

John Bergs
Activities Director
Margot Hansen
Director of Teaching & Learning
Jeff Heine
Buildings & Grounds Director



Chuck Keller
Business Director
Angie Kahle
Student Support Services Director
Dorothy Koller
Community Education Director

REGULAR BOARD MEETING
District Office, 130 South Willow Street, Belle Plaine, MN 56011
6:00 PM Monday, September 22, 2014

Our mission is to pursue excellence in academics, programming, and the social and emotional development of our students. Fostering a culture of kindness, inclusion, and pride in ourselves, our school, and our community.

1. Call to Order:

2. Acknowledgment of Visitors and Special Presentations:

1. Review of Vision Card A - Student Learning: Ms. Margot Hansen **3**

3. Other Items as Brought Before the Board & Consideration of Agenda:

4. Consensus Items:

1. Previous Board Meeting Minutes: **5**

2. Approve Monthly Expenditures: **9**

3. Personnel: **23**

4. Student Enrollment:

5. Donations: **24**

5. Discussion Items:

1. Superintendent Update: Dr. Smith

2. Board Member Reports: Board Members

3. Principal Reports: **25**

6. Action Items:

| | | |
|--|----------------------|------------------|
| 1. <u>Approve Preliminary 13 Pay 14 Levy:</u> | Dr. Smith/Mr. Keller | <u>29</u> |
| 2. <u>Approve MSBA Legislative Resolutions:</u> | Dr. Smith | <u>30</u> |
| 3. <u>Approve Policy Revisions:</u> | Dr. Smith | <u>34</u> |
| 7. <u>Upcoming Meetings:</u> | | |
| 8. <u>Adjourn:</u> | | |

Board Clerk

Date

Strategic Area: Student Learning & Career/College Readiness

District Vision Card A: *Maximize the achievement of all students by developing and implementing personalized learning for each student.*

| MEASURES | LEVEL 1 INTERVENTION 1.0 – 1.9 | LEVEL 2 HIGH CONCERN 2.0 – 2.9 | LEVEL 3 BASELINE 3.0 – 3.9 | LEVEL 4 PROGRESSING 4.0 – 4.9 | LEVEL 5 VISION 5.0 + | 2013-2014 (Data from 2012-13) SCORE | 2014-2015 (Data from 2013-14) SCORE |
|--|---|--|---|---|--|---|---|
| A1: Pre-School Screening Tools <i>Language & Literacy Development (Listening, Speaking, Emerging Reading, Emerging Writing)</i> | < 65% of all kindergarten students assessed in the fall are proficient | 2012-13 2013-14 65-74% of all kindergarten students assessed in the fall are proficient | 2014-15 75-84% of all kindergarten students assessed in the fall are proficient | 85-90% of all kindergarten students assessed in the fall are proficient | > 90% of all kindergarten students assessed in the fall are proficient | Letter Naming 66% | 77% |
| A2: MAP Assessment Reading Kindergarten | 2013-14 < 65% of all kindergarten students assessed in the spring are proficient in reading and math | 2012-13 65-74% of all kindergarten students assessed in the spring are proficient in reading and math | 75-84% of all kindergarten students assessed in the spring are proficient in reading and math | 85-90% of all kindergarten students assessed in the spring are proficient in reading and math | > 90% of all kindergarten students assessed in the spring are proficient in reading and math | Reading 53% Math 74% | Not Applicable Kindergarten did not take NWEA in 2013-2014 |
| A3: MAP Assessment Math | < 65% of all assessed students in grades 1-9 are above the 50% nationally | 2012-13 2014-15 65-74% of all assessed students in grades 1-9 are above the 50% nationally | 2013-14 75-84% of all assessed students in grades 1-9 are above the 50% nationally | 85-90% of all assessed students in grades 1-9 are above the 50% nationally | > 90% of all assessed students in grades 1-9 are above the 50% nationally | 80.20% | 69.60% |
| A4: MCA – Math (Grades 3-8) | 2013-14 2014-15 < 65% of all assessed students are proficient | 2012-13 65-74% of all assessed students are proficient | 75-84% of all addressed students are proficient | 85-90% of all assessed students are proficient | > 90% of all assessed students are proficient | 59.40% | 54.70% |
| A5: MAP Assessment Reading | 2012-13 < 65% of all assessed students in grades 1-9 are above the 50% nationally | 2014-15 65-74% of all assessed students in grades 1-9 are above the 50% nationally | 2013-14 75-84% of all assessed students in grades 1-9 are above the 50% nationally | 85-90% of all assessed students in grades 1-9 are above the 50% nationally | > 90% of all assessed students in grades 1-9 are above the 50% nationally | 80.60% | 66.80% |
| A6: MCA – Reading (Grades Tested) | 2013-14 2014-15 < 65% of all assessed students are proficient | 65-74% of all assessed students are proficient | 2012-13 75-84% of all addressed students are proficient | 85-90% of all assessed students are proficient | > 90% of all assessed students are proficient | 54.20% | 55.00% |
| A7: MCA – Science (Grades Tested) | 2012-13 2013-14 2014-15 < 65% of all assessed students are proficient | 65-74% of all assessed students are proficient | 75-84% of all assessed students are proficient | 85-90% of all assessed students are proficient | > 90% of all assessed students are proficient | 56.50% | 54.40% |
| A8: Equity in MCA Proficiency | 2012-13 2013-14 2014-15 < 50% of students in lowest performing student group are proficient in both Reading and Math | 50-74% of students in lowest performing student group are proficient in both Reading and Math | 75-84% of students in lowest performing student group are proficient in both Reading and Math | 85-90% of students in lowest performing student group are proficient in both Reading and Math | > 90% of students in lowest performing student group are proficient in both Reading and Math | SpEd: Math 33% Reading 26% | SpED: Math 27.7% Reading 24.8% |

| MEASURES | LEVEL 1 INTERVENTION 1.0 – 1.9 | LEVEL 2 HIGH CONCERN 2.0 – 2.9 | LEVEL 3 BASELINE 3.0 – 3.9 | LEVEL 4 PROGRESSING 4.0 – 4.9 | LEVEL 5 VISION 5.0 + | 2013-2014 (Data from 2012-13) SCORE | 2014-2015 (Data from 2013-14) SCORE |
|---|---|--|--|---|--|---|---|
| A9: MAP Growth Reading | 2012-13 2014-15 < 65% of all students assessed met their growth target from fall to spring | 2013-14 65-74% of all students assessed met their growth target from fall to spring | 75-84% of all students assessed met their growth target from fall to spring | 85-90% of all students assessed met their growth target from fall to spring | > 90% of all students assessed met their growth target from fall to spring | 67.30% | 60.10% |
| A10: MAP Growth Math | < 65% of all students assessed met their growth target from fall to spring | 2012-13 2014-15 65-74% of all students assessed met their growth target from fall to spring | 2013-14 75-84% of all students assessed met their growth target from fall to spring | 85-90% of all students assessed met their growth target from fall to spring | > 90% of all students assessed met their growth target from fall to spring | 78.00% | 72.03% |
| A11: ACT College Readiness Benchmarks Graduation Test <i>(English, Math, Science, Social Studies)</i> | 2012-13 2013-14 2014-15 < 65% of assessed students achieve college readiness benchmarks | 65-74% of assessed students achieve college readiness benchmarks | 75-84% of assessed students achieve college readiness benchmarks | 85-90% of assessed students achieve college readiness benchmarks | > 90% of assessed students achieve college readiness benchmarks | Overall 23% English 73% Algebra 44% Social 47% Biology 33% | Overall 38% English 75% Algebra 51% Social 52% Biology 45% |
| A12: Plan | 2014-15 < 65% of assessed students achieve college readiness benchmarks | 65-74% of assessed students achieve college readiness benchmarks | 75-84% of assessed students achieve college readiness benchmarks | 85-90% of assessed students achieve college readiness benchmarks | > 90% of assessed students achieve college readiness benchmarks | | 39% |
| A13: Explore | 2014-15 < 65% of assessed students achieve college readiness benchmarks | 65-74% of assessed students achieve college readiness benchmarks | 75-84% of assessed students achieve college readiness benchmarks | 85-90% of assessed students achieve college readiness benchmarks | > 90% of assessed students achieve college readiness benchmarks | | 42% |
| A14: Graduation Rate | 2012-13 2014-15 < 90% of students graduate on time with cohort | 2013-14 90-93% of students graduate on time with cohort | 94-95% of students graduate on time with cohort | 96-98% of students graduate on time with cohort | > 98% of students graduate on time with cohort | 92.86% | 86.70% |

Preliminary Minutes of the Regular Board Meeting

MINUTES WILL NOT BE APPROVED UNTIL THE NEXT BOARD MEETING

The School Board of Belle Plaine Public Schools

A Regular Board Meeting of the Board of Belle Plaine Public Schools was held Monday, August 25, 2014, beginning at 7:00 PM in the District Center - Board Room.

1. Call to Order:

The regular monthly meeting of the Belle Plaine School Board was called to order by Vice-Chairperson Ludvik on Monday, August 25, 2014 at 7:00 pm at the District Center Board Room with the following members present: Lenz, Vandermark, Gardner, Giesen, Ludvik and Supt. Smith. The following members were absent: Bigaouette.

2. Acknowledgment of Visitors and Special Presentations:

Vice-Chairperson Ludvik will ask if visitors wish to be placed on the Agenda.

3. Other Items as Brought Before the Board & Consideration of Agenda:

Vice-Chairperson Ludvik will ask if there are any items that need to be brought before the board and for consideration of the Agenda.

Motion by Lenz and second by Giesen to approve the agenda as presented. Motion carried unanimously.

4. Consensus Items:

If any board member has concerns about the adoption of the following consensus items, please acknowledge the Chairperson prior to the final vote. If there are no concerns, these items will be voted on as a group.

Motion by Vandermark and second by Lenz to approve all of the following consensus items. Motion carries unanimously.

4. 1. Previous Board Meeting Minutes:

Enclosed are the July 28, 2014 Regular Board Meeting minutes for your review and adoption.

4. 2. Approve Monthly Expenditures:

At the board finance meeting, expenditures for the month of August were reviewed. Administration recommends approval of the August 2014 disbursements totaling \$688,540.55. This includes hand payables of \$180,649.15, electronic payments of \$313,679.40 and Student Activity payments of \$3,589.68.

4. 3. Personnel:

Accept the resignation of Kirsten Urke, Oak Crest STEM Teacher, effective August 5, 2014.

Accept the resignation of Stephanie Moore, Chatfield Teacher, effective August 9, 2014.

Approve the hire of Margot Hansen, Curriculum & Assessment Coordinator, at \$72,000.

Approve the hire of Tammy DeFrieze-Svacina, ECFE Teacher, Step 1, \$19.16 per

hour.

Approve the hire of Matthew Kirk, Oak Crest STEM Teacher, MA Step 2 at \$38,526.
Approve the hire of Karissa Tye, Grade 1 Chatfield Elementary Teacher, MA Step 4 at \$41,473.

Approve the hire of Holly Yattaw, Oak Crest Paraprofessional, Step 3, \$12.57 per hour.

Approve the hire of Marcy Boblitt, Long Term Substitute Special Education Teacher, effective September 2 through November 21, 2014.

4. 4. Donations:

| Date | Donor | Nature of Donation/Gift | Amount |
|---------|--|-------------------------|------------|
| 8.1.14 | Belle Plaine Rotary Club | Bathroom Project | \$1,000.00 |
| 8.1.14 | Belle Plaine State Bank | Bathroom Project | \$2,000.00 |
| 8.1.14 | New York Life | Unspecified | \$102.00 |
| 8.5.14 | Coborns – Labels for Learning | Chatfield Elementary | \$1,025.00 |
| 8.12.14 | Wells Fargo Community Support Campaign – Neal Williamson | Chatfield Elementary | \$65.00 |
| 8.15.14 | New York Life | Unspecified | \$34.00 |

4. 5. Student Enrollment:

Approve a 2nd grade Burnsville resident to attend Chatfield Elementary beginning September 4, 2014.

Approve two LeSueur residents, grades 3 and 5, to attend Oak Crest Elementary beginning September 4, 2014.

Approve a Belle Plaine Kindergarten resident to attend Chaska Elementary effective September 4, 2014.

Approve a Belle Plaine Kindergarten resident to attend La Academia effective September 4, 2014.

5. Discussion Items:

5. 1. Superintendent Update:

Superintendent Smith will provide updates on current school activities including iPad rollout sessions, staffing status for new year, beginning of school activity events, MSBA Area Meeting on 9/22 at 3:30 p.m., back to school workshops for teachers & paras.

Presenter: Dr. Smith

5. 2. Board Member Reports:

Board members will have an opportunity to share information about meetings they have attended over the past month. Director Vandermark reported on the MSBA Fall Conference that he attended along with Dr. Smith. Featured speaker was Dr. Alan Zimmerman who gave an outstanding presentation to begin and end the day. Breakout sessions attended focused on “90 Days Before your Next Election” presented by Dr. Bill Morris and “School Board Advocacy” presented by MSBA Staff.

Director Giesen shared information from his recent SWMetro Cooperative meeting. There was a presentation on MYHelp – an onsite medical services program that is available through the cooperative. He mentioned the Bus Tour of the various SWMetro Programs on 9/16 and the SWMetro Foundation Gala on 10/10 at

Hazeltine. This is a primary fund raiser for the Foundation for the year and members are encouraged to attend.

6. Action Items:

6. 1. Approve Student Handbooks for 2014-15:

Student handbooks were reviewed at the board work session earlier this month.

Recommendation is for approval of handbooks for the 2014-15 school year.

Presenter: Dr. Smith

Motion by Gardner and second by Giesen to approve the 2014-15 Student Handbooks. Motion carried unanimously.

6. 2. Approve Belle Plaine Technology Benchmarks:

In an effort to clarify the technology applications that are expected to be a priority for teachers as we move forward, we have developed a set of benchmarks in six application areas. There are six benchmarks in each area divided into Bronze, Silver and Gold status.

While the areas of emphasis may change over time, these six areas are the focus at this particular time. If Gold level status is attained in any one of these areas, I believe that teacher has moved into the "Redefinition" level on the SAMR model that we have discussed regarding technology integration into the classroom.

It is recommended to have board approval of these benchmarks and to provide one credit toward a potential lane change for achievement of gold level status in each of the areas.

Presenter: Dr. Smith

Motion by Giesen and second by Vandermark to approve the technology benchmarks for teaching staff to include a credit towards potential lane change with the achievement of gold level status in each of the areas. Motion carried unanimously.

6. 3. Approve Belle Plaine Teacher Evaluation Document/Process:

Our district has been utilizing a professional growth model for teacher evaluations since the 2011-2012 school year and have modified that model to include the requirements for the teacher evaluation statute that goes into effect this school year. Last school year, our evaluation committee recommended that we utilize the revised evaluation form including the rubric including Teacher Practice (40%), Student Learning & Achievement (35%), Student Engagement (20%) and Technology Integration (5%). The resulting scores as determined by the supervision principal determined a final summative score of 3.5 -4.0 for Exemplary, 2.5-3.49 for Effective, 1.5 - 2.49 for Development Needed and 1.0 - 1.49 for Unsatisfactory.

It is recommended that the board give approval to this document and process as our district's formal teacher evaluation process. Members of the Belle Plaine teaching staff will be voting on this as well as state statute requires approval by both the school board and the teacher's union.

Presenter: Dr. Smith

Motion by Vandermark and second by Gardner to approve the teacher evaluation process and documentation. Motion carried unanimously.

6. 4. Approve Policy Revisions:

We will be reviewing policy once again starting with policies that have had revisions

after they were last approved by the school board. Up for review this time are: 101 - Legal Status of School District; 202 - School Board Officers; 206 - Public Participation in School Board Meetings/Complaints About Persons at School Board Meetings & Data Privacy Considerations; 406 - Public & Private Personnel Data; 414 - Mandated Reporting of Child Neglect or Physical or Sexual Abuse. There are minor changes to each of these policies and were reviewed at the August board work session. All policies are recommended for revision at this time.

Presenter: Dr. Smith

Motion by Vandermark and second by Lenz to approve the following Policy Revisions: 101 – Legal Status of the School District, 202 – School Board Officers, 206 – Public Participation in School Board Meetings/Complaints About persons at School Board Meetings & Data Privacy Considerations, 406 – Public & Private Personnel Data and 414 – Mandated Reporting of Child Neglect or Physical or Sexual Abuse. Motion carried unanimously.

7. Upcoming Meetings:

Monday, September 8, 6 p.m. School Board Work Session

Thursday, September 18, 3:30 p.m. MSBA Area Meeting in Mankato

Monday, September 22, 5:30 p.m. Finance Committee

6:00 p.m. School Board Meeting

8. Adjourn:

Motion by Vandermark and second by Lenz to adjourn at 8:07 pm. Motion carried unanimously.

Belle Plaine Public Schools Pre Payment Report

| GrpCode | Rcd | W9 | Vendor | Batch | Voucher | Inv No | Gross Amount | Disc Amt | Net Payment | Inv Date | Due Date | Disc Date |
|---------|------|----|------------------------------|--------|---------|-------------|---------------|----------|-------------|------------|------------|------------|
| 1 | 3753 | N | AG POWER ENTEPRISES INC | V50301 | 45196 | 608975 | 9.46 | 0.00 | 9.46 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$9.46 | | | |
| 1 | 4589 | N | BANC OF AMERICA LEASING | V50301 | 45221 | 64 | 8,256.74 | 0.00 | 8,256.74 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$8,256.74 | | | |
| 1 | 1125 | N | BELLE PLAINE HERALD | V50301 | 45217 | 17721 | 3,332.56 | 0.00 | 3,332.56 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$3,332.56 | | | |
| 1 | 2329 | N | BLUE CROSS BLUE SHIELD of MN | V50301 | 45218 | 38496 | 285.00 | 0.00 | 285.00 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$285.00 | | | |
| 1 | 6513 | N | BYRON HIGH SCHOOL | V50301 | 45211 | 10012014 | 70.00 | 0.00 | 70.00 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$70.00 | | | |
| 1 | 4493 | N | CENGAGE LEARNING | V50301 | 45206 | 52718288 | 5,500.00 | 0.00 | 5,500.00 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| 1 | 4493 | N | CENGAGE LEARNING | V50301 | 45213 | 53050425 | 550.00 | 0.00 | 550.00 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$6,050.00 | | | |
| 1 | 1240 | N | CERISSE MURPHY | V50301 | 45181 | 06292014 | 109.76 | 0.00 | 109.76 | 06/29/2014 | 06/29/2014 | 06/29/2014 |
| | | | | | | | Check Amount: | | \$109.76 | | | |
| 1 | 6514 | N | CORPORATE HEALTH SYSTEMS, I | V50301 | 45210 | 00029978 | 8,270.00 | 0.00 | 8,270.00 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$8,270.00 | | | |
| 1 | 3477 | N | COUNTRYSIDE CONCRETE | V50301 | 45267 | 2131 | 7,271.80 | 0.00 | 7,271.80 | 09/18/2014 | 09/18/2014 | 09/18/2014 |
| | | | | | | | Check Amount: | | \$7,271.80 | | | |
| 1 | 4565 | N | DE LAGE LANDEN | V50301 | 45219 | 42689344 | 418.00 | 0.00 | 418.00 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$418.00 | | | |
| 1 | 6212 | N | DEPARTMENT OF HUMAN SERVIC | V50301 | 45184 | 00000226680 | 142.00 | 0.00 | 142.00 | 06/29/2014 | 06/29/2014 | 06/29/2014 |
| | | | | | | | Check Amount: | | \$142.00 | | | |
| 1 | 5579 | N | EDUCATORS BENEFIT CONSULTA | V50301 | 45203 | 24285 | 202.40 | 0.00 | 202.40 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$202.40 | | | |
| 1 | 6518 | N | GREGORY ELECTRIC LLC | V50301 | 45268 | 507 | 4,650.00 | 0.00 | 4,650.00 | 09/18/2014 | 09/18/2014 | 09/18/2014 |
| | | | | | | | Check Amount: | | \$4,650.00 | | | |
| 1 | 1607 | N | ISD 287 | V50301 | 45178 | 72142 | 7,796.97 | 0.00 | 7,796.97 | 06/29/2014 | 06/29/2014 | 06/29/2014 |
| 1 | 1607 | N | ISD 287 | V50301 | 45179 | 72264 | 449.56 | 0.00 | 449.56 | 06/29/2014 | 06/29/2014 | 06/29/2014 |
| | | | | | | | Check Amount: | | \$8,246.53 | | | |

