

GOODHUE COUNTY EDUCATION DISTRICT BOARD AGENDA

Thursday, June 25, 2020 at 7:00 PM

River Bluff Education Center, Red Wing

395 Guernsey Ln

AGENDA

- I. **Call to Order/Adoption of Agenda:** Action
- II. **Consent Agenda:** Action (Jerry Stehr, please review claims prior to meeting)
 - A. Approval of May 28, 2020 Minutes

Goodhue County Education District 6051-61

Red Wing, MN

Regular Meeting

May 27, 2020

River Bluff Education Center

7:00 PM

MEMBERS PRESENT: Jerry Stehr; Dawn Balow; Kevin Anderson; Holly Tauer, Jim Wendt, Katie Lochner

MEMBERS ABSENT: None

OTHERS PRESENT: Cherie Johnson; Jackie Paradis; Cindy Luhman; Jillynne Raymond

CALL TO ORDER/ADOPT THE AGENDA: Chairperson Dawn Balow called the meeting to order. Vice Chair Jim Wendt motioned to adopt the consent agenda. Clerk Katie Lochner seconded, motion carried unanimous roll call. Jerry Stehr-yes; Dawn Balow-yes; Jim Wendt-yes; Kevin Anderson-yes; Holly Tauer-yes; Katie Lochner-yes.

CONSENT AGENDA:

Approval of April 22, 2020 minutes

Approval of Claims: Jim Wendt (Please come in 15 minutes early) Clerk Katie Lochner motioned to approve the Consent Agenda. Member Kevin Anderson seconded, motion carried by unanimous roll call. Dawn Balow-yes; Jim Wendt-yes; Kevin Anderson-yes; Holly Tauer-yes; Katie Lochner-yes; Jerry Stehr-yes.

Staff Updates: C. Johnson commented that Haily Pottinger was a paraprofessional at RBEC who completed her teacher license mid-year. Lake City was in need of a teacher and she was transferred to Lake City. Lake City then hired her as a special education teacher for this coming year. Megan Hanten accepted a special education teaching position with Red Wing. Deborah Griffin and Diane Jacobson are new to us. The remaining new hires are staff that were nonrenewed by GCED and are now being rehired.

1. **Resignations:** *Hailey Pottinger, ASD Teacher-Lake City; Megan Hanten, EL Teacher-RW*
2. **New Hire:** *Deborah Griffin, Instructional Coach-ZM; Elizabeth Diggins, Work Based Learning Teacher-RBEC; Ryan Paulson, ASD/DCD Teacher-RBEC; Joni Schake, ASD/DCD Teacher-RBEC; Stephanie Schiltz, EBD Teacher-RBEC; Erica Cordes, ASD/DCD Teacher-RBEC; Tira Petersen, EBD Teacher-RBEC; Julie Braford, EBD Teacher-RBEC; Diane Jacobson, GCED EL Teacher.*
3. **Transfers:**
4. **Retirement:**

Public Input:

Reports and Communication:

Business Manager Report: Jackie Paradis provided the business managers report. As

of 4/30/2020 we have received \$8,584,898 or 65.24% of the revised revenue budget, compared to 66.55% at 4/30/19 and 67.94% at 4/30/18. We have expended \$8,438,586 or 62.8% of the revised expense budget, compared to 64.29% at 4/30/19 and 65.22% at 4/30/18. Cash flow has improved and is looking good for the school year. Cash flow for next year has many low spots in Spring of 2021. This assumes the 90/10 aid continues into 2020-21. April bank rec is included for your information.

HIPPA Compliant Platform: C. Johnson reported that in order to access MA billing, our therapists must conduct tele-therapy using a HIPPA compliant platform. GCED staff are currently using the Educator ZOOM platform. ZOOM has a HIPPA enabled plan that starts at \$200 per month per account. This plan come with 10 hosts. We currently have 19 therapists. C. Johnson will be reviewing other platforms and one will be chosen by the start of the 2020-21 school year.

Fall Professional Development Plans: C. Johnson reported that all CPI trainings will be done via online learning modules and follow-up ZOOM sessions with instructors. Each district will be working toward identifying Crisis Teams for buildings. Only members of the Crisis Teams will be trained in the physical portion of CPI due to COVID-19. These in person trainings will be done in person at a later date. Countywide training for special education teachers will be done virtually, as well. We will be having the author of “Good Kids don’t Punch People in the Face” as our keynote speaker. ZOOM information will be sent out to staff, administrators, and board members.

FY20 Q-Comp Update: Jillynne Raymond presented an update on the FY20 Q-Comp. This year GCED licensed staff earned \$200 each in performance pay for their involvement in our Teacher Development and Evaluation program. Our teachers’ collaborative work focused on improving student outcomes supports our student outcome goals as required by MDE. GCED licensed staff met the Student Growth Percentile goal of 44.5. Teacher received an additional \$300 for meeting this goal.

COVID-19 Response Plan: C. Johnson reported on the development of plans for three models. The first model would have all students back, the second scenario would be a hybrid model with strict social distancing, and the third would be a return to a distance learning model. The MDE has currently asked school districts to have plans in place for all three scenarios. Plexiglas shields have been ordered for the itinerant space, front desk, nurse and principal space. Each room at RBEC has also been measured to determine how many individuals can be in each space.

Old Business:

Distance Learning Plan Update & Absence Protocol: C. Johnson gave an update on the distance learning plans. These plans were posted on the GCED website on May 4th, 2020 and emailed out to parents via SchoolMessenger. We will be discontinuing delivery of lunches June 3rd. Students are able to connect with their home districts to continue receiving lunches.

RBEC Staffing Update: C. Johnson reported that in the initial staffing recommendations, a paraprofessional position was missed. Vice Chair Jim Wendt motioned to approve the paraprofessional position. Member Holly Tauer seconded, motion carried by unanimous roll call. Jim Wendt-yes; Kevin Anderson-yes; Holly Tauer-yes; Katie Lochner-yes; Jerry Stehr-yes; Dawn Balow-yes.

New Business:

FY21 Budget: C. Johnson and J. Paradis presented the FY21 Budget. J. Paradis mentioned that Cash Flow could see some lowered areas in Jan/Feb or Apr/May. C. Johnson mentioned that education districts are not able to get loans like independent school districts can. If revenue would happen to reach that point, GCED might have to pre-bill districts. GCED would only pre-bill those districts in a position to accommodate that request. C. Johnson presented the preliminary budget for 2020-21 as well as the preliminary bills that will be sent out to districts. Vice Chair Jim Wendt motioned to approve the FY21 Budget. Member Holly Tauer seconded, motion carried by unanimous roll call. Kevin Anderson-yes; Holly Tauer-yes; Katie Lochner-yes; Jerry Stehr-yes; Dawn Balow-yes; Jim Wendt-yes.

First Reading of Mandatory Policies: C. Johnson reported that each year MSBA revises both regular and mandatory policies to reflect changing legislation, case law and situations faced by school districts. This is the first reading of this set of policies. All of these policies are taken directly from MSBA with minor tweaks to reflect our education district status.

School Resource Officer Agreement: In 2019, the City of Red Wing entered into a four year SRO contract with GCED. The contract provides for a cost share between GCED and the City of RW based on the actual salary and benefits of the assigned officer. Due to a promotion and personnel changes in the RW Police Department, the SRO dollars have changed. The only changes to the SRO contract is the cost sharing for GCED and the City of RW. The contract cost includes a 2% increase each year. GCED contract calls for a 60/40, District/City cost sharing. The total cost (salary and benefits) estimate of the previous GCED SRO is \$123,412.07, the new officer assigned to GCED cost estimate is \$100,180.24 creating a total cost difference of \$23,231.83. Jerry Stehr motioned to approve the School Resource Officer Agreement. Katie Lochner seconded, motioned carried by unanimous roll call. Holly Tauer-yes; Katie Lochner-yes; Jerry Stehr-yes; Dawn Balow-yes; Jim Wendt-yes; Kevin Anderson-yes.

Letter of Agreement Addressing Alternative Teacher Pay and Teacher Development and Evaluation During Peacetime Emergency: C. Johnson reported that this agreement is effective upon execution by both parties and expires on June 30, 2020. The agreement contemplates recently updated guidance from MDE on the general topic of TDE/QComp. Because of distance learning some teachers were not able to receive their 3rd evaluation. Vice Chair Jim Wendt motioned to approve the agreement. Member Kevin Anderson seconded, motion carried by unanimous roll call. Katie Lochner-yes; Jerry Stehr-yes; Dawn Balow-yes; Jim Wendt-yes; Kevin Anderson-yes; Holly Tauer-yes.

Administrative Assistant Agreement: C. Johnson reported that the Negotiations Committee met on May 13th, 2020. Recommendation for a 2% salary increase on this agreement. Other areas of change include aligning bereavement language and the tax-deferred matching contribution plan to other education district agreements. Vice Chair Jim Wendt motioned to approve the Administrative Assistant Agreement. Chairperson Dawn Balow seconded, motion carried by unanimous roll call. Katie Lochner-yes; Jerry Stehr-yes; Dawn Balow-yes; Jim Wendt-yes; Kevin Anderson-yes; Holly Tauer-yes.

Support Staff Contract: C. Johnson reported that the Negotiations Committee met on May 13th, 2020. Recommendation for a 2% salary increase on this agreement. Other areas of

change include aligning bereavement language, increasing health insurance contribution and removing longevity language. Vice Chair Jim Wendt motioned to approve the Support Staff Contract. Chairperson Dawn Balow seconded, motion carried by unanimous roll call. Katie Lochner-yes; Jerry Stehr-yes; Dawn Balow-yes; Jim Wendt-yes; Kevin Anderson-yes; Holly Tauer-yes.

Leadership Conditions of Employment: C. Johnson reported that the Negotiations Committee met on May 13th, 2020. Recommendation for a 2% salary increase on this agreement. Other areas of change include aligning bereavement language. Vice Chair Jim Wendt motioned to approve the Support Staff Contract. Chairperson Dawn Balow seconded, motion carried by unanimous roll call. Katie Lochner-yes; Jerry Stehr-yes; Dawn Balow-yes; Jim Wendt-yes; Kevin Anderson-yes; Holly Tauer-yes.

Evaluation Forms: C. Johnson reached out to the superintendents to ask for copies of their evaluation forms. These forms are in your board packet. With many things going on, the superintendents have been busy and so we have only received a couple of copies to review. There isn't a template for the position. Chairperson Dawn Balow commented that she would like to take another month to review. Member Holly Tauer also commented that maybe this could be something to take a look at in December. C. Johnson commented that if she receives more information she will pass it along to the members.

Goodhue County HHS Contracts: C. Johnson reported that our approach has been to provide integrated mental health and education programs and services that encompass efforts to promote positive development, prevent problems and to offer access to and coordination of diagnostic and treatment services. In this system student support personnel, such as school psychologists, social workers, school nurses and school counselors, services are woven together with community resources and incorporate with the instructional efforts of the school to promote healthy development. The benefits we see are improved functioning/reduction of symptoms of children with a mental health disorder, which reduces barriers to learning, improved accessibility to mental health services, improved school climate towards mental health issues, and enhanced opportunities for funding. There are approximately 120 students currently enrolled in our behavioral support programs. The cost to the county if these programs our boards have created would be in excess of \$3.5 million for the residential portion and a conservative estimate of \$2.1 million for the educational portion of their programming. We are the only county in the state with these contracts with the county. Member Kevin Anderson motioned to approve the Goodhue County HHS Contracts. Clerk Katie Lochner seconded, motion carried by unanimous roll call. Dawn Balow-yes; Jim Wendt-yes; Kevin Anderson-yes; Holly Tauer-yes; Katie Lochner-yes; Jerry Stehr-yes.

Hoonuit Renewal & Trending PD Topics: C. Johnson mentioned that GCED has utilized Hoonuit for five years. The recent advent of our virtual instruction and additional professional development has increased our use of this platform. Member Holly Tauer motioned to approve the renewal of Hoonuit. Vice Chair Jim Wendt seconded, motion carried by unanimous roll call. Jim Wendt-yes; Kevin Anderson-yes; Holly Tauer-yes; Katie Lochner-yes; Jerry Stehr-yes; Dawn Balow-yes.

GASB 75 Valuation Report: C. Johnson commented that the actuarial valuation of the other post-employment benefit plan (OPEB) for GCED as of July 1, 2019 which enables he plan sponsor to satisfy the accounting requirements under Statement of Governmental

Accounting Standards No. 75. The results of the valuation set forth in this report reflect the provisions of the plan communicated to Hildi, Inc through July 1, 2019.

Other:

Comments: Board/Director:

Adjournment: Vice Chair Jim Wendt motioned to adjourn. Member Holly Tauer seconded. Motion carried.

B. Claims

Goodhue County Ed District Payment Reg by Bank and Check

Co	Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Print	Recon	Void	Curr	Pay/Void	Amount
													Date	
6051	MERC		34545		Wire	1 04060		PERA-PUBLIC EMPLOYEES RETIREMT	No	Yes	No	USD	05/28/2020	7,791.43
6051	MERC		34546		Wire	1 04062		MN TEACHERS RETIREMENT ASSOC	No	Yes	No	USD	05/28/2020	37,927.64
6051	MERC		34547		Wire	1 2284		E. B. C., LLC /ACS	No	No	No	USD	05/28/2020	10,776.40
6051	MERC		34548		Wire	1 2392		US Dept of Treasury	No	No	No	USD	05/28/2020	71,970.65
6051	MERC		34549		Wire	1 2396		MN Dept of Revenue	No	No	No	USD	05/28/2020	12,151.29
6051	MERC		34550		Wire	1 2501		Merchants Bank	No	Yes	No	USD	05/28/2020	2,454.46
6051	MERC		34576		Wire	1 1280		DELTA DENTAL PLAN OF MN	No	No	No	USD	06/10/2020	4,265.00
6051	MERC		34577		Wire	1 2216		KWIK TRIP EXTENDED NETWORK	No	No	No	USD	06/10/2020	366.12
6051	MERC		34578		Wire	1 04060		PERA-PUBLIC EMPLOYEES RETIREMT	No	No	No	USD	06/15/2020	7,081.88
6051	MERC		34579		Wire	1 04062		MN TEACHERS RETIREMENT ASSOC	No	No	No	USD	06/15/2020	31,682.54
6051	MERC		34580		Wire	1 2284		E. B. C., LLC /ACS	No	No	No	USD	06/15/2020	10,857.65
6051	MERC		34581		Wire	1 2392		US Dept of Treasury	No	No	No	USD	06/15/2020	59,970.14
6051	MERC		34582		Wire	1 2396		MN Dept of Revenue	No	No	No	USD	06/15/2020	9,870.81
6051	MERC		34583		Wire	1 2501		Merchants Bank	No	No	No	USD	06/15/2020	2,454.46
6051	MERC		34543	18285	Check	1 3415		AMAZON CAPITAL SERVICES	Yes	No	No	USD	05/28/2020	22.99
6051	MERC		34530	18286	Check	1 2495		CALEDONIA AREA PUBLIC SCHOOLS	Yes	No	No	USD	05/28/2020	2,173.24
6051	MERC		34531	18287	Check	1 2554		CPI	Yes	No	No	USD	05/28/2020	4,360.00
6051	MERC		34526	18288	Check	1 1984		E. B. C., LLC/Flex	Yes	No	No	USD	05/28/2020	896.83
6051	MERC		34519	18289	Check	1 09118		EDUCATION MN - GCED	Yes	No	No	USD	05/28/2020	2,403.65
6051	MERC		34533	18290	Check	1 2871		EMC Insurance Companies	Yes	No	No	USD	05/28/2020	11,540.34
6051	MERC		34538	18291	Check	1 3232		ENTERPRISE FM TRUST	Yes	No	No	USD	05/28/2020	1,724.94
6051	MERC		34527	18292	Check	1 2036		FALK AUTO BODY, INC.	Yes	No	No	USD	05/28/2020	500.00
6051	MERC		34537	18293	Check	1 3126		FERNBROOK FAMILY CENTER	Yes	No	No	USD	05/28/2020	29,781.13
6051	MERC		34539	18294	Check	1 3235		Goodhue Co Ed Dist Paraprofessional Unic	Yes	No	No	USD	05/28/2020	259.32
6051	MERC		34521	18295	Check	1 09162		HILLYARD FLOOR CARE SUPPLY	Yes	No	No	USD	05/28/2020	2,868.21
6051	MERC		34535	18296	Check	1 3040		INTEREUM	Yes	No	No	USD	05/28/2020	2,577.55
6051	MERC		34536	18297	Check	1 3097		K12 MANAGEMENT	Yes	No	No	USD	05/28/2020	175.00
6051	MERC		34522	18298	Check	1 1063		KNUTSON, FLYNN, DEANS	Yes	No	No	USD	05/28/2020	110.00
6051	MERC		34542	18299	Check	1 3358		LAPUS, LOUISE	Yes	No	No	USD	05/28/2020	241.50
6051	MERC		34518	18300	Check	1 02672		METRO SALES, INC.	Yes	No	No	USD	05/28/2020	2,739.84
6051	MERC		34524	18301	Check	1 1278		MSC-SOUTHEAST TECHNICAL	Yes	No	No	USD	05/28/2020	417.00
6051	MERC		34540	18302	Check	1 3296		MUTUAL OF OMAHA	Yes	No	No	USD	05/28/2020	2,324.89
6051	MERC		34528	18303	Check	1 2218		NEWS-2-YOU	Yes	No	No	USD	05/28/2020	891.85
6051	MERC		34523	18304	Check	1 1247		PESTOP, INC.	Yes	No	No	USD	05/28/2020	50.00
6051	MERC		34541	18305	Check	1 3297		POSADA, MARIA	Yes	No	No	USD	05/28/2020	243.29
6051	MERC		34520	18306	Check	1 09129		RED WING IND SCHOOL DIST 256	Yes	No	No	USD	05/28/2020	16,410.00
6051	MERC		34532	18307	Check	1 2704		RED WING SIGNWORX, INC.	Yes	No	No	USD	05/28/2020	182.34
6051	MERC		34529	18308	Check	1 2368		RUSHFORD-PETERSON DIST. #239	Yes	No	No	USD	05/28/2020	3,258.69
6051	MERC		34544	18309	Check	1 3446		SOESD	Yes	No	No	USD	05/28/2020	217.00

Goodhue County Ed District Payment Reg by Bank and Check

Co	Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Print	Recon	Void	Curr	Pay/Void	Amount
													Date	
6051	MERC		34525	18310	Check	1	1313	SpEd FORMS, INC.	Yes	No	No	USD	05/28/2020	19,312.79
6051	MERC		34534	18311	Check	1	3011	U. S. BANK EQUIPMENT FINANCE	Yes	No	No	USD	05/28/2020	290.00
6051	MERC		34573	18312	Check	1	3329	CHASE CARD SERVICES	Yes	No	No	USD	06/10/2020	3,305.55
6051	MERC		34551	18313	Check	1	00433	CITY OF RED WING	Yes	No	No	USD	06/10/2020	258.05
6051	MERC		34562	18314	Check	1	2554	CPI	Yes	No	No	USD	06/10/2020	10,350.00
6051	MERC		34569	18315	Check	1	3148	CURLY'S WELDING	Yes	No	No	USD	06/10/2020	166.25
6051	MERC		34558	18316	Check	1	2284	E. B. C., LLC /ACS	Yes	No	No	USD	06/10/2020	115.41
6051	MERC		34561	18317	Check	1	2473	HILDI INC.	Yes	No	No	USD	06/10/2020	2,900.00
6051	MERC		34553	18318	Check	1	09162	HILLYARD FLOOR CARE SUPPLY	Yes	No	No	USD	06/10/2020	2,162.42
6051	MERC		34564	18319	Check	1	2865	INTELLICENTS	Yes	No	No	USD	06/10/2020	1,250.00
6051	MERC		34565	18320	Check	1	2960	LANGUAGE LINE SERVICES	Yes	No	No	USD	06/10/2020	210.05
6051	MERC		34563	18321	Check	1	2719	LUHMAN, CINDY	Yes	No	No	USD	06/10/2020	314.52
6051	MERC		34568	18322	Check	1	3145	MARQUARDT, JENNIFER	Yes	No	No	USD	06/10/2020	150.07
6051	MERC		34557	18323	Check	1	2167	MENKE, GAYE	Yes	No	No	USD	06/10/2020	495.00
6051	MERC		34555	18324	Check	1	1361	NOBLE, SHARON	Yes	No	No	USD	06/10/2020	502.55
6051	MERC		34554	18325	Check	1	1150	PHONAK, LLC	Yes	No	No	USD	06/10/2020	3,510.00
6051	MERC		34572	18326	Check	1	3297	POSADA, MARIA	Yes	No	No	USD	06/10/2020	128.05
6051	MERC		34571	18327	Check	1	3282	PRESENCE LEARNING, INC	Yes	No	No	USD	06/10/2020	357.90
6051	MERC		34552	18328	Check	1	00443	RED WING ACE HARDWARE	Yes	No	No	USD	06/10/2020	11.89
6051	MERC		34556	18329	Check	1	1468	RYAN MECHANICAL	Yes	No	No	USD	06/10/2020	4,754.00
6051	MERC		34575	18330	Check	1	3451	SCHENACH, MEGAN	Yes	No	No	USD	06/10/2020	5.00
6051	MERC		34559	18331	Check	1	2410	SCHOOL MANAGEMENT SERVICES	Yes	No	No	USD	06/10/2020	40,244.00
6051	MERC		34574	18332	Check	1	3419	SFRC, LLC-TERRAFORM POWER	Yes	No	No	USD	06/10/2020	4,456.64
6051	MERC		34567	18333	Check	1	3078	SHRED-N-GO	Yes	No	No	USD	06/10/2020	43.73
6051	MERC		34570	18334	Check	1	3159	TESTEN, MARY	Yes	No	No	USD	06/10/2020	15.52
6051	MERC		34566	18335	Check	1	3011	U. S. BANK EQUIPMENT FINANCE	Yes	No	No	USD	06/10/2020	477.00
6051	MERC		34560	18336	Check	1	2424	WAL-MART COMMUNITY	Yes	No	No	USD	06/10/2020	46.22
6051	MERC		34585	18337	Check	1	1984	E. B. C., LLC/Flex	Yes	No	No	USD	06/15/2020	896.83
6051	MERC		34584	18338	Check	1	09118	EDUCATION MN - GCED	Yes	No	No	USD	06/15/2020	2,403.65
6051	MERC		34586	18339	Check	1	3235	Goodhue Co Ed Dist Paraprofessional Unic	Yes	No	No	USD	06/15/2020	259.32

Bank Total: \$455,382.48

Report Total: \$455,382.48

C. Staff Updates:

1. **Resignations:**

2. **New Hire:** *Catherine Stark, Instructional Coach-CF*

3. **Transfers:**

4. **Re-assignment:**

III. **Public Input:**

IV. **Reports and Communication:**

A. Business Manager Report



**GOODHUE CO ED DISTRICT
2019-20 CASH FLOW**

AS OF 6-19-20

JULY

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
7/1/2019	-	-	-	-	-	1,434,138.75
7/1/2019	(43,029.38)	-	-	-	-	1,391,109.37
7/9/2019	-	-	236,837.68	-	-	1,627,947.05
7/15/2019	(637,362.45)	(164,129.04)	-	-	-	826,455.56
7/20/2019	-	-	227,521.46	-	-	1,053,977.02
7/31/2019	(476,693.88)	(144,145.56)	239,884.63	-	-	673,022.21
ENDING BALANCE	(1,157,085.71)	(308,274.60)	704,243.77	-	-	673,022.21

AUGUST

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
8/1/2019	-	-	-	-	-	673,022.21
8/4/2019	-	-	-	24,380.10	-	697,402.31
8/15/2019	(297,252.41)	(231,078.61)	-	-	-	169,071.29
8/17/2019	(304,998.31)	-	152,538.43	-	514,808.32	531,419.73
8/30/2019	(160,606.06)	(147,134.41)	622,161.32	387,976.98	-	1,233,817.56
ENDING BALANCE	(762,856.78)	(378,213.02)	774,699.75	412,357.08	514,808.32	1,233,817.56

SEPTEMBER

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
9/1/2019	-	-	-	-	-	1,233,817.56
9/15/2019	(341,412.32)	(168,575.10)	114,719.15	555,804.73	-	1,394,354.02
9/17/2019	(659,725.78)	-	-	-	-	734,628.24
9/30/2019	(115,314.55)	(166,480.86)	301,528.08	128,058.92	-	882,419.83
ENDING BALANCE	(1,116,452.65)	(335,055.96)	416,247.23	683,863.65	-	882,419.83

OCTOBER

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
10/1/2019	-	-	-	-	170,512.42	1,052,932.25
10/9/2019	(210,023.82)	-	78,056.63	-	21,903.71	942,868.77
10/15/2019	-	(169,005.07)	-	51,798.58	4,395.07	830,057.35
10/20/2019	(209,376.35)	-	-	-	-	620,681.00
10/31/2019	(117,155.43)	(168,060.30)	905,729.17	158,715.94	-	1,399,910.38
ENDING BALANCE	(536,555.60)	(337,065.37)	983,785.80	210,514.52	196,811.20	1,399,910.38

NOVEMBER

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
11/1/2019	(75,779.17)	-	-	-	-	1,324,131.21
11/5/2019	-	-	-	-	296,160.40	1,620,291.61
11/15/2019	(266,030.71)	(171,293.56)	-	64,748.24	-	1,247,715.58
11/20/2019	-	-	247,043.12	-	-	1,494,758.70
11/30/2019	(112,627.07)	(166,413.53)	873.91	-	-	1,216,592.01
ENDING BALANCE	(454,436.95)	(337,707.09)	247,917.03	64,748.24	296,160.40	1,216,592.01

DECEMBER

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
12/1/2019	-	-	-	-	0.11	1,216,592.12
12/8/2019	(104,144.19)	-	252,574.73	-	-	1,365,022.66
12/15/2019	(115,202.00)	(169,639.35)	-	110,332.49	-	1,190,513.80
12/20/2019	(117,008.98)	-	490,607.11	-	-	1,564,111.93
12/31/2019	(114,195.55)	(167,098.51)	1,078.44	68,004.25	-	1,351,900.56

ENDING BALANCE	(450,550.72)	(336,737.86)	-	744,260.28	178,336.74	0.11	1,351,900.56
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JANUARY

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
1/1/2020	-	-	6,279.02	-	-	1,358,179.58
1/8/2020	(706,761.84)	-	-	-	-	651,417.74
1/15/2020	(111,193.93)	(159,885.48)	147,169.02	113,340.43	-	640,847.78
1/20/2020	(168,531.52)	-	-	-	-	472,316.26
1/31/2020	(115,808.28)	(165,199.69)	155,142.77	151,203.06	-	497,654.12
ENDING BALANCE	(1,102,295.57)	(325,085.17)	308,590.81	264,543.49	-	497,654.12

FEBRUARY

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
2/1/2020	(130,872.71)	-	-	-	270,423.21	637,204.62
2/15/2020	(120,979.55)	(170,393.50)	333,368.72	181,609.08	-	860,809.37
2/16/2020	-	-	-	-	-	860,809.37
2/20/2020	(80,659.88)	-	-	-	-	780,149.49
2/28/2020	(113,950.09)	(164,798.11)	141,285.20	121,179.79	-	763,866.28
ENDING BALANCE	(446,462.23)	(335,191.61)	474,653.92	302,788.87	270,423.21	763,866.28

MARCH

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
3/1/2020	(166,269.50)	-	181,191.96	-	-	778,788.74
3/15/2020	(116,407.66)	(168,482.59)	-	121,179.80	-	615,078.29
3/20/2020	(220,064.41)	-	291,207.59	-	-	686,221.47
3/31/2020	(169,026.18)	(254,670.51)	359,476.76	285,764.51	-	907,766.05
ENDING BALANCE	(671,767.75)	(423,153.10)	831,876.31	406,944.31	-	907,766.05

APRIL

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
4/9/2020	(10,835.11)	-	89,324.27	-	-	986,255.21
4/15/2020	(350,638.88)	(179,875.19)	-	105,493.86	-	561,235.00
4/20/2020	-	-	180.02	-	287,573.62	848,988.64
4/30/2020	(223,014.79)	(174,258.27)	472.29	242,183.69	122,995.74	817,367.30
ENDING BALANCE	(584,488.78)	(354,133.46)	89,976.58	347,677.55	410,569.36	817,367.30

MAY

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
5/1/2020	-	-	202,573.14	-	-	1,019,940.44
5/15/2020	(257,967.46)	(175,171.58)	-	130,359.86	-	717,161.26
5/20/2020	-	-	91,726.24	-	-	808,887.50
5/31/2020	(249,166.43)	(209,120.79)	277,019.27	130,359.86	-	757,979.41
ENDING BALANCE	(507,133.89)	(384,292.37)	571,318.65	260,719.72	-	757,979.41

JUNE

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
6/1/2020	-	-	171,028.44	-	-	929,007.85
6/15/2020	(206,338.22)	(178,392.51)	174,720.11	-	-	718,997.23
6/20/2020	-	-	-	130,359.86	-	849,357.09
6/30/2020	(149,424.31)	(188,265.01)	172,772.33	-	146,298.92	830,739.02
ENDING BALANCE	(355,762.53)	(366,657.52)	518,520.88	130,359.86	146,298.92	830,739.02

TOTALS	(8,145,849.16)	(4,221,567.13)	-	6,666,091.01	3,262,854.03	1,835,071.52	830,739.02
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**GOODHUE CO ED DISTRICT
2020-21 CASH FLOW**

