



Future Ready. Community Strong.

Regular Meeting Agenda

Diamondhead Education Center
200 W. Burnsville Parkway
Burnsville, MN, 55337

May 9, 2019

6:30 PM

5:30 PM Coskran Volunteer Awards Reception

5:45 PM Listening Session with Directors Darcy Schatz and Jen Holweger

I. Call to Order

A. Welcome Public

B. Pledge of Allegiance

II. Approval of Agenda

III. Information

A. Future Ready. Community Strong.

1. John Coskran Volunteer Awards

B. Sioux Trail Elementary Principal Overview 3
Presenter: Rachel Hughes, Principal

C. MW Savage Elementary Principal Overview 15
Presenter: Dr. Renee Brandner, Principal

D. Student Representative Report 27

E. Superintendent Report 28

F. Board Member Reports 29

IV. Business Meeting

A. Consent Agenda

Although Board action is required, it is generally unnecessary to hold discussion on these items. In the event a Board member wishes to discuss an item, that item will be moved for separate consideration.

1. Approve Minutes 30

2. Approve Personnel Recommendation 35

3. Adopt a Resolution to Accept Donations 36

4. Receive a Report on Listening Session 38

5. Schedule a Board Retreat on May 17, 2019 39

6. Approve, on a Second Reading Basis, Changes to Policies 699: *Teaching About Controversial Issues*; 621: *Educational Research*; and 624: *Online Learning* 40

7. Approve, on a Second Reading Basis, Rescinding Policy 629: *Alternative* 50

Instruction

8. Approve No Changes to Policies 708: *Transportation of Nonpublic School Students*; 710: *Extracurricular Transportation*; 712: *Video Surveillance Other than on Buses*; 701.1: *Modification of School District Budget*; 702 *Accounting*; 703: *Annual Audit*; 704: *Development and Maintenance of an Inventory of Fixed Assets and a Fixed Accounting System*; 705.1: *Post Issuance Debt Compliance Policy*; and 705.2: *Other Post-Employment Employee Benefits (OPEB) Investments* 53

B. New Business

1. 2019-20 ECSE Birth to Three Program and Eval Team Calendar 70
Presenter: Jackie Smith, Special Education Supervisor

2. Approve, on a First Reading Basis, Changes to Policies 711: *Video Recording on School Buses*; 899: *Naming School Buildings or Facilities*; 705: *Investments*; 715: *Purchasing and Bid Requirements*; 721: *Uniform Grant Guidance Policy Regarding Federal Revenue Sources*; and 720: *Vending Machines* 72
Presenter: Lisa Rider, Executive Director of Business Services

V. Adjourn



**Agenda III.B.
May 9, 2019**

To: Board of Education
Superintendent Cindy Amoroso

From: Rachel Hughes, Principal

Date: May 2, 2019

Re: Sioux Trail Elementary

Receive a Sioux Trail Elementary Principal Overview from Rachel Hughes, principal.



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Sioux Trail
May 9th, 2019
School Board Report

Future Ready. Community Strong.

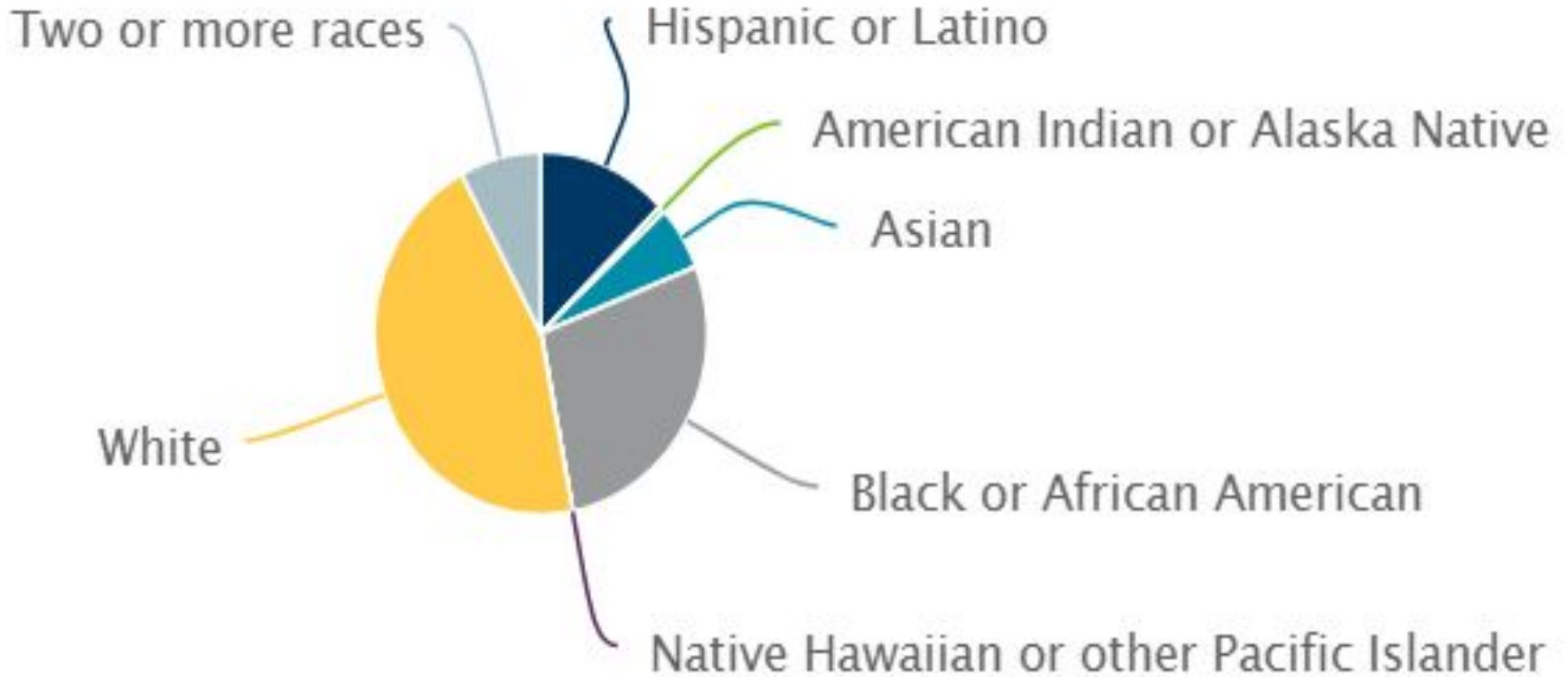
Sioux Trail Elementary



Growing Together; Putting Kids First

Yoga Calm

9
Mrs. Batterman's
4th Graders



White- 44%

Two or more races- 8%

Hispanic or Latino- 13%

Asian- 6%

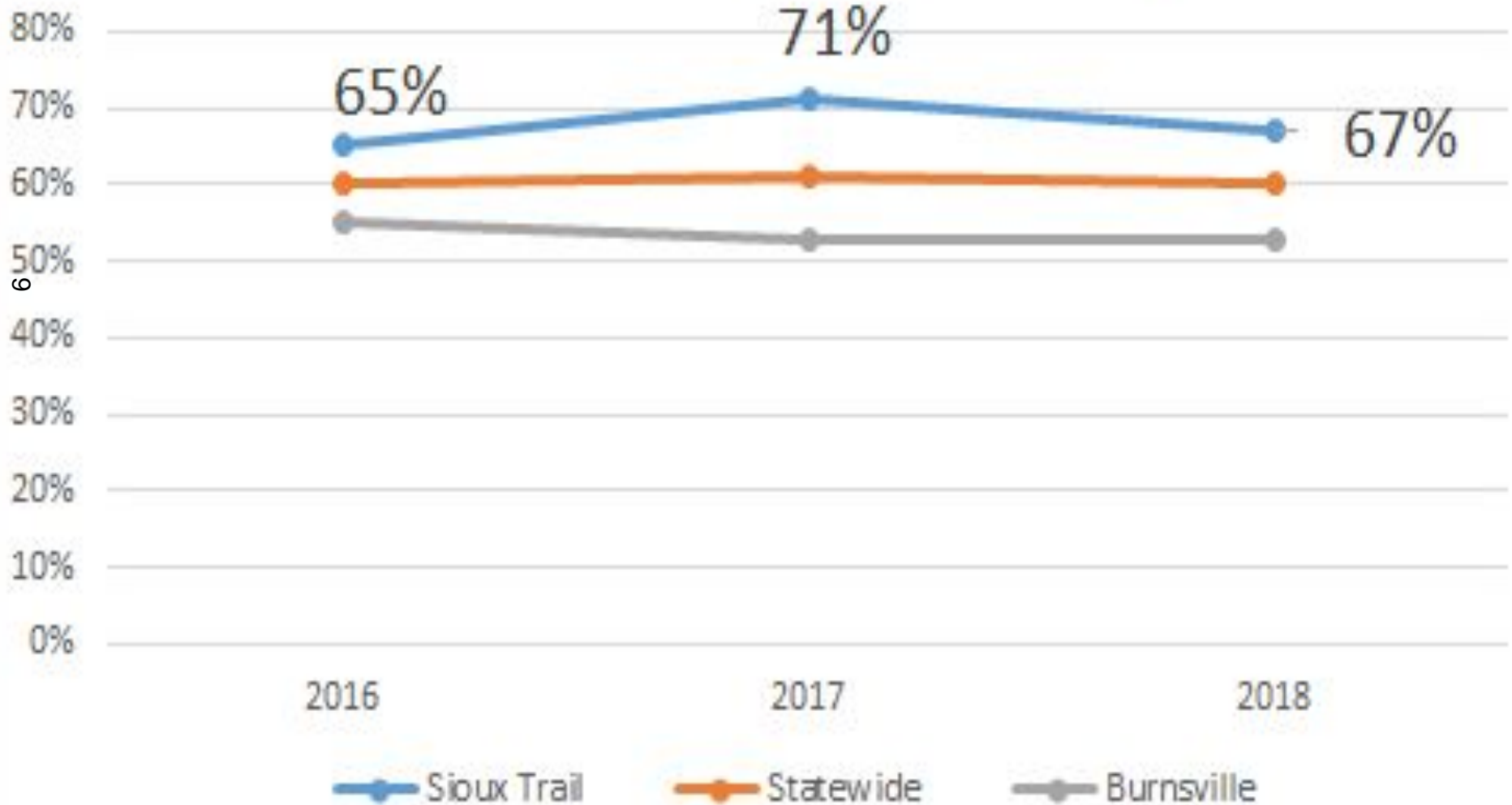
Black or African American- 27%

American Indian- 2%

Sioux Trail 2018-19 School Goal:

- Percentage of 3rd through 5th graders meeting or exceeding on the MCAs reading will increase by 2% (66.7%- 68.7 %)
- ∞
- Percentage black students 3rd through 5th graders meeting or exceeding on the MCAs will increase by 4% (45.5% - 49.5%).

MCA Reading Proficiency



Action Steps

- Social Emotional Learning
- Embed CPSS and PBIS strategies
- Being a Reader and Making Meaning- conferring with students

10



Next Steps

- Continue our Social Emotional Learning work
- Strengthen our tiers of support model
- Implementation of new math and writing curriculum



Our Sioux Trail Community



Positive Actions; Welcoming Students

PAWS



Contact Information:

Rachel Hughes

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Denise Engberg

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**Agenda III.C.
May 9, 2019**

To: Board of Education
Superintendent Cindy Amoroso

From: Dr. Renee Brandner, principal

Date: May 2, 2019

Re: M.W. Savage Elementary

Receive an M.W. Savage Elementary Principal overview from Dr. Renee Brandner, principal.



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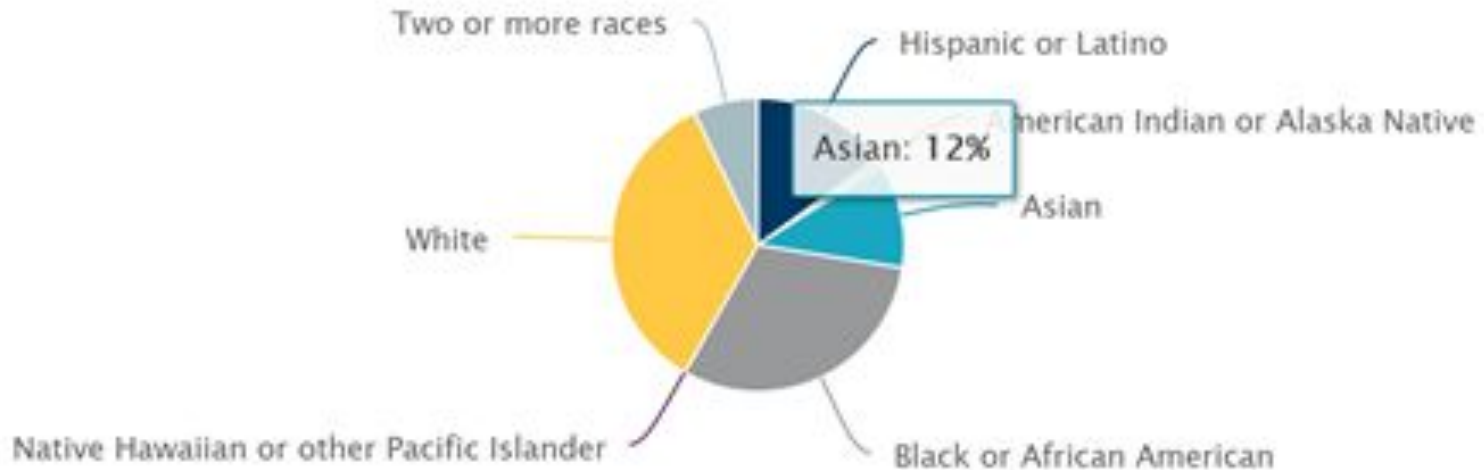