Belle Plaine Public Schools Pre Payment Report

| GrpCode | Rcd | W9 | Vendor | Batch | Voucher | Inv No | Gross Amount | Disc Amt | Net Payment | Inv Date | Due Date | Disc Date |
|---------|------|----|-----------------------------|----------|---------|------------|---------------|----------|-------------|------------|------------|------------|
| 1 | 3120 | N | KENNEDY & GRAVEN, CHARTER | EIV50301 | 45180 | 121279 | 97.50 | 0.00 | 97.50 | 06/29/2014 | 06/29/2014 | 06/29/2014 |
| | | | | | | | Check Amount: | | \$97.50 | | | |
| 1 | 1707 | N | LANGE'S PLUMBING & HEATING | V50301 | 45195 | 125357 | 294.00 | 0.00 | 294.00 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$294.00 | | | |
| 1 | 6512 | N | LSH Bus Service | V50301 | 45215 | 127 | 510.95 | 0.00 | 510.95 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$510.95 | | | |
| 1 | 1812 | N | MESPA | V50301 | 45207 | 09172014 | 889.00 | 0.00 | 889.00 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$889.00 | | | |
| 1 | 3223 | N | METRO ECSU | V50301 | 45251 | 10222014 | 250.00 | 0.00 | 250.00 | 09/18/2014 | 09/18/2014 | 09/18/2014 |
| 1 | 3223 | N | METRO ECSU | V50301 | 45252 | 09292014 | 80.00 | 0.00 | 80.00 | 09/18/2014 | 09/18/2014 | 09/18/2014 |
| | | | | | | | Check Amount: | | \$330.00 | | | |
| 1 | 3979 | N | MRCI MANKATO | V50301 | 45205 | F59841 | 324.00 | 0.00 | 324.00 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$324.00 | | | |
| 1 | 1918 | N | NIEMAN ROOFING CO. INC | V50301 | 45194 | 3893 | 7,500.00 | 0.00 | 7,500.00 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$7,500.00 | | | |
| 1 | 2002 | N | PROTECTION SYSTEMS INC | V50301 | 45199 | 25251 | 260.00 | 0.00 | 260.00 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$260.00 | | | |
| 1 | 6111 | N | RAM MUTUAL INSURANCE COMP | AV50301 | 45250 | 162728 | 3,977.02 | 0.00 | 3,977.02 | 09/18/2014 | 09/18/2014 | 09/18/2014 |
| | | | | | | | Check Amount: | | \$3,977.02 | | | |
| 1 | 6519 | N | RELIABLE PLUMBING & HEATING | V50301 | 45269 | 1478 | 8,901.50 | 0.00 | 8,901.50 | 09/18/2014 | 09/18/2014 | 09/18/2014 |
| | | | | | | | Check Amount: | | \$8,901.50 | | | |
| 1 | 6504 | N | ROSETTA STONE LTD | V50301 | 45212 | 4904255 | 1,590.00 | 0.00 | 1,590.00 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$1,590.00 | | | |
| 1 | 2066 | N | SCHINDLER ELEVATOR CORP | V50301 | 45197 | 8103824761 | 463.32 | 0.00 | 463.32 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$463.32 | | | |
| 1 | 2068 | N | SCHOLASTIC | V50301 | 45214 | M5350145 | 577.50 | 0.00 | 577.50 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$577.50 | | | |
| 1 | 2137 | N | SOUTH CENTRAL ECSU | V50301 | 45200 | 15059 | 1,276.24 | 0.00 | 1,276.24 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$1,276.24 | | | |
| 1 | 6138 | N | SOUTHWEST METRO EDUCATION | V50301 | 45183 | 11654 | 5,890.73 | 0.00 | 5,890.73 | 06/29/2014 | 06/29/2014 | 06/29/2014 |
| 1 | 6138 | N | SOUTHWEST METRO EDUCATION | V50301 | 45182 | 11974 | 2,320.24 | 0.00 | 2,320.24 | 06/29/2014 | 06/29/2014 | 06/29/2014 |

Belle Plaine Public Schools Pre Payment Report

| GrpCode | Rcd | W9 | Vendor | Batch | Voucher | Inv No | Gross Amount | Disc Amt | Net Payment | Inv Date | Due Date | Disc Date |
|---------|------|----|----------------------------|--------|---------|------------|---------------|----------|-------------|------------|------------|------------|
| 1 | 6138 | N | SOUTHWEST METRO EDUCATION | V50301 | 45185 | 12020 | 2,622.49 | 0.00 | 2,622.49 | 06/29/2014 | 06/29/2014 | 06/29/2014 |
| | | | | | | | Check Amount: | | \$10,833.46 | | | |
| 1 | 2144 | N | SPED FORMS INC | V50301 | 45209 | 3973 | 996.00 | 0.00 | 996.00 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$996.00 | | | |
| 1 | 2157 | N | STEFFEN HARDWARE | V50301 | 45201 | AUGUST | 152.78 | 0.00 | 152.78 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$152.78 | | | |
| 1 | 5745 | N | SUPERIOR SEALCOAT SERVICES | V50301 | 45193 | 290-14 | 3,190.00 | 0.00 | 3,190.00 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$3,190.00 | | | |
| 1 | 2188 | N | TAHER INC | V50301 | 45202 | 0040974-IN | 5,265.62 | 0.00 | 5,265.62 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$5,265.62 | | | |
| 1 | 3832 | N | TERESA VINING | V50301 | 45208 | 09012014 | 250.00 | 0.00 | 250.00 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| 1 | 3832 | N | TERESA VINING | V50301 | 45204 | 09012014 | 160.00 | 0.00 | 160.00 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$410.00 | | | |
| 1 | 4559 | N | THE MAILBOX MAGAZINE | V50301 | 45216 | 01004 | 39.95 | 0.00 | 39.95 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$39.95 | | | |
| 1 | 2230 | N | THINKING CAP QUIZ BOWL | V50301 | 45220 | 11102014 | 70.00 | 0.00 | 70.00 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$70.00 | | | |
| 1 | 5669 | N | TITAN ENERGY SYSTEMS | V50301 | 45198 | 120209-021 | 670.53 | 0.00 | 670.53 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$670.53 | | | |
| 1 | 2266 | N | TRUGREEN CHEMLAWN | V50301 | 45192 | 23816366 | 213.74 | 0.00 | 213.74 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| 1 | 2266 | N | TRUGREEN CHEMLAWN | V50301 | 45191 | 23800078 | 853.89 | 0.00 | 853.89 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| 1 | 2266 | N | TRUGREEN CHEMLAWN | V50301 | 45190 | 23816297 | 1,907.63 | 0.00 | 1,907.63 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| 1 | 2266 | N | TRUGREEN CHEMLAWN | V50301 | 45189 | 23794814 | 200.92 | 0.00 | 200.92 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| 1 | 2266 | N | TRUGREEN CHEMLAWN | V50301 | 45188 | 23782603 | 200.92 | 0.00 | 200.92 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| 1 | 2266 | N | TRUGREEN CHEMLAWN | V50301 | 45186 | 21928219 | 200.92 | 0.00 | 200.92 | 09/17/2014 | 09/17/2014 | 09/17/2014 |
| | | | | | | | Check Amount: | | \$3,578.02 | | | |
| | | | | | | | Report Total: | | \$99,511.64 | | | |

*Does not meet minimum amount
**Exceeds maximum amount

Hand Pays

| Batch | Co | Pmt No | Bank | Check No | Pay Type | Grp | Code | Vendor | Print | Recon | Pay Date | Void | Curr | Amount |
|--------|------|--------|------|----------|----------|-----|------|---|-------|-------|-----------|-------|------|--------------|
| P50302 | 0716 | 34336 | SBC | 56787 | CH | 1 | 1125 | BELLE PLAINE HERALD | Y | N | 8/22/2014 | C N | USD | 335.60 |
| P50302 | 0716 | 34391 | SBC | 56842 | CH | 1 | 1660 | JORDAN HIGH SCHOOL | Y | N | 8/26/2014 | C N | USD | 13,784.71 |
| P50302 | 0716 | 34392 | SBC | 56843 | CH | 1 | 4145 | MEDICAREBLUE RX | Y | N | 8/26/2014 | C N | USD | 313.50 |
| P50302 | 0716 | 34393 | SBC | 56844 | CH | 1 | 6138 | SOUTHWEST METRO EDUCATIONAL COOP | Y | N | 8/26/2014 | C N | USD | 19,895.28 |
| P50302 | 0716 | 34393 | SBC | 56844 | CH | 1 | 6138 | SOUTHWEST METRO EDUCATIONAL COOP | Y | N | 8/26/2014 | C N | USD | 1,206.63 |
| P50302 | 0716 | 34393 | SBC | 56844 | CH | 1 | 6138 | SOUTHWEST METRO EDUCATIONAL COOP | Y | N | 8/26/2014 | C N | USD | 111.96 |
| P50302 | 0716 | 34393 | SBC | 56844 | CH | 1 | 6138 | SOUTHWEST METRO EDUCATIONAL COOP | Y | N | 8/26/2014 | C N | USD | 13,354.49 |
| P50302 | 0716 | 34394 | SBC | 56845 | CH | 1 | 6500 | USBANCORP | Y | N | 8/26/2014 | C N | USD | 266,613.37 |
| p502p2 | 0716 | 34395 | SBC | 56846 | CH | 1 | 6482 | Belle Plaine Schools Health Ins Acct | Y | N | 8/26/2014 | C N | USD | 104,717.76 |
| P50302 | 0716 | 34402 | SBC | 56847 | CH | 1 | 5761 | CHRIS JOSTOCK | Y | N | 9/3/2014 | 0 C N | USD | 83.00 |
| P50302 | 0716 | 34404 | SBC | 56848 | CH | 1 | 6501 | JASON WEBER | Y | N | 9/3/2014 | 0 C N | USD | 83.00 |
| P50302 | 0716 | 34400 | SBC | 56849 | CH | 1 | 4127 | KARI KRAEMER | Y | N | 9/3/2014 | 0 C N | USD | 105.55 |
| P50302 | 0716 | 34398 | SBC | 56850 | CH | 1 | 2430 | MRC | Y | N | 9/3/2014 | 0 C N | USD | 200.00 |
| P50302 | 0716 | 34403 | SBC | 56851 | CH | 1 | 6304 | NICHOLAS LITFIN | Y | N | 9/3/2014 | 0 C N | USD | 83.00 |
| P50302 | 0716 | 34401 | SBC | 56852 | CH | 1 | 4722 | PHIL KERN | Y | N | 9/3/2014 | 0 C N | USD | 83.00 |
| P50302 | 0716 | 34399 | SBC | 56853 | CH | 1 | 3891 | TODD TRAEN | Y | N | 9/3/2014 | 0 C N | USD | 83.00 |
| P50302 | 0716 | 34397 | SBC | 56854 | CH | 1 | 2272 | US BANK | Y | N | 9/3/2014 | 0 C N | USD | 1,401,931.86 |
| p503p1 | 0716 | 34412 | SBC | 56855 | CH | 1 | 1134 | BELLE PLAINE SCHOOL | Y | N | 9/5/2014 | 0 C N | USD | 3,830.85 |
| p503p1 | 0716 | 34415 | SBC | 56856 | CH | 1 | 6451 | Belle Plaine Schools Dental Ins Account | Y | N | 9/5/2014 | 0 C N | USD | 10,490.13 |
| p503p1 | 0716 | 34416 | SBC | 56857 | CH | 1 | 6482 | Belle Plaine Schools Health Ins Acct | Y | N | 9/5/2014 | 0 C N | USD | 116,393.75 |
| p503p1 | 0716 | 34416 | SBC | 56857 | CH | 1 | 6482 | Belle Plaine Schools Health Ins Acct | Y | N | 9/5/2014 | 0 C N | USD | 328.10 |
| p503p1 | 0716 | 34414 | SBC | 56858 | CH | 1 | 6122 | NATIONAL INSURANCE SERVICE of WI | Y | N | 9/5/2014 | 0 C N | USD | 2,869.91 |
| p503p1 | 0716 | 34413 | SBC | 56859 | CH | 1 | 1836 | NCPERS MINNESOTA | Y | N | 9/5/2014 | 0 C N | USD | 32.00 |
| P50302 | 0716 | 34427 | SBC | 56860 | CH | 1 | 6502 | BHS THEATRE GUILD | Y | N | 9/9/2014 | 0 C N | USD | 737.50 |
| P50302 | 0716 | 34423 | SBC | 56861 | CH | 1 | 3683 | DAN FORD | Y | N | 9/9/2014 | 0 C N | USD | 120.00 |
| P50302 | 0716 | 34417 | SBC | 56862 | CH | 1 | 1326 | DARYL SANBORN | Y | N | 9/9/2014 | 0 C N | USD | 83.00 |
| P50302 | 0716 | 34429 | SBC | 56863 | CH | 1 | 6505 | DAVE SELL | Y | N | 9/9/2014 | 0 C N | USD | 120.00 |
| P50302 | 0716 | 34433 | SBC | 56864 | CH | 1 | 6510 | DYLAN BOTHUN | Y | N | 9/9/2014 | 0 C N | USD | 83.00 |
| P50302 | 0716 | 34418 | SBC | 56865 | CH | 1 | 1460 | FARMINGTON HIGH SCHOOL | Y | N | 9/9/2014 | 0 C N | USD | 50.00 |
| P50302 | 0716 | 34424 | SBC | 56866 | CH | 1 | 3798 | JIM CONROY | Y | N | 9/9/2014 | 0 C N | USD | 83.00 |
| P50302 | 0716 | 34430 | SBC | 56867 | CH | 1 | 6507 | JODY JAHN | Y | N | 9/9/2014 | 0 C N | USD | 50.00 |
| P50302 | 0716 | 34425 | SBC | 56868 | CH | 1 | 3799 | MARK SCHROEDER | Y | N | 9/9/2014 | 0 C N | USD | 83.00 |
| P50302 | 0716 | 34419 | SBC | 56869 | CH | 1 | 1787 | MASSP | Y | N | 9/9/2014 | 0 C N | USD | 150.00 |
| P50302 | 0716 | 34422 | SBC | 56870 | CH | 1 | 3223 | METRO ECSU | Y | N | 9/9/2014 | 0 C N | USD | 300.00 |
| P50302 | 0716 | 34421 | SBC | 56871 | CH | 1 | 2773 | MIKE KLIMA | Y | N | 9/9/2014 | 0 C N | USD | 120.00 |

Hand Pays

| Batch | Co | Pmt No | Bank | Check No | Pay Type | Grp | Code | Vendor | Print | Recon | Pay Date | Void | Curr | Amount |
|--------|------|--------|------|----------|----------|-----|------|--------------------------|-------|-------|-----------|------|------|----------|
| P50302 | 0716 | 34432 | SBC | 56872 | CH | 1 | 6509 | NADINE CALLAHAN | Y | N | 9/9/2014 | OCN | USD | 220.00 |
| P50302 | 0716 | 34431 | SBC | 56873 | CH | 1 | 6508 | PAUL GATZ | Y | N | 9/9/2014 | OCN | USD | 30.35 |
| P50302 | 0716 | 34428 | SBC | 56874 | CH | 1 | 6503 | RIVER BOTTOM PRODUCTIONS | Y | N | 9/9/2014 | OCN | USD | 1,100.00 |
| P50302 | 0716 | 34426 | SBC | 56875 | CH | 1 | 3800 | ROGER PETERSON | Y | N | 9/9/2014 | OCN | USD | 83.00 |
| P50302 | 0716 | 34420 | SBC | 56876 | CH | 1 | 2326 | YOUTH FRONTIERS INC | Y | N | 9/9/2014 | OCN | USD | 750.00 |
| P50302 | 0716 | 34420 | SBC | 56876 | CH | 1 | 2326 | YOUTH FRONTIERS INC | Y | N | 9/9/2014 | OCN | USD | 750.00 |
| p503p1 | 0716 | 34434 | SBC | 56877 | CH | 1 | 6511 | KARISSA TYE | Y | N | 9/9/2014 | OCN | USD | 50.00 |
| P50302 | 0716 | 34509 | SBC | 56878 | CH | 1 | 4554 | DIANE JOHNS | Y | N | 9/17/2014 | CN | USD | 96.00 |
| P50302 | 0716 | 34505 | SBC | 56879 | CH | 1 | 1372 | DICK MILINKOVICH | Y | N | 9/17/2014 | CN | USD | 96.00 |
| P50302 | 0716 | 34511 | SBC | 56880 | CH | 1 | 6516 | ERIC SAUGEN | Y | N | 9/17/2014 | CN | USD | 96.00 |
| P50302 | 0716 | 34510 | SBC | 56881 | CH | 1 | 6515 | HANNAH RYBAK | Y | N | 9/17/2014 | CN | USD | 96.00 |
| P50302 | 0716 | 34507 | SBC | 56882 | CH | 1 | 3523 | LORI LATZKE | Y | N | 9/17/2014 | CN | USD | 96.00 |
| P50302 | 0716 | 34507 | SBC | 56882 | CH | 1 | 3523 | LORI LATZKE | Y | N | 9/17/2014 | CN | USD | 96.00 |
| P50302 | 0716 | 34508 | SBC | 56883 | CH | 1 | 3572 | LYNN WILMES | Y | N | 9/17/2014 | CN | USD | 96.00 |
| P50302 | 0716 | 34508 | SBC | 56883 | CH | 1 | 3572 | LYNN WILMES | Y | N | 9/17/2014 | CN | USD | 96.00 |
| P50302 | 0716 | 34512 | SBC | 56884 | CH | 1 | 6517 | MARCELINE ECKMAN | Y | N | 9/17/2014 | CN | USD | 99.55 |
| P50302 | 0716 | 34506 | SBC | 56885 | CH | 1 | 2027 | REGION 2A - MSHSL | Y | N | 9/17/2014 | CN | USD | 750.00 |

