

Business Meeting

Tuesday, March 19, 2024 6:00 PM

Stillwater Middle School, 523 Marsh St W, Stillwater, Minnesota 55082

I. Recognition	Speaker (s) : Ms. Alison Sherman, School Board Chair
II. Public Comment	Speaker (s) : Ms. Alison, School Board Chair
III. Call to Order	Speaker (s) : Ms. Alison Sherman, School Board Chair
IV. Roll Call	Speaker (s) : Ms. Alison Sherman, School Board Chair
V. Pledge of Allegiance	Speaker (s) : Ms. Alison Sherman, School Board Chair
VI. Approval of Agenda	Speaker (s) : Ms. Alison Sherman, School Board Chair
VII. Student Report	Speaker (s) : Ms. Jenna Phelps and Mr. Samuel Young, Student Representatives
VIII. Superintendent Report	Speaker (s) : Dr. Mike Funk, Superintendent
IX. Board Chair Report	Speaker (s) : Ms. Alison Sherman, School Board Chair
X. Consent Agenda	
X.A. School Board Meeting Minutes, February 20, 2024	Speaker (s) : Ms. Beverly Petrie, Clerk
X.B. School Board Meeting Minutes, March 4, 2024	Speaker (s) : Ms. Beverly Petrie, School Board Clerk
X.C. Payment of Invoices - March 2, 2024 - March 15, 2024	Speaker (s) : Ms. Marie Schrul, Executive Director of Finance
X.D. Annual review: Policy 103 - Complaints-Students, Employees, Parents, Other Persons	Speaker (s) : Ms. Beverly Petrie, School Board Clerk
X.E. Annual Review: Policy 104 - School District Mission Statement	Speaker (s) : Ms. Beverly Petrie, School Board Clerk
X.F. Rutherford Elementary Large and Small Playground Replacement	Speaker (s) : Mr. Mark Drommerhausen, Executive Director of Operations
X.G. Lily Lake Elementary Small Playground Replacement	Speaker (s) : Mr. Mark Drommerhausen, Executive Director of Operations
X.H. Human Resources Personnel Report	Speaker (s) : Ms.

Kristine Carlston,
Executive Director of
Human Resources

XI. **Strategic Direction A: Ensure the learning process is adaptable to meet individual student needs**

XII. **Strategic Direction B: Foster a safe, welcoming and inclusive environment for all staff and students**

XIII. **Strategic Direction C: Utilize systems and align resources in an efficient manner to support learning**

XIII.A. Action: Budget Revision 2023-24

Speaker (s) : Ms. Marie Schrul, Executive Director of Finance

XIII.B. Action: 2023-2025 St. Croix Education Association (SCEA) Master Contract

Speaker (s) : Ms. Kristine Carlston, Executive Director of Human Resources

XIII.C. Action: Staffing Adjustments

Speaker (s) : Ms. Kristine Carlston, Executive Director of Human Resources

XIII.D. Report: First Reading:

- Policy 203.2-Order of the Regular School Board Meeting
- Policy 305-Policy Implementation
- Policy 306 - Administrator Code of Ethics
- Policy 413-Harassment and Violence
- Policy 416-Drug, Alcohol, and Cannabis Testing
- Policy 417-Chemical Use and Abuse
- Policy 526-Hazing Prohibition
- Policy 528-Student Parental, Family, and Marital Status Nondiscrimination

Speaker (s) : Ms. Beverly Petrie, School Board Clerk

XIII.E. Action: Revoke Policy:

- Policy 102.1-Opportunities of Choice
- Policy 103.1-Education Program Concerns/Resolution/Appeal
- Policy 201.6-Community Engagement and Public Participation
- Policy 215-Board Resignation/Vacancy
- Policy SR 1.10-Racial, Religious, Sexual Harassment, Violence and Hazing
- Policy SR 1.7-Drugs, Tobacco, Alcohol Use/Violations

Speaker (s) : Ms. Beverly Petrie, School Board Clerk

XIV. **Strategic Direction D: Develop strong partnerships with the communities we serve**

XV. **Adjournment**

Speaker (s) : Ms. Alison Sherman, School Board Chair

XVI. **Attachments**

- I. Recognition: Superintendent Funk recognized the school board and presented them with a certificate of Appreciation from the Minnesota School Board Association.
- II. Public Comment: Nancy Purcell - Block scheduling
- III. Call to Order: The meeting was called to order at 6:06 p.m.
- IV. Roll Call: Present: Katie Hockert, Pete Kelzenberg, Chris Lauer, Beverly Petrie, Annie Porbeni, Alison Sherman, Andrew Thelander
- V. Pledge of Allegiance
- VI. Approval of Agenda: Motion made by Hockert and second by Sherman, Carried 7-0.
- VII. Student Report: Jenna reported on the success of blast week. Sam reported that The United Council has been working on concerns from students about feeling safe at school.
- VIII. Superintendent Report: Administration has been working with students and parents regarding students feeling safe at school. Dr. Funk thanked our bus drivers for safely transporting students and for their dedication and service to the district.
- IX. Chair Report: Nothing to report.
- X. Consent Agenda: A. School Board Meeting Minutes, January 23, 2024; B. School Board Meeting Minutes, February 6, 2024; C. Payment of Invoices - February 3-16, 2024 and any off-cycle payments not included in previous register; D. American Indian Education Program Annual Compliance; E. Motion Directing Administration to make Budget Reductions; F. Human Resources Personnel Report. Motion by Porbeni and second by Thelander, Carried 7-0.
- XI. Strategic Direction A: Ensure the Learning Process is Adaptable to Meet Individual Student Needs, Foster a Safe, Welcoming and Inclusive Environment for All Staff and Students. Nothing to report.
- XII. Strategic Direction B: Foster a Safe, Welcoming and Inclusive Environment for All Staff and Students. Nothing to report. Nothing to report.
- XIII. Strategic Direction C: Utilize Systems and Align Resources in an Efficient Manner to Support Learning.
 - A. Report: Start Time Discussion. The board discussed the start time proposal for the 2025-26 school year.
 - B. Start Time Discussion. The board voted to flip school start times for elementary and secondary students beginning in the 2025-26 school year. Motion by Sherman and second by Lauer, carried 7-0.
 - C. Report: Priority Based Budgeting/2024-2025 Investments. School board members learned about the Priority-Based Budgeting (PBB) process district leaders are utilizing to ensure money is being invested in areas that support the district's strategic goals. PBB identifies the programs that offer the highest value and continues to provide funding for them, while fixing, replacing or eliminating programs or services that have shown a lesser return on investment. As part of the planning for next year administrators presented a list of new investments, as well as several budget adjustments, that will be made to align the budget with district priorities.
 - D. Action: 2024-2025 Preliminary Budget Guidelines & Assumptions. School board members voted to approve the timeline and assumptions that will guide the development of the 2024-25 budget. The preliminary budget will be based on a set of assumptions including, but not limited to, enrollment projections and current law and regulations. A draft of a preliminary budget will come before the board this spring, with approval of a preliminary budget required by June 30. Motion by Sherman and second by Kelzenberg, carried 7-0.
 - E. Action: Lily Lake Elementary Renovations - 2024. School board members voted to approve renovations at Lily Lake Elementary. Motion by Thelander and second by Kelzenberg, carried 7-0.
 - F. Action: District Wide Long Term Facility Maintenance (LTFM) Improvements - 2024. School board members voted to approve several district-wide improvement projects as part of the 2024-25 LTFM program. Projects include: Afton-Lakeland Elementary, Rutherford Elementary and Stillwater Middle School. Motion by Thelander and second by Lauer, carried 7-0.
 - G. Report: First Reading Policy 209 - Code of Conduct. This policy will come to the board for a second reading and approval at a future meeting.

- H. Action: Revoke Policy 201.4 - Board Member Code of Conduct; Policy 201.11 - Board Policy Violation and Policy 209.1 - Board Policy Violation. These policies are redundant with Policy 201 and 209. Motion by Hockert and second by Petrie, carried 7-0.
- I. Action: Revoke Policy 301.3 - Superintendent - Board Relationship; 302.1 - Roles of Board and Superintendent and 302.2 - Monitoring Superintendent Performance. These policies are redundant with Policy 301, 302 and 304. Motion by Hockert and second by Petrie, Carried 7-0.
- XIV. Strategic Direction D: Develop Strong Partnerships with the Communities We Serve
 - A. Bond 2023 Facilities Update. School board members received an update on the status of various projects approved by voters as part of the 2023 Bond, including an update on the purchase of land for the new Andersen and Lake Elmo elementary schools and the process being used to design new spaces for all of the bond projects.
- XV. Closed Session. Pursuant to Minnesota Statute 13D.03(b). The governing body of a public employer may by a majority vote in a public meeting, decide to hold a closed meeting to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to sections 179A.01 to 179A.25. Motion by Thelander to move to a closed session at 8:13 p.m. and second by Lauer, carried 7-0. Present:Hockert, Kelzenberg, Lauer, Petrie, Porbeni, Sherman, Thelander, Superintendent Funk, Kris Carlston, Marie Schrul, Mark Drommerhausen. Motion by Petrie to move to the open session at 9:02 p.m. second by Thelander, carried 7-0.
- XVI. Closed Session. Pursuant to Minn. Stat. § 13D.05, subd. 3(c)(3), which allows the Board to go into closed session to develop or consider an offer to purchase or sell real property. Motion by Porbeni to move to a closed session at 9:03 p.m. and second by Hockert, carried 7-0. Present:Hockert, Kelzenberg, Lauer, Petrie, Porbeni, Sherman, Thelander, Superintendent Funk, Kris Carlston, Marie Schrul, Mark Drommerhausen. Motion by Hockert to move to the open session at 9:18 p.m. second by Sherman, carried 7-0.
- XVII. Action: Amendment to Purchase Agreement. The board voted to approve an amendment to extend the purchase agreement for a 47 acre site on the corner of Lake Elmo Avenue and 10th St. N. in Lake Elmo until the end of March. This is the proposed site for the new Lake Elmo Elementary. Motion by Thelander and second by Kelzenberg, carried 7-0.
- XVIII. Adjourn
 - A. The meeting adjourned at 9:19 p.m.

Respectfully submitted, Beverly Petrie, Board Clerk

Independent School District 834 – Stillwater Area Public Schools
Stonebridge Elementary School, 900 Owens St N, Stillwater, MN 55082
Business Meeting, Monday, March 4, 2024 6:00 PM

- I. Call to Order: The meeting was called to order at 6:00 p.m.
- II. Roll Call: Present: Katie Hockert, Pete Kelzenberg, Chris Lauer, Beverly Petrie, Alison Sherman, Andrew Thelander. Absent: Annie Porbeni
- III. Pledge of Allegiance
- IV. Approval of Agenda: Motion made by Sherman and second by Thelander Carried 6-0.
- V. Consent Agenda: A. Payment of Invoices - 2/17/2024 through 3/1/2024, Gifts and Donations - 1/1/2024 through 1/31/2024 & Treasurer's Report - January 2024. Motion by Hockert to approve Consent Agenda A and second by Petrie; carried 6-0.
- VI. Strategic Direction A: Ensure the Learning Process is Adaptable to Meet Individual Student Needs, Foster a Safe, Welcoming and Inclusive Environment for All Staff and Students. Nothing to report.
- VII. Strategic Direction B: Foster a Safe, Welcoming and Inclusive Environment for All Staff and Students. Nothing to report. Nothing to report.
- VIII. Strategic Direction C: Utilize Systems and Align Resources in an Efficient Manner to Support Learning.
 - A. Report: Legislative Update. The board reviewed a survey from AMSD showing the number of school districts facing budget shortfalls totaling more than \$300 million for the coming school year. They also received an update on items of interest for the 2024 legislative session.
 - B. Action: Insurance Renewal Information for 2024-2025. The board approved the renewal of the high deductible/VEBA health insurance plan at an 8% increase for the 2024-2025 school year. As part of the renewal, the district will be eliminating the Gold plan to help control rapidly rising insurance costs that impact both the district and individual employees. Motion by Sherman and second by Lauer, Carried 6-0.
 - C. Action: 2024 Wireless Network Upgrade/Replacement. The board approved the replacement of all wireless access points across district buildings. Motion by Thelander and second by Kelzenberg, Carried 6-0.
 - D. Report: Second Reading Policy 209 - Code of Ethics. There were no changes to the second reading of Policy 209.
 - E. Public Input Related to Policy 209 - Code of Ethics. No speakers.
 - F. Action: Policy 209 - Code of Ethics. Motion by Thelander and second by Hockert, Carried 6-0.
- IX. Strategic Direction D: Develop Strong Partnerships with the Communities We Serve. Nothing to report.
- X. Adjourn
 - A. The meeting adjourned at 6:28 p.m.