Marion W. Savage
May 9, 2019
School Board Report

Demographics

White - 34.6%
Black/African American - 30.8%
Hispanic/Latino - 15.1%
Asian - 12%

Two or more races - 7.1%
Native Hawaiian/Pacific Islander - 0%
American Indian/ Alaskan Native - .9%



From MN Department of Education: <http://rc.education.state.mn.us/#northStarAchievement/>

Site Improvement Plan

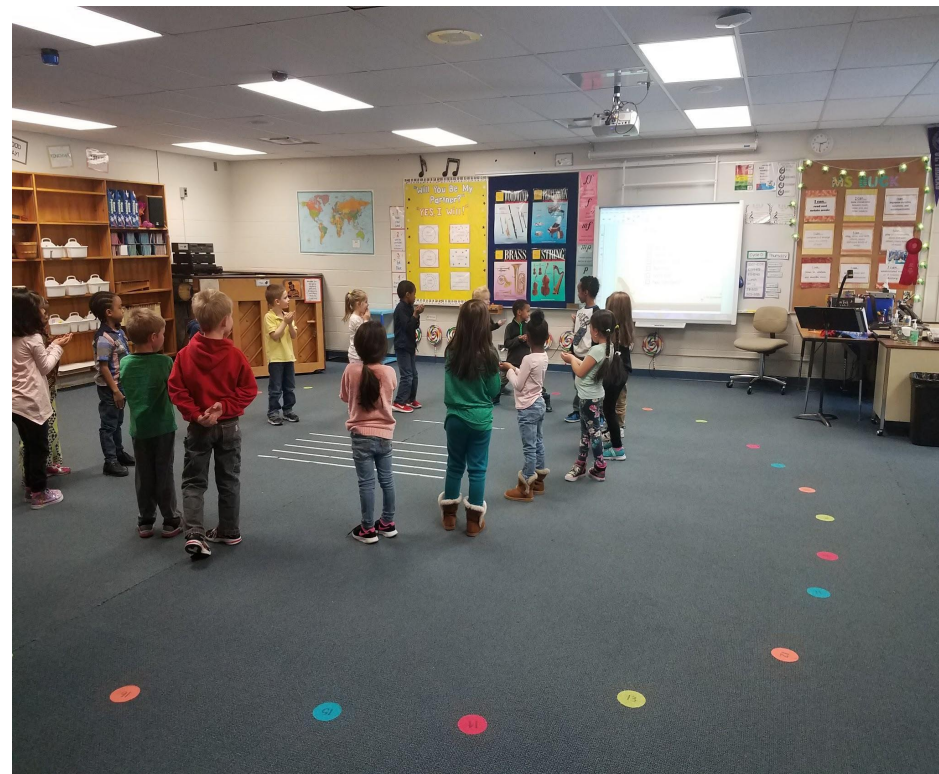
- Reading/MDE/Building ProPay Goal
 - The percentage of all students enrolled grades 3-5 at Marion W. Savage Elementary School who earn an achievement level of Meets the Standards or Exceeds the Standards in Reading on all accountability tests (MCA and MTAS) will increase from 50.3 % in 2018 to 53.4% in 2019, a 3.1% increase.
- Math Goal
 - The percentage of all students in grades 1-5 at Marion W. Savage Elementary School who Meet or Exceed their spring individual RIT Growth Projection on the NWEA MAP Assessment in Math as reported on the Student Growth Summary Report will increase from 63.8% in spring 2018 to 67% in spring 2019, a 3.2% increase.
- PBIS Behavior Goal
 - The total number of all office visits during the 2018-19 school year at Marion W. Savage Elementary School will decrease by 13 visits, from 163 in 2018 to 150 in 2019, an 8% decrease.

M.W. Savage MCA Reading

Percent of students
proficient on MCAs
Grades 3-5

2018	50.3
2017	44.6
2016	54.3

19



MWS MCA Reading

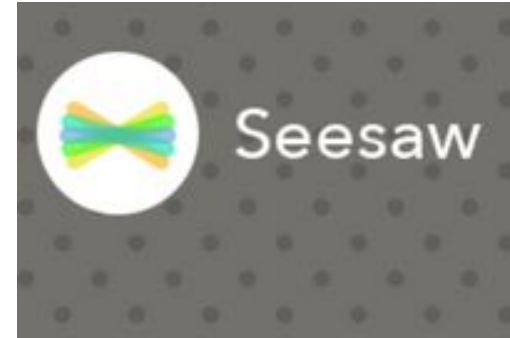
Grades 3-5

20	Total Proficient gr. 3-5	Am. Indian/ Alaskan Native	Asian	Hispanic/ Latino	Black/ African American	White
2018	47%	33.3%	55%	20.0%	39.6%	63.9%
2017	44.6%	66.7%	41.7%	24.1%	33.3%	68.1%
2016	54.3%	33.3%	30.4%	30.8%	28%	56.5%

Data from Viewpoint- students tested any season



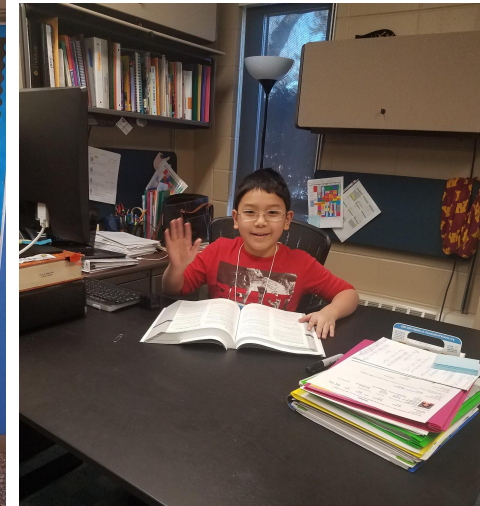
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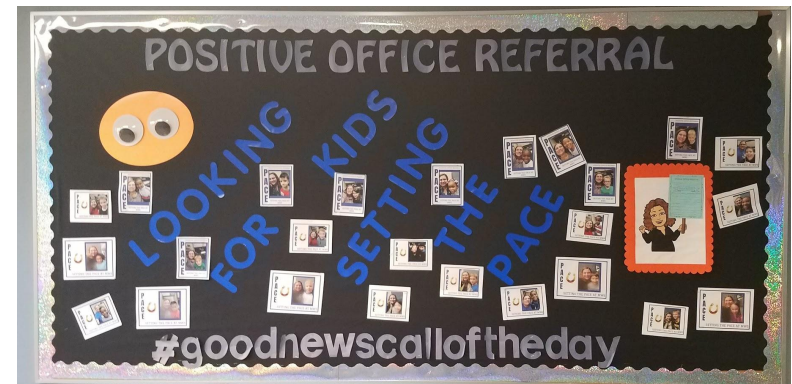
Preschool at MWS



Building a Positive Community



2019 Minnesota
PBIS Sustaining Exemplar Recognition



We are Proud of:



Positive responses to School Climate Survey for Students Gr.3-5

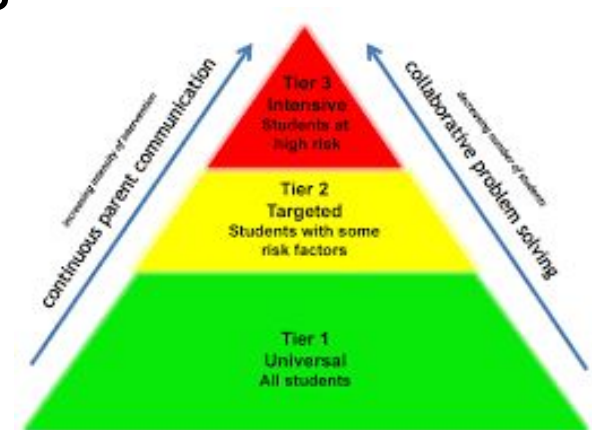
This survey also collected data by ethnicity and gender.

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- 84% "I like coming to school."
- 92% "I feel safe at school."
- 92% "Adults are happy to see me."
- 93% "I am proud of the work I do at school."
- 94% "My teachers like me."

Next Steps

- Focus on English language learners
- Continue work refine our work with the CCC reading materials and Being a writer
- Strengthen our MTSS model
- Strengthen our relationships with parents



Contact Information:

Renee Brandner, Principal

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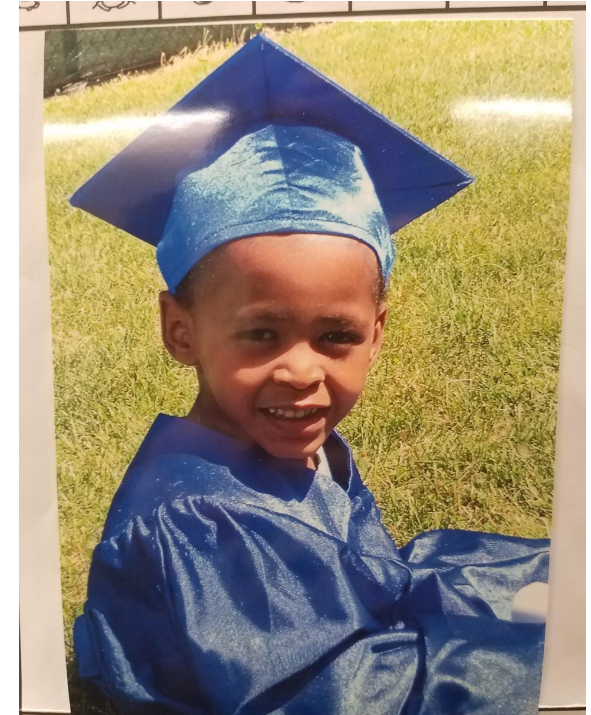
First Grade Teacher

Briana Benson bmbenson@isd191.org

ESL Teacher

Mary Beth Plaschko mplaschko@isd191.org

Continuous Improvement Coach



**Each Student
Future Ready**

Community Strong!



**Agenda III.D.
May 9, 2019**

To: Board of Education
From: Student Representative Sundus Hussein
Date: May 2, 2019
Re: Student Representative Report

Receive the Student Representative Report from Student Representative Sundus Hussein.



**Agenda III.E.
May 9, 2019**

To: Board of Education
From: Superintendent Cindy Amoroso
Date: May 2, 2019
Re: Superintendent Report

Receive the Superintendent Report from Superintendent Cindy Amoroso.



**Agenda III.F.
May 9, 2019**

To: Board of Education
Superintendent Cindy Amoroso

From: Board Chair Abigail Alt

Date: May 2, 2019

Re: Board Member Reports

Receive reports from Board Members.

School Board Minutes
INDEPENDENT SCHOOL DISTRICT 191
April 25, 2019

The meeting of the Board of Education was called to order by Chair Alt at 6:30 p.m. at the Diamondhead Education Center, 200 West Burnsville Parkway, Burnsville, MN.

Call to Order

Members present: Schatz, Currier, Miller, Hume, Holweger and Chair Alt were present. Chester was absent. Others in attendance were Superintendent Amoroso, Student Representative Hussein, administrators, staff and members of the public.

Attendance

Alt welcomed the audience and asked Schatz to lead the Pledge of Allegiance.

Pledge of Allegiance

Moved by Schatz, seconded by Currier, to approve the agenda. Motion carried unanimously (6, 0).

Agenda

Received a report regarding a Student Experience at Disney Dreamers Academy - Alyse Dees, BHS Senior.

Reports

Received a report from Dr. Kathy Funston regarding the Burnsville Education Network and Employer Breakfast.

Received a report on Bowls for BrainPower from Tom Umhoefer, director of community education, and Pamela Voigt, BrainPower in a Backpack coordinator.

Received a Metcalf Middle School Principal Overview from Shannon McParland, principal, and Akram Osman, associate principal.

Received a Vista View Elementary Principal Overview from Jeff Nepsund, principal, and Jen Houfman, 3rd grade teacher.

Received a verbal report from Superintendent Cindy Amoroso.

Received committee reports from Miller on behalf of the Legislative Committee and Currier on behalf of the Policy Review Committee. Currier also reported on 917, Burnsville Hall of Fame, and the NSBA Annual Conference.

No other Board Member reports were given.

Moved by Miller, seconded by Hume, to approve the consent agenda:
-Approve minutes from the regular board meeting on March 14, 2019;
special workshop on April 3, 2019; special meeting on April 8, 2019; special meeting on April 9, 2019; special meeting on April 10, 2019; special

Consent Agenda
Minutes

meeting on April 16, 2019; and special meeting on April 17, 2019.

- Approve personnel recommendations for D. Daniell, S. Etienne, G. Dunlop, S. Jorgenson, J. Kopel, C. Knutson, M. Limberg, S. Spaulding, Tara Nelson, K. Van Hoom, A. Lutz, E. Weilandgruber, K. Schafer, K. Vo, K. Freeburg, A. Tofte, K. Korkowski. C. Gores, V. Kanne, M. Schmidt, K. Floyd, P. Nordmark, J. Braun, S. Pin, Q. Voris, F. Mathys, M. Santoski, L. Molina, L. Santos, K. Contreras, T. Ringger, S. Emhoff, Christopher Anderson, S. Greiner, J. Handrahan, C. Beckers, M. Young, T. Hartman, J. Hrimnak, P. Moreno De Mercado, L. Busch, M. Mosley, B. Serig, J. Wastvedt, R. Walker, and M. Davidge.
- Adopt a resolution to approve and accept donations as presented.
- Approve January payroll checks in the net amount of \$4,238,916.88. January claims to date and wire transfers and adjustments totaling \$15,808,604.25. Also, that the Board accepts January receipts of \$14,178,688.02 and investments for the General Fund & 2015A School Building Bonds and OPEB of \$40,518,466.38 as of January 31, 2019.
- Approves February payroll checks in the net amount of \$4,245,695.52. February claims to date and wire transfers and adjustments totaling \$7,832,857.01. Also, that the Board accepts February receipts of \$11,898,478.79 and investments for the General Fund & 2015A School Building Bonds and OPEB of \$41,529,154.98 as of February 28, 2019.
- Accept the Budget Analysis for the month ending February 28, 2019.
- Accept the Budget Analysis for the month ending January 31, 2019,
- Report on Listening Session on March 14, 2019.