Total

\$ 1,963,510.85

Electronic

| Batch | Co | Pmt No | Bank | Check No | Pay Type | Grp | Code | Vendor | Print | Recon | Pay Date | Void | Curr | Amount |
|--------|------|--------|------|----------|----------|-----|------|-------------------------------|-------|-------|-----------|------|------|-----------|
| p502p2 | 0716 | 34396 | SBC | | WX | 1 | 3319 | DEPARTMENT OF EMPLOYMENT AND | N | N | 8/26/2014 | N | USD | 60.32 |
| p503p1 | 0716 | 34405 | SBC | | WX | 1 | 1873 | MN.TEACHERS RETIRE.ASSOC | N | N | 9/5/2014 | 0 N | USD | 44,483.64 |
| p503p1 | 0716 | 34406 | SBC | | WX | 1 | 1977 | PERA | N | N | 9/5/2014 | 0 N | USD | 5,532.63 |
| p503p1 | 0716 | 34407 | SBC | | WX | 1 | 2330 | FEDERAL | N | N | 9/5/2014 | 0 N | USD | 27,536.00 |
| p503p1 | 0716 | 34407 | SBC | | WX | 1 | 2330 | FEDERAL | N | N | 9/5/2014 | 0 N | USD | 9,164.80 |
| p503p1 | 0716 | 34407 | SBC | | WX | 1 | 2330 | FEDERAL | N | N | 9/5/2014 | 0 N | USD | 39,187.36 |
| p503p1 | 0716 | 34408 | SBC | | WX | 1 | 2331 | STATE OF MINNESOTA | N | N | 9/5/2014 | 0 N | USD | 12,476.46 |
| p503p1 | 0716 | 34409 | SBC | | WX | 1 | 2581 | MN CHILD SUPPORT CENTER | N | N | 9/5/2014 | 0 N | USD | 654.00 |
| p503p1 | 0716 | 34410 | SBC | | WX | 1 | 2735 | MII LIFE - VEBA/HSA | N | N | 9/5/2014 | 0 N | USD | 1,945.84 |
| p503p1 | 0716 | 34411 | SBC | | WX | 1 | 5579 | EDUCATORS BENEFIT CONSULTANTS | N | N | 9/5/2014 | 0 N | USD | 1,145.28 |
| p503p1 | 0716 | 34411 | SBC | | WX | 1 | 5579 | EDUCATORS BENEFIT CONSULTANTS | N | N | 9/5/2014 | 0 N | USD | 750.00 |
| p503p1 | 0716 | 34411 | SBC | | WX | 1 | 5579 | EDUCATORS BENEFIT CONSULTANTS | N | N | 9/5/2014 | 0 N | USD | 1,600.78 |
| p503p1 | 0716 | 34411 | SBC | | WX | 1 | 5579 | EDUCATORS BENEFIT CONSULTANTS | N | N | 9/5/2014 | 0 N | USD | 100.00 |
| p503p1 | 0716 | 34411 | SBC | | WX | 1 | 5579 | EDUCATORS BENEFIT CONSULTANTS | N | N | 9/5/2014 | 0 N | USD | 1,740.00 |
| p503p1 | 0716 | 34411 | SBC | | WX | 1 | 5579 | EDUCATORS BENEFIT CONSULTANTS | N | N | 9/5/2014 | 0 N | USD | 5,983.80 |
| p503p1 | 0716 | 34411 | SBC | | WX | 1 | 5579 | EDUCATORS BENEFIT CONSULTANTS | N | N | 9/5/2014 | 0 N | USD | 601.26 |
| p503p1 | 0716 | 34411 | SBC | | WX | 1 | 5579 | EDUCATORS BENEFIT CONSULTANTS | N | N | 9/5/2014 | 0 N | USD | 501.52 |
| P50302 | 0716 | 34513 | SBC | | WX | 1 | 1262 | CITY OF BELLE PLAINE | N | N | 8/21/2014 | N | USD | 3.45 |
| P50302 | 0716 | 34513 | SBC | | WX | 1 | 1262 | CITY OF BELLE PLAINE | N | N | 8/21/2014 | N | USD | 37.13 |
| P50302 | 0716 | 34513 | SBC | | WX | 1 | 1262 | CITY OF BELLE PLAINE | N | N | 8/21/2014 | N | USD | 130.51 |
| P50302 | 0716 | 34513 | SBC | | WX | 1 | 1262 | CITY OF BELLE PLAINE | N | N | 8/21/2014 | N | USD | 283.75 |
| P50302 | 0716 | 34513 | SBC | | WX | 1 | 1262 | CITY OF BELLE PLAINE | N | N | 8/21/2014 | N | USD | 288.64 |
| P50302 | 0716 | 34513 | SBC | | WX | 1 | 1262 | CITY OF BELLE PLAINE | N | N | 8/21/2014 | N | USD | 299.00 |
| P50302 | 0716 | 34514 | SBC | | WX | 1 | 2336 | XCEL ENERGY | N | N | 8/21/2014 | N | USD | 808.48 |
| P50302 | 0716 | 34515 | SBC | | WX | 1 | 2800 | MII LIFE - SELECT ACCOUNT | N | N | 8/22/2014 | N | USD | 308.06 |
| P50302 | 0716 | 34516 | SBC | | WX | 1 | 1486 | FRONTIER | N | N | 8/25/2014 | N | USD | 96.69 |
| P50302 | 0716 | 34516 | SBC | | WX | 1 | 1486 | FRONTIER | N | N | 8/25/2014 | N | USD | 103.27 |
| P50302 | 0716 | 34516 | SBC | | WX | 1 | 1486 | FRONTIER | N | N | 8/25/2014 | N | USD | 109.70 |
| P50302 | 0716 | 34516 | SBC | | WX | 1 | 1486 | FRONTIER | N | N | 8/25/2014 | N | USD | 1,783.12 |
| p50302 | 0716 | 34517 | SBC | | WX | 1 | 2336 | XCEL ENERGY | N | N | 9/5/2014 | 0 N | USD | 9,460.01 |
| p50302 | 0716 | 34517 | SBC | | WX | 1 | 2336 | XCEL ENERGY | N | N | 9/5/2014 | 0 N | USD | 7,356.16 |
| p50302 | 0716 | 34518 | SBC | | WX | 1 | 3414 | CENTERPOINT ENERGY | N | N | 9/5/2014 | 0 N | USD | 559.39 |
| p50302 | 0716 | 34518 | SBC | | WX | 1 | 3414 | CENTERPOINT ENERGY | N | N | 9/5/2014 | 0 N | USD | 288.65 |
| p50302 | 0716 | 34518 | SBC | | WX | 1 | 3414 | CENTERPOINT ENERGY | N | N | 9/5/2014 | 0 N | USD | 1,727.80 |
| p50302 | 0716 | 34518 | SBC | | WX | 1 | 3414 | CENTERPOINT ENERGY | N | N | 9/5/2014 | 0 N | USD | 166.09 |
| p50302 | 0716 | 34518 | SBC | | WX | 1 | 3414 | CENTERPOINT ENERGY | N | N | 9/5/2014 | 0 N | USD | 75.92 |
| p50302 | 0716 | 34518 | SBC | | WX | 1 | 3414 | CENTERPOINT ENERGY | N | N | 9/5/2014 | 0 N | USD | 66.49 |

Electronic

| Batch | Co | Pmt No | Bank | Check No | Pay Type | Grp | Code | Vendor | Print | Recon | Pay Date | Void | Curr | Amount |
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| p50302 | 0716 | 34518 | SBC | | WX | 1 | 3414 | CENTERPOINT ENERGY | N | N | 9/5/2014 | 0 N | USD | 54.58 |
| p50302 | 0716 | 34519 | SBC | | WX | 1 | 2336 | XCEL ENERGY | N | N | 9/8/2014 | 0 N | USD | 8,415.69 |
| p50302 | 0716 | 34519 | SBC | | WX | 1 | 2336 | XCEL ENERGY | N | N | 9/8/2014 | 0 N | USD | 671.37 |
| p50302 | 0716 | 34520 | SBC | | WX | 1 | 2336 | XCEL ENERGY | N | N | 9/10/2014 | N | USD | 13.40 |
| <hr/> | | | | | | | | | | | | | | |
| August 2014 PCARD | | | | | | | | | | | | | | |
| Payroll 9/05/2014 | | | | | | | | | | | | | | |
| <hr/> | | | | | | | | | | | | | | |
| Total | | | | | | | | | | | | | | |
| \$ 496,683.40 | | | | | | | | | | | | | | |

August 2014 Pcard

| Card Holder | Transaction ID | Transaction Date | Processing Date | Statement Date | Merchant Name | Transaction Amount |
|--------------------------|----------------|------------------|-----------------|----------------|------------------------|--------------------|
| KREFT DAVID | 361612686 | 8/20/2014 | 8/21/2014 | 8/27/2014 | PIZZA PLUS | 59.32 |
| KREFT DAVID | 361971291 | 8/22/2014 | 8/25/2014 | 8/27/2014 | CARLEX 800-526-3768 | 35.70 |
| DEWITTE KIMBERLY | 359514392 | 7/29/2014 | 7/30/2014 | 8/27/2014 | ASSOC SUPERV AND CURR | 89.00 |
| DEWITTE KIMBERLY | 359617058 | 7/30/2014 | 7/31/2014 | 8/27/2014 | BARNES & NOBLE #2048 | 65.43 |
| DEWITTE KIMBERLY | 360415274 | 8/8/2014 | 8/8/2014 | 8/27/2014 | BARNES & NOBLE #2048 | 1,621.57 |
| DEWITTE KIMBERLY | 360415275 | 8/8/2014 | 8/8/2014 | 8/27/2014 | BARNES & NOBLE #2048 | 1,596.80 |
| DEWITTE KIMBERLY | 360415276 | 8/9/2014 | 8/8/2014 | 8/27/2014 | NCS PEARSON | 2,400.00 |
| DEWITTE KIMBERLY | 360615202 | 8/8/2014 | 8/11/2014 | 8/27/2014 | BARNES & NOBLE #2048 | (4.98) |
| DEWITTE KIMBERLY | 361104177 | 8/13/2014 | 8/15/2014 | 8/27/2014 | THE 2 SISTERS/THEDAILY | 69.00 |
| DEWITTE KIMBERLY | 361612687 | 8/20/2014 | 8/21/2014 | 8/27/2014 | OFFICE MAX | 71.98 |
| DEWITTE KIMBERLY | 361612688 | 8/19/2014 | 8/21/2014 | 8/27/2014 | RUTTGER S BAY LAKE LOD | 176.56 |
| SD BELLE PLAINE | 359404114 | 7/28/2014 | 7/29/2014 | 8/27/2014 | SSI*SCHOOL SPECIALTY | 314.40 |
| SD BELLE PLAINE | 359775456 | 8/1/2014 | 8/1/2014 | 8/27/2014 | NCS PEARSON | 971.25 |
| SD BELLE PLAINE | 359775457 | 8/1/2014 | 8/1/2014 | 8/27/2014 | NCS PEARSON | 638.35 |
| SD BELLE PLAINE | 359775458 | 8/1/2014 | 8/1/2014 | 8/27/2014 | NCS PEARSON | 274.54 |
| SD BELLE PLAINE | 360415277 | 8/8/2014 | 8/8/2014 | 8/27/2014 | NCS PEARSON | 479.85 |
| SD BELLE PLAINE | 360939415 | 8/12/2014 | 8/14/2014 | 8/27/2014 | THE MEDI-KID CO INC | 51.00 |
| SD BELLE PLAINE | 360939416 | 8/13/2014 | 8/14/2014 | 8/27/2014 | TOYS FOR SPECIAL CHILD | 606.65 |
| HIGH SCHOOL BELLE PLAINE | 359775459 | 8/1/2014 | 8/1/2014 | 8/27/2014 | BEST BUY MHT 00006114 | 37.99 |
| HIGH SCHOOL BELLE PLAINE | 360415278 | 8/7/2014 | 8/8/2014 | 8/27/2014 | SEAVER COMPANY | 412.50 |
| HIGH SCHOOL BELLE PLAINE | 360829003 | 8/12/2014 | 8/13/2014 | 8/27/2014 | OFFICEMAX CT*IN#483526 | 1,998.45 |
| HIGH SCHOOL BELLE PLAINE | 360829004 | 8/12/2014 | 8/13/2014 | 8/27/2014 | NATIONAL RECOGNITION | 31.25 |
| HIGH SCHOOL BELLE PLAINE | 360829005 | 8/12/2014 | 8/13/2014 | 8/27/2014 | SUPREME GRAPHICS & SCH | 415.30 |
| HIGH SCHOOL BELLE PLAINE | 360939429 | 8/13/2014 | 8/14/2014 | 8/27/2014 | FLINN SCIENTIFIC I | 1,641.87 |
| HIGH SCHOOL BELLE PLAINE | 361104187 | 8/15/2014 | 8/15/2014 | 8/27/2014 | GOPHER SPORT | 1,469.19 |
| HIGH SCHOOL BELLE PLAINE | 361104188 | 8/15/2014 | 8/15/2014 | 8/27/2014 | GOPHER PERFORMANCE | 188.13 |
| HIGH SCHOOL BELLE PLAINE | 361612696 | 8/20/2014 | 8/21/2014 | 8/27/2014 | OFFICEMAX CT*IN#659585 | 188.30 |
| HIGH SCHOOL BELLE PLAINE | 361612697 | 8/20/2014 | 8/21/2014 | 8/27/2014 | OFFICEMAX CT*IN#659948 | 47.46 |
| HIGH SCHOOL BELLE PLAINE | 361612698 | 8/20/2014 | 8/21/2014 | 8/27/2014 | GROTH MUSIC | 967.95 |
| HIGH SCHOOL BELLE PLAINE | 361612699 | 8/20/2014 | 8/21/2014 | 8/27/2014 | GOPHER SPORT | 303.45 |
| HIGH SCHOOL BELLE PLAINE | 361784755 | 8/21/2014 | 8/22/2014 | 8/27/2014 | J W PEPPER | 217.99 |
| HIGH SCHOOL BELLE PLAINE | 362075457 | 8/25/2014 | 8/26/2014 | 8/27/2014 | WENGER CORPORATION | 1,180.00 |
| DAVIS KRIS | 360172761 | 8/5/2014 | 8/6/2014 | 8/27/2014 | WM EZPAY | 116.02 |
| DAVIS KRIS | 360172762 | 8/5/2014 | 8/6/2014 | 8/27/2014 | WM EZPAY | 121.30 |
| DAVIS KRIS | 360172763 | 8/5/2014 | 8/6/2014 | 8/27/2014 | WM EZPAY | 116.48 |
| DAVIS KRIS | 360172764 | 8/5/2014 | 8/6/2014 | 8/27/2014 | WM EZPAY | 87.16 |

August 2014 Pcard

| Card Holder | Transaction ID | Transaction Date | Processing Date | Statement Date | Merchant Name | Transaction Amount |
|------------------|----------------|------------------|-----------------|----------------|------------------------|--------------------|
| DAVIS KRIS | 360287163 | 8/6/2014 | 8/7/2014 | 8/27/2014 | OFFICEMAX CT*IN#353217 | 39.14 |
| DAVIS KRIS | 360287164 | 8/5/2014 | 8/7/2014 | 8/27/2014 | METRO SALES INC. | 823.69 |
| DAVIS KRIS | 360287165 | 8/5/2014 | 8/7/2014 | 8/27/2014 | METRO SALES INC. | 2,109.49 |
| DAVIS KRIS | 360729554 | 8/11/2014 | 8/12/2014 | 8/27/2014 | SAMSClub #6311 | 10,538.00 |
| DAVIS KRIS | 361784741 | 8/21/2014 | 8/22/2014 | 8/27/2014 | BIFFS INC | 104.97 |
| HEINE JEFF | 359404115 | 7/28/2014 | 7/29/2014 | 8/27/2014 | OHNSORG TRUCK BODIES I | 73.58 |
| HEINE JEFF | 359514393 | 7/29/2014 | 7/30/2014 | 8/27/2014 | SSI*SCHOOL SPECIALTY | 5,406.05 |
| HEINE JEFF | 359617059 | 7/30/2014 | 7/31/2014 | 8/27/2014 | YOUNGBLOOD LUMBER | 1,694.50 |
| HEINE JEFF | 359775460 | 7/30/2014 | 8/1/2014 | 8/27/2014 | CENEX CENEX CO07038920 | 825.45 |
| HEINE JEFF | 359775461 | 8/1/2014 | 8/1/2014 | 8/27/2014 | MENARDS BURNSVILLE | 91.48 |
| HEINE JEFF | 359775462 | 7/31/2014 | 8/1/2014 | 8/27/2014 | HILLYARD INC HUTCHINSO | 474.00 |
| HEINE JEFF | 360088095 | 8/4/2014 | 8/5/2014 | 8/27/2014 | KULLY SUPPLY | 5,485.22 |
| HEINE JEFF | 360172765 | 8/4/2014 | 8/6/2014 | 8/27/2014 | EXCELSIOR APPLIANCE SA | 1,049.00 |
| HEINE JEFF | 360415279 | 8/7/2014 | 8/8/2014 | 8/27/2014 | SSI*SCHOOL SPECIALTY | 3,400.00 |
| HEINE JEFF | 360729555 | 8/11/2014 | 8/12/2014 | 8/27/2014 | HILLYARD INC HUTCHINSO | 874.36 |
| HEINE JEFF | 361104178 | 8/15/2014 | 8/15/2014 | 8/27/2014 | HILLYARD INC HUTCHINSO | 130.96 |
| HEINE JEFF | 361403801 | 8/18/2014 | 8/19/2014 | 8/27/2014 | Mills Fleet Farm #3 20 | 151.71 |
| HEINE JEFF | 361496627 | 8/18/2014 | 8/20/2014 | 8/27/2014 | CENEX CENEX CO07038920 | 332.72 |
| HEINE JEFF | 361496628 | 8/19/2014 | 8/20/2014 | 8/27/2014 | SURPLUS OFFICE SUPPLY | 1,656.00 |
| HEINE JEFF | 361784742 | 8/22/2014 | 8/22/2014 | 8/27/2014 | AQUA ENGINEER INC | 56.00 |
| HEINE JEFF | 361784743 | 8/22/2014 | 8/22/2014 | 8/27/2014 | SURPLUS OFFICE SUPPLY | 160.00 |
| KELLER CHUCK | 359775463 | 7/31/2014 | 8/1/2014 | 8/27/2014 | OFFICE MAX | 97.96 |
| KELLER CHUCK | 360287166 | 8/6/2014 | 8/7/2014 | 8/27/2014 | USPS 26073001733418328 | 105.21 |
| KELLER CHUCK | 362203118 | 8/27/2014 | 8/27/2014 | 8/27/2014 | VZWRLSS*MY VZ VB P | 741.58 |
| MATHIOWETZ BRUCE | 359514399 | 7/29/2014 | 7/30/2014 | 8/27/2014 | TARGET 00012724 | 37.61 |
| MATHIOWETZ BRUCE | 359775467 | 7/31/2014 | 8/1/2014 | 8/27/2014 | RECREATION.GOV | 413.00 |
| MATHIOWETZ BRUCE | 360939428 | 8/13/2014 | 8/14/2014 | 8/27/2014 | UNCLE EARLS PET CENTER | 27.37 |
| MATHIOWETZ BRUCE | 361104185 | 8/15/2014 | 8/15/2014 | 8/27/2014 | PAYPAL *ONTHENILEIM | 79.99 |
| MATHIOWETZ BRUCE | 361104186 | 8/14/2014 | 8/15/2014 | 8/27/2014 | MATHESON - C16 | 603.66 |
| MATHIOWETZ BRUCE | 361403805 | 8/18/2014 | 8/19/2014 | 8/27/2014 | WALGREENS #12972 | 36.06 |
| ANDERSON DOUG | 359775468 | 7/31/2014 | 8/1/2014 | 8/27/2014 | SAMS CLUB #6311 | 62.55 |
| ANDERSON DOUG | 361496633 | 8/19/2014 | 8/20/2014 | 8/27/2014 | SAMSClub #6311 | 122.89 |
| ANDERSON DOUG | 361612695 | 8/20/2014 | 8/21/2014 | 8/27/2014 | KERNEL CONCESSION SUPP | 1,057.79 |
| ANDERSON DOUG | 362203125 | 8/26/2014 | 8/27/2014 | 8/27/2014 | A. H. HERMEL COMPANY | 529.79 |
| SMITH KELLY | 359285467 | 7/25/2014 | 7/28/2014 | 8/27/2014 | AMERICAN ASSOC OF SCHO | 745.00 |
| SMITH KELLY | 360172760 | 8/5/2014 | 8/6/2014 | 8/27/2014 | DOMINO S 7300 | 18.49 |