Respectfully submitted, Beverly Petrie, Board Clerk

SCHOOL DISTRICT

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Complaints – Students, Employees, Parents, Other Persons	103	Adopted: 12-14-2014 Revised: 11-16-2017 Reviewed: 03-19-2020	Annual

I. PURPOSE

The school district takes seriously all concerns or complaints by students, employees, parents or other persons. If a specific complaint procedure is provided within any other policy of the school district, the specific procedure shall be followed in reference to such a complaint. If a specific complaint procedure is not provided, the purpose of this policy is to provide a procedure that may be used.

II. GENERAL STATEMENT OF POLICY

- A. Students, parents, employees, or other persons may report concerns or complaints to the school district. While written reports are encouraged, a complaint may be made orally. Any employee receiving a complaint shall advise the principal or immediate supervisor of the receipt of the complaint. The supervisor shall make an initial determination as to the seriousness of the complaint and whether the matter should be referred to the superintendent. A person may file a complaint at any level of the school district; i.e., principal, superintendent or school board. However, persons are encouraged to file a complaint at the building level when appropriate.
- B. Depending upon the nature and seriousness of the complaint, the supervisor or other administrator receiving the complaint shall determine the nature and scope of the investigation or follow-up procedures. If the complaint involves serious allegations, the matter shall promptly be referred to the superintendent, who shall determine whether an internal or external investigation should be conducted. In either case, the superintendent shall determine the nature and scope of the investigation and designate the person responsible for investigation or follow-up relating to the complaint. The designated investigator shall ascertain details concerning the complaint and respond promptly to the appropriate administrator concerning the status or outcome of the matter.
- C. The appropriate administrator shall respond in writing to the complaining party concerning the outcome of the investigation or follow up, including any appropriate action or corrective measure that was taken. The superintendent shall be copied on the correspondence and consulted in advance of the written response when appropriate. The response to the complaining party shall be consistent with the rights of others pursuant to the applicable provisions of Minnesota Statutes chapter 13 (Minnesota Government Data Practices Act) or other law.

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

Cross References: MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 514 (Bullying Prohibition)
MSBA School Law Bulletin "I" (School Records – Privacy – Access to Data)

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
School District Mission Statement	104	Adopted: 11-16-2017 Reviewed: 03/19/2020	Annual

I. PURPOSE

The purpose of this policy is to establish a clear statement of the purpose for which the school district exists.

II. GENERAL STATEMENT OF POLICY

The school board believes that a mission statement should be adopted. The mission statement should reflect the beliefs and values of the district community, should influence any change effort and should be considered when decisions are made. The school board, on behalf of and with extensive participation by the community, should develop a consensus among its members regarding the nature of the enterprise the school board governs, the purposes it serves, the constituencies it should consider, including student representation, and the results it intends to produce.

III. MISSION STATEMENT

The mission of Stillwater Area Public Schools, in partnership with students, family and community, is to develop curious individuals who are active and engaged leaders in an ever changing world by challenging all students as they travel along their personalized learning pathways.

IV. REVIEW

As part of the strategic planning process, the school board will conduct a comprehensive review of the mission, including the beliefs and values of the community.

Legal References: Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement)



EXPENDITURE APPROVAL FORM Fiscal Year 2023-2024

Instructions: This form is to be completed any time a lease, purchase, or contract for goods or services exceeds \$175,000.

REQUESTED BY: Mark Drommerhausen, Executive Director of Operations

DATE: March 19, 2024

DESCRIPTION OF REQUEST

St. Croix Recreation Fun Playgrounds Inc. has been working with District staff to design the replacement of both playgrounds at Rutherford Elementary. These playgrounds will have rubberized fall surfaces that are ADA compliant. St. Croix Recreation Fun Playgrounds Inc. represents BCI Burke Company, LLC playground equipment. The new playground designs will have a variety of structures promoting physical, social, cognitive and emotional development. Both designs include play structures to accommodate ages 5 to 12.

St. Croix Recreation Fun Playgrounds Inc. has been awarded a contract by the Minnesota Office of State Procurement to provide playground equipment, surfacing and installation at a discounted price to public agencies. The District is able to purchase goods and services from this contract. It offers goods and services to Stillwater Area Public Schools that have been competitively solicited in accordance with Minnesota public purchasing rules.

This project will be funded out of Health and Safety, 2015 Bond Proceeds, Long Term Facilities Maintenance and the Rutherford Elementary PTA. The proposal from St. Croix Recreation Fun Playgrounds Inc. is to provide and install playground equipment and rubberized fall surface for both playgrounds at Rutherford Elementary(see attached) for \$1,099,474.84. Administration recommends that the Board approve the proposal from St. Croix Recreation Fun Playgrounds Inc.

FINANCIAL IMPACT

Budget(s) Impacted:

Health and Safety:	\$179,865.00
General Obligation School Bond 2015A:	\$200,000.00
Long Term Facility Maintenance:	\$645,109.84
Rutherford Elementary PTA	<u>\$74,500.00</u>
Total Expenditure	\$1,099,474.84

Is This a One-Time Expenditure?

- Yes**, once implemented there will be no ongoing costs
 No, it will need to be funded indefinitely
 No, it will need to be funded for Fiscal Years 2023-?

Is there an off-setting revenue source(s)?

Yes List Source(s): General Obligation School Bond 2015A, LTFM and Rutherford Elementary PTA
 No List Source(s):

PROGRESS MONITORING: Play structures will be ready for 24/25 school year

St. Croix Recreation Fun Playgrounds INC.

1826 Tower Dr W
Stillwater, MN 55082 US
16514301247
hannah@stcroixrec.com



Estimate

ESTIMATE # 6797
DATE 02/12/2024

ADDRESS

I.S.D. #834
Attn: Tony Willger
1875 South Greeley Street
Stillwater, MN 55082

SHIP TO

Rutherford Elementary
School
115 Rutherford Rd
Stillwater, MN 55082

PLEASE DETACH TOP PORTION AND RETURN WITH YOUR PAYMENT.

ACTIVITY	QTY	RATE	AMOUNT
BCI 100-180081-1 BCI Burke 5-12 Year Old Playground Big Structure	1	301,652.00	301,652.00T
STATE CONTRACT STATE CONTRACT #218090	1	-50,895.43	-50,895.43T
INSTALLATION Big Structure Playground Installation	1	89,806.00	89,806.00T
POUR IN PLACE Big Structure Pour In Place Rubber 9,892 sqft at 9' fall height, 50% Tan 50% Black, Seamless Pour	9,892	22.97	227,219.24T
Concrete Curb Big Structure 402 Linear Feet of 6" wide by 12" tall concrete curb rectangular on prepared grade- w/1 # rebar continuous	402	56.00	22,512.00T
Aggregate Base Big Structure Aggregate base 4" compacted depth, square foot	9,892	5.00	49,460.00T
DEMOLITION Big Structure Demo: -8" of Dirt in playground area 262 cubic yards -Ball Field Fence including footings -4" Agg Lime Ball Field dirt 4,826 sqft	1	35,314.81	35,314.81T
Fence Big Structure 6' Temporary Construction Fence 800'	800	13.00	10,400.00T
Drain Tile Big Structure Drain Tile 12" x 12" width removal of excess soil below grade, install and provide 624 linear feet for drain tile with one daylighted spot in curb, 4" drain tile with fabric & 3/4" river rock	624	35.00	21,840.00T
Turf Restoration Big Structure Turf Restoration: -Agg Lime Ball Field dirt 4" Depth 4,826 sqft -Restoration for playground area where ball field fence is	1	24,098.75	24,098.75T
BCI 100-179470-1 BCI Burke 5-12 Year Old Playground Small Structure	1	106,783.00	106,783.00T
STATE CONTRACT STATE CONTRACT #218090	1	-17,939.54	-17,939.54T
INSTALLATION Small Structure Playground Installation	1	31,794.58	31,794.58T

By signing estimate or authorizing by email or PO, purchaser is agreeing to billing terms as listed on the estimate. Order to include model number(s), quantity and color(s) above including any supplemental documents provided and/or requested. Please verify all content for accuracy. **Those purchasing off of the MN State Contract are bound only by the terms and conditions listed in said contract**

ACTIVITY	QTY	RATE	AMOUNT
POUR IN PLACE Small Structure Pour In Place Rubber 5,096 sqft at 9' fall height, 50% Tan 50% Black, Seamless Pour	5,096	22.97	117,055.12T
Concrete Curb Small Structure 290 Linear Feet of 6" wide by 12" tall concrete curb rectangular on prepared grade- w/1 # rebar continuous	290	56.00	16,240.00T
Aggregate Base Small Structure Aggregate base 4" compacted depth, square foot	5,245	6.25	32,781.25T
DEMOLITION Small Structure Demo: -15" of Dirt in playground area -Excavate extra 800 sqft in NE Area -Demo Playground Equipment -Demo Benches and pads	1	28,903.06	28,903.06T
Drain Tile Small Structure Drain Tile 12" x 12" width removal of excess soil below grade, install and provide 365 linear feet for drain tile with one daylighted spot in curb, 4" drain tile with fabric & 3/4" river rock, Cost Plus State Contract	365	35.00	12,775.00T
Fence Small Structure 6' Temporary Construction Fence 500'	500	13.00	6,500.00T
Turf Restoration Small Structure Turf Restoration	1	5,875.00	5,875.00T
Freight Truckload Rates from Fond du Lac Wisconsin, to arrive after the 4th of July	1	10,300.00	10,300.00T
BOND	1	17,000.00	17,000.00T
Standard Construction and Installation of Playground Document 2024 See "Standard Construction and Installation of Playground Document 2024" for standard construction documents.	1	0.00	0.00T
Special Notes Pursuant to the Minnesota Statute 471.425, Contractor shall pay shall pay any subcontractor within (10) days of the prime contractor's receipt of payment for undisputed services provided by the subcontractor. Contractor shall pay interest of 1.5% per month to the subcontractor on any undisputed amount not paid on time to the subcontractor.	1	0.00	0.00T

MATERIAL ITEMS AS QUOTED ARE GOOD FOR 30 DAYS. FREIGHT QUOTES ARE GOOD FOR 15 DUE TO FUEL UNCERTAINTIES. SALES TAX SUBJECT TO CHANGE. ADD IF NOT TAX EXEMPT OR SUPPLY EXEMPTION CERTIFICATE IF NOT ON FILE. PAYMENT TERMS ARE NET 35 DAYS UNLESS OTHERWISE NOTED. FAILURE TO PAY IN A TIMELY MANNER WILL BE SUBJECT TO INTEREST AT A RATE OF 1.5%/MONTH OR 18% ANNUALLY.

SUBTOTAL	1,099,474.84
TAX (0%)	0.00
TOTAL	\$1,099,474.84

*LEAD TIMES AND SHIPPING DATES ARE BASED ON CURRENT INVENTORY. PLEASE BE PATIENT AS OUR VENDORS NAVIGATE SUPPLY CHAINS & NATIONAL SHORTAGES.

**FOR BIDDING CONTRACTORS & SUPPLIERS: ST CROIX RECREATION IS NOT LIABLE FOR INTERPRETATION OF PROJECT BIDS, DRAWINGS OR ADDENDA. IT IS THE CUSTOMER'S RESPONSIBILITY TO VERIFY ACCURACY OF MODEL NUMBER(S), DESCRIPTION(S), QUANTITY AND COLOR(S) DIRECTLY WITH END USER

By signing estimate or authorizing by email or PO, purchaser is agreeing to billing terms as listed on the estimate. Order to include model number(s), quantity and color(s) above including any supplemental documents provided and/or requested. Please verify all content for accuracy. **Those purchasing off of the MN State Contract are bound only by the terms and conditions listed in said contract**

Accepted By

Accepted Date

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EXPENDITURE APPROVAL FORM

Fiscal Year 2023-2024

Instructions: This form is to be completed any time a lease, purchase, or contract for goods or services exceeds \$175,000.

