcomes that are consistent with the education outcomes as may be determined periodically by the school board;

**[NOTE: The board-determined education outcomes for your district could be inserted here.]**

2. The means to achieve the Staff Development outcomes;
3. The procedures for evaluating progress at each school site toward meeting educational outcomes consistent with relicensure requirements under Minnesota Statutes, section 122A.187;
4. Ongoing staff development activities that contribute toward continuous improvement in achievement of the following goals:
  - a. Improve student achievement of state and local education standards in all areas of the curriculum, including areas of regular academic and applied and experiential learning, by using research-based best practices methods;
  - b. Effectively meet the needs of a diverse student population, including at-risk children, children with disabilities, English learners, and gifted children, within the regular classroom, applied and experiential learning settings, and other settings;
  - c. Provide an inclusive curriculum for a racially, ethnically, linguistically, and culturally diverse student population that is consistent with state education diversity rule and the district's education diversity plan;
  - d. Improve staff collaboration and develop mentoring and peer coaching programs for teachers new to the school or district;
  - e. Effectively teach and model violence prevention policy and curriculum that address early intervention alternatives, issues of harassment, and teach nonviolent alternatives for conflict resolution;
  - f. Effectively deliver digital and blended learning and curriculum and engage students with technology; and
  - g. Provide teachers and other members of site-based management teams with appropriate management and financial management skills.
5. The Staff Development Plan also must:
  - a. Support stable and productive professional communities achieved through ongoing and schoolwide progress and growth in teaching practice;
  - b. Emphasize coaching, professional learning communities, classroom action research, and other job-embedded models;
  - c. Maintain a strong subject matter focus premised on students' learning

goals consistent with Minnesota Statutes, section 120B.125;

- d. Ensure specialized preparation and learning about issues related to teaching English learners and students with special needs by focusing on long-term systemic efforts to improve educational services and opportunities and raise student achievement; and
  - e. Reinforce national and state standards of effective teaching practice.
6. Staff development activities must:
- a. Focus on the school classroom and research-based strategies that improve student learning;
  - b. Provide opportunities for teachers to practice and improve their instructional skills over time;
  - c. Provide opportunities for teachers to use student data as part of their daily work to increase student achievement;
  - d. Enhance teacher content knowledge and instructional skills, including to accommodate the delivery of digital and blended learning and curriculum and engage students with technology;
  - e. Align with state and local academic standards;
  - f. Provide opportunities to build professional relationships, foster collaboration among principals and staff who provide instruction, and provide opportunities for teacher-to-teacher mentoring;
  - g. Align with the plan, if any, of the district or site for an alternative teacher professional pay system;
  - h. Provide teachers of English learners, including English as a second language, and content teachers with differentiated instructional strategies critical for ensuring students long-term academic success, the means to effectively use assessment data on the academic literacy, oral academic language, and English language development of English learners, and skills to support native and English language development across the curriculum; and
  - i. Provide opportunities for staff to learn about current workforce trends, the connections between workforce trends and postsecondary education, and training options, including career and technical education options.
7. Staff development activities may include curriculum development and curriculum training programs and activities that provide teachers and other members of site-based teams training to enhance team performance.
8. The school district may implement other staff development activities required by law and activities associated with professional teacher compensation models.

**[NOTE: To the extent the school board offers K-12 teachers the opportunity for more staff development training under Minnesota Statutes, section 122A.40, Subdivisions.**

**7 and 7a, or Minnesota Statutes, section 122A.41, subdivisions. 4 and 4a, such additional days of staff development should include peer mentoring, peer gathering, continuing education, professional development, or other training which enable teachers to achieve the staff development outcomes enumerated above in Section III.B.4.]**

- C. The Advisory Staff Development Committee will assist Site Professional Development Teams in developing a site plan consistent with the goals and outcomes of the Staff Development Plan.
- D. The Advisory Staff Development Committee will evaluate staff development efforts at the site level and will report to the school board on a quarterly basis\* the extent to which staff at the site have met the outcomes of the Staff Development Plan.
- E. In addition to developing a Staff Development Plan, the Staff Development Advisory Committee also must develop teacher mentoring programs for teachers new to the profession or school district, including teaching residents, teachers of color, teachers who are American Indian, teachers in license shortage areas, teachers with special needs, or experienced teachers in need of peer coaching. Teacher mentoring programs must be included in or aligned with the school district's teacher evaluation and peer review processes under Minnesota Statutes, sections 122A.40, subdivision 8 or 122A.41, subdivision 5.
- F. The Advisory Staff Development Committee shall assist the school district in preparing any reports required by the Minnesota Department of Education (MDE) relating to staff development or teacher mentoring including, but not limited to, the reports referenced in Section VII. below.