AS OF 6-19-20

JULY

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
7/1/2020	-	-	-	-	-	830,739.02
7/1/2020	(43,889.97)	-	-	-	-	786,849.05
7/9/2020	-	-	234,469.30	185,894.33	-	1,207,212.69
7/15/2020	(650,109.70)	(177,259.36)	-	-	-	379,843.62
7/20/2020	-	-	225,246.25	84,497.42	-	689,587.29
7/31/2020	(486,227.76)	(155,677.20)	237,485.78	-	-	285,168.11
ENDING BALANCE	(1,180,227.42)	(332,936.57)	- 697,201.33	270,391.75	-	285,168.11

AUGUST

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
8/1/2020	-	-	-	-	-	285,168.11
8/4/2020	-	-	-	321,090.21	-	606,258.32
8/15/2020	(303,197.46)	(249,564.90)	-	-	-	53,495.96
8/17/2020	(311,098.28)	-	151,013.05	-	514,808.32	408,219.05
8/30/2020	(163,818.18)	(158,905.16)	615,939.71	250,504.22	-	951,939.64
	(778,113.92)	(408,470.06)	- 766,952.75	571,594.43	514,808.32	951,939.64

SEPTEMBER

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
9/1/2020	-	-	-	-	-	951,939.64
9/15/2020	(348,240.57)	(182,061.11)	113,571.96	84,497.42	-	619,707.34
9/17/2020	(672,920.30)	-	-	-	-	(53,212.95)
9/30/2020	(117,620.84)	(179,799.33)	298,512.80	250,504.22	-	198,383.90
ENDING BALANCE	(1,138,781.70)	(361,860.44)	- 412,084.76	335,001.65	-	198,383.90

OCTOBER

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
10/1/2020	-	-	-	-	170,512.42	368,896.32
10/9/2020	(214,224.30)	-	77,276.06	-	21,903.71	253,851.80
10/15/2020	-	(182,525.48)	-	67,597.94	4,395.07	143,319.33
10/20/2020	(213,563.88)	-	-	-	-	(70,244.55)
10/31/2020	(119,498.54)	(181,505.12)	896,671.88	267,403.71	-	792,827.38
ENDING BALANCE	(547,286.71)	(364,030.60)	- 973,947.94	335,001.65	196,811.20	792,827.38

NOVEMBER

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
11/1/2020	(77,294.75)	-	-	-	-	715,532.62
11/5/2020	-	-	-	-	296,160.40	1,011,693.02
11/15/2020	(271,351.32)	(184,997.04)	-	84,497.42	-	639,842.08
11/20/2020	-	-	244,572.69	-	-	884,414.76
11/30/2020	(114,879.61)	(179,726.61)	865.17	135,195.88	-	725,869.59
ENDING BALANCE	(463,525.69)	(364,723.66)	- 245,437.86	219,693.30	296,160.40	725,869.59

DECEMBER

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
12/1/2020	-	-	-	-	0.11	725,869.70
12/8/2020	(106,227.07)	-	250,048.98	-	-	869,691.61
12/15/2020	(117,506.04)	(183,210.50)	-	185,894.33	-	754,869.40
12/20/2020	(119,349.16)	-	485,701.04	-	-	1,121,221.28
12/31/2020	(116,479.46)	(180,466.39)	1,067.66	101,396.91	-	926,739.99

ENDING BALANCE	(459,561.73)	(363,676.89)	-	736,817.68	287,291.24	0.11	926,739.99
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JANUARY

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
1/1/2021	-	-	6,216.23	-	-	932,956.22
1/8/2021	(720,897.08)	-	-	-	-	212,059.14
1/15/2021	(113,417.81)	(172,676.32)	145,697.33	168,994.85	-	240,657.19
1/20/2021	(171,902.15)	-	-	-	-	68,755.04
1/31/2021	(118,124.45)	(178,415.67)	153,591.34	135,195.88	-	61,002.15
ENDING BALANCE	(1,124,341.48)	(351,091.98)	-	305,504.90	304,190.72	61,002.15

FEBRUARY

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
2/1/2021	(133,490.16)	-	-	-	270,423.21	197,935.19
2/15/2021	(123,399.14)	(184,024.98)	330,035.03	135,195.88	-	355,741.98
2/16/2021	-	-	-	-	-	355,741.98
2/20/2021	(82,273.08)	-	-	-	-	273,468.90
2/28/2021	(116,229.09)	(177,981.96)	139,872.35	168,994.85	-	288,125.04
ENDING BALANCE	(455,391.47)	(362,006.94)	-	469,907.38	304,190.72	288,125.04

MARCH

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
3/1/2021	(169,594.89)	-	179,380.04	-	-	297,910.19
3/15/2021	(118,735.81)	(181,961.20)	-	168,994.85	-	166,208.03
3/20/2021	(224,465.70)	-	288,295.51	-	-	230,037.84
3/31/2021	(172,406.70)	(275,044.15)	355,881.99	202,793.81	-	341,262.80
ENDING BALANCE	(685,203.11)	(457,005.35)	-	823,557.55	371,788.66	341,262.80

APRIL

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
4/9/2021	(11,051.81)	-	88,431.03	-	-	418,642.01
4/15/2021	(357,651.66)	(194,265.21)	-	135,195.88	-	1,921.03
4/20/2021	-	-	178.22	-	287,573.62	289,672.86
4/30/2021	(227,475.09)	(188,198.93)	467.57	291,928.38	122,995.74	289,390.54
ENDING BALANCE	(596,178.56)	(382,464.14)	-	89,076.81	427,124.26	289,390.54

MAY

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
5/1/2021	-	-	200,547.41	-	-	489,937.95
5/15/2021	(263,126.81)	(189,185.31)	-	168,994.85	-	206,620.68
5/20/2021	-	-	90,808.98	-	-	297,429.65
5/31/2021	(254,149.76)	(225,850.45)	274,249.08	168,994.85	-	260,673.36
ENDING BALANCE	(517,276.57)	(415,035.76)	-	565,605.46	337,989.69	260,673.36

JUNE

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
6/1/2021	-	-	169,318.16	-	-	429,991.52
6/15/2021	(210,464.98)	(192,663.91)	172,972.91	-	-	199,835.53
6/20/2021	-	-	-	168,994.85	-	368,830.38
6/30/2021	(152,412.80)	(203,326.21)	171,044.61	-	146,298.92	330,434.90
ENDING BALANCE	(362,877.79)	(395,990.12)	-	513,335.68	168,994.85	330,434.90

TOTALS	(8,308,766.15)	(4,559,292.50)	-	6,599,430.10	3,933,252.90	1,835,071.52	330,434.90
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REVENUE & EXPENDITURE SUMMARY BY SOURCE, OBJECT SERIES & PROGRAM SERIES

GOODHUE COUNTY ED DISTRICT | May 31, 2020

REVENUE CATEGORIES	June 30, 2018		June 30, 2019		May 31, 2019		May 31, 2018		Current YTD vs. PYTD	May 31, 2019	May 31, 2018
					Received	% of Budget	Received	% of Actuals			
STATE	3,421,200	3,213,240	3,689,037	3,213,240	2,729,634	73.99%	959,403	84.22%	173,508	2,556,126	2,881,298
FEDERAL	1,969,656	1,770,360	1,895,113	1,770,360	977,153	51.56%	917,980	60.27%	72,412	904,742	1,187,108
PROPERTY TAXES	0	0	0	0	0	0.00%	0	0.00%	0	0	0
LOCAL SALES, INS RECOVERY & JUDGEMENTS	1,230	307,386	3,327	307,386	6,553	196.95%	(3,226)	100.00%	(300,833)	307,386	1,165
SALE OF BONDS & LOANS	0	0	0	0	0	0.00%	0	0.00%	0	0	0
INCOMING TRANSFERS FROM OTH FUNDS	6,782,223	7,127,507	7,572,194	7,127,507	5,614,443	74.15%	1,957,751	77.48%	167,419	5,447,025	5,254,745
LOCAL (FEES, INTEREST, ETC.)	12,174,308	12,418,492	13,159,671	12,418,492	9,327,783	70.88%	3,831,888	74.21%	112,505	9,215,278	9,324,316
TOTALS											

EXPENDITURES (OBJECT SERIES)	June 30, 2018		June 30, 2019		May 31, 2019		May 31, 2018		Current YTD vs. PYTD	May 31, 2019	May 31, 2018
					Expended	% of Budget	Expended	% of Actuals			
SALARIES & WAGES	5,626,092	5,919,959	6,393,250	5,919,959	5,060,398	79.15%	1,332,852	80.80%	333,391	4,727,007	4,546,016
EMPLOYEE BENEFITS	1,412,416	1,495,180	1,666,807	1,495,180	1,305,224	78.33%	361,083	81.65%	104,337	1,200,888	1,153,199
PURCHASED SERVICES	3,392,905	3,444,894	3,721,296	3,444,894	1,546,415	41.56%	2,174,881	39.13%	198,401	1,348,014	1,376,983
SUPPLIES	411,013	377,522	444,208	377,522	220,676	49.68%	223,532	83.25%	(94,347)	315,024	342,179
EQUIPMENT	1,034,238	1,057,823	1,190,091	1,057,823	1,101,629	92.57%	88,462	100.04%	41,402	1,060,227	1,034,689
DEBT SERVICE	0	0	0	0	0	0.00%	0	0.00%	0	0	0
OTHER EXPENDITURES	41,782	53,630	21,159	53,630	19,748	93.33%	1,411	47.68%	2,595	17,163	19,922
OTHER FINANCING USES	0	0	0	0	0	0.00%	0	0.00%	0	0	0
TOTALS	11,918,447	12,349,007	13,436,311	12,349,007	9,254,090	68.87%	4,182,221	70.19%	585,779	8,668,311	8,472,987

EXPENDITURES (PROGRAM SERIES)	June 30, 2018		June 30, 2019		May 31, 2019		May 31, 2018		Current YTD vs. PYTD	May 31, 2019	May 31, 2018
					Expended	% of Budget	Expended	% of Actuals			
SITE ADMINISTRATION	73,829	78,555	59,446	78,555	53,123	89.36%	6,323	91.54%	(18,786)	71,909	67,395
DISTRICT ADMINISTRATION	124,308	125,920	112,225	125,920	87,984	78.40%	24,241	88.05%	(24,215)	112,199	109,453
SUPPORT SERVICES	186,293	187,030	218,630	187,030	293,920	134.44%	(75,290)	139.37%	27,698	266,222	259,633
REGULAR INSTRUCTION	1,460,269	1,457,714	1,534,281	1,457,714	634,800	41.37%	899,481	39.32%	40,354	594,446	574,201
EXTRA-CURRICULAR ACTIVITIES	0	0	0	0	0	0.00%	0	0.00%	0	0	0
VOCATIONAL INSTRUCTION	298,845	295,462	313,508	295,462	244,193	77.89%	69,315	76.42%	29,386	214,807	226,365
SPECIAL EDUCATION	6,860,327	6,998,990	7,717,900	6,998,990	5,261,762	68.18%	2,456,138	71.10%	419,712	4,842,050	4,877,758
INSTRUCTIONAL SUPPORT	370,375	460,906	484,252	460,906	312,316	64.49%	171,936	68.24%	46,048	266,268	252,743
PUPIL SUPPORT SERVICES	1,191,715	1,277,968	1,368,136	1,277,968	1,008,093	73.68%	360,043	76.12%	49,198	958,895	907,101
FACILITIES	1,352,486	1,466,464	1,627,933	1,466,464	1,357,898	83.41%	270,035	88.45%	16,383	1,341,515	1,196,338
OTHER FINANCING USES	0	0	0	0	0	0.00%	0	0.00%	0	0	0
TOTALS	11,918,447	12,349,007	13,436,311	12,349,007	9,254,090	68.87%	4,182,221	70.19%	585,779	8,668,311	8,472,987

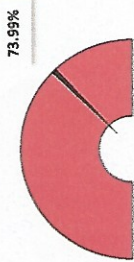
REVENUE & EXPENDITURE SUMMARY BY SOURCE, OBJECT SERIES & PROGRAM SERIES

GOODHUE COUNTY ED DISTRICT | May 31, 2020

SUMMARY - ALL FUNDS	June 30, 2018		June 30, 2019		Revised Budget	YTD	Budget Remaining	% of Budget Expended		% of Actuals Expended		Current YTD vs. PYTD	May 31, 2019		May 31, 2018	
	12,174,308	11,918,447	12,418,492	12,349,032				Expended	Expended	Expended	Expended		2019	2019	2018	2018
SUMMARY REVENUE					13,159,671	9,327,783	3,831,888	70.88%	74.21%	76.59%	112,505	9,215,278	9,324,316			
EXPENDITURES					13,436,311	9,254,090	4,182,221	68.87%	70.19%	71.09%	585,779	8,668,311	8,472,987			
SPENDING VARIANCE	255,861		69,460		(276,640)	73,693	N/A	N/A	N/A	N/A	(473,274)	546,967	851,329			

YTD % Received vs. PYTD % Received

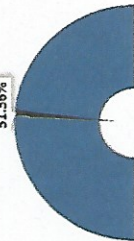
State Revenues YTD



Prior YTD State Revenues

79.55%

Federal Revenues YTD



Prior YTD Federal Revenues

51.10%

Property Taxes YTD



Prior Year to Date Property Taxes

77.40%

Other Local YTD



Prior Year to Date Local Revenues

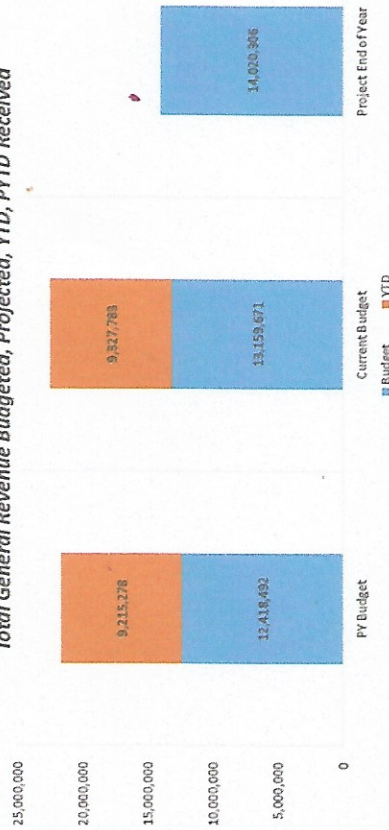
77.40%

Top 5 Revenues Received YTD by Source Code 3

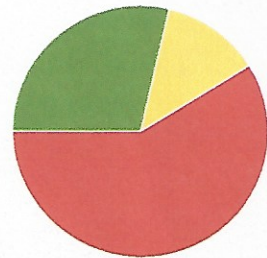
Variance from PYTD Received

	Current YTD	Variance vs. PYTD
1 GENERAL FUND TOTAL	\$9,327,783	\$112,505
2 Total LOCAL REVENUES	\$5,614,443	\$167,419
3 RECEIPTS/MIN SCH DIST	\$5,052,932	\$188,178
4 Total STATE REVENUES	\$2,729,634	\$173,508
5 TRAN-CONTRACT/PUB	\$2,535,467	\$183,943

Total General Revenue Budgeted, Projected, YTD, PYTD Received

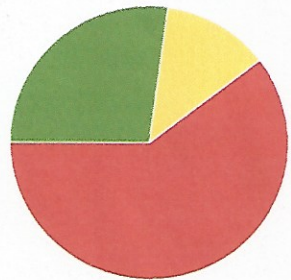


Current Year Revenue Budget



■ STATE ■ FEDERAL ■ PROPERTY TAXES ■ LOCAL

Prior Year Revenue Budget

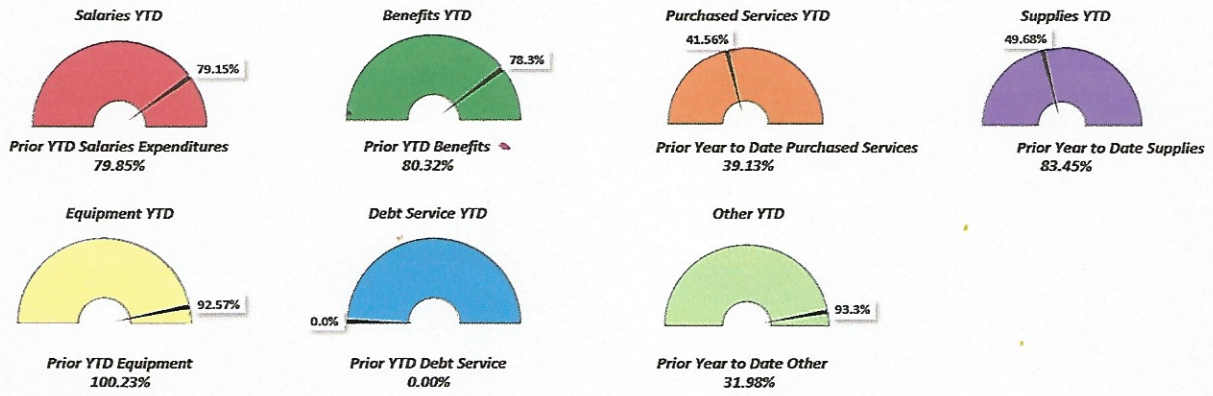


■ STATE ■ FEDERAL ■ PROPERTY TAXES ■ LOCAL

End of Year ADM History



YTD % Expenditures vs. PYTD % Expenditures

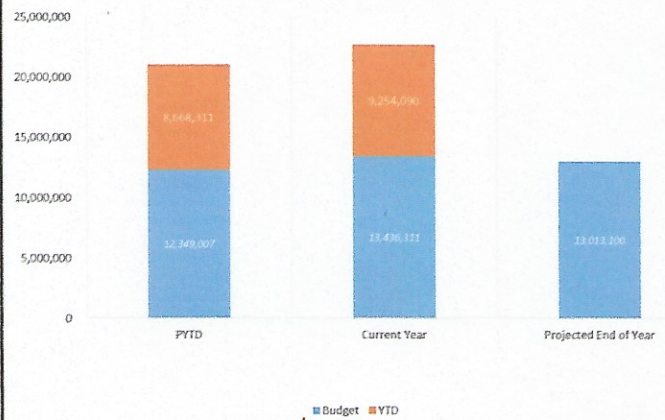


Top 10 Expenditures YTD by Object Code 3

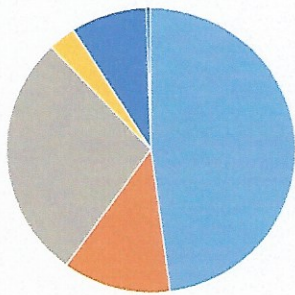
Variance from PYTD Received

	Current YTD	Variance vs. PYTD
1 LICENSED CLASSROOM TEACHEF	\$1,617,193	\$124,470
2 TOTAL PURCHASED SI	\$1,546,415	\$198,401
3 TOTAL EMPLOYEE BENEFITS	\$1,305,224	\$104,337
4 ADMINISTRATION/SUPERVISION	\$663,261	-\$23,429
5 SCHOOL PSYCHOLOGIST	\$505,249	\$24,006
6 SCHOOL SOCIAL WORKER	\$418,238	\$74,111
7 FICA/MEDICARE	\$371,215	\$26,000
8 HEALTH INSURANCE	\$357,387	\$21,332
9 EDUCATIONAL/SPEECH LANG. P,	\$342,642	\$31,750
10 CERT. PARA & PERSONAL CARE /	\$319,830	-\$737

Total General Expenditures Budgeted, Projected, YTD and , PYTD Expended

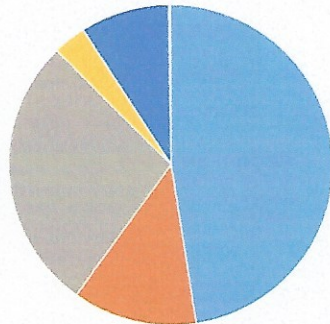


Prior Year Final Exp Budget



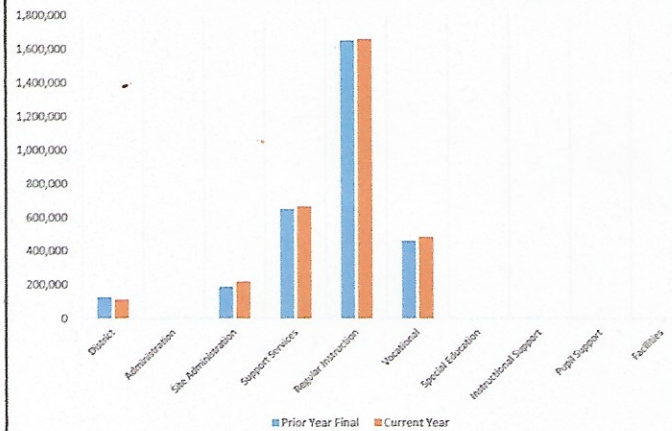
- SALARIES
- BENEFITS
- PURCHASED SERVICES
- GENERAL SUPPLIES
- CAPITAL EXPENSES
- DEBT SERVICE
- DUES & OTHER

Current Year Exp Budget



- SALARIES
- BENEFITS
- PURCHASED SERVICES
- GENERAL SUPPLIES
- CAPITAL EXPENSES
- DEBT SERVICE
- DUES & OTHER

Prior Year Final and Current Expenditures by Program



REVENUE SUMMARY

GOODHUE COUNTY ED DISTRICT | May 31, 2020

DESCRIPTION	June 30, 2018	June 30, 2019	Current Budget	Revenue YTD	Budget Remaining	2020 % of Budget Received	2019 % of Actuals Received	2018 % of Actuals Received	Current YTD vs. Prior YTD	May 31, 2019	May 31, 2018
	LOCAL REVENUES										
021 RECEIPTS/MN SCH DIST	6,135,475	6,479,127	6,810,618	5,052,932	1,757,686	74.19%	75.08%	76.19%	188,178	4,864,754	4,674,735
050 STUDENT FEES	300	250	350	350	0	100.00%	100.00%	100.00%	100	250	300
071 MED. ASSISTANCE	6,728	0	125,500	0	125,500	0.00%	0.00%	100.00%	0	0	6,728
092 EARNINGS FR TEMP DEP	12,816	19,669	11,000	10,408	592	94.62%	87.47%	86.08%	(6,797)	17,205	11,032
093 RENTAL PROCEEDS	6,396	8,806	7,000	0	7,000	0.00%	0.00%	0.00%	0	0	0
096 DONATIONS	1,981	2,289	2,546	1,631	915	64.06%	134.77%	205.25%	(1,454)	3,085	4,067
099 MISC REVENUE	618,528	617,364	615,180	549,122	66,058	89.26%	90.99%	90.20%	(12,608)	561,730	557,884
Total LOCAL REVENUES	6,782,223	7,127,507	7,572,194	5,614,443	1,957,751	74.15%	76.42%	77.48%	167,419	5,447,025	5,254,745
STATE REVENUES											
211 GENERAL EDUCATION AID	132,709	100,251	149,608	134,647	14,961	90.00%	86.32%	90.00%	48,105	86,542	119,438
300 STATE AID	191,808	189,851	204,001	53,241	150,760	26.10%	59.60%	21.41%	(59,915)	113,156	41,058
360 TRAN-CONTRACT/PUB	3,038,655	2,859,014	3,328,649	2,535,467	793,182	76.17%	82.25%	89.16%	183,943	2,351,524	2,709,345
370 MISC REV THRU MDE	30,514	29,285	6,779	6,279	500	92.63%	16.75%	37.55%	1,375	4,905	11,457
397 TRA/PERA PENSION REVENUE	27,514	34,839	0	0	0	0.00%	0.00%	0.00%	0	0	0
Total STATE REVENUES	3,421,200	3,213,240	3,689,037	2,729,634	959,403	73.99%	79.55%	84.22%	173,508	2,556,126	2,881,298
FEDERAL REVENUES RECEIVED FROM STATE											
400 FEDERAL AIDS & GRANT	1,969,656	1,770,360	1,895,113	977,153	917,960	51.56%	51.10%	60.27%	72,412	904,742	1,187,108
Total FEDERAL REVENUES RECEIVED FROM STATE	1,969,656	1,770,360	1,895,113	977,153	917,960	51.56%	51.10%	60.27%	72,412	904,742	1,187,108
FEDERAL REVENUES RECEIVED FROM FED SOURCES											
500 FED REV RECEIVED DIRECT	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
Total FEDERAL REVENUES RECEIVED FROM FED SOURCES	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
LOCAL SALES, INSURANCE RECOVERY, AND JUDGEMENTS											
619 Cost of Materials for Revenue Producing Activities	0	0	(500)	(433)	(67)	86.68%	0.00%	0.00%	(433)	0	0
620 RESALE	0	0	950	954	(4)	100.42%	0.00%	0.00%	954	0	0
622 SALE OF MATERIALS	1,230	143	2,000	2,022	(22)	101.08%	100.00%	94.72%	1,879	143	1,165
625 INSURANCE RECOVERY	0	0	877	4,010	(3,133)	457.29%	0.00%	0.00%	4,010	0	0
628 JUDGEMENTS FOR THE DISTRICT	0	307,243	0	0	0	0.00%	100.00%	0.00%	(307,243)	307,243	0
Total LOCAL SALES, INSURANCE RECOVERY, AND JUDGEMENTS	1,230	307,386	3,327	6,553	(3,226)	196.95%	100.00%	94.72%	(300,833)	307,386	1,165
SALE OF BONDS AND LOANS											
635 CERTIFICATS OF PARTIC. PROCEED	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
Total SALE OF BONDS AND LOANS	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
GENERAL FUND TOTAL	12,174,308	12,418,492	13,159,671	9,327,783	3,831,888	70.88%	74.21%	76.59%	112,505	9,215,278	9,324,316

DESCRIPTION	June 30, 2018	June 30, 2019	Revised Budget	Expenses YTD	Budget Remaining	2020 % of Budget Expended	2019 % of Actuals Expended	2018 % of Actuals Expended	Current YTD vs. Prior YTD	May 31, 2019	May 31, 2018
	389 STAFF TUITION AND OTHER REIMBUR	1,134	0	0	0	0	0.00%	0.00%	100.00%	0	0
390 TUITION TO OTHER DISTRICTS	0	0	0	417	(417)	0.00%	0.00%	0.00%	417	0	0
391 PAYMENTS TO MN ISD'S (COST SHARI	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
393 SPECIAL EDUCATION AND TRANSITIOI	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
394 PAYMENTS FOR EDUCATIONAL PURP	908,636	823,072	917,500	417,086	500,414	45.46%	39.69%	45.83%	90,416	326,670	416,465
396 SALARY PURCHASED FROM ANOTHER	758,779	771,876	850,993	216,111	634,582	25.40%	24.11%	14.43%	30,018	186,093	109,483
397 BENEFITS PURCHASED FROM ANOTH	242,131	259,551	277,662	73,264	204,398	26.39%	23.42%	14.60%	12,477	60,787	35,339
TOTAL PURCHASED SERVICES	3,392,905	3,444,894	3,721,296	1,546,415	2,174,881	41.56%	39.13%	40.58%	198,401	1,348,014	1,376,983
SUPPLIES											
401 SUPPLIES AND MATERIALS-NON INSTI	64,094	51,335	58,679	27,339	31,340	46.59%	78.67%	59.20%	(13,047)	40,386	37,943
405 NON INSTRUCTIONAL COMPUTER SOI	42,848	82,962	74,367	74,375	(8)	100.01%	95.46%	93.52%	(4,817)	79,192	40,072
406 INSTRUCTIONAL SOFTWARE LICENSE	77,524	35,563	73,315	38,112	35,203	51.98%	107.26%	100.21%	(34)	38,146	77,687
430 SUPPLIES AND MATERIALS-NON-INDI	14,511	13,934	11,095	2,931	8,164	26.41%	40.88%	13.95%	(2,766)	5,696	2,025
433 SUPPLIES AND MATERIALS - INDIVIDU,	149,313	84,500	107,810	15,546	92,264	14.42%	85.07%	88.79%	(56,342)	71,888	132,568
440 FUELS	2,537	13,893	17,000	9,836	7,164	57.86%	93.52%	73.85%	(3,156)	12,992	1,873
455 NON- INSTRUCTIONAL TECHNOLOGY	1,981	31,436	3,500	355	3,145	10.14%	11.25%	42.26%	(3,180)	3,536	837
456 INSTRUCTIONAL TECHNOLOGY SUPPI	2,823	14,780	15,050	2,810	12,240	18.67%	100.00%	100.00%	(11,970)	14,780	2,823
460 TEXTBOOKS AND WORKBOOKS	4,683	950	33,313	2,060	31,253	6.18%	37.18%	94.99%	1,706	353	4,448
461 STANDARDIZED TESTS	37,733	36,620	40,180	39,680	500	98.76%	100.00%	97.23%	3,060	36,620	36,688
465 NON- INSTRUCTIONAL TECHNOLOGY	7,371	714	715	0	715	0.00%	100.00%	0.00%	(714)	714	0
466 INSTRUCTIONAL TECHNOLOGY DEVICE	0	3,666	2,284	2,063	221	90.34%	100.00%	0.00%	(1,603)	3,666	0
490 FOOD	5,595	7,168	6,900	5,568	1,332	80.69%	98.41%	93.22%	(1,486)	7,054	5,215
TOTAL SUPPLIES	411,013	377,522	444,208	220,676	223,532	49.68%	83.45%	83.25%	(94,347)	315,024	342,179
SUPPLIES & EQUIPMENT											
520 BUILDING ACQUISITION OR CONSTRU	0	0	42,343	760	41,583	1.79%	0.00%	0.00%	760	0	0
530 OTHER EQUIPMENT PURCHASED	5,049	23,163	57,230	50,446	6,784	88.15%	110.38%	100.00%	24,879	25,567	5,049
533 OTHER EQUIP. PURCHASED FOR SPEI	0	0	2,312	0	2,312	0.00%	0.00%	0.00%	0	0	0
550 OTHER VEHICLES PURCHASED	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
555 CAPITALIZED NON-INSTRUCTIONAL TE	(8,800)	0	50,000	12,217	37,783	24.43%	0.00%	77.83%	12,217	0	(6,849)
556 CAPITALIZED TECHNOLOGY HARDW/	3,129	0	0	0	0	0.00%	0.00%	100.00%	0	0	3,129
580 PRINCIPAL ON CAPITAL LEASE/INSTAL	396,372	412,986	429,640	427,986	1,654	99.62%	100.00%	100.00%	15,000	412,986	396,372
581 INTEREST ON CAPITAL LEASE/INSTAL	633,688	618,774	603,320	604,974	(1,654)	100.27%	100.00%	100.00%	(13,800)	618,774	633,688
590 OTHER CAPITAL EXPENDITURES	4,900	2,900	5,246	5,246	0	100.00%	100.00%	69.39%	2,346	2,900	3,400
TOTAL SUPPLIES & EQUIPMENT	1,034,238	1,057,823	1,190,091	1,101,629	88,462	92.57%	100.23%	100.04%	41,402	1,060,227	1,034,689
OTHER EXPENDITURES											
810 JUDGMENTS AGAINST THE SCHOOL D	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
820 DUES, MEMBERSHIP, LICENSE AND CE	14,268	18,791	21,655	19,632	2,023	90.66%	91.28%	139.62%	2,479	17,153	19,922
891 TRA AND PERA SPECIAL FUNDING SIT	27,514	34,839	0	0	0	0.00%	0.00%	0.00%	0	0	0
895 FEDERAL AND NONPUBLIC INDIRECT I	0	(0)	(596)	0	(596)	0.00%	0.00%	0.00%	0	0	0
896 TAXES, SPECIAL ASSESSMENTS AND	0	0	100	116	(16)	116.26%	0.00%	0.00%	116	0	0
TOTAL OTHER EXPENDITURES	41,782	53,630	21,159	19,748	1,411	93.33%	31.98%	47.68%	2,595	17,153	19,922
OTHER FINANCING USES											
910 PERMANENT TRANSFERS TO OTHER I	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
TOTAL OTHER FINANCING USES	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
GENERAL FUND TOTAL	11,918,447	12,349,007	13,436,311	9,254,090	4,182,221	68.87%	70.19%	71.09%	585,779	8,668,311	8,472,987