REQUESTED BY: Mark Drommerhausen, Executive Director of Operations

DATE: March 19, 2024

DESCRIPTION OF REQUEST

St. Croix Recreation Fun Playgrounds Inc. has been working with District staff to design the replacement of the small playground at Lily Lake Elementary. The playground will have a rubberized fall surface that is ADA compliant. St. Croix Recreation Fun Playgrounds Inc. represents BCI Burke Company, LLC playground equipment. The new playground designs will have a variety of structures promoting physical, social, cognitive and emotional development to accommodate ages 5 to 12.

St. Croix Recreation Fun Playgrounds Inc. has been awarded a contract by the Minnesota Office of State Procurement to provide playground equipment, surfacing and installation at a discounted price to public agencies. The District is able to purchase goods and services from this contract. It offers goods and services to Stillwater Area Public Schools that have been competitively solicited in accordance with Minnesota public purchasing rules.

This project will be funded out of Health and Safety, General Obligation Bonds 2015A and Long Term Facilities Maintenance funds plus a contribution from the Lily Lake Elementary PTO. The proposal from St. Croix Recreation Fun Playgrounds Inc. is to provide and install playground equipment and rubberized fall surface for the small playground at Lily Lake Elementary(see attached) for \$274,460.16. Administration recommends that the Board approve the proposal from St. Croix Recreation Fun Playgrounds Inc.

FINANCIAL IMPACT

Budget(s) Impacted:

Health and Safety:	\$48,600.00
General Obligation Bonds 2015A:	\$25,000.00
Long Term Facility Maintenance:	\$197,360.16
Lily Lake Elementary PTO	<u>\$3,500.00</u>
Total Expenditure	\$274,460.16

Is This a One-Time Expenditure?

- Yes**, once implemented there will be no ongoing costs
- No**, it will need to be funded indefinitely
- No**, it will need to be funded for Fiscal Years 2023-?

Is there an off-setting revenue source(s)?

Yes List Source(s): General Obligation Bonds 2015A, LTFM and Lily Lake Elementary PTO

No List Source(s):

PROGRESS MONITORING: Play structures will be ready for 24/25 school year

St. Croix Recreation Fun Playgrounds INC.

1826 Tower Dr W
Stillwater, MN 55082 US
16514301247
hannah@stcroixrec.com



Estimate

ESTIMATE # 6855
DATE 03/04/2024

ADDRESS

I.S.D. #834
1875 South Greeley Street
Stillwater, MN 55082

SHIP TO

LILY LAKE ELEMENTARY
2003 W. WILLARD
STREET
STILLWATER, MN 55082

PLEASE DETACH TOP PORTION AND RETURN WITH YOUR PAYMENT.

ACTIVITY	QTY	RATE	AMOUNT
BCI 100-181619-1 BCI Burke 5-12 Year Old Playground Price for QTY 2 benches \$1,516	1	73,845.00	73,845.00T
STATE CONTRACT STATE CONTRACT #218090	75,361	-0.10	-7,536.10T
Freight Truckload Rate from Fond Du Lac Wisconsin	1	2,600.00	2,600.00T
INSTALLATION	1	23,258.75	23,258.75T
POUR IN PLACE Pour in Place Rubber 4,050 sqft, at 9' fall height, 50% Tan 50% Black, Seamless Pour	4,050	22.97	93,028.50T
Concrete Curb 270 Linear Feet of 6" wide by 12" tall concrete curb rectangular on prepared grade- w/1 # rebar continuous	270	56.00	15,120.00T
Aggregate Base Aggregate base 4" compacted depth, square foot	4,050	5.00	20,250.00T
DEMOLITION Demo: -8" of Dirt in playground area 100 Cubic Yards -Ball Field Fence -Demo Agg Lime Baseball Field 2,925 sqft	1	16,534.38	16,534.38T
Turf Restoration Turf Restoration: -Ball Field Dirt 2,925 sqft -Dirt and Hydroseed	1	10,640.63	10,640.63T
Fence 6' Temporary Construction Fence 446'	446	13.00	5,798.00T
Drain Tile Drain Tile 12" x 12" width removal of excess soil below grade, install and provide 343 linear feet for drain tile with one daylighted spot in curb, 4" drain tile with fabric & 3/4" river rock, Cost Plus State Contract	343	35.00	12,005.00T
French Drain 3' X 3.5' French Drain with drainage rock & filter fabric	2	1,600.00	3,200.00T
BOND BOND FOR CONSTRUCTION	1	4,200.00	4,200.00T

By signing estimate or authorizing by email or PO, purchaser is agreeing to billing terms as listed on the estimate. Order to include model number(s), quantity and color(s) above including any supplemental documents provided and/or requested. Please verify all content for accuracy. **Those purchasing off of the MN State Contract are bound only by the terms and conditions listed in said contract**

ACTIVITY	QTY	RATE	AMOUNT
BCI 580-0172	2	758.00	1,516.00T
6' PVC TRADITIONAL BENCH W/BACK, STATIONARY			
Special Notes	0	0.00	0.00T
Pursuant to the Minnesota Statute 471.425, Contractor shall pay shall pay any subcontractor within (10) days of the prime contractor's receipt of payment for undisputed services provided by the subcontractor. Contractor shall pay interest of 1.5% per month to the subcontractor on any undisputed amount not paid on time to the subcontractor.			

MATERIAL ITEMS AS QUOTED ARE GOOD FOR 30 DAYS. FREIGHT QUOTES ARE GOOD FOR 15 DUE TO FUEL UNCERTAINTIES. SALES TAX SUBJECT TO CHANGE. ADD IF NOT TAX EXEMPT OR SUPPLY EXEMPTION CERTIFICATE IF NOT ON FILE. PAYMENT TERMS ARE NET 35 DAYS UNLESS OTHERWISE NOTED. FAILURE TO PAY IN A TIMELY MANNER WILL BE SUBJECT TO INTEREST AT A RATE OF 1.5%/MONTH OR 18% ANNUALLY.

SUBTOTAL	274,460.16
TAX (0%)	0.00
TOTAL	\$274,460.16

*LEAD TIMES AND SHIPPING DATES ARE BASED ON CURRENT INVENTORY. PLEASE BE PATIENT AS OUR VENDORS NAVIGATE SUPPLY CHAINS & NATIONAL SHORTAGES.

**FOR BIDDING CONTRACTORS & SUPPLIERS: ST CROIX RECREATION IS NOT LIABLE FOR INTERPRETATION OF PROJECT BIDS, DRAWINGS OR ADDENDA. IT IS THE CUSTOMER'S RESPONSIBILITY TO VERIFY ACCURACY OF MODEL NUMBER(S), DESCRIPTION(S), QUANTITY AND COLOR(S) DIRECTLY WITH END USER

Accepted By

Accepted Date

By signing estimate or authorizing by email or PO, purchaser is agreeing to billing terms as listed on the estimate. Order to include model number(s), quantity and color(s) above including any supplemental documents provided and/or requested. Please verify all content for accuracy. **Those purchasing off of the MN State Contract are bound only by the terms and conditions listed in said contract**

(New Hires, Resignations, Retirements, Terminations, Leave Requests)

RETIREMENT/RESIGNATION/RELEASE

NAME	STATUS	ASSIGNMENT	GROUP	EFFECTIVE DATE
Adam, Muna	Resignation	Community Ed Assistant, 22.5 hours/week Andersen Elementary	Community Ed Leads & Assts	February 13, 2024
Belonio, Kassie	Resignation	Community Ed Assistant, 6.5 hours/day Stonebridge Elementary	Community Ed Leads & Assts	January 19, 2024
Colby, Jennifer	Resignation	Cafeteria Employee, 5.75 hours/day Rutherford Elementary	Cafeteria	February 27, 2024
Davis, Philexia	Probationary Release	Cafeteria Employee, 4.0 hours/day Lake Elmo Elementary	Cafeteria	February 20, 2024
DeWall, Katie	Resignation	1.0 FTE Elementary Education Teacher Stonebridge Elementary	SCEA	May 31, 2024
Duberstein, Nancy	Retirement (44 years)	1.0 FTE Math Teacher Oak-Land Middle School	SCEA	May 31, 2024
Golberg, Elizabeth	Probationary Release	Cafeteria Employee, 4.0 hours/day Stillwater Area High School	Cafeteria	March 14, 2024
Graham, Amy	Resignation	1.0 FTE LSN Afton-Lakeland, Brookview & Lake Elmo Elementary	SCEA	February 23, 2024
Gray, Charles	Resignation	Cafeteria Employee, 4.0 hours/day Mahtomedi High School	Cafeteria	February 12, 2024
Haugen, Christopher	Retirement (34 years)	1.0 FTE Elementary Education Teacher Stonebridge Elementary	SCEA	May 31, 2024
Joy, Laura	Resignation	1.0 FTE Science Teacher Oak-Land Middle School	SCEA	May 31, 2024
Klinkhammer, Tammy	Resignation	Cafeteria Employee, 4.0 hours/day Mahtomedi High School	Cafeteria	March 22, 2024
Mazzara, Taylor	Resignation	Coordinator CE Adult Enrichment & Aquatics Central Services	SCEA	February 29, 2024
Monheim, Gretchen	Retirement (19 years)	Paraprofessional, 6.0 hours/day Stillwater Area High School	SCPA	May 30, 2024
Nelson, Janice	Resignation	Cafeteria Employee, 4.0 hours/day Stillwater Middle School	Cafeteria	February 19, 2024
Norton, Pamela	Retirement (6 years)	1.0 FTE English Teacher Stillwater Area High School	SCEA	May 31, 2024
Seath, Craig	Retirement (27 years)	1.0 FTE Elementary Education Teacher Stonebridge Elementary	SCEA	May 31, 2024
Radcliffe, Kristin	Resignation	Paraprofessional, 6.5 hours/week Stillwater Middle School	SCPA	February 15, 2024
Schultz, Michele	Retirement (20 years)	Cafeteria Employee, 6.5 hours/day Stillwater Area High School	Cafeteria	May 30, 2024
Rojas, Mirna	Resignation	Hispanic Student, Family & Comm. Engagement Specialist Lake Elmo Elementary	Tech Support	February 23, 2024
Tate, Sara	Retirement (32 years)	1.0 FTE Elementary Education Teacher Lily Lake Elementary	SCEA	May 31, 2024
Tverberg, Kasie	Resignation	1.0 FTE Assistant Principal Oak-Land Middle School	Principals	June 30, 2024
Welch, MacKenzie	Resignation	1.0 FTE School Psychologist Rutherford Elementary	SCEA	May 31, 2024

HIRES/REHIRES

NAME	ASSIGNMENT	SALARY PLACEMENT/ HOURLY RATE	REASON	GROUP	EFFECTIVE DATE
Calzado, Jessica	Community Ed Assistant, 12.5 hours/week Lake Elmo Elementary	\$18.14 / hour	2023-2024 Staffing	Community Ed Leads & Assts	February 26, 2024
Dennison, Danielle	Community Ed Assistant, 10 hours/week Lake Elmo Elementary	\$18.14 / hour	2023-2024 Staffing	Community Ed Leads & Assts	February 27, 2024