Motion carried unanimously (6, 0).

Personnel
Recommendations

Donations
Payroll, claims,
receipts and
investments

Budget Analysis

Listening Session

Moved by Schatz, seconded by Miller, that the Board of Education approves the FY20 premiums and rates for employee benefits. Motion carried unanimously after discussion (6, 0).

Insurance
Premiums

Moved by Currier, seconded by Hume, that the Board of Education adopt the following resolution:

Long-term Subs

BE IT RESOLVED, by the Board of Education of School District 191, that the teaching contracts of the following long-term substitute teachers be terminated at the close of the 2018 - 2019 school year:
Baranauckas, Charles-MWS; Brandt, Nancy-SO; Campbell, Loretta-ECSE; Daniell, Donna-ERMS; Erbes, Sarah-ECSE; Etienne, Samantha-BHS; Getchell, Michael-ERMS; Hanson, Beverly-WB; Heim, Mary, POND-ECSE; Kutz, Robin-VV, WB; Lobben, Angela-ST; Mosher, Nancy-WB; Mosher, Nancy-EN; Moukrim, Mina-BHS; Palo, Kalissa-BHS; Pottinger, Drew-NMS; Reagan, Kathryn-ECSE; Tano, Derek-BHS; and Tofte, Andrew-MWS.

BE IT FURTHER RESOLVED, that written notice is sent to said teachers regarding termination and nonrenewal of his/her contract as provided by law.
Motion carried unanimously (6,0).

Moved by Schatz, seconded by Currier, that the Board of Education adopts the following resolution: BE IT RESOLVED, by the Board of Education of Independent School District 191 that the portion of teaching contracts of staff in excess of 1.0 and/or contractual rights be terminated at the close of the 2018 – 2019 school year.

Contracts in Excess of 1.0 FTE

Teacher Name	TOTAL FTE
William P Aamodt	.03109
Meghan Bartling	.05359
Christopher M Brown	.06500
Kelly J Cox	.02785
Catherine T Flynn	.06500
Kristen E Fournier	.06500
Kimberly A Fritz	.06362
Jeffrey Hammer	.06500
Amy M Hill	.10000
Michael T Huemoeller	.05016
Scott Kosloski	.03603
Kaj Lund	.13000
Melinda Mallinger	.01970
Chad Meyer	.01087
Patricia Mosey	.06500
Berenice Nava	.08000
Michelle E Neuer	.01908
Melissa B Persons	.05000
Stephen M Pettinelli	.03365
Eric Reuss	.02367
Vicki M Robole	.20000
Bridget P Serig	.03109
Wendell A Sletten	.18000
Gretel Stern	.03000
Mitzi R Tetzloff	.03057
Mark B Van Der Woude	.03109
Elizabeth Weilandgruber	.06500
Anne Werner-Dempsey	.00939

Motion carried unanimously (6, 0).

Moved by Currier, seconded by Miller, that the Board of Education adopt the following resolution: BE IT RESOLVED, by the Board of Education of Independent School District 191, pursuant to Minnesota Statute § 122A.40 that the teaching contracts of the following licensed probationary teachers in Independent School District 191 be terminated at the end of the 2018 –

Probationary Teachers

2019 school year.

Name	Location	FTE Amount
Beeninga, Jane	GP	1.0
Benson, Paul	ERMS	.83
Berchild, Megan	ST	1.0
Besaw, Miranda	MMS	1.0
Bodette, Barbara	NMS	1.0
Brace, Roxanna	GP	1.0
Brandon, Debra	HV	.40
Butler, Corinn	BHS	1.0
Byrne, Melinda	NMS	1.0
Christensen, Kelsey	NMS	1.0
Corrow, Bryce	WB	1.0
Counters, Erica	VV	1.0
Decker, Katherine	ERMS	1.0
Flikeid, Tasha	DW	1.0
Flynn, Catherine	ERMS	.17
Forester, Katie	WB	1.0
Fournier, Kristen	MMS	.51
Hansen, Sarah	GP	1.0
Huisman, Mitchell	ST, WB	.50
Hussain, Usman	HV	1.0
Islam, Tasia	NMS	.17
Johnson, Paige	GP	1.0
Kamano, Joy	NMS	1.0
Keck, Matthew	MMS	1.0
Kohner, Joseph	HV	1.0
Kosloski, Scott	BHS, Elem	1.0
Kutz, Robin	MWS	1.0
Loran, Kerianne	MWS	1.0
Lund, Kaj	MMS	.85
Lytle, Christina	DW	1.0
Meyer, Ryan	HV	1.0
Mickelson, Ashly	VV	1.0
Millen, Emily	BHS	.90
Nava, Berenice	BHS, NMS, ERMS	.09
Ngeh, Laura	MMS	1.0
Parker, Victoria	BHS	1.0
Parks, Courtney	NMS	1.0
Pettes, Julie	ST	.60
Pike, Megan	ERMS	1.0
Preblich, Ashley	WB	1.0
Rafiei, Nima	WB	1.0
Rambow, Chase	ERMS	1.0
Risinger, Daniel	R, WB	.50
Roth, Ashley	BHS	1.0

Schmeichel, Matthew	BHS	.70
Schuett, Dawn	ERMS	1.0
Sletten, Wendell	NMS	.67
Springer, Melissa	WB	1.0
Stern, Gretel	NMS	1.0
Sutton, Megan	WB	1.0
Taack, Gina	ST	1.0
Thomas, Emily	BHS	1.0
Thorson, Ashley	GP	1.0
Towers, Gilbert	ERMS	.51
Turner, Tiffany	BHS	1.0
Twedten, Sara	MMS	1.0
Wening, Alisha	EN, GP	1.0
Willox, Cameron	BHS	.50
Wills, Alexandria	HV	1.0

BE IT FURTHER RESOLVED, that written notice is sent to said teachers regarding termination and nonrenewal of his/her contract as provided by law. Motion carried (6, 0).

Moved by Schatz, seconded by Holweger, that the Board of Education award the base bid in the amount of \$266,300.00 and Alternate #1 in the amount of \$4,500.00 for the Burnsville High School tennis court reconstruction project, and award the base bid in the amount of \$139,833.00 for the tennis court reconstruction project at Nicollet Middle School. Motion carried unanimously (6, 0).

BHS Tennis Court

Moved by Miller, seconded by Currier, to approve the contract for Superintendent of Schools. Motion carried unanimously after discussion (6, 0).

Superintendent Contract

Moved by Schatz, seconded by Holweger, to adjourn at 8:02 p.m. to a Board Workshop for Board Review: Sup Search Best Practice. Motion carried unanimously (6, 0).

Adjourn to workshop

The workshop began at 8:07 p.m. The purpose of the workshop was Board Review: Sup Search Best Practices.

Workshop

The workshop adjourned at 8:42 p.m.

Adjourn

May 9, 2019

Darcy Schatz, clerk

Date approved

May 9, 2019

**Burnsville-Eagan-Savage Public Schools
Independent School District 191
Human Resources**

TO: Members, Board of Education
Cynthia Amoroso, Superintendent

FROM: Stacey Sovine, Executive Director of Human Resources

DATE: May 9, 2019 FINAL

RE: Recommended Personnel Changes

CLASSIFICATION	ACTION	POSITION CONTROL	NAME	FINAL	LOCATION	POSITION	EFFECTIVE DATE
Certified	Appointment		Andrew Tofte		MW Savage Elementary School	Teacher Long Term Substitute	3/13/2019-5/21/2019
Certified	Recall		Jane Beeninga	*	Gideon Pond Elementary	Teacher ESL	2019/2020 School Year
Certified	Resignation		Annalise Peck		ECSE Center	Teacher ECSE	6/7/2019
Certified	Resignation		Michael Franssen	*	Burnsville High School	Teacher	6/7/2019
Certified	Retirement		Debra Bigelow	*	WM. Byrne Elementary School	Teacher	6/7/2019
Certified	Retirement		Colleen Foley	*	Metcalfe Middle School	Teacher SPED	6/7/2019
Certified	Retirement		Lucretia Jeffers	*	Metcalfe Middle School	Teacher	6/7/2019
Certified	Retirement		Debra S. Johnson	*	Burnsville Alternative High School	Teacher	6/7/2019
Certified	Retirement		Janice Stahly	*	ECSE Center	Teacher ECSE	6/7/2019
Certified	Retirement		Amy Stead	*	Burnsville High School	Teacher	6/7/2019
Certified	Retirement		Kathy Wittnebel	*	Nicollet Middle School	Licensed School Nurse	6/7/2019
Classified	Appointment	Replacement	Matthew Porter		Burnsville High School	EA Level IV	5/2/2019
Classified	Appointment	Replacement	Lisa Lake	*	Diamondhead Education Center	Communications Specialist	5/6/2019
Classified	Appointment	Replacement	Thomas Simmons	*	Vista View Elementary School	EA Level IV	5/3/2019
Classified	Leave of Absence		Mary Christensen		Vista View Elementary School	EA Level IV	5/1/2019-6/7/2019
Classified	Resignation		Phyllis Ryan		Sioux Trail Elementary School	EA Level II	6/6/2019
Classified	Resignation		Jessica Charles		Metcalfe Middle School	EA Level IV	5/10/2019
Classified	Resignation		Matthew Dalton	*	Nicollet Middle School	Food Service Associate	5/10/2019
Classified	Resignation		Lisa Lake	*	Burnsville High School	EA Level IV	5/31/2019
Classified	Retirement		Thomas Hartman		District-wide	Custodian III	5/1/2019 REVISED
Co-Curricular/Coach	Resignation		Christopher Brown		Burnsville High School	Assistant Football Coach	4/24/2019
Co-Curricular/Coach	Resignation		Tracy Cassano		Burnsville High School	Head Coach Girls Hockey	4/17/2019



**Agenda IV.A.3.
May 9, 2019**

To: Members, Board of Education
Cindy Amoroso, Superintendent

From: Lisa K. Rider, Executive Director of Business Services

Date: May 2, 2019

Re: Donations

RECOMMENDATION: To adopt a resolution to approve and accept donations as presented.

RESOLUTION TO ACCEPT DONATIONS

WHEREAS,

1. School Board Policy 706 establishes guidelines for the acceptance of gifts to the District; and
2. Minnesota Statute 123B.02, Subd. 6 states the School Board may receive, for the benefit of the district, bequests, donations, or gifts for any proper purpose and apply the same to the purpose designated; and
3. Minnesota Statute 465.03 states the School Board may accept a grant or devise of real or personal property only by the adoption of a resolution approved by two-thirds of its members; and
4. Businesses and individuals have submitted donations to the district;

THEREFORE, BE IT RESOLVED by the School Board of ISD 191 to approve and accept with appreciation the donations as presented below and to permit their use as designated by the donors.

Moved by: _____

Seconded by: _____

Members in favor of the motion:

Members opposed:

Whereupon said Resolution was declared duly passed and adopted on May 9, 2019.

Darcy Schatz, Clerk – Board of Education

Date	Donor	Recipient	Terms	Donation
4/19/2019	Wings Financial	Harriet Bishop Elementary	For Service Day Saturday expenses	\$150.00
4/19/2019	D. Fongs	Harriet Bishop Elementary	For Service Day Saturday expenses	150
4/19/2019	Burnsville Lion's Club	Harriet Bishop Elementary	For Service Day Saturday expenses	\$500.00
4/19/2019	Burnsville Lion's Club	Harriet Bishop Elementary	For Service Day Saturday expenses	\$500.00

Total monetary donation received: \$1300.00



**Agenda IV.A.4.
May 9, 2019**

To: Board of Education
From: Superintendent Cindy Amoroso
Date: April 26, 2019
Re: Report on Listening Session on April 25, 2019

4.25.19 School Board Listening Session

In attendance:
Board Members: Scott Hume and Eric Miller
Superintendent Cindy Amoroso

One member of the clerical unit advocated not to decrease two community ed clerical positions to ten months instead of twelve, but to leave them at twelve months.

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**Agenda IV.A.5.
May 9, 2019**

To: Board of Education
Superintendent Cindy Amoroso

From: Board Chair Abigail Alt

Date: May 2, 2019

Re: Schedule Board Retreat

Recommendation: that the Board of Education schedules a retreat on Friday, May 17th from 8:00 a.m. to 5:00 p.m. at the Diamondhead Education Center, 200 West Burnsville Parkway, Burnsville.

The purpose of the retreat is Board development.



Future Ready. Community Strong.

**Agenda IV.A.6.
May 9, 2019**

To: Board of Education
Superintendent Cindy Amoroso

From: Assistant Superintendent Brian Gersich

Date: May 2, 2019

Re: Approve Changes to Policies 699: *Teaching About Controversial Issues*; 621: *Educational Research*; and 624: *Online Learning*

Recommendation: Approve, on a second reading basis, changes to Policies 699: *Teaching About Controversial Issues*; 621: *Educational Research*; and 624: *Online Learning*.

The policies were reviewed at the Policy Review Committee meeting on February 25. The Board of Education approved the first reading on March 14. Below is a summary of changes.

699: *Teaching About Controversial Issues*

- Cross referenced 606: *Instructional Resources*.
- Removed II.D.4.

621: *Educational Research*

- Added II.B.6. "All information from student records that may be collected or requested for approved research studies will adhere to district policy on protection and privacy of pupil records (Policy 515)."
- Changed "educational" to "education" in section II.B.2.

624: *Online Learning*.

- Deleted II.C.
- Changed "on the same basis as other enrolled students" to "in accordance with other district policies." (Some online students are also enrolled in school).