August 2014 Pcard

| Card Holder | Transaction ID | Transaction Date | Processing Date | Statement Date | Merchant Name | Transaction Amount |
|----------------------|----------------|------------------|-----------------|----------------|------------------------|--------------------|
| SMITH KELLY | 361292137 | 8/16/2014 | 8/18/2014 | 8/27/2014 | OFFICE MAX | 6.00 |
| SMITH KELLY | 361496626 | 8/19/2014 | 8/20/2014 | 8/27/2014 | COBORN S SUPERSTORE | 69.80 |
| SMITH KELLY | 361971290 | 8/22/2014 | 8/25/2014 | 8/27/2014 | EAGLE RIDGE RESTAU | 250.64 |
| WICK KEN | 359404113 | 7/28/2014 | 7/29/2014 | 8/27/2014 | LUSTRE CAL CORPORATION | 509.00 |
| WICK KEN | 359775451 | 7/31/2014 | 8/1/2014 | 8/27/2014 | APL*APPLEONLINESTOREUS | 915.00 |
| WICK KEN | 359775452 | 8/1/2014 | 8/1/2014 | 8/27/2014 | APL*APPLEONLINESTOREUS | 4,995.00 |
| WICK KEN | 359775453 | 8/1/2014 | 8/1/2014 | 8/27/2014 | APL*APPLEONLINESTOREUS | 1,995.00 |
| WICK KEN | 359775454 | 8/1/2014 | 8/1/2014 | 8/27/2014 | SOLARWINDS | 248.00 |
| WICK KEN | 359775455 | 8/1/2014 | 8/1/2014 | 8/27/2014 | SOLARWINDS | 2,587.50 |
| WICK KEN | 360828995 | 8/12/2014 | 8/13/2014 | 8/27/2014 | WWW.NEWEGG.COM | 429.56 |
| WICK KEN | 361104176 | 8/14/2014 | 8/15/2014 | 8/27/2014 | GEOTRUST * | 159.00 |
| WICK KEN | 361403800 | 8/17/2014 | 8/19/2014 | 8/27/2014 | APPLE STORE #R054 | 610.00 |
| DEUTSCH JOE | 362203115 | 8/26/2014 | 8/27/2014 | 8/27/2014 | MIDWEST TECHNOLOGY PRO | 918.98 |
| DEUTSCH JOE | 362203116 | 8/26/2014 | 8/27/2014 | 8/27/2014 | TOOLS & MORE | 76.22 |
| DEUTSCH JOE | 362203117 | 8/26/2014 | 8/27/2014 | 8/27/2014 | MIDCO 800-536-0238 | 566.13 |
| ACTIVITIES BELLE P | 360172767 | 8/5/2014 | 8/6/2014 | 8/27/2014 | COBORN S SUPERSTORE | 49.00 |
| ACTIVITIES BELLE P | 360415287 | 8/6/2014 | 8/8/2014 | 8/27/2014 | SUBWAY 03164670 | 202.54 |
| ACTIVITIES BELLE P | 361784751 | 8/21/2014 | 8/22/2014 | 8/27/2014 | COBORN S SUPERSTORE | 36.94 |
| ACTIVITIES BELLE P | 361784752 | 8/21/2014 | 8/22/2014 | 8/27/2014 | REGISTER.CORDONCO.COM | 58.50 |
| ACTIVITIES BELLE P | 361784753 | 8/21/2014 | 8/22/2014 | 8/27/2014 | REGISTER.CORDONCO.COM | 47.50 |
| ACTIVITIES BELLE P | 361784754 | 8/21/2014 | 8/22/2014 | 8/27/2014 | RUCKS MEAT MARKET | 313.24 |
| ACTIVITIES BELLE P | 361971294 | 8/23/2014 | 8/25/2014 | 8/27/2014 | COBORN S SUPERSTORE | 59.29 |
| ACTIVITIES BELLE P | 361971295 | 8/23/2014 | 8/25/2014 | 8/27/2014 | COBORN S SUPERSTORE | 300.84 |
| SPARBY MINDY | 361784740 | 8/22/2014 | 8/22/2014 | 8/27/2014 | PANERA BREAD | 47.96 |
| COMM ED BELLE PLAINE | 359404116 | 7/28/2014 | 7/29/2014 | 8/27/2014 | COBORN S SUPERSTORE | 24.30 |
| COMM ED BELLE PLAINE | 359404117 | 7/28/2014 | 7/29/2014 | 8/27/2014 | USPS 26073001733418328 | 1.89 |
| COMM ED BELLE PLAINE | 359514398 | 7/29/2014 | 7/30/2014 | 8/27/2014 | USPS 26073001733418328 | 2.03 |
| COMM ED BELLE PLAINE | 359617061 | 7/30/2014 | 7/31/2014 | 8/27/2014 | USPS 26073001733418328 | 36.75 |
| COMM ED BELLE PLAINE | 359617062 | 7/30/2014 | 7/31/2014 | 8/27/2014 | UNIVERSAL ATHLETIC | 502.84 |
| COMM ED BELLE PLAINE | 359775465 | 7/30/2014 | 8/1/2014 | 8/27/2014 | CENEX CENEX CO07038920 | 585.36 |
| COMM ED BELLE PLAINE | 359775466 | 8/1/2014 | 8/1/2014 | 8/27/2014 | JOANN ETC #1952 | 22.75 |
| COMM ED BELLE PLAINE | 360088096 | 8/4/2014 | 8/5/2014 | 8/27/2014 | USPS 26073001733418328 | 14.21 |
| COMM ED BELLE PLAINE | 360172766 | 8/5/2014 | 8/6/2014 | 8/27/2014 | USPS 26073001733418328 | 3.64 |
| COMM ED BELLE PLAINE | 360287170 | 8/5/2014 | 8/7/2014 | 8/27/2014 | GRAND SLAM | 100.00 |
| COMM ED BELLE PLAINE | 360415285 | 8/7/2014 | 8/8/2014 | 8/27/2014 | COBORN S SUPERSTORE | 17.94 |
| COMM ED BELLE PLAINE | 360415286 | 8/7/2014 | 8/8/2014 | 8/27/2014 | GRAND SLAM | 506.00 |

August 2014 Pcard

| Card Holder | Transaction ID | Transaction Date | Processing Date | Statement Date | Merchant Name | Transaction Amount |
|----------------------|----------------|------------------|-----------------|----------------|------------------------|--------------------|
| COMM ED BELLE PLAINE | 360615204 | 8/9/2014 | 8/11/2014 | 8/27/2014 | JO-ANN STORE #2283 | 80.53 |
| COMM ED BELLE PLAINE | 360729562 | 8/11/2014 | 8/12/2014 | 8/27/2014 | USPS 26073001733418328 | 1,115.87 |
| COMM ED BELLE PLAINE | 360729563 | 8/11/2014 | 8/12/2014 | 8/27/2014 | WM SUPERCENTER #3513 | 55.24 |
| COMM ED BELLE PLAINE | 360829002 | 8/12/2014 | 8/13/2014 | 8/27/2014 | Discount School Supply | 149.39 |
| COMM ED BELLE PLAINE | 360939424 | 8/13/2014 | 8/14/2014 | 8/27/2014 | USPS 26073001733418328 | 13.40 |
| COMM ED BELLE PLAINE | 360939425 | 8/13/2014 | 8/14/2014 | 8/27/2014 | Discount School Supply | 2.98 |
| COMM ED BELLE PLAINE | 360939426 | 8/12/2014 | 8/14/2014 | 8/27/2014 | THE GRAPHIC EDGE INC | 768.37 |
| COMM ED BELLE PLAINE | 360939427 | 8/12/2014 | 8/14/2014 | 8/27/2014 | THE GRAPHIC EDGE INC | 84.27 |
| COMM ED BELLE PLAINE | 361496631 | 8/19/2014 | 8/20/2014 | 8/27/2014 | USPS 26073001733418328 | 17.85 |
| COMM ED BELLE PLAINE | 361496632 | 8/18/2014 | 8/20/2014 | 8/27/2014 | CENEX CENEX CO07038920 | 699.01 |
| COMM ED BELLE PLAINE | 361612693 | 8/20/2014 | 8/21/2014 | 8/27/2014 | TARGET 00012724 | 249.51 |
| COMM ED BELLE PLAINE | 361612694 | 8/20/2014 | 8/21/2014 | 8/27/2014 | USPS 26073001733418328 | 7.56 |
| COMM ED BELLE PLAINE | 361784748 | 8/22/2014 | 8/22/2014 | 8/27/2014 | USPS 26073001733418328 | 8.33 |
| COMM ED BELLE PLAINE | 361784749 | 8/21/2014 | 8/22/2014 | 8/27/2014 | CTY OF EAGAN-CASCADE B | 162.00 |
| COMM ED BELLE PLAINE | 361784750 | 8/20/2014 | 8/22/2014 | 8/27/2014 | THE GRAPHIC EDGE INC | 256.84 |
| COMM ED BELLE PLAINE | 362075456 | 8/25/2014 | 8/26/2014 | 8/27/2014 | USPS 26073001733418328 | 10.57 |
| COMM ED BELLE PLAINE | 362203123 | 8/26/2014 | 8/27/2014 | 8/27/2014 | USPS 26073001733418328 | 294.00 |
| COMM ED BELLE PLAINE | 362203124 | 8/26/2014 | 8/27/2014 | 8/27/2014 | CARSON DELLOSA | 83.31 |
| ELEMENTARY CHATFIELD | 359514394 | 7/29/2014 | 7/30/2014 | 8/27/2014 | DOLRTREE 3581 00035816 | 35.00 |
| ELEMENTARY CHATFIELD | 359514395 | 7/29/2014 | 7/30/2014 | 8/27/2014 | WM SUPERCENTER #5977 | 25.85 |
| ELEMENTARY CHATFIELD | 359514396 | 7/29/2014 | 7/30/2014 | 8/27/2014 | WM SUPERCENTER #5992 | 41.32 |
| ELEMENTARY CHATFIELD | 359514397 | 7/29/2014 | 7/30/2014 | 8/27/2014 | ABC ZONE BURNSVILLE | 89.95 |
| ELEMENTARY CHATFIELD | 359617060 | 7/29/2014 | 7/31/2014 | 8/27/2014 | THE HOME DEPOT 2809 | 18.25 |
| ELEMENTARY CHATFIELD | 359775464 | 7/31/2014 | 8/1/2014 | 8/27/2014 | COBORN S SUPERSTORE | 16.95 |
| ELEMENTARY CHATFIELD | 360287167 | 8/6/2014 | 8/7/2014 | 8/27/2014 | OFFICEMAX CT*IN#370221 | 178.03 |
| ELEMENTARY CHATFIELD | 360287168 | 8/6/2014 | 8/7/2014 | 8/27/2014 | OFFICEMAX CT*IN#370657 | 3.90 |
| ELEMENTARY CHATFIELD | 360415280 | 8/7/2014 | 8/8/2014 | 8/27/2014 | OFFICEMAX CT*IN#378576 | 353.94 |
| ELEMENTARY CHATFIELD | 360415281 | 8/7/2014 | 8/8/2014 | 8/27/2014 | OFFICEMAX CT*IN#380151 | 143.42 |
| ELEMENTARY CHATFIELD | 360415282 | 8/8/2014 | 8/8/2014 | 8/27/2014 | LRP PUBLICATIONS | 250.00 |
| ELEMENTARY CHATFIELD | 360415283 | 8/6/2014 | 8/8/2014 | 8/27/2014 | SUPREME GRAPHICS & SCH | 156.09 |
| ELEMENTARY CHATFIELD | 360729556 | 8/11/2014 | 8/12/2014 | 8/27/2014 | TARGET 00022293 | 112.41 |
| ELEMENTARY CHATFIELD | 360729557 | 8/11/2014 | 8/12/2014 | 8/27/2014 | DOLRTREE 1295 00012955 | 8.00 |
| ELEMENTARY CHATFIELD | 360729558 | 8/11/2014 | 8/12/2014 | 8/27/2014 | SSI*SCHOOL SPECIALTY | 73.43 |
| ELEMENTARY CHATFIELD | 360729559 | 8/11/2014 | 8/12/2014 | 8/27/2014 | LAKESHORE LEARNING #23 | 140.32 |
| ELEMENTARY CHATFIELD | 360828996 | 8/12/2014 | 8/13/2014 | 8/27/2014 | GBC*ECOMMERCE | (731.00) |
| ELEMENTARY CHATFIELD | 360828997 | 8/12/2014 | 8/13/2014 | 8/27/2014 | IKEA BLOOMINGTON | 69.96 |

August 2014 Pcard

| Card Holder | Transaction ID | Transaction Date | Processing Date | Statement Date | Merchant Name | Transaction Amount |
|----------------------|----------------|------------------|-----------------|----------------|------------------------|--------------------|
| ELEMENTARY CHATFIELD | 360828998 | 8/12/2014 | 8/13/2014 | 8/27/2014 | LAKESHORE LEARNING #23 | 78.18 |
| ELEMENTARY CHATFIELD | 360939417 | 8/14/2014 | 8/14/2014 | 8/27/2014 | NCS PEARSON | 228.96 |
| ELEMENTARY CHATFIELD | 360939418 | 8/13/2014 | 8/14/2014 | 8/27/2014 | LAKESHORE LEARNING #23 | 47.99 |
| ELEMENTARY CHATFIELD | 360939419 | 8/13/2014 | 8/14/2014 | 8/27/2014 | LAKESHORE LEARNING #23 | 82.07 |
| ELEMENTARY CHATFIELD | 360939420 | 8/13/2014 | 8/14/2014 | 8/27/2014 | LAKESHORE LEARNING #23 | 9.58 |
| ELEMENTARY CHATFIELD | 361104179 | 8/15/2014 | 8/15/2014 | 8/27/2014 | TARGET 00022293 | 45.00 |
| ELEMENTARY CHATFIELD | 361104180 | 8/15/2014 | 8/15/2014 | 8/27/2014 | IKEA BLOOMINGTON | 17.98 |
| ELEMENTARY CHATFIELD | 361104181 | 8/14/2014 | 8/15/2014 | 8/27/2014 | LAKESHORE LEARNING #23 | 181.72 |
| ELEMENTARY CHATFIELD | 361496629 | 8/19/2014 | 8/20/2014 | 8/27/2014 | OFFICEMAX CT*IN#621221 | 25.92 |
| ELEMENTARY CHATFIELD | 361612689 | 8/20/2014 | 8/21/2014 | 8/27/2014 | WAL-MART #2198 | 98.48 |
| ELEMENTARY CHATFIELD | 361612690 | 8/20/2014 | 8/21/2014 | 8/27/2014 | OFFICEMAX CT*IN#652918 | 17.47 |
| ELEMENTARY CHATFIELD | 361612691 | 8/20/2014 | 8/21/2014 | 8/27/2014 | JO-ANN ETC #2026 | 85.88 |
| ELEMENTARY CHATFIELD | 361612692 | 8/20/2014 | 8/21/2014 | 8/27/2014 | LAKESHORE LEARNING #23 | 130.26 |
| ELEMENTARY CHATFIELD | 361784744 | 8/22/2014 | 8/22/2014 | 8/27/2014 | INNOVATIVE OFFICE SOLU | 22.72 |
| ELEMENTARY CHATFIELD | 361971292 | 8/24/2014 | 8/25/2014 | 8/27/2014 | LAKESHORE LEARNING #41 | 18.88 |
| ELEMENTARY CHATFIELD | 362075451 | 8/25/2014 | 8/26/2014 | 8/27/2014 | SSI*SCHOOL SPECIALTY | 123.74 |
| ELEMENTARY CHATFIELD | 362075452 | 8/25/2014 | 8/26/2014 | 8/27/2014 | SSI*SCHOOL SPECIALTY | 360.70 |
| ELEMENTARY OAK CREST | 360287169 | 8/6/2014 | 8/7/2014 | 8/27/2014 | RGS Pay* | 102.58 |
| ELEMENTARY OAK CREST | 360415284 | 8/7/2014 | 8/8/2014 | 8/27/2014 | ACCUCUT LLC | 64.00 |
| ELEMENTARY OAK CREST | 360615203 | 8/9/2014 | 8/11/2014 | 8/27/2014 | INNOVATIVE OFFICE SOLU | 495.22 |
| ELEMENTARY OAK CREST | 360729560 | 8/11/2014 | 8/12/2014 | 8/27/2014 | TARGET 00002204 | 102.78 |
| ELEMENTARY OAK CREST | 360729561 | 8/11/2014 | 8/12/2014 | 8/27/2014 | ABC ZONE BURNSVILLE | 37.94 |
| ELEMENTARY OAK CREST | 360828999 | 8/12/2014 | 8/13/2014 | 8/27/2014 | TARGET 00013524 | 34.14 |
| ELEMENTARY OAK CREST | 360829000 | 8/12/2014 | 8/13/2014 | 8/27/2014 | TRIARCO MAIL ORDER | 495.00 |
| ELEMENTARY OAK CREST | 360829001 | 8/13/2014 | 8/13/2014 | 8/27/2014 | GCI*MSCN-FRND-WB | 87.14 |
| ELEMENTARY OAK CREST | 360939421 | 8/13/2014 | 8/14/2014 | 8/27/2014 | TARGET 00012724 | 25.22 |
| ELEMENTARY OAK CREST | 360939422 | 8/13/2014 | 8/14/2014 | 8/27/2014 | SAMS CLUB #6311 | 26.10 |
| ELEMENTARY OAK CREST | 360939423 | 8/13/2014 | 8/14/2014 | 8/27/2014 | WWW SCHOOLMATE COM | 2,187.00 |
| ELEMENTARY OAK CREST | 361104182 | 8/14/2014 | 8/15/2014 | 8/27/2014 | TARGET 00002204 | 92.36 |
| ELEMENTARY OAK CREST | 361104183 | 8/15/2014 | 8/15/2014 | 8/27/2014 | TRIARCO MAIL ORDER | 592.94 |
| ELEMENTARY OAK CREST | 361104184 | 8/14/2014 | 8/15/2014 | 8/27/2014 | SAMSCLUB #6311 | 69.89 |
| ELEMENTARY OAK CREST | 361403802 | 8/18/2014 | 8/19/2014 | 8/27/2014 | SSI*SCHOOL SPECIALTY | 88.90 |
| ELEMENTARY OAK CREST | 361403803 | 8/18/2014 | 8/19/2014 | 8/27/2014 | IN *RAPTOR TECHNOLOGIE | 100.00 |
| ELEMENTARY OAK CREST | 361403804 | 8/18/2014 | 8/19/2014 | 8/27/2014 | SUPREME GRAPHICS & SCH | 105.08 |
| ELEMENTARY OAK CREST | 361496630 | 8/19/2014 | 8/20/2014 | 8/27/2014 | Amazon.com | 534.66 |
| ELEMENTARY OAK CREST | 361784745 | 8/21/2014 | 8/22/2014 | 8/27/2014 | SAMSCLUB #6311 | 25.76 |

August 2014 Pcard

| Card Holder | Transaction ID | Transaction Date | Processing Date | Statement Date | Merchant Name | Transaction Amount |
|----------------------|----------------|------------------|-----------------|----------------|------------------------|--------------------|
| ELEMENTARY OAK CREST | 361784746 | 8/21/2014 | 8/22/2014 | 8/27/2014 | SAMSClub #6311 | 307.26 |
| ELEMENTARY OAK CREST | 361784747 | 8/21/2014 | 8/22/2014 | 8/27/2014 | OFFICE MAX | 574.80 |
| ELEMENTARY OAK CREST | 361971293 | 8/23/2014 | 8/25/2014 | 8/27/2014 | WM SUPERCENTER #1855 | 65.63 |
| ELEMENTARY OAK CREST | 362075453 | 8/25/2014 | 8/26/2014 | 8/27/2014 | AMAZON MKTPLACE PMTS | 12.32 |
| ELEMENTARY OAK CREST | 362075454 | 8/26/2014 | 8/26/2014 | 8/27/2014 | Amazon.com | 6.32 |
| ELEMENTARY OAK CREST | 362075455 | 8/26/2014 | 8/26/2014 | 8/27/2014 | RGS Pay* | 46.60 |
| ELEMENTARY OAK CREST | 362203119 | 8/26/2014 | 8/27/2014 | 8/27/2014 | TARGET 00012724 | 43.96 |
| ELEMENTARY OAK CREST | 362203120 | 8/26/2014 | 8/27/2014 | 8/27/2014 | DOLRTREE 3581 00035816 | 29.00 |
| ELEMENTARY OAK CREST | 362203121 | 8/26/2014 | 8/27/2014 | 8/27/2014 | RGS Pay* | 58.83 |
| ELEMENTARY OAK CREST | 362203122 | 8/26/2014 | 8/27/2014 | 8/27/2014 | LAKESHORE LEARNING #23 | 96.14 |
| HANSON LIANN | 360828994 | 8/8/2014 | 8/13/2014 | 8/27/2014 | RUTTGER S BAY LAKE LOD | 176.56 |
| HANSON LIANN | 361104173 | 8/14/2014 | 8/15/2014 | 8/27/2014 | ASSOC SUPERV AND CURR | 274.00 |
| HANSON LIANN | 361104174 | 8/13/2014 | 8/15/2014 | 8/27/2014 | POSITIVE PROMOTIONS IN | 293.45 |
| HANSON LIANN | 361104175 | 8/14/2014 | 8/15/2014 | 8/27/2014 | AMERICAN ASSOC OF SCHO | 441.00 |
| HANSON LIANN | 361292138 | 8/16/2014 | 8/18/2014 | 8/27/2014 | Amazon.com | 76.38 |

| | |
|--------------|------------------|
| Total | 90,871.17 |
|--------------|------------------|

August 2014 Student Activities

| Activity | Co | Pmt No | Bank | Check No | Pay Type | Grp | Code | Vendor | Payment Description | Pay Date | Void | Curr | Amount |
|----------------|------|--------|------|----------|----------|-----|------|------------------|---------------------------------------|-----------|------|--------|--------|
| Art/Visual Art | 0716 | 34332 | HSAC | 7321 | CH | 3 | 5231 | CAROL HANNON-ORR | Classroom Treats / HS judges luncheon | 8/20/2014 | N | USD | 212.63 |
| Track | 0716 | 34333 | HSAC | 7322 | CH | 3 | 6495 | RELAYBATON.COM | 20 batons for awards (2014) | 8/20/2014 | N | USD | 302.30 |
| Total | | | | | | | | | | | | 514.93 | |



Belle Plaine Jr.-Sr. High School Tiger Activities



| | | | | |
|---|---|--|--|---|
| Office P Mobile: Email: r Email: l |  | 2412 plaine.k12.mn.us plaine.k12.mn.us | MINDY SPARBY, ASSISTANT PRINCIPAL/ACTIVITIES DIR. LAURIE FOGARTY, ADMINISTRATIVE ASSISTANT 220 South Market Street Belle Plaine, MN 56011 | Scott West Panthers Administrative Region 2A Minnesota River Conference |
|---|---|--|--|---|

September Board Report

Appreciation

- Our Junior High Ramp Up Advisors have worked with students on downloading a planner app to organize themselves. Students will be doing weekly checks and E-mailing parents and advisors about their late/missing or upcoming assignments.
- Special thanks to all the people and business involved with the ticket booth/bathroom-building project at the Athletic Complex! What a wonderful addition!
- Thanks to all the event workers of our Fall Activities! There are so many people willing to help out and fill roles!