Hangol, Fadumo	Paraprofessional, 6.0 hours/day Brookview Elementary	\$18.00 / hour	2023-2024 Staffing	SCPA	March 4, 2024
Henderson, Marisa	Cafeteria Employee, 4.0 hours/day Stillwater Area High School	\$17.41 / hour	2023-2024 Staffing	Cafeteria	March 4, 2024
Herr, Lidda	Community Ed Assistant, 12.5 hours/week Rutherford Elementary	\$18.14 / hour	2023-2024 Staffing	Community Ed Leads & Assts	February 20, 2024
Gorman, Ashley	Community Ed Aide, 20.75 hours/week Lily Lake Elementary & Andersen Elementary	\$15.50 / hour	2023-2024 Staffing	Community Ed Leads & Assts	February 22, 2024
Gingras, LilyAnn	Paraprofessional, 6.25 hours/day Rutherford Elementary	\$18.00 / hour	2023-2024 Staffing	SCPA	February 26, 2024
Glancy, Abigail	Paraprofessional, 18.75 hours/week Andersen Elementary	18.00 / hour	2023-2024 Staffing	SCPA	March 1, 2024
Janis, Garrett	Human Resources Specialist, 8.0 hours/day Central Services	\$25.57 / hour	2023-2024 Staffing	Tech Support	March 6, 2024
Kitten, Marichris	Due Process Secretary, 7.0 hours/day Afton-Lakeland, Andersen & Brookview Elementary	\$22.78 / hour	Replacement	Tech Support	February 26, 2024
Lane, Keelia	Cafeteria Employee, 5 hours/day Stillwater Middle School	\$17.41 / hour	2023-2024 Staffing	Cafeteria	February 27, 2024
Madison, Alexis	Community Ed Assistant, 23.75 hours/week Afton-Lakeland Elementary & Rutherford Elementary	\$18.73 / hour	2023-2024 Staffing	Community Ed Leads & Assts	February 26, 2024
Mason, Dylan	Assistant Baseball Coach Stillwater Area High School	\$4,114	Replacement	Co-Curricular	March 1, 2024
Munir, Gulzar	Paraprofessional, 6.0 hours/day Oak-Land Middle School	\$18.00 / hour	2023-2024 Staffing	SCPA	February 26, 2024
Murphy, Nathan	Assistant Baseball Coach Stillwater Area High School	\$2,618	Replacement	Co-Curricular	March 1, 2024
Nelson, Linda	Health Care Specialist, 6.5 hours/day District Wide	\$37.87 / hour	Replacement	CSS	March 11, 2024
Rivard, Skylar	Community Ed Aide, 11.25 hours/week Andersen Elementary	\$15.50 / hour	2023-2024 Staffing	Community Ed Leads & Assts	March 11, 2024
Sortedahl, John	Summer Grounds Crew District Wide	\$15.50 / hour	2023-2024 Staffing	Custodial	April 1, 2024 - September 30, 2024
Sturgis, Sara	1.0 FTE Licensed School Nurse Afton-Lakeland, Brookview & Lake Elmo Elementary	\$79,640	Replacement	SCEA	March 11, 2024
Swanson, Makayla	Community Ed Assistant, 12.25 hours/week Brookview Elementary	\$18.14 / hour	2023-2024 Staffing	Community Ed Leads & Assts	March 11, 2024
Zhang, Yan	Cafeteria Employee, 4.0 hours/day Mahtomedi High School	\$17.41 / hour	2023-2024 Staffing	Cafeteria	March 11, 2024

LEAVES OF ABSENCE

NAME	STATUS	ASSIGNMENT	GROUP	EFFECTIVE DATE
Berkhof, Jill	Approve	1.0 FTE Elementary Education Teacher District Wide	SCEA	2024-2025 school year
Bradshaw, Joseph	Approve	Custodian II, 8.0 hours/day Oak-Land Middle School	Custodial	March 8, 2024 - May 31, 2024
Ryan, Dennis	Approve	1.0 FTE English Teacher Stillwater Area High School	SCEA	February 19, 2024 - March 26, 2024
Ryan, Ing-Mari	Approve	1.0 FTE AVID Teacher/Coordinator Stillwater Area High School	SCEA	February 15, 2024 - May 31, 2024
Schoenecker, Nancy	Approve	Paraprofessional, 6.25 hours/day Stillwater Area High School	SCPA	January 26, 2024 - March 15, 2024

ASSIGNMENT CHANGES

NAME	FROM	TO	REASON	GROUP	EFFECTIVE DATE
Gorman, Ashley	Community Ed Aide, 20.75 hours/week Lily Lake Elementary & Andersen Elementary	Community Ed Aide, 22.5 hours/week Lily Lake, Andersen & Stonebridge Elementary	2023- Staffing	Community Ed Leads & Assts	March 8, 2024
Hauer, Aimmie	.5 FTE Special Education Teacher Lily Lake Elementary	1.0 FTE Special Education Teacher Lily Lake Elementary	Replacement	SCEA	February 14, 2024 - March 22, 2024
Hendrickson, Amy	Community Ed Assistant, 6.25 hours/day	Interim Community Ed Site Lead, 8.0 hours/day	2023-2024	Community Ed	February 21, 2024 - May 30, 2024

Koller, Joseph	Afton-Lakeland Elementary Custodian V, 8.0 hours/day Lily Lake Elementary	Afton-Lakeland Elementary Custodian III, 8.0 hours/day Central Services	Staffing Replacement	Leads & Assts Custodial	March 5, 2024
Muemchow, Kimberly	Paraprofessional, 3.0 hours/day Afton-Lakeland Elementary	Paraprofessional, 4.0 hours/day Afton-Lakeland Elementary	2023-2024 Staffing	SCPA	February 20, 2024
Kogl, Wendy	Preschool Assistant, 20 hours/week Brookview Elementary	Preschool Assistant, 27 hours/week Brookview Elementary	2023-2024 Staffing	Community Ed Leads & Assts	March 4, 2024
O'Brien, Amanda	CE Site Lead Rutherford Elementary	Interim SAC Coordinator Central Services	Replacement	CSS	February 26, 2024 - August 21, 2024

ADDITIONAL ASSIGNMENTS

NAME	Position	Reason	Group	EFFECTIVE DATE
Damirgi, Dunia	Preschool Assistant, 24 hours/week Brookview Elementary	2023-2024 Staffing	Community Ed Leads & Assts	February 26, 2024
Hoheisel, Joseph	Summer Grounds Crew, 8.0 hours/day District Wide	2023-2024 Staffing	Custodial	June 5, 2024 - September 30, 2024
Ziebol, Isabel	Preschool Assistant, 2 hours/week Brookview Elementary	2023-2024 Staffing	Community Ed Leads & Assts	March 15, 2024



Expect
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Fiscal Year 2023-2024 Budget Revision

**Presented to the School Board
Marie Schrul
Executive Director of Finance
March 19, 2024**

Purpose

To present the Fiscal Year 2023-24 budget revision to the School Board for approval



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FY24 Budget Revision

(All Funds - Revenue Changes)

Fund	Adopted Budget 2023-2024	Revision	Revised Budget 2023-24
General	\$137,012,917	\$5,688,288	\$142,701,205
Food Service	6,219,577	250,202	6,469,779
Community Service	7,989,957	224,999	8,214,956
Building Construction	77,000	120,373,477	120,450,477
Debt Service	9,867,848	61,619,951	71,487,799
Custodial (Trust)	10,000	(3,000)	7,000
Total Revenue	\$161,177,299	\$188,153,917	\$349,331,216



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FY24 Budget Revision (Revenue Changes)

Adjustments:	Amount
<p>General Fund:</p> <p>Adjustments to State revenue (including the Basic formula, Special Education/EL/cross subsidy) in addition to other categorical funding sources (due to legislative changes and to reflect current 2023-24 enrollment); Property tax levy revenue, gifts & interest revenue are adjusted to reflect current projections and activity</p>	<p>\$5,688,288</p>
<p>Food Service Fund:</p> <p>Adjustments to program revenue from The National School Lunch Program, School Breakfast, the summer food program, supply chain assistance & ala carte sales</p>	<p>\$250,202</p>



FY24 Budget Revision (Revenue Changes)

Adjustments:	Amount
<p>Community Service Fund:</p> <p>Adjustments include: increases to Adult Basic Education, Early Childhood Family Education, Community Ed programming, Afterschool enrichment & School Age Care; decreases to School Readiness & Early Childhood screening revenue</p>	\$224,999
<p>Building Construction Fund:</p> <p>Adjustments include: 2024A School Building Bonds and Facility Maintenance Bond proceeds; interest revenue</p>	\$120,373,477



FY24 Budget Revision (Revenue Changes)

Adjustments:	Amount
<p>Debt Service Fund:</p> <p>Adjustments include: 2024A Refunding bond proceeds (2015A escrow); interest revenue</p>	\$61,619,951
<p>Custodial Fund:</p> <p>Adjustments reflect the projected scholarship activity in the fund</p>	\$(3,000)



FY24 Budget Revision

(All Funds - Expenditure Changes)

Fund	Adopted Budget 2023-2024	Revision	Revised Budget 2023-24
General	\$140,774,943	\$3,589,132	\$144,364,075
Food Service	6,920,047	(83,753)	6,836,294
Community Service	8,113,899	340,299	8,454,198
Building Construction	6,199,427	5,185,873	11,385,300
Debt Service	9,934,746	61,330,402	71,265,148
Custodial (Trust)	10,000	(3,000)	7,000
Total Expenditures	\$171,953,062	70,358,953	\$242,312,015



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FY24 Budget Revision (Expenditure Changes)

Adjustments:	Amount
<p>General Fund:</p> <p>Adjustments include staffing allocations for enrollment and program support, strategic plan initiatives, Long-Term Facilities Maintenance (LTFM) project allocations, in addition to current and projected activity for grants, gifts and student activities</p> <p>Use of FY23 Restricted Operating Capital fund balance for capital projects, equipment</p>	<p>\$1,926,262</p> <p><u>\$1,662,870</u></p> <p>\$3,589,132</p>
<p>Food Service Fund:</p> <p>Adjustments reflect projected program activity (National School Lunch Program, School Breakfast, Ala carte, Summer Food program, & Supply Chain Assistance)</p>	<p>\$(83,753)</p>



FY24 Budget Revision (Expenditure Changes)

Adjustments:	Amount
<p>Community Service Fund:</p> <p>Adjustments include an increase in program expenditures for School Age Care & Community Education programming and a decrease in School Readiness expenditures</p>	\$340,299
<p>Building Construction Fund:</p> <p>Adjustments include: the use of proceeds of the 2024A School Building Bonds (land purchase) and Facility Maintenance Bonds (scheduled projects)</p>	\$5,185,873



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FY24 Budget Revision (Expenditure Changes)

Adjustments:	Amount
Debt Service Fund: Adjustments reflect the 2024A Refunding bond escrow activity (2015A)	\$61,330,402
Custodial Fund: Adjustments reflect the projected scholarship activity in the fund	\$(3,000)



FY24 Budget Revision

Recommendation:

To approve the Fiscal Year 2023-24 budget revision as presented



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Questions



SCEA Master Contract

**Presented to the School Board
Kris Carlston
Executive Director of Human Resources
March 19, 2024**

Tentative Agreement - Highlights

Approved by teachers on March 15, 2024

- Salary Schedule
 - 4% year 1 effective 2/15/2024, steps increase effective 7/1/2023
 - 4.5% year 2 effective 7/1/2024, steps increase effective 7/1/2024
 - Eliminate steps 1, 9 and 18 - year 2
- Medical insurance - elimination of the gold plan, maintain current contribution percentage for 2024-2025, increase VEBA contribution to match deductible.
- Longevity Pay - capped at \$21,000 for year 1 and \$229,000 for year 2
- Increase Health Care Savings Plan contribution from \$1343 to \$1500, indexed to salary schedule changes (yr 1 & 2)
- Speech Therapist stipend for earning CCC certification \$1500 - year 2



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Questions



Member _____ introduced the following Resolution and moved its adoption:

RESOLUTION NON-RENEWING PROBATIONARY TEACHING CONTRACTS

WHEREAS, Minnesota Statutes section 122A.40, subdivision 5, states that the first three consecutive years of a teacher’s first teaching experience in Minnesota in a single district is deemed to be a probationary period of employment, and that the probationary period in each district in which the teacher is thereafter employed is one year; and

WHEREAS, Minnesota Statutes section 122A.40, subdivision 5, further states that any annual contract with a probationary teacher may or may not be renewed as the school board shall see fit, provided that the board gives the teacher written notice of the nonrenewal before July 1;

NOW, THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 834 as follows:

1. Pursuant to Minnesota Statutes section 122A.40, subdivision 5, the School Board hereby declines to renew the annual teaching contract of the following probationary teacher(s) effective at the end of this school year:

Zoe Bagal, Marin Ball, Mary Barsness, Mallory Bauer, Travis Birkliid, Heather Carlson, Angela Carlson-Lombardi, Kimberly Christiansen, Emily Cramlet, Amie DuFresne, Elizabeth Dwyer, Julia Eisenmann, Lynn Ellis, Samatha Eyberg, Mary Gallas, Emily Gipple, Patricia Grgurovic, Rachel Hess, Nick Hoff, Jeniah Jackson, Kristina Jonason, Susan Judge, AnnaGrace Katzenmeier, Anne Knutson, Joshua Moua, Kristin Overton, Maria Reichow, Benjamin Saunders, Courtney Stempinski, Leah Swenson, Mallory Wassberg, Katie Weyer, Jerusha Will, Julie Edwards, Colleen Feldman, Susan Gilsdorf, Paula Harrison.