Adopted: 6/1986
Reviewed: 3/14/2019
Revised: 5/9/2019
Rescinds: INB

Burnsville-Eagan-Savage School District Policy 699

699 TEACHING ABOUT CONTROVERSIAL ISSUES

I. PURPOSE

The development of critical thinking and preparation for citizenship are among the educational goals of the school district. As a result, the school district has a responsibility to include content dealing with current critical issues in various curriculum areas at all grade levels. Some of these issues may be controversial. The purpose of this policy is to recognize the benefit to students of the appropriate study of controversial issues within reasonable parameters. The school board has the final authority to give or withhold consent for any school activity or program.

II. GENERAL STATEMENT OF POLICY

- A. The school district and the individual classroom teachers have a responsibility to give students an opportunity to study controversial issues which have political, economic, or social significance. The course of this study should include access to appropriate, relevant information, including materials that circulate freely in the community, and competent instruction balancing the various points of view in an atmosphere free from bias, prejudice, discrimination, and harassment.
- B. In fulfilling this responsibility, the teacher shall make a deliberate effort to achieve balance within a reasonable period of time in the viewpoints and information to which students are exposed.
- C. Students and parents may express opinions on controversial issues without jeopardizing relations with school staff.
- D. In selecting controversial issues to be included in the instructional program, the staff shall use the following guidelines:
 - 1. The issue should contribute toward helping students develop techniques for examining other controversial issues.
 - 2. The issue should be suitable for students of the maturity and background represented in the class.
 - 3. The issue should be related to the course content and help achieve course objectives.

- E. If a controversial issue that is neither directly related to the course content nor specified as a part of the curriculum unexpectedly arises during a class discussion, for example as the result of a student's questions or comments or in the coverage of current events, the teacher may deal with student interest in the issue by devoting sufficient time to the issue to assure balanced, impartial coverage.

III. COMPLAINTS

- A. The administration shall establish procedures, subject to school board approval, for handling any complaints relative to the study of controversial issues.
- B. Recognizing the difficult position in which teachers will sometimes be placed in carrying out this policy and in giving students an opportunity to study a controversial issue, the school board places trust and confidence in its employees and will support their actions insofar as possible, from anonymous, unreasonable, or ill-considered complaints.

IV. TRAINING

- A. Principals and secondary area leaders shall be responsible for informing all staff members of the policy on coverage of controversial issues in the curriculum. In doing so, they shall emphasize the basic assumption that the school is providing an opportunity for students to study controversial issues, not teaching a viewpoint on controversial issues.
- B. A teacher who is in doubt concerning the advisability of discussing certain issues and materials in the classroom shall confer with his/her principal as to the appropriateness of doing so. If the teacher and principal are unable to agree, the issue shall be referred to the superintendent or superintendent's designee.

Legal References:

- Cross References:*** Burnsville-Eagan-Savage School District Policy 498 (Political Campaigns and Activities)
Burnsville-Eagan-Savage School District Policy 606 (Instructional Resources)

Adopted: 4/17/2014
Reviewed: 3/14/2019
Revised: 5/9/2019
Rescinds:

Burnsville-Eagan-Savage School District Policy 621

621 EDUCATIONAL RESEARCH

I. PURPOSE

The purpose of this policy is to establish the authority for the school district to work with other organizations on educational research.

II. GENERAL STATEMENT OF POLICY

A. The school board recognizes the value of educational research in developing, validating, and standardizing new programs and strategies in education. Our policy is to cooperate as much as possible with colleges, universities, and other responsible parties to promote potentially beneficial research. Such research shall not, however, unduly interfere with the normal operation of the schools, nor infringe upon the privacy of employees or students. Guidelines shall be developed by the administration to implement this policy.

B. Research must meet the following:

1. All research projects must have prior approval of the superintendent or designee.
2. The study must have the potential for making a definite contribution to the education profession in general and/or to the programs of Independent School District 191 in particular.
3. The study must be feasible to carry out in terms of the amount of time involved, the numbers of teachers and students participating, and the possible expense to the district. It must not impose undue burdens upon students or staff.
4. There must be a reasonable certainty that no child in Independent School District 191 will suffer educationally as a result of the research. The Protection and Privacy of Pupil Records details rules and regulations for collection and maintenance of school records. Persons wishing to conduct research in Independent School District 191 shall thoroughly review and abide by this policy.
5. The overall design of the study must be sound and have the potential for successful completion.

6. All information from student records that may be collected or requested for approved research studies will adhere to district policy on protection and privacy of pupil records (Policy 515).

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
20 U.S.C. 1232g (Family Educational Rights and Privacy Act)
20 U.S.C. 1232h (Protection of Pupil Rights)
34 C.F.R. Part 99 (Family Educational Rights and Privacy Act Regulations)
Gonzaga University v. Doe, 536 U.S. 273, 122 S.Ct. 2268, 153 L.Ed. 2d 309 (2002)
C.N. v. Ridgewood Bd. of Educ., 430 F.3d. 159 (3rd Cir. 2005)
Fields v. Palmdale School Dist., 427 F.3d. 1197 (9th Cir. 2005)

Cross References: Burnsville-Eagan-Savage School District Policy 406 (Public and Private Personnel Data)
Burnsville-Eagan-Savage School District Policy 515 (Protection and Privacy of Pupil Records)
Burnsville-Eagan-Savage School District Policy 520 (Student Surveys)

Adopted: 1/28/2016
Reviewed: 3/14/2019
Revised: 5/9/2019
Rescinds:

Burnsville-Eagan-Savage School District Policy 624

624 ONLINE LEARNING OPTIONS

I. PURPOSE

The purpose of this policy is to recognize and govern online learning options of students enrolled in Independent School District 191 for purposes of compulsory attendance and address enrollment of students with an online learning provider for supplemental or full-time online learning.

II. GENERAL STATEMENT OF POLICY

- A. On-line learning should be held to the same standards as traditional learning.
- B. Supervision of students' on-line coursework is the responsibility of the on-line provider.
- C. The school district shall not prohibit an enrolled student from applying to enroll in online learning.
- D. The school district shall grant academic credit for completing the requirements of an online learning course or program.
- E. The school district shall allow an online learning student to have the same access to the computer hardware and education software available in the school district as all other students in the school district.
- F. The school district shall continue to provide non-academic services to online learning students.
- G. Online learning students may participate in the extracurricular activities of the school district in accordance with other district policies.

III. DEFINITIONS

- A. "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 used as a primary method to deliver instruction.
- B. "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.

- C. “Enrolling district” means the school district or charter school in which a student is enrolled under Minn. Stat. § 120A.22, Subd. 4, for purposes of compulsory education.
- D. “Full-time online learning provider” means an enrolling school authorized by the Minnesota Department of Education (MDE) to deliver comprehensive public education at any or all of the elementary, middle, or high school levels.
- E. “Online learning course syllabus” is a written document that an online learning provider transmits to the enrolling school district using a format prescribed by the Commissioner of MDE (Commissioner) to identify the state academic standards embedded in an online learning course, the course content outline, required course assessments, expectations for actual teacher contact time, and other student-to-teacher communications, and the academic support available to the online learning student.
- F. “Online learning” is a form of digital learning delivered by an approved online learning provider under Paragraph III.H.
- G. “Online learning student” is a student enrolled in an online learning course or program delivered by an authorized online learning provider.
- H. “Online learning provider” is a school district, an intermediate school district, or an organization of two or more school 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. “Student” is a Minnesota resident enrolled in a public school, a nonpublic school, church or religious organization, or home school in which a child is provided instruction in compliance with Minn. Stat. §§ 120A.22 and 120A.24.
- J. “Supplemental online learning” means an online learning course taken in place of a course period at a local district school.

IV. PROCEDURES

- A. Dissemination and Receipt of Information
 - 1. The school district shall make available information about online learning to all interested people. The school district may utilize the list of approved online learning providers and online learning courses and programs developed, published, and maintained by MDE.
 - 2. The school district will receive and maintain information provided to it by online learning providers.

3. The online learning provider must report or make available information on an individual student's progress and accumulated credit to the student, the student's parent, and the enrolling district in a manner specified by the Commissioner unless the enrolling district and the online learning provider agree to a different form of notice and notify the Commissioner.
4. The enrolling district must designate a contact person to help facilitate and monitor the student's academic progress and accumulated credits toward graduation.

B. Student Enrollment

1. A student may apply for full-time enrollment in an approved online learning program. The student must have the written consent of a parent or guardian to do so if the student is under eighteen (18) years of age.
2. The student and the student's parents must submit an application to the online learning provider and identify the student's reason for enrolling. An online learning provider that accepts a student under this section must notify the student and the enrolling district in writing within ten days if the enrolling district is not the online learning provider. The student and the student's parent must notify the online learning provider of the student's intent to enroll in online learning within ten days of being accepted, at which time the student and the student's parent must sign a statement indicating that they have reviewed the online course or program and understand the expectations of enrolling in online learning. The online learning provider must use a form provided by MDE to notify the enrolling district of the student's application to enroll in online learning.
3. The supplemental online learning notice to the enrolling district when a student applies to the online learning provider will include the courses or program, credits to be awarded, and the start date of the online learning course or program. An online learning provider must make available the supplemental online learning course syllabus to the enrolling district. Within 15 days after the online learning provider makes information in this paragraph available to the enrolling district, the enrolling district must notify the online learning provider whether the student, the student's parent, and the enrolling district agree or disagree that the course meets the enrolling district's graduation requirements. A student may enroll in a supplemental online learning course up to the midpoint of the school district's term. The school district may waive this requirement for special circumstances with the agreement of the online learning provider.
4. An online learning course or program that meets or exceeds a graduation standard or the grade progression requirement of the enrolling district as described in the provider's online learning course syllabus meets the corresponding graduation requirements applicable to the student in the enrolling district. If the enrolling district does not agree that the course or

program meets its graduation requirements, then the enrolling district must make available an explanation of its decision to the student, the student's parent, and the online learning provider; and the online learning provider may make available a response to the enrolling district, showing how the course or program meets the graduation requirements of the enrolling district.

5. An online learning student may enroll in supplemental online learning courses equal to a maximum of 50 percent of the student's full schedule of courses per term during a single school year, and the student may exceed the supplemental online learning registration limit if the enrolling district permits for supplemental online learning enrollment above the limit or if the enrolling district and the online learning provider agree to the instructional services. To enroll in more than 50 percent of the student's full schedule or courses per term in online learning, the student must qualify to exceed the supplemental online learning registration limit or apply to enroll in an approved full-time online learning program consistent with Paragraph IV.B.2. above. Full-time online learning students may enroll in classes at a local school under a contract for instructional services between the online learning provider and the school district.
6. An online learning student may complete course work at a grade level that is different from the student's current grade level.
7. An online learning student may enroll in additional courses with the online learning provider under a separate agreement that includes terms for paying any tuition or course fees.

C. Classroom Membership and Teacher Contact Time

1. The enrolling district may reduce an online learning student's regular classroom instructional membership in proportion to the student's membership in online learning courses.
2. The school district may reduce the course schedule of an online learning student in proportion to the number of online learning courses the student takes from an online learning provider other than the school district.
3. A teacher with a Minnesota license must assemble and deliver instruction to enrolled students receiving online learning from an enrolling district. The delivery of instruction occurs when the student interacts with the computer or the teacher and receives ongoing assistance and assessment of learning. The instruction may include curriculum developed by persons other than a teacher holding a Minnesota license.
4. The online learning provider, other than a digital learning provider offering digital learning to its enrolled students only under Minn. Stat. § 124D.095, Subd. 4(d), must give the Commissioner written assurance that

all courses meet state academic standards and the online learning curriculum, instruction, and assessment expectations for actual teacher contact time or other student-teacher communications and academic support meet nationally recognized standards and are described as such in an online learning course syllabus that meets the Commissioner's requirements.

D. Academic Credit; Graduation Standards or Requirements

1. The school district shall apply the same graduation requirements to all students, including online learning students.
2. The school district shall use the same criteria for accepting online learning credits or courses as it does for accepting credits or courses for nonresident transfer students under Minnesota law.
3. The school district may challenge the validity of a course offered by an online learning provider. Such a challenge will be filed with MDE.
4. The school district shall count secondary credits granted to an online learning student toward its graduation and credit requirements.
5. If a student completes an online learning course or program that meets or exceeds a graduation standard or grade progression requirement at the school district, that standard or requirement will be met.

Legal References: Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 120A.24 (Reporting)
Minn. Stat. § 123B.42, Subd. 1 (Curriculum; Electronic Components)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.09 (Post-Secondary Enrollment Options Act)
Minn. Stat. § 124D.095 (Online Learning Option Act)

Cross References: Burnsville-Eagan-Savage School District Policy 509 (Enrollment of Nonresident Students)
Burnsville-Eagan-Savage School District Policy 605 (Alternative Programs)
Burnsville-Eagan-Savage School District Policy 608 (Instructional Services – Special Education)
Burnsville-Eagan-Savage School District Policy 613 (Graduation Requirements)
Burnsville-Eagan-Savage School District Policy 620 (Credit for Learning)



Agenda IV.A.7.
May 9, 2019

To: Board of Education
Superintendent Cindy Amoroso

From: Assistant Superintendent Brian Gersich

Date: May 2, 2019

Re: Rescinding Policy 629: *Alternative Instruction*

Recommendation: Approve, on a second reading basis, rescinding Policy 629: Alternative Instruction.

The policy changes were reviewed by the Policy Review Committee on February 25. The Board of Education approved the first reading on March 14.

- Policy 629 overlaps with Policy 606: Instructional Resources

Adopted: 5/26/2016
Reviewed: 5/12/2016
Revised:
Rescinds:

629 ALTERNATIVE INSTRUCTION

I. PURPOSE

The purpose of this policy is to give direction when alternative instruction is requested.

II. GENERAL STATEMENT OF POLICY

In accordance with M.S. 120B.20, parents/guardians may review the content of instructional materials to be provided to their minor child. Content of instructional materials means content included in District-approved core and supplementary instructional resources

III. PROCEDURES

A. Review

1. Parents/guardians wishing to review instructional materials to be provided to their student will present the request to the Principal or designee, being as specific as possible as to which materials they wish to review. The building Principal or designee will arrange an opportunity for review of the requested material.
2. If the parents/guardians object to the content for the child, they are to notify the Principal or designee of the specific objection and complete the form "Alternative Instruction Request Form."