**EXPENDITURES BY PROGRAM CODE
GOODHUE COUNTY ED DISTRICT | May 31, 2020**

DESCRIPTION	June 30, 2018		June 30, 2019		Revised Budget		Expenses YTD		Budget Remaining		2020 % of Budget		2019 % of Actuals		2018 % of Actuals		Current YTD vs. Prior YTD		May 31, 2019		May 31, 2018		
DISTRICT ADMINISTRATION																							
010 BOARD OF EDUCATION	21,171	21,042	25,822	12,622	13,200	12,622	15,994	48.88%	80.76%	75.39%	(4,372)	16,994	15,961										
030 INSTRUCTIONAL ADMINISTRATION	103,137	104,878	86,403	75,362	11,041	75,362	87.22%	90.78%	90.65%	(19,843)	95,205	93,491											
TOTAL - DISTRICT ADMINISTRATION	124,308	125,920	112,225	87,984	24,241	87,984	78.40%	89.10%	88.05%	(24,215)	112,199	109,453											
SITE ADMINISTRATION																							
050 SCHOOL ADMINISTRATION	73,829	78,555	59,446	53,123	6,323	53,123	89.36%	91.54%	91.29%	(18,786)	71,909	67,395											
TOTAL - SITE ADMINISTRATION	73,829	78,555	59,446	53,123	6,323	53,123	89.36%	91.54%	91.29%	(18,786)	71,909	67,395											
SUPPORT SERVICES																							
105 GENERAL ADMINISTRATIVE SUPPORT	81,334	80,806	92,495	175,355	(82,860)	175,355	189.58%	202.24%	186.13%	12,340	163,015	151,385											
110 BUSINESS SUPPORT SERVICES	104,959	106,423	126,135	118,565	7,570	118,565	94.00%	96.98%	103.13%	15,358	103,207	108,248											
TOTAL - SUPPORT SERVICES	186,293	187,030	218,630	293,920	(75,290)	293,920	134.44%	142.34%	139.37%	27,698	266,222	259,633											
REGULAR INSTRUCTION																							
203 EDUCATION - ELEMENTARY GENERAL	140,896	110,804	111,616	0	111,616	0	0.00%	0.00%	0.00%	0	0	0											
205 TITLE III/PART A-ENGL.ACCQ.,LNG.ENH&CA	16,500	16,477	20,754	14,162	6,592	14,162	86.24%	92.83%	80.72%	(1,133)	15,295	13,319											
211 EDUCATION - SECONDARY GENERAL	639,051	651,218	665,395	59,231	606,164	59,231	8.90%	9.72%	9.13%	(4,082)	63,313	58,345											
219 ENGLISH LEARNER (EL)	313,457	329,795	339,713	287,491	52,222	287,491	84.63%	77.76%	77.90%	31,032	256,459	244,192											
220 ENGLISH (LANGUAGE ARTS)	57,878	60,325	69,270	47,060	22,210	47,060	74.21%	74.45%	74.21%	2,151	44,909	42,953											
240 HEALTH, PHYSICAL EDUCATION AND RECREAT	8,112	6,055	6,254	4,639	1,615	4,639	74.18%	75.49%	78.37%	68	4,571	6,358											
250 FAMILY LIVING/SCIENCE	81,040	74,805	79,512	58,740	20,772	58,740	73.88%	74.13%	74.11%	3,285	55,455	60,061											
255 INDUSTRIAL EDUCATION	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0											
256 MATHEMATICS	68,296	69,186	74,313	55,399	18,914	55,399	74.55%	74.06%	71.72%	4,163	51,236	48,984											
260 NATURAL SCIENCES	77,398	71,398	96,555	59,992	36,563	59,992	62.13%	74.12%	73.99%	2,622	57,369	56,170											
270 SOCIAL SCIENCES/SOCIAL STUDIES	59,123	61,850	70,899	48,066	22,813	48,066	67.82%	74.11%	74.11%	2,249	45,838	43,818											
TOTAL REGULAR INSTRUCTION	1,460,269	1,457,714	1,554,281	634,800	899,481	634,800	41.37%	40.78%	39.32%	40,354	594,446	574,201											
VOCATIONAL INSTRUCTION																							
380 SPECIAL NEEDS	237,236	231,496	244,605	193,711	50,894	193,711	79.19%	72.29%	76.99%	26,368	167,342	182,656											
399 CAREER AND TECHNICAL - GENERAL	61,608	63,966	68,903	50,482	18,421	50,482	73.27%	74.20%	74.19%	3,018	47,465	45,709											
TOTAL - VOCATIONAL INSTRUCTION	298,845	295,462	313,508	244,193	69,315	244,193	77.89%	72.70%	76.42%	29,386	214,807	228,365											
SPECIAL ED INSTRUCTION																							
400 GENERAL SPECIAL EDUCATION	88,846	108,471	72,986	66,173	6,813	66,173	90.67%	62.31%	62.99%	(1,419)	67,593	55,961											
401 SPEECH/LANGUAGE IMPAIRED	537,952	653,387	772,997	604,978	168,019	604,978	78.26%	77.98%	81.60%	95,465	509,513	438,962											
402 DEVELOP.COGNITIVE DISAB.:MILD-MODERATE	115,442	111,947	148,410	94,295	54,115	94,295	63.54%	66.08%	73.12%	20,321	73,974	84,414											
403 DEVELOP.COGNITIVE DISAB.:SEVERE-PROFOL	17,399	4,915	16,619	13,989	2,650	13,989	84.05%	98.76%	61.93%	9,115	4,854	10,775											
404 PHYSICALLY IMPAIRED	575,874	555,834	590,345	422,958	167,387	422,958	71.65%	76.50%	75.89%	(2,269)	425,227	436,965											
405 DEAF-HARD OF HEARING	201,701	214,717	219,798	157,591	62,207	157,591	71.70%	70.08%	68.86%	7,113	150,478	138,885											
406 VISUALLY IMPAIRED	89,745	78,174	92,559	32,846	32,846	32,846	64.51%	78.96%	75.04%	(2,011)	61,724	67,949											
407 SPECIFIC LEARNING DISABILITY	109,188	112,797	191,081	140,419	50,662	140,419	73.49%	72.07%	72.07%	59,128	81,290	71,034											
408 EMOTIONAL/BEHAVIORAL DISORDER	1,189,567	1,374,053	1,409,577	858,844	550,733	858,844	60.93%	54.98%	61.72%	103,378	755,466	734,162											
410 OTHER HEALTH DISABILITIES	0	109,409	169,433	101,955	67,478	101,955	60.17%	2.21%	0.00%	99,535	2,420	0											
411 AUTISTIC SPECTRUM DISORDERS	504,102	474,745	567,896	389,275	178,621	389,275	68.55%	89.98%	78.56%	(37,902)	427,177	398,031											
412 DEVELOPMENTALLY DELAYED	914,405	886,360	870,205	594,414	275,791	594,414	68.31%	69.35%	67.63%	(20,282)	614,696	618,374											
414 - Traumatic Brain Injury	0	0	5,465	4,062	1,403	4,062	74.33%	0.00%	0.00%	4,062	0	0											
416 SEVERELY MULTIPLY IMPAIRED	16,980	0	655	646	9	646	98.61%	0.00%	0.00%	646	0	0											
420 SPECIAL EDUCATION - AGGREGATE	2,266,525	2,036,125	2,339,303	1,609,048	730,255	1,609,048	68.78%	75.18%	72.42%	78,233	1,530,815	1,641,490											
422 SPECIAL EDUCATION-STUDENTS W/O DISABILI	232,601	278,055	250,571	143,422	107,149	143,422	57.24%	49.21%	78.83%	6,599	136,823	183,354											
TOTAL - SPECIAL ED INSTRUCTION	6,860,327	6,998,990	7,717,900	5,261,762	2,456,138	5,261,762	68.18%	69.18%	71.10%	419,712	4,842,050	4,877,758											
INSTRUCTIONAL SUPPORT																							
605 GENERAL INSTRUCTIONAL SUPPORT	51,186	75,825	52,656	36,426	16,230	36,426	69.18%	51.11%	57.42%	(2,332)	38,757	29,389											
610 CURRICULUM CONSULTANT AND DEVELOPMEI	285,298	347,145	402,028	266,144	135,884	266,144	66.20%	61.63%	72.56%	52,189	213,955	207,019											
640 STAFF DEVELOPMENT	33,891	37,936	29,568	9,747	19,821	9,747	32.96%	35.73%	48.20%	(3,809)	13,555	16,335											
TOTAL - INSTRUCTIONAL SUPPORT	370,375	460,906	484,252	312,316	171,936	312,316	64.49%	57.77%	68.24%	46,048	266,268	252,743											
PUPIL SUPPORT SERVICES																							
720 HEALTH SERVICES	162,092	163,454	172,783	136,257	36,526	136,257	78.86%	77.08%	77.59%	10,269	125,988	125,775											
730 PSYCHOLOGICAL AND MENTAL HEALTH SERVI	678,546	739,099	781,606	577,701	203,905	577,701	73.91%	76.11%	77.83%	15,137	562,564	528,115											
740 SOCIAL WORK SERVICES	344,711	365,301	406,346	291,385	113,961	291,385	71.89%	71.35%	71.74%	30,750	260,635	247,279											
760 PUPIL TRANSPORTATION	2,158	8,260	8,401	2,750	5,651	2,750	32.74%	95.38%	82.19%	(5,128)	7,878	1,774											

DESCRIPTION	June 30, 2018		June 30, 2019		Revised Budget	Expenses YTD		Budget Remaining		2020		2019		2018		Current YTD	vs. Prior YTD	May 31, 2019	May 31, 2018	
										% of Budget Expended	% of Actuals Expended	% of Actuals Expended								
790 OTHER PUPIL SUPPORT SERVICES	4,209	1,853	1,277,968	1,853	0	0	0	0	0	0.00%	98.76%	98.79%	(1,830)	1,830	4,158					
TOTAL - PUPIL SUPPORT SERVICES	1,191,715	1,277,968			1,368,136	1,008,093	360,043	73.68%	75.03%	76.12%	49,198	958,895	907,101							
FACILITIES																				
810 OPERATIONS AND MAINTENANCE	266,657	324,480	324,480	324,480	359,646	217,336	142,310	60.43%	69.01%	51.42%	(6,583)	223,919	137,104							
850 CAPITAL FACILITIES	1,034,860	1,057,012	1,057,012	1,057,012	1,180,549	1,087,154	93,395	92.09%	100.19%	99.86%	28,084	1,059,069	1,033,360							
865 ALTERNATIVE FACILITIES (HEALTH & SAFETY F	50,970	84,972	84,972	84,972	87,738	53,409	34,329	60.87%	68.88%	50.77%	(5,118)	58,526	25,875							
TOTAL - FACILITIES	1,352,486	1,466,464	1,466,464	1,466,464	1,627,933	1,357,898	270,035	83.41%	91.48%	88.45%	16,383	1,341,515	1,196,338							
OTHER FINANCING USES																				
950 TRANSFERS	0	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0							
TOTAL - OTHER FINANCING USES	0	0	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0							
GENERAL FUND TOTAL	11,918,447	12,349,007	12,349,007	12,349,007	13,436,311	9,254,090	4,182,221	68.87%	70.19%	71.09%	585,779	8,668,311	8,472,987							

Monthly Bank Reconciliation
May 31, 2020

Bank Statement Date: 5/31/2020

MSDLAF	\$42.25
MSDMAX	\$721,787.17
MERCHANTS BANK - GENERAL	\$146,820.61
MERCHANTS BANK - PAYROLL	\$96,431.61
MERCHANTS BANK - SWEEP	\$25,877.03
U.S. BANK	\$0.00

Ending Balance from Bank Statement \$990,958.67

Add Deposits in Transit:

Deposit Date	Amount	Deposit Date	Amount
MSDLAF	\$0.00	TRANSFER TO SWP	\$0.00
MERCHANTS	\$0.00		\$0.00
	\$0.00		\$0.00
			\$0.00

Total Deposits in Transit **\$0.00**

Subtotal **\$990,958.67**

Subtract Outstanding Checks:

Account	Amount	Account	Amount
BANK OF ZUMBROTA	\$0.00	TRANSFER FRM SWEEP	\$25,877.03
U.S. BANK AP CHECKS	\$0.00		
MERCHANTS - PR	\$0.00		
MERCHANTS - AP	\$207,102.23		
	\$0.00		

Total Outstanding Checks **\$232,979.26**

Computed Book Balance **\$757,979.41**

Balance per Your Books 757,979.41

Difference **\$0.00**

Business Manager Report 6-25-20

Budget 2019-20 as of 5/31/20

We have received \$9,327,783 or 70.88% of the revised revenue budget, compared to 74.21% at 5/31/19 and 76.59% at 5/31/18. We have expended \$9,254,090 or 68.87% of the revised expense budget, compared to 70.19% at 5/31/19 and 71.09% at 5/31/18.

Cash Flow

Cash Flow has improved and is looking good for the school year. Cash flow for next year has many low spots in Spring of 2021. This assumes the 90/10 aid shift continues into 2020-21

May Bank Rec

For your information

B. 2020 Extended School Year Programming (ESY) Overview

C. Restrictive Procedures 2019-2020 Usage Report

D. Restrictive Procedures Training for 2020-2021

V. **Old Business:**

A. Second Reading 20-21 Policies

410 FAMILY AND MEDICAL LEAVE POLICY

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

A. "Covered active duty" means:

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

B. "Covered servicemember" means:

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

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- 1. to address any issues that arise from a short-notice deployment (seven calendar days or less) of a covered military member;
2. to attend military events and related activities of a covered military member;
3. to address issues related to childcare and school activities of a covered military member's child;
4. to address financial and legal arrangements for a covered military member;
5. to attend counseling provided by someone other than a health care provider for oneself, a covered military member, or his/her child;
6. to spend up to 15 calendar days with a covered military member who is on short-term, temporary rest and recuperation leave during a period of deployment;
7. to attend post-deployment activities related to a covered military member;
8. to address parental care needs; and
9. to address other events related to a covered military member that both the employee and school-district-education district agree is a qualifying exigency.

H. "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

- 1. inpatient care in a hospital, hospice, or residential medical care facility; or
2. continuing treatment by a health care provider.

I. "Spouse" means a husband or wife. For purposes of this definition, husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into or, in the case of a marriage entered into outside of any state, if the marriage is valid in the place where entered into and could have been entered into in at least one state. This definition includes an individual in a same-sex or common law marriage that either: (1) was entered into in a state that recognizes such marriages; or (2) if entered into outside of any state, is valid in the place where entered into and could have been entered into in at least one state.

J. "Veteran" has the meaning given in 38 U.S.C. § 101.

IV. LEAVE ENTITLEMENT

A. Twelve-week Leave under Federal Law

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C. "Eligible employee" means an employee who has been employed by the school-district-education district for a total of at least 12 months and who has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave. An employee returning from fulfilling his or her Uniformed Services Employment and Reemployment Rights Act (USERRA)-covered service obligation shall be credited with the hours of service that would have been performed but for the period of absence from work due to or necessitated by USERRA-covered service. In determining whether the employee met the hours of service requirement, and to determine the hours that would have been worked during the period of absence from work due to or necessitated by USERRA-covered service, the employee's pre-service work schedule can generally be used for calculations. While the 12 months of employment need not be consecutive, employment periods prior to a break in service of seven years or more may not be counted unless the break is occasioned by the employee's fulfillment of his or her USERRA-covered service obligation or a written agreement, including a collective bargaining agreement, exists concerning the school district's intention to rehire the employee after the break in service.

D. "Military caregiver leave" means leave taken to care for a covered servicemember with a serious injury or illness.

E. "Next of kin of a covered servicemember" means the nearest blood relative other than the covered servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin, and the employee may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin.

F. "Outpatient status" means, with respect to a covered servicemember who is a current member of the Armed Forces, the status of a member of the Armed Forces assigned to:

- 1. a military medical treatment facility as an outpatient; or
2. a unit established for the purpose of providing command and control of members of the Armed Forces receiving care as outpatients.

G. "Qualifying exigency" means a situation where the eligible employee seeks leave for one or more of the following reasons:

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1. Eligible employees are entitled to a total of 12 work weeks of unpaid family or medical leave during the applicable 12-month period as defined below, plus any additional leave as required by law. Leave may be taken for one or more of the following reasons in accordance with applicable law:

- a. birth of the employee's child and to care for such child;
b. placement of an adopted or foster child with the employee;
c. to care for the employee's spouse, son, daughter, or parent with a serious health condition;
d. the employee's serious health condition makes the employee unable to perform the functions of the employee's job; and/or
e. any qualifying exigency arising from the employee's spouse, son, daughter, or parent being on covered active duty, or notified of an impending call or order to covered active duty in the Armed Forces.

2. For the purposes of this policy, "year" is defined as a rolling 12-month period measured backward from the date an employee's leave is to commence.

3. An employee's entitlement to FMLA leave for the birth, adoption, or foster care of a child expires at the end of the 12-month period beginning on the date of the birth or placement.

4. A "serious health condition" typically requires either inpatient care or continuing treatment by or under the supervision of a health care provider, as defined by applicable law. Family and medical leave generally is not intended to cover short-term conditions for which treatment and recovery are very brief.

5. A "serious injury or illness," in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means:

- a. injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and

- b. in the case of a covered veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time, during the period of five years preceding the date on which the veteran undergoes the medical treatment, recuperation, or

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therapy, means a qualifying injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty in the Armed Forces and that manifested itself before or after the member became a veteran, and is:

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

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situations, to reimburse the ~~school district-education district~~ for the cost of the health plan premiums paid by it.

13. The ~~school district-education district~~ may request or require the employee to substitute accrued paid leave for any part of the 12-week period. Employees may be allowed to substitute paid leave for unpaid leave by meeting the requirements set out in the administrative directives and guidelines established for the implementation of this policy, if any. Employees eligible for leave must comply with the family and medical leave directives and guidelines prior to starting leave. The ~~superintendent executive director~~ shall be responsible to develop directives and guidelines as necessary to implement this policy. Such directives and guidelines shall be submitted to the school board for annual review.
- The ~~school district-education district~~ shall comply with written notice requirements as set forth in federal regulations.
14. Employees returning from a leave permitted under this policy are eligible for reinstatement in the same or an equivalent position as provided by law. However, the employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the leave.

B. Twelve-week Leave under State Law

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

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temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position, and which has equivalent pay and benefits.

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

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C. Twenty-six-week Servicemember Family Military Leave

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

V. SPECIAL RULES FOR INSTRUCTIONAL EMPLOYEES

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

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

VI. OTHER

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

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Adopted: 4/28/05 MSBA/MASA Model Policy 413
 Orig. 1995
 Revised: 8/28/08; 8/25/11; 6/17/13; 8/27/15; 7/28/16; 7/26/18; 9/25/19; 6/25/20 Rev. 2017

413 HARASSMENT AND VIOLENCE

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

I. PURPOSE

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

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

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school-district-education district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability. The school-district-education district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- B. A violation of this policy occurs when any student, teacher, administrator, or other school-district-education district personnel harasses a student, teacher, administrator, or other school-district-education district personnel or group of students, teachers, administrators, or other school-district-education district

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

VII. DISSEMINATION OF POLICY

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

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

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

personnel through conduct or communication based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, as defined by this policy. (For purposes of this policy, school-district-education district personnel include school-board-education district 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-education district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school-district-education district personnel or group of students, teachers, administrators, or other school-district-education district personnel based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- D. The school-district-education district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, and to discipline or take appropriate action against any student, teacher, administrator, or other school-district-education district personnel who is found to have violated this policy.

III. DEFINITIONS

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

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- an individual's work or academic performance; or
3. otherwise adversely affects an individual's employment or academic opportunities.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.

D. Protected Classifications; Definitions

1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
 - a. has a physical, sensory, or mental impairment which materially limits one or more major life activities;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
2. "Familial status" means the condition of one or more minors being domiciled with:
 - a. their parent or parents or the minor's legal guardian; or
 - b. the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
6. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.

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status; or

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

G. Sexual Violence; Definition

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

H. Violence; Definition

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

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability by a student, teacher, administrator, or other ~~school district~~education 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~~education district personnel or group of students, teachers, administrators, or other ~~school district~~education district personnel should report the alleged acts immediately to an appropriate ~~school district~~education district official designated by this policy. A person may report conduct which may constitute harassment or

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

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

F. Sexual Harassment; Definition

1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:
 - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
 - b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
 - c. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
2. Sexual harassment may include, but is not limited to:
 - a. unwelcome verbal harassment or abuse;
 - b. unwelcome pressure for sexual activity;
 - c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other ~~school district~~education 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

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violence anonymously. However, the ~~school district~~education district may not rely solely on an anonymous report to determine discipline or other remedial responses.

- B. The ~~school district~~education 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~~education 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~~education district human rights officer or to the ~~superintendent~~executive director. If the complaint involves the building report taker, the complaint shall be made or filed directly with the ~~superintendent~~executive director or the ~~school district~~education 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~~education 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~~executive director or the ~~school district~~education 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~~Education 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~~education 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.

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G. In the District. The school-board~~education district board~~ hereby designates as the school-district~~education 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~~executive director~~.¹

H. The school-district~~education 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~~education 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~~education 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~~education 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

¹ In some school-district~~education districts~~ the superintendent~~executive director~~ may be the human rights officer. If so, an alternative individual should be designated by the school-board~~education district board~~.

VI. SCHOOL-DISTRICT~~EDUCATION DISTRICT~~ ACTION

A. Upon completion of an investigation that determines a violation of this policy has occurred, the school-district~~education 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~~Education 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~~education district~~ policies and regulations.

B. The school-district~~education 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~~education district~~. School officials will notify the parent(s) or guardian(s) of targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.

C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school-district~~education 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~~education district~~ will discipline or take appropriate action against any student, teacher, administrator, or other school-district~~education 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, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

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~~education district~~ property and events and/or termination of services and/or contracts.

V. INVESTIGATION

A. By authority of the school-district~~education 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~~education district~~ officials or by a third party designated by the school-district~~education 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~~education 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~~education district~~ may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school-district~~education 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~~education district~~ human rights officer shall make a written report to the superintendent~~executive director~~ upon completion of the investigation. If the complaint involves the superintendent~~executive director~~, the report may be filed directly with the school-board~~education district 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.

IX. HARASSMENT OR VIOLENCE AS ABUSE

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

B. Nothing in this policy will prohibit the school-district~~education 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~~education district~~ employee and independent contractor who regularly interacts with students at the time of initial employment with the school-district~~education district~~.

C. This policy shall appear in the student handbook.

D. The school-district~~education district~~ will develop a method of discussing this policy with students and employees.

E. The school-district~~education 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. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
29 U.S.C. § 794 (Rehabilitation Act of 1973, § 504)
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)

Cross References:

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

414 MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

A. The policy of the ~~se~~school~~ed~~education district is to fully comply with Minn. Stat. § 626.556 requiring ~~se~~school~~ed~~education district personnel to report suspected child neglect or physical or sexual abuse.

B. A violation of this policy occurs when any ~~se~~school~~ed~~education district personnel fails to immediately report instances of child neglect or physical or sexual abuse when the ~~se~~school~~ed~~education district personnel knows or has reason to believe a child is being neglected or physically or sexually abused or has been neglected or physically or sexually abused within the preceding three years.

III. DEFINITIONS

A. "Accidental" means a sudden, not reasonably foreseeable, and unexpected occurrence or event which:

1. is not likely to occur and could not have been prevented by exercise of due care; and
2. if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the facility are in compliance with the laws and rules relevant to the occurrence of event.

B. "Child" means one under age 18 and, for purposes of Minn. Stat. Ch. 260C (Child Protection) and Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment), includes an individual under age 21 who is in foster care pursuant to Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18).

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

D. "Mandated reporter" means any ~~se~~school~~ed~~education district personnel who knows or

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has reason to believe a child is being neglected or physically or sexually abused, or has been neglected or physically or sexually abused within the preceding three years.

E. "Neglect" means the commission or omission of any of the acts specified below, other than by accidental means:

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

Neglect does not include spiritual means or prayer for treatment or care of disease where the person responsible for the child's care in good faith has selected and depended on those means for treatment or care of disease, except where the lack of

medical care may cause serious danger to the child's health.

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

G. "Physical abuse" means any physical injury, mental injury, or threatened injury, inflicted by a person responsible for the child's care other than by accidental means; or any physical or mental injury that cannot reasonably be explained by the child's history of injuries or any aversive or deprivation procedures, or regulated interventions, that have not been authorized by Minn. Stat. § 125A.0942 or § 245.825.

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

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

H. "Report" means any communication received by the local welfare agency, police department, county sheriff, or agency responsible for child protection pursuant to

this section that describes neglect or physical or sexual abuse of a child and contains sufficient content to identify the child and any person believed to be responsible for the neglect or abuse, if known.

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

IV. REPORTING PROCEDURES

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investigating allegations of child maltreatment in sehoel-education districts. Although a report may be made to any of the agencies listed in Section IV. A., above, and there is no requirement to file more than one report, if the initial report is not made to MDE, it would be helpful to MDE if sehoel-education districts also report to MDE.]

V. INVESTIGATION

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

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

[Note: The Minnesota Department of Education (MDE) is responsible for assessing or

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

VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE

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

VII. PHYSICAL OR SEXUAL ABUSE AS SEXUAL HARASSMENT OR VIOLENCE

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

VIII. DISSEMINATION OF POLICY AND TRAINING

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

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

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

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

Adopted: 9/25/08

MSBA/MASA Model Policy 415

Orig. 1995

Revised: 10/29/09; 8/26/10; 6/27/13; 7/28/16; 9/25/19; 6/25/20

Rev. 2015

415 MANDATED REPORTING OF MALTREATMENT OF VULNERABLE ADULTS

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

A. The policy of the sehoeducation district is to fully comply with Minn. Stat. § 626.557 requiring sehoeducation district personnel to report suspected maltreatment of vulnerable adults.

B. A violation of this policy occurs when any sehoeducation district personnel fails to report suspected maltreatment of vulnerable adults when the sehoeducation district personnel has reason to believe that a vulnerable adult is being or has been maltreated, or has knowledge that a vulnerable adult has sustained a physical injury which is not reasonably explained.

III. DEFINITIONS

A. “Mandated Reporters” means any sehoeducation district personnel who has reason to believe that a vulnerable adult is being or has been maltreated.