2. As a result of this Resolution, the District’s employment relationship with the above-named probationary teacher(s) will terminate effective May 31, 2024.

3. The School Board has reviewed and hereby approves the written notice of nonrenewal for each affected teacher. The notice to each affected teacher states the reasons for the non-renewal. The School Board Chair is directed to sign the written notice(s) on behalf of the School Board. The reasons for non-renewal are classified as private personnel data under the Minnesota Government Data Practices Act, unless the non-renewal represents the final disposition of disciplinary action.

4. The Superintendent, or a designee, is directed to serve the affected teacher(s) with a copy of this Resolution and the approved written notice for that teacher before July 1. If possible, the notice(s) should be hand-delivered.

The motion for the adoption of this Resolution was duly seconded by Member _____ and upon vote being taken, the following voted in favor of this Resolution:

And the following voted against this Resolution:

Based upon the vote, this Resolution was declared duly passed and adopted.

WHEREUPON said resolution was duly declared passed and adopted.

STATE OF MINNESOTA)
) ss.
COUNTY OF WASHINGTON)

I, the undersigned, being the duly qualified and acting Clerk of Independent School District No. 834 (Stillwater Area Public Schools), State of Minnesota, hereby certify that the attached and foregoing is a full, true and correct transcript of the minutes of a meeting of the school board of said school district duly called and held on the date therein indicated, so far as such minutes relate to authorizing the issuance of a certificate of election, and that the resolution included therein is a full, true and correct copy of the original thereof.

WITNESS MY HAND officially as such clerk this 19th day of March 2024.

Signature _____
 Beverly Petrie, School Board Clerk

Date: _____.



March 20, 2024

Hand Delivered

(Name)
(School)

RE: Notice of Nonrenewal

Dear :

At a meeting held on March 19, 2024, the School Board of Independent School District No. 834 adopted a resolution non-renewing your annual teaching contract and terminating your employment effective to the end of this school year. The School Board took this action pursuant to Minnesota Statutes section 122A.40, subdivision 5. A copy of the School Board's resolution is enclosed for your review.

Teachers in a probationary period of employment may request the reasons for the nonrenewal of their annual teaching contract. For your information, however, this action is taken for the following reasons: school district discontinuance of positions, financial limitations, state teacher licensure requirements, or you did not meet the performance standards required of a teacher in the Stillwater Area Public School District. To submit an official request, please send it to the Executive Director of Human Resources.

The School Board wishes you well in future endeavors.

Sincerely,

Alison Sherman, School Board Chair
Independent School District No. 834

Enclosure: Resolution
cc: Personnel File (w/ enclosure), Supervisor

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Order of the Regular School Board Meeting	203.2	Adopted:	Annual Review

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. ORDER

A. The school board shall conduct an orderly school board meeting. The school board will, at all regular school board meetings, follow an agenda order similar to:

1. Recognition
2. Public Comment
3. Call to order
4. Roll Call
5. Pledge of Allegiance
6. Student Report
7. Superintendent Report
8. Board Chair Report
9. Consent Agenda
10. Strategic Direction A: Ensure the learning process is adaptable to meet individual student needs
11. Strategic Direction B: Foster a safe, welcoming and inclusive environment for all staff and students
12. Strategic Direction C: Utilize systems and align resources in an efficient manner to support learning
13. Strategic Direction D: Develop strong partnerships with the communities we serve
14. Adjournment

B. Items in this order may be considered as part of a consent agenda.

C. The school board may depart from the order of business with the consent of the majority of members present.

Legal References:

Minn. Stat. § 123B.09, Subd. 7 (Boards of Independent School Districts)

Cross References: MSBA/MASA Model Policy 203 (Operation of the School Board – Governing Rules)

MSBA/MASA Model Policy 203.5 (School Board Meeting Agenda)

MSBA/MASA Model Policy 203.6 (Consent Agendas)

SCHOOL DISTRICT ADMINISTRATION

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Policy Implementation	305	Adopted: 09-13-2018	Annual

I. PURPOSE

The purpose of this policy is to clarify the responsibility of the school administration for implementation of school board policy.

II. GENERAL STATEMENT OF POLICY

A. It shall be the responsibility of the superintendent to implement school board policy and to recommend additions or modifications. The administration is authorized to develop procedures, guidelines and directives to effectuate the implementation of school board policies.

B. Student handbooks shall be subject to annual review and approval by the school board.

Legal References: Minn. Stat. § 123B.143 (Superintendent)

Cross References: MSBA/MASA Model Policy 208 (Development, Adoption, and Implementation of Policies)

SCHOOL DISTRICT ADMINISTRATION

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Administrator Code of Ethics	306	Adopted: 09-13-2018	Annual

I. PURPOSE

The purpose of this policy is to establish the requirements of the school board that school administrators adhere to the standards of ethics and professional conduct in this policy and Minnesota law.

II. GENERAL STATEMENT OF POLICY

A. An educational administrator's professional behavior must conform to an ethical code. The code must be idealistic and at the same time practical, so that it can apply reasonably to all educational administrators. The administrator acknowledges that the schools belong to the public they serve for the purpose of providing educational opportunities to all. However, the administrator assumes responsibility for providing professional leadership in the school and community. This responsibility requires the administrator to maintain standards of exemplary professional conduct. It must be recognized that the administrator's actions will be viewed and appraised by the community, professional associates, and students. To these ends, the administrator must subscribe to the following standards.

B. The Educational Administrator:

1. Makes the well-being of students the fundamental value of all decision-making and actions.
2. Fulfills professional responsibilities with honesty and integrity.
3. Supports the principle of due process and protects the civil and human rights of all individuals.
4. Obeys local, state, and national laws and does not knowingly join or support organizations that advocate, directly or indirectly, the overthrow of the government.
5. Implements the school board's policies.
6. Pursues appropriate measures to correct those laws, policies, and regulations that are not consistent with sound educational goals.
7. Avoids using positions for personal gain through political, social, religious, economic, or other influence.
8. Accepts academic degrees or professional certification only from duly accredited institutions.
9. Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.
10. Honors all contracts until fulfillment, release, or dissolution is mutually agreed upon by all parties to the contract.
11. Adheres to the Code of Ethics for School Administrators in Minnesota Rule.

Cross References: None

EMPLOYEES / PERSONNEL

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Harassment and Violence	413		Annual

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to maintain a learning and working environment free from harassment and violence on the basis of Protected Class. The school district prohibits any form of harassment or violence on the basis of Protected Class.
- B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's Protected Class, as defined by this policy. (For purposes of this policy, school district personnel include school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)
- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's Protected Class.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's Protected Class, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel found to have violated this policy.

III. DEFINITIONS

- A. "Assault" is:
 - 1. an act done with intent to cause fear in another of immediate bodily harm or death;
 - 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
 - 3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, when the conduct:
 - 1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
 - 2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
 - 3. otherwise adversely affects an individual's employment or academic opportunities.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications: Definitions
 - 1. "Disability" means, with respect to an individual who
 - a) a physical sensory or mental impairment that materially limits one or more major life activities of such individual;
 - b) has a record of such an impairment; or
 - c) is regarded as having such an impairment.
 - 2. "Familial status" means the condition of one or more minors being domiciled with:
 - a) their parent or parents or the minor's legal guardian; or
 - b) the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment or discrimination on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has

not attained the age of majority.

3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment or discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse
 4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
 5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
 6. "Sexual orientation" means to whom someone is, or is perceived of as being, emotionally, physically, or sexually attracted to based on sex or gender identity. A person may be attracted to men, women, both, neither, or to people who are genderqueer, androgynous, or have other gender identities.
 7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.
- F. Sexual Harassment; Definition
1. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:
 - a) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
 - b) submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
 - c) that conduct or communication has the purpose or effect of substantially interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
 2. Sexual harassment may include, but is not limited to:
 - a) unwelcome verbal harassment or abuse;
 - b) unwelcome pressure for sexual activity;
 - c) unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
 - d) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
 - e) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
 - f) unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.
- G. Sexual Violence; Definition
1. Sexual violence is a physical act of aggression or force or the threat thereof that involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minnesota Statutes, section 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
 2. Sexual violence may include, but is not limited to:
 - a) touching, patting, grabbing, or pinching another person's intimate parts
 - b) coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
 - c) coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
 - d) threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.
- H. Violence; Definition
Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to an individual's Protected Class.

IV. **REPORTING PROCEDURES**

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of Protected Class by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel

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

- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- G. The school board hereby designates the Executive Director of Human Resources as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.
- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

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

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

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

V. INVESTIGATION

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

VI. SCHOOL DISTRICT ACTION

- A. Upon completion of an investigation that determines a violation of this policy has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school district policies and regulations.
- B. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the targets or victims and alleged perpetrators of harassment or violence, the parent(s) or guardian(s) of targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.
- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in acts of harassment or violence.

VII. RETALIATION OR REPRISAL

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

VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

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

IX. HARASSMENT OR VIOLENCE AS ABUSE

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minnesota Statutes, chapter 260E may be applicable.
 - B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse
- X. **DISSEMINATION OF POLICY AND TRAINING**
- A. This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members.
 - B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
 - C. This policy shall appear in the student handbook.
 - D. The school district will develop a method of discussing this policy with students and employees.
 - E. The school district may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, resourcefulness, and/or sexual abuse prevention
 - F. This policy shall be reviewed at least annually for compliance with state and federal law.

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

Cross References: MSBA/MASA Model Policy 102 (Equal Educational Opportunity)
MSBA/MASA Model Policy 401 (Equal Employment Opportunity)
MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination, Grievance Procedures and Process)
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)



**INDEPENDENT SCHOOL DISTRICT NO. 834
HARASSMENT AND VIOLENCE REPORT FORM**

General Statement of Policy Prohibiting Harassment and Violence

Independent School District No. 834 maintains a firm policy prohibiting all forms of discrimination. This policy strictly prohibits harassment or violence against students or employees or groups of students or employees on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability (Protected Class). All persons are to be treated with respect and dignity. Harassment or violence on the basis of Protected Class by any pupil, teacher, administrator, or other school personnel, that create an intimidating, hostile, or offensive environment will not be tolerated under any circumstances.

Complainant _____

Home Address _____

Work Address _____

Home/Cell Phone _____

Work Phone _____

Date of Alleged Incident(s) _____

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

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

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

Describe the incident(s) as clearly as possible, including such things as: what force, if any, was

used; any verbal statements (i.e., threats, requests, demands, etc.); what, if any, physical contact was involved; etc. (Attach additional pages if necessary.) _____

Where and when did the incident(s) occur? _____

List any witnesses who were present _____

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

Complainant Signature

Date

Received by _____

Date



PERSONNEL

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
DRUG, ALCOHOL, AND CANNABIS TESTING	416		ANNUAL

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 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

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.

D. Alcohol and Controlled Substances Testing Program Manager

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

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 substances include 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

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. results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected; and

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 non intoxicating cannabinoids or edible cannabinoid products.

H. Testing Requirements

1. 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.
- 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.
- 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

- 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

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

- 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.

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.

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

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

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:
 - i. The donor expressly declines the opportunity to discuss the test results;
 - ii. The donor has not contacted the MRO within seventy-two (72) hours of being instructed to do so by the DER; or
 - iii. 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

- 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.
- 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.
- 2. The required records shall be retained for the following minimum periods:
Basic records 5 years

"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 canceled 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
 - i. Any on-duty alcohol use;
 - ii. Any pre-duty alcohol use;
 - iii. Any alcohol use following an accident; and
 - iv. 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.
 - 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.
 - 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.

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 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. "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 school 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."