Anticipation

- Homecoming is on the horizon, October 6-10th.
- Junior High students are setting SMART goals in their Ramp up advisory for the year. 1-academic goal, 1-personal goal and 1-extra-curricular goal.
- NWEA testing in the Junior High will begin next week.

Acceleration

- We are completing our goal sessions with staff and I have appreciated the great conversations. Student Learning involving formative assessment and technology have been in the forefront of conversations.
- Our fall sports are off to a great start! Thanks to our coaches at all levels for their instruction and energy in developing our student athletes!
- The activities office is paperless! Online registration of our Athletic/Fine Arts Activities is officially up and running. Laurie Fogarty has done a great job supporting parents and students through the process of registration!

**Belle Plaine High School
School Board Report
Submitted by Dave Kreft
September, 2014**

Appreciation:

- Our ELI is off and running! I would venture to say that teachers have already exceeded their implementation expectations for the first few weeks of school. Some observable iPad implementations actions include:
 - Using Garage Band to listen and reflect on individual aspects of choir selections
 - Tracking fitness progress from year to year and month to month
 - Using Kahoot to check for understanding (formative assessment)
 - Utilizing graphic and measurement applications to engage in a science lab
 - Devising plans on how to create a paperless classroom with the ability for parents to access
- Mitch Miller is launching in to Rosetta Stone as another language option for 10 of our students. The languages include: German, French, Italian, Russian, and Swedish. We are fortunate to have Mitch guide them through their skill attainment in these languages.
- Our technology department has been supremely busy with our rollout process! Having universal expectations for student handling of the iPads has been helpful. Students were guided through the expectations by teachers and by visits in their English classrooms by administrators. We have quickly learned the importance of the first expectation “Lock screen is a picture of yourself” as students have misplaced their device. We are still sorting through the powers and limitations of AirWatch.

Acceleration:

- We have started with our Ramp Up to Readiness program. Some of the developments so far:
 - Teacher formed groups, by grade level, to connect with and lead students throughout this year. We are still having conversations on whether teachers will lead students through multiple years in a cohort model.
 - Adjustment of the Wednesday schedule to create the required 30 minute advisory time for Ramp Up activities.
 - Delivery of the first 2 activities in Ramp Up. Many of the activities for each grade level have been self assessments and goal setting. Goal setting will happen for each JH student next week on their MCA scores.
 - Grade level leaders have been designated. They lead our staff on what activities are approaching.
- PLC Department Teams met this week. Our building goal is: “Based on the 2014-15 MCA results, the Belle Plaine JH/SH will meet or exceed state average in the “Informational Text” substrand.”

Anticipation:

- Homecoming is right around the corner - October 10th! Laurie Green is our senior class advisor and leading her first homecoming. We look forward to some of the “new” and “old” traditions we will see this year. We are once again considering the pep fest at the football field and hoping to include our Art Department in painting the field.

Board Report
September 22nd, 2014
Oak Crest Elementary
Liann Hanson

Appreciation:

- **Back to School Conferences** on Tuesday, September 2nd and Wednesday, September 3rd went very well. We had 95% of parents/students participate which is a 3% percentage point increase. Teachers and parents commented how well it went and how beneficial it was.
- **iPad rollout** Thanks to Peter Jacobson, Ken Wick, Matt Kirk, and Abbie Witt for being in the classrooms during iPad rollout at Oak Crest

Acceleration:

- **Professional Learning Communities** We have started our weekly PLC team meetings. They have been going great! Teams are working on setting norms, collective commitments, and SMART goals!
- **Coaching Conversations and Learning Logs** Teachers have started their coaching conversations to create their learning and tech goals for the school year. Conversations are going well.

Anticipation:

- **MESPA Leadership Conference** I will be attending the MESPA Leadership Conference on Sunday, September 21st and Monday, September 22nd. I am president for the South Suburban Division
- **PTO Fundraiser Kickoff** We had the kickoff to our fall PTO fundraiser on Monday, September 8th. It will last until Monday, September 29th.
- **BOP-2-OC** We will continue to have our BOP-2-OC at Oak Crest monthly. Bringing Out Parents to Oak Crest was a success last year and we plan to continue it on the first Friday of each month!
- **Pepfest** Oak Crest students and staff are excited to be a part of the high school pepfest on October 10th. Each grade level is working on a cheer to share with the rest of the student body!
- **Wolf Ridge** 6th grade students will be participating in Wolf Ridge ELC trip on Monday, October 20th-24th.

Board Report
September 19, 2014
Chatfield Elementary
Kimberly DeWitte

Appreciation:

- Thank you to Megan Gerres for meeting with the Chatfield Para-professionals to review Responsive Classroom strategies and language.
- Thank you to the Para-professionals for meeting to clarify expectations and consistency on the playground and in the lunchroom.
- Thank you to C.C. for leading a wonderful conversation at Chatfield around Depth of Knowledge and teacher language. It was a great jump-start to the 14-15 school year and gave us a focus for our learning.
- Thank you to the Chatfield teachers for scheduling your beginning of the year coaching conversations. The learning and reflection regarding Depth of Knowledge, Standards, Learning Targets, incorporating technology to enhance student learning, and I can statements is phenomenal.
- Thank you to the Intervention Team at Chatfield. It took many hours of looking at data, talking about specific interventions for each kiddo, and coordinating with classroom teachers to create a schedule that allows kids to have access to classroom content as well as work on skills to increase their academic knowledge.
- Thank you to Stier bus for visiting Chatfield and teaching our kiddos about bus safety. We appreciate all that you do to keep our kids safe everyday!
- Thank you to Chad Williams and Dr. Smith for your pursuit of the ADSIS grant. Incorporating a Behavior Interventionist into our elementary system has been very beneficial.

Acceleration:

- Professional Learning Communities: I met with the PLC Leaders to talk about goals and objectives for the school year. Throughout the month, the PLC teams will be focusing on data, interventions, depth of knowledge, and PLC leadership materials. The individual PLC teams have met and created their SMART goals, collective commitments to each other, and team norms.
- The data team has also met with each team to talk about beginning of the year data for the grade level and progress monitoring.
- Our SAT (school advisory team) had our first meeting and we had a great conversation regarding Terrific Tiger awards. Each class will create a goal that correlates with the Character trait we are learning for the month. Then during the next all school morning meeting, each class gets to share their goal and how they worked together to accomplish the goal.

Anticipation:

- NWEA testing begins on September 22.
- Mill City String Quartet will visit Chatfield on October 3 at 8:40 am.
- Fire Safety is on October 6
- iPad rollout October 6-10
- All School Morning Meeting on October 10. The Homecoming royalty will be joining us at Chatfield
- Homecoming week activities October 6-10
- Recycalypso Assembly on October 20 for Pk-2 at 8:40am. Music Program and the students will be creating instruments from recycled materials and participate in the program.
- Halloween Parade at the high school. Doors will open at 1:30, the parade begins at 2:00 and will conclude by 2:30.

Payable 2014 & Payable 2015 Levy Compariso (with data pulled from MDE as of 09/15/14)

| | 13 Payable 14 Levy | Preliminary 14 Payable 15 Levy | Increase/ (Decrease) from 13 Pay 14 Levy | % | L/F |
|----------------------------------|-------------------------------|---|---|---------------|------------|
| Operating Levy | - | - | - | | L |
| 1st Tier Board Approved Ref | 212,530.15 | 208,184.32 | (4,345.83) | | L |
| Equity | 180,838.16 | 200,564.50 | 19,726.34 | | F |
| Location Equity | 518,295.75 | 507,697.60 | (10,598.15) | | L/F |
| Transition | 5,446.76 | 5,172.77 | (273.99) | | F |
| Operating Capital | 131,993.97 | 144,270.70 | 12,276.73 | | F |
| Student Achievement | 30,841.16 | 31,665.29 | 824.13 | | F |
| Integration | 13,054.13 | 19,225.20 | 6,171.07 | | F/L |
| Unemployment | - | 1,000.00 | 1,000.00 | | L |
| Safe Schools | 43,783.80 | 64,605.60 | 20,821.80 | | F/L |
| Career/Technical | 27,683.90 | 30,519.83 | 2,835.93 | | F |
| Annual OPEB | - | 150,000.00 | 150,000.00 | | L |
| Health & Safety | 102,833.62 | 167,449.84 | 64,616.22 | | L |
| Deferred Maintenance | 87,574.32 | 98,334.88 | 10,760.56 | | F |
| Building Lease | 39,790.54 | 30,208.04 | (9,582.50) | | L |
| Adjustments | (126,552.58) | (106,059.12) | 20,493.46 | | F |
| Total General Fund | 1,268,113.68 | 1,552,839.45 | 284,725.77 | 22.45% | |
| Basic Community Education | 74,496.16 | 74,496.16 | - | | F |
| Early Childhood Fam. Ed. | 35,842.90 | 36,162.24 | 319.34 | | F |
| Home Visiting | 1,516.80 | 1,459.20 | (57.60) | | F |
| School Age Care | 4,000.00 | 4,000.00 | - | | L |
| Adjustments | (171.00) | (253.34) | (82.34) | | F |
| Total Community Education | 115,684.86 | 115,864.26 | 179.40 | 0.16% | |
| Debt Service | 2,974,940.91 | 2,818,932.96 | (156,007.95) | | L |
| <i>Reduction for Debt Excess</i> | (189,575.95) | (113,792.12) | 75,783.83 | | L |
| Alt Facility Bond Debt Service | 444,148.00 | 446,483.10 | 2,335.10 | | L |
| Reduction for Debt Excess | (26,012.67) | (17,467.57) | 8,545.10 | | L |
| Adjustments | (4,932.35) | 172.20 | 5,104.55 | | L |
| Total Debt Service | 3,198,567.94 | 3,134,328.57 | (64,239.37) | -2.01% | |
| Total Levy - All Funds | 4,582,366.48 | 4,803,032.28 | 220,665.80 | 4.82% | |

L = Local Decision

F = Formula Set by Legislature

| | 2012 | 2013 | Change | % Increase |
|----------------------------------|-------------|-------------|---------------|-------------------|
| Market Value | 862,077,500 | 889,839,600 | 27,762,100 | 3.22% |
| Referendum Market Value | 626,517,200 | 612,103,200 | -14,414,000 | -2.30% |
| Net Tax Capacity | 9,124,732 | 9,360,785 | 236,053 | 2.59% |
| Sales Ratio | 103.60% | 97.60% | -6.00% | -5.79% |
| Adjusted Net Tax Capacity | 8,811,761 | 9,595,541 | 783,780 | 8.89% |

| | |
|---|---------------------------------|
| Overall Increase in Levy | Proposed Increase 220,665.80 |
| Tax Rate Needed to Cover increase in levy | 0.02357 |
| \$150,000 Home Net Tax Capacity | 1500 |
| Estimated annual increase in taxes for \$150,000 Home | \$ 35.36 |

2014 MSBA Legislative Resolution Form

The MSBA Board of Directors is encouraging all school board members to submit their ideas for consideration at MSBA's Delegate Assembly (scheduled for December 5-6 in St. Louis Park). Delegates will discuss and vote on whether to include your resolution(s) among MSBA's Legislative Policies (aka the "Pink Sheets"). Resolutions with supporting background information must be received in the MSBA office by Wednesday, October 1.

■ CONTACT INFORMATION FOR PERSON SUBMITTING RESOLUTION

Name/Title: _____ Kelly D. Smith, Superintendent _____

School district: _____ Belle Plaine _____

Telephone numbers: Home (952)_873-2400_ Office (952)_873-2400_ Cell (952)_292-5465_

E-mail address: _____ ksmith@belleplaine.k12.mn.us _____

Please check all that apply:

This resolution is submitted: with the support of the school board.
 by an individual school board member, without the support of the school board.

The individual that submitted the resolution is a Delegate Assembly Member: Yes No

■ RESOLUTION

No "whereas clauses" are needed. Provide rationale and background in the space provided (below) to explain the resolve clause and its impact on education in Minnesota.

BE IT RESOLVED, **That the legislature establish a categorical funding mechanism to assist school districts with the increasing costs of internet connectivity and of technology equipment in our schools today.**

■ BACKGROUND & RATIONALE

Please give the MSBA Board of Directors as much background information on the resolution as possible. Information relating to impact on your school district and statewide impact is desirable. BACKGROUND & RATIONALE MUST BE COMPLETED SO THAT THE RESOLUTION CAN RECEIVE FULL CONSIDERATION. ADDITIONAL INFORMATION MUST BE LIMITED TO ONE PAGE.

BACKGROUND & RATIONALE:

Technology and internet connectivity are both playing an increasingly large role in our educational programs today. The costs to properly connect our school buildings and properly equip them with the necessary tools to provide quality learning for all are consuming a larger portion of school district budgets today than at any other time in history. The costs of connectivity are widely varying depending upon the location of the school district within the state. Additional resources are needed to ensure that all students have adequate technology tools and internet connectivity in order to receive a quality education.

Please return resolution form(s) to MSBA by Wednesday, October 1, as an e-mail attachment to Barb Hoffman at bhoffman@mnmsba.org. (Or send form(s) by mail to: MSBA, 1900 West Jefferson Avenue, St. Peter, MN 56082.) This form is also available at www.mnmsba.org (under "MSBA Forms and Applications"). Please call the MSBA office at 800-324-4459 if you have any questions.

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E-mail address: _____ ksmith@belleplaine.k12.mn.us _____

Please check all that apply:

This resolution is submitted: with the support of the school board.
 by an individual school board member, without the support of the school board.

The individual that submitted the resolution is a Delegate Assembly Member: Yes No

■ RESOLUTION

No "whereas clauses" are needed. Provide rationale and background in the space provided (below) to explain the resolve clause and its impact on education in Minnesota.

BE IT RESOLVED, **That the legislature make every effort possible to adequately fund special education in Minnesota in an effort to decrease the cross subsidy that is currently occurring from our general fund revenue to pay for special education costs.**

■ BACKGROUND & RATIONALE

Please give the MSBA Board of Directors as much background information on the resolution as possible. Information relating to impact on your school district and statewide impact is desirable. BACKGROUND & RATIONALE MUST BE COMPLETED SO THAT THE RESOLUTION CAN RECEIVE FULL CONSIDERATION. ADDITIONAL INFORMATION MUST BE LIMITED TO ONE PAGE.

BACKGROUND & RATIONALE:

With requirements mandated by federal and state law for special education came promises of funding from federal and state governments to cover the costs of the mandates that were declared. Although the mandates have ensured that all students, regardless of disability, receive a quality education, the mandates have not been partnered with adequate funding from these entities to sustain these mandates. School districts across the state are utilizing unrestricted general fund dollars to cover the costs of these mandates. All districts and all students will be positively impacted by increased funding for special education by federal and state government.

Please return resolution form(s) to MSBA by Wednesday, October 1, as an e-mail attachment to Barb Hoffman at bhoffman@mnmsba.org. (Or send form(s) by mail to: MSBA, 1900 West Jefferson Avenue, St. Peter, MN 56082.) This form is also available at www.mnmsba.org (under "MSBA Forms and Applications"). Please call the MSBA office at 800-324-4459 if you have any questions.

1st Reading: 3/27/2006
2nd Reading: 4/24/2006
Approved: 5/22/2006
Reviewed: 9/23/2013

506 STUDENT DISCIPLINE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

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

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

In view of the foregoing and in accordance with Minn. Stat. § 121A.55, the school board, with the participation of school district administrators, teachers, employees, students, parents, community members, and such other individuals and organizations as appropriate, has developed this policy which governs student conduct and applies to all students of the school district.

III. AREAS OF RESPONSIBILITY

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

- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

IV. STUDENT RIGHTS

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

V. STUDENT RESPONSIBILITIES

All students have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other school functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;
- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

VI. CODE OF STUDENT CONDUCT

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all school-related functions. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.
1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
 2. The use of profanity or obscene language, or the possession of obscene materials;
 3. Gambling, including, but not limited to, playing a game of chance for stakes;
 4. Violation of the school district's Hazing Prohibition Policy;
 5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
 6. Violation of the school district's Student Attendance Policy;
 7. Opposition to authority using physical force or violence;
 8. Using, possessing, or distributing tobacco or tobacco paraphernalia;
 9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
 10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances, or look-alike substances, except as prescribed by a physician, including one student sharing prescription medication with another student;

11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
19. Violation of any local, state or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;

25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous or pornographic materials;
29. Violation of the school district's Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
31. Criminal activity;
32. Falsification of any records, documents, notes or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
35. Impertinent or disrespectful language toward teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy;
37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;
38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack

with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;

40. Verbal assaults, or verbally abusive behavior, including, but not limited to, use of language that is discriminatory, abusive, obscene, threatening, intimidating or that degrades other people;
41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin or sexual orientation;
43. Violation of the school district's Distribution of Nonschool-Sponsored materials on School Premises by Students and Employees Policy;
44. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
45. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or employees.

VII. DISCIPLINARY ACTION OPTIONS

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

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

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

VIII. REMOVAL OF STUDENTS FROM CLASS

- A. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by

this discipline policy. “Removal from class” and “removal” mean any actions taken by a teacher, principal, or other school district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

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

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

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

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

C. Removal of a Student From a Class

1. Each teacher has the discretion to remove a student for inappropriate behavior as determined by the teacher. Upon asking the student to leave the classroom and report to the office, the teacher will notify the main office of the name of the student removed;
2. Disciplinary action may be taken as a result of any behavior which is disruptive of good order or which violates the rights of others. The acts set forth in the disciplinary policy are unacceptable and subject to disciplinary action in school buildings, on the school buses, school grounds and at school sponsored activities.

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

1. Each teacher has the discretion to determine how to deal with inappropriate behavior by a student. The teacher may instruct the student to the hallway or the high school office. If they are sent to the office, the teacher will notify the high

school office staff of the name of the student reporting to the office;

2. Administrators have broad discretion to determine the consequences based on the minimum and maximum consequences established in the student handbook. In unusual situations administrators may impose discipline less than the minimum. In the event the student has engaged in the same or similar behavior in the past or has engaged in persistent violation of school rules, the maximum penalties may be increased.

E. Procedures for Return of a Student to a Class From Which the Student Was Removed. Administrators will take appropriate action for each student removed from class on a case-by-case basis. Such action may include, but is not limited to, warning, student conference, parent conference, detention, or suspension.

F. Procedures for Notification Disciplinary action may be taken as a result of any behavior which is disruptive of good order or which violates the rights of others. The acts set forth in the disciplinary policy are unacceptable and subject to disciplinary action in school buildings, on the school buses, school grounds, and at school sponsored activities. The school district will take appropriate action, and comply with any legal disclosure obligations.

G. Disabled Students; Special Provisions

1. Consideration of whether there is a need for further assessment will be determined by the Individual Education Plan (IEP) team members.
2. Consideration of whether there is a need for a review of the adequacy of the current Individual Education Plan (IEP) of a disabled student who is removed from class or disciplined will be determined by the IEP team members.

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

1. A chemical abuse pre-assessment team will be established pursuant to Minn. Stat. 121A.26;
2. A school and community advisory team to address chemical abuse problems in the district will be established pursuant to Minn. Stat. 121A.27;
3. Any teacher or school district employee who knows or has reason to believe that a student is using, possessing, or transferring alcohol or a controlled-substance while on school premises or involved in school, shall immediately notify the building principal.

I. Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct. Nothing in this policy shall prohibit the School District from taking immediate action to protect individuals and property from harm. Nor shall this policy be construed to prohibit the School District from expelling students from

behavior not specifically set forth if such conduct:

1. Materially and substantially disrupts the rights of others to an education; or
2. Endangers the student, other students or individuals or property of the school.

All violations of the Code of Student Conduct will be handled on a case-by-case basis.

- J. Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior. School district personnel may respond to student misbehavior in a variety of ways in which to involve parents or guardians. They include, but are not limited to, communication of concerns, parent conferences, and mediation.
- K. Procedures Determined Appropriate for Encouraging Early Detection of Behavioral Problems. School district personnel may respond to behavioral problems in a variety of ways in attempts to modify the behavior. They include, but are not limited to, verbal warning, one-to-one interaction, written communication to parent, parent conference, detention, referral to administrator, and suspension.

IX. DISMISSAL

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

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

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

- B. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:
1. Willful violation of any reasonable school board regulation, including those found in this policy;
 2. Willful conduct that significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or
 3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.

C. Suspension Procedures

1. “Suspension” means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.
2. If a student’s total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student’s parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian’s expense. The purpose of this meeting is to attempt to determine the pupil’s need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.
4. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child’s IEP team, including at least one of the child’s teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to

progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6th) consecutive day of suspension or the tenth (10th) cumulative day of suspension has elapsed.