B. “Maltreatment” means the neglect, abuse, or financial exploitation of a vulnerable adult.

C. “Neglect” means the failure or omission by a caregiver to supply a vulnerable adult with care or services, including but not limited to, food, clothing, shelter, health care, or supervision which is: (1) reasonable and necessary to obtain or maintain the vulnerable adult’s physical or mental health or safety, considering the physical and mental capacity or dysfunction of the vulnerable adult; and (2) which is not the result of an accident or therapeutic conduct. Neglect also includes the absence or likelihood of absence of care or services, including but not limited to, food, clothing, shelter, health care, or supervision necessary to maintain the physical and mental health of the vulnerable adult which a reasonable person would deem essential to obtain or maintain the vulnerable adult’s health, safety, or comfort considering the physical or mental capacity or dysfunction of the vulnerable adult. Neglect does not include actions specifically excluded by Minn. Stat. § 626.5572,

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Subd. 17.

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

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

G. “Caregiver” means an individual or facility who has responsibility for the care of a vulnerable adult as a result of a family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, by contract, or by agreement.

H. “~~Seho~~Education district Personnel” means professional employees or their delegates of the sehoeducation district engaged in providing health, educational, social, psychological, law enforcement, or other caretaking services of vulnerable adults.

I. “Immediately” means as soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received.

IV. REPORTING PROCEDURES

A. A mandated reporter as defined herein shall immediately report the suspected maltreatment to the common entry point responsible for receiving reports.

B. Whenever a mandated reporter, as defined herein, knows or has reason to believe that an individual made an error in the provision of therapeutic conduct to a vulnerable adult which results in injury or harm, which reasonably requires the care of a physician, such information shall be reported immediately to the designated county agency. The mandated reporter also may report a belief that the error did not constitute neglect and why the error does not constitute neglect.

C. The reporter shall to the extent possible identify the vulnerable adult, the caregiver, the nature and extent of the suspected maltreatment, any evidence of previous maltreatment, the name and address of the reporter, the time, date, and location of the incident, and any other information that the reporter believes might be helpful in investigating the suspected abuse or neglect. A mandated reporter may disclose not public data as defined under Minn. Stat. § 13.02 to the extent necessary to comply with the above reporting requirements.

D. A person mandated to report suspected maltreatment of a vulnerable adult who negligently or intentionally fails to report is liable for damages caused by the failure. A negligent or intentional failure to report may result in discipline. A mandatory reporter who intentionally fails to make a report, who knowingly provides false or misleading information in reporting, or who intentionally fails to provide all the material circumstances surrounding the reported incident may be guilty of a misdemeanor.

E. Retaliation against a person who makes a good faith report under Minnesota law and this policy, or against vulnerable adult who is named in a report is prohibited.

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

V. INVESTIGATION

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

VI. DISSEMINATION OF POLICY AND TRAINING

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

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

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

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sehooleducation district business official, may not accept a gift from an interested person.

III. DEFINITIONS

- A. "Gift" means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment that is given without something of equal or greater value being received in return.
- B. "Interested person" means a person or a representative of a person or association that has a direct financial interest in a decision that a sehooleducation district board member, a superintendentexecutive director, a sehooleducation district principal, or a district_sehooleducation district officer is authorized to make.
- C. "Financial interest" means any ownership or control in an asset which has the potential to produce a monetary return.

IV. PROCEDURES

Any employee considering the acceptance of a gift shall confer with the administration for guidance related to the interpretation and application of this policy.

V. VIOLATIONS

Employees who violate the provisions of this policy may be subject to discipline, which may include reprimand, suspension, and/or termination or discharge.

Legal References: Minn. Stat. § 10A.07 (Conflicts of Interest)
 Minn. Stat. § 10A.071 (Prohibition of Gifts)
 Minn. Stat. § 15.43 (Acceptance of Advantage by State Employee; Penalty)
 Minn. Stat. § 471.895 (Certain Gifts by Interested Persons Prohibited)

Cross References: MSBA/MASA Model Policy 209 (Code of Ethics)
 MSBA/MASA Model Policy 210 (Conflict of Interest – School Board Members)
 MSBA/MASA Model Policy 306 (Administrator Code of Ethics)

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Adopted: 6/25/20

MSBA/MASA Model Policy 421

Orig. 1995

Rev. 2019

Revised: _____

421 GIFTS TO EMPLOYEES AND SCHOOLEUCATION DISTRICT BOARD MEMBERS

I. PURPOSE

The purpose of this policy is to avoid the appearance of impropriety or the appearance of a conflict of interest with respect to gifts given to sehooleducation district employees and sehooleducation district board members.

II. GENERAL STATEMENT OF POLICY

- A. The sehooleducation district recognizes that students, parents, and others may wish to show appreciation to sehooleducation district employees. The policy of the sehooleducation district, however, is to discourage gift-giving to employees and to encourage donors instead to write letters and notes of appreciation or to give small tokens of gratitude as memorabilia.
- B. A violation of this policy occurs when any employee solicits, accepts, or receives, either by direct or indirect means, a gift from a student, parent, or other individual or organization of greater than nominal value.
- C. A violation of this policy occurs when any employee solicits, accepts, or receives a gift from a person or entity doing business with or seeking to do business with the sehooleducation district. Employees may accept items of insignificant value of a promotional or public relations nature or a plaque with a resale value of \$5 or less with an inscription recognizing an individual for an accomplishment. The superintendentexecutive director has discretion to determine what value is "insignificant."
- D. Teachers may accept from publishers free samples of textbooks and related teaching materials.
- E. This policy applies only to gifts given to employees where the donor's relationship with the employee arises out of the employee's employment with the sehooleducation district. It does not apply to gifts given to employees by personal friends, family members, other employees, or others unconnected to the employee's employment with the sehooleducation district.
- F. An elected or appointed member of a sehooleducation district board, a sehooleducation district superintendentexecutive director, a sehooleducation district principal, or a district_sehooleducation district officer, including the

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Adopted: 7/24/14

MSBA/MASA Model Policy 506

Orig. 1995

Rev. 2019

Revised: 8/27/15; 7/28/16; 7/27/17; 7/25/19; 6/25/20

506 STUDENT DISCIPLINE

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

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

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

In view of the foregoing and in accordance with Minn. Stat. § 121A.55, the sehooleducation district board, with the participation of sehooleducation district

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administrators, teachers, employees, students, parents, community members, and such other individuals and organizations as appropriate, has developed this policy which governs student conduct and applies to all students of the school-district-education district.

III. AREAS OF RESPONSIBILITY

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

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- J. To respect and maintain the school-education district's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school-district-education district policy;
- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

VI. CODE OF STUDENT CONDUCT

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school-district-education district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school-education district buildings, school-education district grounds, and school-education district property or property immediately adjacent to school-education district grounds; school-education district-sponsored activities or trips; school-education district bus stops; school-education district buses, school-education district vehicles, school-education district contracted vehicles, or any other vehicles approved for school-district-education district purposes; the area of entrance or departure from school-education district premises or events; and all school-education district-related functions, school-education district-sponsored activities, events, or trips. School-district-education district property also may mean a student's walking route to or from school for purposes of attending school or school-education district-related functions, activities, or events. While prohibiting unacceptable behavior subject to disciplinary action at these locations and events, the school-district-education district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school-district-education district or the safety or welfare of the student, other students, or employees.
 - 1. Violations against property including, but not limited to, damage to or destruction of school-education district property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
 - 2. The use of profanity or obscene language, or the possession of obscene materials;
 - 3. Gambling, including, but not limited to, playing a game of chance for

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- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school-education district authorities and to participate regarding the behavior of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

IV. STUDENT RIGHTS

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

V. STUDENT RESPONSIBILITIES

All students have the responsibility:

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

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- stakes;
- 4. Violation of the school-district-education district's Hazing Prohibition Policy;
- 5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school-education district grounds without permission;
- 6. Violation of the school-district-education district's Student Attendance Policy;
- 7. Opposition to authority using physical force or violence;
- 8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school-district-education district's Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices Policy;
- 9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
- 10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
- 11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
- 12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
- 13. Violation of the school-district-education district's Weapons Policy;
- 14. Violation of the school-district-education district's Violence Prevention Policy;
- 15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
- 16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;

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17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the ~~school~~education district;
19. Violation of any local, state, or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
21. Violation of the ~~school district~~education district's Internet Acceptable Use and Safety Policy;
22. Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;
23. Violation of school bus or transportation rules or the ~~school district~~education district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on ~~school~~education district property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the ~~school district~~education district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the ~~school district~~education district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the ~~school district~~education district' Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or

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color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;

43. Violation of the ~~school district~~education district's Distribution of Nonschool-Sponsored Materials on ~~School~~Education district Premises by Students and Employees Policy;
44. Violation of the ~~school district~~education district's one-to-one device rules and regulations;
45. Violation of ~~school~~education district rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
46. Other acts, as determined by the ~~school district~~education district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, ~~school district~~education district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the ~~school~~education district, or which otherwise interferes with or obstruct the mission or operations of the ~~school district~~education district or the safety or welfare of students or employees.

VII. DISCIPLINARY ACTION OPTIONS

The general policy of the ~~school district~~education district is to utilize progressive discipline to the extent reasonable and appropriate based upon the specific facts and circumstances of student misconduct. The specific form of discipline chosen in a particular case is solely within the discretion of the ~~school district~~education district. At a minimum, violation of ~~school district~~education district rules, regulations, policies, or procedures will result in discussion of the violation and a verbal warning. The ~~school district~~education district shall, however, impose more severe disciplinary sanctions for any violation, including exclusion or expulsion, if warranted by the student's misconduct, as determined by the ~~school district~~education district. Disciplinary action may include, but is not limited to, one or more of the following:

- A. Student conference with teacher, principal, counselor, or other ~~school district~~education district personnel, and verbal warning;
- B. Confiscation by ~~school district~~education district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any ~~school district~~education district policy, rule, regulation, procedure, or state or federal law. If confiscated by the ~~school district~~education district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
- C. Parent contact;

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safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;

31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the ~~school district~~education district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other ~~school district~~education district personnel;
36. Violation of the ~~school district~~education district's Harassment and Violence Policy;
37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other ~~school district~~education district personnel, or other persons;
38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
40. Verbal assaults or verbally abusive behavior including, but not limited to, use of words, symbols, acronyms, or language, whether oral or written, that are discriminatory, abusive, obscene, threatening, intimidating, degrading to other people, or threatening to ~~school~~education district property;
41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
42. Inappropriate, abusive, threatening, or demeaning actions based on race,

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- D. Parent conference;
- E. Removal from class;
- F. In-school suspension;
- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;
- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the ~~school district~~education district.

VIII. REMOVAL OF STUDENTS FROM CLASS

- A. The teacher of record shall have the general control and government of the classroom. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions

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taken by a teacher, principal, or other ~~school district~~education district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

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

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

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

A student must be removed from class immediately if the student engages in assault or violent behavior. "Assault" is an act done with intent to cause fear in another of immediate bodily harm or death; or the intentional infliction of, or attempt to inflict, bodily harm upon another. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

- B. If a student is removed from class more than ten (10) times in a school year, the ~~school district~~education district shall notify the parent or guardian of the student's tenth removal from class and make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.

[Note: The following Sections C. - K. must be developed and inserted by each ~~school district~~education district based upon individual district practices, procedures, and preferences.]

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

1. Specify procedures to be followed by a teacher, administrator or other ~~school district~~education district employee to remove a student from a class;
2. Specify required approvals necessary;
3. Specify paperwork and reporting procedures.

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2. Establishment of teacher reporting procedures to the chemical abuse preassessment team pursuant to Minn. Stat. § 121A.29.

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

J. **Any Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior.**

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

IX. **DISMISSAL**

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

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

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

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

1. Willful violation of any reasonable ~~school~~education district board regulation, including those found in this policy;
2. Willful conduct that significantly disrupts the rights of others to an education, or the ability of ~~school~~education district personnel to perform their duties, or ~~school~~education district sponsored extracurricular activities; or
3. Willful conduct that endangers the student or other students, or surrounding persons, including ~~school district~~education district employees, or property of the ~~school~~education district.

C. **Suspension Procedures**

1. "Suspension" means an action by the ~~school~~education district administration, under rules promulgated by the ~~School~~Education district Board, prohibiting a student from attending school for a period of no more

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

1. Designation of where student is to go when removed;
2. Designation of how student is to get to designated destination;
3. Whether student must be accompanied;
4. Statement of what student is to do when and while removed;
5. Designation of who has control over and responsibility for student after removal from class.

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

1. Specification of procedures;
2. Actions or approvals required such as notes, conferences, readmission plans.

F. **Procedures for Notification.**

1. Specify procedures for notifying students and parents/guardians of violations of the rules of conduct and resulting disciplinary action;
2. Actions or approvals required, such as notes, conferences, readmission plans.

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

1. Procedures for consideration of whether there is a need for further assessment;
2. Procedures for consideration of whether there is a need for a review of the adequacy of the current Individualized Education Program (IEP) of a disabled student who is removed from class or disciplined; and
3. Any procedures determined appropriate for referring students in need of special education services to those services.

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

1. Establishment of a chemical abuse preassessment team pursuant to Minn. Stat. § 121A.26;

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than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the ~~superintendent~~executive director with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.

2. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the ~~school district~~education district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the student's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.

3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. ~~School~~Education district administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a ~~school~~education district-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The ~~school~~education district administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the ~~school district~~education district is in the process of initiating an expulsion, in which case the ~~school~~education district administration may extend the suspension to a total of fifteen (15) days.

4. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6th)

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consecutive day of suspension or the tenth (10th) cumulative day of suspension has elapsed.

5. The sehoeducation district administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the student to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.
6. The sehoeducation district administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a sehoeducation district administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
7. After sehoeducation district administration notifies a student of the grounds for suspension, sehoeducation district administration may, instead of imposing the suspension, do one or more of the following:
 - a. strongly encourage a parent or guardian of the student to attend school with the student for one day;
 - b. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
 - c. petition the juvenile court that the student is in need of services under Minn. Stat. Ch. 260C.
8. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference. (See attached sample Notice of Suspension.)
9. The sehoeducation district administration shall make reasonable efforts to

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available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE).

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

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notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.

10. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
11. Notwithstanding the foregoing provisions, the student may be suspended pending the sehoeducation district board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.

D. Expulsion and Exclusion Procedures

1. "Expulsion" means a sehoeducation district board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the sehoeducation district board.
2. "Exclusion" means an action taken by the sehoeducation district board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the sehoeducation district board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the sehoeducation district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56; describe alternative educational services accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The sehoeducation district shall advise the student's parent or guardian that free or low-cost legal assistance may be

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15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the sehoeducation district board and served upon the parties within two (2) days after the close of the hearing.
17. The sehoeducation district board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The sehoeducation district board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation provided that neither party presents any evidence not admitted at the hearing. The decision by the sehoeducation district board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the Commissioner of Education (Commissioner) of the basis and reason for the decision.
18. A party to an expulsion or exclusion decision made by the sehoeducation district board may appeal the decision to the Commissioner within twenty-one (21) calendar days of sehoeducation district board action pursuant to Minn. Stat. § 121A.49. The decision of the sehoeducation district board shall be implemented during the appeal to the Commissioner.
19. The sehoeducation district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
20. The sehoeducation district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a sehoeducation district administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the sehoeducation district.

X. ADMISSION OR READMISSION PLAN

A sehoeducation district administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan may

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

XI. NOTIFICATION OF POLICY VIOLATIONS

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

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

XII. STUDENT DISCIPLINE RECORDS

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

XIII. DISABLED STUDENTS

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

Before initiating an expulsion or exclusion of a student with a disability, relevant members of the child's IEP team and the child's parent shall, consistent with federal law, conduct a manifestation determination and determine whether the child's behavior was (i) caused by or had a direct and substantial relationship to the child's disability and (ii) whether the child's conduct was a direct result of a failure to implement the child's IEP. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school-district-education district will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral assessment and implement a behavioral intervention plan for such student provided that the school-district-education district had not conducted such

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assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior.

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

XIV. OPEN ENROLLED STUDENTS

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

XV. DISTRIBUTION OF POLICY

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

XVI. REVIEW OF POLICY

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.26 (School Preassessment Teams)
Minn. Stat. § 121A.29 (Reporting; Character Abuse)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)
Minn. Stat. § 121A.582 (Reasonable Force)

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Minn. Stat. §§ 121A.60-121A.61 (Removal from Class)
Minn. Stat. § 122A.42 (General Control of Schools)
Minn. Stat. § 123A.05 (Area Learning Center Organization)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.08 (Enrollment in Nonresident District)
Minn. Stat. Ch.125A (Students with Disabilities)
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
Minn. Stat. Ch. 260A (Truancy)
Minn. Stat. Ch. 260C (Juvenile Court Act)
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

Cross References: MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices)
MSBA/MASA Model Policy 501 (School Weapons)
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
MSBA/MASA Model Policy 503 (Student Attendance)
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)
MSBA/MASA Model Policy 610 (Field Trips)
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

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Adopted: 8/28/08 MSBA/MASA Model Policy 514
Orig. 2003
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514 BULLYING PROHIBITION POLICY

[Note: School-district-education districts are required by statute to have a policy addressing bullying.]

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

A. An act of bullying, by either an individual student or a group of students, is expressly prohibited on school-education district premises, on school-district-education district property, at school-education district functions or activities, or on school-education district transportation. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school-district-education district or the safety or welfare of the student or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school-education district functions or activities or receive school-education district benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school-district-education district property and/or with or without the use of school-district-education district resources.

B. No teacher, administrator, volunteer, contractor, or other employee of the school-district-education district shall permit, condone, or tolerate bullying.

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- C. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- E. False accusations or reports of bullying against another student are prohibited.
- F. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the ~~school district~~ education district's policies and procedures, including the ~~school district~~ education district's discipline policy (See MSBA/MASA Model Policy 506). The ~~school district~~ education district may take into account the following factors:
 1. The developmental ages and maturity levels of the parties involved;
 2. The levels of harm, surrounding circumstances, and nature of the behavior;
 3. Past incidences or past or continuing patterns of behavior;
 4. The relationship between the parties involved; and
 5. The context in which the alleged incidents occurred.

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

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

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

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

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defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.

- E. "On ~~school-education district~~ education district premises, on ~~school district~~ education district property, at ~~school-education district~~ education district functions or activities, or on ~~school-education district~~ education district transportation" means all ~~school district~~ education district buildings, ~~school education district~~ education district grounds, and ~~school-education district~~ education district property or property immediately adjacent to ~~school-education district~~ education district grounds, school bus stops, school buses, ~~school-education district~~ education district vehicles, ~~school-education district~~ education district contracted vehicles, or any other vehicles approved for ~~school district~~ education district purposes, the area of entrance or departure from ~~school-education district~~ education district premises, or events, and all school-related functions, school-sponsored activities, events, or trips. ~~School district~~ Education district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the ~~school district~~ education district does not represent that it will provide supervision or assume liability at these locations and events.
- F. "Prohibited conduct" means bullying or cyberbullying as defined in this policy or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying.
- G. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.
- H. "Student" means a student enrolled in a public school or a charter school.

IV. REPORTING PROCEDURE

- A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate ~~school district~~ education district official designated by this policy. A person may report bullying anonymously. However, the ~~school district~~ education district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The ~~school district~~ education district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available in the ~~school district~~ education district office, but oral reports shall be considered complaints as well.
- C. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a ~~school~~

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III. DEFINITIONS

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

- A. "Bullying" means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:
 1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or
 2. materially and substantially interferes with a student's educational opportunities or performance or ability to participate in ~~school-education district~~ education district functions or activities or receive ~~school-education district~~ education district benefits, services, or privileges.

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

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~~district~~ education district human rights officer or the ~~superintendent~~ executive director. If the complaint involves the building report taker, the complaint shall be made or filed directly with the ~~superintendent~~ executive director or the ~~school district~~ education district human rights officer by the reporting party or complainant.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters. The building report taker or a third party designated by the ~~school district~~ education district shall be responsible for the investigation. The building report taker shall provide information about available community resources to the target or victim of the bullying or other prohibited conduct, the perpetrator, and other affected individuals as appropriate.

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

V. SCHOOL-DISTRICT/EDUCATION DISTRICT ACTION

- A. Within three days of the receipt of a complaint or report of bullying or other prohibited conduct, the ~~school district~~ education district shall undertake or authorize an investigation by the building report taker or a third party designated by the ~~school district~~ education district.

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- B. The building report taker or other appropriate school-district/education district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.
- C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of an investigation that determines that bullying or other prohibited conduct has occurred, the school-district/education district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. School-district/education district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy (See MSBA/MASA Model Policy 506) and other applicable school-district/education district policies; and applicable regulations.
- E. The school-district/education 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/education district. School-Education district officials will notify the parent(s) or guardian(s) of students who are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or respond to bullying or other prohibited conduct committed by or directed against a child with a disability, the school-district/education district shall, when determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in bullying or other prohibited conduct.

VI. RETALIATION OR REPRISAL

The school-district/education district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school-district/education district who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged bullying or prohibited

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bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.

- D. The administration of the school-district/education district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.
- E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.

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

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

1. Engage all students in creating a safe and supportive school environment;
2. Partner with parents and other community members to develop and implement prevention and intervention programs;
3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
5. Teach students to advocate for themselves and others;
6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and
7. Foster student collaborations that, in turn, foster a safe and supportive school climate.

- F. The school-district/education district may implement violence prevention and character development education programs to prevent or reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for

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conduct, who provides information about bullying or prohibited conduct, who testifies, assists, or participates in an investigation of alleged bullying or prohibited conduct, or who testifies, assists, or participates in a proceeding or hearing relating to such bullying or prohibited conduct. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy.

VII. TRAINING AND EDUCATION

- A. The school-district/education district shall discuss this policy with school-education district personnel and volunteers and provide appropriate training to school-district/education district personnel regarding this policy. The school-district/education district shall establish a training cycle for school-education district personnel to occur during a period not to exceed every three school years. Newly employed school-education district personnel must receive the training within the first year of their employment with the school-district/education district. The school-district/education district or a school-education district administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training materials, and publications on school-education district rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.
- B. The school-district/education district shall require ongoing professional development, consistent with Minn. Stat. § 122A.60, to build the skills of all school-education district personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:
 1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
 2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
 3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
 4. The incidence and nature of cyberbullying; and
 5. Internet safety and cyberbullying.
- C. The school-district/education district annually will provide education and information to students regarding bullying, including information regarding this school-district/education district policy prohibiting bullying, the harmful effects of

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others, peacemaking, and resourcefulness.

- G. The school-district/education district shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school-district/education district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy (See MSBA/MASA Model Policy 515) in the student handbook.

VIII. NOTICE

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

IX. POLICY REVIEW

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
 Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definition of Public School)
 Minn. Stat. § 120B.232 (Character Development Education)
 Minn. Stat. § 121A.03 (Sexual, Religious and Racial Harassment and

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Violence)
 Minn. Stat. § 121A.031 (School Student Bullying Policy)
 Minn. Stat. § 121A.0311 (Notice of Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)
 Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
 Minn. Stat. § 121A.69 (Hazing Policy)
 Minn. Stat. Ch. 124E (Charter School)
 Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
 20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
 34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)

Cross References:

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
 MSBA/MASA Model Policy 413 (Harassment and Violence)
 MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
 MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
 MSBA/MASA Model Policy 423 (Employee-Student Relationships)
 MSBA/MASA Model Policy 501 (School Weapons Policy)
 MSBA/MASA Model Policy 506 (Student Discipline)
 MSBA/MASA Model Policy 507 (Corporal Punishment)
 MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
 MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
 MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)
 MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
 MSBA/MASA Model Policy 525 (Violence Prevention)
 MSBA/MASA Model Policy 526 (Hazing Prohibition)
 MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior by Students)
 MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
 MSBA/MASA Model Policy 711 (Video Recording on School Buses)
 MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

Adopted: 4/28/05

MSBA/MASA Model Policy 522
 Orig. 1995
 Rev. 2003

Revised: 8/28/08; 6/27/13; 9/25/19; 6/25/20

522 STUDENT SEX NONDISCRIMINATION

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The school-districteducation district provides equal educational opportunity for all students and does not unlawfully discriminate on the basis of sex. No student will be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any educational program or activity operated by the school-districteducation district on the basis of sex.
- B. Every school-districteducation district employee shall be responsible for complying with this policy.
- C. The schooleducation district board hereby designates Cheryl Johnson, 395 Guernsey Lane, Red Wing, MN 55066, 651-388-4441, cjohnson@gced.k12.mn.us [name, office address and telephone number, and work e-mail address] as its Title IX coordinator. This employee coordinates the school-districteducation district's efforts to comply with and carry out its responsibilities under Title IX.
- D. Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy should discuss them with the Title IX coordinator. Questions relating solely to Title IX and its regulations may be referred to the Assistant Secretary for Civil Rights of the United States Department of Education. In the absence of a specific designee, an inquiry or complaint should be referred to the superintendentexecutive director or the school-districteducation district human rights officer.

III. REPORTING GRIEVANCE PROCEDURES

- A. Any student who believes he or she has been the victim of unlawful sex discrimination by a teacher, administrator, or other school-districteducation district personnel, or any person with knowledge or belief of conduct which may constitute unlawful sex discrimination toward a student should report the alleged acts

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immediately to an appropriate school-districteducation district official designated by this policy or may file a grievance. The school-districteducation district encourages the reporting party or complainant to use the report form available from the principal of each building or available from the school-districteducation district office, but oral reports shall be considered complaints as well. Nothing in this policy shall prevent any person from reporting unlawful sex discrimination toward a student directly to a school-districteducation district human rights officer or to the superintendentexecutive director.

- B. In Each SchoolEducation district Building. The building principal is the person responsible for receiving oral or written reports or grievances of unlawful sex discrimination toward a student at the building level. Any adult school-districteducation district personnel who receives a report of unlawful sex discrimination toward a student shall inform the building principal immediately.
- C. Upon receipt of a report or grievance, the principal must notify the school-districteducation district human rights officer immediately, without screening or investigating the report. The principal may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the principal to the human rights officer. If the report was given verbally, the principal shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any report or complaint of unlawful sex discrimination toward a student as provided herein may result in disciplinary action against the principal. If the complaint involves the building principal, the complaint shall be made or filed directly with the superintendentexecutive director or the school-districteducation district human rights officer by the reporting party or complainant.
- D. The schooleducation district board hereby designates Cheryl Johnson, 395 Guernsey Lane, Red Wing, MN 55066, 651-388-4441, cjohnson@gced.k12.mn.us [name, office address and telephone number, and work e-mail address] as the school-districteducation district human rights officer(s) to receive reports, complaints or grievances of unlawful sex discrimination toward a student. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendentexecutive director.

[Note: In some school-districteducation districts, the Title IX coordinator and human rights officer may be the same. If so, a school-districteducation district need only insert "its Title IX coordinator" in the blank without designating a name, office address and telephone number, and work e-mail address, which are provided elsewhere in the policy. If they are different, or if more than one human rights officer is designated, this information should be inserted and kept up to date. Also, in some school-districteducation districts, the superintendentexecutive director may be the designated human rights officer. If so, an alternative individual should be designated by the schooleducation district board for complaints involving the superintendentexecutive director.]

- E. The school-districteducation district shall conspicuously post the names of the Title

IX coordinator and human rights officer(s), including office addresses and telephone numbers and work e-mail addresses.

- F. Submission of a good faith complaint, grievance, or report of unlawful sex discrimination toward a student will not affect the complainant or reporter's future employment, grades, or work assignments.
- G. Use of formal reporting forms is not mandatory.
- H. The school-districteducation district will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school-districteducation district's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

IV. INVESTIGATION

- A. By authority of the school-districteducation district, the human rights officer, upon receipt of a report, complaint, or grievance alleging unlawful sex discrimination toward a student, shall promptly undertake or authorize an investigation. The investigation may be conducted by school-districteducation district officials or by a third party designated by the school-districteducation 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-districteducation 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-districteducation district may take immediate steps, at its discretion, to protect the complainant, pupils, teachers, administrators, or other schooleducation district personnel pending completion of an investigation of alleged unlawful sex discrimination toward a student.
- E. The investigation will be completed as soon as practicable. The school-districteducation district human rights officer shall make a written report to the superintendentexecutive director upon completion of the investigation. If the complaint involves the superintendentexecutive director, the report may be filed directly with the schooleducation district board. The report shall include a determination of whether the allegations have been substantiated as factual and

whether they appear to be violations of this policy.

V. SCHOOL-DISTRICT/EDUCATION DISTRICT ACTION

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

VI. REPRISAL

The ~~school district/education district~~ will discipline or take appropriate action against any pupil, teacher, administrator, or other ~~school/education district~~ personnel who retaliates against any person who reports alleged unlawful sex discrimination toward a student or any person who testifies, assists, or participates in an investigation, or who testifies, assists, or participates in a proceeding or hearing relating to such unlawful sex discrimination. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

VII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

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

VIII. DISSEMINATION OF POLICY AND EVALUATION

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

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

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Orig. 1996
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524 INTERNET ACCEPTABLE USE AND SAFETY POLICY

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

I. PURPOSE

The purpose of this policy is to set forth policies and guidelines for access to the ~~school district/education district~~ computer system and acceptable and safe use of the Internet, including electronic communications.

II. GENERAL STATEMENT OF POLICY

In making decisions regarding student and employee access to the ~~school district/education district~~ computer system and the Internet, including electronic communications, the ~~school district/education district~~ considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the ~~school district/education district~~ computer system and to the Internet enables students and employees to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The ~~school district/education district~~ expects that faculty will blend thoughtful use of the ~~school district/education district~~ computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

III. LIMITED EDUCATIONAL PURPOSE

The ~~school district/education district~~ is providing students and employees with access to the ~~school district/education district~~ computer system, which includes Internet access. The purpose of the system is more specific than providing students and employees with general access to the Internet. The ~~school district/education district~~ system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the ~~school district/education district~~ and ~~school/education district~~ policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network.