9. "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.
10. "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.
11. "Reasonable Suspicion" means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.
12. "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 will 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 is conducted by a testing laboratory that meets one of the criteria listed in Minnesota Statutes, section 181.953, subdivision 1.
- 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. safety-sensitive position, as defined in Minnesota Statutes, section 181.950, subdivision 13;
- b. position requiring face-to-face care, training, education, supervision, counseling, consultation, or medical assistance to children;
- c. 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. 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. 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.

5. 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.

6. 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.

7. 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 non intoxicating cannabinoids or edible cannabinoid products.
 - 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)

**ATTACHMENTS TO
DRUG,ALCOHOL, AND CANNABIS TESTING POLICY**

Attachments A through C are to be used in conjunction with the drug and alcohol testing of school bus drivers and driver applicants.

- Attachment A is a "**Driver Acknowledgment–Drug and Alcohol Testing Policy Materials**" form that should be used to document receipt of the policy and other materials by drivers and driver applicants. It is referred to in Article III., Section C., Paragraph 4. of the policy.
- Attachment B is a "**Bus Driver or Driver Applicant–Authorization to Release Information**" form. It is referred to in Article III., Section H., Paragraph 1. of the policy
- Attachment C is a "**Consent to Clearinghouse Full Query**" form. It is referred to in Article III, Section H, Paragraph e of the policy.
- Attachment D is a "**Bus Driver or Driver Applicant–Refusal to Submit to Testing**" form. It is referred to in Article III., Section H., Paragraph 8. of the policy.

Attachments E through H are to be used in conjunction with drug, cannabis, and alcohol testing of non-bus drivers and applicants.

- Attachment E is a "**Pretest Notice**" that must be provided to non-school bus driver employees or job applicants before requesting that the employee or job applicant undergo drug or alcohol testing. It is referred to in Article IV., Section E., Paragraph 1. of the policy.
- Attachment F is a "**Notice of Test Results and Various Rights**" which should be used by the District when notifying non-school bus driver employees or job applicants of test results and other rights. It is referred to in Article IV., Section E., Paragraph 6. of the policy.
- Attachment G is an "**Explanation of Positive Test Result**" form which should be used by the school district to request that the employee or job applicant submit information to the school district relevant to the reliability of, or explanation for, a positive test result. It is referred to in Article IV., Section E., Paragraph 4. of the policy.
- Finally, the District may wish to use Attachment H, entitled "**Acknowledgment–Drug Alcohol, and Cannabis Testing Policy,**" to document that written notice of the policy was given to all affected employees. It is referred to in Article IV., Section J. of the policy.



— DRIVER ACKNOWLEDGMENT —
DRUG AND ALCOHOL TESTING POLICY AND MATERIALS

I have received a copy of the Drug, Alcohol, and Cannabis Testing Policy of Independent School District No. _____, _____, Minnesota and have read it in its entirety. I understand that I am subject to the provisions of Article III of the policy, entitled Federally Mandated Drug and Alcohol Testing for School Bus Drivers, because the position involves operating a commercial motor vehicle and requires a commercial driver's license.

The District's policy was provided to me:

- € Upon adoption of the policy (employee).
- € Upon my hire (job applicant/new employee).
- € After receipt of my conditional job offer, before any testing if my job offer is contingent upon my passing of drug and alcohol testing (job applicant).

I also received materials 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; and available methods of intervening when an alcohol or drug problem is suspected.

I have been advised that the Alcohol and Controlled Substances Testing Program Manager is _____ and that any questions I may have concerning the Policy should be directed to the Program Manager.

Dated: _____

Signature of Employee/Applicant

Typed or Printed Name



**— BUS DRIVER OR DRIVER APPLICANT —
AUTHORIZATION TO RELEASE INFORMATION**

Section I. To be completed by the school district, signed by the bus driver, or driver applicant, and transmitted to the previous employer:

Employee Printed or Typed Name: _____

Employee SS or ID Number: _____

I hereby authorize release of information from my Department of Transportation regulated drug and alcohol testing records by my previous employer, listed in Section I-B, to the employer listed in Section I-A. This release is in accordance with DOT Regulation 49 CFR Part 40, Section 40.25. I understand that information to be released in Section II-A by my previous employer, is limited to the following DOT-regulated testing items:

1. Alcohol tests with a result of 0.04 or higher;
2. Verified positive drug tests;
3. Refusals to be tested;
4. Other violations of DOT agency drug and alcohol testing regulations;
5. Information obtained from previous employers of a drug and alcohol rule violation;
6. Documentation, if any, of completion of the return-to-duty process following a rule violation.

Employee Signature: _____ Date: _____

Section I-A.

School District Name: _____

Address: _____

Phone #: _____ Fax #: _____

Designated Employer Representative: _____

Section I-B.

Previous Employer Name: _____

Address: _____

Phone #: _____

Designated Employer Representative (if known): _____

Section II. To be completed by the previous employer and transmitted by mail or fax to the new employer:

Section II-A. In the two years prior to the date of the employee's signature (in Section I), for DOT-regulated testing:

1. Did the employee have alcohol tests with a result of 0.04 or higher? YES ___ NO ___
2. Did the employee have verified positive drug tests? YES ___ NO ___
3. Did the employee refuse to be tested? YES ___ NO ___
4. Did the employee have other violations of DOT agency drug and alcohol testing regulations? YES ___ NO ___
5. Did a previous employer report a drug and alcohol rule violation to you? YES ___ NO ___
6. If you answered "yes" to any of the above items, did the employee complete the return-to-duty process? N/A ___ YES ___ NO ___

NOTE: If you answered "yes" to item 5, you must provide the previous employer's report. If you answered "yes" to item 6, you must also transmit the appropriate return-to-duty documentation (e.g., SAP report(s), follow-up testing record).

Section II-B.

Name of person providing information in Section II-A: _____

Title: _____

Phone #: _____

Date: _____



**— BUS DRIVER OR DRIVER APPLICANT —
CONSENT TO SCHOOL DISTRICT CONDUCT
OF CLEARINGHOUSE FULL QUERY**

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. The school district shall retain the consent for three (3) years from the date of the query.

I consent to the school district’s conduct of a Clearinghouse full query.

Dated: _____

Signature of Applicant

Typed or Printed Name



**— BUS DRIVER OR DRIVER APPLICANT —
REFUSAL TO SUBMIT TO TESTING**

I hereby refuse to submit to drug/alcohol testing by doing the following:

- € Failing 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;
- € Failing to remain at the testing site until the testing process is complete;
- € Failing to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test;
- € Failing to permit the observation or monitoring of any provision of a specimen in the case of a directly observed or monitored collection in a drug test;
- € Failing to provide a sufficient breath specimen or sufficient amount of urine when directed and it has been determined that there was no adequate medical explanation for the failure;
- € Failing or declining to take a second test as directed;
- € Failing to undergo a medical examination or evaluation, as directed by the Medical Review Officer (MRO) or the Designated Employer Representative (DER);
- € Failing to cooperate with any part of the testing process (e.g., refusing to empty pockets when so directed by the collector, behaving in a confrontational way that disrupts the collection process, failing to wash hands after being directed to do so by the collector, failing to sign the certification on the form);
- € Failing 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;
- € Possessing or wearing a prosthetic or other device that could be used to interfere with the collection process;
- € Admitting to the collector or MRO that the driver adulterated or substituted the specimen; or
- € Having a verified adulterated or substituted test as reported by the MRO.

[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 left before it commences, is not deemed to have refused to submit to testing.]

I recognize that my refusal subjects me to the consequences specified in federal law and regulations. It also constitutes a presumption of a positive result. I further recognize that if I am an applicant, I will be disqualified from consideration for the conditionally-offered position. If I am an employee, I will not be permitted to perform safety-sensitive functions, and will be considered insubordinate and subject to disciplinary action, up to and including dismissal. If the school district offers me an opportunity to return to a DOT safety-sensitive function, I understand I will be evaluated by a substance abuse professional, and will be required to submit to a return-to-duty test prior to being considered for reassignment to safety-sensitive functions.

Date: _____

Time: _____

Signature of Employee/Applicant

Supervisor: _____

Supervisor's Signature

Comments: _____

€ Employee refusal to sign

Supervisor's Initials: _____



— PRETEST NOTICE —

I, the undersigned employee/job applicant of Independent School District No. _____, _____, Minnesota ("School District") do hereby acknowledge that I have been provided a copy of the School District's Drug, Alcohol, and Cannabis Testing Policy.

Date: _____

Signature of Employee/Job Applicant

Typed or Printed Name



[Employee Name]
[Employee Address]

RE: Drug, Alcohol, and/or Cannabis Test
[Date of Testing]

NOTICE OF TEST RESULTS AND VARIOUS RIGHTS

Test Results:

Independent School District No. _____, Minnesota has received the test result report from the testing laboratory:

- G Your initial screening test result was negative.
- G Your confirmatory test result was negative.
- G Your confirmatory test result was positive.

Test Result Report:

You have the right to request and receive from the school district a copy of the test result on any drug or alcohol test or cannabis test.

Right to Explain Positive Test Result:

In the case of a positive test result on a confirmatory test, you have the right to explain the results. You may, within three (3) working days after notice of a positive test result on a confirmatory test, submit information to the school district, in addition to any information already submitted, to explain that result. Attached to this Notice is a document entitled "Explanation of Positive Test Result" for this purpose.

Right to Request Confirmatory Retests:

In the case of a positive test result on a confirmatory test, you have the right to request a confirmatory retest of the original sample at your own expense.

Within five (5) working days after notice of the confirmatory test result, you must notify the school district in writing of your 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 you have requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under Minn. Stat. § 181.953, Subd. 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 you.

Other Rights:

In the case of a positive test result on a confirmatory test, you may have other rights provided under the sections detailed below.

A. Employee Discharge and Discipline

1. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee whose position does not require a commercial driver's license on the basis of 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 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.

2. The school district may not discharge an employee whose position does not require a commercial driver's license for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol 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 or alcohol or cannabis counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with a certified chemical use 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.
3. 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.
4. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information revealed to the school district, unless the employee was under an affirmative duty to provide the information before, upon, or after hire.
5. An employee must be given access to information in the employee's personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing or cannabis testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

B. Withdrawal of Applicant's Job Offer

If a job applicant for a position that does not require a commercial driver's license has received a job offer made contingent on the applicant passing drug, alcohol, and/or cannabis 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.



EXPLANATION OF POSITIVE TEST RESULT

I, the undersigned employee/job applicant of Independent School District No. _____, _____, Minnesota acknowledge receipt of a Notice of Test Results and Various Rights. This includes my right to explain the positive test result on a confirmatory test.

I am currently taking or have recently taken:

- € no over-the-counter or prescription medications; or
- € the following over-the-counter or prescription medications:

I also offer the following information relevant to the reliability of, or explanation for, a positive test result:

Date: _____

Signature of Employee/Job Applicant

Typed or Printed Name



— ACKNOWLEDGMENT —
DRUG, ALCOHOL, AND CANNABIS TESTING POLICY

I have received a copy of the Drug, Alcohol, and Cannabis Testing Policy of Independent School District No. _____, _____, Minnesota and have read it in its entirety.

The District's policy was provided to me:

- € Upon adoption of the policy (employee)
- € Upon my hire (job applicant/new employee)
- € After receipt of my conditional job offer, before any testing if my job offer is contingent upon my passing of drug, alcohol, and cannabis testing as applicable. (job applicant)

Dated: _____

Signature of Employee/Applicant

Typed or Printed Name

EMPLOYEES / PERSONNEL

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Chemical Use and Abuse	417		Annual

I. PURPOSE

The school board recognizes that chemical use and abuse constitutes a grave threat to the physical and mental well-being of students and employees and significantly impedes the learning process. Chemical use and abuse also creates significant problems for society in general. The school board believes that the public school has a role in education, intervention, and prevention of chemical use and abuse. The purpose of this policy is to assist the school district in its goal to prevent chemical use and abuse by providing procedures for education and intervention.

II. GENERAL STATEMENT OF POLICY

- A. Use or possession of controlled substances, toxic substance, medical cannabis, and alcohol before, during, or after school hours, at school or in any other school location, is prohibited in accordance with school district policies with respect to a Drug-Free Workplace/Drug-Free School
- B. The school district shall develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievement.
- C. Every school that participates in a school district chemical abuse program shall establish a chemical abuse pre assessment team. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
- D. The school district shall establish a drug-free awareness program for its employees.