#### **IV. DUTIES OF THE SITE PROFESSIONAL DEVELOPMENT TEAM**

- A. Each Site Professional Development Team shall develop a site plan, consistent with the goals of the Staff Development Plan. The school board will review the site plans for consistency with the Staff Development Plan twice a year.\*
- B. The Site Professional Development Team must demonstrate to the school board the extent to which staff at the site have met the outcomes of the Staff Development Plan. The actual reports to the school board can be made by the Advisory Staff Development Committee to avoid duplication of effort.
- C. If the school board determines that staff development outcomes are not being met, it may withhold a portion of the initial allocation of revenue referenced in Section V. below.

#### **V. STAFF DEVELOPMENT FUNDING**

- A. Unless the school district is in statutory operating debt or a majority of the school board and a majority of its licensed teachers annually vote to waive the requirement to reserve basic revenue for staff development, the school district will reserve an amount equal to at least two percent of its basic revenue for: (1) teacher development and evaluation under Minnesota Statutes, section 122A.40, subdivision 8 or 122A.41, subdivision 5; (2) principal development and evaluation under section 123B.147, subdivision. 3; (3) professional development under section 122A.60; (4) in-service education for programs

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\* This time period may be changed to accommodate individual school district needs.

under section 120B.22, subdivision 2; and (5) teacher mentorship under section 122A.70, subdivision 1. To the extent extra funds remain, staff development revenue may be used for development plans, including plans for challenging instructional activities and experiences under section 122A.60, and for curriculum development and programs, other in-service education, teacher's workshops, teacher conferences, the cost of substitute teachers for staff development purposes, preservice and in-service education for special education professionals and paraprofessionals, and other related costs for staff development efforts. The school district also may use the revenue reserved for staff development for grants to the school district's teachers to pay for coursework and training leading to certification as either a college in the schools teacher or a concurrent enrollment teacher. To receive a grant, the teacher must be enrolled in a program that includes coursework and training focused on teaching a core subject.

- B. The school district may, in its discretion, expend an additional amount of unreserved revenue for staff development based on its needs.
- C. Release time provided for teachers to supervise students on field trips and school activities, or independent tasks not associated with enhancing the teacher's knowledge and instructional skills, such as preparing report cards, calculating grades, or organizing classroom materials, may not be counted as staff development time that is financed with staff development reserved revenue under Minnesota Statutes, section 122A.61.

## **VI. PROCEDURE FOR USE OF STAFF DEVELOPMENT FUNDS**

- A. On a yearly\* basis, the Advisory Staff Development Committee, with the assistance of the Site Professional Development Teams, shall prepare a projected budget setting forth proposals for allocating staff development and mentoring funds reserved for each school site. Such budgets shall include, but not be limited to, projections as to the cost of building site training programs, costs of individual staff seminars, and cost of substitutes.
- B. Upon approval of the budget by the school board, the Advisory Committee shall be responsible for monitoring the use of such funds in accordance with the Staff Development Plan and budget. The requested use of staff development funds must meet or make progress toward the goals and objectives of the Staff Development Plan. All costs/expenditures will be reviewed by the school board and/or superintendent for consistency with the Staff Development Plan on a quarterly basis.\*
- C. Individual requests from staff for leave to attend staff development activities shall be submitted and reviewed according to school district policy, staff procedures, contractual agreement, and the effect on school district operations. Failure to timely submit such requests may be cause for denial of the request.
- D. The school district may use staff development revenue, special grant programs established by the legislature, or another funding source to pay a stipend to a mentor who may be a current or former teacher who has taught at least three (3) years and is not on an improvement plan. Other initiatives using such funds. or funds available under Minnesota Statutes, sections 124D.861 and 124D.862, may include:
  - 1. additional stipends as incentives to mentors of color or who are American Indian;

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\* This time period may be changed to accommodate individual school district needs.