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

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

D. Expulsion and Exclusion Procedures

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

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

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

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

X. ADMISSION OR READMISSION PLAN

A school administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan may include measures to improve the student's behavior, including completing a character education program consistent with Minn. Stat. § 120B.225, Subd. 1, and require parental involvement in the

admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

XI. NOTIFICATION OF POLICY VIOLATIONS

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

XII. STUDENT DISCIPLINE RECORDS

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

XIII. DISABLED STUDENTS

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

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

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

XIV. OPEN ENROLLED STUDENTS

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minn. Stat. § 124D.03) or Enrollment in Nonresident District

(Minn. Stat. § 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minn. Stat. Ch. 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of sixteen (16) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

XV. DISTRIBUTION OF POLICY

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

XVI. REVIEW OF POLICY

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.26 (School Preassessment Teams)
Minn. Stat. § 121A.27 (School and Community Advisory Team)
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)
Minn. Stat. § 121A.582 (Reasonable Force)
Minn. Stat. §§ 121A.60-121A.61 (Removal From Class)
Minn. Stat. § 123A.05 (Area Learning Center Organization)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.08 (Enrollment in Nonresident District)
Minn. Stat. Ch.125A (Students With Disabilities)
Minn. Stat. Ch. 260A (Truancy)
Minn. Stat. Ch. 260C (Juvenile Court Act)
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

Cross References: MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 501 (School Weapons)

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

Adopted: _____

MSBA/MASA Model Policy 506

Orig. 1995

Revised: _____

Rev. ~~2009~~ 2013

506 STUDENT DISCIPLINE

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

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

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

In view of the foregoing and in accordance with Minn. Stat. § 121A.55, the school board, with the participation of school district administrators, teachers, employees, students, parents, community members, and such other individuals and organizations as appropriate, has developed this policy which governs student conduct and applies to all

students of the school district.

III. AREAS OF RESPONSIBILITY

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

regarding the behavior of their children.

- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

IV. STUDENT RIGHTS

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

V. STUDENT RESPONSIBILITIES

All students have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other school functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;
- L. To avoid inaccuracies in student newspapers or publications and refrain from

indecent or obscene language;

M. To conduct themselves in an appropriate physical or verbal manner; and

N. To recognize and respect the rights of others.

VI. CODE OF STUDENT CONDUCT

A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all school-related functions. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.

1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
2. The use of profanity or obscene language, or the possession of obscene materials;
3. Gambling, including, but not limited to, playing a game of chance for stakes;
4. Violation of the school district's Hazing Prohibition Policy;
5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
6. Violation of the school district's Student Attendance Policy;
7. Opposition to authority using physical force or violence;
8. Using, possessing, or distributing tobacco or tobacco paraphernalia;
9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
10. Using, possessing, distributing, intending to distribute, making a request to

another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances, or look-alike substances, except as prescribed by a physician, including one student sharing prescription medication with another student;

11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district's Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
19. Violation of any local, state, or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;
23. Violation of school bus or transportation rules or the school district's

Student Transportation Safety Policy;

24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district' Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
35. Impertinent or disrespectful language toward teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy;
37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise

endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;

38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
40. Verbal assaults or verbally abusive behavior including, but not limited to, use of language that is discriminatory, abusive, obscene, threatening, intimidating, or that degrades other people;
41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;
43. Violation of the school district's Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees Policy;
44. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
45. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or employees.

VII. DISCIPLINARY ACTION OPTIONS

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

- A. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
- B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
- C. Parent contact;
- D. Parent conference;
- E. Removal from class;
- F. In-school suspension;
- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;
- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or

- U. Other disciplinary action as deemed appropriate by the school district.

VIII. REMOVAL OF STUDENTS FROM CLASS

- A. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions taken by a teacher, principal, or other school district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

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

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

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

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

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

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

1. *Specify procedures to be followed by a teacher, administrator or other school district employee to remove a student from a class;*

2. *Specify required approvals necessary;*
3. *Specify paperwork and reporting procedures.*

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

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

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

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

F. *Procedures for Notification.*

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

G. *Disabled Students; Special Provisions.*

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

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

1. *Establishment of a chemical abuse preassessment team pursuant to Minn. Stat. § 121A.26;*
2. *Establishment of a school and community advisory team to address chemical abuse problems in the district pursuant to Minn. Stat. § 121A.27; and*
3. *Establishment of teacher reporting procedures to the chemical abuse preassessment team pursuant to Minn. Stat. § 121A.29.*

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

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

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

IX. DISMISSAL

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

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

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

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

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

the school.

C. Suspension Procedures

1. “Suspension” means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.
2. If a student’s total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student’s parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian’s expense. The purpose of this meeting is to attempt to determine the pupil’s need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.
4. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child’s IEP team,

including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6th) consecutive day of suspension or the tenth (10th) cumulative day of suspension has elapsed.

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

the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference. (See attached sample Notice of Suspension.)

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

D. Expulsion and Exclusion Procedures

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

their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE).

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

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

X. ADMISSION OR READMISSION PLAN

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

XI. NOTIFICATION OF POLICY VIOLATIONS

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

XII. STUDENT DISCIPLINE RECORDS

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

XIII. DISABLED STUDENTS

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

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

When a student who has an IEP is excluded or expelled for misbehavior that is not a manifestation of the student's disability, the school district shall continue to provide

special education and related services during the period of expulsion or exclusion.

XIV. OPEN ENROLLED STUDENTS

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minn. Stat. § 124D.03) or Enrollment in Nonresident District (Minn. Stat. § 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minn. Stat. Ch. 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of ~~sixteen (16)~~ seventeen (17) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

XV. DISTRIBUTION OF POLICY

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

XVI. REVIEW OF POLICY

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.26 (School Preassessment Teams)
Minn. Stat. § 121A.27 (School and Community Advisory Team)
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)
Minn. Stat. § 121A.582 (Reasonable Force)
Minn. Stat. §§ 121A.60-121A.61 (Removal From Class)
Minn. Stat. § 123A.05 (Area Learning Center Organization)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.08 (Enrollment in Nonresident District)
Minn. Stat. Ch.125A (Students With Disabilities)
Minn. Stat. Ch. 260A (Truancy)
Minn. Stat. Ch. 260C (Juvenile Court Act)
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education

Improvement Act of 2004)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

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

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509 ENROLLMENT OF NONRESIDENT STUDENTS

I. PURPOSE

The school district desires to participate in the Enrollment Options Program established by Minn. Stat. § 124D.03. The purpose of this policy is to set forth the application and exclusion procedures used by the school district in making said determination.

II. GENERAL STATEMENT OF POLICY

A. Eligibility. Applications for enrollment under the Enrollment Options (Open Enrollment) Law will be approved provided that acceptance of the application will not exceed the capacity of a program, class, grade level, or school building as established by school board resolution and provided that:

1. space is available for the applicant under enrollment cap standards established by school board policy or other directive; and
2. in considering the capacity of a grade level, the school district may only limit the enrollment of nonresident students to a number not less than the lesser of: (a) one percent of the total enrollment at each grade level in the school district; or (b) the number of school district resident students at that grade level enrolled in a nonresident school district in accordance with Minn. Stat. § 124D.03.
3. the applicant is not otherwise excluded by action of the school district because of previous conduct in another school district.

B. Standards that may be used for rejection of application. In addition to the provisions of Paragraph II.A., the school district may refuse to allow a pupil who is expelled under Minn. Stat. § 121A.45 to enroll during the term of the expulsion if the student was expelled for:

1. possessing a dangerous weapon, including a weapon, device, instruments, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, with the exception of a pocket knife with a blade less than two and one-half inches in length, at school or a school function;
2. possessing or using an illegal drug at school or a school function;
3. selling or soliciting the sale of a controlled substance while at school or a school function; or
4. committing a third-degree assault involving assaulting another and

inflicting substantial bodily harm.

C. Standards that may not be used for rejection of application. The school district may not use the following standards in determining whether to accept or reject an application for open enrollment:

1. previous academic achievement of a student;
2. athletic or extracurricular ability of a student;
3. disabling conditions of a student;
4. a student's proficiency in the English language;
5. the student's district of residence; or
6. previous disciplinary proceedings involving the student. This shall not preclude the school district from proceeding with exclusion as set out in Section E. of this policy.

D. Application. The student and parent or guardian must complete and submit an Application for Enrollment School District Enrollment Options Program developed by the Minnesota Department of Education (that enrollment form follows this policy).

E. Exclusion

1. Administrator's initial determination. If a school district administrator knows or has reason to believe that an applicant has engaged in conduct that has subjected or could subject the applicant to expulsion or exclusion under law or school district policy, the administrator will transmit the application to the superintendent with a recommendation of whether exclusion proceedings should be initiated.
2. Superintendent's review. The superintendent may make further inquiries. If the superintendent determines that the applicant should be admitted, he or she will notify the applicant and the school board chair. If the superintendent determines that the applicant should be excluded, the superintendent will notify the applicant and determine whether the applicant wishes to continue the application process. Although an application may not be rejected based on previous disciplinary proceedings, the school district reserves the right to initiate exclusion procedures pursuant to the Minnesota Pupil Fair Dismissal Act as warranted on a case-by-case basis.

F. Termination of Enrollment

1. The school district may terminate the enrollment of a nonresident student enrolled under an enrollment options program pursuant to Minn. Stat. § 124D.03 or 124D.08 at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate

services for truancy under Minn. Ch. 260A, and the student's case has been referred to juvenile court. A "habitual truant" is a child under 16 years of age who is absent from attendance at school without lawful excuse for seven school days if the child is in elementary school or for one or more class periods on seven school days if the child is in middle school, junior high school or high school, or a child who is 16 or 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days and who has not lawfully withdrawn from school under Minn. Stat. § 120A.22, Subd. 8.

2. The school district may also terminate the enrollment of a nonresident student over 16 years of age if the student is absent without lawful excuse for one or more periods on 15 school days and has not lawfully withdrawn from school under Minn. Stat. § 120A.22, Subd. 8.

G. Notwithstanding the requirement that an application must be approved by the board of the nonresident district, a student who has been enrolled in a district, who is identified as homeless, and whose parent or legal guardian moves to another district, may continue to enroll in the nonresident district without the approval of the board of the nonresident district. The approval of the board of the student's resident district is not required.

Legal References: Minn. Stat. § 120A.22, Subd. 3(e) (Residency Determined)
Minn. Stat. § 120A.22, Subd. 8 (Withdrawal from School)
Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.08 (School Board Approval to Enroll in Nonresident District)
Minn. Stat. § 124D.68 (High School Graduation Incentives Program)
Minn. Ch. 260A (Truancy)
Minn. Stat. § 260C.007, Subd. 19 (Habitual Truant Defined)
Op. Minn. Atty. Gen. No. 169-f (August 13, 1986)
Indep. Sch. Dist. No. 623 v. Minn. Dept. of Educ., Co. No. A05-361, 2005 WL 3111963 (Minn. Ct. App. 2005) (unpublished)

Cross References: MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 517 (Student Recruiting)
MSBA Service Manual, Chapter 5, Various Educational Programs

Adopted: _____

MSBA/MASA Model Policy 509

Orig. 1995

Revised: _____

Rev. ~~2012~~ 2013

509 ENROLLMENT OF NONRESIDENT STUDENTS

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

I. PURPOSE

The school district desires to participate in the Enrollment Options Program established by Minn. Stat. § 124D.03. The purpose of this policy is to set forth the application and exclusion procedures used by the school district in making said determination.

II. GENERAL STATEMENT OF POLICY

A. Eligibility. Applications for enrollment under the Enrollment Options (Open Enrollment) Law will be approved provided that acceptance of the application will not exceed the capacity of a program, class, grade level, or school building as established by school board resolution and provided that:

1. space is available for the applicant under enrollment cap standards established by school board policy or other directive; and
2. in considering the capacity of a grade level, the school district may only limit the enrollment of nonresident students to a number not less than the lesser of: (a) one percent of the total enrollment at each grade level in the school district; or (b) the number of school district resident students at that grade level enrolled in a nonresident school district in accordance with Minn. Stat. § 124D.03.
3. the applicant is not otherwise excluded by action of the school district because of previous conduct in another school district.

B. Standards that may be used for rejection of application. In addition to the provisions of Paragraph II.A., the school district may refuse to allow a pupil who is expelled under Minn. Stat. § 121A.45 to enroll during the term of the expulsion if the student was expelled for:

1. possessing a dangerous weapon, including a weapon, device, instruments, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, with the exception of a pocket knife with a blade less than two and one-half inches in length, at school or a school function;
2. possessing or using an illegal drug at school or a school function;

3. selling or soliciting the sale of a controlled substance while at school or a school function; or
 4. committing a third-degree assault involving assaulting another and inflicting substantial bodily harm.
- C. Standards that may not be used for rejection of application. The school district may not use the following standards in determining whether to accept or reject an application for open enrollment:
1. previous academic achievement of a student;
 2. athletic or extracurricular ability of a student;
 3. disabling conditions of a student;
 4. a student's proficiency in the English language;
 5. the student's district of residence; or
 6. previous disciplinary proceedings involving the student. This shall not preclude the school district from proceeding with exclusion as set out in Section E. of this policy.
- D. Application. The student and parent or guardian must complete and submit a School District Enrollment Options Program application developed by the Minnesota Department of Education (that enrollment form follows this policy).
- E. Exclusion
1. Administrator's initial determination. If a school district administrator knows or has reason to believe that an applicant has engaged in conduct that has subjected or could subject the applicant to expulsion or exclusion under law or school district policy, the administrator will transmit the application to the superintendent with a recommendation of whether exclusion proceedings should be initiated.
 2. Superintendent's review. The superintendent may make further inquiries. If the superintendent determines that the applicant should be admitted, he or she will notify the applicant and the school board chair. If the superintendent determines that the applicant should be excluded, the superintendent will notify the applicant and determine whether the applicant wishes to continue the application process. Although an application may not be rejected based on previous disciplinary proceedings, the school district reserves the right to initiate exclusion procedures pursuant to the Minnesota Pupil Fair Dismissal Act as warranted on a case-by-case basis.

F. Termination of Enrollment

1. The school district may terminate the enrollment of a nonresident student enrolled under an enrollment options program pursuant to Minn. Stat. § 124D.03 or 124D.08 at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy under Minn. Ch. 260A, and the student's case has been referred to juvenile court. A "habitual truant" is a child under 16 years of age who is absent from attendance at school without lawful excuse for seven school days if the child is in elementary school or for one or more class periods on seven school days if the child is in middle school, junior high school, or high school, or a child who is 16 or 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days and who has not lawfully withdrawn from school under Minn. Stat. § 120A.22, Subd. 8.
2. The school district may also terminate the enrollment of a nonresident student over 16 years of age if the student is absent without lawful excuse for one or more periods on 15 school days and has not lawfully withdrawn from school under Minn. Stat. § 120A.22, Subd. 8.

[Note: Effective with the 2014-15 school year, the school district may terminate the enrollment of a nonresident student over 17 years of age pursuant to this section.]

3. A student who has not applied for and been accepted for open enrollment pursuant to this policy and does not otherwise meet the residency requirements for enrollment may be terminated from enrollment and removed from school. Prior to removal from school, the school district will send to the student's parents a written notice of the school district's belief that the student is not a resident of the school district. The notice shall include the facts upon which the belief is based and notice to the parents of their opportunity to provide documentary evidence, in person or in writing, of residency to the superintendent or the superintendent's designee. The superintendent or the superintendent's designee will make the final determination as to the residency status of the student.

- G. Notwithstanding the requirement that an application must be approved by the board of the nonresident district, a student who has been enrolled in a district, who is identified as homeless, and whose parent or legal guardian moves to another district, may continue to enroll in the nonresident district without the approval of the board of the nonresident district. The approval of the board of the student's resident district is not required.

Legal References: Minn. Stat. § 120A.22, Subd. 3(e) (Residency Determined)
Minn. Stat. § 120A.22, Subd. 8 (Withdrawal from School)
Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)

Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.08 (School Board Approval to Enroll in Nonresident District)
Minn. Stat. § 124D.68 (High School Graduation Incentives Program)
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MSBA Service Manual, Chapter 5, Various Educational Programs

515 PROTECTION AND PRIVACY OF PUPIL RECORDS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

A. Authorized Representative

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

B. Biometric Record

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

C. Dates of Attendance

“Dates of attendance,” as referred to in “Directory Information,” means the period of time during which a student attends or attended a school or schools in the school district, including attendance in person or by paper correspondence, satellite, internet or other electronic communication technologies for students who are not in the classroom, and including the period during which a student is working under a work-study program. The term does not include specific daily records of a student’s attendance at a school or schools in the school district.

D. Directory Information

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

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

E. Education Records

1. What constitutes “education records.” Education records means those records which: (1) are directly related to a student; and (2) are maintained by the school district or by a party acting for the school district.
2. What does not constitute an education record. The term, “education records,” does not include:
 - a. Records of instructional personnel which:
 - (1) are in the sole possession of the maker of the record; and
 - (2) are not accessible or revealed to any other individual except a substitute teacher; and
 - (3) are destroyed at the end of the school year.

- b. Records of a law enforcement unit of the school district, provided educational records maintained by the school district are not disclosed to the unit, and the law enforcement records are:
 - (1) maintained separately from education records;
 - (2) maintained solely for law enforcement purposes; and
 - (3) disclosed only to law enforcement officials of the same jurisdiction.

- c. Records relating to an individual, including a student, who is employed by the school district which:
 - (1) are made and maintained in the normal course of business;
 - (2) relate exclusively to the individual in that individual's capacity as an employee; and
 - (3) are not available for use for any other purpose.

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

- d. Records relating to an eligible student, or a student attending an institution of post-secondary education, which are:
 - (1) made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity or assisting in that capacity;
 - (2) made, maintained, or used only in connection with the provision of treatment to the student; and
 - (3) disclosed only to individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are a part of the program of instruction within the school district.

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

F. Eligible Student

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

G. Juvenile Justice System

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

H. Legitimate Educational Interest

“Legitimate educational interest” includes interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, student health and welfare, and the ability to respond to a request for education data. It includes a person’s need to know in order to:

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

I. Parent

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

J. Personally Identifiable

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

K. Record

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

L. Responsible Authority

“Responsible authority” means [*designate title and actual name of individual*]

M. Student

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

N. School Official

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

O. Summary Data

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

P. Other Terms and Phrases

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

IV. GENERAL CLASSIFICATION

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

V. STATEMENT OF RIGHTS

A. Rights of Parents and Eligible Students

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

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

B. Eligible Students

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

C. Disabled Students

The school district shall follow 34 C.F.R. §§ 300.610-300.617 with regard to the confidentiality of information related to students with a disability.

VI. DISCLOSURE OF EDUCATION RECORDS

A. Consent Required for Disclosure

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

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

6. Eligible Student Consent

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

B. Prior Consent for Disclosure Not Required

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

- 1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records;
- 2. To a contractor, consultant, volunteer, or other party to whom the school district has outsourced institutional services or functions provided that the outside party:
 - a. performs an institutional service or function for which the school district would otherwise use employees;
 - b. is under the direct control of the school district with respect to the use and maintenance of education records; and

- c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made.
3. To officials of other schools, school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (see Section XIX.), suspension and expulsion information pursuant to section 7165 of the federal No Child Left Behind Act *[INSERT THE FOLLOWING IF THE SCHOOL DISTRICT HAS A POLICY REGARDING STAFF NOTIFICATION OF VIOLENT BEHAVIOR BY STUDENTS:]* and, if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minn. Stat. § 260B.171, unless the data are required to be destroyed under Minn. Stat. § 120A.22, Subd. 7(c) or § 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records which have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with the Section XV. of this policy;
4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;
5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:
 - a. determine eligibility for the aid;
 - b. determine the amount of the aid;
 - c. determine conditions for the aid; or
 - d. enforce the terms and conditions of the aid.