B. Alternative Instructional Plan

1. Principal or designee will propose alternative content and/or instruction that is reasonable within available resources. The form "School Alternative Instruction Plan" will be completed and reviewed with the parent(s) or guardian(s).
2. Alternative instruction may be provided by the parents/guardians if the alternative instruction offered by principal or designee does not meet the concerns of the parents/guardians. The District is not required to pay for the costs of alternative instruction provided by parents/guardians. The parent/guardian should complete the form "Parent-Provided Alternative Instruction."

3. The parents/guardians will submit, in writing, their plan to provide the alternative instruction.
4. School personnel will evaluate and assess the quality of the student's work produced as part of alternative instruction.
5. School personnel will not impose an academic or other penalty on a student merely for arranging alternative instruction under this policy.
6. Neither objection to the content of instructional materials nor provision of alternative instruction for any one student is to interfere with the rights of others to receive the regular instructional content.
7. Credits earned under alternative instruction will be documented as a "pass." These credits will not impact class rank or grade point average.

Legal References: M.S. 120B.20 - Parental Curriculum Review

Cross References:



Future Ready. Community Strong.

**Agenda IV.A.8.
May 9, 2019**

To: Board of Education
Superintendent Cindy Amoroso

From: Executive Director of Business Services Lisa Rider

Date: May 2, 2019

Re: Policies 708: *Transportation of Nonpublic School Students*; 710: *Extracurricular Transportation*; 712: *Video Surveillance Other than on Buses*; 701.1 *Modification of School District Budget*; 702: *Accounting*; 703: *Annual Audit*; 704: *Development and Maintenance of an Inventory of Fixed Assets and a Fixed Accounting System*; 705.1: *Post Issuance Debt Compliance Policy*; and 705.2: *Other Post-Employment Employee Benefits (OPEB) Investments*

Recommendation: Approve No Changes to Policies 708: *Transportation of Nonpublic School Students*; 710: *Extracurricular Transportation*; 712: *Video Surveillance Other than on Buses*; 701.1: *Modification of School District Budget*; 702: *Accounting*; 703: *Annual Audit*; 704: *Development and Maintenance of an Inventory of Fixed Assets and a Fixed Accounting System*; 705.1: *Post Issuance Debt Compliance Policy*; and 705.2: *Other Post-Employment Employee Benefits (OPEB) Investments*.

The policies were reviewed at the Policy Review Committee meeting on March 12 and April 23. The Board of Education reviews policies every three years. No changes to these policies are recommended at this time.

Adopted: 4/14/2016
Reviewed: ~~5/26/2016~~5/9/2019
Revised: 6/9/2016
Rescinds

708 TRANSPORTATION OF NONPUBLIC SCHOOL STUDENTS

I. PURPOSE

The purpose of this policy is to address transportation rights of nonpublic school students and to provide equality of treatment in transporting such students pursuant to law.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is to recognize the rights of nonpublic school students and to provide equal transportation to those students as required by law.

III. ELIGIBILITY

- A. The school district shall provide equal transportation within the school district for all students to any school when transportation is deemed necessary by the school district because of distance or traffic conditions in like manner and form as provided in Minn. Stat. §§ 123B.88 and 123B.92 when applicable. (Minn. Stat. § 123B.86, Subd. 1)
- B. Upon the request of a parent or guardian, the school district shall provide school bus transportation to the school district boundary for students residing in the school district at least the same distance from a nonpublic school actually attended in another school district as public school students are transported in the transporting school district. Such transportation shall be provided whether there is or is not another nonpublic school within the transporting school district, if the transportation is to schools maintaining grades or departments not maintained in the school district or if the attendance of such students at school can more safely, economically, or conveniently be provided for by such means. (Minn. Stat. § 123B.86, Subd. 2(a))
- C. The school district may provide school bus transportation to a nonpublic school in another school district for students residing in the school district and attending that school, whether there is or is not another nonpublic school within the transporting school district, if the transportation is to schools maintaining grades or departments not maintained in the school district or if the attendance of such students at school can more safely, economically, or conveniently be provided for by such means. If the school district transports students to a nonpublic school located in another school district, the nonpublic school shall pay the cost of such transportation provided outside the school district boundaries. (Minn. Stat. § 123B.86, Subd. 2(b))

- D. The school district shall provide the necessary transportation within school district boundaries between the nonpublic school and a public school or neutral site for nonpublic school students who are provided pupil support services if the school district elects to provide pupil support services at a site other than a nonpublic school. (Minn. Stat. § 123B.44, Subd. 1)
- E. When transportation is provided, the scheduling of routes, manner and method of transportation, control and discipline of students, and any other matter relating thereto shall be within the sole discretion, control, and management of the school district. (Minn. Stat. § 123B.86, Subd. 3; Minn. Stat. § 123B.91, Subd. 1a)
- F. Additional transportation to and from a nonpublic school may be provided at the expense of the school district where such services are provided in the discretion of the school district.

IV. SPECIAL EDUCATION/ STUDENTS WITH DISABILITIES

- A. If a resident student with a disability attends a nonpublic school located within the school district, the school district shall provide necessary transportation for the student within the school district between the nonpublic school and the educational facility where special instruction and services are provided on a shared-time basis. If a resident student with a disability attends a nonpublic school located in another school district and if no agreement exists for the provision of special instruction and services on a shared time basis to that student by the school district of attendance and where the special instruction and services are provided within the school district, the school district shall provide necessary transportation for that student between the school district boundary and the educational facility. The school district may provide necessary transportation for that student between its boundary and the nonpublic school attended, but the nonpublic school shall pay the cost of transportation provided outside the school district. School districts may make agreements for who provides transportation. Parties serving students on a shared time basis have access to a due process hearing system as provided by law. (Minn. Stat. § 125A.18)
- B. Students with disabilities whose IEP team determine that the student cannot be safely transported on the regular school bus and/or school bus route and/or when the student is transported on a special route for the purpose of attending an approved special education program shall be entitled to special transportation at the expense of the school district. The school district shall determine the type of vehicle used to transport students with disabilities based on their disabling condition and applicable laws. This section shall not be applicable to parents who transport their own child under a contract with the school district. (Minn. Stat. § 123B.88, Subd. 19; Minn. Rules Part 7470.1600, Subd. 1)
- C. Each driver and aide assigned to a vehicle transporting students with a disability will be provided with appropriate training for the students in their care, will assist students with their safe ingress and egress from the bus, will ensure the proper use

of protective safety devices, and will be provided with access to emergency health care information as required by law. (Minn. Rules Part 7470.1700)

- D. Any parent of a student with a disability who believes that the transportation services provided for that child are not in compliance with the applicable law may utilize the alternative dispute resolution and due process procedures provided for in Minn. Stat. Ch. 125A. (Minn. Rules Part 7470.1600, Subd. 2)

V. APPLICATION OF GENERAL POLICY

The provisions of the school district's policy on transportation of public school students [*Burnsville-Eagan-Savage School District Policy 707*] shall apply to the transportation of nonpublic school students except as specifically provided herein.

Legal References: Minn. Stat. § 123B.44 (Provision of Pupil Support Services)
Minn. Stat. § 123B.84 (Policy)
Minn. Stat. § 123B.86 (Equal Treatment)
Minn. Stat. § 123B.88 (Independent School Districts, Transportation)
Minn. Stat. § 123B.91, Subd. 1a (Compliance by Nonpublic and Charter School Students)
Minn. Stat. § 123B.92 (Transportation Aid Entitlement)
Minn. Stat. Ch. 125A (Children With a Disability)
Minn. Stat. § 125A.18 (Special Instruction; Nonpublic Schools)
Minn. Rules Part 7470.1600 (Transporting Pupils with Disability)
Minn. Rules Part 7470.1700 (Drivers and Aides for Pupils with Disabilities)
Americans United, Inc. as Protestants and Other Am. United for Separation of Church and State, et al. v. Independent Sch. Dist. No. 622, et al., 288 Minn. 1996, 179 N.W.2d 146 (Minn. 1970)
Eldredge v. Independent Sch. Dist. No. 625, 422 N.W.2d 319 (Minn. Ct. App. 1988)
Healy v. Independent Sch. Dist. No. 625, 962 F.2d 1304 (8th Cir. 1992)
Minn. Op. Atty. Gen. 166a-7 (June 3, 1983)
Minn. Op. Atty. Gen. 166a-7 (Sept. 14, 1981)
Minn. Op. Atty. Gen. 166a-7 (July 15, 1976)
Minn. Op. Atty. Gen. 166a-7 (July 17, 1970)
Minn. Op. Atty. Gen. 166a-7 (Oct. 3, 1969)
Minn. Op. Atty. Gen. 166a-7 (Sept. 12, 1969)

Cross References: Burnsville-Eagan-Savage School District Policy 707 (Transportation of Public School Students)
Burnsville-Eagan-Savage School District Policy 709 (Student Transportation Safety Policy)
MSBA Service Manual, Chapter 2, Transportation

Adopted: 4/14/2016
Reviewed: [3/24/2016](#)[5/9/2019](#)
Revised:
Rescinds:

Burnsville-Eagan-Savage School District Policy 710

710 EXTRACURRICULAR TRANSPORTATION

I. PURPOSE

The purpose of this policy is to make clear to students, parents, and staff the school district's policy regarding extracurricular transportation.

II. GENERAL STATEMENT OF POLICY

The determination as to whether to provide transportation for students, spectators, or participants to and from extracurricular activities shall be made solely by the school district administration. This determination shall include, but is not limited to, the decision to provide transportation, the persons to be transported, the type or method to be utilized, all transportation scheduling and coordination, and any other transportation arrangements or decisions. Employees who are involved in extracurricular activities shall be advised by the administration as to the transportation arrangements made, if any.

III. ARRANGEMENT OF EXTRACURRICULAR TRANSPORTATION

School district employees shall not undertake independent arrangement, scheduling, or coordination of transportation for extracurricular activities unless specifically directed or approved by the school district administration. All transportation arrangements made by a school district employee must be approved by a building administrator. If the school district makes no arrangements for extracurricular transportation, students who wish to participate are responsible for arranging for or providing their own transportation.

IV. NO EMPLOYEE TRANSPORTATION OF STUDENTS WITH PERSONAL VEHICLES

An employee must not use a personal vehicle to transport one or more students except as provided herein. However, employees may make appropriate transportation arrangements for students as necessary in an emergency or other unforeseeable circumstance.

In a nonemergency situation, an employee must get prior, written approval from the superintendent or designee before transporting a student in a personal vehicle. If a school vehicle is available, the employee will use the school vehicle. The superintendent or designee has the sole discretion to make a final determination as to the appropriate use of a personal vehicle to transport one or more students.

If any emergency transportation arrangements are made by employees pursuant to this section, the relevant facts and circumstances shall be reported to the administration as

soon thereafter as practicable.

All vehicles used to transport students shall be properly registered and insured.

V. FEES

In its discretion, the school district may charge fees for transportation of students to and from extracurricular activities conducted at locations other than school, where attendance is optional.

Legal References: Minn. Stat. § 123B.36 (Authorized Fees)
Minn. Stat. § 169.011, Subd. 71(a) (Definition of a School Bus)
Minn. Stat. § 169.454, Subd. 13 (Type III Vehicle Standards – Exemption)

Cross References: Burnsville-Eagan-Savage School District Policy 422 (Policies Incorporated by Reference)
Burnsville-Eagan-Savage School District Policy 610 (Field Trips)
Burnsville-Eagan-Savage School District Policy 709 (Student Transportation Safety Policy)
MSBA Service Manual, Chapter 2, Transportation

Adopted: 4/14/2016
Reviewed: [3/24/2016](#)[5/9/2019](#)
Revised:
Rescinds:

Burnsville-Eagan-Savage School District Policy 712

712 VIDEO SURVEILLANCE OTHER THAN ON BUSES

I. PURPOSE

Maintaining the health, welfare, and safety of students, staff, and visitors while on school district property and the protection of school district property are important functions of the school district. The behavior of individuals who come on to school property is a significant factor in maintaining order and discipline and protecting students, staff, visitors, and school district property. The school board recognizes the value of video/electronic surveillance systems in monitoring activity on school property in furtherance of protecting the health, welfare, and safety of students, staff, visitors, and school district property.

II. GENERAL STATEMENT OF POLICY

A. Placement

1. School district buildings and grounds may be equipped with video cameras.
2. Video surveillance may occur in any school district building or on any school district property.
3. Video surveillance will normally not be used in bathrooms or locker rooms, although these areas may be placed under surveillance by individuals of the same sex as the occupants of the bathrooms or locker rooms. Video surveillance in bathrooms or locker rooms will only be utilized in extreme situations, with extraordinary controls, and only as expressly approved by the superintendent.

B. Use of Video Recordings

1. Video recordings will be viewed by authorized school district personnel on a random basis and/or when problems have been brought to the attention of the school district.
2. A video recording of the actions of students and/or employees may be used by the school district as evidence in any disciplinary action brought against any student or employee arising out of the student's or employee's conduct in school district buildings or on school grounds.
3. A video recording will be released only in conformance with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and the Family

Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and the rules and/or regulations promulgated thereunder.