III. DEFINITIONS

- A. "Chemical abuse," as applied to students, means use of any psychoactive or mood-altering chemical substance, without compelling medical reason, in a manner that induces mental, emotional, or physical impairment and causes socially dysfunctional or socially disordering behavior, to the extent that the minor's normal function in academic, school, or social activities is chronically impaired.
- B. "Controlled substances," as applied to the chemical abuse assessment of students, means a drug, substance, or immediate precursor in Schedules I through V of Minnesota Statutes section 152.02 and "marijuana" as defined in Minnesota Statutes section 152.01, subdivision 9 but not distilled spirits, wine, malt beverages, intoxicating liquors or tobacco. As otherwise defined in this policy, "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. "Drug prevention" means prevention, early intervention, rehabilitation referral, recovery support services, or education related to the illegal use of drugs, such as raising awareness about the consequences of drug use that are evidence based.
- D. "Teacher" means all persons employed in a public school or education district or by a service cooperative as members of the instructional, supervisory, and support staff including superintendents, principals, supervisors, secondary vocational and other classroom teachers, librarians, counselors, school psychologists, school nurses, school social workers, audio-visual directors and coordinators, recreation personnel, media generalists, media supervisors, and speech therapists.

IV. STUDENTS

- A. Districtwide School Discipline Policy
Procedures for detecting and addressing chemical abuse problems of a student while on school

premises are included in the district wide school student discipline policy.

B. Programs and Activities

1. The school district shall develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievements. The programs and activities may include, among other programs and activities, drug prevention activities and programs that may be evidence based, including programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes.
2. As part of its drug-free programs, the school district may implement the drug abuse resistance education program (DARE) that enables peace officers to undergo the training to teach a curriculum on drug abuse resistance in schools.

C. Reports of Use, Possession, or Transfer of Alcohol or a Controlled Substance

1. A teacher in a nonpublic school participating in a school district chemical use program, or a public school teacher, who knows or has reason to believe that a student is using, possessing, or transferring alcohol or a controlled substance while on the school premises or involved in school-related activities, shall immediately notify the school's chemical abuse pre assessment team, or staff member assigned duties similar to those of such a team, of this information.
2. Students involved in the abuse, possession, transfer, distribution, or sale of chemicals may be suspended and proposed for expulsion in compliance with the student discipline policy and the Pupil Fair Dismissal Act, Minnesota Statutes section 121A.40-121A.56, and proposed for expulsion.
3. Searches by school district officials in connection with the use, possession, or transfer of alcohol or a controlled substance will be conducted in accordance with school board policies related to search and seizure.
4. Nothing in paragraph IV.B.1. prevents a teacher or any other school employee from reporting to a law enforcement agency any violation of law occurring on school premises or at school sponsored events.

D. Pre Assessment Team

1. Every school that participates in a school district chemical abuse program shall establish a chemical abuse pre assessment team designated by the superintendent or designee. The team must be composed of classroom teachers, administrators, and to the extent they exist in the school, school nurse, school counselor or psychologist, social worker, chemical abuse specialist, and other appropriate professional staff. For schools that do not have a chemical abuse program and team, the superintendent or designee will assign these duties to a designated school district employee
2. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
3. Within forty-five (45) days after receiving an individual reported case, the team shall make a determination whether to provide the student and, in the case of a minor, the student's parents with information about school and community services in connection with chemical abuse.

E. Data Practices

1. Student data may be disclosed without consent in health and safety emergencies pursuant to Minnesota Statutes section 13.32 and applicable federal law and regulations.
2. Destruction of Records
 - a) If the pre assessment team decides not to provide a student and, in the case of a minor, the student's parents with information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the determination is made.
 - b) If the team decides to provide the student and, in the case of a minor or a dependent student, the student's parents with information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the student is no longer enrolled in the district.
 - c) Destruction of records identifying individual students shall be governed by paragraph IV.E.2. notwithstanding Minnesota Statutes section 138.163 (Preservation and Disposal of Public Records).

F. Consent

Any minor may give effective consent for medical, mental, and other health services to determine the presence of or to treat conditions associated with alcohol and other drug abuse, and the consent of no other person is required.

V. **EMPLOYEES**

- A. The school district shall establish a drug-free awareness program to inform employees about:
 - 1. The dangers of drug abuse in the workplace.
 - 2. The school district's policy of maintaining a drug-free workplace.
 - 3. Available drug counseling, rehabilitation, and employee assistance programs.
 - 4. The penalties that may be imposed on employees for drug abuse violations.
- B. The school district shall notify a federal granting agency required to be notified under the Drug-Free Workplace Act within ten (10) days after receiving notice from the employee or otherwise receiving actual notice of any criminal drug statute conviction occurring in the workplace.

Legal References: Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.25-121A.29 (Chemical Abuse)
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)
Minn. Stat. § 124D.695 (Approved Recovery Program Funding)
Minn. Stat. § 126C.44 (Safe Schools Levy)
Minn. Stat. § 138.163 (Preservation and Disposal of Public Records)
Minn. Stat. § 144.343 (Pregnancy, Venereal Disease, Alcohol or Drug Abuse, Abortion)
Minn. Stat. § 152.01 (Definitions)
Minn. Stat. § 152.02 (Schedules of Controlled Substances; Administration of Chapter)
Minn. Stat. § 152.22 (Definitions; Medical Cannabis)
Minn. Stat. § 152.23 (Limitations; Medical Cannabis)
Minn. Stat. § 299A.33 (DARE Program)
Minn. Stat. § 466.07, subd. 1 (Indemnification Required)
Minn. Stat. § 609.101, subd. 3(e) (Controlled Substance Offenses; Minimum Fines)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
20 U.S.C. §§ 7101-7122 (Student Support and Academic Enrichment Grants)
20 U.S.C. § 5812 (National Education Goals)
20 U.S.C. § 7175 (Local Activities)
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)
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 418 (Drug-Free Workplace/Drug Free School)
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 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Hazing Prohibition	526	Adopted:	Annual

I. PURPOSE

The purpose of this policy is to maintain a safe learning environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times.

II. GENERAL STATEMENT OF POLICY

- A. No student, teacher, administrator, volunteer, contractor, or other employee of the school district shall plan, direct, encourage, aid, or engage in hazing.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate hazing.
- C. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited.
- E. False accusations or reports of hazing against a student, teacher, administrator, volunteer, contractor, or other employee are prohibited.
- F. A person who engages in an act of hazing, reprisal, retaliation, or false reporting of hazing or permits, condones, or tolerates hazing shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.
- G. Consequences for students who commit, tolerate, or are a party to prohibited acts of hazing may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.
- H. Consequences for employees who permit, condone, or tolerate hazing or engage in an act of reprisal or intentional false reporting of hazing may result in disciplinary action up to and including termination or discharge.
- I. Consequences for other individuals engaging in prohibited acts of hazing may include, but not be limited to, exclusion from school district property and events and/or termination of services and/or contracts.
- J. This policy applies to hazing that occurs during and after school hours, on or off school premises or property, at school functions or activities, or on school transportation.
- K. A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.
- L. The school district will act to investigate all complaints of hazing and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

III. DEFINITIONS

- A. "Hazing" means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other school-related purpose. The term hazing includes, but is not limited to:
 - 1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, or placing a harmful substance on the body.
 - 2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics, or other activity that subjects the student to an

unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.

3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame, or humiliation, adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
 5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies or regulations.
- B. "Immediately" means as soon as possible but in no event longer than 24 hours.
- C. "On school premises or school district property, or at school functions or activities, or on school transportation" means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting hazing at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.
- D. "Remedial response" means a measure to stop and correct hazing, prevent hazing from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of hazing.
- E. "Student" means a student enrolled in a public school or a charter school.
- F. "Student organization" means a group, club, or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities, or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report hazing anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.

The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of hazing at the building level. Any adult school district personnel who receives a report of hazing prohibited by this policy shall inform the building report taker immediately. Any person may report hazing directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.

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

V. SCHOOL DISTRICT ACTION

- A. Within three (3) days of the receipt of a complaint or report of hazing, the school district shall undertake or authorize an investigation by school district officials or a third party designated by the school district.
- B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the hazing, the complainant, the reporter, and students or others pending completion of an investigation of alleged hazing prohibited by this policy.
- C. The alleged perpetrator of the hazing shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of an investigation that determines hazing has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; and applicable school district policies and regulations.
- E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets or victims of hazing and the parent(s) or guardian(s) of alleged perpetrators of hazing who have been involved in a reported and confirmed hazing incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or to respond to hazing committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in hazing.

VI. RETALIATION OR REPRISAL

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

VII. DISSEMINATION OF POLICY

- A. This policy shall appear in each school’s student handbook and in each school’s building and staff handbooks.
- B. The school district will develop a method of discussing this policy with students and employees.

Legal References: Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students and Parents Under the Safe and Supportive Minnesota Schools Act)
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 525 (Violence Prevention [Applicable to Students and Staff])

STUDENTS

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Student Parental, Family, and Marital Status Nondiscrimination	528	Adopted:	Annual

I. PURPOSE

Students are protected from discrimination on the basis of sex and marital status pursuant to Title IX of the Education Amendments of 1972 and the Minnesota Human Rights Act. This includes discrimination on the basis of pregnancy. The purpose of this school district policy is to provide equal educational opportunity for all students and to prohibit discrimination on the grounds of sex, parental, family, or marital status.

II. GENERAL STATEMENT OF POLICY

- A. The school district provides equal educational opportunity for all students, and will not apply any rule concerning a student’s actual or potential parental, family, or marital status which treats students differently on the basis of sex.
- B. The school district will not discriminate against any student, or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of such students’ pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom, unless the student requests voluntarily to participate in a separate portion of the program or activity of the recipient.
- C. The school district may require such a student to obtain the certification of a physician that the student is physically and emotionally able to continue participation in the normal education program or activity so long as such a certification is required of all students for other physical or emotional conditions requiring the attention of a physician.
- D. The school district will ensure that any separate and voluntary instructional program is comparable to that offered to non-pregnant students.
- E. It is the responsibility of every school district employee to comply with this policy.
- F. The school board has designated Executive Director of Human Resources, 651-351-8311 at 1875 Greeley Street South, Stillwater, MN 55082, as its Title IX coordinator. This employee coordinates the school district’s efforts to comply with and carry out its responsibilities under Title IX.
- G. Any student, parent or guardian having questions regarding the application of Title IX and its regulations and/or this policy should discuss them with the Title IX coordinator. Questions relating solely to Title IX and its regulations may be referred to the Assistant Secretary for Civil Rights of the United States Department of Education. In the absence of a specific designee, an inquiry or complaint should be referred to the superintendent or the school district human rights officer.
- H. Any reports of unlawful discrimination under this policy will be handled, investigated and acted upon in the manner specified in Policy 522.

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

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

MSBA/MASA Model Policy 413 (Harassment and Violence)

MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process)



Revoke: 03-19-2024

SCHOOL DISTRICT

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Educational Program Concerns/Resolution/Appeal	103.1	Adopted: 09-04-2003 Renumbered: 03-11-2021	

It is the policy of I.S.D. 834 that educational concerns be resolved based upon democratic, ethical procedures that permit resolutions to occur in an orderly and timely manner and reserves for the Board of Education their legal authority to be the final appeal body.

Monitoring reports shall be prepared for the Board of Education on the extent to which concerns are filed and the degree to which they are resolved.

Rationale: Gathering data and decision-making required in resolving concerns shall follow the established formal process of I.S.D. 834.



Revoke: 03-19-2024

SCHOOL DISTRICT

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Opportunity of Choice	102.1	Adopted: 09-04-2003 Renumbered: 03-11-2021	

It is the policy of the I.S.D. 834 Board of Education that, within the financial constraints of the I.S.D. 834, barriers be eliminated that may inhibit higher student achievement. This includes barriers that may limit school choice, course selection, co-curricular involvement. A process shall be established to permit access to choice without excessive parent and student effort.

Rationale: All students, regardless of gender, personal characteristics, backgrounds or physical challenges, shall have the same opportunities to choice of schools, courses and co-curricular activities.