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

6. To state and local officials or authorities to whom such information is specifically allowed to be reported or disclosed pursuant to state statute adopted:

- a. before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system's ability to effectively serve the student whose records are released; or
 - b. after November 19, 1974, if the reporting or disclosure allowed by state statute concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released, provided the officials and authorities to whom the records are disclosed certify in writing to the school district that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the parent of the student. At a minimum, the school district shall disclose the following information to the juvenile justice system under this paragraph: a student's full name, home address, telephone number, and date of birth; a student's school schedule, attendance record, and photographs, if any; and parents' names, home addresses, and telephone numbers;
7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating or administering predictive tests, administering student aid programs or improving instruction; provided that the studies are conducted in a manner which does not permit the personal identification of parents or students by individuals other than representatives of the organization who have a legitimate interest in the information, the information is destroyed when no longer needed for the purposes for which the study was conducted, and the school district enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy all personally identifiable information when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed. For purposes of this provision, the term "organizations" includes, but is not limited to, federal, state and local agencies and independent organizations. In the event the Department of Education determines that a third party outside of the school district to whom information is disclosed violates this provision, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.
8. To accrediting organizations in order to carry out their accrediting functions;
9. To parents of a student eighteen (18) years of age or older if the student is a dependent of the parents for income tax purposes;

10. To comply with a judicial order or lawfully issued subpoena, provided, however, that the school district makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a federal grand jury subpoena, or any other subpoena issued for law enforcement purposes, and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or the disclosure is in compliance with an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. § 2332b(g)(5)(B) or an act of domestic or international terrorism as defined in 18 U.S.C. § 2331. If the school district initiates legal action against a parent or student, it may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as plaintiff. Also, if a parent or eligible student initiates a legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself;
11. To appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health, including the mental health, or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there is an articulable and significant threat to the health or safety of a student or other individuals. In making a determination whether to disclose information under this section, the school district may take into account the totality of the circumstances pertaining to a threat and may disclose information from education records to any person whose knowledge of the 515-12 information is necessary to protect the health or safety of the student or other students. A record of this disclosure must be maintained pursuant to Section XIII.E. of this policy. In addition, an educational agency or institution may include in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and school officials within the school district and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;
12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;
13. Information the school district has designated as "directory information" pursuant to Section VII. of this policy;

14. To military recruiting officers and post-secondary educational institutions pursuant to Section VII. of this policy;
15. To the parent of a student who is not an eligible student or to the student himself or herself;
16. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;
17. To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students; or
18. To the juvenile justice system, on written request that certifies that the information will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student:
 - a. the following information about a student must be disclosed: a student's full name, home address, telephone number, date of birth; a student's school schedule, daily attendance record, and photographs, if any; and any parents' names, home addresses, and telephone numbers;
 - b. the existence of the following information about a student, not the actual data or other information contained in the student's educational record, may be disclosed provided that a request for access must be submitted on the statutory form and it must contain an explanation of why access to the information is necessary to serve the student: (1) use of a controlled substance, alcohol, or tobacco; (2) assaultive or threatening conduct that could result in dismissal from school under the Pupil Fair Dismissal Act; (3) possession or use of weapons or look-alike weapons; (4) theft; or (5) vandalism or other damage to property. Prior to releasing this information, the principal or chief administrative officer of a school who receives such a request must, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information. If the student's parent or guardian notifies the school official of an objection to the disclosure within ten (10) days of receiving certified notice, the school official must not disclose the information and instead must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the school official must respond to the request for information.

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

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

20. To the principal where the student attends if it is information from a peace officer's record of children received by a superintendent under Minn. Stat. § 260B.171, Subd. 5. The principal must place the information in the student's educational record. The principal also must notify immediately any teacher, counselor, or administrator directly supervising the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student and describe the alleged offense if this information is provided in the peace officer's notice. Peace officer's record information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information must not be further disseminated by the counselor, teacher administrator, staff member, substitute, or volunteer except to communicate with the student or the student's parent or guardian as necessary to serve the student, to protect students and staff, or as otherwise required by law.

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

21. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more programs authorized under the National School lunch Act of the Child nutrition Act of 1966 for which the results will be reported in an aggregate form that does not identify any individual, on the conditions that: (a) any data collected shall be protected in a manner that will not permit the personal identification of students and their parents by other than the authorized representatives of the Secretary; and (b) any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measurements.

C. Nonpublic School Students

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

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

VII. RELEASE OF DIRECTORY INFORMATION

A. Classification

Directory information is public except as provided herein.

B. Former Students

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

C. Present Students and Parents

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

1. Annually give public notice by any means that are reasonably likely to inform the parents and eligible students of:
 - a. the types of personally identifiable information regarding students and/or parents that the school district has designated as directory information;
 - b. the parent’s or eligible student’s right to refuse to let the school district designate any or all of those types of information about the student and/or the parent as directory information; and
 - c. the period of time in which a parent or eligible student has to notify the school district in writing that he or she does not want any or all of those types of information about the student and/or the parent designated as directory information.
2. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the school district, in writing, that any or all of the information so designated should not be disclosed without the parent’s or eligible student’s prior written consent, except as provided in Section VI. of this policy.
3. A parent or eligible student may not opt out of the directory information disclosures to:
 - a. prevent the school district from disclosing or requiring the student to disclose the student’s name, ID, or school district e-mail address in a class in which the student is enrolled; or
 - b. prevent the school district from requiring a student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information that may be designated as directory information and that has been properly designated by the school

district as directory information.

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

D. Procedure for Obtaining Nondisclosure of Directory Information

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

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

E. Duration

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

VIII. DISCLOSURE OF PRIVATE RECORDS

A. Private Records

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

B. Private Records Not Accessible to Parent

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

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

C. Private Records Not Accessible to Student

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

IX. DISCLOSURE OF CONFIDENTIAL RECORDS

A. Confidential Records

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

B. Reports Under the Maltreatment of Minors Reporting Act

Pursuant to Minn. Stat. § 626.556, reports pertaining to a neglected and/or physically and/or sexually abused child shall be accessible only to the appropriate welfare and law enforcement agencies. In respect to other parties, such data shall be confidential and will not be made available to the parent or the subject

individual by the school district. The subject individual, however, may obtain a copy of the report from either the local welfare agency, county sheriff or the local police department subject to the provisions of Minn. Stat. § 626.556, Subd. 11.

C. Investigative Data

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

1. The school district may make any data classified as protected non-public or confidential pursuant to this subdivision accessible to any person, agency or the public if the school district determines that such access will aid the law enforcement process, promote public health or safety, or dispel widespread rumor or unrest.
2. A complainant has access to a statement he or she provided to the school district.
3. Parents or eligible students may have access to investigative data of which the student is the subject, but only to the extent the data is not inextricably intertwined with data about other school district students, school district employees, and/or attorney data as defined in Minn, Stat. § 13.393.
4. Once a civil investigation becomes inactive, civil investigative data becomes public unless the release of the data would jeopardize another pending civil legal action, except for those portions of such data that are classified as not public data under state or federal law. Any civil investigative data presented as evidence in court or made part of a court record shall be public. For purposes of this provision, a civil investigation becomes inactive upon the occurrence of any of the following events:
 - a. a decision by the school district, or by the chief attorney for the school district, not to pursue the civil legal action. However, such investigation may subsequently become active if the school district or its attorney decides to renew the civil legal action;
 - b. the expiration of the time to file a complaint under the statute of limitations or agreement applicable to the civil legal action; or
 - c. the exhaustion or expiration of rights of appeal by either party to the civil legal action.
5. A “pending civil legal action” for purposes of this subdivision is defined as including, but not limited to, judicial, administrative or arbitration proceedings.

D. Chemical Abuse Records

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

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

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

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

A. The School District will release the names, addresses, and home telephone numbers of secondary students to military recruiting officers within sixty (60) days after the date of the request unless a parent or eligible student has refused in writing to release this data to military recruiters pursuant to Paragraph C. below.

B. Data released to military recruiting officers under this provision:

1. may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military; and
2. cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces.

C. A parent or eligible student has the right to refuse the release of the name, address, or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the responsible authority, the Superintendent, in writing by November 1 each year. The written request must include the following information:

1. Name of student and parent, as appropriate;
2. Home address;
3. Student's grade level;
4. School presently attended by student;
5. Parent's legal relationship to student, if applicable;

6. Specific category or categories of information which are not to be released to military recruiting officers and post-secondary educational institutions; and
 7. Specific category or categories of information which are not to be released to the public, including military recruiting officers and post-secondary educational institutions.
- D. Annually, the school district will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse to release the names, addresses, and home phone numbers of students in grades 11 and 12 without prior consent.
- E. A parent or eligible student's refusal to release the above information to military recruiting officers and post-secondary educational institutions does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII. of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, phone number, and grade level of students as directory information, absent a request from a parent or eligible student not to release such data, this information will be public data and accessible to members of the public, including military recruiting officers and post-secondary educational institutions.

XII. LIMITS ON REDISCLOSURE

A. Redisclosure

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

B. Redisclosure Not Prohibited

1. Subdivision A. of this section does not prevent the school district from disclosing personally identifiable information under Section VI. of this policy with the understanding that the party receiving the information may make further disclosures of the information on behalf of the school district provided:
 - a. The disclosures meet the requirements of Section VI. of this policy; and
 - b. The school district has complied with the record-keeping requirements of Section XIII. of this policy.

2. Subdivision A. of this section does not apply to disclosures made pursuant to court orders or lawfully issued subpoenas or litigation, to disclosures of directory information, to disclosures to a parent or student or to parents of dependent students, or to disclosures concerning sex offenders and other individuals required to register under 42 U.S.C. § 14071. However, the school district must provide the notification required in Section XII.D. of this policy if a redisclosure is made based upon a court order or lawfully issued subpoena.

C. Classification of Disclosed Data

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

D. Notification

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

XIII. RESPONSIBLE AUTHORITY, RECORD SECURITY; AND RECORD KEEPING

A. Responsible Authority

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

B. Record Security

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

C. Plan for Securing Student Records

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

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

D. Review of Written Plan for Securing Student Records

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

E. Record Keeping

1. The principal shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record with the education records of the student which indicates:
 - a. the parties who have requested or received personally identifiable information from the education records of the student;
 - b. the legitimate interests these parties had in requesting or obtaining the information; and
 - c. the names of the state and local educational authorities and federal officials and agencies listed in Section VI.B.4. of this policy that may make further disclosures of personally identifiable information from the student's education records without consent.
2. In the event the school district discloses personally identifiable information from an education record of a student pursuant to Section XII.B. of this policy, the record of disclosure required under this section shall also include:
 - a. the names of the additional parties to which the receiving party may disclose the information on behalf of the school district;
 - b. the legitimate interests under Section VI. of this policy which each of the additional parties has in requesting or obtaining the information; and
 - c. a copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 C.F.R. § 99.32

and to whom the school district disclosed information from an education record. The school district shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to whom education records were disclosed upon a request from a parent or eligible student to review the record of requests for disclosure.

3. Section XIII.E.1. does not apply to requests by or disclosure to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other school officials under Section VI.B.1. of this policy, to requests for disclosures of directory information under Section VII. of this policy, or to a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or agency has ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18. U.S.C. § 2332b(g)(5)(B) or an act of domestic or international terrorism.
4. The record of requests of disclosures may be inspected by:
 - a. the parent of the student or the eligible student;
 - b. the school official or his or her assistants who are responsible for the custody of the records; and
 - c. the parties authorized by law to audit the record-keeping procedures of the school district.
5. The school district shall record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:
 - a. the articulable and significant threat to the health or safety of a student or other individual that formed the basis for the disclosure; and
 - b. the parties to whom the school district disclosed the information.
6. The record of requests and disclosures shall be maintained with the education records of the student as long as the school district maintains the student's education records.

XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

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

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

B. Response to Request for Access

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

C. Right to Inspect and Review

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

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

D. Form of Request

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

E. Collection of Student Records

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

F. Records Containing Information on More Than One Student

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

G. Authority to Inspect or Review

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

H. Fees for Copies of Records

1. The school district shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the reasonable fee, the school district shall consider the following:
 - a. the cost of materials, including paper, used to provide the copies;
 - b. the cost of the labor required to prepare the copies;
 - c. any schedule of standard copying charges established by the school district in its normal course of operations;
 - d. any special costs necessary to produce such copies from machine based record-keeping systems, including but not limited to computers and microfilm systems; and
 - e. mailing costs.
2. If 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and instead, the charge shall be no more than 25 cents for each page copied.
3. The cost of providing copies shall be borne by the parent or eligible student.
4. The responsible authority, however, may not impose a fee for a copy of an education record made for a parent or eligible student if doing so would effectively prevent or, in the case of a student with a disability, impair the parent or eligible student from exercising their right to inspect or review the student's education records.

XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA

A. Request to Amend Education Records

The parent of a student or an eligible student who believes that information contained in the education records of the student is inaccurate, misleading or

violates the privacy rights of the student may request that the school district amend those records.

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

B. Right to a Hearing

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

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

C. Conduct of Hearing

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

D. Appeal

The final decision of the designated hearing officer may be appealed in accordance with the applicable provisions of the Minn. Stat. Ch. 14 relating to contested cases.

XVI. PROBLEMS ACCESSING DATA

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

XVII. COMPLAINTS FOR NONCOMPLIANCE

A. Where to File Complaints

Complaints regarding alleged violations of rights accorded parents and eligible students by FERPA, and the rules promulgated thereunder, shall be submitted in

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

B. Content of Complaint

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

XVIII. WAIVER

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

XIX. ANNUAL NOTIFICATION OF RIGHTS

A. Contents of Notice

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

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;
2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records;
3. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosure without consent;
4. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of FERPA and the rules promulgated thereunder;
5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing education records to other school officials whom the school district has determined to have legitimate educational interests; and
6. That the school district forwards education records on request to a school in which a student seeks or intends to enroll including suspension and expulsion records pursuant to the federal No Child Left Behind Act and, if applicable, a student's history of violent behavior.

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

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

C. Notification to Parents or Eligible Students Who are Disabled

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

XX. DESTRUCTION AND RETENTION OF RECORDS

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

XXI. COPIES OF POLICY

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 14 (Administrative Procedures Act)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)
Minn. Stat. § 121A.75 (Sharing Disposition Order and Peace Officer Records)
Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)
Minn. Stat. § 260B.171, Subds. 3 and 5 (Disposition Order and Peace Officer Records of Children)
Minn. Stat. § 363A.42 (Public Records; Accessibility)
Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)
Minn. Rules Parts 1205.0100-1205.2000 (Data Practicers)
10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns; Compilation of Directory Information)
18 U.S.C. § 2331 (Definitions)
18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
20 U.S.C. § 6301 *et seq.* (No Child Left Behind)
20 U.S.C. § 7908 (Armed Forces Recruiting Information)
26 U.S.C. §§ 151 and 152 (Internal Revenue Code)
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)
34 C.F.R. § 300.610-300.627 (Confidentiality of Information)
42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records)
Gonzaga University v. Doe, 536 U.S. 273, 122 S.Ct. 2268, 153 L.Ed. 2d 309 (2002)

Cross References: MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)

MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
MSBA/MASA Model Policy 520 (Student Surveys)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 906 (Community Notification of Predatory Offenders)
MSBA Service Manual, Chapter 13, School Law Bulletin "I" (School Records – Privacy – Access to Data)

Adopted: _____

MSBA/MASA Model Policy 515

Orig. 1995

Revised: _____

Rev. ~~2012~~ 2013

515 PROTECTION AND PRIVACY OF PUPIL RECORDS

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

A. Authorized Representative

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

B. Biometric Record

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

C. Dates of Attendance

“Dates of attendance,” as referred to in “Directory Information,” means the period of time during which a student attends or attended a school or schools in the school district, including attendance in person or by paper correspondence, satellite, internet or other electronic communication technologies for students who

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

D. Directory Information

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

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

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

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

E. Education Records

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

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

- d. Records relating to an eligible student, or a student attending an institution of post-secondary education, which are:
 - (1) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity or assisting in that capacity;
 - (2) made, maintained, or used only in connection with the provision of treatment to the student; and
 - (3) disclosed only to individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are a part of the program of instruction within the school district.
- e. Records that only contain information about an individual after he or she is no longer a student at the school district and that are not directly related to the individual's attendance as a student.

F. Eligible Student

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

G. Juvenile Justice System

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

H. Legitimate Educational Interest

"Legitimate educational interest" includes interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, student health and welfare, and the ability to respond to a request for education data. It includes a person's need to know in order to:

- 1. Perform an administrative task required in the school or employee's contract or position description approved by the school board;
- 2. Perform a supervisory or instructional task directly related to the student's

education; or

3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid.
4. Perform a task directly related to responding to a request for data.

I. Parent

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

J. Personally Identifiable

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

K. Record

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

L. Responsible Authority

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

M. Student

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

from the school district.

N. School Official

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

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

O. Summary Data

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

P. Other Terms and Phrases

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

IV. GENERAL CLASSIFICATION

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

V. STATEMENT OF RIGHTS

A. Rights of Parents and Eligible Students

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

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

B. Eligible Students

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

C. Disabled Students

The school district shall follow 34 C.F.R. §§ 300.610-300.617 with regard to the confidentiality of information related to students with a disability.

VI. **DISCLOSURE OF EDUCATION RECORDS**

A. Consent Required for Disclosure

1. The school district shall obtain a signed and dated written informed consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the

student, except as provided herein.

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

authorizing to be disclosed;

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

6. Eligible Student Consent

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

B. Prior Consent for Disclosure Not Required

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

- 1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records;
- 2. To a contractor, consultant, volunteer, or other party to whom the school district has outsourced institutional services or functions provided that the outside party:
 - a. performs an institutional service or function for which the school district would otherwise use employees;
 - b. is under the direct control of the school district with respect to the use and maintenance of education records; and

- c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made.
3. To officials of other schools, school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (see Section XIX.), suspension and expulsion information pursuant to section 7165 of the federal No Child Left Behind Act *[insert the following if the school district has a policy regarding Staff Notification of Violent Behavior by Students]* and, if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minn. Stat. § 260B.171, unless the data are required to be destroyed under Minn. Stat. § 120A.22, Subd. 7(c) or § 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records which have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with Section XV. of this policy;
4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;
5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:
 - a. determine eligibility for the aid;
 - b. determine the amount of the aid;
 - c. determine conditions for the aid; or
 - d. enforce the terms and conditions of the aid.

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

6. To state and local officials or authorities to whom such information is

specifically allowed to be reported or disclosed pursuant to state statute adopted:

- a. before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system's ability to effectively serve the student whose records are released; or
 - b. after November 19, 1974, if the reporting or disclosure allowed by state statute concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released, provided the officials and authorities to whom the records are disclosed certify in writing to the school district that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the parent of the student. At a minimum, the school district shall disclose the following information to the juvenile justice system under this paragraph: a student's full name, home address, telephone number, and date of birth; a student's school schedule, attendance record, and photographs, if any; and parents' names, home addresses, and telephone numbers.
7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction; provided that the studies are conducted in a manner which does not permit the personal identification of parents or students by individuals other than representatives of the organization who have a legitimate interest in the information, the information is destroyed when no longer needed for the purposes for which the study was conducted, and the school district enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy all personally identifiable information when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed. For purposes of this provision, the term, "organizations," includes, but is not limited to, federal, state, and local agencies and independent organizations. In the event the Department of Education determines that a third party outside of the school district to whom information is disclosed violates this provision, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years;

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

school district and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;

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

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

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

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

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

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

21. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more programs authorized under the National School Lunch Act or the Child Nutrition Act of 1966 for which the results will be reported in an aggregate form that does not identify any individual, on the conditions that: (a) any data collected shall be protected in a manner that will not permit the personal identification of students and their parents by other than the authorized representatives of the Secretary; and (b) any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measurements.
22. To an agency caseworker or other representative of a State or local child welfare agency, or tribal organization (as defined in section 450b of Title 25), who has the right to access a student's case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization

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

C. Nonpublic School Students

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

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

VII. RELEASE OF DIRECTORY INFORMATION

A. Classification

Directory information is public except as provided herein.

B. Former Students

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

C. Present Students and Parents

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

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

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

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

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

D. Procedure for Obtaining Nondisclosure of Directory Information

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

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

E. Duration

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

VIII. DISCLOSURE OF PRIVATE RECORDS

A. Private Records

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

B. Private Records Not Accessible to Parent

In certain cases state law intends, and clearly provides, that certain information contained in the education records of the school district pertaining to a student be

accessible to the student alone, and to the parent only under special circumstances, if at all.

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

C. Private Records Not Accessible to Student

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

IX. DISCLOSURE OF CONFIDENTIAL RECORDS

A. Confidential Records

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

B. Reports Under the Maltreatment of Minors Reporting Act

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

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

C. Investigative Data

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

1. The school district may make any data classified as protected non-public or confidential pursuant to this subdivision accessible to any person, agency, or the public if the school district determines that such access will aid the law enforcement process, promote public health or safety, or dispel widespread rumor or unrest.
2. A complainant has access to a statement he or she provided to the school district.
3. Parents or eligible students may have access to investigative data of which the student is the subject, but only to the extent the data is not inextricably intertwined with data about other school district students, school district employees, and/or attorney data as defined in Minn. Stat. § 13.393.
4. Once a civil investigation becomes inactive, civil investigative data becomes public unless the release of the data would jeopardize another pending civil legal action, except for those portions of such data that are classified as not public data under state or federal law. Any civil investigative data presented as evidence in court or made part of a court record shall be public. For purposes of this provision, a civil investigation becomes inactive upon the occurrence of any of the following events:
 - a. a decision by the school district, or by the chief attorney for the

school district, not to pursue the civil legal action. However, such investigation may subsequently become active if the school district or its attorney decides to renew the civil legal action;

- b. the expiration of the time to file a complaint under the statute of limitations or agreement applicable to the civil legal action; or
- c. the exhaustion or expiration of rights of appeal by either party to the civil legal action.