IV. USE OF SYSTEM IS A PRIVILEGE

The use of the ~~school district/education district~~ system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the ~~school district/education district~~ system or

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

the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate ~~school district/education district~~ policies, including suspension, expulsion, exclusion, or termination of employment; or civil or criminal liability under other applicable laws.

V. UNACCEPTABLE USES

- A. The following uses of the ~~school district/education district~~ system and Internet resources or accounts are considered unacceptable:
 1. Users will not use the ~~school district/education district~~ system to access, review, upload, download, store, print, post, receive, transmit, or distribute:
 - a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
 - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
 - d. information or materials that could cause damage or danger of disruption to the educational process;
 - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
 2. Users will not use the ~~school district/education district~~ system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
 3. Users will not use the ~~school district/education district~~ system to engage in any illegal act or violate any local, state, or federal statute or law.
 4. Users will not use the ~~school district/education district~~ system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the ~~school district/education district~~ system software, hardware, or wiring or take any action to violate the ~~school district/education district~~'s security system, and will not use the ~~school district/education district~~ system in such a way as to disrupt the use of the system by other users.

5. Users will not use the school-district-education district system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.
6. Users will not use the school-district-education district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school-education district addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message. *[Note: School-district-education districts should consider the impact of this paragraph on present practices and procedures, including, but not limited to, practices pertaining to employee communications, school-education district or classroom websites, and student/employee use of social networking websites. Depending upon school-district-education district policies and practices, school-district-education districts may wish to add one or more of the following clarifying paragraphs.]*
 - a. This paragraph does not prohibit the posting of employee contact information on school-district-education district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
 - b. Employees creating or posting school-education district-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
 - (1) such information is classified by the school-district-education district as directory information and verification is made that the school-district-education district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or
 - (2) such information is not classified by the school-district-education district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

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policy as well as other school-district-education district policies. Examples of such violations include, but are not limited to, situations where the school-district-education district system is compromised or if a school-district-education district employee or student is negatively impacted. If the school-district-education district receives a report of an unacceptable use originating from a non-school-education district computer or resource, the school-district-education district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school-district-education district computer system and the Internet and discipline under other appropriate school-district-education district policies, including suspension, expulsion, exclusion, or termination of employment.

- C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school-district-education district official. In the case of a school-district-education district employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school-district-education district employee, the building administrator.

VI. FILTER

[Note: Pursuant to state law, school-district-education districts are required to restrict access to inappropriate materials on school-education district computers with Internet access. School-district-education districts which seek technology revenue pursuant to Minn. Stat. § 125B.26 or certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children's Internet Protection Act, effective in 2001. Those districts are required to comply with additional standards in restricting possible access to inappropriate materials. Therefore, school-district-education districts should select one of the following alternative sections depending upon whether the school-district-education district is seeking such funding and the type of funding sought.]

ALTERNATIVE NO. 1

For a school-district-education district which does not seek either state or federal funding in connection with its computer system, the following language should be adopted. It reflects a mandatory requirement under state law, Minn. Stat. § 125B.15.

All computers equipped with Internet access and available for student use at each school-education district site will be equipped to restrict, by use of available software filtering technology or other effective methods, all student access to materials that are reasonably believed to be obscene, child pornography or harmful to minors under state or federal law. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

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In addition, prior to posting any personal contact or personally identifiable information on a school-education district-related webpage, employees shall obtain written approval of the content of the postings from the building administrator.

- c. These prohibitions specifically prohibit a user from utilizing the school-district-education district system to post personal information about a user or another individual on social networks, including, but not limited to, social networks such as "Facebook," "Twitter," "Instagram," "Snapchat," and "Reddit," and similar websites or applications.
7. Users must keep all account information and passwords on file with the designated school-district-education district official. Users will not attempt to gain unauthorized access to the school-district-education district system or any other system through the school-district-education district system, attempt to log in through another person's account, or use computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the school-district-education district system may not be encrypted without the permission of appropriate school-education district authorities.
8. Users will not use the school-district-education district system to violate copyright laws or usage licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school-education district computer, and will not plagiarize works they find on the Internet.
9. Users will not use the school-district-education district system for conducting business, for unauthorized commercial purposes, or for financial gain unrelated to the mission of the school-district-education district. Users will not use the school-district-education district system to offer or provide goods or services or for product advertisement. Users will not use the school-district-education district system to purchase goods or services for personal use without authorization from the appropriate school-district-education district official.
10. Users will not use the school-district-education district system to engage in bullying or cyberbullying in violation of the school-district-education district's Bullying Prohibition Policy (MSBA/MASA Model Policy 514). This prohibition includes using any technology or other electronic communication off school-education district premises to the extent that student learning or the school-education district environment is substantially and materially disrupted.
- B. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school-district-education district premises also may be in violation of this

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[Note: The purchase of filtering technology is not required by state law if the school-education district site would incur more than incidental expense in making the purchase. In the absence of filtering technology, school-education district sites still are required to use "other effective methods" to restrict student access to such materials.]

ALTERNATIVE NO. 2

Technology revenue is available to school-district-education districts that meet the additional condition of also restricting adult access to inappropriate materials. School-district-education districts that seek such state technology revenue may adopt or retain the following language. However, the school-district-education district is not required to do so.

- A. All school-district-education district computers with Internet access and available for student use will be equipped to restrict, by use of available software filtering technology or other effective methods, all student access to materials that are reasonably believed to be obscene, child pornography or harmful to minors under state or federal law.
- B. All school-district-education district computers with Internet access, not just those accessible and available to students, will be equipped to restrict, by use of available software filtering technology or other effective methods, adult access to materials that are reasonably believed to be obscene or child pornography under state or federal law.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

ALTERNATIVE NO. 3

School-district-education districts which receive certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children's Internet Protection Act, effective in 2001. This law requires school-district-education districts to adopt an Internet safety policy which contains the provisions set forth below. Also, the Act requires such school-district-education districts to provide reasonable notice and hold at least one public hearing or meeting to address the proposed Internet safety policy prior to its implementation. School-district-education districts that do not seek such federal financial assistance need not adopt the alternative language set forth below nor meet the requirements with respect to a public meeting to review the policy. The following alternative language for school-district-education districts that seek such federal financial assistance satisfies both state and federal law requirements.

- A. With respect to any of its computers with Internet access, the school-district-education district will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:

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1. Obscene;
 2. Child pornography; or
 3. Harmful to minors.
- B. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:
1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
 2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.
- D. An administrator, supervisor, or other person authorized by the ~~Superintendent~~Executive director may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.
- E. The ~~school district~~education district will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

[Note: Although ~~school district~~education districts are not required to adopt the more restrictive provisions contained in either Alternative No. 2 or No. 3 if they do not seek state or federal funding, they may choose to adopt the more restrictive provisions as a matter of ~~school district~~education district policy.]

VII. CONSISTENCY WITH OTHER ~~SCHOOL-DISTRICT~~EDUCATION DISTRICT POLICIES

Use of the ~~school district~~education district computer system and use of the Internet shall be consistent with ~~school district~~education district policies and the mission of the ~~school district~~education district.

VIII. LIMITED EXPECTATION OF PRIVACY

- A. By authorizing use of the ~~school district~~education district system, the ~~school district~~education district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the

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or unavailability of data stored on ~~school district~~education district diskettes, tapes, hard drives, or servers, or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. The ~~school district~~education district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the ~~school district~~education district system. The ~~school district~~education district will not be responsible for financial obligations arising through unauthorized use of the ~~school district~~education district system or the Internet.

XI. USER NOTIFICATION

- A. All users shall be notified of the ~~school district~~education district policies relating to Internet use.
- B. This notification shall include the following:
1. Notification that Internet use is subject to compliance with ~~school district~~education district policies.
 2. Disclaimers limiting the ~~school district~~education district's liability relative to:
 - a. Information stored on ~~school district~~education district diskettes, hard drives, or servers.
 - b. Information retrieved through ~~school district~~education district computers, networks, or online resources.
 - c. Personal property used to access ~~school district~~education district computers, networks, or online resources.
 - d. Unauthorized financial obligations resulting from use of ~~school district~~education district resources/accounts to access the Internet.
 3. A description of the privacy rights and limitations of ~~school district~~education district sponsored/managed Internet accounts.
 4. Notification that, even though the ~~school district~~education district may use technical means to limit student Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
 5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student and/or the student's parents.
 6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the Internet, including electronic communications, is governed by Policy 406, Public and Private Personnel Data, and Policy

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contents of personal files on the ~~school district~~education district system.

- B. Routine maintenance and monitoring of the ~~school district~~education district system may lead to a discovery that a user has violated this policy, another ~~school district~~education district policy, or the law.
- C. An individual investigation or search will be conducted if ~~school district~~education district authorities have a reasonable suspicion that the search will uncover a violation of law or ~~school district~~education district policy.
- D. Parents have the right at any time to investigate or review the contents of their child's files and e-mail files. Parents have the right to request the termination of their child's individual account at any time.
- E. ~~School district~~Education district employees should be aware that the ~~school district~~education district retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, ~~school district~~education district employees should be aware that data and other materials in files maintained on the ~~school district~~education district system may be subject to review, disclosure or discovery under Minn. Stat. Ch. 13 (the Minnesota Government Data Practices Act).
- F. The ~~school district~~education district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with ~~school district~~education district policies conducted through the ~~school district~~education district system.

IX. INTERNET USE AGREEMENT

- A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents, and employees of the ~~school district~~education district.
- B. This policy requires the permission of and supervision by the ~~school district~~education district's designated professional staff before a student may use a ~~school district~~education district account or resource to access the Internet.
- C. The Internet Use Agreement form for students must be read and signed by the user, the parent or guardian, and the supervising teacher. The Internet Use Agreement form for employees must be signed by the employee. The form must then be filed at the ~~school district~~education district office. As supervising teachers change, the agreement signed by the new teacher shall be attached to the original agreement.

X. LIMITATION ON ~~SCHOOL-DISTRICT~~EDUCATION DISTRICT LIABILITY

Use of the ~~school district~~education district system is at the user's own risk. The system is provided on an "as is, as available" basis. The ~~school district~~education district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage,

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515, Protection and Privacy of Pupil Records.

7. Notification that, should the user violate the ~~school district~~education district's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.
8. Notification that all provisions of the acceptable use policy are subordinate to local, state, and federal laws.

XII. PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE

- A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies, and other possibly offensive media. Parents are responsible for monitoring their student's use of the ~~school district~~education district system and of the Internet if the student is accessing the ~~school district~~education district system from home or a remote location.
- B. Parents will be notified that their students will be using ~~school district~~education district resources/accounts to access the Internet and that the ~~school district~~education district will provide parents the option to request alternative activities not requiring Internet access. This notification should include:
1. A copy of the user notification form provided to the student user.
 2. A description of parent/guardian responsibilities.
 3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.
 4. A statement that the Internet Use Agreement must be signed by the user, the parent or guardian, and the supervising teacher prior to use by the student.
 5. A statement that the ~~school district~~education district's acceptable use policy is available for parental review.

XIII. IMPLEMENTATION; POLICY REVIEW

- A. The ~~school district~~education district administration may develop appropriate user notification forms, guidelines, and procedures necessary to implement this policy for submission to the ~~school district~~education district board for approval. Upon approval by the ~~school district~~education district board, such guidelines, forms, and procedures shall be an addendum to this policy.
- B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and

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procedures.

- C. The ~~school-district~~education district Internet policies and procedures are available for review by all parents, guardians, staff, and members of the community.
- D. Because of the rapid changes in the development of the Internet, the ~~seho~~education district board shall conduct an annual review of this policy.

Legal References: 15 U.S.C. § 6501 *et seq.* (Children’s Online Privacy Protection Act)
 17 U.S.C. § 101 *et seq.* (Copyrights)
 47 U.S.C. § 254 (Children’s Internet Protection Act of 2000 (CIPA))
 47 C.F.R. § 54.520 (FCC rules implementing CIPA)
 Minn. Stat. § 121A.031 (School Student Bullying Policy)
 Minn. Stat. § 125B.15 (Internet Access for Students)
 Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
United States v. Amer. Library Assoc., 539 U.S. 194, 123 S.Ct. 2297, 56 L.Ed.2d 221 (2003)
Doninger v. Niehoff, 527 F.3d 41 (2nd Cir. 2008)
R.S. v. Minnewaska Area Sch. Dist. No. 2149, No. 12-588, 2012 WL 3870868 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), *aff’d* on other grounds 816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee’s Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)
Kowalski v. Berkeley County Sch., 652 F.3d 565 (4th Cir. 2011)
Layschock v. Hermitage Sch. Dist., 650 F.3d 205 (3rd Cir. 2011)
Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
 MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
 MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
 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 519 (Interviews of Students by Outside Agencies)
 MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
 MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)
 MSBA/MASA Model Policy 603 (Curriculum Development)
 MSBA/MASA Model Policy 604 (Instructional Curriculum)
 MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)
 MSBA/MASA Model Policy 806 (Crisis Management Policy)

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Adopted: 7/24/14 MSBA/MASA Model Policy 616
 Orig. 1997
 Revised: 7/28/16; 7/27/17; 7/25/19; 6/25/20 Rev. 2019

poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.

616 SCHOOL-DISTRICT/EDUCATION DISTRICT SYSTEM ACCOUNTABILITY

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. “Credit” means a student’s successful completion of an academic year of study or a student’s mastery of the applicable subject matter, as determined by the ~~seho~~education district.
- B. “Graduation Standards” means the credit requirements and locally adopted content standards or Minnesota Academic Standards that ~~seho~~education districts must offer and certify that students complete to be eligible for a high school diploma.
- C. “World’s best workforce” means striving to: meet school readiness goals; have all third grade students achieve grade-level literacy; close the academic achievement gap among all racial and ethnic groups of students and between students living in

IV. ESTABLISHMENT OF GOALS; IMPLEMENTATION; EVALUATION AND REPORTING

A. ~~Seho~~Education district Goals

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

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

[Insert Local Cycle in this space]

C. Implementation of Graduation Requirements

1. The ~~seho~~education district board shall appoint a Graduation Standards Implementation Committee which shall advise the ~~seho~~education district board on implementation of the state and local graduation requirements, including K-12 curriculum, assessment, student learning opportunities, and other related issues. Recommendations of this committee shall be published annually to the community. The ~~seho~~education district board shall receive public input and comment and shall adopt or update this policy at least annually. The Graduation Standards Implementation Committee [will/will not] be comprised of the Advisory Committee for Comprehensive

Continuous Improvement of Student Achievement.

[Note: The Graduation Standards Implementation Committee may be comprised of an existing committee such as the Advisory Committee for Comprehensive Continuous Improvement of Student Achievements. Regardless of whether a new committee or an existing committee is utilized, the committee should be comprised of representatives of the community, including equal representation from school district board members, students, parents, teachers, representatives of local businesses, and representatives of the community at large. Among these members should be individuals who are able to represent the needs of students throughout the district including students with special needs.]

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

D. Advisory Committee for Comprehensive Continuous Improvement of Student Achievement

- 1. By [date] of each year, the Advisory Committee will meet to advise and assist the school district in the implementation of the school district system accountability and comprehensive continuous improvement process.

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- a. The Director of Curriculum (or similar educational leader)
b. Principal
c. School District Board Member
d. Student Representative
e. One teacher from each building or instructional level
f. Two parents from each building or instructional level
g. Two residents without school-aged children, non-representative of local business or industry
h. Two residents representative of local business or industry
i. District Assessment Coordinator (if different from "a." above)

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

- 5. Translation services should be provided to the extent appropriate and practicable.
6. The Advisory Committee shall meet the following timeline each year:
Month: Organizational meeting of the Committee to review the authorizing legislation and the roles and responsibilities of the Committee as determined by the school district board.
Month(s): Agree on the process to be used. Become familiar with the instruction and curriculum of the cycle content area.
Month(s): Review evaluation results and prepare recommendations.
Month: Present recommendations to the school district board for its input and approval.

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

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- 2. The Advisory Committee, working in cooperation with other committees of the school district [such as the Technology, Educational Effectiveness, Grade Level, Site Instruction, Curriculum and Assessment Committees, etc.], will provide active community participation in:
a. Reviewing the school district instructional and curriculum plan, with emphasis on implementing the Minnesota Graduation Standards;
b. Identifying annual instruction and curriculum improvement goals for recommendation to the school district board;
c. Making recommendations regarding the evaluation process that will be used to measure school district progress toward its goals;
d. Advising the school district board about development of the annual budget.
3. The Advisory Committee shall meet the following criteria:
a. The Advisory Committee shall ensure active community participation in all planning for instruction and curriculum affecting Graduation Standards.
b. The Advisory Committee shall make recommendations to the school district board on school district-wide standards, assessments, and program evaluation.
c. Building teams may be established as subcommittees to develop and implement an education effectiveness plan and to carry out methods to improve instruction, curriculum, and assessments as well as methods to use technology in meeting the school district improvement plan.
d. A local plan to evaluate student progress, using a local process, shall be used for developing a plan for assessment of student progress toward the Graduation Standards, as well as program evaluation data for use by the Advisory Committee in the instruction and curriculum review process. This plan shall annually be approved by the school district board.
4. The Advisory Committee shall, when possible, be comprised of two-thirds community representatives and shall reflect the diversity of the community. Included in its membership should be:

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F. Reporting

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

Legal References:

- Minn. Stat. § 120B.018 (Definitions)
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota's Students)
Minn. Stat. § 120B.11 (School District Process)
Minn. Stat. § 120B.35 (Student Achievement Levels)
Minn. Stat. § 120B.36 (School Accountability; Appeals Process)
Minn. Stat. § 122A.40, Subd. 8 (Employment; Contracts; Termination)
Minn. Stat. § 122A.41, Subd. 5 (Teacher Tenure Act; Cities of the First Class; Definitions)
Minn. Stat. § 123B.04 (Site Decision Making Agreement)
Minn. Stat. § 123B.147, Subd. 3 (Principals)
Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)
Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)

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

620 CREDIT FOR LEARNING

[Note: ~~School-district~~Education districts statutorily are required to provide students with credit for approved post-secondary courses, as set forth in Section V.; online learning courses, as set forth in Section VI.; and accelerated or advanced academic courses offered by a higher education institution or nonprofit public agency, as set forth in Section VII. Additionally, ~~school-district~~education districts are required by statute to identify whether the ~~school-district~~education district offers weighted grades and, if it does, identify the courses for which a student may earn a weighted grade (Section VIII). Optional provisions related to awarding credit to students transferring from out-of-state, private, or home schools and the issuance of student grades for purposes of awarding certain honors, as set forth in Section IV., are not required by statute. Therefore, the language contained in Section IV. is suggested language, and a ~~school-district~~education district may or may not include this section or may modify this section at its discretion.]

I. PURPOSE

The purpose of this policy is to recognize student achievement which occurs in Post-Secondary Enrollment Options and other advanced enrichment programs. The purpose of this policy also is to recognize student achievement which occurs in other schools, in alternative learning sites, and in out-of-school experiences such as community organizations, work-based learning, and other educational activities and opportunities. The purpose of this policy also is to address the transfer of student credit from out-of-state, private, or home schools and online learning programs and to address how the ~~school-district~~education district will recognize student achievement obtained outside of the ~~school-district~~education district.

II. GENERAL STATEMENT OF POLICY

The policy of the ~~school-district~~education district is to provide a process for awarding students credit toward graduation requirements for credits and grades students complete in other schools, post-secondary or higher education institutions, other learning environments, and online courses and programs.

III. DEFINITIONS

- A. "Accredited school" means a school that is accredited by an accrediting agency, recognized according to Minn. Stat. § 123B.445 or recognized by the Commissioner of the Minnesota Department of Education (MDE).
- B. "Blended learning" is a form of digital learning that occurs when a student learns part time in a supervised physical setting and part time through digital delivery of instruction, or a student learns in a supervised physical setting where technology is

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used as a primary method to deliver instruction.

- C. "Commissioner" means the Commissioner of MDE.
- D. "Digital learning" is learning facilitated by technology that offers students an element of control over the time, place, path, or pace of their learning and includes blended and online learning.
- E. "Eligible institution" means a Minnesota public post-secondary institution, a private, nonprofit two-year trade and technical school granting associate degrees, an opportunities industrialization center accredited by an accreditor recognized by the United States Department of Education, or a private, residential, two-year or four-year, liberal arts, degree-granting college or university located in Minnesota.
- F. "Nonpublic school" is a private school or home school in which a child is provided instruction in compliance with the Minnesota compulsory attendance laws.
- G. "Online learning" is a form of digital learning delivered by an approved online learning provider.
- H. "Online learning provider" is a ~~school-district~~education district, an intermediate ~~school-district~~education district, an organization of two or more ~~school-district~~education districts operating under a joint powers agreement, or a charter school located in Minnesota that provides online learning to students and is approved by MDE to provide online learning courses.
- I. "Weighted grade" is a letter or numerical grade that is assigned a numerical advantage when calculating the grade point average.

IV. TRANSFER OF CREDIT FROM OTHER SCHOOLS

- A. Transfer of Academic Requirements from Other Minnesota Public Secondary Schools
1. The ~~school-district~~education district will accept and transfer secondary credits and grades awarded to a student from another Minnesota public secondary school upon presentation of a certified transcript from the transferring public secondary school evidencing the course taken and the grade and credit awarded.
 2. Credits and grades awarded from another Minnesota public secondary school may be used to compute honor roll and/or class rank if a student has earned at least [insert number] credits from the ~~school-district~~education district.
- B. Transfer of Academic Requirements from Other Schools
1. The ~~school-district~~education district will accept secondary credits and

grades awarded to a student for courses successfully completed at a public school outside of Minnesota or an accredited nonpublic school upon presentation of a certified transcript from the transferring public school in another state or nonpublic school evidencing the course taken and the grade and credit awarded.

- a. When a determination is made that the content of the course aligns directly with ~~school-district~~education district graduation requirements, the student will be awarded commensurate credits and grades.
 - b. Commensurate credits and grades awarded from an accredited nonpublic school or public school in another state may be used to compute honor roll and/or class rank if a student has earned at least [insert number] credits from the ~~school-district~~education district.
 - c. In the event the content of a course taken at an accredited nonpublic school or public school in another state does not fully align with the content of the ~~school-district~~education district's high school graduation requirements but is comparable to elective credits offered by the ~~school-district~~education district for graduation, the student may be provided elective credit applied toward graduation requirements. Credit that does not fully align with the ~~school-district~~education district's high school graduation requirements will not be used to compute honor roll and/or class rank.
 - d. If no comparable course is offered by the ~~school-district~~education district for which high school graduation credit would be provided, no credit will be provided to the student.
2. Students transferring from a non-accredited, nonpublic school shall receive credit from the ~~school-district~~education district upon presentation of a transcript or other documentation evidencing the course taken and grade and credit awarded.

- a. Students will be required to provide copies of course descriptions, syllabi, or work samples for determination of appropriate credit. In addition, students also may be asked to provide interviews/conferences with the student and/or student's parent and/or former administrator or teacher; review of a record of the student's entire curriculum at the nonpublic school; and review of the student's complete record of academic achievement.
- b. Where the ~~school-district~~education district determines that a course completed by a student at a non-accredited, nonpublic school is commensurate with ~~school-district~~education district graduation requirements, credit shall be awarded, but the grade shall be "P" (pass).

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- c. In the event the content of a course taken at a non-accredited, nonpublic school does not fully align with the content of the ~~school-district~~education district's high school graduation requirements but is comparable to elective credits offered by the ~~school-district~~education district for graduation, the student may be provided elective credit applied toward graduation requirements.
- d. If no comparable course is offered by the ~~school-district~~education district for which local high school graduation credit would be provided, no credit will be provided to the student.
- e. Credit and grades earned from a non-accredited nonpublic school shall not be used to compute honor roll and/or class rank.

V. POST-SECONDARY ENROLLMENT CREDIT

- A. A student who satisfactorily completes a post-secondary enrollment options course or program under Minn. Stat. § 124D.09 that has been approved as meeting the necessary requirements is not required to complete other requirements of the Minnesota Academic Standards content standards corresponding to that specific rigorous course of study.
- B. Secondary credits granted to a student through a post-secondary enrollment options course or program that meets or exceeds a graduation standard or requirement shall be counted toward the graduation and credit requirements of a student completing the Minnesota Academic Standards.
 - 1. Course credit will be considered by the ~~school-district~~education district only upon presentation of a certified transcript from an eligible institution evidencing the course taken and the grade and credit awarded.
 - 2. Seven quarter or four semester post-secondary credits shall equal at least one full year of high school credit. Fewer post-secondary credits may be prorated.
 - 3. When a determination is made that the content of the post-secondary course aligns directly with a required course for high school graduation, the commensurate credit and grade will be recorded on the student's transcript as a course credit applied toward graduation requirements.
 - 4. In the event the content of the post-secondary course does not fully align with the content of a high school course required for graduation but is comparable to elective credits offered by the ~~school-district~~education district for graduation, the ~~school-district~~education district may provide elective credit and the grade will be recorded on the student's transcript as an elective course credit applied toward graduation requirements.

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the content of a high school course required for graduation but is comparable to elective credits offered by the ~~school-district~~education district for graduation, the ~~school-district~~education district may provide elective credit and the grade will be recorded on the student's transcript as an elective course credit applied toward graduation requirements.

- E. If no comparable course is offered by the ~~school-district~~education district for which high school graduation credit would be provided, the ~~school-district~~education district will notify the Commissioner and request a determination of the number of credits that shall be granted to a student.

VIII. WEIGHTED GRADES

[Note: ~~School-district~~Education districts must identify in policy whether they offer courses with weighted grades. Therefore, ~~school-district~~education districts must include one of the following options in their policies.]

- A. The ~~school-~~education district does not offer weighted grades.
[or]
- A. ~~The school district offers weighted grades for courses that are identified as more rigorous or academically challenging as follows:~~
[List the types of courses that will be awarded weighted grades and the multiplier, similar to the following examples:]
 - 1. ~~A grade awarded in an Advanced Placement course will be multiplied by a factor of ____ (i.e., 1.07).~~
 - 2. ~~A grade awarded in an Honors course will be multiplied by a factor of ____.~~
 - 3. ~~A grade awarded in a College In the Schools course will be multiplied by a factor of ____.~~
 - 4. ~~A grade awarded in a course taken through a Post-Secondary Enrollment Options program will be multiplied by a factor of ____.~~
 - 5. ~~A grade awarded in a course in a dual enrollment course will be multiplied by a factor of ____.~~
- B. ~~The school district will update its website prior to the beginning of each school year with a listing of the courses for which a student may earn a weighted grade.~~

IX. PROCESS FOR AWARDING CREDIT

- A. The building principal will be responsible for carrying out the process to award

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- 5. If no comparable course is offered by the ~~school-district~~education district for which high school graduation credit would be provided, the ~~school-district~~education district will notify the Commissioner, who shall determine the number of credits that shall be granted to a student.
- 6. When secondary credit is granted for post-secondary credits taken by a student, the ~~school-district~~education district will record those credits on the student's transcript as credits earned at a post-secondary institution.
- C. A list of the courses or programs meeting the necessary requirements may be obtained from the ~~school-district~~education district.

VI. CREDIT FROM ONLINE LEARNING COURSES

- A. Secondary credits granted to a student through an online learning course or program that meets or exceeds a graduation standard or requirement shall be counted toward the graduation and credit requirements of a student completing the Minnesota Academic Standards.
- B. Course credit will be considered only upon official documentation from the online learning provider evidencing the course taken and the grade and credit awarded to the student.
- C. When a student provides documentation from an online learning provider, the course credit and course grade shall be recorded and counted toward graduation credit requirements for all courses or programs that meet or exceed the ~~school-district~~education district's graduation requirements in the same manner as credits are awarded for students transferring from another Minnesota public school as set forth in Section IV.A. above.

VII. ADVANCED ACADEMIC CREDIT

- A. The ~~school-district~~education district will grant academic credit to a student attending an accelerated or advanced academic course offered by a higher education institution or a nonprofit public agency, other than the ~~school-district~~education district.
- B. Course credit will be considered only upon official documentation from the higher education institution or nonprofit public agency that the student successfully completed the course attended and passed an examination approved by the ~~school-district~~education district.
- C. When a determination is made that the content of the advanced academic course aligns directly with a required course for high school graduation, the commensurate credit and grade will be recorded on the student's transcript as a course credit applied toward graduation requirements.
- D. In the event the content of the advanced academic course does not fully align with

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credits and grades pursuant to this policy. The building principal will notify students in writing of the decision as to how credits and grades will be awarded.

- B. A student or the student's parent or guardian may seek reconsideration of the decision by the building principal as to credits and/or grades awarded upon request of a student or the student's parent or guardian if the request is made in writing to the ~~superintendent~~executive director within five school days of the date of the building principal's decision. The request should set forth the credit and/or grade requested and the reason(s) why credit(s)/grade(s) should be provided as requested. Any pertinent documentation in support of the request should be submitted.
- C. The decision of the ~~superintendent~~executive director as to the award of credits or grades shall be a final decision by the ~~school-district~~education district and shall not be appealable by the student or student's parent or guardian except as set forth in Section IX.D. below.
- D. If a student disputes the number of credits granted by the ~~school-district~~education district for a particular post-secondary enrollment course, online learning course, or advanced academic credit course, the student may appeal the ~~school-district~~education district's decision to the Commissioner. The decision of the Commissioner shall be final.
- E. At any time during the process, the building principal or ~~superintendent~~executive director may ask for course descriptions, syllabi, or work samples from a course where content of the course is in question for purposes of determining alignment with graduation requirements or the number of credits to be granted. Students will not be provided credit until requested documentation is available for review, if requested.