2. financial supports for professional learning community affinity groups across schools within and between districts for teachers from underrepresented racial and ethnic groups to come together throughout the school year;
3. programs for induction aligned with the school district or school mentorship program during the first three (3) years of teaching, especially for teachers from underrepresented racial and ethnic groups; or
4. grants supporting licensed and nonlicensed educator participation in professional development, such as workshops and graduate courses, related to increasing student achievement for students of color and American Indian students in order to close opportunity and achievement gaps.

To the extent the school district receives a grant for any of the above purposes, it will negotiate additional retention strategies or protection from unrequested leave of absences in the beginning years of employment for teachers of color and teachers who are American Indian. Retention strategies may include providing financial incentives for teachers of color and teachers who are American Indian to work in the school or district for at least five (5) years and placing American Indian educators at sites with other American Indian educators and educators of color at sites with other educators of color to reduce isolation and increase opportunity for collegial support.

#### **VII. PARAPROFESSIONALS, TITLE I AIDES, AND OTHER INSTRUCTIONAL SUPPORT STAFF**

- A. The school district must provide a minimum of eight hours of paid orientation or professional development annually to all paraprofessionals, Title I aides, and other instructional support staff. Six of the eight hours must be completed before the first instructional day of the school year or within 30 days of hire. The school district must consult the exclusive representative for employees receiving this training before creating or planning the training required under this section.
- B. The orientation or professional development must be relevant to the employee's occupation and may include collaboration time with classroom teachers and planning for the school year.
- C. For paraprofessionals who provide direct support to students, at least 50 percent of the professional development or orientation must be dedicated to meeting the requirements of this section. Professional development for paraprofessionals may also address the requirements of Minnesota Statutes, section 120B.363, subdivision 3.
- D. A school administrator must provide an annual certification of compliance with this requirement to the MDE Commissioner.

#### **VIII. REPORTING**

- A. The school district and site staff development committee shall prepare a report of the previous fiscal year's staff development activities and expenditures as part of the school district's comprehensive achievement and civic readiness report.
  1. The report must include assessment and evaluation data indicating progress toward district and site staff development goals based on teaching and learning outcomes, including the percentage of teachers and other staff involved in instruction who participate in effective staff development activities.
  2. The report will provide a breakdown of expenditures for:

- a. Curriculum development and curriculum training programs;
- b. Staff development training models, workshops, and conferences; and
- c. The cost of releasing teachers or providing substitute teachers for staff development purposes.

The report also must indicate whether the expenditures were incurred at the district level or the school site level and whether the school site expenditures were made possible by the grants to school sites that demonstrate exemplary use of allocated staff development revenue. These expenditures must be reported using the uniform financial and accounting and reporting standards (UFARS).

- 3. The report will be signed by the superintendent and staff development chair.
- B. To the extent the school district receives a grant for mentorship activities described in Section V.D., by June 30 of each year after receiving a grant, the site staff development committee must submit a report to the Professional Educator Licensing and Standards Board on program efforts that describes mentoring and induction activities and assesses the impact of these programs on teacher effectiveness and retention.

**Legal References:** Minn. Stat. § 120A.41 (Length of School Year; Days of Instruction)  
Minn. Stat. § 120A.415 (Extended School Calendar)  
Minn. Stat. § 120B.125 (Planning for Students’ Successful Transition to Postsecondary Education and Employment; Personal Learning Plans)  
Minn. Stat. § 120B.22, Subd. 2 (Violence Prevention Education)  
Minn. Stat. § 121A.642 (Paraprofessional Training)  
Minn. Stat. § 122A.187 (Expiration and Renewal)  
Minn. Stat. § 122A.40, Subds. 7, 7a and 8 (Employment; Contracts; Termination - Additional Staff Development and Salary)  
Minn. Stat. § 122A.41, Subds. 4, 4a and 5 (Teacher Tenure Act; Cities of the First Class; Definitions - Additional Staff Development and Salary)  
Minn. Stat. § 122A.60 (Staff Development Program)  
Minn. Stat. § 122A.70 (Teacher Mentorship and Retention of Effective Teachers)  
Minn. Stat. § 122A.61 (Reserved Revenue for Staff Development)  
Minn. Stat. § 123B.147, Subd. 3 (Principals)  
Minn. Stat. § 124D.861 (Achievement and Integration for Minnesota)  
Minn. Stat. § 124D.862 (Achievement and Integration Revenue)  
Minn. Stat. § 126C.10, Subds. 2 and 2b (General Education Revenue)  
Minn. Stat. § 126C.13, Subd. 5 (General Education Levy and Aid)

**Cross References:** None.