BOARD GOVERNANCE PROCESS

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Community Engagement and Public Participation	201.6	Adopted: 08-26-2010 Revised: 08-11-2016 Renumbered: 3-11-2021	Annually

1. Positive relationships and stakeholder engagement are essential to the continued success of the Stillwater Area Public Schools. To ensure effective community engagement, the Board shall adopt a public participation model and a decision-making framework, and engage in two-way communication that is focused on student results and increases awareness, understanding, and support for the students, staff, and programs of Stillwater Area Public Schools.
 - 1.1. Effective engagement in a school district focuses on building relationships between an educational organization and its stakeholders, which:
 - 1.1.1. Is based on a systematic and continuous plan, with shared responsibility of all Board members and employees of the district, designed to improve the programs, services and reputation of the organization.
 - 1.1.2. Utilizes appropriate strategies to ensure input from students, staff, parents and the community as a means to link the entire community.
 - 1.1.3. Relies on two-way communication processes with the goal of stimulating better understanding of the objectives, accomplishments and needs of the organization, in fulfilling its mission for students.
 - 1.1.4. Requires interpreting public attitudes, opinions and beliefs, identifying and helping shape programs, policies and procedures and carrying on involvement and information activities that earn understanding and support, thereby supporting student achievement.
2. Community engagement is successful when everyone in the organization accepts responsibility for communicating effectively, building relationships, providing exceptional service, and acting as ambassadors to positively market the school district.
3. The Board shall ensure a planned and effective engagement program by:
 - 3.1. Adopting and maintaining a Strategic Plan for the school district.
 - 3.2. Adopting and operating within approved public participation and decision-making models and process.
 - 3.3. Adopting a multi-year community engagement plan to ensure communications goals and

activities are consistent with the District's Strategic Plan.

SCHOOL BOARD

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Board Resignation/Vacancy	215	Adopted: 8-26-2010 Revised: 08-09-2018	2-Year

- A. School Board vacancy occurs when a member:
1. Dies
 2. Resigns
 - a. Whenever possible, a Board member wishing to resign shall give written notice to the Board at least one month prior to the resignation date.
 3. Ceases to be a resident of the district
 4. Is unable to serve on the School Board and attend its meetings for 90 days or more because of illness or prolonged absence from the district
 5. Is removed for proper cause from the School Board through School Board action.
Vacancy Caused by an Ill or Absent Member
- B. When a School Board vacancy is caused by an ill or absent member, the position shall be filled as follows:
1. The School Board, by resolution, shall declare a vacancy to exist and the process by which the vacancy will be filled.
 2. Applications to fill the vacancy, for a period of time determined by the School Board, shall be accepted from district residents, unless the School Board determined by a majority vote that a different process will be utilized.
 3. The School Board shall fill the vacancy by a majority vote of the remaining elected members of the School Board at a regular or special meeting.
 4. The vacancy shall be filled by appointment and evidenced by a resolution, which shall be recorded in the minutes of the meeting.
 5. The vacancy shall be filled for the remainder of the unexpired term or until the ill

or absent member is able to resume duties as a member of the School Board, whichever occurs first.

- C. When a School Board vacancy is caused by reasons other than an ill or absent member, the position shall be filled as follows:
1. Applications to fill the vacancy, for a period of time determined by the School Board, shall be accepted from district residents, unless the School Board determines by a majority vote that a different process will be utilized.
 2. The School Board shall fill the vacancy by a majority vote of the remaining elected members of the School Board at a regularly scheduled or special meeting of the School Board. The appointment shall be evidenced by a resolution entered into the minutes and shall be effective 30 days following adoption of the resolution.
 - a. An appointment to fill a vacancy shall not be effective if a petition to reject the appointee is filed with the School District Clerk. To be valid, a petition to reject an appointee must be signed by a number of eligible voters residing in the District equal to at least 5% of the total number of voters voting in the District at the most recent state general election, and must be filed within 30 days of the School Board's adoption of the resolution making the appointment. If a valid petition is filed according to the requirements, the appointment by the School Board is ineffective and the School Board must fill the vacancy with a different appointee by the procedures of this Section
 3. The School Board shall make the appointment by a majority vote of the remaining elected members of the School Board at a regular scheduled or special meeting of the School Board.
- D. If an appointment to a vacant position becomes effective, it shall continue until:
1. A special election is held no later than the first Tuesday after the first Monday in November following the vacancy; or
 2. If the vacancy occurs less than 90 days prior to the first Tuesday after the first Monday in November in the year in which the vacancy occurs, the special election must be held no later than the first Tuesday after the first Monday in November of the following calendar year; or
 3. If the vacancy occurs less than 90 days prior to the first Tuesday after the first Monday in November in the third year of the term, or anytime during the fourth year of the term, no special election is required.
 4. All required elections or appointments to fill vacancies shall be for the unexpired term.



Revoke:
Redundant with 417

STATUTORY REQUIREMENTS

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Drugs Tobacco Alcohol Use Violations	SR 1.7		

This policy is considered archival information and is available in a PDF only format that may not meet WCAG 2.1 standards of web accessibility AA compliance. If you should need access to this content in a format that does comply with those standards, please contact Joan Hurley at hurleyj@stillwaterschools.org or 651-351-8455.

STATUTORY REQUIREMENTS

POLICY TITLE	POLICY NUMBER	ADOPTED	REVIEW FREQUENCY
Racial, Religious, Sexual Harassment, Violence and Hazing	SR 1.10	Adopted: 09-24-0987 Amended: 09-13-1990, 06-09-1994, 06-25-1998 Reviewed: 06-26-2003 Annual Review: 05-27-2004 Approved: 06-10-2004	

I.S.D. 834 prohibits any form of religious, racial or sexual harassment, or religious, racial or sexual violence, and hazing. For purposes of this policy, school personnel includes: Board of Education members, school employees, agents, volunteers, contractors or persons subject to the supervision and control of I.S.D. 834.

It shall be a violation of this policy for any student or personnel of I.S.D. 834 to:

1. harass a student or any school personnel through conduct or communication of a sexual nature or regarding religion or race as defined by this policy;
2. inflict, threaten to inflict, or attempt to inflict religious, racial or sexual violence upon any student or school personnel; or to
3. haze [or permit the hazing of] any student, whether on or off school property, during or after school hours.

I.S.D. 834 will act to investigate all complaints, either formal or informal, verbal or written, of religious, racial or sexual harassment, or religious, racial or sexual violence, or hazing, and to discipline any students or school personnel who are found to have violated this policy.

Legal References: Title VII, Section 703, 42 U.S.C. ' 2000e, et seq. (Civil Rights Act of 1964 as amended)

Minnesota Statutes § 363.01 through § 363.14 (Minnesota Human Rights Act)

Minnesota Statutes § 121A.03 (Minnesota Human Rights Act)

Minnesota Statute § 121A.69

Rationale: To ensure I.S.D. 834 abides by state and federal law in creating a learning and working environment that is free from religious, racial or sexual harassment, or religious, racial or sexual violence or hazing.

**SR 1.10 - RACIAL, RELIGIOUS, SEXUAL HARASSMENT, VIOLENCE AND HAZING
REPORT FORM**



Stillwater School Board
Policy Meeting Notes
March 6, 2024

Present: Katie Hockert, Beverly Petrie, Alison Sherman, Paul Lee, Carissa Keister, Joan Hurley

Agenda

- Reviewed the following policies for the March 19, 2024 board meeting
 - Annual Review
 - Policy 103-Complaints-Students, Employees, Parents, Other Persons
 - Policy 104-School District Mission Statement
 - First Reading
 - Policy 203.2 - Order of the Regular School Board Meeting
 - Policy 305: Policy Implementation
 - Policy 306: Administrator Code of Ethics
 - Policy 413 - Harassment and Violence and Form
 - Policy 417 - Chemical Use and Abuse
 - Policy 416 - Drug, Alcohol, and Cannabis Testing and Forms
 - Policy 526 - Hazing Prohibition
 - Policy 528 - Student Parental, Family, and Marital Status Nondiscrimination
 - Revoke as redundant
 - Policy 102.1-Opportunities of Choice;
 - Policy 103.1-Education Program Concerns/Resolution/Appeal
 - Policy 201.6-Community Engagement and Public Participation
 - Policy 215-Board Resignation/Vacancy
 - Policy SR 1.10-Racial, Religious, Sexual Harassment, Violence and Hazing
 - Policy SR 1.7-Drugs, Tobacco, Alcohol Use/Violations

What's next:

- Next meeting is scheduled for Wednesday, April 4, 2024 at 1:45 p.m.



TO: Northeast Metro 916 Board of Education
FROM: Dr. Val Rae Boe
DATE: March 12, 2024
RE: March 6 Board of Education Meeting Talking Points

Members present: Knisely-12, Palmer-13, Jones-14, Oksnevad-282, Bock-621, Nitardy-622, Theisen-831, Payne-832, and Hockert-834. Members absent: Forsberg-16, Daniels-624, Clark-623, and Dols-833.

Calendar Dates:

- Monday, March 18, 2024- MSBA/MASA Day at the Capitol at 9:00 a.m. at the Radisson Hotel St. Paul Downtown
- Wednesday, March 20, 2024 - Building Tours: Metro Heights Academy at 8:00 a.m. and Karner Blue Education Center at 9:30 a.m.
- Wednesday, April 3, 2024- School Board Meeting at 6:00 p.m.
- Wednesday, April 24, 2024 - Building Tours: Pankalo Education Center at 8:30 a.m. and Auditory Oral Program at 10:00 a.m.
- Wednesday, May 1, 2024 - Building Tours: Bellaire Education Center at 8:30 a.m. and Mahtomedi Academy at 9:30 a.m.
- Wednesday, May 1, 2024- Strategic Action Input Activity from 3:00-5:00 p.m. Dinner from 5:00-6:00 p.m., School Board Meeting at 6:00 p.m. at Bellaire District Office

Staff/Program Recognition:

- **Retirements:**
 - Mark Lindblad, Teacher at WELS N, was recognized for 17 years of service to District 916.
 - Theresa Londo, DAPE Teacher at Quora, was recognized for 30 years of service to District 916.
- **Quora Secondary School and WELS N:** Kristin Salava, principal/manager, gave an overview of both programs including each school's vision, school data, graduation pathways, onboarding and professional development, recruitment and retention, the support team at QSS, Win-It Wednesdays and building community at WELS N, and ended with videos highlighting scholar voices.

Presentation: 916 Literacy Planning: Implementing the READ Act: Scott Thomas, director of education services, presented the School Board with information regarding the READ Act. He shared that currently 916's literacy curricula are not on the list but the recommendation is to

hold off on the curriculum conversation until after MDE posts the updated list which will be around May 1st. Scott shared 916's Training Plan Summary along with an extensive and detailed timeline starting the Spring/Summer of 2024 through the 2026-27 School Year. He ended with sharing the 2024-25 Pacing Guide and the process being used to write the literacy plan.

Presentation: Annual Report: Shannon Hunter, communications coordinator, shared the 2022-23 Annual Report with the School Board.

School Board Policies: The School Board was presented with a first reading of Policies 201, 902, and 903.

FY25 Budget Assumptions: Mark Kumlien presented the budget assumptions for approval. These assumptions reflect the program planning for Northeast Metro 916 operations, which include special education, career and technical education, and educational services.

Approval of the 2024-25 School Calendar: The 24-25 school calendar was presented in February and no changes had been made prior to this Board meeting. It is laid out very similar to the current and past calendars.

Approval of Contracts:

- **Collaborative Student Transportation of Minnesota:** This contract provides transportation services for 916 students, including transportation between programs, work experience sites and field trips.
- **Raptor Technologies:** This contract is a vital component of our school safety work and our implementation of the Standard Response Protocol. It will also offer one more year of enhanced support such as additional deployment support and on-site employee training by Raptor personnel.
- **916 Administrative Support Staff Local 284:** Ratified the contract between the School District and 916 Administrative Support Staff Local 284 for the period of July 1, 2023 through June 30, 2025.
- **International Union of Operating Engineers Local 70:** Ratified the contract between the School District and the International Union of Operating Engineers Local 70 for the period of July 1, 2023 through June 30, 2025.
- **916 Employees Managers and Assistant Managers Group:** Ratified the contract between the School District and the 916 Employees Managers and Assistant Managers Group for the period of July 1, 2023 through June 30, 2025.