Legal References: Minn. Stat. § 120B.02 (Educational Expectations for Minnesota's Students)
 Minn. Stat. § 120B.021 (Required Academic Standards)
 Minn. Stat. § 120B.11 (School District Process)
 Minn. Stat. § 120B.14 (Advanced Academic Credit)
 Minn. Stat. § 123B.02 (General Powers of Independent School Districts)
 Minn. Stat. § 123B.445 (Nonpublic Education Council)
 Minn. Stat. § 124D.03, Subd. 9 (Enrollment Options Program)
 Minn. Stat. § 124D.09 (Post-Secondary Enrollment Options Act)
 Minn. Stat. § 124D.095 (Online Learning Option)
 Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)
 Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
 Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)
 Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)
 Minn. Rules Parts 3501.1000-3501.1190 (Graduation-Required Assessment for Diploma) (repealed Minn. L. 2013, Ch. 116, Art. 2, § 22)
 Minn. Rules Parts 3501.1200-3501.1210 (Academic Standards for English)

Language Development)
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)

- Cross References:**
- MSBA/MASA Model Policy 104 (School District Mission Statement)
 - MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)
 - MSBA/MASA Model Policy 613 (Graduation Requirements)
 - MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)
 - MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
 - MSBA/MASA Model Policy 616 (School District System Accountability)
 - MSBA/MASA Model Policy 618 (Assessment of Student Achievement)
 - MSBA/MASA Model Policy 624 (Online Learning Options)

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~~district~~education district by its auditor.

- E. The audit must be conducted in compliance with generally accepted governmental auditing standards, the Federal Single Audit Act and the Minnesota Legal Compliance Audit Guide issued by the Office of the State Auditor.
- F. The ~~school-education district~~board must approve the audit report by resolution or require a further or amended report.
- G. The administration shall report to the ~~school-education district~~board regarding any actions necessary to correct any deficiencies or exceptions noted in the audit.
- H. The accounts and records of the ~~school-district~~education district shall also be subject to audit and inspection by the State Auditor to the extent provided in Minn. Stat. Ch. 6.

- Legal References:**
- Minn. Stat. Ch. 6 (State Auditor)
 - Minn. Stat. § 123B.02 (School District Powers)
 - Minn. Stat. § 123B.09 (School Board Powers)
 - Minn. Stat. § 123B.14, Subd. 7 (Duties of School Board Clerk)
 - Minn.Stat. § 123B.77, Subds. 2 and 3 (Audited Financial Statements; Statement for Comparison and Correction)

- Cross References:**
- MSBA/MASA Model Policy 702 (Accounting)
 - MSBA Service Manual, Chapter 7, Education Funding

Adopted: 6/25/20

MSBA/MASA Model Policy 703

Orig. 1995

Rev. 2019

Revised: _____

703 ANNUAL AUDIT

[Note: The provisions of this policy reflect the applicable statutes and are not discretionary in nature.]

I. PURPOSE

The purpose of this policy is to provide for an annual audit of the books and records of the ~~school-district~~education district in order to comply with law, to provide a permanent record of the financial position of the ~~school-district~~education district, and to provide guidance to the ~~school-district~~education district to correct any errors and discrepancies in its practices.

II. GENERAL STATEMENT OF POLICY

The policy of this ~~school-district~~education district is to comply with all laws relating to the annual audit of the books and records of the ~~school-district~~education district.

III. REQUIREMENT

- A. The ~~school-education district~~board shall appoint independent certified public accountants to audit, examine, and report upon the books and records of the ~~school-district~~education district. The ~~school-education district~~board may enter into a contract with a person or firm to provide the agreed upon services.
- B. After the close of each fiscal year, the books, records, and accounts of the ~~school-district~~education district shall be audited by said independent certified public accountants in accordance with applicable standards and legal requirements. The ~~superintendent~~executive director and members of the administration shall cooperate with the auditors.
- C. The ~~school-district~~education district shall, prior to September 15 of each year, submit unaudited financial data for the preceding year to the Commissioner of Education (Commissioner) on forms prescribed by the Commissioner. The report shall also include those items required by Minn. Stat. § 123B.14, Subd. 7.
- D. The ~~school-district~~education district shall, prior to November 30 of each year, provide to the Commissioner audited financial data for the preceding fiscal year. The ~~school-district~~education district shall, prior to December 31 of each year, provide to the Commissioner and the State Auditor an audited financial statement in a form that will allow comparison with and correction of material differences in the unaudited data. The audited financial statement must also provide a statement of assurance pertaining to compliance with uniform financial accounting and reporting standards and a copy of the management letter submitted to the ~~school-~~

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Adopted: 7/28/16

MSBA/MASA Model Policy 721

Orig. 2016

Rev. 2019

Revised: 9/28/17; 12/5/18; 6/25/20

721 UNIFORM GRANT GUIDANCE POLICY REGARDING FEDERAL REVENUE SOURCES

[Note: School-districtEducation districts are required by the federal Uniform Grant Guidance regulations, 2 C.F.R. Part 200, to have the policies which establish uniform administrative requirements, cost principles, and audit requirements for federal awards to non-federal entities including school-districteducation districts. In June 2018, the United States Office of Management and Budget increased the threshold dollar amounts for both simplified acquisition costs (\$250,000) and micro-purchases (\$10,000).]

I. PURPOSE

The purpose of this policy is to ensure compliance with the requirements of the federal Uniform Grant Guidance regulations by establishing uniform administrative requirements, cost principles, and audit requirements for federal grant awards received by the ~~school-district~~education district.

II. DEFINITIONS

- A. Grants
 - 1. "State-administered grants" are those grants that pass through a state agency such as the Minnesota Department of Education (MDE).
 - 2. "Direct grants" are those grants that do not pass through another agency such as MDE and are awarded directly by the federal awarding agency to the grantee organization. These grants are usually discretionary grants that are awarded by the U.S. Department of Education (DOE) or by another federal awarding agency.

[Note: All of the requirements outlined in this policy apply to both direct grants and state-administered grants.]

- B. "Non-federal entity" means a state, local government, Indian tribe, institution of higher education, or nonprofit organization that carries out a federal award as a recipient or subrecipient.
- C. "Federal award" has the meaning, depending on the context, in either paragraph 1. or 2. of this definition:
 - 1. a. The federal financial assistance that a non-federal entity receives directly from a federal awarding agency or indirectly from a pass-through entity, as described in 2 C.F.R. § 200.101 (Applicability);

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or

- b. The cost-reimbursement contract under the federal Acquisition Regulations that a non-federal entity receives directly from a federal awarding agency or indirectly from a pass-through entity, as described in 2 C.F.R. § 200.101 (Applicability).
- 2. The instrument setting forth the terms and conditions. The instrument is the grant agreement, cooperative agreement, other agreement for assistance covered in paragraph (b) of 2 C.F.R. § 200.40 (Federal Financial Assistance), or the cost-reimbursement contract awarded under the federal Acquisition Regulations.
- 3. "Federal award" does not include other contracts that a federal agency uses to buy goods or services from a contractor or a contract to operate federal-government-owned, contractor-operated facilities.
- D. "Contract" means a legal instrument by which a non-federal entity purchases property or services needed to carry out the project or program under a federal award. The term, as used in 2 C.F.R. Part 200, does not include a legal instrument, even if the non-federal entity considers it a contract, when the substance of the transaction meets the definition of a federal award or subaward.
- E. Procurement Methods
 - 1. "Procurement by micro-purchase" is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (generally \$10,000, except as otherwise discussed in 48 C.F.R. Subpart 2.1 or as periodically adjusted for inflation).
 - 2. "Procurement by small purchase procedures" are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than \$250,000 (periodically adjusted for inflation).
 - 3. "Procurement by sealed bids (formal advertising)" is a publicly solicited and a firm, fixed-price contract (lump sum or unit price) awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price.
 - 4. "Procurement by competitive proposals" is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. Competitive proposals are generally used when conditions are not appropriate for the use of sealed bids.
 - 5. "Procurement by noncompetitive proposals" is procurement through solicitation of a proposal from only one source.

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- F. "Equipment" means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or \$5,000.
- G. "Compensation for personal services" includes all remuneration, paid currently or accrued, for services of employees rendered during the period of performance under the federal award, including, but not necessarily limited to, wages and salaries. Compensation for personal services may also include fringe benefits which are addressed in 2 C.F.R. § 200.431 (Compensation - Fringe Benefits).
- H. "Post-retirement health plans" refer to costs of health insurance or health services not included in a pension plan covered by 2 C.F.R. § 200.431(g) for retirees and their spouses, dependents, and survivors.
- I. "Severance pay" is a payment in addition to regular salaries and wages by the non-federal entities to workers whose employment is being terminated.
- J. "Direct costs" are those costs that can be identified specifically with a particular final cost objective, such as a federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.
- K. "Relocation costs" are costs incident to the permanent change of duty assignment (for an indefinite period or for a stated period not less than 12 months) of an existing employee or upon recruitment of a new employee.
- L. "Travel costs" are the expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of the ~~school district~~education district.

III. CONFLICT OF INTEREST

- A. Employee Conflict of Interest. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The employees, officers, and agents of the ~~school district~~education district may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, the ~~school district~~education district may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by employees, officers, or agents of the ~~school district~~education district.

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- B. Organizational Conflicts of Interest. The ~~school district~~education district is unable or appears to be unable to be impartial in conducting a procurement action involving the related organization because of relationships with a parent company, affiliate, or subsidiary organization.
- C. Disclosing Conflicts of Interest. The ~~school district~~education district must disclose in writing any potential conflict of interest to MDE in accordance with applicable federal awarding agency policy.

IV. ACCEPTABLE METHODS OF PROCUREMENT

- A. General Procurement Standards. The ~~school district~~education district must use its own documented procurement procedures which reflect applicable state laws, provided that the procurements conform to the applicable federal law and the standards identified in the Uniform Grant Guidance.
- B. The ~~school district~~education district must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
- C. The ~~school district~~education district's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach.
- D. The ~~school district~~education district must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.
- E. The ~~school district~~education district must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement; selection of the contract type; contractor selection or rejection; and the basis for the contract price.
- F. The ~~school district~~education district alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the ~~school district~~education district of any contractual responsibilities under its contracts.
- G. The ~~school district~~education district must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

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- H. Methods of Procurement. The ~~school district~~education district must use one of the following methods of procurement:
 - 1. Procurement by micro-purchases. To the extent practicable, the ~~school district~~education district must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the ~~school district~~education district considers the price to be reasonable.
 - 2. Procurement by small purchase procedures. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.
 - 3. Procurement by sealed bids (formal advertising).
 - 4. Procurement by competitive proposals. If this method is used, the following requirements apply:
 - a. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
 - b. Proposals must be solicited from an adequate number of qualified sources;
 - c. The ~~school district~~education district must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;
 - d. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
 - e. The ~~school district~~education district may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method where price is not used as a selection factor can only be used in procurement of A/E professional services; it cannot be used to purchase other types of services, though A/E firms are a potential source to perform the proposed effort.
 - 5. Procurement by noncompetitive proposals. Procurement by noncompetitive proposals may be used only when one or more of the following circumstances apply:

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- a. The item is available only from a single source;
- b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- c. The DOE or MDE expressly authorizes noncompetitive proposals in response to a written request from the school-district-education district; or
- d. After solicitation of a number of sources, competition is determined inadequate.

I. Competition. The school-district-education district must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

- 1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When making a clear and accurate description of the technical requirements is impractical or uneconomical, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and
- 2. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

J. The school-district-education district must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the school-district-education district must not preclude potential bidders from qualifying during the solicitation period.

K. Non-federal entities are prohibited from contracting with or making subawards under "covered transactions" to parties that are suspended or debarred or whose principals are suspended or debarred. "Covered transactions" include procurement contracts for goods and services awarded under a grant or cooperative agreement that are expected to equal or exceed \$25,000.

L. All nonprocurement transactions entered into by a recipient (i.e., subawards to subrecipients), irrespective of award amount, are considered covered transactions, unless they are exempt as provided in 2 C.F.R. § 180.215.

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sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the federal statutes, regulations, and the terms and conditions of the federal award.

B. Payment. The school-district-education district must be paid in advance, provided it maintains or demonstrates the willingness to maintain both written procedures that minimize the time elapsing between the transfer of funds and disbursement between the school-district-education district and the financial management systems that meet the standards for fund control.

Advance payments to a school-district-education district must be limited to the minimum amounts needed and timed to be in accordance with the actual, immediate cash requirements of the school-district-education district in carrying out the purpose of the approved program or project. The timing and amount of advance payments must be as close as is administratively feasible to the actual disbursements by the non-federal entity for direct program or project costs and the proportionate share of any allowable indirect costs. The school-district-education district must make timely payment to contractors in accordance with the contract provisions.

C. Internal Controls. The school-district-education district must establish and maintain effective internal control over the federal award that provides reasonable assurance that the school-district-education district is managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. These internal controls should be in compliance with guidance in "Standards for Internal Control in the Federal Government," issued by the Comptroller General of the United States, or the "Internal Control Integrated Framework," issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

The school-district-education district must comply with federal statutes, regulations, and the terms and conditions of the federal award.

The school-district-education district must also evaluate and monitor the school-district-education district's compliance with statutes, regulations, and the terms and conditions of the federal award.

The school-district-education district must also take prompt action when instances of noncompliance are identified, including noncompliance identified in audit findings.

The school-district-education district must take reasonable measures to safeguard protected personally identifiable information considered sensitive consistent with applicable federal and state laws regarding privacy and obligations of confidentiality.

VII. ALLOWABLE USE OF FUNDS AND COST PRINCIPLES

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V. MANAGING EQUIPMENT AND SAFEGUARDING ASSETS

A. Property Standards. The school-district-education district must, at a minimum, provide the equivalent insurance coverage for real property and equipment acquired or improved with federal funds as provided to property owned by the non-federal entity. Federally owned property need not be insured unless required by the terms and conditions of the federal award.

The school-district-education district must adhere to the requirements concerning real property, equipment, supplies, and intangible property set forth in 2 C.F.R. §§ 200.311, 200.314, and 200.315.

B. Equipment

Management requirements. Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part under a federal award, until disposition takes place will, at a minimum, meet the following requirements:

- 1. Property records must be maintained that include a description of the property; a serial number or other identification number; the source of the funding for the property (including the federal award identification number (FAIN)); who holds title; the acquisition date; the cost of the property; the percentage of the federal participation in the project costs for the federal award under which the property was acquired; the location, use, and condition of the property; and any ultimate disposition data, including the date of disposition and sale price of the property.
- 2. A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.
- 3. A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated.
- 4. Adequate maintenance procedures must be developed to keep property in good condition.
- 5. If the school-district-education district is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

VI. FINANCIAL MANAGEMENT REQUIREMENTS

A. Financial Management. The school-district-education district's financial management systems, including records documenting compliance with federal statutes, regulations, and the terms and conditions of the federal award, must be

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A. Allowable Use of Funds. The school-district-education district administration and board will enforce appropriate procedures and penalties for program, compliance, and accounting staff responsible for the allocation of federal grant costs based on their allowability and their conformity with federal cost principles to determine the allowability of costs.

B. Definitions

- 1. "Allowable cost" means a cost that complies with all legal requirements that apply to a particular federal education program, including statutes, regulations, guidance, applications, and approved grant awards.
- 2. "Education Department General Administrative Regulations (EDGAR)" means a compilation of regulations that apply to federal education programs. These regulations contain important rules governing the administration of federal education programs and include rules affecting the allowable use of federal funds (including rules regarding allowable costs, the period of availability of federal awards, documentation requirements, and grants management requirements). EDGAR can be accessed at: <http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.html>.
- 3. "Omni Circular" or "2 C.F.R. Part 200s" or "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" means federal cost principles that provide standards for determining whether costs may be charged to federal grants.
- 4. "Advance payment" means a payment that a federal awarding agency or passthrough entity makes by any appropriate payment mechanism, including a predetermined payment schedule, before the non-federal entity disburses the funds for program purposes.

C. Allowable Costs. The following items are costs that may be allowable under the 2 C.F.R. Part 200s under specific conditions:

- 1. Advisory councils;
- 2. Audit costs and related services;
- 3. Bonding costs;
- 4. Communication costs;
- 5. Compensation for personal services;
- 6. Depreciation and use allowances;
- 7. Employee morale, health, and welfare costs;

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8. Equipment and other capital expenditures;
9. Gains and losses on disposition of depreciable property and other capital assets and substantial relocation of federal programs;
10. Insurance and indemnification;
11. Maintenance, operations, and repairs;
12. Materials and supplies costs;
13. Meetings and conferences;
14. Memberships, subscriptions, and professional activity costs;
15. Security costs;
16. Professional service costs;
17. Proposal costs;
18. Publication and printing costs;
19. Rearrangement and alteration costs;
20. Rental costs of building and equipment;
21. Training costs; and
22. Travel costs.

D. Costs Forbidden by Federal Law. 2 CFR Part 200s and EDGAR identify certain costs that may never be paid with federal funds. The following list provides examples of such costs. If a cost is on this list, it may not be supported with federal funds. The fact that a cost is not on this list does not mean it is necessarily permissible. Other important restrictions apply to federal funds, such as those items detailed in the 2 CFR Part 200s; thus, the following list is not exhaustive:

1. Advertising and public relations costs (with limited exceptions), including promotional items and memorabilia, models, gifts, and souvenirs;
2. Alcoholic beverages;
3. Bad debts;
4. Contingency provisions (with limited exceptions);
5. Fundraising and investment management costs (with limited exceptions);

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1. The Omni Circular defines the parameters for the permissible uses of federal funds. While many requirements are contained in the Omni Circular, it includes five core principles that serve as an important guide for effective grant management. These core principles require all costs to be:
 - a. Necessary for the proper and efficient performance or administration of the program.
 - b. Reasonable. An outside observer should clearly understand why a decision to spend money on a specific cost made sense in light of the cost, needs, and requirements of the program.
 - c. Allocable to the federal program that paid for the cost. A program must benefit in proportion to the amount charged to the federal program – for example, if a teacher is paid 50% with Title I funds, the teacher must work with the Title I program/students at least 50% of the time. Recipients also need to be able to track items or services purchased with federal funds so they can prove they were used for federal program purposes.
 - d. Authorized under state and local rules. All actions carried out with federal funds must be authorized and not prohibited by state and local laws and policies.
 - e. Adequately documented. A recipient must maintain proper documentation so as to provide evidence to monitors, auditors, or other oversight entities of how the funds were spent over the lifecycle of the grant.

G. Program Specific Fiscal Rules. The Omni Circular also contains specific rules on selected items of costs. Costs must comply with these rules in order to be paid with federal funds.

1. All federal education programs have certain program specific fiscal rules that apply. Determining which rules apply depends on the program; however, rules such as supplement, not supplant, maintenance of effort, comparability, caps on certain uses of funds, etc., have an important impact when analyzing whether a particular cost is permissible.
2. Many state-administered programs require local education agencies (LEAs) to use federal program funds to supplement the amount of state, local, and, in some cases, other federal funds they spend on education costs and not to supplant (or replace) those funds. Generally, the “supplement, not supplant” provision means that federal funds must be used to supplement the level of funds from non-federal sources by providing additional services, staff, programs, or materials. In other words, federal funds normally cannot be used to pay for things that would otherwise be paid for

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6. Donations;
7. Contributions;
8. Entertainment (amusement, diversion, and social activities and any associated costs);
9. Fines and penalties;
10. General government expenses (with limited exceptions pertaining to Indian tribal governments and Councils of Government (COGs));
11. Goods or services for personal use;
12. Interest, except interest specifically stated in 2 C.F.R. § 200.441 as allowable;
13. Religious use;
14. The acquisition of real property (unless specifically permitted by programmatic statute or regulations, which is very rare in federal education programs);
15. Construction (unless specifically permitted by programmatic statute or regulations, which is very rare in federal education programs); and
16. Tuition charged or fees collected from students applied toward meeting matching, cost sharing, or maintenance of effort requirements of a program.

E. Program Allowability

1. Any cost paid with federal education funds must be permissible under the federal program that would support the cost.
2. Many federal education programs detail specific required and/or allowable uses of funds for that program. Issues such as eligibility, program beneficiaries, caps or restrictions on certain types of program expenses, other program expenses, and other program specific requirements must be considered when performing the programmatic analysis.
3. The two largest federal K-12 programs, Title I, Part A, and the Individuals with Disabilities Education Act (IDEA), do not contain a use of funds section delineating the allowable uses of funds under those programs. In those cases, costs must be consistent with the purposes of the program in order to be allowable.

F. Federal Cost Principles

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with state or local funds (and, in some cases, with other federal funds).

3. Auditors generally presume supplanting has occurred in three situations:
 - a. ~~School district~~Education district uses federal funds to provide services that the ~~school district~~education district is required to make available under other federal, state, or local laws.
 - b. ~~School district~~Education district uses federal funds to provide services that the ~~school district~~education district provided with state or local funds in the prior year.
 - c. ~~School district~~Education district uses Title I, Part A, or Migrant Education Program funds to provide the same services to Title I or Migrant students that the ~~school district~~education district provides with state or local funds to nonparticipating students.
4. These presumptions apply differently in different federal programs and also in schoolwide program schools. Staff should be familiar with the supplement not supplant provisions applicable to their program.

H. Approved Plans, Budgets, and Special Conditions

1. As required by the Omni Circular, all costs must be consistent with approved program plans and budgets.
2. Costs must also be consistent with all terms and conditions of federal awards, including any special conditions imposed on the ~~school district~~education district’s grants.

I. Training

1. The ~~school district~~education district will provide training on the allowable use of federal funds to all staff involved in federal programs.
2. The ~~school district~~education district will promote coordination between all staff involved in federal programs through activities, such as routine staff meetings and training sessions.

J. Employee Sanctions. Any ~~school district~~education district employee who violates this policy will be subject to discipline, as appropriate, up to and including the termination of employment.

VIII. COMPENSATION – PERSONAL SERVICES EXPENSES AND REPORTING

A. Compensation – Personal Services

Costs of compensation are allowable to the extent that they satisfy the specific

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requirements of the Uniform Grant Guidance and that the total compensation for individual employees:

1. Is reasonable for the services rendered and conforms to the established written policy of the [school-districteducation district](#) consistently applied to both federal and non-federal activities; and
2. Follows an appointment made in accordance with a [school-districteducation district](#)'s written policies and meets the requirements of federal statute, where applicable.

Unless an arrangement is specifically authorized by a federal awarding agency, a [school-districteducation district](#) must follow its written non-federal, entitywide policies and practices concerning the permissible extent of professional services that can be provided outside the [school-districteducation district](#) for non-organizational compensation.

B. Compensation – Fringe Benefits

1. During leave.

The costs of fringe benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as for annual leave, family-related leave, sick leave, holidays, court leave, military leave, administrative leave, and other similar benefits, are allowable if all of the following criteria are met:

- a. They are provided under established written leave policies;
 - b. The costs are equitably allocated to all related activities, including federal awards; and
 - c. The accounting basis (cash or accrual) selected for costing each type of leave is consistently followed by the [school-districteducation district](#).
2. The costs of fringe benefits in the form of employer contributions or expenses for social security; employee life, health, unemployment, and worker's compensation insurance (except as indicated in 2 C.F.R. § 200.447(d)); pension plan costs; and other similar benefits are allowable, provided such benefits are granted under established written policies. Such benefits must be allocated to federal awards and all other activities in a manner consistent with the pattern of benefits attributable to the individuals or group(s) of employees whose salaries and wages are chargeable to such federal awards and other activities and charged as direct or indirect costs in accordance with the [school-districteducation district](#)'s accounting practices.
 3. Actual claims paid to or on behalf of employees or former employees for

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Costs incurred by employees and officers for travel, including costs of lodging, other subsistence, and incidental expenses, must be considered reasonable and otherwise allowable only to the extent such costs do not exceed charges normally allowed by the [school-districteducation district](#) in its regular operations according to the [school-districteducation district](#)'s written reimbursement and/or travel policies.

In addition, when costs are charged directly to the federal award, documentation must justify the following:

1. Participation of the individual is necessary to the federal award; and
2. The costs are reasonable and consistent with the [school-districteducation district](#)'s established travel policy.

Temporary dependent care costs above and beyond regular dependent care that directly results from travel to conferences is allowable provided the costs are:

1. A direct result of the individual's travel for the federal award;
2. Consistent with the [school-districteducation district](#)'s documented travel policy for all [school-districteducation district](#) travel; and
3. Only temporary during the travel period.

[Note: Noncompliance. If a [school-districteducation district](#) fails to comply with federal statutes, regulations, or the terms and conditions of a federal award, the DOE or MDE may impose additional conditions, as described in 2 C.F.R. § 200.207 (Specific Conditions). If the DOE or MDE determines that noncompliance cannot be remedied by imposing additional conditions, the DOE or MDE may take one or more of the following actions, as appropriate under the circumstances: 1) Temporarily withhold cash payments pending correction of the deficiency by the [school-districteducation district](#) or more severe enforcement action by the DOE or MDE; 2) Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance; 3) Wholly or partly suspend or terminate the federal award; 4) Initiate suspension or debarment proceedings as authorized under 2 C.F.R. Part 180 and DOE regulations (or, in the case of MDE, recommend such a proceeding be initiated by the DOE); 5) Withhold further federal awards for the project or program; and/or 6) Take other remedies that may be legally available.]

Legal References: 2 C.F.R. § 200.12 (Capital Assets)
2 C.F.R. § 200.112 (Conflict of Interest)
2 C.F.R. § 200.113 (Mandatory Disclosures)
2 C.F.R. § 200.205(d) (Federal Awarding Agency Review of Risk Posed by Applicants)
2 C.F.R. § 200.212 (Suspension and Debarment)

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workers' compensation, unemployment compensation, severance pay, and similar employee benefits (e.g., post-retirement health benefits) are allowable in the year of payment provided that the [school-districteducation district](#) follows a consistent costing policy.

4. Pension plan costs may be computed using a pay-as-you-go method or an acceptable actuarial cost method in accordance with the written policies of the [school-districteducation district](#).
5. Post-retirement costs may be computed using a pay-as-you-go method or an acceptable actuarial cost method in accordance with established written policies of the [school-districteducation district](#).
6. Costs of severance pay are allowable only to the extent that, in each case, severance pay is required by law; employer-employee agreement; established policy that constitutes, in effect, an implied agreement on the [school-districteducation district](#)'s part; or circumstances of the particular employment.

C. Insurance and Indemnification. Types and extent and cost of coverage are in accordance with the [school-districteducation district](#)'s policy and sound business practice.

D. Recruiting Costs. Short-term, travel visa costs (as opposed to longer-term, immigration visas) may be directly charged to a federal award, so long as they are:

1. Critical and necessary for the conduct of the project;
2. Allowable under the cost principles set forth in the Uniform Grant Guidance;
3. Consistent with the [school-districteducation district](#)'s cost accounting practices and [school-districteducation district](#) policy; and
4. Meeting the definition of "direct cost" in the applicable cost principles of the Uniform Grant Guidance.

E. Relocation Costs of Employees. Relocation costs are allowable, subject to the limitations described below, provided that reimbursement to the employee is in accordance with the [school-districteducation district](#)'s reimbursement policy.

F. Travel Costs. Travel costs may be charged on an actual cost basis, on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used is applied to an entire trip and not to selected days of the trip, and results in charges consistent with those normally allowed in like circumstances in the [school-districteducation district](#)'s non-federally funded activities and in accordance with the [school-districteducation district](#)'s reimbursement policies.

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2 C.F.R. § 200.300(b) (Statutory and National Policy Requirements)
2 C.F.R. § 200.302 (Financial Management)
2 C.F.R. § 200.303 (Internal Controls)
2 C.F.R. § 200.305(b)(1) (Payment)
2 C.F.R. § 200.310 (Insurance Coverage)
2 C.F.R. § 200.311 (Real Property)
2 C.F.R. § 200.313(d) (Equipment)
2 C.F.R. § 200.314 (Supplies)
2 C.F.R. § 200.315 (Intangible Property)
2 C.F.R. § 200.318 (General Procurement Standards)
2 C.F.R. § 200.319(c) (Competition)
2 C.F.R. § 200.320 (Methods of Procurement to be Followed)
2 C.F.R. § 200.321 (Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms)
2 C.F.R. § 200.328 (Monitoring and Reporting Program Performance)
2 C.F.R. § 200.338 (Remedies for Noncompliance)
2 C.F.R. § 200.403(c) (Factors Affecting Allowability of Costs)
2 C.F.R. § 200.430 (Compensation – Personal Services)
2 C.F.R. § 200.431 (Compensation – Fringe Benefits)
2 C.F.R. § 200.447 (Insurance and Indemnification)
2 C.F.R. § 200.463 (Recruiting Costs)
2 C.F.R. § 200.464 (Relocation Costs of Employees)
2 C.F.R. § 200.473 (Transportation Costs)
2 C.F.R. § 200.474 (Travel Costs)

Cross References: MSBA/MASA Model Policy 208 (Development, Adoption, and Implementation of Policies)
MSBA/MASA Model Policy 210 (Conflict of Interest – School Board Members)
MSBA/MASA Model Policy 210.1 (Conflict of Interest – Charter School Board Members)
MSBA/MASA Model Policy 412 (Expense Reimbursement)
MSBA/MASA Model Policy 701 (Establishment and Adoption of School District Budget)
MSBA/MASA Model Policy 701.1 (Modification of School District Budget)
MSBA/MASA Model Policy 702 (Accounting)
MSBA/MASA Model Policy 703 (Annual Audit)

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802 DISPOSITION OF OBSOLETE EQUIPMENT AND MATERIAL

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

I. PURPOSE

The purpose of this policy is to provide guidelines for the superintendentexecutive director to assist in timely disposition of obsolete equipment and material.