C. Security and Maintenance

1. The school district shall establish appropriate security safeguards to ensure that video recordings are maintained and stored in conformance with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and the rules and/or regulations promulgated thereunder.
2. The school district shall ensure that video recordings are retained in accordance with the school district's records retention schedule.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 121A.585 (Notice of Recording Device)
Minn. Stat. § 138.17 (Government Records; Administration)
Minn. Stat. § 609.746 (Interference with Privacy)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)

Cross References: Burnsville-Eagan-Savage School District Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
Burnsville-Eagan-Savage School District Policy 406 (Public and Private Personnel Data)
Burnsville-Eagan-Savage School District Policy 422 (Policies Incorporated by Reference)
Burnsville-Eagan-Savage School District Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
Burnsville-Eagan-Savage School District Policy 506 (Student Discipline)
Burnsville-Eagan-Savage School District Policy 515 (Protection and Privacy of Pupil Records)
Burnsville-Eagan-Savage School District Policy 709 (Student Transportation Safety Policy)
Burnsville-Eagan-Savage School District Policy 711 (Video Recording on School Buses)
MSBA Service Manual, Chapter 2, Transportation

Adopted: 2/1991
Reviewed: 2/25/2016 5/9/2019
Revised: 3/10/2016
Rescinds: DBH

Burnsville-Eagan-Savage School District Policy 701.1

701.1 MODIFICATION OF SCHOOL DISTRICT BUDGET

I. PURPOSE

The purpose of this policy is to establish procedures for the modification of the school district's adopted revenue and expenditure budgets.

II. GENERAL STATEMENT OF POLICY

The policy of this school district is to modify its revenue and expenditure budgets in accordance with the applicable provisions of law.

III. REQUIREMENT

- A. The school district's adopted expenditure budget shall be considered the school board's expenditure authorization for that school year.
- B. If revisions or modifications in the adopted expenditure budget are determined to be advisable by the administration, the superintendent shall recommend the proposed changes to the school board. The proposed changes shall be accompanied by sufficient and appropriate background information on the revenue and policy issues involved to allow the school board to make an informed decision. A school board member may also propose modifications on that board member's own motion, provided, however, the school board member is encouraged to review the proposed modifications with the superintendent prior to their being proposed so that the administration may prepare necessary background materials for the school board prior to its consideration of those proposed modifications.
- C. If sufficient funds are not included in the expenditure budget in a particular fund to allow the proposed expenditure, funds for this purpose may not be expended from that fund prior to the adoption of an expenditure budget amendment by the school board to authorize that expenditure for that school year. An amended expenditure shall not exceed the projected revenues available for that purpose in that fund. Unbudgeted expenditures, in clear alignment with the school district mission, may be made for which revenue is collected for a particular purpose and for which neither revenue nor expenditures were budgeted. Example of such includes; PTO donations, hinsurance proceeds, miscellaneous grants, etc.
- D. The school district's revenue budget shall be amended from time to time during a fiscal year to reflect updated or revised revenue estimates. The superintendent

shall make recommendations to the school board for appropriate revisions. If necessary, the school board shall also make necessary revisions in the expenditure budget if it appears that expenditures would otherwise exceed revenues and fund balances in a fund.

Legal References: Minn. Stat. § 123B.77 (Accounting, Budgeting, and Reporting Requirement)

Cross References: Burnsville-Eagan-Savage School District Policy 701 (Establishment and Adoption of School District Budget)
MSBA Service Manual, Chapter 7, Education Funding

Adopted: 2/1991
Reviewed: [2/25/2016](#) [5/9/2019](#)
Revised: 1/2005, 3/16/2016
Rescinds: DIA

Burnsville-Eagan-Savage School District Policy 702

702 ACCOUNTING

I. PURPOSE

The purpose of this policy is to adopt the Uniform Financial Accounting and Reporting Standards for Minnesota School Districts provided for in guidelines adopted by the Minnesota Department of Education.

II. GENERAL STATEMENT OF POLICY

The policy of this school district is to comply with the Uniform Financial Accounting and Reporting Standards for Minnesota School Districts.

III. MAINTENANCE OF BOOKS AND ACCOUNTS

The school district shall maintain its books and records and do its accounting in compliance with the Uniform Accounting and Reporting Standards for Minnesota School Districts (UFARS) provided for in the guidelines adopted by the Minnesota Department of Education and in compliance with applicable state laws and rules relating to reporting of revenues and expenditures.

IV. PERMANENT FUND TRANSFERS

Unless otherwise authorized pursuant to Minn. Stat. § 123B.80, as amended, or any other law, fund transfers shall be made in compliance with UFARS and permanent fund transfers shall only be made in compliance with Minn. Stat. §123B.79, as amended, or other applicable statute.

V. REPORTING

The school board shall provide for an annual audit of the books and records of the school district to assure compliance of its records with UFARS. Each year, the school district shall also provide for the publication of the financial information specified in Minn. Stat. §123B.10 in the manner specified therein.

Legal References: Minn. Stat. § 123B.02 (School District Powers)
Minn. Stat. § 123B.09 (School Board Powers)
Minn. Stat. § 123B.10 (Publication of Financial Information)
Minn. Stat. § 123B.14, Subd. 7 (Duties of School Board Clerk)
Minn. Stat. § 123B.75 (Revenue)

Minn. Stat. § 123B.76 (Expenditures)
Minn. Stat. § 123B.77 (Accounting, Budgeting and Reporting Requirements)
Minn. Stat. § 123B.78 (Cash Flow, Revenues, Borrowing, Deficits)
Minn. Stat. § 123B.79 (Permanent Fund Transfers)
Minn. Stat. § 123B.80 (Exceptions for Permanent Fund Transfers)

Cross References: Burnsville-Eagan-Savage School District Policy 703 (Annual Audit)
MSBA Service Manual, Chapter 7, Education Funding

Adopted: 3/10/2016
Reviewed: [2/25/2016](#)[5/9/2019](#)
Revised:
Rescinds:

Burnsville-Eagan-Savage School District Policy 704

704 DEVELOPMENT AND MAINTENANCE OF AN INVENTORY OF FIXED ASSETS AND A FIXED ASSET ACCOUNTING SYSTEM

I. PURPOSE

The purpose of this policy is to provide for the development and maintenance of an inventory of the fixed assets of the school district and the establishment and maintenance of a fixed asset accounting system.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is that a fixed asset accounting system and an inventory of fixed assets be developed and maintained.

III. DEVELOPMENT OF INVENTORY AND ACCOUNTING SYSTEM

The superintendent or designee be responsible for the development and maintenance of an inventory of the fixed assets of the school district and for the establishment and maintenance of a formal fixed asset accounting system. The accounting system shall be operated in compliance with the applicable provisions of the Uniform Financial Accounting and Reporting Standards for Minnesota School Districts (UFARS). Capital assets are defined as those with an initial, individual cost of \$5,000 or more, which benefit more than one fiscal year. The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized.

IV. REPORT

The administration shall annually update the property records of the school district and provide an inventory of the fixed assets of the school district as part of the annual audit.

Legal References: Minn. Stat. § 123B.02 (School District Powers)
Minn. Stat. § 123B.09 (School Board Powers)
Minn. Stat. § 123B.51 (Schoolhouse and Sites; Access for Noncurricular Purposes)

Cross References: Burnsville-Eagan-Savage School District Policy 702 (Accounting)
MSBA Service Manual, Chapter 7, Education Funding

Adopted: 3/14/2013
Reviewed: ~~2/25/2016~~–5/9/2019
Revised: 3/10/2016
Rescinds:

Burnsville-Eagan-Savage School District Policy 705.1

705.1 POST-ISSUANCE DEBT COMPLIANCE

I. PURPOSE

The Internal Revenue Service (IRS) is responsible for enforcing compliance with the Internal Revenue Code (Code) and certain regulations promulgated thereunder (Treasury Regulations), such as regulations of tax-exempt obligations, Build America Bonds, Recovery Zone Development Bonds, and various “Tax Credit” Bonds. The IRS encourages issuers and beneficiaries of these obligations to adopt and implement a post-issuance debt compliance policy and procedures to safeguard against post-issuance violations.

II. POLICY OBJECTIVE

The school district desires to monitor its post-issuance debt compliance obligations to ensure compliance with the Code and Treasury Regulations. To help ensure compliance, the school district has developed this policy, which shall apply to the obligations mentioned above, including bonds, notes, loans, lease purchase contracts, lines of credit, commercial paper, or any other form of debt that is subject to compliance.

III. RESPONSIBILITIES

- A. The Executive Director of Business Services is designated as the school district’s agent responsible for post-issuance compliance with these obligations.
- B. The Executive Director of Business Services shall assemble all relevant documentation, records, and activities required to ensure post-issuance debt compliance as further detailed in corresponding procedures (the Post-Issuance Debt Compliance Procedures). At a minimum, the Post-Issuance Debt Compliance Procedures for each qualifying obligation will address the following:
 - 1. General post-issuance compliance;
 - 2. Proper and timely use of obligation proceeds and obligation-financed property;
 - 3. Arbitrage yield restriction and rebate;
 - 4. Timely filings and other general requirements;

5. Additional undertakings or activities that support points 1 through 4 above;
 6. Maintenance of proper records related to the obligations and the investment of proceeds of obligations;
 7. Any other requirements that become necessary in the future.
- C. The Executive Director of Business Services shall apply the Post-Issuance Debt Compliance Procedures to each qualifying obligation and maintain a record of the results. Further, the Executive Director of Business Services will ensure that the Post-Issuance Debt Compliance Policy and Procedures are updated on a regular and as needed basis.
- D. The Executive Director of Business Services, or any other individuals responsible for assisting the Executive Director of Business Services in maintaining records needed to ensure post-issuance debt compliance, are authorized to expend funds as needed to attend training or secure use of other educational resources for ensuring compliance such as consulting, publications, and compliance assistance.
- E. Most of the provisions of this Post-Issuance Debt Compliance Policy are not applicable to taxable governmental obligations unless a reasonable possibility exists that the school district may refund their taxable governmental obligation, in whole or in part, with the proceeds of a tax-exempt governmental obligation. If this refunding possibility exists, then the Executive Director of Business Services shall treat the taxable governmental obligation as if such issue were an issue of tax-exempt governmental obligations and comply with the requirements of this Post-Issuance Debt Compliance Policy.

IV. PRIVATE ACTIVITY BONDS

- A. The school district may issue tax-exempt obligations that are “private activity” bonds because either (1) the bonds finance a facility that is owned by the school district but used by one or more qualified 501(c)(3) organizations, or (2) the bonds are so-called “conduit bonds,” where the proceeds are loaned to a qualified 501(c)(3) organization or another private entity that finances activities eligible for tax-exempt financing under federal law (such as certain manufacturing projects and certain affordable housing projects). Prior to the issuance of either of these types of bonds, the Executive Director of Business Services shall take steps necessary to ensure that such obligations will remain in compliance with the requirements of this Post-Issuance Debt Compliance Policy.
- B. In a case where compliance activities are reasonably within the control of a private party (i.e., a 501(c)(3) organization or conduit borrower), the Executive Director of Business Services may determine that all or some portion of compliance responsibilities described in this Post-Issuance Debt Compliance

Policy shall be assigned to the relevant party. In the case of conduit bonds, the conduit borrower will be assigned all compliance responsibilities other than those required to be undertaken by the District under federal law. In a case where the Executive Director of Business Services is concerned about the compliance ability of a private party, the Executive Director of Business Services may require that a trustee be retained to assist with record keeping for the obligation and/or that the trustee or such third party be responsible for all or some portion of the compliance responsibilities.

- C. The Executive Director of Business Services is additionally authorized to seek the advice, as necessary, of bond counsel and/or its financial advisor to ensure the District is in compliance with this Post-Issuance Debt Compliance Policy.

Legal References: Internal Revenue Code – Post-Issuance Debt Compliance
Internal Revenue Service Form 8038-G

Adopted: 1/2005 *Burnsville-Eagan-Savage School District Policy 705.2*
Reviewed: [2/25/2016](#)
Revised: 7/2009, 8/2014, 3/10/2016
Rescinds: DFA, 705R

705.2 OTHER POST-EMPLOYMENT EMPLOYEE BENEFITS (OPEB) INVESTMENTS

- I. OPEB trust assets should be invested within the framework of a long-term investment horizon.
- II. OPEB trust assets will take risks consistent with longer term asset classes with a goal of maintaining purchasing power relative to inflation and providing sufficient asset value and cash flow to fund OPEB liabilities.
- III. OPEB assets will be invested in compliance with Minn. Stat. §§ 356A.06 and 118A.04.
- IV. Within Minn. Stat. § 356A.06, the maximum percentage of dollars in funds invested shall not exceed 31% of the OPEB Trust portfolio. In order to adjust for market fluctuations, the Executive Director of Business Services is responsible for rebalancing the mix of the portfolio semi-annually so the equity portion does not exceed 31% of the OPEB Trust portfolio. The maximum percentage can only be changed after consultation and approval from the Superintendent and School Board.

Legal References: Minn. Stat. § 118A.01 (Public Funds; Depositories and Investments)
Minn. Stat. § 118A.02 (Authorization for Deposit and Investment)
Minn. Stat. § 118A.03 (Depositories and Collateral)
Minn. Stat. § 118A.04 (Investments)
Minn. Stat. § 118A.05 (Contracts and Agreements)
Minn. Stat. § 118A.06 (Delivery and Safekeeping)
Minn. Stat. § 356A.06, Subd. 7 (Authorized Investment Securities)
Minn. Stat. § 471.38 (Claims)
Minn. Stat. § 471.6175 (Trust for Postemployment Benefits)

Cross References: Burnsville-Eagan-Savage School District Policy 703 (Annual Audit)
Burnsville-Eagan-Savage School District Policy 705 (Investments)
MSBA Service Manual, Chapter 7, Education Funding
Minnesota Legal Compliance Audit Guide Prepared by the Office of the State Auditor



**Agenda IV.B.1.
May 9, 2019**

To: Board of Education
Superintendent Cindy Amoroso

From: Jackie Smith, Special Education Supervisor

Date: April 5, 2019

Re: 2019-2020 Early Childhood Special Education Birth-to-Three Program and Evaluation Team Calendar

Recommendation: Approve the 2019-2020 Birth-to-Three Early Childhood Special Education Program and Evaluation Team Calendar.