5. A “pending civil legal action” for purposes of this subdivision is defined as including, but not limited to, judicial, administrative, or arbitration proceedings.

D. Chemical Abuse Records

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

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

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

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

A. The school district will release the names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request unless a parent or eligible student has refused in writing to release this data pursuant to Paragraph C. below.

B. Data released to military recruiting officers under this provision:

- 1. may be used only for the purpose of providing information to students about military service, state and federal veterans’ education benefits, and other career and educational opportunities provided by the military; and
- 2. cannot be further disseminated to any other person except personnel of the

recruiting services of the armed forces.

- C. A parent or eligible student has the right to refuse the release of the name, address, or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the responsible authority [*designate title of individual, i.e., building principal*] in writing by [*date*] each year. The written request must include the following information:
1. Name of student and parent, as appropriate;
 2. Home address;
 3. Student's grade level;
 4. School presently attended by student;
 5. Parent's legal relationship to student, if applicable;
 6. Specific category or categories of information which are not to be released to military recruiting officers and post-secondary educational institutions; and
 7. Specific category or categories of information which are not to be released to the public, including military recruiting officers and post-secondary educational institutions.
- D. Annually, the school district will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse to release the names, addresses, and home phone numbers of students in grades 11 and 12 without prior consent.
- E. A parent or eligible student's refusal to release the above information to military recruiting officers and post-secondary educational institutions does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII. of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, phone number, and grade level of students as directory information, absent a request from a parent or eligible student not to release such data, this information will be public data and accessible to members of the public, including military recruiting officers and post-secondary educational institutions.

XII. LIMITS ON REDISCLOSURE

- A. Redisclosure

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

B. Redisclosure Not Prohibited

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

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

C. Classification of Disclosed Data

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

D. Notification

The school district shall inform the party to whom a disclosure is made of the requirements set forth in this section, except for disclosures made pursuant to court orders or lawfully issued subpoenas, disclosure of directory information

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

XIII. RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING

A. Responsible Authority

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

B. Record Security

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

C. Plan for Securing Student Records

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

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

D. Review of Written Plan for Securing Student Records

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

attached to and become a part of this policy.

E. Record Keeping

1. The principal shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record with the education records of the student which indicates:
 - a. the parties who have requested or received personally identifiable information from the education records of the student;
 - b. the legitimate interests these parties had in requesting or obtaining the information; and
 - c. the names of the state and local educational authorities and federal officials and agencies listed in Section VI.B.4. of this policy that may make further disclosures of personally identifiable information from the student's education records without consent.
2. In the event the school district discloses personally identifiable information from an education record of a student pursuant to Section XII.B. of this policy, the record of disclosure required under this section shall also include:
 - a. the names of the additional parties to which the receiving party may disclose the information on behalf of the school district;
 - b. the legitimate interests under Section VI. of this policy which each of the additional parties has in requesting or obtaining the information; and
 - c. a copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 C.F.R. § 99.32 and to whom the school district disclosed information from an education record. The school district shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to whom education records were disclosed upon a request from a parent or eligible student to review the record of requests for disclosure.
3. Section XIII.E.1. does not apply to requests by or disclosure to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other school officials under Section VI.B.1. of this policy, to requests for disclosures of directory information under Section VII. of this policy, or to a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or agency has

ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18. U.S.C. § 2332b(g)(5)(B) or an act of domestic or international terrorism.

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

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

XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

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

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

B. Response to Request for Access

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

C. Right to Inspect and Review

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

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

D. Form of Request

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

E. Collection of Student Records

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

F. Records Containing Information on More Than One Student

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

G. Authority to Inspect or Review

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

H. Fees for Copies of Records

1. The school district shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the reasonable fee, the school district shall consider the following:
 - a. the cost of materials, including paper, used to provide the copies;
 - b. the cost of the labor required to prepare the copies;
 - c. any schedule of standard copying charges established by the school district in its normal course of operations;
 - d. any special costs necessary to produce such copies from machine based record-keeping systems, including but not limited to computers and microfilm systems; and
 - e. mailing costs.
2. If 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and, instead, the charge shall be no more than 25 cents for each page copied.
3. The cost of providing copies shall be borne by the parent or eligible student.
4. The responsible authority, however, may not impose a fee for a copy of an education record made for a parent or eligible student if doing so would effectively prevent or, in the case of a student with a disability, impair the parent or eligible student from exercising their right to inspect or review the student's education records.

XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA

A. Request to Amend Education Records

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

amend those records.

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

B. Right to a Hearing

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

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

thereof is disclosed by the school district to any party, the explanation shall also be disclosed to that party.

C. Conduct of Hearing

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

D. Appeal

The final decision of the designated hearing officer may be appealed in accordance with the applicable provisions of Minn. Stat. Ch. 14 relating to contested cases.

XVI. PROBLEMS ACCESSING DATA

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

XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA

A. Where to File Complaints

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

B. Content of Complaint

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

XVIII. WAIVER

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

XIX. ANNUAL NOTIFICATION OF RIGHTS

A. Contents of Notice

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

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;
2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records;
3. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosure without consent;
4. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of FERPA and the rules promulgated thereunder;
5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing

education records to other school officials whom the school district has determined to have legitimate educational interests; and

6. That the school district forwards education records on request to a school in which a student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment or transfer and that such records may include suspension and expulsion records pursuant to the federal No Child Left Behind Act and, if applicable, a student's history of violent behavior.

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

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

C. Notification to Parents or Eligible Students Who are Disabled

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

XX. DESTRUCTION AND RETENTION OF RECORDS

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

XXI. COPIES OF POLICY

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 14 (Administrative Procedures Act)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)
Minn. Stat. § 121A.75 (Sharing Disposition Order and Peace Officer Records)
Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)
Minn. Stat. § 260B.171, Subds. 3 and 5 (Disposition Order and Peace Officer Records of Children)
Minn. Stat. § 363A.42 (Public Records; Accessibility)
Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)
10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns; Compilation of Directory Information)
18 U.S.C. § 2331 (Definitions)
18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)

20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
20 U.S.C. § 6301 *et seq.* (No Child Left Behind)
20 U.S.C. § 7908 (Armed Forces Recruiting Information)
26 U.S.C. §§ 151 and 152 (Internal Revenue Code)
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)
34 C.F.R. § 300.610-300.627 (Confidentiality of Information)
42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records)
Gonzaga University v. Doe, 536 U.S. 273, 122 S.Ct. 2268, 153 L.Ed. 2d
309 (2002)

Cross References: MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect
or Physical or Sexual Abuse)
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside
Agencies)
MSBA/MASA Model Policy 520 (Student Surveys)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 906 (Community Notification of Predatory
Offenders)
MSBA Service Manual, Chapter 13, School Law Bulletin “T” (School
Records – Privacy – Access to Data)

1st Reading: 4/24/06
2nd Reading: 5/22/06
Approved: 6/24/2006
Reviewed: 11/26/12

516 STUDENT MEDICATION

I. PURPOSE

The purpose of this policy is to set forth the provisions that must be followed when administering nonemergency prescription medication to students at school.

II. GENERAL STATEMENT OF POLICY

The school district acknowledges that some students may require prescribed drugs or medication during the school day. The school district's licensed school nurse, trained health clerk, principal, or teacher will administer prescribed medications in accordance with law and school district procedures.

III. REQUIREMENTS

- A. The administration of prescription medication or drugs at school requires a completed signed request from the student's parent. An oral request must be reduced to writing within two school days, provided that the school district may rely on an oral request until a written request is received.
- B. An "Administering Prescription Medications" form must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs.
- C. Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with law, and must be administered in a manner consistent with the instructions on the label.
- D. The school nurse may request to receive further information about the prescription, if needed, prior to administration of the substance.
- E. Prescription medications are not to be carried by the student, but will be left with the appropriate school district personnel. Exceptions to this requirement are: prescription asthma medications self-administered with an inhaler (See Part J.5. below), and medications administered as noted in a written agreement between the school district and the parent or as specified in an IEP (individualized education program), Section 504 plan, or IHP (individual health plan).
- F. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student's prescription medication administration. A new medical authorization or container label with new pharmacy instructions shall be required immediately as well.

- G. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.
- H. The school nurse, or other designated person, shall be responsible for the filing of the Administering Prescription Medications form in the health records section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.
- I. Procedures for administration of drugs and medicine at school and school activities shall be developed in consultation with a school nurse, a licensed school nurse, or a public or private health organization or other appropriate party (if appropriately contracted by the school district under Minn. Stat. § 121A.21). The school district administration shall submit these procedures and any additional guidelines and procedures necessary to implement this policy to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy.
- J. Specific Exceptions:
1. Special health treatments and health functions such as catheterization, tracheostomy suctioning, and gastrostomy feedings do not constitute administration of drugs and medicine;
 2. Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy;
 3. Drugs or medicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy;
 4. Drugs or medicines used at school in connection with services for which a minor may give effective consent are not governed by this policy;
 5. Drugs or medicines that are prescription asthma or reactive airway disease medications can be self-administered by a student with an asthma inhaler if:
 - a. the school district has received a written authorization from the pupil's parent permitting the student to self-administer the medication;
 - b. the inhaler is properly labeled for that student; and
 - c. the parent has not requested school personnel to administer the medication to the student.

The parent must submit written authorization for the student to self-administer the medication each school year. In a school that does not have a school nurse or school nursing services, the student's parent or guardian must submit written verification from the prescribing professional which documents that an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.

If the School District employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers;

6. Medications:
 - a. that are used off school grounds;
 - b. that are used in connection with athletics or extracurricular activities; or
 - c. that are used in connection with activities that occur before or after the regular school day

are not governed by this policy.

7. Nonprescription Medication. A secondary student may possess and use nonprescription pain relief in a manner consistent with the labeling, if the school district has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The school district may revoke a student's privilege to possess and use nonprescription pain relievers if the school district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients. Except as state in this paragraph, only prescription medications are governed by this policy.
8. At the start of each school year or at the time a student enrolls in school, whichever is first, a student's parent, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an individualized written health plan for a student who is prescribed nonsyringe injectors of epinephrine that enables the student to:

- a. possess nonsyringe injectors of epinephrine; or
- b. if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to nonsyringe injectors of epinephrine in close proximity to the student at all times during the instructional day.

The plan must designate the school staff responsible for implementing the student's health plan, including recognizing anaphylaxis and administering nonsyringe injectors of epinephrine when required, consistent with state law. This health plan may be included in a student's § 504 plan.

K. "Parent" for students 18 years old or older is the student.

Legal References: Minn. Stat. § 13.32 (Student Health Data)
Minn. Stat. § 121A.21 (Hiring of Health Personnel)
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)
Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)
Minn. Stat. § 121A.2205 (Possession and Use of Nonsyringe Injectors of Epinephrine; Model Policy)
Minn. Stat. § 151.212 (Label of Prescription Drug Containers)
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)

Cross References: MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)

Adopted: _____

MSBA/MASA Model Policy 516

Orig. 1995

Revised: _____

Rev. 2005 2013

516 STUDENT MEDICATION

[Note: The necessary provisions for complying with Minn. Stat. §§ 121A.22, Administration of Drugs and Medicine, 121A.221, Possession and Use of Asthma Inhalers by Asthmatic Students, and 121A.222, Possession and Use of Nonprescription Pain Relievers by Secondary Students are included in this policy. The statutes do not regulate administration of drugs and medicine for students age 18 and over or other nonprescription medications. Please note that §121A.22 does not require school districts to apply the administration of medication rule to drugs or medicine used off school grounds, drugs or medicines used in connection with athletics or extra-curricular activities, and drugs and medicines that are used in connection with activities that occur before or after the regular school day.]

I. PURPOSE

The purpose of this policy is to set forth the provisions that must be followed when administering nonemergency prescription medication to students at school.

II. GENERAL STATEMENT OF POLICY

The school district acknowledges that some students may require prescribed drugs or medication during the school day. The school district's licensed school nurse, trained health clerk, principal, or teacher will administer prescribed medications in accordance with law and school district procedures.

III. REQUIREMENTS

- A. The administration of prescription medication or drugs at school requires a completed signed request from the student's parent. An oral request must be reduced to writing within two school days, provided that the school district may rely on an oral request until a written request is received.
- B. An "Administering Prescription Medications" form must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs.
- C. Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with law, and must be administered in a manner consistent with the instructions on the label.
- D. The school nurse may request to receive further information about the prescription, if needed, prior to administration of the substance.

- E. Prescription medications are not to be carried by the student, but will be left with the appropriate school district personnel. Exceptions to this requirement are: prescription asthma medications self-administered with an inhaler (See Part J.5. below), and medications administered as noted in a written agreement between the school district and the parent or as specified in an IEP (individualized education program), Section 504 plan, or IHP (individual health plan).
- F. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student's prescription medication administration. A new medical authorization or container label with new pharmacy instructions shall be required immediately as well.
- G. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.
- H. The school nurse, or other designated person, shall be responsible for the filing of the Administering Prescription Medications form in the health records section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.
- I. Procedures for administration of drugs and medicine at school and school activities shall be developed in consultation with a school nurse, a licensed school nurse, or a public or private health organization or other appropriate party (if appropriately contracted by the school district under Minn. Stat. § 121A.21). The school district administration shall submit these procedures and any additional guidelines and procedures necessary to implement this policy to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy.
- J. Specific Exceptions:
 - 1. Special health treatments and health functions such as catheterization, tracheostomy suctioning, and gastrostomy feedings do not constitute administration of drugs and medicine;
 - 2. Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy;
 - 3. Drugs or medicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy;
 - 4. Drugs or medicines used at school in connection with services for which a minor may give effective consent are not governed by this policy;
 - 5. Drugs or medicines that are prescription asthma or reactive airway disease medications can be self-administered by a student with an asthma inhaler

if:

- a. the school district has received a written authorization from the pupil's parent permitting the student to self-administer the medication;
- b. the inhaler is properly labeled for that student; and
- c. the parent has not requested school personnel to administer the medication to the student.

The parent must submit written authorization for the student to self-administer the medication each school year. In a school that does not have a school nurse or school nursing services, the student's parent or guardian must submit written verification from the prescribing professional which documents that an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.

If the school district employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers;

6. Medications:

- a. that are used off school grounds;
- b. that are used in connection with athletics or extracurricular activities; or
- c. that are used in connection with activities that occur before or after the regular school day

are not governed by this policy.

[Note: The provisions of paragraph 6 are optional and the school board may choose to include or exclude any of the provisions specified.]

7. Nonprescription Medication. A secondary student may possess and use nonprescription pain relief in a manner consistent with the labeling, if the school district has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The school district may revoke a student's privilege to possess and use nonprescription pain

relievers if the school district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients. Except as stated in this paragraph, only prescription medications are governed by this policy.

[Note: School districts should consult with licensed medical and nursing personnel to address whether nonprescription medications will be allowed at elementary schools and whether and under what conditions school personnel will participate in storing or administering nonprescription medications.]

8. At the start of each school year or at the time a student enrolls in school, whichever is first, a student's parent, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an individualized written health plan for a student who is prescribed ~~nonsyringe injectors of~~ epinephrine auto-injectors that enables the student to:
 - a. possess ~~nonsyringe injectors of~~ epinephrine auto-injectors; or
 - b. if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to ~~nonsyringe injectors of~~ epinephrine auto-injectors in close proximity to the student at all times during the instructional day.

The plan must designate the school staff responsible for implementing the student's health plan, including recognizing anaphylaxis and administering ~~nonsyringe injectors of~~ epinephrine auto-injectors when required, consistent with state law. This health plan may be included in a student's § 504 plan.

K. "Parent" for students 18 years old or older is the student.

L. Districts and schools may obtain and possess epinephrine auto-injectors to be maintained and administered by school personnel to a student or other individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for an epinephrine auto-injector. The administration of an epinephrine auto-injector in accordance with this section is not the practice of medicine.

A district or school may enter into arrangements with manufacturers of epinephrine auto-injectors to obtain epinephrine auto-injectors at fair-market, free, or reduced prices. A third party, other than a manufacturer or supplier, may pay for a school's supply of epinephrine auto-injectors.

Legal References: Minn. Stat. § 13.32 (Student Health Data)

Minn. Stat. § 121A.21 (Hiring of Health Personnel)
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)
Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)
Minn. Stat. § 121A.2205 (Possession and Use of ~~Nonsyringe Injectors of~~ Epinephrine Auto-Injectors; Model Policy)
Minn. Stat. § 121A.2207 (Life-Threatening Allergies in Schools; Stock Supply of Epinephrine Auto-Injectors)
Minn. Stat. § 151.212 (Label of Prescription Drug Containers)
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)

Cross References: MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)

1st Reading: 04/24/2006

2nd Reading: 5/22/2006

Approved: 6/26/2006

Reviewed: 12/17/2012

521 STUDENT DISABILITY NONDISCRIMINATION

I. PURPOSE

The purpose of this policy is to protect disabled students from discrimination on the basis of disability and to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973 (Section 504), need services, accommodations, or programs in order that such learners may receive a free appropriate public education.

II. GENERAL STATEMENT OF POLICY

- A. Disabled students who meet the criteria of Paragraph C. below are protected from discrimination on the basis of a disability.
- B. The responsibility of the school district is to identify and evaluate learners who, within the intent of Section 504, need services, accommodations, or programs in order that such learners may receive a free appropriate public education.
- C. For this policy, a learner who is protected under Section 504 is one who:
 - 1. has a physical or mental impairment that substantially limits one or more of such person's major life activities; or
 - 2. has a record of such an impairment; or
 - 3. is regarded as having such an impairment.
- D. Learners may be protected from disability discrimination and be eligible for services, accommodations, or programs under the provisions of Section 504 even though they are not eligible for special education pursuant to the Individuals with Disabilities Education Act.

III. COORDINATOR

Persons who have questions, comments, or complaints should contact _____ regarding grievances or hearing requests regarding disability issues. This person is the school district's Americans with Disabilities Act/Section 504 Coordinator.

Legal References: Pub. L. 110-325, 122 Stat. 3553 (ADA Amendments Act of 2008, § 7)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. Part 104 (Section 504 Implementing Regulations)

Cross References: MSBA/MASA Model Policy 402 (Disability Nondiscrimination)

Adopted: _____

MSBA/MASA Model Policy 521

Orig. 1995

Revised: _____

Rev. ~~2008~~ 2013

521 STUDENT DISABILITY NONDISCRIMINATION

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

I. PURPOSE

The purpose of this policy is to protect disabled students from discrimination on the basis of disability and to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973 (Section 504), need services, accommodations, or programs in order that such learners may receive a free appropriate public education.

II. GENERAL STATEMENT OF POLICY

- A. Disabled students who meet the criteria of Paragraph C. below are protected from discrimination on the basis of a disability.
- B. The responsibility of the school district is to identify and evaluate learners who, within the intent of Section 504, need services, accommodations, or programs in order that such learners may receive a free appropriate public education.
- C. For this policy, a learner who is protected under Section 504 is one who:
 - 1. has a physical or mental impairment that substantially limits one or more of such person's major life activities; or
 - 2. has a record of such an impairment; or
 - 3. is regarded as having such an impairment.
- D. Learners may be protected from disability discrimination and be eligible for services, accommodations, or programs under the provisions of Section 504 even though they are not eligible for special education pursuant to the Individuals with Disabilities Education Act.

III. COORDINATOR

Persons who have questions; or comments; ~~or complaints~~ should contact _____ (title, name, office address, and telephone number) regarding grievances or hearing requests regarding disability issues. This person is the school district's Americans with Disabilities Act/Section 504 coordinator. Persons who wish to make a complaint regarding a disability discrimination matter may use the accompanying Student Disability Discrimination Grievance Report Form. The form should be given to the ADA/Section 504 coordinator.

Legal References: Pub. L. 110-325, 122 Stat. 3553 (ADA Amendments Act of 2008, § 7)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. Part 104 (Section 504 Implementing Regulations)

Cross References: MSBA/MASA Model Policy 402 (Disability Nondiscrimination)