II. GENERAL STATEMENT OF POLICY

Effective use of school-education district building space, and consideration for safety of personnel, will at times require disposal of obsolete equipment and material.

III. DEFINITIONS

- A. "Contract" means an agreement entered into by the school-districteducation district for the sale of supplies, materials, or equipment.
- B. "Official newspaper" is a regular issue of a qualified legal newspaper.

IV. MANNER OF DISPOSITION

A. Authorization

The superintendentexecutive director shall be authorized to dispose of obsolete equipment and materials by selling it at a fair price consistent with the procedures outlined in this policy. Any sale exceeding the minimum amount for which bids are required must first be specifically authorized by the school-education districtboard. The superintendentexecutive director shall be authorized to properly dispose of used books, materials, and equipment deemed to have little or no value.

B. Contracts Over \$175,000

- 1. If the value of the equipment or materials is estimated to exceed \$175,000, sealed bids shall be solicited by two weeks' published notice in the official newspaper. This notice shall state the time and place of receiving bids and contain a brief description of the subject matter. Additional publication in the official newspaper or elsewhere may be made as the school-education districtboard shall deem necessary.
- 2. The sale shall be awarded to the highest responsible bidder, be duly executed in writing, and be otherwise conditioned as required by law.

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D. Contracts \$25,000 or Less

If the amount of the sale is estimated to be \$25,000 or less, the contract may be made either upon quotation or in the open market, in the discretion of the school-education districtboard. The sale in the open market may be by auction. If the contract is made on quotation, it shall be based, so far as practicable, on at least two quotations which shall be kept on file for a period of at least one year after receipt.

E. Electronic Sale of Surplus Supplies, Materials, and Equipment

Notwithstanding the other procedural requirements of this policy, the school-districteducation district may contract to sell supplies, materials, and equipment which is surplus, obsolete, or unused through an electronic selling process in which purchasers compete to purchase the supplies, materials, or equipment at the highest purchase price in an open and interactive environment.

F. Notice of Quotation

Notice of procedures to receive quotations shall be given by publication or other means as appropriate to provide reasonable notice to the public.

G. Sales to Employees

No officer or employee of the school-districteducation district shall sell or procure for sale or possess or control for sale to any other officer or employee of the school-districteducation district any property or materials owned by the school-districteducation district unless the property and materials are not needed for public purposes and are sold to a school-districteducation district employee after reasonable public notice, at a public auction or by sealed response, if the employee is not directly involved in the auction or sale process. Reasonable notice shall include at least one week's published or posted notice. A school-districteducation district employee may purchase no more than one motor vehicle from the school-districteducation district at any one auction. This section shall not apply to the sale of property or materials acquired or produced by the school-districteducation district for sale to the general public in the ordinary course of business. Nothing in this section shall prohibit an employee of the school-districteducation district from selling or possessing for sale public property if the sale or possession for sale is in the ordinary course of business or the normal course of the employee's duties.

H. Exceptions for Surplus School-Education districtComputers

- 1. A school-districteducation district may bypass the requirements for competitive bidding and is not subject to any other laws relating to school-districteducation district contracts if it is disposing of surplus school-education districtcomputer and related equipment, including a tablet device, by conveying the property and title to:

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- 3. A record shall be kept of all bids, with names of bidders and amounts of bids, and an indication of the successful bid. A bid containing an alteration or erasure of any price contained in the bid which is used in determining the highest responsible bid shall be rejected unless the alteration or erasure is corrected by being crossed out and the correction printed in ink or typewritten adjacent thereto and initialed in ink by the person signing the bid.

- 4. In the case of identical high bids from two or more bidders, the school-education districtboard may, at its discretion, utilize negotiated procurement methods with the tied high bidders so long as the price paid does not go below the high tied bid price. In the case where only a single bid is received, the school-education districtboard may, at its discretion, negotiate a mutually agreeable contract with the bidder so long as the price paid does not fall below the original bid. If no satisfactory bid is received, the board may readvertise.

- 5. All bids obtained shall be kept on file for a period of at least one year after their receipt. Every contract made without compliance with the foregoing provisions shall be void.

- 6. Data submitted by a business to a school-education districtin response to a request for bids are private until opened. Once opened, the name of the bidder and the dollar amount specified become public; all other data are private until completion of the selection process, meaning the school-education districthas completed its evaluation and ranked the responses. After completion of the selection process, all data submitted by all bidders are public except trade secret data. If all responses are rejected prior to completion of the selection process, all data remain private, except the name of the bidder and the dollar amount specified which were made public at the bid opening for one year from the proposed opening date or until resolicitation results in completion of the selection process or until a determination is made to abandon the purchase, whichever occurs sooner, at which point the remaining data becomes public. Data created or maintained by the school-districteducation district as part of the selection or evaluation process are protected as nonpublic data until completion of the selection or evaluation process. At that time, the data are public with the exception of trade secret data.

C. Contracts From \$25,000 to \$175,000

If the amount of the sale is estimated to exceed \$25,000 but not to exceed \$175,000, the contract may be made either upon sealed bids in the manner directed above or by direct negotiation, by obtaining two or more quotations for the purchase or sale when possible, and without advertising for bids or otherwise complying with the requirements of competitive bidding notice. All quotations obtained shall be kept on file for a period of at least one year after receipt.

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- a. another school-districteducation district;
- b. the state department of corrections;
- c. the board of trustees of Minnesota State Colleges and Universities;
- d. the family of a student residing in the district whose total family income meets the federal definition of poverty; or
- e. a charitable organization under section 501(c)(3) of the Internal Revenue Code that is registered with the attorney general's office for educational use.

- 2. If surplus school-education districtcomputers are not disposed of as described in Paragraph 1., upon adoption of a written resolution of the school-education districtboard, when updating or replacing school-education districtcomputers, including tablet devices, used primarily by students, the school-districteducation district may sell or give used computers or tablets to qualifying students at the price specified in the written resolution. A student is eligible to apply to the school-education districtboard for a computer or tablet under this subdivision if the student is currently enrolled in the school-education districtand intends to enroll in the school-education districtin the year following the receipt of the computer or tablet. If more students apply for computers or tablets than are available, the school-education districtmust first qualify students whose families are eligible for free or reduced-price meals and then dispose of the remaining computers or tablets by lottery.

Legal References: Minn. Stat. § 13.591 (Business Data)
Minn. Stat. § 15.054 (Public Employees Not to Purchase Merchandise from Governmental Agencies; Exceptions; Penalty)
Minn. Stat. § 123B.29 (Sale of School Building at Auction)
Minn. Stat. § 123B.52 (Contracts)
Minn. Stat. § 471.345 (Uniform Municipal Contracting Law)
Minn. Stat. § 645.11 (Published Notice)

Cross References: MSBA Service Manual, Chapter 13, School Law Bulletin "F" (School District Contract and Bidding Procedures)

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806 CRISIS MANAGEMENT POLICY

[Note: The Commissioner of Education is required to maintain and make available to school district boards and charter schools a Model Crisis Management Policy. See Minn. Stat. § 121A.035. School district boards and charter schools must adopt a Crisis Management Policy to address potential crisis situations in their school districts or charter schools. Id. This Model Crisis Management Policy was originally the result of a collaborative effort between the Minnesota Department of Education, Division of Compliance and Assistance; the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management; and the Minnesota School Boards Association.]

I. PURPOSE

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

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

II. GENERAL INFORMATION

A. The Policy and Plans

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

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be maintained even in the event of a lock-down. Each building administrator will submit lock-down procedures for their building as part of the building-specific crisis management plan.

[Note: State law requires a minimum of five school lock-down drills each school year. See Minn. Stat. § 121A.035.]

- b. Evacuation Procedures. Evacuations of classrooms and buildings shall be implemented at the discretion of the building administrator or his or her designee. Each building's crisis management plan will include procedures for transporting students and staff a safe distance from harm to a designated safe area until released by the building administrator or designee. Safe areas may change based upon the specific emergency situation. The evacuation procedures should include specific procedures for children with special needs, including children with limited mobility (wheelchairs, braces, crutches, etc.), visual impairments, hearing impairments, and other sensory, developmental, or mental health needs. The evacuation procedures should also address transporting necessary medications for students that take medications during the school day.

[Note: State law requires a minimum of five school fire drills, consistent with Minn. Stat. § 299F.30, and one school tornado drill each school year. See Minn. Stat. § 121A.035.]

- c. Sheltering Procedures. Sheltering provides refuge for students, staff, and visitors within the school district building during an emergency. Shelters are safe areas that maximize the safety of inhabitants. Safe areas may change based upon the specific emergency. The building administrator or his or her designee will announce the need for sheltering over the public address system or other designated system. Each building administrator will submit sheltering procedures for his or her building as part of the building-specific crisis management plan.

[Note: The Comprehensive School Safety Guide (2011 Edition) has sample lock-down procedures, evacuation procedures, and sheltering procedures.]

- 2. Crisis-Specific Procedures. The Crisis Management Policy includes crisis-specific procedures for crisis situations that may occur during the school day or at school district-sponsored events and functions. These district-wide procedures are designed to enable building administrators to tailor response procedures when creating building-specific crisis management plans.

[Note: The Comprehensive School Safety Guide (2011 Edition) includes crisis-specific procedures.]

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

B. Elements of the District Crisis Management Policy

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

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

[Note: More specific information on planning for children with special needs can be found in the Comprehensive School Safety Guide (2011 Edition) and United States Department of Education's document entitled, "Practical Information on Crisis Planning, a Guide for Schools and Communities." A website link is provided in the resource section of this Policy.]

- a. Lock-Down Procedures. Lock-down procedures will be used in situations where harm may result to persons inside the school district building, such as a shooting, hostage incident, intruder, trespass, disturbance, or when determined to be necessary by the building administrator or his or her designee. The building administrator or designee will announce the lock-down over the public address system or other designated system. Code words will not be used. Provisions for emergency evacuation will

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3. School District Emergency Response Teams

- a. Composition. The building administrator in each school district building will select a school district emergency response team that will be trained to respond to emergency situations. All school district emergency response team members will receive on-going training to carry out the building's crisis management plans and will have knowledge of procedures, evacuation routes, and safe areas. For purposes of student safety and accountability, to the extent possible, school district emergency response team members will not have direct responsibility for the supervision of students. Team members must be willing to be actively involved in the resolution of crises and be available to assist in any crisis situation as deemed necessary by the building administrator. Each building will maintain a current list of school district emergency response team members which will be updated annually. The building administrator, and his or her alternative designees, will know the location of that list in the event of a school district emergency. A copy of the list will be kept on file in the school district office, or in a secondary location in single building school districts.

[Note: The Comprehensive School Safety Guide (2011 Edition) has a sample School Emergency Response Team list.]

- b. Leaders. The building administrator or his or her designee will serve as the leader of the school district emergency response team and will be the primary contact for emergency response officials. In the event the primary designee is unavailable, the designee list should include more than one alternative designee and may include members of the emergency response team. When emergency response officials are present, they may elect to take command and control of the crisis. It is critical in this situation that school district officials assume a resource role and be available as necessary to emergency response officials.

III. PREPARATION BEFORE AN EMERGENCY

A. Communication

- 1. District Employees. Teachers generally have the most direct contact with students on a day-to-day basis. As a result, they must be aware of their role in responding to crisis situations. This also applies to non-teaching school district personnel who have direct contact with students. All staff shall be aware of the school district's Crisis Management Policy and their own building's crisis management plan. Each

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sehoeducation district's building-specific crisis management plan shall include the method and dates of dissemination of the plan to its staff. Employees will receive a copy of the relevant building-specific crisis management plans and shall receive periodic training on plan implementation.

2. Students and Parents. Students and parents shall be made aware of the school-districteducation district's Crisis Management Policy and relevant tailored crisis management plans for each sehoeducation district building. Each school-districteducation district's building-specific crisis management plan shall set forth how students and parents are made aware of the district and sehoeducation district-specific plans. Students shall receive specific instruction on plan implementation and shall participate in a required number of drills and practice sessions throughout the school year.

B. Planning and Preparing for Fire

1. Designate a safe area at least 50 feet away from the building to enable students and staff to evacuate. The safe area should not interfere with emergency responders or responding vehicles and should not be in an area where evacuated persons are exposed to any products of combustion. (Depending on the wind direction, where the building on fire is located, the direction from which the fire is arriving, and the location of fire equipment, the distance may need to be extended.)

[Note: Evacuation areas at least 50 feet from sehoeducation district buildings are recommended but not mandated by statute or rule. Evacuation areas should be selected based on safety and the individual sehoeducation district site's proximity to streets, traffic patterns, and other hazards.]

2. Each building's facility diagram and site plan shall be available in appropriate areas of the building and shall identify the most direct evacuation routes to the designated safe areas both inside and outside of the building. The facility diagram and site plan must identify the location of the fire alarm control panel, fire alarms, fire extinguishers, hoses, water spigots, and utility shut offs.
3. Teachers and staff will receive training on the location of the primary emergency evacuation routes and alternate routes from various points in the building. During fire drills, students and staff will practice evacuations using primary evacuation routes and alternate routes.
4. Certain employees, such as those who work in hazardous areas in the building, will receive training on the locations and proper use of fire extinguishers and protective clothing and equipment.
5. Fire drills will be conducted periodically without warning at various times

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security information pursuant to Minn. Stat. § 13.37, school-districteducation districts are advised to consult with appropriate officials and/or legal counsel prior to dissemination of the facility diagrams or site plans to anyone other than first responders.]

D. Emergency Telephone Numbers

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

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

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

[Note: The Comprehensive School Safety Guide (2011 Edition), under the Preparedness/Planning section, has a sample Emergency Phone Numbers list.]

E. Warning and Notification Systems

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

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

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of the day and under different circumstances, e.g., lunchtime, recess, and during assemblies. State law requires a minimum of five fire drills each school year, consistent with Minn. Stat. § 299F.30. See Minn. Stat. § 121A.035.

[Note: The State Fire Marshal advises sehoeducation districts to defer fire drills during the winter months.]

6. A record of fire drills conducted at the building will be maintained in the building administrator's office.

[Note: The Comprehensive School Safety Guide (2011 Edition), under the Preparedness/Planning section, has a sample fire drills schedule and log.]

7. The school-districteducation district will have prearranged sites for emergency sheltering and transportation as needed.
8. The school-districteducation district will determine which staff will remain in the building to perform essential functions if safe to do so (e.g., switchboard, building engineer, etc.). The sehoeducation district also will designate an administrator or his or her designee to meet local fire or law enforcement agents upon their arrival.

[Note: The Comprehensive School Safety Guide (2011 Edition), under the Response section, has a sample fire procedure form, evacuation/relocation and student reunification/release procedures, and planning for student reunification.]

C. Facility Diagrams and Site Plans

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

[Note: For single building sehoeducation districts, such as charter schools, a secondary location for the diagrams and site plans will be included in the district's Crisis Management Policy and may include filing documents with a charter school sponsor, or compiling facility diagrams and site plans on a CD-Rom and distributing copies to first responders or sharing the documents with first responders during the crisis planning process.]

[Note: To the extent data contained in facility diagrams and site plans constitute

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dissemination of the warning system information to students and employees.

F. Early School Closure Procedures

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

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

[Note: The Comprehensive School Safety Guide (2011 Edition), under the Response section, provides universal procedures for severe weather shelter.]

G. Media Procedures

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

[Note: The Comprehensive School Safety Guide (2011 Edition), under the Response section, has a sample Media Procedures form.]

H. Behavioral Health Crisis Intervention Procedures

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

1. Administrator will meet with relevant persons, including school psychologists and counselors, to determine the level of intervention needed for students and staff.

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2. Designate specific rooms as private counseling areas.
3. Escort siblings and close friends of any victims as well as others in need of emotional support to the counseling areas.
4. Prohibit media from interviewing or questioning students or staff.
5. Provide follow-up services to students and staff who receive counseling.
6. Resume normal school routines as soon as possible.

I. Long-Term Recovery Intervention Procedures

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

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

[Note: The Comprehensive School Safety Guide (2011 Edition), under the Recovery section, addresses the recovery components in more detail.]

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

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

- A. Fire
- B. Hazardous Materials
- C. Severe Weather: Tornado/Severe Thunderstorm/Flooding
- D. Medical Emergency
- E. Fight/Disturbance
- F. Assault
- G. Intruder

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- H. Weapons
- I. Shooting
- J. Hostage
- K. Bomb Threat
- L. Chemical or Biological Threat
- M. Checklist for Telephone Threats
- N. Demonstration
- O. Suicide
- P. Lock-down Procedures
- Q. Shelter-In-Place Procedures
- R. Evacuation/Relocation
- S. Media Procedures
- T. Post-Crisis Procedures
- U. ~~Sehool~~Education district Emergency Response Team
- V. Emergency Phone Numbers
- W. Highly Contagious Serious Illness or Pandemic Flu

V. **MISCELLANEOUS PROCEDURES**

A. Chemical Accidents

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

[Note: ~~Sehool~~Education district buildings must maintain Material Safety Data Sheets (M.S.D.S.) for all chemicals on campus. State law, federal law, and OSHA require that pertinent staff have access to M.S.D.S. in the event of a chemical accident.]

B. Visitors

The ~~school district~~education district shall implement procedures mandating visitor

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sign in and visitors in ~~sehool~~education district buildings. See MSBA/MASA Model Policy 903 (Visitors to ~~Sehool District~~Education district Buildings and Sites).

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

C. Student Victims of Criminal Offenses at or on ~~Sehool~~Education district Property

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

[Note: The Every Student Succeeds Act, 20 U.S.C. § 6301, et seq.; Title IX, 20 U.S.C. § 1681, et seq.; and the Unsafe School Choice Option, 20 U.S.C. § 7912, require ~~sehool district~~education districts to establish such transfer procedures.]

D. Radiological Emergencies at Nuclear Generating Plants [OPTIONAL]

~~Sehool district~~Education districts within a 10 mile radius of the Monticello or Prairie Island nuclear power plants will implement crisis plans in the event of an accident or incident at the power plant.

Questions relative to the creation or implementation of such plans will be directed to the Minnesota Department of Public Safety.

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

- Cross References:** MSBA/MASA Model Policy 407 (Employee Right to Know – Exposure to Hazardous Substances)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 501 (School Weapons Policy)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 532 (Use of Peace Officers and Crisis Teams)

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to Remove Students with IEPs from School Grounds)
MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)
<https://dps.mn.gov/divisions/sfm/documents/2011comprehensiveschoolsafetyguide.pdf>

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904 DISTRIBUTION OF MATERIALS ON SCHOOL-DISTRICT EDUCATION DISTRICT PROPERTY BY NONSCHOOL-EDUCATION DISTRICT PERSONS

I. PURPOSE

The purpose of this policy is to provide for distribution of materials appropriate to the school-education district setting by nonstaff and nonstudents on school-district education district property in a reasonable time, place, and manner which does not disrupt the educational program nor interfere with the educational objectives of the school-education district.

II. GENERAL STATEMENT OF POLICY

- A. The school-district education district intends to provide a method for non-school-education district persons and organizations to distribute materials appropriate to the school-education district setting within the limitations and provisions of this policy.
B. To provide for orderly and nondisruptive distribution of materials, the school-education district board adopts the following regulations and procedures.

III. DEFINITIONS

- A. "Distribution" means circulation or dissemination of materials by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying materials, or placing materials in internal staff or student mailboxes.
B. "Materials" includes all materials and objects intended by non-school-education district persons or non-school-education district organizations for distribution.
C. "Non-school-education district person" means any person who is not currently enrolled as a student in or employed by the school-district education district.
D. "Obscene to minors" means:
1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;

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appropriate to the school-education district setting.

- B. Requests for distribution of materials will be reviewed by the administration on a case-by-case basis. However, distribution of the following materials is always prohibited. Material is prohibited that:
1. is obscene to minors;
2. is libelous;
3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended;
4. advertises any product or service not permitted to minors by law;
5. advocates violence or other illegal conduct;
6. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religion, or ethnic origin);
7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school-education district or school-education district activities, will cause the commission of unlawful acts or the violation of lawful school-education district regulations.
C. Permission for non-school-education district persons to distribute materials on school-district education district property is a privilege and not a right. In making decisions regarding permission for such distribution, the administration will consider factors including, but not limited to, the following:
1. whether the material is educationally related;
2. the extent to which distribution is likely to cause disruption of or interference with the school-district education district's educational objectives, discipline, or school-education district activities;
3. whether the materials can be distributed from the office or other isolated location so as to minimize disruption of traffic flow in hallways;
4. the quantity or size of materials to be distributed;
5. whether distribution would require assignment of school-district education district staff, use of school-district education district equipment, or other resources;

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- 2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, and lewd exhibition of the genitals; and
3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.

- E. "Minor" means any person under the age of eighteen (18).
F. "Material and substantial disruption" of a normal school-education district activity means:

- 1. Where the normal school-education district activity is an educational program of the school-district education district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
2. Where the normal school-education district activity is voluntary in nature (including school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

In order for expression to be considered disruptive, specific facts must exist upon which the likelihood of disruption can be forecast including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

- G. "School-Education district activities" means any activity sponsored by the school-education district including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays, other theatrical productions, and in-school lunch periods.
H. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower him or her in the esteem of the community.

IV. GUIDELINES

- A. Non-school-education district persons and organizations may, within the provisions of this policy, be granted permission to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, materials and objects which are

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- 6. whether distribution would require that non-school-education district persons be present on the school-education district grounds;
7. whether the materials are a solicitation for goods or services not requested by the recipients.

V. TIME, PLACE, AND MANNER OF DISTRIBUTION

If permission is granted pursuant to this policy for the distribution of any materials, the time, place, and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy.

VI. PROCEDURES

- A. Any non-school-education district person wishing to distribute materials must first submit for approval a copy of the materials to the administration at least five days in advance of desired distribution time, together with the following information:
1. Name and phone number of the person submitting the request.
2. Date(s) and time(s) of day of requested distribution.
3. If material is intended for students, the grade(s) of students to whom the distribution is intended.
4. The proposed method of distribution.
B. The administration will review the request and render a decision. The administration will assign a location and method of distribution and will inform the persons submitting the request whether non-school-education district persons may be present to distribute the materials. In the event that permission to distribute the materials is denied or limited, the person submitting the request should be informed in writing of the reasons for the denial or limitation.
C. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the school-education district board, or the individual reviewing the material submitted.
D. In the event that permission to distribute materials is denied, the non-school-education district person or organization may request reconsideration of the decision by the superintendent-executive director. The request for reconsideration must be in writing and must set forth the reasons why distribution is desirable and in the interest of the school-education district community.

VII. VIOLATION OF POLICY

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Any party violating this policy or distributing materials without permission will be directed to leave the ~~school-education district~~ property immediately and, if necessary, the police will be called.


VIII. IMPLEMENTATION

The ~~school-district~~education district administration may develop any additional guidelines and procedures necessary to implement this policy for submission to the ~~school-education district~~board for approval. Upon approval by the ~~school-education district~~board, such guidelines and procedures shall be an addendum to this policy.

[Note: ~~School-district~~Education districts are encouraged to consider additional guidelines which reflect varied local practices relating to this subject matter including addressing the subject of consistency and uniformity for approving or disapproving practices under this policy.]

- Legal References:** U. S. Const., amend. I
Hazelwood School District v. Kuhlmeier, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)
Doe v. South Iron R-1 School District, 498 F.3d 878 (8th Cir. 2007)
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987)
Cornelius v. NAACP Legal Defense and Educational Fund, Inc., 473 U.S. 788, 105 S.Ct. 3439, 87 L.Ed.2d 567 (1985)
Perry Education Ass'n v. Perry Local Educators' Ass'n, 460 U.S. 37, 103 S.Ct. 948, 74 L.Ed.2d 794 (1983)
Roark v. South Iron R-1 School Dist., 573 F.3d 556 (8th Cir. 2009)
Victory Through Jesus Sports Ministry Foundation v. Lee's Summit R-7 School Dist., 640 F.3d 329 (8th Cir. 2011), cert. denied 565 U.S. 1036, 132 S.Ct. 592 (2011)
- Cross References:** MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 512 (School-Sponsored Student Publications)

VI. New Business:
A. GCED FY 2022 LTFM Plan Draft

 DEPARTMENT OF EDUCATION		Division of School Finance 1500 Highway 36 West Roseville, MN 55113-4266		Long-Term Facility Maintenance Ten-Year Expenditure Application (LTFM) - Fund 01 and Fund 06 Projects Only								ED - 02478-05		ED - 02478-05	
Instructions: Enter estimated, allowable LTFM expenditures (Fund 01 and/or Fund 06 only) under Minnesota Statutes, section 123B.595, subdivision 10. Enter by Uniform Financial and Accounting Reporting Standards (UFARS) finance code and by fiscal year in the cells provided.															
District Info.		Enter Information		District Info.		Enter Information									
District Name:	Goodhue County Education District		Date:	6/18/2019		...DRAFT...									
District Number:	6051		Email:	kjohnson@rwps.org											
District Contact Name:	Kevin Johnson														
Contact Phone #	651.385.4507														
Fiscal Year (FY) Ending June 30															
Expenditure Categories			2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	
Health and Safety - this section excludes project costs in Category 2 of \$100,000 or more for which additional revenue is requested for Finance Codes 358, 363 and 366.															
Finance Code	Category (1)														
347	Physical Hazards		\$5,999	\$6,179	\$6,364	\$6,555	\$6,752	\$6,954	\$7,163	\$7,163	\$7,163	\$7,450	\$7,306	\$7,599	
349	Other Hazardous Materials		\$1,607	\$1,655	\$1,705	\$1,756	\$1,808	\$1,863	\$1,919	\$1,919	\$1,919	\$1,995	\$1,957	\$2,035	
352	Environmental Health and Safety Management		\$4,071	\$4,193	\$4,318	\$4,448	\$4,581	\$4,719	\$4,860	\$4,860	\$4,860	\$5,055	\$4,957	\$5,156	
358	Asbestos Removal and Encapsulation		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
363	Fire Safety		\$7,092	\$7,304	\$27,978	\$7,749	\$7,982	\$8,221	\$8,468	\$8,468	\$8,468	\$8,806	\$8,637	\$8,982	
366	Indoor Air Quality		\$1,071	\$1,103	\$1,136	\$1,171	\$1,206	\$1,242	\$1,279	\$1,279	\$1,279	\$1,330	\$1,305	\$1,357	
Total Health and Safety Capital Projects			\$19,840	\$20,434	\$41,501	\$21,679	\$22,329	\$22,999	\$23,689	\$23,689	\$23,689	\$24,636	\$24,163	\$25,129	
Health and Safety - Projects Costing \$100,000 or more per Project/Site/Year															
Finance Code	Category (2)														
358	Asbestos Removal and Encapsulation		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
363	Fire Safety		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
366	Indoor Air Quality		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Total Health and Safety Capital Projects \$100,000 or More			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Remodeling for Approved Voluntary Pre-K under Minnesota Statutes, section 124D.151															
Finance Code	Category (3)														
355	Remodeling for prekindergarten (Pre-K) instruction approved by the commissioner. (No new appropriations for this category FY 2020 - beyond.)		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Accessibility															
Finance Code	Category (4)														
367	Accessibility		\$0	\$0	\$1,000	\$1,000	\$1,200	\$1,400	\$1,456	\$1,514	\$1,575	\$1,638	\$1,638	\$1,703	
Deferred Capital Expenditures and Maintenance Projects															
Finance Code	Category (5)														
368	Building Envelope		\$0	\$0	\$500	\$500	\$500	\$183,000	\$0	\$0	\$0	\$600	\$600	\$600	
369	Building Hardware and Equipment		\$16,000	\$7,650	\$7,803	\$7,959	\$8,118	\$8,281	\$8,446	\$8,615	\$8,787	\$8,787	\$8,963	\$8,963	
370	Electrical		\$3,214	\$13,310	\$4,000	\$4,000	\$4,080	\$4,162	\$4,245	\$4,330	\$4,416	\$4,505	\$4,595	\$4,687	
379	Interior Surfaces		\$17,000	\$15,000	\$15,450	\$15,914	\$16,391	\$17,210	\$18,071	\$18,975	\$19,923	\$20,919	\$20,919	\$21,965	
380	Mechanical Systems		\$8,570	\$8,827	\$9,091	\$9,364	\$9,645	\$9,935	\$10,233	\$10,437	\$10,646	\$10,646	\$10,859	\$10,859	
381	Plumbing		\$3,214	\$5,000	\$5,150	\$5,305	\$5,464	\$5,628	\$5,792	\$5,956	\$6,120	\$6,284	\$6,448	\$6,612	
382	Professional Services and Salary		\$2,142	\$2,207	\$2,273	\$2,341	\$2,411	\$2,484	\$2,558	\$2,558	\$2,558	\$2,558	\$2,609	\$2,609	
383	Roof Systems		\$0	\$0	\$0	\$0	\$0	\$0	\$500	\$750	\$1,000	\$1,000	\$1,020	\$1,020	
384	Site Projects		\$22,000	\$22,000	\$22,000	\$30,000	\$22,000	\$22,000	\$22,440	\$22,889	\$23,347	\$23,347	\$23,814	\$23,814	
Total Deferred Capital Expense and Maintenance			\$72,140	\$73,994	\$66,267	\$75,382	\$68,609	\$252,700	\$81,493	\$74,518	\$76,822	\$78,691	\$79,707	\$81,035	
Total Annual 10-Year Plan Expenditures			\$91,980	\$94,428	\$108,768	\$98,061	\$92,138	\$277,099	\$106,638	\$99,722	\$102,086	\$104,964	\$105,508	\$107,867	

Goodhue County Education District #6051

Restrictive Procedures Plan

August 21, 2019

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Goodhue County Education District #6051 Restrictive Procedures Plan

In accordance with Minnesota Statute 125A.0941 and 125A.0942, Subd. 1, every school district is required to develop and make public a plan that discloses its use of restrictive procedures. Restrictive Procedure means the use of physical holding or seclusion in an emergency. The plan specifically outlines the list of restrictive procedures the school intends to use; how the school will monitor and review the use of restrictive procedures, including post use debriefings and convening an oversight committee; and a written description and documentation of the training and staff that have completed the training. This plan is available upon request.