Services for infants and toddlers are provided through an Individual Family Services Plan (IFSP) and referrals are taken by the Birth-to-Three Early Childhood Special Education Program year round.

Legal mandates require that an evaluation for program eligibility occur within 45 calendar days of the referral and that services start without delay. This calendar has been developed in order for the program staff to meet these timelines.

This calendar reflects the same number of contracted staff work days “stretched” across the entire year to limit the length of breaks. The professional development and conference days have been aligned with the district school calendar to facilitate collaboration with other district programs.

Independent School District 191

Burnsville-Eagan-Savage

Birth-3 ECSE Program

2019-2020 Calendar

- School in Session
- No staff/students
- Teacher Workdays (No Students)

July 2019						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August 2019						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	(26)	(27)	(28)	(29)	30	31

September 2019						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	(20)	21
22	23	24	(25)	26	27	28
29	30					

October 2019						
S	M	T	W	T	F	S
		1	2	(3)	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	(25)	26
27	28	29	30	31		

November 2019						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	(22)	23
24	25	26	27	28	29	30

December 2019						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	(13)	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

January 2020						
S	M	T	W	T	F	S
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	16	(17)	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February 2020						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

March 2020						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April 2020						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	(8)	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May 2020						
S	M	T	W	T	F	S
				1	2	
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	(19)	20	21	22	23
24	25	26	27	28	29	30
31						

June 2020						
S	M	T	W	T	F	S
	1	2	3	4	(5)	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Total School Days.....170
 Total Teacher Work Days.....184



Future Ready. Community Strong.

**Agenda IV.B.2.
May 9, 2019**

To: Board of Education

From: Superintendent Cindy Amoroso

Date: May 3, 2019

Re: Changes to Policies 711: *Video Recording on School Buses*; 899: *Naming School Buildings or Facilities*; 705: *Investments*; 715: *Purchasing and Bid Requirements*; 721: *Uniform Grant Guidance Policy Regarding Federal Revenue Sources*; and 720 *Vending Machines*

Recommendation: Approve, on a first reading basis, changes to Policies 711: *Video Recording on School Buses*; 899: *Naming School Buildings or Facilities*; 705: *Investments*; 715: *Purchasing and Bid Requirements*; 721: *Uniform Grant Guidance Policy Regarding Federal Revenue Sources*; and 720: *Vending Machines*.

Policies 711 and 899 were reviewed by the Policy Review Committee on March 12.

Policies 705, 715, 721 and 720 were reviewed by the Policy Review Committee on April 23.

Adopted: 4/14/2016
Reviewed: [3/24/2016](#)[5/9/2019](#)
Revised:
Rescinds:

711 VIDEO RECORDING ON SCHOOL BUSES

I. PURPOSE

The transportation of students to and from school is an important function of the school district, and transportation by the school district is a privilege and not a right for an eligible student. The behavior of students and employees on the bus is a significant factor in the safety and efficiency of school bus transportation. Student and employee misbehavior increases the potential risks of injury. Therefore, the school district believes that video recording student passengers and employees on the school bus will encourage good behavior and, as a result, promote safety. The purpose of this policy is to establish a school bus video recording system.

II. GENERAL STATEMENT OF POLICY

A. Placement

1. Each and every school bus owned, leased, contracted, and/or operated by the school district shall be equipped with a fully enclosed box for placement and operation of a video camera and conspicuously placed signs notifying riders that their conversations or actions may be recorded.
2. A video camera will not necessarily be installed in each and every school bus owned, leased, contracted, and/or operated by the school district, but cameras may be rotated from bus to bus without prior notice to students.
3. Video cameras will be placed on a particular school bus, to the extent possible, where the school district has received complaints of inappropriate behavior.

B. Use of Video Recordings

1. A video recording of the actions of student passengers and/or employees may be used by the school district as evidence in any disciplinary action brought against any student or employee arising out of the student's or employee's conduct on the bus.
2. A video recording will be released only in conformance with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13 and the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g and the rules and/or regulations promulgated thereunder.

3. Video recordings will be viewed by school district personnel on a random basis and/or when discipline problems on the bus have been brought to the attention of the school district.
4. Once the school district retains a video recording, the school district shall establish appropriate security safeguards to ensure that video recordings are maintained and stored in conformance with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and the rules and/or regulations promulgated thereunder.
5. The school district shall ensure that video recordings are retained in accordance with the school district's records retention schedule. A video recording will be retained by the school district until relooped or until the conclusion of disciplinary proceedings in which the video recording is used for evidence.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 121A.585 (Notice of Recording Device)
Minn. Stat. § 138.17 (Government Records, Administration)
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)

Cross References: Burnsville-Eagan-Savage School District Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
Burnsville-Eagan-Savage School District Policy 406 (Public and Private Personnel Data)
Burnsville-Eagan-Savage School District Policy 422 (Policies Incorporated by Reference)
Burnsville-Eagan-Savage School District Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
Burnsville-Eagan-Savage School District Policy 506 (Student Discipline)
Burnsville-Eagan-Savage School District Policy 515 (Protection and Privacy of Pupil Records)
Burnsville-Eagan-Savage School District Policy 709 (Student Transportation Safety Policy)
Burnsville-Eagan-Savage School District Policy 712 (Video Surveillance Other Than on Buses)
MSBA Service Manual, Chapter 2, Transportation

Adopted: 10/1992 *Burnsville-Eagan-Savage School District Policy 899*
Reviewed: 3/2010, 12/03/2015
Revised: ~~4/2010, 12/17/2015~~5/9/2019
Rescinds: FFB

899 NAMING SCHOOL BUILDINGS OR FACILITIES

I. PURPOSE

The purpose of this policy is to provide guidance for naming school buildings or facilities.

II. GENERAL STATEMENT OF POLICY

The naming or renaming of school buildings or facilities is the responsibility of the school board. If a building or facility is to be named after an individual, that person shall have attained local or national prominence via significant contributions in a field of endeavor. The contributions or the significance of his or her place in history shall be clearly established beyond the generation of the contribution.

The policy of the school board is to name school buildings at the time of construction. Major components of school buildings (media centers, theaters, gymnasiums, fields, *etc.*) may be named at any time on recommendation from the building principal or by action of the school board.

Whether naming a building, facility, or building component, the aforementioned criteria shall apply. The school board may establish a committee including five to seven residents, which will receive suggestions from the community, staff, and students. This committee shall be representative of the entire school district and will propose a name or names to the school board. The school board reserves all rights in the naming or renaming of school buildings, facilities, or components of school buildings.

Collections of works or other major gifts to the school district may be acknowledged and named by individual schools, subject to the district's gift policy.

Legal References:

Cross References: [Burnsville-Eagan-Savage District Policy 706 \(Acceptance of Gifts\)](#)

Adopted: 2/1997, 1/2005

Burnsville-Eagan-Savage School District Policy 705

Reviewed: 1/2005, 3/24/2016

Revised: 7/2009, 8/2014, 4/14/2016 [PRC 4/23/2019 LR](#)

Rescinds: DFA, DG

705 INVESTMENTS

I. PURPOSE

The purpose of this policy is to establish guidelines for the investment of school district funds.

II. GENERAL STATEMENT OF POLICY

The policy of this school district is to comply with all state laws relating to investments and to guarantee that investments meet certain primary criteria.

III. SCOPE

This policy applies to all investments of the surplus funds of the school district, regardless of the fund accounts in which they are maintained, unless certain investments are specifically exempted by the school board through formal action.

IV. AUTHORITY; OBJECTIVES

- A. The funds of the school district shall be deposited or invested in accordance with this policy, Minn. Stat. Ch. 118A and any other applicable law or written administrative procedures.
- B. The primary criteria for the investment of the funds of the school district, in priority order, are as follows
 1. Safety and Security. Safety of principal is the first priority. The investments of the school district shall be undertaken in a manner that seeks to ensure the preservation of the capital in the overall investment portfolio.
 2. Liquidity. The funds shall be invested to assure that funds are available to meet immediate payment requirements, including payroll, accounts payable, and debt service.
 3. Return and Yield. The investments shall be managed in a manner to attain a market rate of return through various economic and budgetary cycles, while preserving and protecting the capital in the investment portfolio and taking into account constraints on risk and cash flow requirements.

V. DELEGATION OF AUTHORITY

- A. The Executive Director of Business Services of the school district is designated as the investment officer of the school district and is responsible for investment decisions and activities under the direction of the school board. The investment officer shall operate the school district's investment program consistent with this policy. The investment officer may delegate certain duties to a designee or designees but shall remain responsible for the operation of the program.
- B. All officials and employees that are a part of the investment process shall act professionally and responsibly as custodians of the public trust and shall refrain from personal business activity that could conflict with the investment program or which could reasonably cause others to question the process and integrity of the investment program. The investment officer shall avoid any transaction that could impair public confidence in the school district.

VI. STANDARD OF CONDUCT

The standard of conduct regarding school district investments to be applied by the investment officer shall be the "prudent person standard." Under this standard, the investment officer shall exercise that degree of judgment and care, under the circumstances then prevailing, that persons of prudence, discretion, and intelligence would exercise in the management of their own affairs, investing not for speculation and considering the probable safety of their capital as well as the probable investment return to be derived from their assets. The prudent person standard shall be applied in the context of managing the overall investment portfolio of the school district. The investment officer, acting in accordance with this policy and exercising due diligence, judgment, and care commensurate with the risk, shall not be held personally responsible for a specific security's performance or for market price changes. Deviations from expectations shall be reported in a timely manner and appropriate actions shall be taken to control adverse developments.

VII. MONITORING AND ADJUSTING INVESTMENTS

The investment officer shall routinely monitor existing investments and the contents of the school district's investment portfolio, the available markets, and the relative value of competing investment instruments.

VIII. PERMISSIBLE INVESTMENT INSTRUMENTS

The school district may invest its available funds in those instruments specified in Minn. Stat. §§ 118A.04 and 118A.05, as these sections may be amended from time to time, or any other law governing the investment of school district funds. The assets of an other postemployment benefits (OPEB) trust or trust account established pursuant to Minn. Stat. § 471.6175 to pay postemployment benefits to employees or officers after their termination of service, with a trust administrator other than the Public Employees Retirement Association, may be invested in instruments authorized under Minn. Stat. Ch.

118A or § 356A.06, Subd. 7. Investment of funds in an OPEB trust account under Minn. Stat. § 356A.06, Subd. 7, as well as the overall asset allocation strategy for OPEB investments, shall be governed by an OPEB Investment Policy Statement (IPS) developed between the investment officer, as designed herein, and the trust administrator.

IX. PORTFOLIO DIVERSIFICATION; MATURITIES

- A. Limitations on instruments, diversification, and maturity scheduling shall depend on whether the funds being invested are considered short-term or long-term funds. All funds shall normally be considered short-term except those reserved for building construction projects or specific future projects and any unreserved funds used to provide financial-related managerial flexibility for future fiscal years.

- B. The school district shall diversify its investments to avoid incurring unreasonable risks inherent in over-investing in specific instruments, individual financial institutions or maturities.
 - 1. ~~The investment officer shall prepare and present a table to the school board for review and approval. The table shall specify the maximum percentage of the school district's investment portfolio that may be an investment table in the annual financial statements specifying the accounts invested in a single type of investment instrument, such as U.S. Treasury Obligations, certificates of deposit, repurchase agreements, banker's acceptances, commercial paper, etc. The approved table shall be attached as an exhibit to this policy and shall be incorporated herein by reference.~~

 - 2. ~~The investment officer shall prepare and present to the school board for its review and approval a recommendation as to the maximum percentage of the total investment portfolio that may be held in any one depository. The approved recommendation shall be attached as an exhibit or part of an exhibit to this policy and shall be incorporated herein by reference.~~

 - 23. Investment maturities shall be scheduled to coincide with projected school district cash flow needs, taking into account large routine or scheduled expenditures, as well as anticipated receipt dates of anticipated revenues. Maturities for short-term and long-term investments shall be timed according to anticipated need. Within these parameters, portfolio maturities shall be staggered to avoid undue concentration of assets and a specific maturity sector. The maturities selected shall provide for stability of income and reasonable liquidity.

X. COMPETITIVE SELECTION OF INVESTMENT INSTRUMENTS

Before the school district invests any surplus funds in a specific investment instrument, a competitive bid or quotation process shall be utilized. If a specific maturity date is required, either for cash flow purposes or for conformance to maturity guidelines, quotations or bids shall be requested for instruments which meet the maturity requirement. If no specific maturity is required, a market trend analysis, which includes a

yield curve, will normally be used to determine which maturities would be most advantageous. Quotations or bids shall be requested for various options with regard to term and instrument. The school district will accept the quotation or bid which provides the highest rate of return within the maturity required and within the limits of this policy. Generally all quotations or bids will be computed on a consistent basis, i.e., a 360-day or a 365-day yield. Records will be kept of the quotations or bids received, the quotations or bids accepted, and a brief explanation of the decision that was made regarding the investment. If the school district contracts with an investment advisor, bids are not required in those circumstances specified in the contract with the advisor.

XI. QUALIFIED INSTITUTIONS AND BROKER-DEALERS

- A. The school district shall maintain a list of the financial institutions that are approved for investment purposes.
- B. Prior to completing an initial transaction with a broker, the school district shall provide to the broker a written statement of investment restrictions which shall include a provision that all future investments are to be made in accordance with Minnesota statutes governing the investment of public funds. The broker must annually acknowledge receipt of the statement of investment restrictions and agree to handle the school district's account in accordance with these restrictions. The school district may not enter into a transaction with a broker until the broker has provided this annual written agreement to the school district. The notification form to be used shall be that prepared by the State Auditor. A copy of this investment policy, including any amendments thereto, shall be provided to each such broker.

XII. SAFEKEEPING AND COLLATERALIZATION

- A. All investment securities purchased by the school district shall be held in third-party safekeeping by an institution designated as custodial agent. The custodial agent may be any Federal Reserve Bank, any bank authorized under the laws of the United States or any state to exercise corporate trust powers, a primary reporting dealer in United States Government securities to the Federal Reserve Bank of New York, or a securities broker-dealer defined in Minn. Stat. § 118A.06. The institution or dealer shall issue a safekeeping receipt to the school district listing the specific instrument, the name of the issuer, the name in which the security is held, the rate, the maturity, serial numbers and other distinguishing marks, and other pertinent information.
- B. Deposit-type securities shall be collateralized as required by Minn. Stat. § 118A.03 for any amount exceeding FDIC, SAIF, BIF, FCUA, or other federal deposit coverage.
- C. Repurchase agreements shall be secured by the physical delivery or transfer against payment of the collateral securities to a third party or custodial agent for safekeeping. The school district may accept a safekeeping receipt instead of

requiring physical delivery or third-party safekeeping of collateral on overnight repurchase agreements of less than \$1,000,000.

XIII. REPORTING REQUIREMENTS

- A. The investment officer shall generate daily and monthly transaction reports for management purposes. In addition, the school board shall be provided a monthly report that shall include data on investment instruments being held as well as any narrative necessary for clarification.
- B. ~~Within ninety (90) days after the end of each fiscal year of the school district~~As part of the financial audit, the investment officer shall prepare and submit to the school board a comprehensive annual report on the investment program and investment activity of the school district for that fiscal year. ~~The annual report shall include 12 month and separate quarterly comparisons of return and shall suggest revisions and improvements that might be made in the investment program.~~
- C. If necessary, the investment officer shall establish systems and procedures to comply with applicable federal laws and regulations governing the investment of bond proceeds and funds in a debt service account for a bond issue. The record keeping system shall be reviewed annually by the independent auditor or by another party contracted or designated to review investments for arbitrage rebate or penalty calculation purposes.

XIV. DEPOSITORIES

The school board shall annually designate one or more official depositories for school district funds. The treasurer or the chief financial officer of the school district may also exercise the power of the school board to designate a depository. The school board shall be provided notice of any such designation by its next regular meeting. The school district and the depository shall each comply with the provisions of Minn. Stat. § 118A.03 and any other applicable law, including any provisions relating to designation of a depository, qualifying institutions, depository bonds, and approval, deposit, assignment, substitution, addition, and withdrawal of collateral.

XV. ELECTRONIC FUNDS TRANSFER OF FUNDS FOR INVESTMENT

The school district may make electronic fund transfers for investments of excess funds upon compliance with Minn. Stat. § 471.38.

Legal References: Minn. Stat. § 118A.01 (Public Funds; Depositories and Investments)
Minn. Stat. § 118A.02 (Authorization for Deposit and Investment)
Minn. Stat. § 118A.03 (Depositories and Collateral)
Minn. Stat. § 118A.04 (Investments)
Minn. Stat. § 118A.05 (Contracts and Agreements)
Minn. Stat. § 118A.06 (Delivery and Safekeeping)

Minn. Stat. § 356A.06, Subd. 7 (Authorized Investment Securities)
Minn. Stat. § 471.38 (Claims)
Minn. Stat. § 471.6175 (Trust for Postemployment Benefits)

Cross References: Burnsville-Eagan-Savage School District Policy 703 (Annual Audit)
MSBA Service Manual, Chapter 7, Education Funding
Minnesota Legal Compliance Audit Guide Prepared by the Office of the
State Auditor

Adopted: 5/16/2013
Reviewed: [3/24/2016](#) [5/9/2019](#)
Revised: 4/14/2016 [4/23/2019 LR](#)
Rescinds: DJ, DJA, DJC, and DJF

Burnsville-Eagan-Savage School District Policy 715

715 PURCHASING AND BID REQUIREMENTS

I. PURPOSE

The purpose of this policy is to ensure maximum return for the tax dollar and integrity in the expenditures of public funds by providing the requirements for competitive bids or quotations as required by Minnesota's Uniform Municipal Contracting Law (the Bid Law).

II. GENERAL STATEMENT OF POLICY

The size and complexity of the Burnsville-Eagan-Savage School District No. 191 necessitates centralized business functions and procedures. A centralized requisition/purchasing/receiving system shall be utilized for these functions and procedures.

Contracts shall be awarded as required by the Bid Law. Contracts requiring a sealed bid process will be solicited by public notice as provided by law and must be awarded by the school board. Contracts not requiring sealed bids may be awarded on the basis of sealed bids or by direct negotiation by obtaining two or more quotations and may be approved by the superintendent or ~~business manager.~~ [executive director of business services.](#)

III. DEFINITIONS

Contract – an agreement entered into for the sale or purchase of supplies, materials, equipment or rental thereof, or the construction, alteration, repair or maintenance of real or personal property.

IV. RESPONSIBILITIES

Business Office - Provide oversight and assistance through the purchasing process to ensure Minnesota Statutes are followed. Maintain current purchasing administrative regulations.

VI. EXCLUSIONS

This policy does not apply to agreements to purchase copyrighted materials such as textbooks.

Legal References: Minn. Stat. § 123B.20 (Dealing in School Supplies)
Minn. Stat. § 123B.52 (Contracts)
Minn. Stat. § 471.345 (Uniform Municipal Contracting Law)

Cross References: Burnsville-Eagan-Savage School District Policy 802 (Disposition of
Obsolete Equipment and Material)
[Burnsville-Eagan-Savage School District Policy 721 \(Uniform Grant
Guidance Policy Regarding Federal Revenue Sources\)](#)

Adopted: 10/13/2016
Reviewed: ~~9/29/2016~~5/9/2019
Revised: 4/23/2019 LR
Rescinds:

Burnsville-Eagan-Savage School District Policy 721

721 UNIFORM GRANT GUIDANCE POLICY REGARDING FEDERAL REVENUE SOURCES

[Note: School 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 districts. The United States Office of Management and Budget published the final regulations December 26, 2013. The Uniform Grant Guidance is effective for new and continuation federal grant awards issued on or after December 26, 2014. The regulations do not affect grant funds awarded prior to December 26, 2014, unless funds made available under those grants are carried forward into a new federal fiscal year or a continuation grant. 2 C.F.R. § 200.110.]

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.

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); 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 \$3,000, except as otherwise discussed in 48 C.F.R. Subpart 2.1 or as periodically adjusted for inflation).~~ defined within Fiscal Compliance and Procedures Manual (FCPM).
 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 ~~\$150,000 (periodically adjusted for inflation).~~ the threshold defined within FCPM.
 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.
- 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.

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 may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, the school 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.

- B. Organizational Conflicts of Interest. The school 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 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 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 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'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 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 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 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 of any contractual responsibilities under its contracts.

- G. The school 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.
- H. Methods of Procurement. The school district must use one of the following methods of procurement:
1. Procurement by micro-purchases. To the extent practicable, the school district must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the school 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 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 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:
 - 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; or
 - d. After solicitation of a number of sources, competition is determined inadequate.

I. Competition. The school 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 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 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~~[the threshold defined within \(FCPM\)](#).

- 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.

V. **MANAGING EQUIPMENT AND SAFEGUARDING ASSETS**

- A. Property Standards. The school 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 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 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's financial management systems, including records documenting compliance with federal statutes, regulations, and the terms and conditions of the federal award, must be 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 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 and the financial management systems that meet the standards for fund control.

Advance payments to a school 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 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 must make timely payment to contractors in accordance with the contract provisions.

- C. Internal Controls. The school district must establish and maintain effective internal control over the federal award that provides reasonable assurance that the school 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 must comply with federal statutes, regulations, and the terms and conditions of the federal award.

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

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

The school 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

- A. Allowable Use of Funds. The school 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;
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);
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

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 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 uses federal funds to provide services that the school district is required to make available under other federal, state, or local laws.
 - b. School district uses federal funds to provide services that the school district provided with state or local funds in the prior year.
 - c. School 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 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's grants.

I. Training

1. The school district will provide training on the allowable use of federal funds to all staff involved in federal programs.
2. The school 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 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 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 district consistently applied to both federal and non-federal activities; and
2. Follows an appointment made in accordance with a school 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 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 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 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 district's accounting practices.

3. Actual claims paid to or on behalf of employees or former employees for 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 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 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 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 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 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 district's cost accounting practices and school 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 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 district's non-federally funded activities and in accordance with the school district's reimbursement policies.

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 district in its regular operations according to the school 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 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 district's documented travel policy for all school district travel; and
3. Only temporary during the travel period.

[Note: Noncompliance. If a school 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 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)
 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: Burnsville-Eagan-Savage School District Policy 208 (Development,
 Adoption, and Implementation of Policies)
 Burnsville-Eagan-Savage School District Policy 210 (Conflict of Interest –
 School Board Members)
 Burnsville-Eagan-Savage School District Policy 412 (Expense
 Reimbursement)
 Burnsville-Eagan-Savage School District Policy 701 (Establishment and
 Adoption of School District Budget)
 Burnsville-Eagan-Savage School District Policy 701.1 (Modification of
 School District Budget)
 Burnsville-Eagan-Savage School District Policy 702 (Accounting)
 Burnsville-Eagan-Savage School District Policy 703 (Annual Audit)
[Burnsville-Eagan-Savage School District Policy 715 \(Purchasing and Bid
 Requiements\)](#)
[Fiscal Compliance and Procedures Manual \(FCPM\)](#)

Adopted: 1/2005
Reviewed: ~~4/28/2016~~5/9/2019
Revised: 5/12/2016
Rescinds: DFF, DFFR

Burnsville-Eagan-Savage School District Policy 720

720 VENDING MACHINES

I. PURPOSE

The purpose of this policy is to establish procedures to govern vending machines, to which students have access, that are installed in school district facilities. ~~in the school district.~~

II. GENERAL STATEMENT OF POLICY

The policy of the school district is to contract for, supervise, maintain, and account for the proceeds from vending machines located in school facilities in a manner that is fair, that maximizes the revenues from those machines, that allows those revenues to be included in the budget of the facility in which they are generated, and that establishes controls to avoid fraud, theft, or the appearance of impropriety.

III. AUTHORIZATION

Vending machines for the dispensing of food, beverages, or other approved items are authorized in any school facility in the school district provided that all contracts for such vending machines must be approved by superintendent or designee as provided in this policy.

IV. SUPERVISION; APPROVAL; LOCATION

- A. All vending machines shall be under the supervision of the school principal or designee in charge of the facility in which the machine is located. That administrator shall be responsible to supervise the machine in compliance with this policy and any applicable laws.
- B. The items to be dispensed from a vending machine located in a school facility shall be approved by the principal or designee in charge of that facility and will follow guidelines in Policy 533. All food, beverages, or other items approved shall be appropriate to the school setting. Machines dispensing cigarettes or tobacco products are not authorized under any circumstances. In the event a written complaint is filed with the superintendent regarding the approval or disapproval of any item, the school board, after proper review, shall make the final determination.
- C. Vending machines may be approved that will dispense items only during certain hours, through the use of timers or otherwise. Vending machines should not be

operated in competition with the school cafeteria or food service. The principal or designee in charge of the school facility may regulate the hours of operation of any machine.

- D. Vending machines shall be located to meet any applicable building, fire, or life/safety codes and to provide convenience of operation, accessibility, and ease of maintenance. The principal or designee in charge of the facility shall review the location of each machine with appropriate maintenance and food service staff.

V. CONTRACT APPROVAL

- A. All contracts for the purchase or rental of vending machines shall be considered by the superintendent or designee on a facility-by-facility basis.
- B. If it is estimated that the aggregate receipts from all vending machines located in a school facility will be \$50,000 or more in a fiscal year, the contract for any vending machine in that facility must be awarded after the receipt of sealed bids and compliance with Minn. Stat. § 123B.52.
- C. Any bid or quotation must specify all commissions to be paid from the machine and any other noncommission amounts to be paid as a result of the award of the contract. The noncommission amounts include, but are not limited to, cash payments, in-kind payments, equipment donations, scholarship contributions, bonus payments, or other payments or contributions of any kind or nature. The noncommission amounts shall be reduced to a cash equivalency and shall be specified on the bid or quotation as an additional amount to be paid for the award of the contract.
- D. If a contract contains a provision allowing exclusivity, such as all machines in the building carrying only a certain manufacturer's brand of pop, that provision must be reviewed by the administration prior to requesting bids or quotations to ensure that it does not conflict with other contracts of the school district.
- E. All contracts for vending machines must be approved by the superintendent or designee. Any contract not made in compliance with this policy shall be void. Any district employee signing an unauthorized contract may be subject to personal liability thereon and may be disciplined for said action.
- F. All vending machines are to be installed at the expense of the facility in which located. All financial responsibility for the maintenance and repair of machines shall remain with the individual facility in which located to the extent not addressed in the contract.
- G. No teacher, administrator, school district employee, or school board member shall be interested, directly or indirectly, in a vending machine contract with the school district or personally benefit financially therefrom.

VI. ACCOUNTING

- A. Proceeds from vending machine sales and contracts shall be under the control of the school board, shall be accounted for in one of the regular school district funds, and must be accounted for and reported in compliance with UFARS.
- B. An amount equal to the amount of the proceeds from the machines in each facility shall be included in the budget of the facility in which the proceeds are generated. That amount may be expended in accordance with established expenditure procedures.
- C. Pursuant to the vending machine contract or otherwise, proper auditing and inventory control procedures shall be established to ensure that commissions are being correctly calculated and paid.

Legal References: Minn. Stat. § 123B.20 (Dealing in Supplies)
Minn. Stat. § 123B.52 (Contracts)
Minn. Stat. § 471.345 (Contracts)
Minn. Stat. § 471.87 (Conflict of Interest)

Cross References: Burnsville-Eagan-Savage School District Policy 210 (Conflict of Interest – School Board Members)
[Burnsville-Eagan-Savage School District Policy 533 \(Wellness\)](#)
Burnsville-Eagan-Savage School District Policy 702 (Accounting)