The Goodhue County Education District #6051 uses restrictive procedures only in response to behavior(s) that constitutes an emergency, even if written into a child's Individual Education Plan (IEP) or Behavior Intervention Plan (BIP).

A. Definitions

The following terms are defined as:

1. "Emergency" means a situation where immediate intervention is needed to protect a child or other individual from physical injury. Emergency does not mean circumstances such as: a child who does not respond to a task or request and instead places his or her head on a desk or hides under a desk or table; a child who does not respond to a staff person's request unless failing to respond would result in physical injury to the child or other individual; or an emergency incident has already occurred and no threat of physical injury currently exists.
2. "Physical holding" means physical intervention intended to hold a child immobile or limit a child's movement where body contact is the only source of physical restraint, and where immobilization is used to effectively gain control of a child in order to protect a child or other individual from physical injury. The term physical holding does not mean physical contact that:
 - a. helps a child respond or complete a task;
 - b. assists a child without restricting the child's movement;
 - c. is needed to administer an authorized health related service or procedure; or
 - d. is needed to physically escort a child when the child does not resist or the child's resistance is minimal.
3. "Positive behavioral interventions and supports" means interventions and strategies to improve the school environment and teach children the skills to behave appropriately.
4. "Restrictive procedures" means the use of physical holding or seclusion in an emergency. Restrictive procedures must not be used to punish or otherwise discipline a child.
5. "Seclusion" means confining a child alone in a room from which egress is barred. Egress may be barred by an adult locking or closing the door in the room or

preventing the child from leaving the room. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion.

B. Staff Training – Requirements and Activities

Requirements

Personnel development activities will be provided to district staff and contracted personnel who have routine contact with students and who may use restrictive procedures in the following areas described below.

Staff who design and use behavioral interventions will complete training in the use of positive approaches as well as restrictive procedures. All staff that use restrictive procedures in the Goodhue County Education District are trained in CPI and/or PCMA procedures. At the first sight of anxiety in a student you will need to become supportive (an empathetic, nonjudgmental approach attempting to alleviate anxiety). Staff who design and use behavioral interventions will complete training in the communicative intent of behaviors including the following:

1. Questioning – Questioning authority and attempting to draw staff into power struggles.
2. Refusal – Noncompliance / slight loss of rationalization.
3. Release – Acting out or emotional outburst.
4. Intimidation – Verbal or nonverbal threatening.
5. Tension Reduction – Drop in energy after crisis situation.

Staff who design and use behavioral interventions will complete training in the following relationship building strategies:

1. Building relationships with students when they are doing well.
2. Re-establishing relationships after students come back from a crisis. Re-establishing rapport.
3. Provide students personal space.
4. Use appropriate nonverbal and paraverbal communication (tone, volume and cadence) when establishing relationships with students.

Staff who design and use behavioral interventions will complete training in the following alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior:

1. Recognizing anxiety.

2. Recognizing nonverbal behavior.
3. Giving students time and space to release.

Staff who design and use behavioral interventions will complete training in the following de-escalation methods:

1. Time and space
2. Someone to talk with
3. Walk/Exercise/Movement

Staff who use restrictive procedures will implement the following standards for use:

1. Only as a last resort when a person is a danger to self or others.
2. Always maintaining the Care, Welfare, Safety and Security of all.

Staff who design and use behavioral interventions will follow the Goodhue County Education District #6051 Crisis Plan in an emergency situation. Staff will also recognize that the physiological and psychological impact of physical holding and seclusion is different for all students. Staff must analyze, be aware of, and respond to this impact. Everyone being restrained should be considered "at risk". Interventions will be monitored for physical and psychological distress including the symptoms of and interventions that may cause potential asphyxia when physical holding is used.

Training records will identify the content of the training, attendees, and training dates. Goodhue County Education District #6051 will compile a list of all Crisis Prevention Institute (CPI) and Professional Crisis Management Association (PCMA) trainings and forward attendance records to the district on a quarterly basis. The district will maintain records of additional trainings provided within the district. Records of all trainings will be maintained at each building site. See Appendix A and B for Site Trainings and Attendance Forms, respectively.

The following employee job classifications are authorized and certified to use restrictive procedures.

- Licensed special education teacher
- School Social Worker
- School Psychologist
- Behavior analyst certified by the National Behavior Analyst Certification Board
- A person with a master's degree in behavior analysis
- Other licensed education professional
- Highly qualified education paraprofessional
- Mental Health professional

C. Restrictive Procedures or Seclusion

(a) Physical holding or seclusion may be used only in an emergency. A school that uses physical holding or seclusion shall meet the following requirements:

(1) physical holding or seclusion is the least intrusive intervention that effectively responds to the emergency;

(2) physical holding or seclusion is not used to discipline a noncompliant child;

(3) physical holding or seclusion ends when the threat of harm ends and the staff determines the child can safely return to the classroom or activity;

(4) staff directly observes the child while physical holding or seclusion is being used;

(5) each time physical holding or seclusion is used, the staff person who implements or oversees the physical holding or seclusion documents, as soon as possible after the incident concludes, the following information:

(i) a description of the incident that led to the physical holding or seclusion;

(ii) why a less restrictive measure failed or was determined by staff to be inappropriate or impractical;

(iii) the time the physical holding or seclusion began and the time the child was released; and

(iv) a brief record of the child's behavioral and physical status;

(6) the room used for seclusion must:

(i) be at least six feet by five feet;

(ii) be well lit, well ventilated, adequately heated, and clean;

(iii) have a window that allows staff to directly observe a child in seclusion;

(iv) have tamperproof fixtures, electrical switches located immediately outside the door, and secure ceilings;

(v) have doors that open out and are unlocked, locked with keyless locks that have immediate release mechanisms, or locked with locks that have

immediate release mechanisms connected with a fire and emergency system; and

(vi) not contain objects that a child may use to injure the child or others; and

(7) before using a room for seclusion, a school must:

(i) receive written notice from local authorities that the room and the locking mechanisms comply with the applicable building, fire, and safety codes; and

(ii) register the room with the commissioner, who may view that room.

Physical Holdings

All buildings in the Goodhue County Education District #6051 intend to use the following types of physical holding when trained in PCMA: 1 Person Transportation, 2 Person Transportation, 1 Person Vertical Immobilization, 2 Person Vertical Immobilization, 3 Person Vertical Immobilization, , 3 Person Supine Barr, 4 Person Prone Barr may be used. Additional training and monitoring by a qualified PCMA Instructor will be provided to staff using these procedures.

Seclusion

Attached, as Appendix D, is written notice from local authorities that the rooms and the locking mechanisms comply with applicable building, fire, and safety codes. The written notice was received from the Deputy State Fire Marshal, Inspector for Goodhue County on August 17, 2015. Room D100.6 is registered with the Minnesota Department of Education. Specifications of Room # D100.6 are included in Appendix D. This form will be completed and/or updated annually by the Goodhue County Education District Director or their designee.

No other buildings in the Goodhue County Education District #6051 will use any locked time out rooms for seclusion.

Notification to Parents

A school shall make:

- Reasonable efforts to notify the parent on the same day a restrictive procedure is used; or
- If unable to provide same-day notice, notice is sent within two days by:
 - Written means;

- Electronic means; or
- As otherwise indicated by the parent in the child's IEP or BIP

Reporting Requirements for Using Restrictive Procedures

Goodhue County Education District must report summary data to MDE by July 1st of the current school year, on districts' use of restrictive procedures during that school year, including data on:

- The number of incidents involving restrictive procedures;
- The total number of students on which restrictive procedures were used;
- The number of resulting injuries;
- Relevant demographic data on the students and school; and
- Other relevant data collected by the district.

Within 24 hours after a student with a disability suffers death or serious injury, the Goodhue County Education District must notify the Office of the Ombudsman of the death or serious injury. Reports of death or serious injury may be done by faxing a completed form to the Office of the Ombudsman.

Reporting Requirement – Serious Injury

“Serious Injury” means:

- Fractures;
- Dislocations;
- Evidence of internal injuries;
- Head injuries with loss of consciousness;
- Lacerations involving injuries to tendons or organs and those for which complications are present;
- Extensive second-degree or third-degree burns, and other burns for which complications are present;
- Extensive second-degree or third-degree frostbite, and others for which complications are present;
- Irreversible mobility or avulsion of teeth;
- Injuries to the eyeball;
- Ingestions of foreign substances and objects that are harmful;
- Near drowning;
- Heat exhaustion or sunstroke; and all other injuries considered serious by a physician*

Additionally, the Office of the Ombudsman asks that instances of self-injurious behaviors (SIB) or suicide attempts be reported to the Office when the injury results in hospitalization of the student or the need for medical treatment.

**further defined by the Office of the Ombudsman to include complications of a previous injury, complications of medical treatment, and other.*

D. Prohibited Procedures

The Goodhue County Education District will never use the following prohibited procedures on a child:

1. Corporal punishment which includes conduct involving: (a) hitting or spanking a person with or without an object; or (b) unreasonable physical force that causes bodily harm or substantial emotional harm;
2. Requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;
3. Presenting an intense sound, light, or other sensory stimuli using smell, taste, substance, or spray as punishment;
4. Denying or restricting a child's access to equipment and devices such as walkers, wheelchairs, hearing aids, and communication boards that facilitate a child's functioning, except when temporarily removing the equipment or device is needed to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible;
5. Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under section 626.556 (reporting of maltreatment of minors);
6. Totally or partially restricting a student's senses as punishment;
7. Withholding regularly scheduled meals or water;
8. Denying the child access to bathroom facilities; and
9. Physical holding that restricts or impairs a child's ability to breathe, restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso.
10. Prone Restraint

E. Documentation of Physical Holding, Seclusion and Prone Restraint

By February 1, 2015, and annually thereafter, stakeholders may, as necessary, recommend to the commissioner specific and measurable implementation and outcome goals for reducing the use of restrictive procedures and the commissioner must submit to the legislature a report on districts' progress in reducing the use of restrictive procedures that recommends how to further reduce these procedures and eliminate the use of seclusion. The statewide plan includes the following components: measurable goals; the resources, training, technical assistance, mental health services, and collaborative efforts needed to significantly reduce districts' use of seclusion; and recommendations to clarify and improve the law governing districts' use of restrictive procedures. The commissioner must consult with interested stakeholders when preparing the report, including representatives of advocacy organizations, special education directors, teachers, paraprofessionals, intermediate school districts, school boards, day treatment providers, county social services, state human services department staff, mental health professionals, and autism experts. Beginning with the 2016-2017 school year, in a form and manner determined by the commissioner, districts must report data quarterly to the department by January 15, April 15, July 15, and October 15 about individual students who have been secluded. By July 15 each year, districts must report summary data on their use of restrictive procedures to the department for the prior school year, July 1 through June 30, in a form and manner determined by the commissioner. The summary data must include information about the use of restrictive procedures, including use of reasonable force under section 121A.582.

The use of restrictive procedures in emergency situations will be documented through the use of the Restrictive Procedures Physical Holding Form (see Appendix E), Restrictive Procedures Seclusion Form (see Appendix F), and the Staff Debriefing Meeting Form (see Appendix G).

F. Documentation of Post-use Staff Debriefing Meeting

Each time physical holding or seclusion is used, the staff person who implemented or oversaw the physical holding or seclusion shall document as soon as possible after the incident concluded and conduct a post-use debriefing with involved staff within 2 school days of the incident after the restrictive procedure concludes. There will be at least one staff member attending the debriefing meeting who was not involved in the incident and has knowledge of behaviors. A copy of the Restrictive Procedures Physical Holding Form (see Appendix E) and/or Restrictive Procedures Seclusion Form (see Appendix F) and the Staff Debriefing Meeting Form (see Appendix G) will be sent to: the child's case manager, the building principal, the Goodhue County Education District Director, and a copy placed in the child's due process file. The Goodhue County Education District Director will keep a comprehensive file of all restrictive procedure forms to be used by the Building Oversight Committee (see Appendix H for list of committee members).

If the post-use debriefing meeting reveals that the use of physical holding or seclusion was not used appropriately, the Building Oversight Committee will convene immediately to ensure corrective action is taken. The Building Oversight Committee will review and evaluate the Restrictive Procedures Physical Holding Form (see Appendix E), the Restrictive Procedures Seclusion Form (see Appendix F), and the Staff Debriefing Meeting Form (Appendix G) to determine and recommend training needs.

G. Documentation for an Individual Education Plan (IEP)

The use of restrictive procedures in response to an emergency may be documented in the child's IEP or a behavior intervention plan (BIP) attached to the IEP. Reviews will be conducted in accordance with MN Statute which requires the district will hold a meeting of the IEP team, conduct or review a functional behavioral analysis, review data, consider developing additional or revised positive behavioral interventions and supports, consider actions to reduce the use of restrictive procedures, and modify the IEP or BIP as appropriate. The district must hold the meeting: within ten calendar days after district staff use restrictive procedures on two separate school days within 30 calendar days or a pattern of use emerges and the child's IEP or BIP does not provide for using restrictive procedures in an emergency; or at the request of a parent or the district after restrictive procedures are used. The district must review use of restrictive procedures at a child's annual IEP meeting when the child's IEP provides for using restrictive procedures in an emergency. If the IEP team determines that existing interventions and supports are ineffective in reducing the use of restrictive procedures or the district uses restrictive procedures on a child on ten or more school days during the same school year, the team, as appropriate, either must consult with other professionals working with the child; consult with experts in behavior analysis, mental health, communication, or autism; consult with culturally competent professionals; review existing evaluations, resources, and successful strategies; or consider whether to reevaluate the child. At the meeting the team will review any known medical or psychological limitations, including any medical information the parent provides voluntarily, that contraindicate the use of a restrictive procedure, consider whether to prohibit that restrictive procedure, and document any prohibition in the IEP or BIP.

Record retention will be in accordance with district policies on student records.

H. Building Oversight Committees

The Building Oversight Committee will meet quarterly to review data provided in the Restrictive Procedures Physical Holding Form (see Appendix E), Restrictive Procedures Seclusion Form (see Appendix F) and the Staff Debriefing Meeting form (see Appendix G). The Committee will complete the Building Oversight Committee Review Form (see Appendix I). The Building Oversight Committee will also complete the Annual Summary of Use of Restrictive Procedures from (see Appendix K). The Building Oversight Committee will make recommendations in regards to the District's Restrictive Procedures Plan and, if necessary, indicate training needs and establish a plan for addressing Committee recommendations.

If a post-use debriefing meeting reveals that the use of physical holding or seclusion was not used appropriately, the Building Oversight Committee will convene immediately to ensure corrective action is taken. The Building Oversight Committee will review and evaluate the Restrictive Procedures Physical Holding Form (see Appendix E), Restrictive Procedures Seclusion Form (see Appendix F), and the Staff Debriefing Meeting Form (see Appendix G) to determine and recommend training needs.

I. Emergency Situations – Use of Restrictive Procedures

The Goodhue County Education District #6051 shall make reasonable efforts to notify the parent on the same day when restrictive procedures are used in an emergency. If the school is unable to provide same-day notice, notice will be sent by written or electronic means or as otherwise indicated by the parent. Documentation of how the parent wants to be notified when a restrictive procedure is used may be found in the IEP or BIP.

Building administrators will receive written notification when restrictive procedures are used in emergency situations. Records will be reviewed and summarized annually.

J. Positive Behavior Interventions and Supports

The district is committed to using positive behavioral interventions and supports. Positive behavior interventions and supports (PBIS) means intervention and strategies to improve the school environment and teach children the skills to behave appropriately.

Each building in the Goodhue County Education District #6051 uses the following practices and procedures to teach expected behaviors and provide additional positive supports to students requiring further intervention:

In the Fall of 2010, we created a school-wide behavior plan that we wanted all students and teachers to follow. The items listed below were most important attributes of this plan.

Assist the school/site (i.e. administrators, teachers, students, and support staff) in reaching academic and behavioral benchmarks and goals.

Create a positive learning environment throughout the school/site.

Teach that all activities and curricula in the school/site are positive actions, including: reading, writing, math, nutrition, social skills, etc.

Develop a caring environment that is free of disruptive behavior, bullying, substance use, and violence.

In creating a school wide plan with input from all staff we were able to garner and maintain staff buy-in throughout the process. We continue to expand and strengthen our system in the use of research based positive behavior interventions and an increased collection and use of data.

PBIS correlates with both our staff development goals and district AYP plans. Research, as cited multiple times on the PBIS website, indicates that academic achievement increases as behavioral referrals decrease. As part of our efforts to increase academic

achievement and meet benchmarks, we understand the importance of having a cohesive and research driven response to student and staff behavior. During this past year we have also had extensive training on Professional Learning Communities (PLC). Having a strong PLC model allows us to examine and get our hands around issues that face us as we strive to increase student performance. PLCs also give us a vehicle to expand the knowledge base and implementation of new initiatives such as the implementation of PBIS.

Appendix C



The Goodhue County Education District has one room used for seclusion during the 2019-2020 year.

**Goodhue County Education District #6051
Seclusionary Locked Time Out Inspection Form**

Building: River Bluff Education Center Date of Inspection: August 17, 2015

Room #: D100.6 Person(s) Completing Form: Cherie Johnson

Fire Marshall checked on: August 17, 2015

Registered with MDE on: November 3, 2015

Room Measurement: 6'x5'4"

Description of Lighting, Ventilation and Heating: LED fixture. Ventilation goes through room at ceiling level – no opening into room

Plan for Maintenance and Cleaning after Use: The room is cleaned daily by the building custodial staff. Staff who use Room #D100.6 for seclusion will ensure the cleanliness of the room prior to and after each use.

Window Measurement: Room # D100.6 has a window in the door that measures 24"x4". When standing in front of the window, staff is able to see into the entire room.

Location of fixtures including electrical outlets, switches, smoke detectors, heating and ventilation fan and lights: There is one photoelectric smoke detector in the ceiling, a dimmer switch on the South wall, a sprinkler head in the ceiling(light hazard, quick response, security type sprinkler head), a ceiling diffuser (ducted supply air with a fire damper), and a return air grille in the ceiling (ducted return air with a fire damper).

- Are all fixtures tamperproof? Yes

Description of ceiling (height and type): Painted drywall and a height of 9ft above finished floor.

- Is ceiling secure? Yes No

Door and locking mechanisms:

- Does the door open out? Yes No
- Does the door lock? Yes No If yes, the locking mechanism must meet the following:
 - The lock immediately releases upon activation of the fire alarm and sprinkler system? Yes No
 - The locking device is designed to fail in the open position? Yes No
 - The locking mechanism has been approved by the local authorities indicating that it complies with all applicable building, fire, and safety codes? Yes No
- The district's plan for monthly testing of the locking mechanism is Custodian will check monthly.


Describe for the school will ensure the room does not contain any objects the child may use to injure the child or others: School staff will check Room # D100.6 prior to use and after each use and immediately remove any objects that could be used to injure the child or others.

Any room that does not meet the MN law and statutory provisions must be repaired. The district's plan for repair is: If at any time the room, locking mechanism, or any item in the room is found to be in need of repair, use of the room will immediately cease until repair can be made. Needed repairs will be reported to the Custodian and the Goodhue County Education Director.

Use of Restrictive Procedure – Physical Holding			
Student Name: _____ ID: _____ DOB: _____ Grade: _____ School: _____ Date of Incident: _____			
Ethnicity: Is the student Hispanic/Latino? What is the student's Race? (choose one or more) <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> White <input type="checkbox"/> Native Hawaiian or Pacific Islander			
Directions: The staff person who implemented or oversaw a physical hold must complete this form each time a physical hold is utilized.			
Staff Involved:			
Name:	Position	Role	Trained
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
Person completing form: _____		Title: _____	
EMERGENCY			
Was physical holding used to protect student or others from physical injury? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Description of the emergency situation:			
Description of the incident that led to physical holding:			
PHYSICAL HOLDING			
Description of the physical holding and a brief description of the student's behavioral and physical status:			

Was physical holding the least intrusive intervention to effectively respond to the emergency? <input type="checkbox"/> Yes <input type="checkbox"/> No Explain why a less restrictive intervention failed or was determined by staff to be inappropriate or impractical:
Did physical holding end when the threat of harm ended and staff determined that the student could safely return to the classroom or activity? <input type="checkbox"/> Yes <input type="checkbox"/> No Explain:
Did staff directly observe the child during physical holding? <input type="checkbox"/> Yes <input type="checkbox"/> No Explain:
Did staff sustain an injury as a result of the physical holding: <input type="checkbox"/> Yes <input type="checkbox"/> No Did the student sustain an injury as a result of the physical holding: <input type="checkbox"/> Yes <input type="checkbox"/> No
Time physical holding began: _____ Ended: _____ Total time: _____
Removal From School
Was the student removed from school by a police officer at the request of school personnel: <input type="checkbox"/> Yes <input type="checkbox"/> No
Parent Notification
Parents must be notified the same day a restrictive procedure is used. A written or electronic notice must be sent home within two (2) days if unable to notify on the same day. Parent: _____ Date: _____ Time: _____ Notified by: _____ How notified: _____

Appendix F

	Use of Restrictive Procedures: Seclusion
---	---

Date: _____

Student: _____ ID: _____ DOB: _____

School: _____ Grade: _____ Gender: _____

Part A. Is the student Hispanic/Latino?
 Yes No

Part B. What is the student's race? (Choose one or more)

<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> Asian
<input type="checkbox"/> Black or African American	<input type="checkbox"/> White
<input type="checkbox"/> Native Hawaiian or Other Pacific Islander	

Directions: Complete this form whenever a seclusion is used. All students must be monitored by an adult at all times. End the intervention when the threat of harm ends and staff determine that the student can safely return to the classroom or activity. A debriefing meeting must be held within two (2) days and a Staff Debriefing Meeting form completed.

Staff involved:

Name:	Position:

Signature of person completing this form: _____ Position: _____ Phone: _____

EMERGENCY

Was seclusion used to protect student or others from physical injury? Yes No
 Description of the emergency situation:

Description of the incident that led to seclusion:

SECLUSION

Location of the seclusion room:

- Did the room meet the requirements of a room used for seclusion? Yes No
- Was the room well lit, well ventilated, adequately heated and clean? Yes No
- Did the room contain objects that a student may use to injure themselves or others? Yes No

Brief description of the student's behavior and physical status during seclusion:

Was seclusion the least intrusive intervention to effectively respond to the emergency? Yes No

Explain why a less restrictive intervention failed or was determined to be inappropriate or impractical:

Did the seclusion end when the threat of harm ended and staff determined that the student could safely return to the classroom or activity? Yes No

Explain:

Did staff directly observe the child during the seclusion: Yes No

Explain:

Did the student sustain an injury as a result of the seclusion: Yes No

Did staff sustain an injury as the result of the seclusion: Yes No

Time seclusion began: _____ Ended: _____ Total Time: _____

REMOVAL FROM SCHOOL

Was the student removed from school by a police officer at the request of school personnel: Yes No

PARENT NOTIFICATION

Parents must be notified the same day a restrictive procedure is used. A written or electronic notice must be sent home within two (2) days if unable to notify on the same day.

Parent: _____ Date: _____ Time: _____

Notified by: _____

How notified: _____

**Goodhue County Education District #6051
Building Oversight Committee Members
2019-2020**

The Building Oversight Committee will meet quarterly to complete the Review Form (Appendix J) based on data provided in the Restrictive Procedures Form Physical Holding (Appendix E), Restrictive Procedures Form Seclusion Form (Appendix F), and the Staff Debriefing Meeting Form (Appendix G). The Committee will also complete the Annual Summary of Use of Restrictive Procedures form (Appendix K) and establish a plan for addressing Committee recommendations. The Building Oversight Committee may be called together at other times to address the inappropriate use of physical holding and/or seclusion and determine and recommend training needs. The Building Oversight Committee will also ensure IEP meetings are conducted in a timely manner.

River Bluff Education Center Oversight Committee Members

Cheryl Johnson, Executive Director
Nicole Jack, Director of Special Education/Principal
Jenny Marquardt, Coordinator
Shelly Angell, Social Worker
Erica Cordes, Teacher
Ashley Burman, Mental Health Professional
Jamie Hall, Paraprofessional

Appendix I

**Goodhue County Education District #6051
Building Oversight Committee Review Form**

Summary of Restrictive Procedures Form Physical Holding				
Frequency of Use:	Increase Decrease Same			
Duration of Use:	Increase Decrease Same			
Were the positive interventions consistently used prior to use of a restrictive procedure?		Yes	No	
Were parents notified the same day of the procedure or w/in 2 days (written or electronic)?		Yes	No	Explain:
Was an IEP meeting scheduled?		Yes	No	
Summary of Restrictive Procedures Form Seclusion				
Frequency of Use:	Increase Decrease Same			
Duration of Use:	Increase Decrease Same			
Were the positive interventions consistently used prior to use of a restrictive procedure?		Yes	No	
Were parents notified the same day of the procedure or w/in 2 days (written or electronic)?		Yes	No	Explain:
Was an IEP meeting scheduled?		Yes	No	
Summary of Prone Restraint Form				
Frequency of Use:	Increase Decrease Same			
Duration of Use:	Increase Decrease Same			
Were the positive interventions consistently used prior to use of a restrictive procedure?		Yes	No	
Were parents notified the same day of the procedure or w/in 2 days (written or electronic)?		Yes	No	Explain:
Was an IEP meeting scheduled?		Yes	No	
Summary of Staff Debriefing Meeting forms:				
Is there a pattern of antecedents?	Yes No Specify			
Is there a pattern of behaviors?	Yes No Specify			
Is there a pattern of staff response?	Yes No Specify			
Is there a pattern of interventions that helped return this student to his/her routine activities?	Yes No	Yes	No	
Is there a pattern of interventions that escalated student behaviors?		Yes	No	Explain:
Were procedures routinely discontinued when threat of harm ended?		Yes	No	
Were procedures routinely used only in an emergency?		Yes	No	
Members of the Review Team:		Yes	No	



Goodhue County Education District

Enhancing educational opportunities through interdistrict cooperation

Restrictive Procedures Oversight Committee Meeting Log Members Present

Date:	Start:	Stop:
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Agenda: Review RP data collected. Identify frequency of RP by student, school, and type of procedure. Determine if any RP were used in a non-emergency situation, review injuries if they occur, and if any additional staff training is necessary. When multiple RP have been implemented with one student, patterns or problems will be explored concerning: time of day, day of the week, duration, individuals involved, or any other factor where similarities may be established. Trends in data will be reviewed and compared to historical data. Proposals will be made to minimize the use of RP in the district.

Review of Data	Discussion	Action
Injuries	No Yes	
Non-emergencies	No Yes	
Staff Training	No Yes	
Emerging Patterns		
Trends		
Proposals to Minimize RP		

Goodhue County Education District #6051 Annual Summary of Use of Restrictive Procedures

School: _____ Date: _____

Staff Training:

How many staff members received the required CPI training in your building? _____

Did any untrained staff participate in a restrictive procedure? Yes No If yes, what was the rationale? _____

Seclusionary Time Outs:

How many seclusionary time outs were used during the school year? _____

Were any seclusionary time outs conducted in other than the specially designed time out room? Yes No

Were seclusionary time outs used only in response to an "Emergency?" Yes No

If the answer is "no," explain why and the corrective action taken: _____

Seclusionary time out room(s) was/were inspected during the school year? Yes No

Any repair to the room(s) has/have been made? Yes No

If no, responsible parties have been contacted to ensure room(s) has/have been repaired? Yes No

All room repairs must be made prior to the start of the next school year.

Physical Holding:

How many physical holdings were used during the school year? _____

Were physical holdings used only in response to an "Emergency?" Yes No

If the answer is "no," explain why and the corrective action taken: _____

Prone Restraint:

How many prone restraints were used during the school year? _____

Were any prone restraints used only in response to an "Emergency?" Yes No

If the answer is "no", explain why and the corrective action taken: _____

Prohibited Use:

Did the debriefing teams find incorrect or prohibited use of a restrictive procedure? Yes No

If "yes," what corrective action was taken: _____

Building Oversight Committee Recommendations for the Next Year (include training): _____

VII. Other:

VIII. Comments: Board/Director

IX. Next Meeting Date: July 23, 2020. at the River Bluff Education Center in Red Wing.

X. Adjournment